Freedom in the World 2023

The findings of *Freedom in the World 2023* include events from January 1, 2022, through December 31, 2022.

Freedom in the World 2023

The Annual Survey of Political Rights and Civil Liberties

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Freedom in the World 2023
Marking Fifty Years in the Struggle for Democracy

by Yana Gorokhovskaia, Adrian Shahbaz, and Amy Slipowitz

KEY FINDINGS

Global freedom declined for the 17th consecutive year. Moscow's war of aggression led to devastating human rights atrocities in Ukraine. New coups and other attempts to undermine representative government destabilized Burkina Faso, Tunisia, Peru, and Brazil. Previous years' coups and ongoing repression continued to diminish basic liberties in Guinea and constrain those in Turkey, Myanmar, and Thailand, among others. Two countries suffered downgrades in their overall freedom status: Peru moved from Free to Partly Free, and Burkina Faso moved from Partly Free to Not Free.

The struggle for democracy may be approaching a turning point. The gap between the number of countries that registered overall improvements in political rights and civil liberties and those that registered overall declines for 2022 was the narrowest it has ever been through 17 years of global deterioration. Thirty-four countries made improvements, and the tally of countries with declines, at 35, was the smallest recorded since the negative pattern began. The gains were driven by more competitive elections as well as a rollback of pandemic-related restrictions that had disproportionately affected freedom of assembly and freedom of movement. Two countries, Colombia and Lesotho, earned upgrades in their overall freedom status, moving from Partly Free to Free.

While authoritarians remain extremely dangerous, they are not unbeatable. The year's events showed that autocrats are far from infallible, and their errors provide openings for democratic forces. The effects of corruption and a focus on political control at the expense of competence exposed the limits of the authoritarian models offered by Beijing, Moscow, Caracas, or Tehran. Meanwhile, democratic alliances demonstrated solidarity and vigor.

Infringement on freedom of expression has long been a key driver of global democratic decline. Over the last 17 years, the number of countries and territories that receive a score of 0 out of 4 on the report's media freedom indicator has ballooned from 14 to 33, as journalists face persistent attacks from autocrats and their supporters while receiving inadequate protection from intimidation and violence even in some democracies. The past year brought more of the same, with media freedom coming under pressure in at least 157 countries and territories during 2022. Scores for a related indicator pertaining to freedom of personal expression have also declined over the years amid greater invasions of privacy, harassment and intimidation, and incentives to self-censor both online and offline.

The fight for freedom persists across decades. When Freedom House issued the first edition of its global survey in 1973, 44 of 148 countries were rated Free. Today, 84 of 195 countries are Free. Over the past 50 years, consolidated democracies have not only emerged from deeply repressive environments but also proven to be remarkably resilient in the face of new challenges. Although democratization has slowed and encountered setbacks, ordinary people around the world, including in Iran, China, and Cuba, continue to defend their rights against authoritarian encroachment.

EXECUTIVE SUMMARY

The global struggle for democracy approached a possible turning point in 2022. The gap between the number of countries that registered overall improvements in political rights and civil liberties and those that registered overall declines was the narrowest it has ever been through 17 consecutive years of deterioration.

The most serious setbacks for freedom and democracy were the result of war, coups, and attacks on democratic institutions by illiberal incumbents. The authoritarian regime in Russia launched a full-scale invasion of Ukraine in a bid to scuttle that country's hard-won democratic progress. New coups and other attempts to undermine representative government destabilized Burkina Faso, Tunisia, Peru, and Brazil. Previous years' coups and ongoing repression continued to diminish basic liberties in Guinea and constrain those in settings such as Turkey, Myanmar, and Thailand. Afghanistan's Taliban regime barred girls from receiving an education in the midst of an ongoing economic and humanitarian crisis. Governments and occupying powers used violence and other means to destroy cultures and change the ethnic composition of populations in 21 countries and territories, including Ukraine, Ethiopia, and Myanmar.

A total of 34 countries showed improvements in political rights and civil liberties, compared with 35 that lost ground, signaling a possible slowdown in the global decline. Democratic gains were achieved through more transparent and competitive elections in Lesotho, Colombia, and Kenya. A lifting of pandemic-related restrictions that disproportionately affected freedom of assembly and freedom of movement also produced positive change, as did a renewed commitment to judicial independence in some countries.

In addition to these outright improvements, the year brought fresh evidence of the limits of authoritarian power. Authoritarian influence at the United Nations and other international organizations faltered as democracies reaffirmed the value of multilateral engagement. Ukrainians, with material support from many democracies, beat back a vast Russian army that was hampered by decades of corruption. In China, the ruling Communist Party's onerous and politicized COVID-19 policies were abruptly dismantled in the face of public protests.

The 2023 edition of *Freedom in the World* is the 50th in this series of annual comparative reports. As such, it provides an opportunity to reflect on the challenges to and achievements of democracy over the past five decades. Among the more significant challenges has been a widespread assault on the civil liberties that can be used to hold governments to account—most notably, freedom of expression.

Over the last 17 years, the number of countries and territories that receive a score of 0 out of 4 on the report's media freedom indicator has ballooned from 14 to 33. The year 2022 brought more of the same, with media freedom coming under pressure in at least 157 countries and territories. Scores for a related indicator pertaining to freedom of personal expression have also suffered over the years amid greater invasions of privacy, harassment and intimidation, and incentives to self-censor both online and offline.

It has become more difficult to consolidate nascent democratic institutions in recent decades. More and more countries have remained Partly Free instead of moving toward full democratization. Still, the world is significantly freer today than it was 50 years ago. In 1973, 44 of 148 countries were rated Free. Today, 84 of 195 countries have earned that status. Many strong democracies that emerged during periods of progress have since withstood serious political, social, and economic pressures.

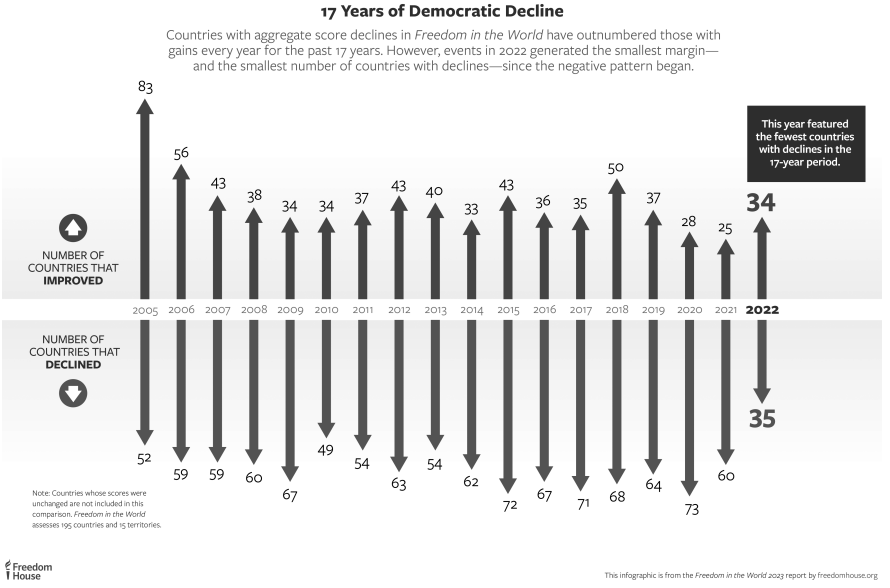
Ongoing protests against repression in Iran, Cuba, China, and other authoritarian countries suggest that people's desire for freedom is enduring, and that no setback should be regarded as permanent. Democratic societies' international solidarity, commitment to shared values, and continued support for human rights defenders are crucial to ensuring that the next 50 years bring the world closer to a state of freedom for all.

DIRECT ATTACKS ON DEMOCRACY AND THE HUMAN COST OF AUTHORITARIAN RULE

Dramatic declines in political rights and civil liberties during 2022 were driven by direct assaults on democratic institutions, whether by foreign military forces or incumbent officials in positions of trust. War, coups d'état, and power grabs repeatedly posed an existential threat to elected governments around the world.

In February, Ukrainians were violently thrust into the heart of the global struggle to defend democracy against authoritarianism. President Vladimir Putin of Russia, having already overseen the illegal occupation of Ukrainian territory in Crimea and eastern Donbas since 2014, launched a full-scale invasion of the country. Whatever false justifications for this war of aggression have been promulgated by the Kremlin's state-controlled media, its clear purpose is to remove the elected leadership in Kyiv and deprive Ukrainians of their fundamental right to free self-government.

The war has been, as Ukrainian president Volodymyr Zelenskyy put it, a disaster with a high price. In his desire to destroy democracy in Ukraine and deny Ukrainians their political rights and civil liberties, Putin has caused the deaths and injuries of thousands of Ukrainian civilians as well as soldiers on both sides, the destruction of crucial infrastructure, the



displacement of millions of people from their homes, a proliferation of torture and sexual violence, and the intensification of already harsh repression within Russia.

Military coups

While the assault on Ukraine's democracy came from a neighboring state, a growing number of countries faced attacks from within. Burkina Faso experienced the steepest decline in freedom in this year's report, losing a total of 23 points on the 100-point scale and falling from Partly Free to Not Free status as a result of two successive coups. In January 2022, Lieutenant Colonel Paul-Henri Sandaogo Damiba, leading a self-proclaimed Patriotic Movement for Safeguard and Restoration, ousted the elected president, suspended the constitution, dissolved the legislature, and instituted a curfew. Just eight months later, he was replaced by another officer, Captain Ibrahim Traoré, who dismissed the transitional government, again suspended the constitution, closed the borders, and issued orders that prevented civil society organizations from operating. Both coup leaders ruled by decree and made only vague commitments to holding democratic elections in the future.

Events at the end of 2022 showed that even unsuccessful coup attempts can do immediate harm to the political system and human rights, especially when they take place in a country that has previously experienced authoritarianism. In December, Peru's President Pedro Castillo tried to avoid imminent impeachment by suspending Congress and declaring a nationwide curfew. Castillo's attempted "autogolpe," or self-coup, happened 30 years after President Alberto Fujimori seized legislative and judicial powers in the country with help from the military and began a decade-long dictatorship. Even though Castillo was quickly removed from office and replaced by the vice president, his arrest sparked large protests across the country and triggered the implementation of a state of emergency that granted special powers to security services and limited the right to assembly. Over two dozen people were killed and hundreds were injured in December alone as police responded to the protests with deadly force, and unrest continued into the new year. The crisis caused the country to drop from Free to Partly Free status and threatened to further undermine a political system that has endured multiple presidential resignations and impeachments in recent years.

In addition to the dangers they pose in the moment, coups and coup attempts can have repercussions that substantially degrade protections for human rights in the long run. Thailand's civil society continues to feel the effects of a 2014 coup by army chief Prayuth Chan-ocha. Perceived critics of the military-backed government face charges under lèse-majesté laws, which forbid insulting the monarchy, and human rights organizations were subjected to increasingly intense legal harassment in 2022. The ruling junta in Guinea, which came to power in a 2021 coup, has continued to roll back rights and reverse the democratic gains of the past decade, banning all political protests last year. Since a 2021 coup in Myanmar, the military junta there has waged a relentless and brutal campaign of violence across the country, detaining and killing thousands of people, displacing approximately one million residents, and destroying an experiment with elected civilian rule that the military itself had initiated with a new constitution in 2008.

In Turkey, a failed 2016 coup attempt has cast a long shadow over political rights and civil liberties. President Recep Tayyip Erdoğan and his Justice and Development Party (AKP) used the incident to justify the removal of key democratic checks and balances and the elimination of political rivals. This process continued in 2022, as Turkey prepared for a pivotal presidential election in the first half of 2023. Ahead of the vote, the government adopted a new law to control the selection of judges who will review challenges to election results, and approved a "disinformation" law that could further stifle opposition campaigns and independent media.

The threat from incumbent leaders

Democratic institutions suffered from abuses by powerful incumbents in 2022. After assuming office through elections, these leaders rejected the established democratic process and sought to rewrite the rules of the game to maintain their grip on power.

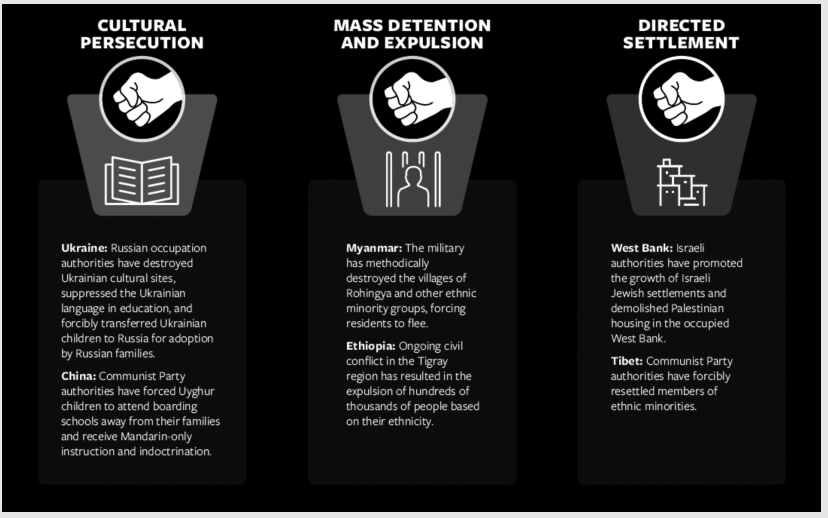
Tunisia experienced the third-largest score decline of any country as a direct result of the actions of the elected president. Kaïs Saïed, who had unilaterally dismissed the prime minister and suspended the parliament in 2021, continued to consolidate power by formally dissolving the parliament in March. He then rolled out a new constitution that gave more authority to the presidency and dismantled legislative and judicial checks on the executive branch, securing approval for the document through a flawed referendum. December parliamentary elections, which were boycotted by most opposition parties, drew a voter turnout of just 11 percent and prompted calls from the opposition for Saïed to resign.

In El Salvador, the parliamentary supermajority gained by President Nayib Bukele's allies in 2021 elections continued to help him undermine democratic controls. In March 2022, the legislature approved his request for a state of exception intended to address gang violence, which has led to the indefinite detention of tens of thousands of people, with little regard for their due process rights. Under the state of exception, authorities have also suspended anticorruption mechanisms that would shed light on government spending and contracts. In September, Bukele announced that he would compete for a second term, a year after the Constitutional Court—newly packed with his appointees after a wholesale purge—overturned a ban on consecutive presidential terms.

The victory of Prime Minister Viktor Orbán's Fidesz party in Hungary's April 2022 elections was facilitated by his government's campaign since 2010 to systematically

CONTROLLING LAND BY CHANGING ITS PEOPLE

Governments and occupying powers in 21 countries and territories use a variety of methods to forcibly change the ethnic composition of a country or territory so as to destroy a culture or tip the political balance.



undermine the independence of the judiciary, opposition groups, the media, and nongovernmental organizations. Among other advantages, Fidesz benefited from legislative changes it had pushed through two years earlier, which raised the vote threshold that parties must reach to enter the parliament.

Brazilian president Jair Bolsonaro's warnings that he would not accept election results if he lost stoked mistrust in the democratic process among his supporters. After losing to Luiz Inácio Lula da Silva in a runoff, Bolsonaro avoided formally conceding, and his campaign later attempted to overturn the result in court by claiming that a computer error had disqualified large batches of votes. Just before Lula's January 1 inauguration, Bolsonaro traveled to the United States, avoiding participation in the traditional transfer of the presidential sash to the new leader. The next week, thousands of the former president's loyalists, who had repeatedly called for a military coup against the new government, stormed Congress, the Supreme Court, and the presidential palace. Although the elected administration retained power and cracked down on the perpetrators, Brazilian democracy remained on the defensive after this destructive event.

The worst excesses of unchecked power

When assessing the stakes of the struggle for democracy, it is important to remember the devastating costs that authoritarian rule can impose on entire populations. In the absence of any meaningful constraints on political power and the use of force, a growing number of regimes around the world have engaged in wholesale persecution of women or ethnic minority groups, in some cases drawing accusations of genocide.

Since overthrowing Afghanistan's elected government in 2021, the Taliban have presided over a catastrophic economic collapse, a surge in hunger and poverty, and mass emigration. Rather than taking steps that would reduce its international isolation, however, the regime has moved in the opposite direction. The Taliban authorities barred girls from attending secondary school in March 2022, effectively ending education for women after the sixth grade, and in December they ordered private and public universities to prohibit female students from attending classes, preventing women who already reached higher education from completing their studies. Also in December, authorities issued a decree banning women from working in national and international nongovernmental organizations. Lacking any recourse within the political system, Afghan women took their demands to the streets, where they were met with water cannons, beatings, and arrests.

The number of countries and territories where the government or an occupying power is deliberately changing the ethnic composition of the population in order to destroy a culture or tip the political balance increased from 19 to 21 last year. Ethiopia and Ukraine were added to the list, joining longtime sites of forced ethnic change like China and Myanmar.

In Ethiopia, the ongoing civil conflict centered on the northern Tigray region has resulted in, among other abuses, extrajudicial killings, enforced disappearances, and the expulsion of hundreds of thousands of people from their homes on the basis of their ethnicity. Like other countries and territories in the Not Free category, Ethiopia lacks many aspects of the rule of law that might protect its citizens' fundamental human rights.

Moscow's occupation of Crimea and eastern Donbas has entailed a long-standing campaign of forced ethnic change in those Ukrainian territories. Since 2014, many Crimean Tatars and ethnic Ukrainians have left the regions, driven not only by political persecution and the violence of war but also by overt policies of Russification, including encouragement of migration from Russia, transfers of local prisoners and conscripts to Russia, deportations of those who refuse Russian citizenship, and repression of the Ukrainian and Tatar cultures and languages within the education system. These practices were expanded to other parts of

occupied Ukraine after the full-scale invasion, and augmented with horrific projects like the mass abduction and removal of Ukrainian children to Russia.

Forced ethnic change is also a matter of official policy for the Chinese Communist Party (CCP), which aims to deliberately break up the cultures and geographic concentrations of ethnic minority groups in Xinjiang, Tibet, and Inner Mongolia. Among the 57 Not Free countries in the world, China ranks near the absolute bottom in terms of overall political rights and civil liberties. It is joined there by Myanmar, where the military has engaged in violent attacks on and expulsions of the Rohingya population as well as several other ethnic groups.

A POSSIBLE TURNING POINT FOR GLOBAL FREEDOM

There were signs during the past year that the world's long freedom recession may be bottoming out, which would set the stage for a future recovery. The gap between the number of countries that registered overall improvements in political rights and civil liberties and those that registered overall declines in 2022 was the narrowest it has ever been through 17 consecutive years of deterioration. The number of countries with declines, at 35, was the smallest recorded since the negative pattern began. Thirty-four countries registered improvements.

The gains came in various forms. Eight countries registered modest improvements in civil liberties due to the rollback of COVID-19 restrictions that had disproportionately infringed on the freedoms of assembly and movement. But the most significant positive developments were driven by competitive elections in Latin America and Africa, with politicians and ordinary people in the affected countries reaffirming their commitment to the democratic process.

The year also brought fresh evidence of the limits of authoritarian power, as key regimes faltered in their attempts to exert influence at international organizations and their internal governance flaws led to dramatic policy setbacks.

Consolidating democracy through elections

Two countries, Lesotho and Colombia, improved from Partly Free to Free last year following successful competitive elections. In Lesotho, Sam Matekane's Revolution for Prosperity party won a plurality of seats in the parliament and replaced the incumbent government. Representing a departure from years of instability, the elections were hailed as fair and peaceful by observers from numerous international organizations. In Colombia, a broad coalition enabled Gustavo Petro to win the June presidential runoff vote, overcoming political forces associated with former president Álvaro Uribe, who has dominated the political scene since the early 2000s. The country had been making gains in respect for fundamental rights even before the election period, as the government granted temporary protection permits to more Venezuelan refugees and the Constitutional Court decriminalized abortion.

Establishing a strong record of peaceful political competition and democratic power transfers can be a long and arduous process. The elections in both Colombia and Lesotho were not without problems, and obstacles to further progress remain. Lesotho continues to struggle with ills including police brutality, a legacy of political influence exercised by the security agencies, and chronic political turmoil. In Colombia, politicians faced threats of violence while on the campaign trail, and illegal armed groups associated with the far left and far right remain a menace to the rule of law and civil society. The country is one of the deadliest in the world for human rights defenders.

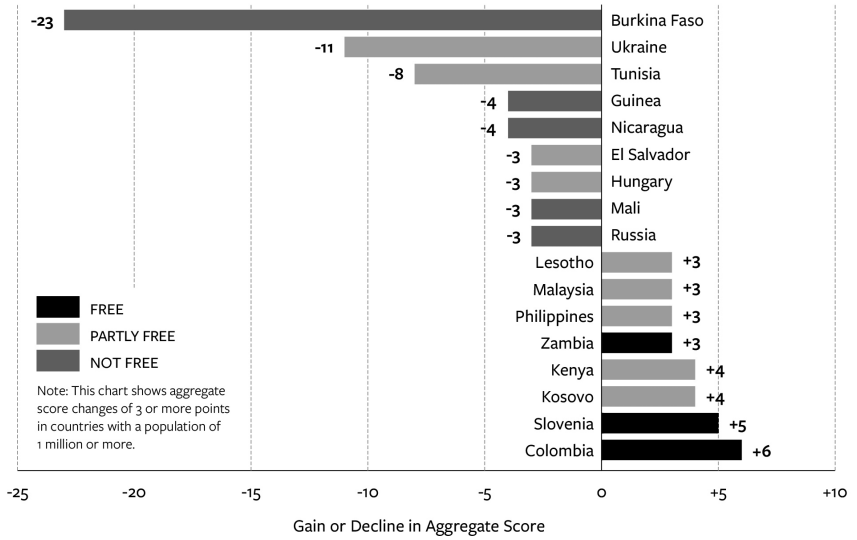
The United States navigated its 2022 midterm elections without any violence of the sort that occurred during the January 2021 assault on the Capitol. The elections produced

a divided Congress, with the Republican Party winning a narrow majority in the House of Representatives while the Democratic Party maintained control in the Senate. Although hundreds of Republican candidates who explicitly denied the legitimacy of President Joseph Biden's victory over former president Donald Trump in the 2020 election ran for office across the country, they lost in almost all key statewide races. This comparative stability on the political front was offset by the Supreme Court's removal of constitutional protections against strict abortion bans.

In Slovenia, a competitive election with the highest voter turnout in 20 years resulted in defeat for the right-wing populist government, which had repeatedly threatened media freedom and other democratic norms. Kenya held what observers hailed as its most transparent presidential election ever, and the results were confirmed by an independent Supreme Court. The country's political leaders notably refrained from the boycotts and incitement of ethnic violence that had disrupted some previous elections.

LARGEST ONE-YEAR GAINS AND DECLINES IN 2022

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



Checks on autocrats' international influence

Authoritarian powers have made an effort to reshape the international system by exercising their influence at the United Nations. They have embraced UN participation and multilateralism primarily as a means of defending themselves against international mechanisms aimed at transparency and accountability. Elected five times to the UN Human Rights Council, the Chinese government has repeatedly blocked resolutions addressing its own policies. It has also joined with its counterparts from Iran, Belarus, North Korea, Cuba, and other member states in the so-called Group of Friends in Defense of the Charter of the United Nations to criticize the use of sanctions.

Regional organizations too have been used to prop up autocrats. The Russian-controlled Collective Security Treaty Organization (CSTO), for example, deployed troops in January 2022 to protect Kazakhstan's President Kasym-Zhomart Tokayev from large-scale antigovernment protests sparked by a sharp rise in fuel prices.

However, authoritarian cooperation is motivated by narrow self-interest and centers on low-cost actions, meaning it can fracture when regimes' priorities diverge or they encounter determined democratic pressure. The CSTO's response to the crisis in Kazakhstan, for instance, stood in stark contrast to the organization's failure to assist Armenia, the only member state that is rated Partly Free, as it suffered repeated attacks on its sovereign territory by Azerbaijan.

Few of Vladimir Putin's authoritarian allies have openly supported his war of aggression against Ukraine. CCP leader Xi Jinping has not endorsed the invasion or provided military support despite describing the bilateral partnership as having "no limits" early in 2022. The countries of the Caucasus and Central Asia are often seen as lying within Moscow's geopolitical orbit, but Azerbaijan, Kazakhstan, Tajikistan, Turkmenistan, and Uzbekistan have declined to recognize Russia's annexation of Ukrainian territory, and they have all complied with sanctions against Russian banks. The Kremlin's most steadfast ally in the region continues to be President Alyaksandr Lukashenka of Belarus, who is dependent on Russian support to maintain his own tenuous grip on power.

Meanwhile, democracies are standing up for human rights at international organizations. After years of being shielded by diplomats from Russia and China, Myanmar's junta was condemned by the UN Security Council in December for using violent tactics against prodemocracy activists. Similarly, despite the presence of authoritarian member states, the UN Human Rights Council voted to suspend Russia in April. In October, the council went further, appointing a special rapporteur to monitor the human rights situation in Russia by a vote of 17 to 6.

Venezuela was denied a seat on the UN Human Rights Council in October elections by the General Assembly. While most regional groups did not nominate more candidate countries than available seats, democratic Costa Rica and Chile both ran to block Venezuela's bid for a seat from the Latin America and Caribbean group. In December, Iran was removed from the UN Commission on the Status of Women and prevented from serving the rest of its four-year term as a result of a resolution introduced by the United States and supported by 28 other countries. The measure noted that the Iranian government's campaign to suppress the rights of women and girls by using force against protesters flew in the face of the UN body's mission to promote gender equality.

The contest between democratic and authoritarian norms at international organizations is far from over. But the positive developments of the past year should encourage even more active democratic engagement in multilateral forums.

Control over competence

Autocrats' behavior at the international level is a reflection of their governing methods at home, where in the absence of a genuine popular mandate, they rely on a crude combination of corruption and force to maintain control. The democratic institutions that might moderate graft and state violence—such as opposition parties, independent courts, a free press, and civil society groups—are suppressed as potential threats to the leader's power. When such corrosive problems are allowed to go unchecked, they can undermine the regime's own goals and threaten the lives of ordinary people.

Corruption comes at a high cost to both public services and government revenue. In Venezuela, endemic corruption orchestrated by the regime of Nicolás Maduro has stripped the land of natural resources and undermined crucial infrastructure, impoverishing the population and impeding the government's ability to address health and economic emergencies. The country consequently faces an ongoing humanitarian crisis, with shortages of electricity, medicine, and food. Over seven million people have fled abroad.

In Russia, Putin's long history of enabling corruption at the highest levels has left him unable to fulfill the goals of his war of aggression. Despite the fact that the Kremlin spent hundreds of billions of dollars on modernizing the Russian military over the last two decades, it remains a poorly equipped force, with soldiers who lack food and basic medical supplies and use Soviet-era maps and weapons. Many in the United States and elsewhere believed Putin's boasts that Russian military capabilities matched those of the North Atlantic Treaty Organization (NATO) and far outmatched those of Ukraine, but the progress of the war quickly disproved those claims. The families of Russian conscripts are now being asked to provide them with everything from body armor to gauze for bandages. None of this has stopped the Kremlin from sending such soldiers to their deaths as the war grinds on, since admitting defeat would threaten the illusion of strength and shrewdness on which Putin's illegitimate authority partly depends.

As with corruption, the need to maintain control through overwhelming force—and the lack of mechanisms to moderate it—can interfere with an autocrat's ability to adjust policy in response to public frustrations. China's disastrous experience with the CCP's "zero COVID" policy illustrated what can happen to people caught in an authoritarian system that is more focused on compelling their obedience than ensuring their well-being.

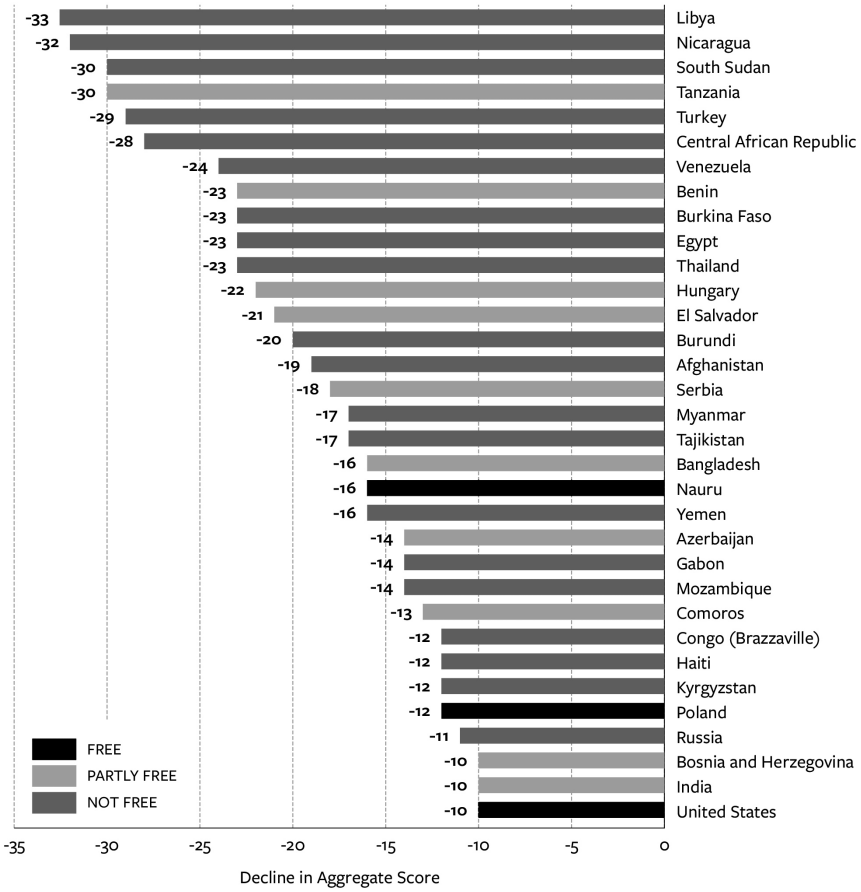
President Xi, who has been in power since 2012 and secured a third term as CCP leader in October 2022, has repeatedly claimed that China's political system is superior to democracy in providing stability, prosperity, and even protection from the spread of COVID-19. In dealing with the health threat, CCP officials leaned on existing tools of repression, expanded the use of surveillance technologies, and imposed mass quarantines on whole cities that disproportionately restricted freedom of movement and often threatened access to food and medical care. In December 2022, the CCP abruptly abandoned zero-COVID restrictions without adequate preparation. At the end of the month, reports emerged of overwhelmed hospitals and as many as 1 million new infections per day.

The about-face was triggered in part by nationwide protests that followed a deadly residential fire in Urumqi in late November, in which both victims and rescuers were reportedly hampered by COVID-related restrictions on movement. As Freedom House's *China Dissent Monitor* has shown, protests in China on a variety of issues are not uncommon. Despite the likelihood of grave punishments, citizens participated in 638 demonstrations and similar dissent events between June and September 2022. The zero-COVID protests in the wake of the Urumqi blaze were preceded by other acts of defiance, including the "bridge man" protest against the central government in Beijing in October. But even in the face of clear public outrage on a national scale, the CCP remains unable to address people's underlying grievances. It failed to make health restrictions more tailored or humane, or to lift them with appropriate caution. Indeed the party provoked further anger by promoting officials who were responsible for some of the greatest suffering, including Li Qiang, who had overseen harsh lockdowns as party chief in Shanghai.

The policy blunders committed by Moscow and Beijing demonstrate that the fallibility of authoritarian governments, and not just their malice, can take an incredibly large toll on human life. Corruption, criminality, and feckless leadership have made the Russian army far more deadly to soldiers and civilians on both sides of the front line, despite the force's failure to achieve stated war aims. Similarly, the Chinese government's botched reversal of its procrustean COVID-19 policies may prove even more destructive than the years of brutal lockdowns themselves. Authoritarian shortcomings must be assessed with clear eyes. These regimes are unlikely to govern more effectively than democracies, but their errors are part of what makes them so dangerous.

LARGEST 10-YEAR DECLINES

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



FREE EXPRESSION: A LEADING INDICATOR OF DEMOCRATIC DECLINE

Freedom of expression, a fundamental component of democracy, has been under sustained attack around the world for the last 17 years. Of all the indicators that *Freedom in the World* uses to assess political rights and civil liberties, freedom of the media and freedom of personal expression have declined the most precipitously since 2005. This assault coincided with the rapid uptake of information and communication technologies that have effectively broken many states' media monopolies. In too many places, however, authorities responded to new forms of online expression with harsh offline punishments and technological innovations of their own.

Press freedom in retreat

Freedom for independent journalism has plummeted. The number of countries and territories that have a score of 0 out of 4 on the media freedom indicator has ballooned from 14 to 33 during the 17 years of global democratic decline, as journalists faced persistent attacks

from autocrats and their supporters while receiving inadequate protection from intimidation and violence even in some democracies. The past year brought more of the same, with media freedom coming under pressure in at least 157 countries and territories assessed by *Freedom in the World*.

In Russia, a multiyear media crackdown went into overdrive as the government sought to eliminate domestic opposition to the full-scale invasion of Ukraine. Russian independent journalists and outlets had long contended with laws that labeled them as foreign agents, extremists, or "undesirable." In 2022, the expansion of criminal laws targeting the spread of false information related to the war empowered Roskomnadzor, the federal media and telecommunications regulator, to block websites more aggressively without a court order. Authorities blocked access to most of the independent media outlets that were still available in the country, including Ekho Moskvy, Dozhd, Voice of America, the British Broadcasting Corporation (BBC), and Meduza. Some foreign journalists were also denied entry to Russia.

Moscow's tactics have spread to Central Asia, where Kyrgyzstan has adopted many similar laws targeting the media. Kyrgyz authorities recently tried and failed to convict a prominent investigative journalist, Bolot Temirov, on dubious charges of forgery. In an outrageous violation of the rule of law, Temirov was summarily stripped of his citizenship and transported to Russia in late November 2022, despite the fact that he had been born in Kyrgyzstan.

Journalists routinely face harassment and threats in reprisal for their efforts to expose corruption. Two reporters, including a Cable News Network (CNN) correspondent, fled Guatemala last year after they received explicit threats, while another was arrested by the government in July. José Rubén Zamora, director of the newspaper *El Periódico*, which has faced severe harassment in the past, was charged with financial crimes in what many observers describe as a bid to censor an outlet that has reported critically on the government of President Alejandro Giammattei. Zamora remained in pretrial detention through the end of the year, with the trial reportedly not scheduled to start until May 2023.

Authorities in a variety of countries failed to offer effective protections to media professionals who were at risk of extralegal violence from nonstate actors. Journalists reporting on the security situation in Haiti, which had worsened since the 2021 assassination of President Jovenel Moïse, experienced an extraordinary amount of physical violence in 2022. Members of the media were executed by gangs, killed while in police custody, and shot at while on their way to work.

The risks of personal expression

Beyond the news media, ordinary people are less free to express their views to others, whether online or off. Many governments have been quick to reapply existing repressive laws to the online sphere and adopt invasive technologies to monitor digital communication. Others continue to resort to old-fashioned methods of control over speech, like the use of human informants and physical searches. The result is a pervasive sense of fear among civic activists, members of marginalized communities, and average citizens when discussing sensitive topics in public, semipublic, or private settings.

From 2005 to 2022, the number of countries and territories that scored a 0 out of 4 on this indicator rose from six to 15, signaling a nearly complete lack of freedom to voice antigovernment opinions even in private. In Nicaragua, years of worsening crackdowns on opposition to the regime of President Daniel Ortega culminated in show trials of dozens of people—accused of crimes ranging from treason to spreading false news and undermining national integrity—based almost solely on evidence that they made critical remarks about the government. Such cases clearly discourage others from speaking out. Conditions are at

least as grim in Afghanistan, Belarus, Russian-occupied eastern Donbas, and Eritrea, where authorities have deployed networks of informants and checked people's phones to suppress the sharing of dissenting opinions.

The penalties for nonviolent criticism can be extreme. Myanmar's military junta executed prodemocracy activist Kyaw Min Yu, better known as Ko Jimmy, for speaking out against the 2021 military coup that displaced an elected civilian government. In August 2022, a terrorism court in Saudi Arabia sentenced Nourah bint Saeed al-Qahtani to 45 years in prison merely for social media posts, just weeks after handing a 34-year sentence to another woman, Salma al-Shehab, for sharing posts by Saudi dissidents. In Hong Kong, following Beijing's imposition of the draconian National Security Law in 2020, authorities began pursuing national security and sedition charges against both political activists and ordinary residents for expressing dissent, for example by playing protest songs, clapping in court, or putting up posters.

There are fewer and fewer spaces where people can express themselves without fear of surveillance. At a time when the internet has become fundamental to people's daily lives, virtually all online activities generate data that are subject to monitoring by authorities, whether directly or through commercial systems and advertising technology that can be exploited to reveal sensitive information. Many countries employ police units to search social media posts for banned forms of political, artistic, religious, or sexual expression. Networks of street cameras equipped with artificial intelligence can identify protesters and track their whereabouts. And the proliferation of spyware has made electronic surveillance potentially ubiquitous; even the presence of an internet-connected device can be enough to deter uninhibited discussion.

No country can match the scale and sophistication of China's surveillance state, in which residents' activities are invasively monitored by public security cameras, urban grid managers, and automated systems that detect suspicious and banned behavior, including innocuous expressions of ethnic and religious identity. Workers at private digital platforms



in China are required to censor an ever-changing list of prohibited terms and to notify authorities about users who dare to criticize the CCP. Those identified as dissidents can face consequences including forced disappearance and torture.

But surveillance has also chilled freedom of expression in countries rated Free and Partly Free. Technology companies are generally required to maintain a log of their users' online activities, and in many countries, they must share it with authorities through a process that lacks judicial oversight and guardrails against abuse. The growing and unregulated global market for commercial spyware has enabled infringements on the right to private expression that often stretch across international borders. Rather than collecting data or intercepting traffic at fixed points in the telecommunications infrastructure, spyware targets a victim's smartphone or other electronic device regardless of its location, and allows the capture of phone records, contact lists, geolocation data, keyboard strokes, and even camera and microphone inputs. The Pegasus spyware product has been found on devices in France, Hungary, India, Israel, Mexico, and Poland. Victims included journalists and politicians, while the perpetrators remained unknown and unaccountable for their abuses.

These pernicious encroachments on freedom of expression pose an obvious threat to democracy. While professional journalists and media outlets disseminate information, ensure transparency, and hold the powerful to account, the freedom of personal expression reinforces individual autonomy and facilitates discussion of differing opinions. It is also crucial to fostering associations and communities within a larger society, including those based on ethnic, cultural, sexual, gender, and religious identities. The denial of press freedom and freedom of personal expression bolsters authoritarian control by cutting citizens off from accurate information and, just as importantly, from one another.

LESSONS FROM 50 YEARS OF *FREEDOM IN THE WORLD*

Over the past five decades, people in every region of the world have demanded and built democracies even under extremely difficult circumstances. Once fully established, most democratic systems have stood strong against a wide array of challenges.

In 1973, when Freedom House published its first comprehensive assessment of political rights and civil liberties, only 44 of 148 countries were classified as Free. Today, 84 of 195 countries are Free. The varied paths that these countries followed show there is no single method for improving or protecting political rights and civil liberties. However, popular self-government through credible, competitive, free, and fair elections continues to be the hallmark of democracy and a guarantee of its associated benefits.

A record of progress

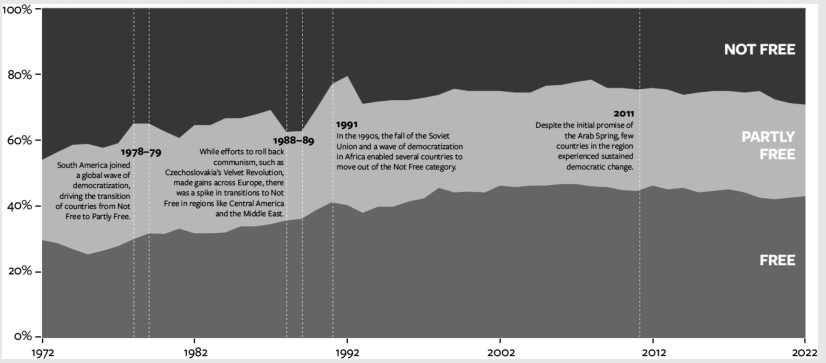
The first editions of *Freedom in the World* coincided with the beginning of the "third wave" of democratization, when many military dictatorships were giving way to elected civilian leaders. A military junta in Greece collapsed in 1974 amid a confrontation with Turkey over control of Cyprus. Greek democracy was restored through general elections that were held just 142 days after the beginning of the crisis.

After right-wing dictator Francisco Franco died in 1975, Spain began its own transition to democracy, which took years and required overcoming the commitment of the armed forces to the old regime. The transition was confirmed through a free general election in 1977 and the adoption of a new constitution the following year. Spain's democracy proved resilient in the early 1980s, when the government survived a coup attempt and a second general election resulted in a peaceful transfer of power to the socialist opposition.

Positive change followed in Latin America. After a disastrous invasion of the Falkland Islands in 1982, the military leaders who had presided over Argentina's "dirty war"—a

THE EBB AND FLOW OF DEMOCRATIZATION

The share of countries rated Free has generally increased over the past 50 years, but progress faltered beginning in the early 2000s.



bloody campaign of state terrorism against political dissidents—finally stepped down, allowing for a general election that returned the country to civilian rule. Democracy also returned to Brazil after the military, which had begun to oversee gradual political liberalization, lost control in the 1985 elections. A military regime that caused Uruguay to be called "the torture chamber of Latin America" faltered after a failed attempt to reform the constitution in 1980, and ended with elections four years later. Augusto Pinochet's military dictatorship in Chile also came to an end through the power of the ballot box when referendum voters rejected a proposal to give the general eight more years in office.

In the 1990s, Taiwan cemented a status of Free after holding its first direct presidential election, having previously ended 38 years of martial law in 1988 and instituted full multiparty legislative elections a few years later. In 1992, South Korea elected its first civilian president since 1961. South Africa, which was rated Free for the first time in the 1994–95 edition of *Freedom in the World*, broke from a violent and entrenched system of racist hierarchy in order to create the conditions for an inclusive, free, and fair election. The balloting resulted in the elevation of Nelson Mandela to the presidency and the formation of a new government of national unity.

The fall of the Iron Curtain in 1989 and of the Soviet Union itself in 1991 eventually brought freedom to a host of Central and Eastern European states, many of which sought closer ties to their fellow democracies in Western Europe. In 2004 alone, Czechia, Estonia, Hungary, Latvia, Lithuania, Poland, Slovakia, and Slovenia all joined the European Union, with Romania and Bulgaria following in 2007.

Despite pressure from illiberal forces since the mid-2000s, the gains of the third wave of democratization have mostly held. Consolidated democracies, where political rights and civil liberties have been secured, continue to endure in a dangerous world.

Setbacks and slowdowns

The 50 years of data generated by *Freedom in the World* offer heartening proof that democratic progress is always possible. Forty countries that exist today have always had the status of Free in the report, while only 12 countries that exist today have always been Not Free. Whereas Free countries tend to stay Free for decades, Not Free and Partly Free

countries are less static, often experiencing waves of liberalization or repression that move them from one category to another.

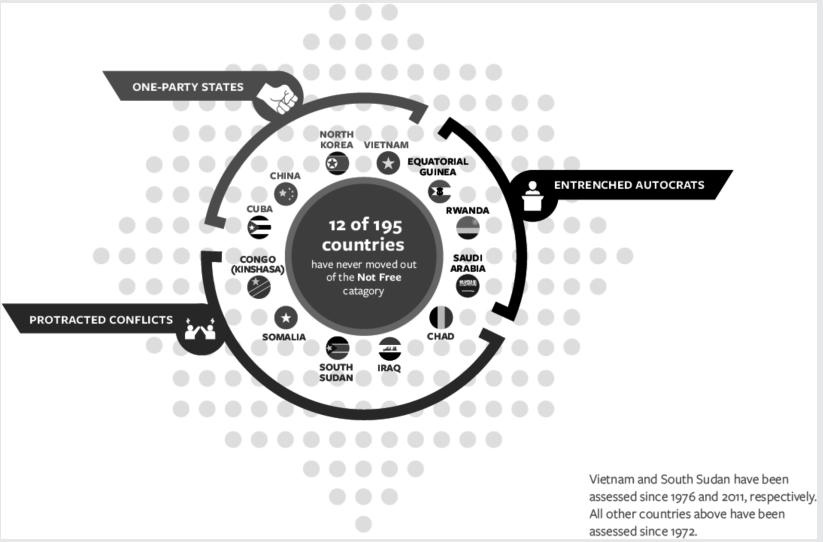
However, the possibility of progress does not make it inevitable. The overall decline in global freedom over the last two decades has created a more hostile environment for individual countries' democratization efforts and provided transnational support for illiberal leaders. *Freedom in the World* data show that consolidating and protecting nascent democratic institutions has become more difficult than in the heyday of democratization following the end of the Cold War. More and more countries are remaining Partly Free instead of continuing their march to Free status. Worryingly, some Free countries are losing ground, including India, which was downgraded to Partly Free two years ago, and Peru, which was downgraded in this edition after its latest, one-year stint in the Free category.

Democratization has also failed to take hold in certain clusters of countries. Most of the states that emerged from the collapse of the Soviet Union remain dominated by strongmen who transformed Soviet-era connections into kleptocratic networks, which have enriched their members while impoverishing ordinary citizens. These corrupt authoritarian regimes have also fomented instability and threatened democracies across the region. In addition to Moscow's war against Ukraine, other recent conflicts include border clashes between Tajikistan and Kyrgyzstan and the growing incursions by Azerbaijani forces into Armenia.

The Arab Spring uprisings of 2011, which began by driving out Tunisian dictator Zine el-Abidine Ben Ali and sparked new hope for democratization in North Africa and the Middle East, ended in disappointment. Monarchs in Jordan and Morocco approved modest or illusory constitutional reforms in a bid to defuse popular discontent with their rule, while

STILL WAITING FOR A CHANCE AT FREEDOM

Most of the countries now rated Not Free have spent at least some time in the Partly Free band over the past 50 years, but these 12 holdouts have never left the Not Free category since their first Freedom in the World analysis.



the hereditary rulers of the wealthy Persian Gulf region moved to stamp out any embers of dissent at home and assist authoritarian partners elsewhere. Security forces cracked down on prodemocracy protesters in Libya, Syria, and Yemen, and the ensuing violence devolved into civil wars that were made even more chaotic by multiple foreign interventions. Two years after the revolution in Egypt, the military removed the elected president through a coup, and instituted a new and even more repressive authoritarian regime.

In Africa, countries such as Burundi, the Republic of the Congo, Zimbabwe, and Uganda showed promise at times but later saw their status improvements reversed, while more recent backsliding in Benin and Senegal led both to drop from Free to Partly Free status. Mali, which had been rated Free since 1995, was rocked by a military coup and rebel insurgencies in 2012 that pulled it down to Not Free.

The imperative of solidarity

Democracies must maintain external pressure on authoritarian regimes and make sure that in maneuvering to thwart one dictator's acts of aggression, they do not cultivate partnerships with other despots or downplay human rights principles in their foreign policies. International solidarity and support will remain vital to the expansion of political rights and civil liberties worldwide.

Advocacy for human rights norms must also be paired with support for the key proponents of democratic values within their respective countries: human rights defenders. Today, in every region of the world, people striving to build more democratic societies and expand the exercise of fundamental freedoms are instead being subjected to arbitrary detention and sentenced to lengthy terms in prison, where they often experience torture and other cruel or degrading treatment.

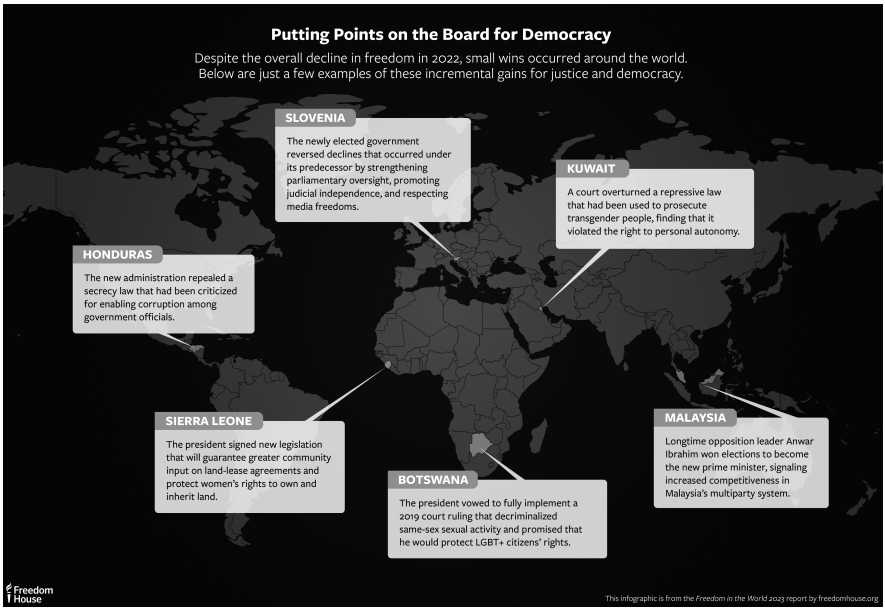
Supporting the work of human rights defenders is essential for the promotion of freedom in both open and closed political spaces. Human rights defenders are agents of change. In 2022, for instance, the Indonesian parliament passed a law against sexual violence after a years-long advocacy campaign by civil society groups. The previous year, women's rights activists in El Salvador secured a favorable ruling at the Inter-American Court of Human Rights against the country's broad ban on abortion.

Human rights defenders are sometimes the only ones in their countries with the will and capacity to protect others against severe abuses, expose official wrongdoing, and alert the rest of the world to acts of repression, often at considerable risk to their safety. Activists in Cameroon have received death threats for documenting human rights violations amid a conflict between security forces and separatists in the country's Anglophone regions. An activist and journalist in Vietnam who helped to expose the disastrous impact of a 2016 chemical spill was sentenced to seven years in prison the following year. In addition to facing intimidation, legal censure, harassment, and physical assaults, hundreds of rights defenders are killed every year.

Democratic governments must recommit not only to standing up for these activists in their public statements and diplomacy, but also to providing concrete support and protection in the form of emergency assistance, capacity-building programs, and democracy shelters. Though unarmed, human rights defenders are on the front lines of the global struggle for freedom. They should never be treated as if the struggle is theirs alone.

The desire for freedom

More than anything else, five decades of *Freedom in the World* reports demonstrate that the demand for freedom is universal. The years have shown that popular challenges to authoritarian rule are a recurring theme in even the most repressive societies.

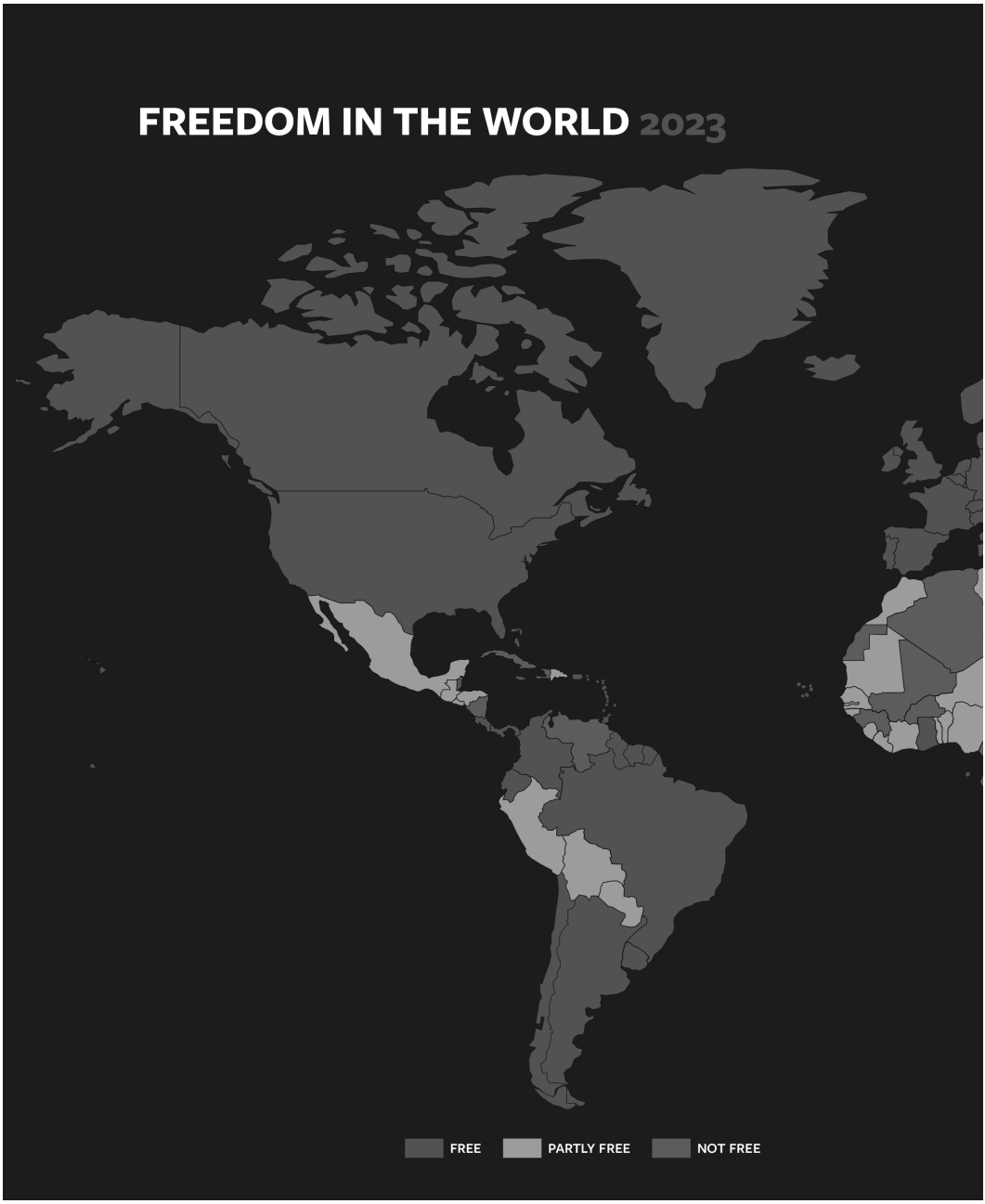


Tanks smashed the prodemocracy movement that made its stand in Beijing's Tiananmen Square in 1989, and the CCP's fear of renewed calls for freedom has motivated escalating campaigns of repression against targets including mainland dissidents, ethnic and religious minority populations, and the people of Hong Kong. But Beijing's rejection of direct executive elections in Hong Kong in 2014 led to a series of massive protests that signaled abiding public support for universal suffrage. And despite crackdowns on demonstrations large and small, protests of all types continue across the mainland.

Cuba, with its long history of repression and international isolation, has been shaken by growing resistance to the regime. Demonstrations in July 2021 that drew attention to a dearth of fundamental freedoms and serious economic problems marked the largest antigovernment mobilization since the *Maleconazo* protests of 1994, which were sparked by police blocking Cubans from fleeing the country by boat. In both cases, security forces responded violently, yet outbreaks of dissent continue. People took to the streets again in 2022 to protest mismanaged infrastructure in the wake of hurricane-related blackouts.

Recent events in Iran are another reminder that millions of people are willing to call for democracy and defend their rights even at great personal risk. The current regime itself took power after popular protests brought down the monarchy in 1979, and Iranians have repeatedly voiced their objections over the years as it descended deeper into dictatorship. In 2009, shortly before the Arab Spring, citizens protested for the better part of a year in what came to be known as the Green Movement, after a fraudulent election handed victory to incumbent president Mahmoud Ahmadinejad. Conditions have worsened since then, with authorities using lethal violence to put down successive waves of protests. In 2022, fresh demonstrations were sparked by the death in custody of Jina Mahsa Amini, a young woman arrested by the morality police. The movement spread to more than 80 cities and was viciously opposed by the government, resulting in hundreds of deaths on the streets, thousands of arrests, and a growing number of summary executions.

Reflecting on the 1979 Iranian Revolution, Raymond Gastil wrote in the 1980 edition of the *Freedom in the World* report: "Iran will remain for generations a difficult land in which to institutionalize democracy. Yet I suggest Iranians will repeatedly try, that they will be unsatisfied with anything else. . . . If the Revolution establishes a new tyranny, these people will soon feel cheated and strive again for freedom." This prediction has certainly proven true for Iranians, and the same could be said for people everywhere. So long as human beings remain true to their natural yearning for liberty, authoritarians will never be secure, and the global movement for democracy will never be defeated.


FREEDOM IN THE WORLD 2023
FREE
PARTLY FREE
NOT FREE



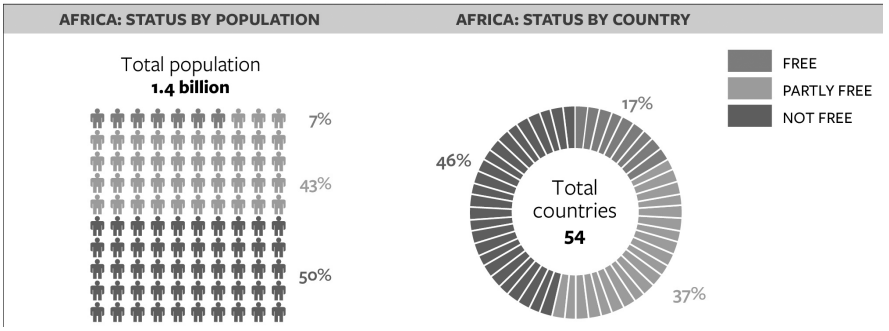
Status	Countries	Territories
FREE	84	1
PARTLY FREE	54	4
NOT FREE	57	10
Total	**195**	**15**

Freedom in the World 2023 assessed 210 countries and territories around the globe.

Regional Trends

AFRICA
Transfers of power, for better or worse

AFRICA:
Transfers of power, for better or worse



Changes in leadership were a major tension point in Africa over the past year. Chronic problems such as corruption and misgovernance, combined with the economic impacts of the COVID-19 pandemic and the war in Ukraine, have left African states more vulnerable to irregular seizures of power by military or executive officials. Despite these threats, however, several countries held free and fair elections that ushered in new governments and reinforced democratic institutions.

In Burkina Faso, the year's two military coups eliminated many of the gains from a 2014 political transition, sidelined electoral bodies and accountability mechanisms, and exacerbated a security crisis in which Islamist militant activity has displaced millions of people. But the country is not an outlier in the region: coup attempts were also made during 2022 in Guinea-Bissau, The Gambia, and São Tomé and Príncipe.

Past coups have had lasting repercussions for political rights and civil liberties. In Guinea, the military junta that took control in 2021 has delayed a planned return to civilian rule until January 2025, incarcerated its critics, and brutally repressed street protests. Similarly, in the wake of Mali's 2021 coup, the military authorities scrapped elections that had been scheduled for February 2022. Under international pressure, they announced a transition plan that would culminate in a presidential vote in 2024. Tunisian president Kaïs Saïed, who had asserted extraordinary powers and suspended the parliament in 2021, pressed ahead with his unilateral overhaul of the political system, mounting a flawed constitutional referendum and parliamentary elections that were boycotted by the opposition and the vast majority of eligible voters.

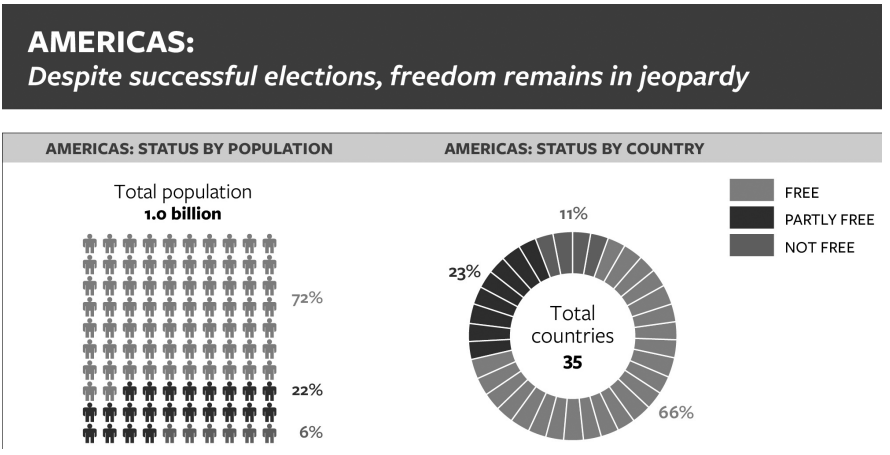
Other power transfers have been far more democratic. Kenya's election featured increased transparency, fresh evidence of judicial independence, and a peaceful handover of the presidency from one political bloc to another. The process represented a stark

improvement over previous balloting, which has repeatedly been marred by ethnic violence, electoral misconduct, and politicians' refusal to accept defeat. In Lesotho, a newly established party secured a legitimate victory in general elections, and Zambia's successful rotation of power through elections in 2021 led to some progress in the fight against corruption, greater transparency and access to information, and fewer restrictions on freedom of assembly in 2022.

Countries with a record of respecting term limits and ensuring orderly presidential succession exhibited notable signs of good governance during the year. In Botswana, President Mokgweetsi Masisi held a historic meeting with representatives of a leading LGBT+ rights organization and promised to work toward decriminalizing same-sex relations. Liberia's government implemented new initiatives to counter human trafficking, which have led to successful prosecutions. And under President Samia Suluhu Hassan in Tanzania, civil society groups enjoyed somewhat more space to operate after a period of intense repression under the previous administration. These examples underscore the potential for further democratic gains in the region if the virtuous circle of free elections and policy improvements is allowed to take hold.

AMERICAS

Despite successful elections, freedom remains in jeopardy



Although *Freedom in the World* has recorded the downfall of many long-standing dictatorships in the Americas over the last 50 years, the countries of the region continue to grapple with serious threats to political stability and fundamental rights. The relaxation of harsh or abusively enforced COVID-19 restrictions resulted in some improvements to freedom of movement in 2022, but dire political, economic, and humanitarian crises in repressive settings such as Cuba, Nicaragua, and Venezuela have reignited mass emigration. Independent media are also under pressure as powerful figures resist public scrutiny: authorities in Guatemala arrested the founder and president of one of the country's most prominent newspapers, and journalists in Uruguay faced threats and lawsuits for their reporting.

Rotations of power through elections continued to provide opportunities for democratic progress, though the risk of antidemocratic breakdowns persisted. Free, fair, and competitive balloting in two of the region's most populous countries led to victories for opposition candidates. In Colombia, Gustavo Petro became the nation's first left-wing president, and

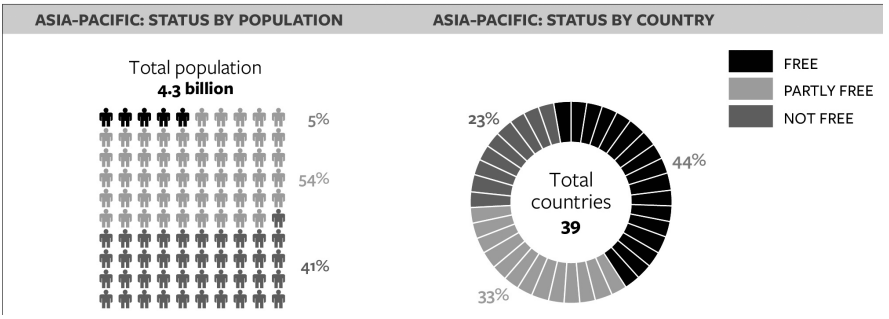
his running mate, Francia Márquez, became the first Black woman to serve as vice president. Another leftist challenger, Luiz Inácio Lula da Silva, defeated incumbent Jair Bolsonaro for the presidency of Brazil, and calls for a military coup to reverse this outcome were rebuffed amid violence by Bolsonaro's supporters. But Pedro Castillo, who rose from obscurity to become Peru's president in 2021, was impeached and arrested after an unsuccessful attempt to dissolve Congress, leaving his successor, former vice president Dina Boluarte, to cope with widespread protests and a lethal crackdown by security forces.

Perennial weaknesses in the rule of law remained a challenge for many countries in the region. Amid a prolonged political vacuum in Haiti, gangs took over the capital and violently restricted people's freedom of movement and access to basic resources. President Nayib Bukele of El Salvador declared a state of exception and suspended constitutional rights as part of a crackdown on gangs. The resulting arbitrary arrests, deaths in custody, lack of due process, and restrictions on speech severely damaged civil liberties. In neighboring Honduras, President Xiomara Castro similarly announced a state of exception and suspended constitutional protections in many neighborhoods, ordering the military to lead the campaign against gang violence. These official responses were aimed at addressing a genuine threat to public security, but their undemocratic methods made a poor foundation for the observance of basic freedoms in the future.

ASIA-PACIFIC

Democracy movements contend with authoritarian retrenchment

ASIA-PACIFIC:
Democracy movements contend with authoritarian retrenchment



While some countries in the Asia-Pacific region have overcome decades of dictatorship to establish resilient democracies, authoritarian forces elsewhere continue to push back against domestic calls for liberty and justice.

Examples of progress in 2022 were largely driven by prodemocracy political movements and small improvements in judicial independence, anticorruption efforts, and freedom of movement. In Sri Lanka, protesters persevered through police violence and ultimately forced the resignation of the long-dominant Rajapaksa family from their multiple positions in government, though years of mismanagement left the country with serious economic and governance challenges. In Malaysia, the results of general elections offered the promise of political and social reforms, and the judiciary displayed increased independence by upholding the 2020 corruption conviction of former prime minister Najib Razak. The Philippines

also held elections, and while the son of a former dictator won the presidency, the competitive campaign had the effect of mobilizing millions of young voters. In Myanmar, broad-based resistance to the military junta that ousted elected leaders in 2021 kept the regime from consolidating control over the country or gaining international legitimacy.

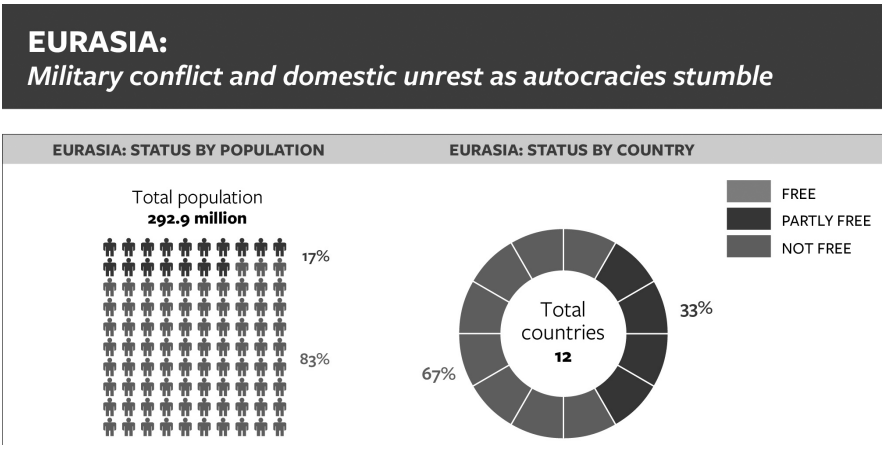
Residents of several countries, including India and Australia, enjoyed greater freedom of movement following the rollback of COVID-19 restrictions. However, democratic rights in India remain under pressure, particularly for marginalized groups, with authorities in Uttar Pradesh responding to Muslim-led protests by demolishing the property of Muslim citizens. In Vietnam, a one-party state where freedom is still heavily restricted, the government made notable efforts to combat COVID-19-related corruption, including by investigating and prosecuting officials implicated in price-fixing and bribery scandals.

Despite these limited gains, the freedoms of expression, belief, and association came under attack in other settings from across the democratic spectrum. In the Solomon Islands, the government asserted greater financial and editorial control over the public broadcaster and threatened to prevent critical foreign journalists from entering the country. Religious freedom was hamstrung in Hong Kong amid broader crackdowns on dissent, with some churches and clergy self-censoring their sermons and limiting other religious activity. In Afghanistan, the Taliban regime dealt another blow to academic freedom and gender equality by extensively censoring educational materials and barring women from attending universities.

The Communist Party regime in China remained one of the world's worst abusers of political rights and civil liberties, and those who criticized the party received severe penalties. Chinese citizens did take to the streets to protest the government's harsh "zero COVID" policy in a rare nationwide display of dissent that resulted in the abrupt abandonment of many restrictions. Nevertheless, protesters continued to encounter pervasive surveillance, abusive interrogations, and intimidation at the hands of authorities.

EURASIA

Military conflict and domestic unrest as autocracies stumble



Three decades after the fall of the Soviet Union, authoritarianism dominates Eurasia, with no formerly Soviet countries designated as Free aside from the three Baltic states. This lack of democratic governance has destabilized the region, as strongman rulers use military

force to lash out at their neighbors and smother domestic dissent. In 2022, Moscow's full-scale invasion of Ukraine took center stage amid a broader array of active and frozen conflicts between Eurasian governments. The February attack marked a dramatic escalation after eight years of more limited Russian aggression, resulting in tens of thousands of deaths, Europe's largest refugee crisis, and far-reaching economic and security implications for the entire world.

The war in Ukraine had significant repercussions for Belarusian sovereignty, as Russian troops operated from Belarusian soil. It also raised the threat of renewed conflict in Moldova, whose separatist Transnistria region has long hosted a Russian garrison, and increased tensions in Georgia's Russian-backed breakaway territories of Abkhazia and South Ossetia, from which Moscow withdrew some of its forces to help relieve units in Ukraine. The Kremlin's preoccupation with Ukraine hampered its ability to manage or manipulate rivalries elsewhere. Azerbaijan's regime stepped up its military aggression toward Armenia despite a Russian security guarantee, and a surge in cross-border shelling occurred between Tajikistan and Kyrgyzstan in September, killing approximately 100 people.

The limited space for free media in Eurasia has diminished further due to new criminal laws and legislative restrictions. Russian authorities criminalized criticism of the war in Ukraine, expanded a punitive "foreign agents" law, and cracked down on the few independent outlets that still operated in Russia. Pro-Kremlin propaganda efforts have become more aggressive abroad, with officials in Belarus and Turkmenistan bolstering Moscow's image and criticizing democracies for supporting Kyiv. In Azerbaijan and Kazakhstan, lawmakers placed additional constraints on media outlets and journalists, passing new legislation that obliged foreign online platforms to register as local legal entities and empowered authorities to censor "undesired" information and ban media outlets without court approval.

These efforts to suppress criticism did little to address the root causes of public discontent, which continued to erupt into protests and elicit lethal responses from security forces. Mass demonstrations triggered by increased fuel prices in Kazakhstan resulted in over 200 deaths, and protests in Uzbekistan over proposed constitutional amendments left more than a dozen people dead and hundreds injured.

EUROPE

Illiberal forces challenge solidarity against external aggression



Peace and freedom in Europe have been threatened not only by Moscow's invasion of Ukraine, but also by far-right leaders who could undermine democratic solidarity.

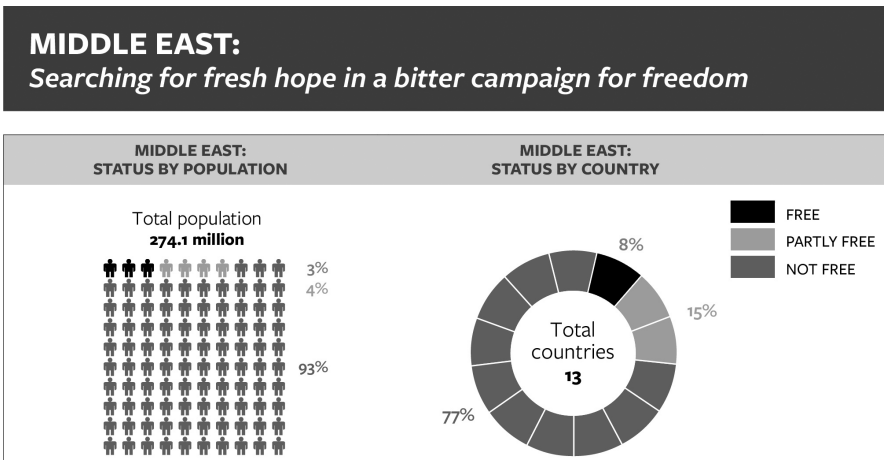
The war in Ukraine forced European democracies to rethink their security needs in 2022. Finland and Sweden dropped their long-standing policies of military neutrality and applied to join the North Atlantic Treaty Organization (NATO), while Germany moved to double its defense budget. The European Union (EU) stood firm and united in imposing sanctions on Russia, providing billions of dollars in aid to Ukraine and welcoming large numbers of Ukrainian refugees.

At the same time, a series of important elections signaled the growing strength of right-wing populist parties, which often stray from democratic principles and seek cooperation with authoritarian powers. In Italy, Giorgia Meloni and her Brothers of Italy party took the helm of a new governing coalition, though she expressed more support for Ukraine than some of her partners. In Sweden, the Sweden Democrats emerged as the second-largest force in the parliament and enabled a new right-leaning government to take office. In Hungary and Serbia, entrenched illiberal nationalist leaders reasserted their power: Hungarian prime minister Viktor Orbán defeated a united opposition front, winning a fourth consecutive term, and Serbian president Aleksandar Vučić secured a second five-year term after a decade in government. Nonetheless, illiberal forces were defeated in some countries. French president Emmanuel Macron turned back a strong challenge from far-right candidate Marine Le Pen, and Slovenians elected a new left-liberal government, rejecting the abuses of power associated with right-wing populist prime minister Janez Janša.

While free expression is generally protected across most of the region, the EU was plunged into spyware scandals in 2022 after journalists and politicians came under surveillance in Spain, Greece, Hungary, and Poland. In addition, the authoritarian government in Turkey adopted a draconian "disinformation" law that hindered free speech and independent journalism ahead of elections in 2023. Despite these setbacks, several European states strengthened safeguards for personal autonomy. San Marino decriminalized abortion, Andorra and Slovenia legalized same-sex marriage, and Liechtenstein passed a measure on full adoption equality for same-sex couples.

MIDDLE EAST

Searching for fresh hope in a bitter campaign for freedom



Popular demand for greater freedom in the Middle East continues to run up against some of the most entrenched systems of repression in the world, many of which are propped up or shielded by foreign powers—including democracies—with vested trade and security interests in the region.

In Iran, massive prodemocracy protests broke out following the death of a Kurdish woman in police custody, bringing global attention to the Islamic Republic's long history of discrimination and brutality. Citizens returned to the streets again and again despite an acute risk that they would be beaten, arrested, shot, or executed by security forces.

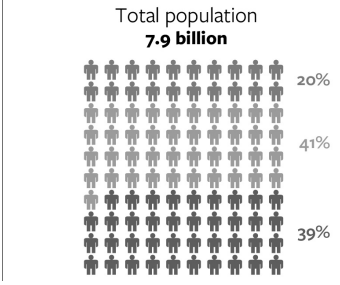
Elsewhere in the Middle East, journalists and human rights defenders faced an uphill battle in their efforts to highlight and address state abuses. A Palestinian-American journalist was killed by Israeli forces while covering a military raid on a refugee camp in the occupied West Bank. Ahead of international soccer's World Cup in Qatar, a number of local activists were given life sentences for their participation in peaceful protests.

While political rights and civil liberties are few and far between in a region dominated by despotic regimes, there was some piecemeal progress during the year. In Kuwait, a court overturned a law used to prosecute transgender people, finding that it violated the right to personal freedom. In Lebanon, members of a rising civic opposition bloc gained representation in parliamentary elections, eroding the dominance of established sectarian parties. But in Israel, the region's only country ranked Free, election results painted a grimmer picture: former prime minister Benjamin Netanyahu returned to power at the head of a coalition with far-right elements, and the new government's agenda posed a direct threat to judicial independence and other democratic principles, as well as to the basic rights of Palestinians.

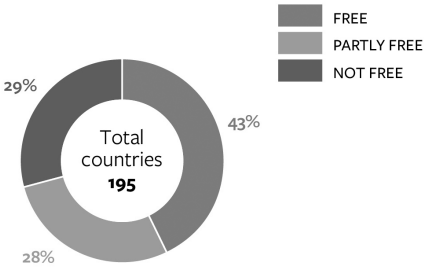
GLOBAL DATA

GLOBAL DATA

GLOBAL: STATUS BY POPULATION



GLOBAL: STATUS BY COUNTRY



Freedom in the World 2023 Status Changes

Burkina Faso



Burkina Faso's status declined from Partly Free to Not Free due to the effects of two successive military coups, including the suspension of the constitution and dissolution of the legislature, and an expanding conflict with Islamist militant groups.

Colombia



Colombia's status improved from Partly Free to Free due to more open and competitive national elections, a decline in restrictions on assembly and movement, and the decriminalization of abortion. However, illegal armed groups remained active, and the country was still one of the deadliest in the world for human rights defenders.

Lesotho



Lesotho's status improved from Partly Free to Free due to the formation of a new government following competitive parliamentary elections, though the country continued to face serious security and governance challenges.

Peru



Peru's status declined from Free to Partly Free because the president was impeached and arrested after attempting to dissolve the legislature and rule by decree, and protests by his supporters led to deadly clashes with police.

Countries in the Spotlight

The following countries featured important developments in 2022 that affected their democratic trajectory, and they deserve special scrutiny in 2023.

Armenia: Azerbaijani forces continued to attack and occupy Armenian territory along the border, threatening the democratic government in Yerevan and raising the risk of full-scale war.

Brazil: Challenger Luiz Inácio Lula da Silva won a presidential runoff against incumbent Jair Bolsonaro, but the outgoing president's supporters rejected the results and called for a military coup.

Haiti: A government with no electoral mandate sought international support amid persistent protests and a growing humanitarian crisis, with gang violence displacing tens of thousands of residents.

Israel: Elections resulted in a new government with far-right elements, and critics warned that its policy agenda could undermine judicial independence and other core elements of democracy.

Kenya: William Ruto's election as president, and the peaceful transfer of power that followed, marked a major improvement over the disputed contest of 2017 and strengthened Kenya's democratic credentials.

Poland: The ruling Law and Justice party grappled with the European Commission over judicial independence concerns as it prepared for crucial parliamentary elections in late 2023.

Solomon Islands: After signing a security pact with Beijing, the government asserted control over the media and postponed general elections from 2023 to 2024.

Sri Lanka: Following protests over a worsening economic crisis, the president and prime minister fled their posts, and the ruling party was due to face frustrated voters in 2023 local elections.

Turkey: The government manipulated electoral laws and imposed harsh penalties for "disinformation" as it worked to fend off the opposition ahead of planned 2023 general elections.

United Kingdom: The ruling Conservative Party cycled through three prime ministers in two months, advanced new restrictions on strikes and protests, and attempted to remove certain asylum seekers to Rwanda.

WORST OF THE WORST

Of the 57 countries designated as Not Free, the following 16 have the worst aggregate scores for political rights and civil liberties.

Country	Aggregate Score
South Sudan	1
Syria	1
Turkmenistan	2
Eritrea	3
North Korea	3
Equatorial Guinea	5
Central African Republic	7
Tajikistan	7
Afghanistan	8
Belarus	8
Saudi Arabia	8
Somalia	8
Azerbaijan	9
China	9
Myanmar	9
Yemen	9

Status Change Explanations

Burkina Faso: Burkina Faso's status declined from Partly Free to Not Free due to the effects of two successive military coups, including the suspension of the constitution and dissolution of the legislature, and an expanding conflict with Islamist militant groups.

Colombia: Colombia's status improved from Partly Free to Free due to more open and competitive national elections, a decline in restrictions on assembly and movement, and the decriminalization of abortion. However, illegal armed groups remained active, and the country was still one of the deadliest in the world for human rights defenders.

Lesotho: Lesotho's status improved from Partly Free to Free due to the formation of a new government following competitive parliamentary elections, though the country continued to face serious security and governance challenges.

Peru: Peru's status declined from Free to Partly Free because the president was impeached and arrested after attempting to dissolve the legislature and rule by decree, and protests by his supporters led to deadly clashes with police.

Policy Recommendations

Political will is essential to the protection and expansion of freedom. The powerful and unified response to Moscow's unprovoked war of aggression in Ukraine demonstrated how rapidly democracies can take action—within a matter of days—when there is political will to do so. That same political will is needed globally to push back on clear authoritarian threats to democracy and freedom around the world.

Autocrats persist in flouting laws and norms in part because they do not believe democracies are serious about upholding them. For decades, Freedom House and others have recommended that democratic governments work to defend fundamental freedoms, support and create space for civil society, protect rights defenders at risk, and hold authoritarian regimes accountable for abuses. And for decades, democratic governments have failed to consistently muster the political will to implement these recommendations in a coordinated, sufficiently scaled, sustainable manner, with political leaders too willing to turn a blind eye to rights violations for the sake of perceived short-term gains in prosperity or security.

But the protection of rights and democratic principles is an economic and security imperative. Economic prosperity and a more secure global community require a global order based on the rule of law, anticorruption safeguards, and a willingness to abide by international security norms; only democracies can maintain such an order. Democratic leaders who ignore this fact imperil not just global freedom, but also security and economic growth.

In 2023, as the deterioration of political rights and civil liberties slows and the limits of authoritarian power become clearer, democracies should prioritize the following actions to help reverse the damage caused by the 17-year democratic recession.

1. Help Ukraine win.
2. Stop enabling authoritarians.
3. Be clear and unapologetic about the virtues of democracy and tireless in efforts to uphold and defend it.
4. Protect press freedom and personal expression.
5. Dramatically ramp up support for human rights defenders and for countries and regions at critical junctures.

Help Ukraine win. Achieving victory in Ukraine, on Ukraine's terms, is an imperative not just for the people of Ukraine or for Europe, but for the world. Beyond its devastating physical destruction and emotional toll, the war is also a direct attack on Ukraine's domestic efforts to build a robust democracy. Anything less than victory in Ukraine will all but guarantee further Russian aggression in the region, could discourage or undermine democratization efforts in neighboring countries for fear of escalatory coercive measures by the Kremlin and additional malign interference, and could encourage other authoritarian rulers to undertake more brazen efforts to undermine democracy and human rights.

Democratic governments must remain unwavering in their support for Ukraine and its people, including by providing weapons and technical and security assistance to help ensure victory on the battlefield. They must continue to provide financial resources to the government of Ukraine, with appropriate oversight, to help it withstand the considerable economic and social shocks that the full-scale invasion has caused. Such funding is critical for keeping basic government services operational, and for responding to humanitarian need.

Democratic countries must also continue to support individuals engaged in the vital wartime work of monitoring and reporting on human rights violations and collecting evidence of war crimes. Russian authorities and any other individuals or entities that are materially supporting this illegal invasion must be held accountable through sanctions, asset freezes or seizures that support Ukrainian reconstruction, and justice in a court of law for the war crimes that have been committed.

Finally, democracies must be prepared to support Ukraine as it rebuilds and continues to strengthen its democratic institutions and norms. Close partnership with Ukrainian civil society will be essential in this process.

Stop enabling authoritarians. Too often, democracies remain silent about authoritarian behavior because they have security or economic interests with the government in question. They frequently take an "all or nothing" approach to bilateral engagement—either cutting off the relationship entirely, out of concern for the authoritarian's abusive practices, or engaging fully and muting any criticism of human rights violations. In a globalized world in which there are multiple overlapping interests, democracies must find ways to pursue economic and security goals while simultaneously advancing democracy and freedom agendas through their bilateral engagements. Prioritizing the economic and security matters without also exerting pressure on regimes for their undemocratic behavior only emboldens autocratic leaders, contributing to the continuation of their rule and the instability it produces.

Democracies must stop legitimizing dictators. It is often necessary for democratic leaders to engage with undemocratic counterparts while conducting diplomacy; they should not, however, provide them with the same degree of symbolic recognition that freely elected officials receive. Democratic leaders should refrain from congratulating "winners" of rigged elections and should work with partners and allies to swiftly denounce coups or the violation of legally established term limits, restricting foreign assistance as appropriate. Significant international sporting and cultural events should not be held in countries governed by authoritarian regimes.

Democracies must address corruption and kleptocracy head on by closing the many financial loopholes that allow authoritarian rulers to hide or launder stolen assets in democratic nations. Despots rely on their cash stores to pay off the cronies who help keep them in power, and they are able to deploy massive financial resources to crush democratic opposition.

Democracies should significantly reduce their reliance on natural resources or manufactured goods from authoritarian regimes. Companies should adhere to the UN Guiding Principles on Business and Human Rights and exercise caution when doing business in authoritarian states, conducting periodic assessments to fully understand how their products and actions might affect human rights. Members of the public should exert pressure on businesses by refusing to purchase goods from those that cannot demonstrate that their practices ensure responsible supply chains.

When rights abuses or corrupt activity occur, democracies should coordinate to impose meaningful penalties, including targeted sanctions, suspension of nonhumanitarian economic support, and ostracization on the international stage. Sanctions should also be imposed on individuals or entities that knowingly help authoritarians evade sanctions. Particularly in situations where those in power are violating human rights with impunity, such as in Afghanistan, Ethiopia, and the Democratic Republic of the Congo, or where large-scale atrocities are occurring, as in China, democracies should work together to impose legal and financial consequences.

At international forums, democracies should focus on deepening solidarity between Free and Partly Free countries, working together to censure autocrats, promote the election of democratic nations to positions of power, and give greater scrutiny to member-state compliance with charters and treaties.

Be clear and unapologetic about the virtues of democracy and tireless in efforts to uphold and defend it. Leaders should communicate frequently with the public about why and how democracy outperforms more autocratic systems, citing its reliance on the will and consent of the governed, deliberation and fair competition, mechanisms for accountability and self-correction, and the inclusion of all people regardless of the circumstances of their birth or background. Though no democracy is perfect, democracies are safer and more stable because when one institution falls short of democratic standards, the others are used as tools to repair and strengthen the system.

Democracies, both Free and Partly Free, must address backsliding at home, working to reduce barriers to democratic participation, such as social exclusion and poverty, and addressing polarization and extremism. The protection of free and fair elections, adherence to term limits by election officials, and respect for laws and institutions are essential to a strong democracy.

Democracies should make the protection of freedom and democratic governance a fundamental component of all international policy—including foreign, security, and economic policy—and of every diplomatic engagement. Human rights concerns should be raised in meetings at all levels. Democratic leaders should routinely meet with exiled democracy activists and rights defenders from authoritarian states before traveling to those countries, and with in-country activists while traveling, if they can do so without endangering their interlocutors. Democracies should also guard against foreign influence and interference and work together to build resilience against authoritarian economic coercion.

Democracies should collaborate to incentivize democratic progress. This effort must include a wide range of democracies, not just those in North America, Europe, and East Asia, and must incorporate solutions driven by democratic governments all over the world. Democracies should use development finance and country compacts to boost inclusive growth, encourage democratic governance, and prevent debt traps. They should focus on negotiating narrow, high-impact economic agreements that set high standards for governance and rights protection.

Protect press freedom and personal expression. Among the many rights under attack globally over the last 17 years, Freedom House data show that freedom of expression, both for the media and for individuals, has declined more than any other civil liberty, and infringement on free expression is one of biggest drivers of global democratic decline.

Democracies should scale up efforts to support independent media—including public-interest journalism and exile media—through financial assistance and innovative financing models, technical support, skills training, and mentoring, and should condemn attacks against journalists and media outlets. They should work to address disinformation and misinformation and support technologies that allow for expanded transmission of fact-based reporting and information into countries where authoritarian regimes are controlling or limiting the internet. They should also expand protections for journalists who face physical attacks and harassment, including by supporting the creation of emergency visas for those at risk and bringing those who threaten or attack them to justice. Laws should protect the free flow of information, grant journalists access to elected officials, allow the public to use freedom of information requests, and guard against state monopolization of media outlets.

Governments and internet service providers should make every effort to support and maintain reliable access to the internet.

Like media freedom, the freedom of personal expression faces growing threats, both online and off. The expression of individual identities, religious views, and political opinions is a core component of being human. Democracies must fiercely guard this right at home and vigorously work to defend it abroad, as the climate of fear created by harsh repression of personal expression helps dictators remain in power. To protect expression online, foreign assistance for internet freedom should prioritize the provision of technologies that help individuals in closed environments circumvent government censorship, protect themselves against surveillance, and overcome restrictions on connectivity. Assistance should also include digital security and digital activism trainings for human rights defenders, and programs that seek to strengthen judicial independence and enhance technical literacy among judges and others within the legal system. Governments should carefully scrutinize the export of technologies and products that could be used to violate human rights, placing strict limits on the sale of those that enable monitoring, surveillance, interception, or collection of personal information and communications.

Democracies should reform domestic surveillance practices so that they adhere to the International Principles on the Application of Human Rights to Communications Surveillance; strictly regulate the use of surveillance tools; protect robust encryption, which is vital for the security of activists, journalists, and ordinary people around the world; and strengthen data-privacy protections.

Dramatically ramp up support for human rights defenders and for countries and regions at critical junctures. While governments, movements, and activists working for democratic progress must lead the change in their own countries, the odds may be stacked against them without significant support from foreign governments and organizations that are committed to the expansion of democracy and human rights. If democracy assistance is to be effective, it must be provided at a sufficient scale and in a sustained manner. Those working on the front lines to uphold and protect fundamental freedoms for their fellow citizens are the true agents of positive change in any country. But courageous action of the sort the world has witnessed in Iran, where protesters are boldly defying a brutal regime, warrants a clear demonstration of international solidarity.

Democratic governments should help human rights defenders and civil society groups remain in their countries of origin whenever possible. Technical assistance and training on issues like coalition and constituency building, advocacy, organizational development, and physical and digital security are particularly helpful, as is flexible funding that affords groups the agility to respond to needs as they arise. Government agencies that provide foreign assistance should seek to create opportunities for groups that could play an important role in a future civic mobilization to connect with national, regional, and international prodemocracy organizations—and with one another—to share strategies, tools, and approaches.

When rights defenders come under threat, democracies should help provide medical, legal, and psychosocial support as needed. When these defenders are imprisoned, democratic governments, international civil society groups, and members of the public should condemn their detention, seek their immediate and unconditional release, and call for the dropping of all charges. Should it become necessary for rights defenders to relocate, temporary internal relocation is often most desirable. When a situation becomes so dangerous that defenders and activists need to be evacuated from their country, democratic governments should be prepared to provide temporary visas or long-term residency, and support for exiled activists to resume their lives and vital work. Activists and rights defenders from authoritarian states

that have been sanctioned also sometimes experience banking obstacles or other challenges related to private-sector risk aversion. Democratic governments should work with the private sector to minimize such inadvertent impacts.

Democracies must remain vigilant to combat transnational repression. Between 2014 and 2021, Freedom House found that authorities in at least 36 origin countries had reached beyond their own borders to intimidate, harass, and even kidnap or murder exiled dissidents and members of diaspora communities across 84 countries. Democratic governments should guard against the commission of transnational repression on their soil by ensuring that laws are updated as needed, providing officials with training to recognize and respond to transnational repression, reaching out to diaspora groups that may be targeted, and prosecuting or imposing sanctions on perpetrators.

In addition, democracy assistance should be focused on countries and regions facing critical junctures. Freedom House research has shown that once a country tips into the Partly Free or Not Free categories, it often struggles to recover. This makes the provision of diplomatic, technical, and financial support especially important for countries that have seen promising democratic development or are at risk of democratic deterioration. These include Kenya and Zambia, which have experienced recent improvements; Armenia, Sri Lanka, and El Salvador, where democracy is under pressure; and Nigeria, Turkey, India, and Thailand, which face important upcoming elections, among others. Democracies should help democratically inclined leaders and local civil society organizations in these countries deliver tangible expansions of political rights and civil liberties.

Democratic governments should also work with civil society to prepare for change. No authoritarian regime is permanent; autocracies can seem durable until they suddenly collapse. Only 12 countries that exist today have always been rated Not Free in *Freedom in the World*. And even within those countries—including Cuba and China—protests against governance problems like corruption, societal restrictions, and economic mismanagement can draw large numbers and broad support. Democratic governments should provide vocal, public endorsements of grassroots prodemocracy movements and respond to any violent crackdown by authorities with targeted sanctions, reduced or conditioned foreign assistance if the country had been receiving any, and public condemnation. Democracies must be prepared for political upheaval in Not Free countries and draw up serious contingency plans for responding to political change, both negative and positive, including the emergence of widespread popular movements for a more open society. More broadly, policy strategies for Not Free countries should not rely on the assumption that the current systems and conditions will persist indefinitely.

Detailed policy recommendations can be found here:
https://freedomhouse.org/policy-recommendations

Introduction

The *Freedom in the World 2023* survey contains reports on 195 countries and 15 territories. Each country report begins with a section containing the following information: population, capital, freedom status (Free, Partly Free, or Not Free), and an "electoral democracy" designation. Each territory report begins with a section containing the same information, except for the capital. The population figures are drawn primarily from the *2022 World Population Data Sheet* of the Population Reference Bureau.

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

Following the section described above, each country and territory report is composed of three parts: an overview, bullets on key developments, and an analysis of political rights and civil liberties. The overview provides a succinct, general description that explains the country or territory's place on the 0–7 rating scale; bullets on key developments summarize key events that took place in 2022; and the section on political rights and civil liberties analyzes the degree of respect for the rights and liberties that Freedom House uses to evaluate freedom in the world. This section is composed of seven parts that correspond to the seven main subcategories in the methodology and justify a country or territory's score for each indicator. The scores for each indicator, subcategory, and category, along with any changes from the previous year, are noted next to the relevant subheading.

Country Reports

Afghanistan

Population: 41,100,000
Capital: Kabul
Freedom Status: Not Free
Electoral Democracy: No

Overview: Afghanistan's elected government, which had been undermined by an insurgency waged by the Taliban as well as violence, corruption, and flawed electoral processes, nevertheless offered a wide range of individual rights before the Taliban overthrew it in 2021. Since taking power, the Taliban have demonstrated their intolerance for political opposition. Women and minority groups have seen their rights curtailed, while journalists are restricted by harsh edicts and the threat of violence. Meanwhile, the population is facing economic and humanitarian crises.

KEY DEVELOPMENTS IN 2022

- Afghans experienced dire economic circumstances as the country suffered the withdrawal of aid, drought, and a banking crisis. In May, the World Food Programme (WFP) reported that 92 percent of the population did not eat enough food.
- The Taliban severely restricted rights for women and girls during the year. In March, it kept secondary schools for girls closed. In May, women were ordered to wear clothing that only exposed their eyes in public. In December, women were banned from higher education; the Ministry of Economy ordered nongovernmental organizations (NGOs) to stop female employees from reporting for work that same month.
- In November, the regime's supreme leader, Haibatullah Akhundzada, issued a decree calling on judges and prosecutors to issue punishments consistent with its interpretation of Sharia law. Authorities began imposing corporal punishment later that month, while the regime held its first public execution in December.
- The Islamic State Khorasan Province (ISKP) militant group launched terrorist attacks throughout the year. It notably launched several attacks during the Ashura holiday in August, with the UN Assistance Mission in Afghanistan (UNAMA) reporting that 120 people were killed or injured.
- At least 1,000 people in Afghanistan were killed when an earthquake struck near the border with Pakistan in June.

POLITICAL RIGHTS: 1 / 40

A. ELECTORAL PROCESS: 0 / 12

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

The Taliban overthrew an elected government in 2021; that September, the Taliban declared the formation of the Islamic Emirate of Afghanistan (IEA) and installed an unelected cabinet. Mohammad Hasan Akhund, the head of the movement's Rehbari Shura (Leadership Council), was named prime minister and remained in that post as of the end of 2022. Haibatullah Akhundzada, the movement's leader, was named the IEA's supreme leader, or amir. Akhundzada exercised unfettered powers to rule by decree and make all appointments to state bodies.

A2. Were the current national legislative representatives elected through free and fair elections? 0 / 4

No legislative assembly or representative body operates in the IEA. Akhundzada's decrees and orders from ministers have taken the place of legislation and regulation.

A bicameral National Assembly existed under the 2004 constitution. The last assembly was constituted after elections in 2018 but many of its members went into exile after the republic fell.

In March 2022, the Taliban allowed residents in Kabul to vote for local representatives to liaise with the authorities.

A3. Are the electoral laws and framework fair, and are they implemented impartially by the relevant election management bodies? 0 / 4

Under the republic, elections were administered by the Independent Election Commission and disputes adjudicated by the Electoral Complaints Commission. Both were abolished in late 2021. Besides the March 2022 polls in Kabul, there is no provision for elections in the IEA.

In 2021, the Taliban announced that they would enforce parts of the 1964 constitution that did not contradict their interpretation of Sharia, rejecting the 2004 constitution used by the republic. In September 2022, Deputy Justice Minister Abdul Karim Haider said the country did not need a constitution, and instead need only rely on the Quran, the sunnah of the prophet Muhammad—referring to a collection of social and legal customs that informs Sharia—and Islamic jurisprudence.

B. POLITICAL PLURALISM AND PARTICIPATION: 0 / 16

B1. Do the people have the right to organize in different political parties or other competitive political groupings of their choice, and is the system free of undue obstacles to the rise and fall of these competing parties or groupings? 0 / 4

Afghanistan is an effective one-party state under the Taliban. Political parties have no legal protection. However, some parties informally operate in Afghanistan; their leaders operate in exile abroad.

B2. Is there a realistic opportunity for the opposition to increase its support or gain power through elections? 0 / 4

The government of the IEA is exclusively composed of Taliban members. No other party has a share in or can compete for power. The Taliban tolerate no opposition.

B3. Are the people's political choices free from domination by forces that are external to the political sphere, or by political forces that employ extrapolitical means? 0 / 4

Citizens cannot exercise any meaningful political choice under the Taliban. Policymaking, resource allocation, and the selection of officials all take place opaquely within the structures of the IEA. At most, some Taliban officials in provincial administrations are reportedly open to limited consultation and lobbying by male community representatives.

B4. Do various segments of the population (including ethnic, racial, religious, gender, LGBT+, and other relevant groups) have full political rights and electoral opportunities? 0 / 4

No group in Afghanistan enjoys political rights or electoral opportunities. Some groups are particularly marginalized and excluded from the limited public debate that does occur.

Under the Taliban, women are excluded from any position of official authority and are additionally impacted by restrictions on their movement. A June–July 2022 assembly that included clerics and traditional leaders included no women.

Most Taliban members belong to the Pashtun ethnic group, which is believed to represent 42 percent of the Afghan population. Members of that group hold top positions in powerful ministries, though non-Pashtun members of the Taliban hold less powerful posts.

LGBT+ people are thoroughly excluded from political participation; the Taliban support the former republic's criminalization of same-sex relations and reject LGBT+ rights.

C. FUNCTIONING OF GOVERNMENT: 1 / 12

C1. Do the freely elected head of government and national legislative representatives determine the policies of the government? 0 / 4

Decision-making within the IEA is highly opaque. Its leader was proclaimed, not elected. There is no national legislature to check the leadership. A council of ministers functions in Kabul but Akhundzada and his advisers, who are based in Kandahar, hold ultimate authority.

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

The Taliban claim to have achieved progress in checking widespread corruption present under the republic, particularly in the field of revenue collection. However, institutional safeguards have been weakened. In December 2022, a regime spokesman said the work of the Anti-Corruption Commission had been suspended for financial reasons but would resume.

Petty corruption has also been reported under the current regime. Individuals seeking passports, for example, have had to pay bribes.

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

There is no transparency in Taliban governance and decision-making. The national budget released in May 2022 did not include significant detail. Ministers provided few details of their ministries' activities and avoided questions in public accountability sessions held in August and September.

CIVIL LIBERTIES: 7 / 60 (−2)

D. FREEDOM OF EXPRESSION AND BELIEF: 2 / 16 (−2)

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

Media freedom is severely restricted under the Taliban. Media outlets are subject to intrusive monitoring and guidance by multiple Taliban organs, which are reinforced through threats and violence. The Afghan media sector has also suffered from the loss of state patronage, donor funding, and private-sector revenue. Many Afghan journalists have fled for other countries in the region and have sought asylum in European countries and the United States since the republic's fall.

In March 2022, local-language television content produced by the British Broadcasting Corporation (BBC) was taken off the air. Output from China Global Television Network, Deutsche Welle, and Voice of America (VOA) was also banned that month.

According to a December 2021 report released by Reporters Without Borders (RSF) and the Afghan Independent Journalists Association, 231 of the 543 outlets that operated immediately before the Taliban's takeover closed by the end of that year. Some 6,430 media workers, meanwhile, were no longer working in the field. Women were especially affected, with 84 percent of female workers losing their jobs.

Since September 2021, the IEA has introduced at least three sets of guidelines for the media, though the guidelines were not publicly shared. Among other things, these guidelines instruct outlets and journalists to show respect for Islam, desist from reporting news items considered false, refrain from publishing information the regime has not confirmed, and operate within cultural norms. Entertainment programming that is believed to violate social and cultural norms is banned. Women's dress is also restricted under the guidelines. At least three Taliban organs have actively enforced these restrictions: the Ministry of Information and Culture, the Ministry of Vice and Virtue (MVV), and the General Directorate of Intelligence (GDI).

In practice, authorities have exercised arbitrary control over the media, well beyond what is implied by their published guidelines. Journalists have been subject to arbitrary arrest, detention, threats, and harassment, primarily from the GDI. Pressure has mainly been directed towards ensuring favorable coverage of the regime, stifling criticism, and reducing coverage of opponents and critics. Self-censorship is pervasive as a result.

Established outlets now operate from abroad, while new outlets focused on Afghanistan have been formed outside the country since the IEA was established; all these outlets rely on social media to share their output. The Taliban have increased their own social-media activity and have warned people against accessing critical posts. Nevertheless, social media remains uncensored and accessible to Afghans.

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

Religious freedom, which was already hampered by violence and discrimination under the republic, has been heavily curtailed by the Taliban, who vigorously assert their interpretation of the Hanafi school of Sunni Islam.

During 2022, the MVV expanded its moral code covering dress, behavior, and religious observance. In January, the MVV placed posters in Kabul that called on women to dress according to the regime's interpretation of Sharia. In May, the MVV ordered women to wear clothing that only exposed their eyes in public and urged them to remain at home. The MVV also intensified enforcement operations, though provincial-level directorates reportedly exercised a degree of discretion in applying the new code.

Government organs, particularly the GDI, have systematically persecuted religious minorities. Adherents of Salafism have been especially targeted, with members facing arbitrary detention, forced disappearance, torture, and summary execution by the Taliban, who accuse them of supporting the ISKP. Christians, who are few in number, also face arrest and violence.

The regime does not persecute members of the Hazara community, most of whom identify as Shiite, as a matter of policy. However, Hazaras face persecution in practice, with individual members being targeted and houses of worship being desecrated during military operations in Hazara-majority areas. Hazara and Shiite populations were also targeted by the ISKP in 2022. The ISKP launched several attacks during the Ashura holiday in August, killing and injuring over 120 people according to UNAMA. In late September, at least 53 people were killed when a suicide bomber detonated a device in a Hazara-majority section of Kabul.

D3. Is there academic freedom, and is the educational system free from extensive political indoctrination? 0 / 4 (−1)

The regime sought to transform Afghanistan's educational system during 2022; it initiated an ideologically driven review of the curriculum, patronized its supporters when

recruiting teachers, and banned books and other materials. The regime has also favored religious schools over other institutions; several dozen schools, universities, and training centers have been converted into religious institutions since the IEA was established.

Score Change: The score declined from 1 to 0 because the Taliban sought to ideologically reshape the country's education curriculum, favored religious schools over other institutions, and banned books.

D4. Are individuals free to express their personal views on political or other sensitive topics without fear of surveillance or retribution? 0 / 4 (−1)

Afghans cannot freely engage in private discussion without risking offline and online surveillance. Criticism of the IEA or its moral code is grounds for arrest, as are sympathetic statements towards the National Resistance Front (NRF), an armed group that has resisted Taliban rule in the north. The GDI has worked to expand its network of agents, who are paid to inform on their neighbors' activities. Taliban routinely search mobile phones for social media comments criticizing the regime.

Score Change: The score declined from 1 to 0 because the Taliban subjected Afghans to more surveillance by expanding their network of informers and by searching individuals' mobile phones for evidence of dissent.

E. ASSOCIATIONAL AND ORGANIZATIONAL RIGHTS: 3 / 12

E1. Is there freedom of assembly? 1 / 4

The Taliban use force to suppress demonstrations and media coverage of those demonstrations. However, the authorities reportedly orchestrate rallies to showcase views they promote, such as demands for the lifting of sanctions.

Afghan women continued to stage sporadic protests during 2022 but risked severe mistreatment for doing so. In October, Human Rights Watch (HRW) reported incidents where female protesters were tortured by authorities, along with male relatives; female protesters told HRW that relatives, including children, were detained with them. Authorities used water cannons to disperse those protesting the higher-education ban in December.

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

NGOs are permitted to operate as long as they are registered with the Ministry of Economy. However, they are subject to multiple and intrusive checks, including to ensure that they observe regulations on women's dress. In December 2022, the ministry told NGOs not to allow female employees to report for work and threatened to revoke the registration of NGOs for noncompliance. Several aid groups, including the Norwegian Refugee Council and Save the Children, suspended their operations as a result.

Authorities applied informal pressure to install their supporters on the boards of NGOs and pressured donors to interact with Taliban-controlled NGOs. NGOs involved in humanitarian operations faced pressure from the Taliban to prioritize their members and supporters when distributing aid. Personnel enjoyed no protection from harassment, and staff members belonging to the few human rights–focused organizations active in Afghanistan were particularly vulnerable. Human rights activists have been arrested, tortured, and killed since the Taliban returned to power, while many involved in human rights work have fled.

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

Under the 2004 constitution, Afghan workers had broad constitutional protections. However, labor rights were poorly defined, and no effective enforcement or dispute-resolution mechanisms existed. Unions were largely absent from the large informal and agricultural sectors. The rise of the Taliban has not yet had a noticeable effect on labor rights.

F. RULE OF LAW: 0 / 16

F1. Is there an independent judiciary? 0 / 4

The IEA's judiciary is structurally similar to the judiciary of the defunct republic. However, the branch was purged and is now staffed by Taliban and supporters who are considered sufficiently reliable by the regime. Women, meanwhile, are absent. The attorney general's core responsibilities were stripped from that office by the regime.

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

The Taliban do not recognize internationally accepted norms on due process. Their judges are supposed to operate under Hanafi jurisprudence instead of a clear code of procedure. Judges rely on confessions and uncorroborated witness testimony.

In November 2022, Akhundzada issued a decree calling on judges and prosecutors to issue punishments consistent with the regime's interpretation of Sharia. Later that month, reports emerged of people receiving corporal punishment for crimes including adultery, robbery, and corruption. Authorities administered whippings and amputations with little due process, as those facing corporal punishment were not allowed to employ counsel.

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

While the Taliban have asserted their intention to restore security in Afghanistan after overthrowing the republic, the Afghan population remained acutely vulnerable to armed conflict and violence in 2022. The ISKP engaged in terrorist activity while the NRF continued to wage an insurgency in the north. However, the South Asia Terrorism Portal counted 1,653 terrorism-related deaths in 2022, far fewer than the 8,469 deaths reported in 2021.

The ISKP claimed responsibility for attacks that killed or injured at least 700 people since the Taliban took power, according to HRW. In one of the attacks the ISKP launched in April, it used a remote explosive device to target a Shiite mosque in Mazar-e-Sharif, killing 31 people. It also launched several attacks during the Ashura holiday in August, with UNAMA reporting that 120 were killed or injured. In September, an ISKP suicide bomber targeted the Russian embassy in Kabul, killing at least six people. In December, ISKP fighters attacked a Kabul hotel, killing several people.

The NRF continued to engage in armed resistance during the year. In affected areas, the regime has arbitrarily detained and summarily executed suspected collaborators and has engaged in collective punishment.

In June 2022, the regime launched a military operation against a short-lived uprising by one of its commanders in a Hazara-majority district of Sar-e Pul Province. The regime's operation was accompanied by mass displacement, collective punishment, and accusations of summary executions.

While the regime claimed it was observing an amnesty announced in 2021, military personnel who served the republic were killed or disappeared during the year, suggesting a concerted campaign against perceived enemies sanctioned by the leadership and the GDI.

Since retaking power, the Taliban have instituted corporal punishment with little due process. In December 2022, the regime held its first public execution. Taliban also used

violence against those perceived as dissenters or those who otherwise resisted edicts, norms, or individual demands. In November, for example, a vice-and-virtue official killed a girl in Balkh Province for refusing a marriage proposal.

Criminal violence is a regular occurrence. Perpetrators frequently benefited from Taliban protection or affiliation.

F4. Do laws, policies, and practices guarantee equal treatment of various segments of the population? 0 / 4

The IEA operates without a unified civil or criminal code. There is no clarity on which republic-era laws still apply.

Women face profound discrimination under the Taliban. Their employment opportunities have been severely curtailed; many women have been dismissed from public-sector and media-sector jobs. Restrictions on movement also impact women's employment prospects, with the MVV working to enforce a ban on women using mass transit unaccompanied. The regime has also restricted girls' and women's access to education. In March 2022, it officially closed secondary schools for girls despite previous assurances that they would be reopened; Akhundzada reportedly vetoed the reopening of those schools. In December, the regime banned female students from higher education.

The Taliban have engaged in discrimination against members of ethnic minority groups, particularly Tajiks, Hazaras, and Uzbeks.

There is no legal protection for LGBT+ people, who face societal disapproval and discrimination from the Taliban. In a 2021 interview, a Taliban judge advocated for the execution of men who engage in same-sex activity. LGBT+ people trying to flee Afghanistan face financial and administrative obstacles; gender nonconforming Afghans who spoke to HRW for a report released in January 2022 said they feared visiting passport offices and internal checkpoints.

G. PERSONAL AUTONOMY AND INDIVIDUAL RIGHTS: 2 / 16

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

The regime places significant restrictions on individual movement, especially on women. Women must be accompanied by a chaperone for long-distance domestic travel and travel abroad. In March 2022, airline officials reported that unaccompanied women were removed from flights.

Authorities have used checkpoints to regulate internal movement and are known to engage in intrusive searches of travelers. Taliban reportedly search for known or perceived opponents of the regime at checkpoints, checking travelers' mobile phones and social media activity.

The regime rationed access to passports in 2022 in an effort to restrict emigration. It stopped issuing passports in October. The Taliban maintained a quota of passports for its own members, while others paid bribes and sought travel documents on the black market.

Internal displacement remains a significant problem. The Office of the UN High Commissioner for Refugees reported that 3.5 million Afghans were internally displaced at the end of 2022.

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

The Taliban have historically promised to respect existing property rights and provide enough security to allow for investment. However, the Taliban continued a pattern of

property expropriation and extortion directed at the those affiliated with the defunct republic. Traders have complained of being driven out of business by arbitrary tax assessments. In some provinces, armed gangs have kidnapped and stolen from targets perceived as wealthy; these gangs are protected by the authorities. The Taliban have signaled that they would assert state ownership of land based on prerevolutionary records, effectively nullifying four decades' worth of transactions.

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

The Taliban ended the limited formal protections from domestic violence offered by the republic. Shelters for survivors of gender-based violence were closed by the Taliban and individuals who were convicted of such violence were among those released by the Taliban during their 2021 takeover.

The MVV has restricted the social freedoms of Afghans. Women are obliged to adopt Islamic dress as defined by the regime. Men, especially civil servants, were ordered to grow full beards and avoid "westernized" hairstyles or dress. However, enforcement is reportedly inconsistent.

Customary practices, including child marriage, the forced marriage of young girls to older men, and of widows to their husbands' male relatives, continue to restrict women's choices regarding marriage and divorce.

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

The economic and governance crisis associated with the Taliban takeover intensified poverty and heightened Afghans' vulnerability to exploitation, while weakening safeguards. Aid agencies fear that as many as 120,000 children have been bartered or sold into marriage in the first eight months of the new regime's rule.

Food insecurity is pervasive; in May 2022, the WFP reported that 92 percent of Afghans do not eat enough food. Women and people living with disabilities were especially affected. Child labor has reportedly increased as Afghan families grapple with the country's economic crisis, with more children working in the mining sector.

Albania

Population: 2,800,000
Capital: Tirana
Freedom Status: Partly Free
Electoral Democracy: Yes

Overview: Albania has a record of competitive elections, though political parties are highly polarized and often organized around leading personalities. Religious freedom and freedom of assembly are generally respected. Corruption and bribery remain major problems, though the government has endeavored to address corruption in the judiciary.

KEY DEVELOPMENTS IN 2022

- In February, the Constitutional Court ruled against then president Ilir Meta's 2021 impeachment, allowing him to complete his term. Lawmakers had impeached Meta over his conduct during that year's electoral period and over concerns that he had incited violence.
- Also in February, the parliament voted to extend the mandate of bodies responsible for vetting judges and prosecutors, as part of the government's ongoing efforts to combat corruption in the judicial branch.
- In June, lawmakers elected defense chief Bajram Begaj president, succeeding Meta. Parliamentarians from the opposition Democratic Party (PD) boycotted the vote. Opposition members voiced concerns over whether Begaj's status as a military officer made his selection unconstitutional.

POLITICAL RIGHTS: 28 / 40

A. ELECTORAL PROCESS: 9 / 12

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

The president is the head of state and is elected by the parliament for a maximum of two five-year terms; the office does not hold executive power, though the president has some authority over the judiciary and the armed forces. The prime minister is the head of government and is designated by the majority party or coalition. Because both the president and prime minister are selected by lawmakers, their legitimacy is generally dependent on the conduct of parliamentary elections.

In June 2022, the parliament elected defense chief Bajram Begaj to succeed Ilir Meta as president. Meta had been impeached by lawmakers in 2021 over his conduct during that year's electoral period, but the Constitutional Court overruled the parliament in February 2022, allowing him to complete his term. The PD boycotted the vote, with opposition lawmakers voicing concerns over whether his status as a military officer made his selection unconstitutional. Begaj took office in late July.

Socialist Party (PS) leader Edi Rama began his third term as prime minister following the April 2021 parliamentary elections.

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

The unicameral, 140-member Kuvendi (Assembly) is elected through proportional representation in 12 regional districts of varying size corresponding to administrative regions. All members serve four-year terms.

The ruling PS maintained its parliamentary majority in the April 2021 polls, winning 49 percent of the vote and 74 seats. The PD won 39 percent of the vote and 59 seats, while the Freedom Party (then known as the Socialist Movement of Integration) took 4 seats. Turnout stood at 46.3 percent.

The elections were administered under reforms adopted in 2020, ensuring the participation of opposition parties including the PD, which had boycotted previous polls. International observers called the elections well-organized and competitive. However, the elections were also marred by irregularities, including allegations of widespread vote buying, the misuse of administrative resources by the PS, and media bias that allowed the PS to "derive significant advantage from its incumbency." Despite such flaws, the results were widely accepted by stakeholders.

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

The Central Election Commission (CEC) administers polls. In 2020, the parliament established the Political Council, comprised of representatives of the three largest parties, to address electoral reforms recommended by the Organization for Security and Co-operation in Europe. The parliament adopted several provisions of the Council's plan to gradually depoliticize election administration, introduce electronic identification of voters where technically possible, and restructure the CEC, among other changes. The CEC received additional responsibilities via these reforms.

The April 2021 elections were administered by the newly restructured CEC and were the first polls conducted after reforms were adopted in 2020. Despite concerns about the CEC's ability to manage the polls after the parliament's "extremely hasty" adoption of the electoral amendments, international observers reported that the elections proceeded smoothly and were competently and transparently administered.

B. POLITICAL PLURALISM AND PARTICIPATION: 12 / 16

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

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

In January 2022, PD leader Lulzim Basha expelled former premier Sali Berisha from the party. The decision came after months of internal tension and days after Berisha supporters attempted to storm the party's headquarters. An intraparty conflict between the two men's supporters ensued; in March, Basha resigned as party leader, with Berisha succeeding him in May.

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

In Albania's multiparty system, opposition parties have the opportunity to participate in the political process and take power via the ballot box.

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

While individuals are generally free to make their own political choices, powerful economic actors shape Albanian politics through their media holdings and influence on electoral campaigns. Criminal organizations and corrupt actors are also known to exert influence.

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

Albanian law guarantees political rights for citizens regardless of their ethnic, racial, lingual, or religious identity. However, Roma and other marginalized communities remain vulnerable to political exploitation and have difficulty participating in politics.

Women are underrepresented in the Assembly, holding 35.7 percent of its seats. However, a record 12 women were appointed to the 17-member cabinet in September 2021.

C. FUNCTIONING OF GOVERNMENT: 7 / 12

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

Since coming to power in 2017, the PS has largely been able to formulate and implement policy, though its ability to do so was somewhat impacted by a February 2019 opposition boycott. The potential for boycotts in the Assembly may weaken legislative oversight of the government.

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

Corruption is pervasive, and the European Union (EU) has repeatedly called for rigorous implementation of antigraft measures, particularly for corruption within the judiciary. In 2016, constitutional reforms established the Special Anticorruption Structure, which is tasked with investigating and prosecuting high-level corruption.

In a process monitored by EU and US experts, the government began vetting judges and prosecutors in 2018, to detect and combat corruption within the judiciary. A 2021 European Commission report praised Albania's anticorruption efforts, specifically noting the success of judicial vetting. In February 2022, the Assembly extended the mandate of vetting bodies to the end of 2024.

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

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

CIVIL LIBERTIES: 39 / 60

D. FREEDOM OF EXPRESSION AND BELIEF: 13 / 16

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

While the constitution guarantees freedom of expression, the intermingling of powerful business, political, and media interests inhibits the development of independent news outlets; most are seen as biased toward either the PS or the PD. Reporters have little job security, low salaries, and remain subject to lawsuits, intimidation, and occasional physical attack by those facing media scrutiny.

In November 2022, Council of Europe (CoE) fact finders warned that the Albanian media environment was worsening due in part to media-sector concentration. The CoE mission also voiced concerns over the independence of the country's media regulator, the Audiovisual Media Authority.

The government restricted reporting on sensitive subjects in 2022. In June, prosecutors ordered outlets not to report on state witnesses' testimony from an organized-crime investigation. In September, prosecutors banned the publication of material that was revealed via a cyberattack.

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

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

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

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

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

There are no significant restrictions on private discussion.

E. ASSOCIATIONAL AND ORGANIZATIONAL RIGHTS: 8 / 12

E1. Is there freedom of assembly? 3 / 4

Freedom of assembly is generally respected.

Several protests and events were held in 2022, including some political rallies that turned violent. In January, supporters of Sali Berisha attempted to storm PD headquarters; they were forcibly dispersed by police using tear gas and water cannons, leading to several injuries. In December, Berisha was physically attacked while leading an antigovernment protest; the assailant was quickly arrested.

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

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

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

Workers are constitutionally allowed to organize and bargain collectively, and most have the right to strike. However, effective collective bargaining remains limited, and union members have little protection against discrimination by employers.

F. RULE OF LAW: 9 / 16

F1. Is there an independent judiciary? 2 / 4

The constitution provides for an independent judiciary, but corruption remains a serious problem, underfunded courts are subject to political pressure and influence, and public trust in judicial institutions is low.

In 2021, the Assembly adopted amendments to 10 laws in an effort to strengthen judicial efficiency. International governance bodies praised the subsequent reevaluation of judges and prosecutors via judicial vetting mechanisms. All priority cases had been reviewed by that September; more than 60 percent of all cases reviewed had resulted in dismissals "due to unexplained assets." The vetting process continued in 2022; in April, Tirana chief prosecutor Elizabeta Imeraj was dismissed over concerns regarding her family's assets.

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

Constitutional guarantees of due process are upheld inconsistently. Trial procedures can be affected by corruption and are sometimes closed to the public. Although the state is supposed to offer free legal aid, legal counsel is not always provided to those who cannot afford their own. A number of local NGOs offer free legal aid for those affected.

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

Reports of police abuse of detainees continue. Prison inmates suffer from poor living conditions and inadequate medical treatment. Drug-related crime remains a problem, as Albania is a transit country for heroin smugglers.

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

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

The Roma community faces 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. A May 2022 pride parade in Tirana attracted significant support. However, anti-LGBT+ bias persists.

Women are underrepresented in the workforce. Women living in rural areas have fewer opportunities for employment and education.

G. PERSONAL AUTONOMY AND INDIVIDUAL RIGHTS: 9 / 16

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

Albanians generally enjoy freedom of movement, though criminal activity and practices related to historically predominant honor codes limit these rights in some areas. People are generally free to change their place of residence or employment. Access to government documents is affected by bribery.

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

Numerous property restitution cases related to communist-era confiscations remain unresolved. Illegal construction is a major problem, as is bribery linked to government approval of development projects. Women continue to face serious challenges to fair and equal property inheritance from parents as well as when divorcing their husbands.

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

The government generally does not place explicit restrictions on social freedoms, though same-sex marriages are not recognized.

Domestic violence is widespread. Police are poorly equipped to handle cases of domestic violence or spousal rape, which is often not understood to be a crime.

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

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

While Albania continues to struggle with human trafficking, authorities are proactive in addressing the issue. In recent years, the government has cooperated with civil society leaders, creating an advisory board on trafficking and increasing victim assistance in criminal proceedings.

Algeria

Population: 44,900,000
Capital: Algiers
Freedom Status: Not Free
Electoral Democracy: No

Overview: Political affairs in Algeria have long been dominated by a closed elite based in the military and the ruling party, the National Liberation Front (FLN). While there are multiple opposition parties in Parliament, elections are distorted by fraud, and electoral processes are not transparent. Other concerns include the suppression of street protests, legal restrictions on media freedom, and rampant corruption. The *Hirak* protest movement in 2019 put pressure on the regime to reform, but a crackdown on dissent in the following years has prevented large-scale demonstrations from continuing.

KEY DEVELOPMENTS IN 2022

- Mohamed Benhalima, a dissident and whistleblower who fled the country in 2019 after participating in the Hirak protests, was extradited to Algeria from Spain on dubious terrorism charges in March. Benhalima was sentenced to 12 years in prison in August, but additional charges remained pending; according to some reports, he was also sentenced to death by a military court on charges including "espionage."
- The government continued to crack down on other activists and groups linked to the Hirak movement throughout the year. Numerous opposition figures were subjected to arbitrary arrest and prosecution under vaguely worded terrorism laws.
- In December, the authorities closed the critical media outlet Radio M after security forces raided its offices and arrested its editor in chief, Ihsane el-Kadi. He was charged with threatening national security and "receiving suspicious funding from foreign sources."

POLITICAL RIGHTS: 10 / 40

A. ELECTORAL PROCESS: 3 / 12

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

The president, who is directly elected for five-year terms, remains the dominant figure in the executive branch, though some authority was shifted to the prime minister under constitutional reforms adopted in 2020.

A two-term limit has been in effect since 2016, but it did not apply to the prior terms of longtime president Abdelaziz Bouteflika, whose plans to seek a fifth consecutive term sparked the Hirak protests in 2019. Bouteflika resigned that April after losing the support of the armed forces.

Former prime minister Abdelmajid Tebboune won the December 2019 presidential election with 58 percent of the vote. Abdelaziz Belaïd of the Future Front, the only candidate who had not served in cabinet posts under Bouteflika, won 7 percent. Voter turnout was reportedly as low as 20 percent. Protesters called the election a sham and orchestrated a boycott. Outside observers were not allowed to enter the country to monitor the poll.

The president nominates the prime minister after consulting with the parliamentary majority. Tebboune appointed then finance minister Ayman Benabderrahmane as prime minister in 2021.

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

The 407 members of the National People's Assembly, the lower house of Parliament, are directly elected to five-year terms, which can only be renewed once under the 2020 constitutional reforms. In early elections held in 2021, the ruling FLN won 98 seats, while the allied National Democratic Rally (RND) took 58. The Islamist Movement of Society for Peace (MSP) won 65 seats, the Future Front captured 48, and the moderate Islamist National Construction Movement (El-Binaa) took 39. No other party won more than 10 seats, though 84 independent lawmakers were elected.

The MSP and El-Binaa alleged that the elections were marred by fraud, while Hirak supporters boycotted the polls. Nationwide turnout stood at 23 percent. The Independent National Authority for Elections (ANIE) reported that over 360 polling facilities were shuttered due to looting and other disruptions.

The president appoints one-third of the members of the upper house, the Council of the Nation, which has 144 members serving six-year terms. The other two-thirds are indirectly elected by local and provincial assemblies. Half of the chamber's mandates are renewed every three years. Partial upper house elections took place in February 2022. The FLN took the most seats, securing 25, while independents took 14, RND took 11, and the Future Front and the Socialist Forces Front (FFS) took 5 and 2 seats, respectively.

Local and regional elections were held amid low turnout in 2021. The FLN and RND won the most town council seats and a plurality of regional assembly seats.

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

Prior to 2019, Algeria's elections were administered by the Interior Ministry and were often subject to government interference. Pressure from protesters ultimately forced the government to establish the ANIE. However, the slate of approved presidential candidates that was announced ahead of the 2019 presidential election was dominated by Bouteflika-era officials, raising doubts about the efficacy of the electoral reforms. The absence of international election monitors drew criticism from Algerian civil society.

Constitutional reforms were adopted through a 2020 referendum that was marred by low voter turnout. Reform-package opponents, including Hirak activists, had called for a boycott after being prevented from campaigning or airing their views on state media.

B. POLITICAL PLURALISM AND PARTICIPATION: 4 / 16

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

The Interior Ministry must approve political parties before they can operate legally. Parties cannot form along explicitly ethnic lines. The Islamic Salvation Front (FIS), which swept the 1990 local and 1991 national elections that preceded Algeria's decade-long civil war, remains banned. Since the Hirak emerged in 2019, the authorities have intensified their repression of opposition groups, especially parties espousing separatism, Islamist groups, and parties perceived as closely aligned with the Hirak.

In January 2022, the Council of State suspended the opposition Socialist Workers' Party (PST) for allegedly failing to organize its annual congress within the legally mandated timeframe.

In recent years, authorities have increasingly used vaguely worded antiterrorism legislation to prosecute members of the opposition. In 2021, the High Security Council designated the Rachad—an organization that includes former FIS members—and the Movement for the Self-Determination of Kabylie (MAK) as terrorist organizations. Numerous people accused of affiliation with the groups have since faced arrest. In November 2022, exiled MAK leader Ferhat Mehenni was sentenced in absentia to life in prison on terrorism-related charges.

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

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

Opposition leaders have also been subject to detention and prosecution. In January 2022, an Algiers court sentenced Democratic and Social Movement (MDS) leader Fethi Ghares to two years' imprisonment and a 200,000 dinar ($1,400) fine on charges including "offending public bodies."

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

The military retains its long-standing influence over civilian politics. Its vast resources and lack of public accountability have helped shape its role as the most powerful political actor in Algeria.

Allegations and scandals involving corruption in the selection of political candidates, as well as vote-buying during elections, have surfaced in recent years. After Bouteflika stepped down in 2019, the authorities initiated an anticorruption campaign targeting entrepreneurs and officials who were accused of exercising improper influence on political decisions under the former administration.

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

No specific ethnic or religious group dominates the main state institutions, which tend to include both Arab and Amazigh (Berber) officials. Kabylie-based parties associated with the Amazigh community, like the Rally for Culture and Democracy and the FFS, have controlled a small number of municipalities, but their activities are often curtailed by the military. Some Amazigh activists have been targeted by the authorities for mobilizing in support of their political interests.

Women remain reluctant to run for office, are often unable to secure meaningful influence within Parliament, and are more likely to lose intraparty debates. Women won only 8 percent of the seats in the 2021 lower house elections.

LGBT+ people are politically marginalized and have little practical ability to advocate for their political interests.

C. FUNCTIONING OF GOVERNMENT: 3 / 12

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

The military has historically served as the ultimate arbiter of policy disputes in Algeria, and elected leaders have relied on its support to maintain office. The loss of military

backing played a significant role in Bouteflika's resignation in 2019. The army chief of staff continues to wield considerable influence over the administration of President Tebboune.

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

Inadequate anticorruption laws, a lack of official transparency, low levels of judicial independence, and bloated bureaucracies contribute to widespread corruption at all levels of government. Anticorruption investigations that do occur are often used to settle scores between factions within the regime. The constitutional reforms passed in 2020 included provisions for a transparency and anticorruption authority, as well as a ban on combining roles in public office and private business.

A number of Bouteflika's former political and economic allies have received harsh prison sentences as part of the anticorruption campaign that followed his resignation. In August 2022, former prime minister Noureddine Bedoui was detained in connection with a corruption investigation. In December, former finance minister Mohamed Loukal, who first came under scrutiny in 2019, was sentenced to seven years' imprisonment on corruption charges.

Whistleblowers have few legal protections, and those safeguards that exist often go unenforced in practice. Several high-profile whistleblowers have faced retaliation from the government in recent years. In March 2022, Mohamed Benhalima, a former army officer who fled the country in 2019 after participating in the Hirak protests, was extradited to Algeria from Spain on dubious charges related to his purported involvement with the banned Rachad movement. While living abroad, Benhalima had publicly exposed corruption within the military through his posts on social media. He faced at least 30 charges for his activism, and was sentenced to 12 years in prison on an initial set of three charges in August. Some human rights organizations reported that Benhalima was also sentenced to death by a military court on charges of "espionage and desertion."

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

Algeria lacks access-to-information legislation. There is considerable opacity surrounding official decision-making procedures, the publication of official acts is rarely timely, and rules on asset disclosure by government officials are weak and poorly enforced. The 2020 constitutional revision introduced a requirement for all appointed and elected officials to declare their assets at the beginning and end of their terms, and obliges the public administration to justify its decisions within a time period to be determined by law. While the revised constitution nominally guarantees the right to access information, it includes vague exceptions for "the rights of others, the legitimate interests of businesses, and the requirements of national security."

CIVIL LIBERTIES: 22 / 60

D. FREEDOM OF EXPRESSION AND BELIEF: 6 / 16

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

Although some newspapers are privately owned and some journalists remain aggressive in their coverage of government affairs, most papers rely on government agencies for printing and advertising, encouraging self-censorship. Authorities sometimes block distribution of independent news outlets that are based abroad or online. Viewers can access unlicensed private television channels that are located in Algeria but legally based abroad, though these are subject to government crackdowns.

A 2020 law criminalized "fake news" that undermines public order and security; offenders can receive one- to five-year prison sentences. News sites must be directed by

Algerian nationals and based physically in Algeria, report income sources, and keep an archive of at least six months. Foreign-language websites must be approved by a special authority. In September 2022, the government unveiled a bill that, if approved, would prevent newspapers from receiving any funding from abroad or from "suspicious sources."

Authorities use these and other legal mechanisms to restrict media activity. A number of media outlets were shuttered in 2022, including the independent French-language newspaper *Liberté*, which reportedly closed due to political pressure. In December, authorities closed Radio M—one of the last remaining critical media outlets in Algeria—after security forces raided its offices and arrested Ihsane el-Kadi, its editor in chief. El-Kadi, who has been arrested in connection with his work several times in recent years, was charged with threatening national security and "receiving suspicious funding from foreign sources."

Journalists and bloggers are frequently subjected to harassment, including brief detentions and fines for offenses such as defamation and "undermining national unity." Journalists covering demonstrations or who are close to the Hirak have been arbitrarily arrested and interrogated; several of these incidents were reported in 2022. In one case in January, journalist Merzoug Touati was sentenced to a year in prison for "spreading false information" after writing an article condemning the conditions in which a detained activist was being held.

Foreign outlets are also subject to government interference. In 2021, the government withdrew France 24's authorization to operate in Algeria, alleging that the French state-owned broadcaster engaged in "repeated hostility" toward national institutions.

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

Algeria's population is overwhelmingly Sunni Muslim. Members of religious minorities, including Christians and non-Sunni Muslims, suffer from state persecution and interference. Authorities have cracked down on the small Ahmadi community, claiming that its members denigrate Islam, threaten national security, and violate laws on associations. In June 2022, 18 Ahmadis were charged in Béjaïa with participating in "an unauthorized group" and "denigrating Islam." In a September trial, three were sentenced to a year in prison, and the remaining 15 were fined and sentenced to six months' imprisonment.

Religious communities may only gather to worship at state-approved locations. Accusations of nonbelief or blasphemy can draw criminal punishments. Proselytizing by non-Muslims is illegal.

In September 2022, authorities requested that that the Algerian branch of Caritas, a charitable organization affiliated with the Roman Catholic Church, cease operating in the country. The government did not provide an explanation, but local sources reported that the request was likely made because the government considered Caritas to be a foreign organization.

Authorities have engaged in a crackdown on the Algerian Protestant Church (EPA) since 2017, though the EPA had been legally recognized in 1974. In April 2022, a Protestant church in Tizi Ouzou Province was closed following an order from the governor, becoming the 17th Protestant church to be closed since 2017.

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

Authorities generally do not interfere directly with the operations of universities, but debate is circumscribed in practice due to restrictive laws that limit speech more broadly. Academic work is also affected by state censorship of domestically published and imported

books. Student organizations were active in the Hirak, with members calling for political reforms. The authorities occasionally resorted to violence to suppress these demonstrations.

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

Private discussion and the public expression of personal views are relatively unhindered when they do not focus on certain sensitive topics, but social media users are subject to prosecution for critical comments that touch on the government or religion. The government monitors internet activity in the name of national security and does not disclose information about the program's targets or range, which is thought to be extensive.

The authorities are known to prosecute social media users, particularly Hirak supporters. A Hirak activist, Hakim Debbazi, was arrested in February 2022, allegedly for posting pro-Hirak information on Facebook. Debbazi died in pretrial detention in April, after a court rejected a request that he be released due to his deteriorating health.

E. ASSOCIATIONAL AND ORGANIZATIONAL RIGHTS: 3 / 12

E1. Is there freedom of assembly? 1 / 4

Legal restrictions on freedom of assembly remain in place but are inconsistently enforced. Though the Hirak protests that began in 2019 were sometimes tolerated, the authorities frequently used force and arbitrary arrests to preempt or disrupt rallies.

Hirak protesters faced increasing repression after demonstrations resumed in 2021, causing the movement to lose momentum; large-scale Hirak protests did not return in 2022. However, police continued to arrest individuals alleged to have ties to the movement during the year.

Other antigovernment demonstrations continued in 2022 and were met with repression by the authorities. In April, security forces dispersed a demonstration commemorating past pro-Amazigh protest movements, arresting several participants.

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

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

The authorities have targeted human rights activists who are close to the Hirak and the political opposition. In February 2022, activist Faleh Hammoudi was sentenced to three years in prison and a 100,000 dinar ($700) fine on charges including running an "unregistered association," due to his work heading a chapter of the Algerian League for the Defense of Human Rights (LADDH).

NGOs must notify the government of staffing changes and submit detailed reports on their funding; those that accept foreign funding without government approval risk fines or imprisonment of staff.

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

The country's main labor federation, the General Union of Algerian Workers (UGTA), has been criticized for its close relationship to the government and for its failure to advocate for workers' interests.

Workers require government approval to establish new unions. This is difficult to obtain in practice, leaving many unions without legal status. Authorities routinely clamp down on independent unions. The Autonomous National Union of Electricity and Gas Workers (SNATEG), an independent union that represents public utility workers, has been repeatedly harassed by the authorities in recent years.

F. RULE OF LAW: 6 / 16

F1. Is there an independent judiciary? 1 / 4

The judiciary is susceptible to pressure from the civilian government and the military. Judges are appointed by the High Council of the Judiciary (CSM), which is headed by the president, although the 2020 constitutional reforms removed the justice minister and attorney general from the body. Two representatives of the judges' union and the chair of the National Human Rights Council were added.

Concerns regarding the judiciary's independence persist despite these reforms. In 2021, the CSM expelled Sadedin Merzoug, a Hirak supporter, from the judiciary for expressing prodemocracy views, claiming that he had obstructed justice and violated his duty of confidentiality.

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

The lack of judicial and prosecutorial independence often erodes the due process rights of defendants, particularly in politically sensitive cases against former officials or civic activists. Lengthy delays in bringing defendants to trial are common, and prosecutors' requests to extend pretrial detention periods are typically granted. Security forces frequently conduct warrantless searches and engage in arbitrary arrests and short-term detentions. According to the National Committee for the Release of Detainees (CNLD), more than 300 political prisoners were being held as of April 2022, many in pretrial detention.

In October 2022, Hirak activist Abdelhamid Bouziza was forcibly disappeared after being arrested by security forces. He was found 20 days later, in detention nearly 300 miles from where he was arrested. In a similar case, Slimane Bouhafs, an Algerian refugee in Tunisia, was abducted and forcibly disappeared by unidentified men in August 2021; he was located four days later in Algerian custody. Bouhafs was sentenced in December 2022 to three years in prison and a 100,000 dinar ($700) fine after being accused of ties to the MAK. The exact circumstances of his forced return to Algeria remained unclear.

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

A 2006 reconciliation law gave immunity to Islamist and state perpetrators of serious crimes during the civil war, while compensating families of those who were subject to such crimes, which included forced disappearances. The reconciliation law also criminalized public discussion on the fate of the disappeared.

Allegations of torture have decreased since the civil war's end, but human rights activists still accuse the police of using excessive force and abusing detainees. In August 2022, pro-Hirak activist and whistleblower Mohamed Benhalima reported that he had been tortured in pretrial detention.

Prison conditions are poor, with some inmates reportedly facing significant overcrowding and poor sanitation.

Terrorist groups, including Al-Qaeda in the Islamic Maghreb (AQIM) and the Islamic State (IS) militant group, continue to operate in Algeria. However, attacks have grown less frequent in recent years.

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

Officials have made gradual efforts to address the Amazigh community's cultural demands. Tamazight, the Berber language, became a national language in 1995, allowing it to be taught officially in schools serving Amazigh areas. Tamazight received the status of an official language nationwide through a 2016 constitutional amendment, meaning it could be used in administrative documents. The 2020 constitutional revisions made it impossible to change the status of Tamazight as a national language. However, Arabic remains the prevailing language of government.

The constitution guarantees gender equality, but women continue to face both legal and societal discrimination. Many women receive lower wages than men in similar positions, and there are few women in company leadership posts. Sexual harassment, while punishable with fines and jail time, is nevertheless common in workplaces. NGOs dedicated to women's rights have become more vocal as part of the Hirak, calling for a renewed commitment to the constitutional promise of gender equality.

LGBT+ people face discrimination and violence, and many LGBT+ activists have fled the country. Same-sex sexual activity is punishable with prison sentences as long as two years. LGBT+ Algerians face mistreatment at the hands of police and discrimination by health care providers and employers.

About 175,000 Sahrawis from Western Sahara live in refugee camps near the border with Morocco. The camps have been present since 1975, in a remote desert region with limited job opportunities. About 90,000 of the residents are considered "vulnerable" by the Office of the UN High Commissioner for Refugees (UNHCR), as they rely on humanitarian assistance for food, water, and education.

Sub-Saharan African migrants, including refugees and asylum seekers, are subject to racial discrimination in Algeria and are often arbitrarily arrested and deported from the country—or simply abandoned at the southern desert borders—without being given the opportunity to challenge the actions in court. In September 2022 alone, more than 1,500 sub-Saharan migrants were expelled from Algeria and left at the border with Niger.

G. PERSONAL AUTONOMY AND INDIVIDUAL RIGHTS: 7 / 16

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

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

The government has at times banned Algerian diaspora activists from leaving the country. At least three Algerian-Canadian activists were temporarily prevented from leaving in 2022. All three were interrogated about their potential links to the Hirak, but were later able to return to Canada.

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

The government plays a dominant role in the economy, leaving little room for private competitors. Cronyism is also a major obstacle to private enterprise, with businesspeople who are not aligned with the regime often facing harassment by the authorities. Numerous

regulations and their flawed implementation make Algeria one of the most difficult environments in the world in which to establish and operate a business. Inheritance rules favor men over women.

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

Women do not enjoy equal rights in marriage and divorce under the family code, which is based on Islamic law. Among other provisions, women must obtain a male guardian's permission to marry, and the father is the legal guardian of his children. No law addresses spousal rape.

Domestic violence is common, and the laws against it are weak; for example, cases can be dropped if the victim forgives the alleged abuser. Women's rights groups report that between 100 and 200 women are killed in domestic abuse incidents each year.

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

The weak rule of law, government involvement in the economy, and bureaucratic obstacles pose major barriers to economic opportunity and social mobility. Laws against unsafe or abusive working conditions are poorly enforced.

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

Andorra

Population: 80,000
Capital: Andorra la Vella
Freedom Status: Free
Electoral Democracy: Yes

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

KEY DEVELOPMENTS IN 2022

- In July, the Andorran parliament approved a new family code; among other things, the new law provided for transgender people to be able to change their name and gender on legal documents and legalized same-sex marriage. However, in December, the Constitutional Court found the new law's distinction between religious

and civil marriages to be unconstitutional, meaning that parts of the law must be amended before it can be enacted.

- In April, the parliament approved legislative reforms that banned conspicuous religious symbols—such as yarmulkes, hijabs, and large crosses—in public schools, which rights advocates have called discriminatory. In October, the government approved a decree providing students who are affected by the new legislation with the option to take classes online; in one case, a Muslim girl began taking online classes so that she would not be made to remove her headscarf in the classroom.

POLITICAL RIGHTS: 38 / 40

A. ELECTORAL PROCESS: 12 / 12

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

Andorra has a parliamentary system, with a prime minister elected by and accountable to the legislature. The legitimacy of the prime minister, usually the head of the party with the most seats, rests largely on the conduct of parliamentary elections, which have historically been competitive and credible. Xavier Espot Zamora, the new leader of the ruling Democrats for Andorra (DA) party, became prime minister in 2019 following that year's elections.

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

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

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

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

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

B. POLITICAL PLURALISM AND PARTICIPATION: 15 / 16

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

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

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

The country has experienced multiple democratic transfers of power between rival parties, most recently in 2011, when the DA replaced a government led by the PS. Opposition

parties are well represented in the Consell General and deprived the DA of its outright majority in the 2019 elections.

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

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

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

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

Women are active in politics, and after the 2019 elections they held 50 percent of the seats in the legislature. LGBT+ people are also free to participate in politics, and several parties advocate for their interests.

C. FUNCTIONING OF GOVERNMENT: 11 / 12

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

Elected representatives generally exercise their powers without improper influence from unelected or nonstate actors. However, in recent years the Vatican has threatened to ask the bishop of La Seu d'Urgell, Joan-Enric Vives i Sicília, to resign as co-prince if the Andorran government were to decriminalize abortion, a move that would likely cause a constitutional crisis. Similar threats were made in 2009 by the other co-prince, former French president Nicolas Sarkozy, who stated that he would resign if Andorra failed to reform its banking system. Neither co-prince is elected, directly or indirectly, by Andorran voters.

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

Government corruption is not viewed as a pressing issue in Andorra. Over the past several years, the government has made progress on financial-sector reforms designed to prevent abuses of the country's banking system that could facilitate domestic or transnational corruption. Nonresidents must make certain disclosures about their bank accounts. In 2021, Parliament approved a transparency law that requires its members to report conflicts of interests and declare their assets. Nevertheless, the Council of Europe (CoE)'s Group of States against Corruption (GRECO) noted in a 2021 report a lack of progress with other anticorruption legislation.

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

The government operates openly in practice. Among other resources, it publishes a regular bulletin, accessible online, that documents government activity, budgetary processes, public procurement, and asset disclosures. Since 2017, the Ministry of Territorial Planning has sponsored a participatory budget process, allowing members of the public to help set spending priorities. A 2021 transparency law requires authorities to provide information on the remuneration of civil servants and senior officials, as well as on public tenders and contracts.

CIVIL LIBERTIES: 55 / 60

D. FREEDOM OF EXPRESSION AND BELIEF: 14 / 16

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

There are several daily and weekly newspapers, and the country's only domestic television station is operated by the public broadcaster Ràdio i Televisió d'Andorra. Residents have access to a variety of foreign media services. While press freedom is generally respected, criminal defamation laws remain on the books, and business, political, and religious interests have historically influenced media coverage; reporting on the activities of Andorra's banks has been particularly difficult. The biggest media outlets are dependent on state advertising, which limits their opportunities to criticize the government.

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

Freedom of religion is generally upheld, but the Roman Catholic Church enjoys a privileged position that allows it to draw on some state support and bypass some bureaucratic processes that other faith groups must adhere to. In April 2022, the parliament amended the Education Law to ban conspicuous religious symbols—such as yarmulkes, hijabs, and large crosses—in public schools, which Amnesty International has called discriminatory. In October, the government approved a decree providing students who are affected by the new law with the option to take classes online. In one case, a Muslim girl began taking her classes online so that she would not be made to remove her headscarf in the classroom.

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

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

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

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

There are no significant constraints on personal expression or freedom of private discussion. Authorities are not known to illegally monitor private online communications. However, in 2020, authorities drew up three slander charges against activist Vanessa Mendoza Cortés, who advocated for safe abortions, which Amnesty International and other international human rights groups called an attack on freedom of expression. Two of the charges were dropped in June 2021, but Mendoza Cortés, whose trial had not yet occurred by the end of 2022, could still face a fine of 30,000 euros (approximately $32,775).

E. ASSOCIATIONAL AND ORGANIZATIONAL RIGHTS: 11 / 12

E1. Is there freedom of assembly? 4 / 4

Andorran law provides for freedom of assembly, and the government respects this right in practice. Demonstrations against government policies and in response to other social and political controversies take place on occasion. Authorities imposed temporary restrictions on large gatherings during 2020 to limit the spread of COVID-19.

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

Various nongovernmental organizations (NGOs) function without restriction. Human rights groups are generally able to publish their findings and advocate for improvements without repercussions.

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

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

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

F. RULE OF LAW: 15 / 16

F1. Is there an independent judiciary? 4 / 4

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

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

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

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

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

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

Though the 2019 law on equal treatment and nondiscrimination focuses primarily on combating gender discrimination, it includes comprehensive protections against discrimination based on race, ethnicity, age, disability, sexual orientation, gender identity or expression, and other such categories. The legislation provides enforcement mechanisms, including fines, and also seeks to address a persistent gender pay gap, estimated to be as high as 40 percent in some sectors. A report published by a women's rights organization in 2020 described ongoing problems including discrimination in the labor market and gender-based violence.

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

G. PERSONAL AUTONOMY AND INDIVIDUAL RIGHTS: 15 / 16

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

There are few restrictions on freedom of movement, and people are generally free to change their place of residence, employment, and education. The government imposed temporary restrictions on travel and internal movement during 2020 in response to the COVID-19 pandemic.

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

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

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

Personal social freedoms are generally respected, though there are some restrictions for same-sex couples. In July 2022, the government adopted a comprehensive new family code that legalized civil marriage for same-sex couples, set to enter into force in 2023. However, in December, Andorra's Constitutional Court deemed the code's distinction between canonical and civil marriage to be discrimination "on the basis of religious convictions" and thus unconstitutional, meaning that parts of the law must be amended before entering into force. Among other things, the new law also permits no-fault divorce and allows transgender people to change their name and gender on legal documents.

Domestic violence is prohibited by law and punishable with prison sentences; the government pursues domestic violence cases and provides resources for victims. Nevertheless, such violence remains a serious problem, and sometimes involves violence against children. The CoE's 2020 report on Andorra's implementation of the Istanbul Convention—a treaty on preventing and combating violence against women and domestic violence—listed a number of shortcomings in the collection of data and the support system for victims of sexual violence.

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

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

Andorran laws provide protections for most workers, including migrant workers. However, temporary workers must leave the country when their employment contract expires, exposing those with expired contracts to potential abuse by employers. The Labor Inspections Office is proactive in addressing violations of workers' rights.

A 2019 report from the CoE's Group of Experts on Action against Trafficking in Human Beings (GRETA) found that Andorra had made legislative and policy progress on combating trafficking but called on authorities to scrutinize high-risk sectors for possible victims and raise awareness of the threat among law enforcement bodies. Confirmed cases of trafficking have been rare in practice.

Angola

Population: 35,600,000
Capital: Luanda
Freedom Status: Not Free
Electoral Democracy: No

Overview: Angola has been ruled by the same party since independence, and authorities have systematically repressed political dissent. Corruption, due process violations, and abuses by security forces remain common. Some restrictions on the press and civil society were eased after President João Lourenço took office in 2017, but that partial opening has since been reversed.

KEY DEVELOPMENTS IN 2022

- President Lourenço won a second term in August national elections that the opposition and independent civil society organizations criticized as deeply flawed. Military and police forces maintained a highly visible presence on the streets to suppress protests during the postelection period.
- In the months leading up to the elections, the authorities disrupted assemblies and civil society activity. Two well-known activists were arrested in January and remained in detention at year's end.

POLITICAL RIGHTS: 10 / 40

A. ELECTORAL PROCESS: 3 / 12

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

There is no separate election for the president, either by voters or by the legislature. Under the 2010 constitution, the head of the national list of the political party that receives the most votes in legislative elections automatically becomes president, without any parliamentary confirmation process. Despite this lack of an individual mandate, the constitution permits the president to unilaterally appoint and dismiss the vice president, cabinet, and provincial governors, among other important powers. The president may serve up to two five-year terms.

The intraparty procedures for choosing presidential candidates are not competitive. At a December 2021 congress of the ruling Popular Movement for the Liberation of Angola (MPLA), incumbent president João Lourenço was confirmed as the head of the party's 2022 electoral list, receiving 98 percent of the votes from party delegates; there were no other nominees. He then secured a new presidential term after the MPLA won the August 2022 parliamentary elections. Lourenço had similarly faced no opponents at a 2016 party congress that set the stage for his first presidential term.

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

Members of the 220-seat, unicameral National Assembly are elected to five-year terms by proportional representation.

In the August 2022 elections, the MPLA won 51.2 percent of the vote and 124 seats, while the opposition National Union for the Total Independence of Angola (UNITA) and its coalition took 44.0 percent and 90 seats. Three smaller parties won the remainder.

The African Union Election Observation Mission reported that the elections were generally peaceful, but noted limits on the right of access to information and freedom of the press as well as reports of an uneven playing field. Civil society organizations found that biased progovernment media, deficiencies in voter registration processes, and the MPLA's use of public resources in its campaign disadvantaged the opposition. The observation mission of the Community of Portuguese-Speaking Countries, while praising some aspects of the process, pointed to the fact that voter lists contained many deceased individuals.

A legal complaint in which UNITA and other opposition parties challenged the election results was rejected by the MPLA-controlled Constitutional Court in September. Opposition lawmakers took up their seats in the National Assembly but vowed to continue questioning the results.

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

The law states that the makeup of the National Election Commission (CNE) should reflect the disposition of power in the National Assembly, which gives an advantage to the MPLA. Voter registration is carried out by the government through its Ministry of Territorial Administration. Ahead of the 2022 elections, the voter list was audited to assess its integrity, but stakeholders raised concerns about a lack of transparency in the audit firm's appointment and findings. The CNE is legally required to disclose voter lists for each polling station at least 30 days prior to election day, but it failed to comply with this provision in 2022.

Articles 11 and 27 of the Law on Elections Observation empowered the CNE to limit the number of national and international observers, and it set a ceiling of 2,000 national observers for the 2022 elections, further undermining electoral transparency.

A joint statement signed by civil society groups and delivered to the CNE in August pointed to irregularities in electoral preparations. After the elections, civil society observers also cited failures to display voter lists and publish summary minutes at many polling stations. The final results were reportedly disclosed without prior notification of political parties, in violation of the law; UNITA said it had been excluded from the disclosure process.

B. POLITICAL PLURALISM AND PARTICIPATION: 5 / 16

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

While there is a multiparty system in place, competition is limited. The process for creating new political parties is fraught with bureaucratic obstacles and attempts at co-optation, factors that severely hinder public confidence in new parties.

Citing irregularities in the process, the Constitutional Court in 2020 rejected the legalization of a new opposition party, PRA-JA Servir Angola, led by Abel Chivukuvuku. The decision also placed limits on the ability of Chivukuvuku and the party's other promoters to attempt to establish a new, different party ahead of the 2022 elections.

Separately, the Constitutional Court ruled in October 2021 that the election of Adalberto da Costa Jr. as UNITA party leader in 2019 had been illegal. Delegates at a UNITA party congress in December 2021 then reelected Costa as their leader; he ran unopposed and took more than 96 percent of the votes.

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

The MPLA has governed without interruption since Angola secured independence in 1975, and the country has never experienced a transfer of power between rival parties. However, opposition parties have been building public support in recent years, and the UNITA-led coalition increased its representation by 39 seats in the 2022 elections; the MPLA lost 26 seats.

The authorities have repeatedly postponed plans to hold the country's first-ever municipal elections, and no such balloting was held during 2022. Some analysts have argued that the administration is reluctant to relinquish its power to appoint subnational officials, as it would risk giving the opposition an opportunity to win office and demonstrate an ability to govern.

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

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

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

While societal pressures can discourage women from active political participation, women's rights advocates have an increasingly vocal presence in political life. Women held 74 seats in the National Assembly after the 2022 elections, and members elected the body's first woman speaker in September.

Government and state institutions are controlled by the MPLA, which draws much of its support from the Kimbundu ethnic group. The Ovimbundo and Kikongo ethnicities are predominant, respectively, in UNITA and the National Liberation Front of Angola (FNLA).

Issues affecting LGBT+ people have historically been excluded from political debate. This changed somewhat with the parliament's 2019 adoption of a new penal code that decriminalized same-sex relations.

C. FUNCTIONING OF GOVERNMENT: 2 / 12

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

Governmental power is highly centralized in the presidency. The president is able to legislate by decree on key subjects without public discussion, and Lourenço regularly does so in practice. The National Assembly, which remains under the control of the ruling MPLA, acts largely as a rubber stamp in approving the president's policies.

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

After decades of MPLA rule, corruption and patronage have become entrenched in nearly all segments of public and private life. A few high-profile associates of former president José Eduardo dos Santos have been convicted of corruption in recent years, including his son, José Filomeno dos Santos, whose 2020 guilty verdict was upheld by the Supreme Court in 2021. The former president's daughter, Isabel dos Santos, has been accused of siphoning public funds from the state oil firm, Sonangol; she was ordered to return $500 million in shares to the company by an international arbitration court in 2021. However, senior officials who are not directly connected to the family of former president dos Santos have rarely been brought to trial.

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

Government operations are generally opaque. In 2018, the government announced the formation of the National Oil, Gas, and Biofuels Agency (ANPG) to oversee the industry beginning in 2019. However, its leadership was drawn from that of Sonangol.

CIVIL LIBERTIES: 18 / 60 (−2)

D. FREEDOM OF EXPRESSION AND BELIEF: 7 / 16

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

The Angolan state owns most media in the country, and such outlets report favorably on the government, rarely carrying critical coverage. Most ostensibly private outlets also act as mouthpieces of the regime. However, content produced by foreign news agencies is widely consumed.

Insult and defamation are considered criminal offenses. Journalists accused of engaging in incitement, hate speech, defense of fascist or racist ideologies, or dissemination of "fake news" can be charged with "abuse of press freedom." Government officials regularly file criminal complaints as well as civil lawsuits against members of the press in practice. Journalists also face physical violence in the course of their work, with several assaults reported during 2022.

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

The constitution guarantees religious freedom, but the government imposes onerous criteria on religious groups for official recognition, which is required for the legal construction of houses of worship. Many Pentecostal churches remain unregistered.

There are no registered Muslim groups, though Muslim communities have been vocal in their demands for recognition and the right to worship freely.

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

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

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

Fear of retribution for expressing criticism of the government or controversial opinions in private conversations persists in Angola, and self-censorship is common. Known surveillance of civil society groups, journalists, and academics can leave ordinary citizens reluctant to speak out. The government actively monitors online activity.

Opposition parties' youth organizations claim that repression of political dissent has increased in recent years, citing several instances of arbitrary arrests and intimidation of government critics by state security forces.

E. ASSOCIATIONAL AND ORGANIZATIONAL RIGHTS: 3 / 12 (−2)

E1. Is there freedom of assembly? 1 / 4

Constitutional guarantees of freedom of assembly are poorly upheld. While the Lourenço administration initially showed more tolerance for public demonstrations than its predecessor, peaceful marches are still frequently met with arrests and violence by the security forces, at times resulting in the deaths of protesters.

Authorities broke up or prevented planned protests on multiple occasions in 2022, both before and after the August elections. In April, for example, police in the capital disrupted a protest calling for free and fair elections and the release of political prisoners, arresting 22 people for disobeying police orders. Two organizers were convicted and made to pay fines, but the rest were acquitted.

In September, police prevented a demonstration against election fraud on the outskirts of Luanda and arrested three people after they were interviewed by reporters at the scene. Several others were detained or chased away by officers as they passed by. There were also reports that civic activists had been arrested at their homes. The army and police generally maintained a heavy and visible security presence on the streets in the wake of the August elections, contributing to a climate of fear that may have further deterred assembly.

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

Nongovernmental organizations (NGOs) that work on human rights and governance issues are closely monitored. The MPLA has historically made vocal attempts to discredit their work and sometimes threatened such groups with lawsuits and outright closure, prompting many to curtail their activities.

Ahead of the August 2022 elections, authorities worked to prevent planned civil society meetings from taking place. In May, for example, police physically blocked two NGOs from hosting a conference on peacebuilding. In September, authorities announced the arrest of 12 civic activists for "financing and promoting the dissemination" of videos on social media to "sow insecurity, hatred, and panic among the population." They were released without charge after several days of detention.

Two prominent activists who were arrested in January remained in detention at year's end. Luther Campos was arrested for promoting a socioeconomic protest by taxi drivers and was still awaiting trial as of December. Gilson da Silva Moreira was then arrested after attempting to publicize the harsh conditions of Campos's confinement; he received a suspended prison sentence of one year and three months in October, but he continued to be held pending an appeal.

Score Change: The score declined from 2 to 1 because authorities disrupted civil society events and arrested activists to suppress dissent ahead of national elections.

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

Certain employees who provide services considered essential—including prison guards and firefighters, but also workers in the oil sector—may not legally strike. Unions not associated with the MPLA have faced interference and harassment.

In May 2022, police intervened in a strike over pay and working conditions at the construction site for a hydroelectric dam in Kwanza Norte Province, killing at least three workers. According to the NGO Friends of Angola, several other workers were injured, and some were illegally detained inside the facilities of the construction firm, China Gezhouba Group Corporation. The authorities accused the strikers of vandalizing equipment and threatening Chinese citizens. State media reported in June that the government had brokered a new contract between the two sides, though it was unclear whether the agreement was freely negotiated or properly implemented.

Score Change: The score declined from 2 to 1 because a strike by workers constructing a hydroelectric dam was met with police violence, resulting in at least three deaths.

F. RULE OF LAW: 5 / 16

F1. Is there an independent judiciary? 1 / 4

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

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

Constitutional guarantees of due process are poorly upheld. Many defendants are unable to afford legal counsel, and the state largely fails to provide qualified legal aid to those who need it. Arbitrary arrest and lengthy pretrial detention remain problems. Due process violations have been reported in recent cases involving political activists who seek autonomy or independence for the provinces of Cabinda and Lunda Norte.

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

Security forces enjoy impunity for violent acts, including torture and extrajudicial killings committed against detainees, activists, protesters, and others. Angolan prisons are reported to be overcrowded, unhygienic, lacking in necessities, and plagued by sexual abuse. According to government statistics, violent crime, including robberies, assaults, and homicides, has increased in Luanda in recent years.

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

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

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

In 2019 the parliament decriminalized same-sex sexual relations and banned discrimination based on sexual orientation, though enforcement is reportedly inadequate. There are no specific protections against bias based on gender identity.

Seminomadic Khoi and San tribes in the country's southern provinces have often suffered from neglect by the government and a lack of access to services, particularly in the context of prolonged droughts and the COVID-19 pandemic.

Security forces allegedly harass and abuse immigrant communities, and the government has failed to adequately protect refugees and asylum seekers. UN representatives expressed concern about the forced expulsion of Congolese migrants in 2020, suggesting that it violated international directives on the treatment of refugees.

G. PERSONAL AUTONOMY AND INDIVIDUAL RIGHTS: 3 / 16

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

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

There have been reports by local NGOs that the authorities and private security groups guarding Lunda Norte Province's diamond mines restrict the movements of local residents.

The process for securing entry and exit visas remains difficult and mired in corruption. Bribes are frequently required in order to obtain employment and residence.

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

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

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

While residents enjoy some freedom with respect to personal status issues like marriage and divorce, child marriage remains common, particularly in rural areas. Same-sex marriage is not recognized. Domestic violence is widespread in Angola, and perpetrators are rarely prosecuted.

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

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

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

Antigua and Barbuda

Population: 100,000
Capital: St. John's
Freedom Status: Free
Electoral Democracy: Yes

Overview: Antigua and Barbuda is a democracy that holds regular elections. Corruption in government is a concern, and women and LGBT+ people are underrepresented in politics and experience some discrimination. In 2017, Hurricane Irma devastated Barbuda: the entire island was evacuated, and many residents lost their livelihoods. The government has since sought to weaken the island's longstanding system of communal land rights. The country's citizenship-by-investment program is a key element of its economy, but its operation has come under international scrutiny.

KEY DEVELOPMENTS IN 2022

- In June, Antigua and Barbuda's final appellate court, the UK-based Privy Council, rejected a challenge to the Paradise Found Act 2015, which the appellants argued violated their constitutional right of "protection from deprivation of property" and infringed on communal land rights in Barbuda. The ruling raised concerns among Barbudans about environmental harms and erosion of property rights associated with plans for greater development on the island.

- In July, the Eastern Caribbean Supreme Court ruled that elements of the country's Sexual Offences Act were unconstitutional, effectively abolishing the criminal prohibition of same-sex sexual relations. The court also held that a constitutional prohibition on sex discrimination also bans discrimination based on "gender identity, sexual character, and sexual orientation."
- In May, the government ratified the International Labour Organization's Violence and Harassment Convention. The document recognizes the right to go to work without experiencing violence and harassment, with an emphasis on abuses experienced by women in the workplace. It also recognizes the effects of domestic violence on women's ability to work.

POLITICAL RIGHTS: 33 / 40

A. ELECTORAL PROCESS: 12 / 12

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

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

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

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

The governing ABLP took 59 percent of the total vote and won 15 constituencies in the 2018 elections. The main opposition United Progressive Party (UPP) took 37 percent of the vote, but only one constituency. Observers deemed the polls generally competitive and credible. The Barbuda Council also holds regular elections.

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

Electoral laws are generally fair and are implemented impartially by the relevant election management bodies. However, since 1984, the electoral boundaries of Antigua and Barbuda have shifted only slightly, which has created a significant disparity in the range of constituency sizes: from 1,138 (St. Phillip South) to 4,878 (St. George).

B. POLITICAL PLURALISM AND PARTICIPATION: 13 / 16

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

Political parties can organize and operate freely. While there are several small political parties in the country, elections have been won by either the ABLP or the UPP since 1994. The first-past-the-post electoral system makes it very difficult for smaller, less well-established parties to gain representation in the House of Representatives.

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

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

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

People's political choices are generally free from the influence of nondemocratic actors. However, a lack of transparency for party and campaign financing has given rise to concerns about the potential influence of unknown domestic and foreign interests over political candidates. The most significant case was that of R. Allen Stanford, a US citizen who was an influential figure in Antigua, and established a bank in the country from which he ran a multibillion-dollar Ponzi scheme.

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

Women are underrepresented in politics, and only two women were elected to the House of Representatives in 2018. LGBT+ people are marginalized and face discrimination, impacting their ability to engage fully in political processes.

C. FUNCTIONING OF GOVERNMENT: 8 / 12

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

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

Tensions between the central government and residents and representatives from Barbuda have grown as the government has sought to weaken the Barbuda Land Act of 2007, which guaranteed that land on Barbuda was communally owned by Barbudans and that their consent was required for its purchase and development. The Barbuda Council has resisted the Browne government's plans to develop the island. In 2020, the Council called for the secession of Barbuda, while the government accused the Council of treason and threatened to remove it from the country's constitution.

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

Government corruption remains a concern, and anticorruption laws are enforced unevenly. Authorities have been criticized for doing little to investigate local official wrongdoing in several high-profile cases.

Antigua's Citizenship by Investment (CBI) Program and Permanent Residence Certificate, in which individuals can be granted citizenship or residency in exchange for a sizable business investment or contribution, have been scrutinized in recent years. In March 2022, US legislators introduced the No Travel for Traffickers Act, making countries that operate CBI programs ineligible for the US visa waiver program. Also in March, Antigua suspended CBI applications from Russian and Belarusian nationals in response to the full-scale Russian military invasion of Ukraine. The European Parliament recommended in March that visa-free access into the European Union (EU) for countries operating CBIs should be restricted.

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

The government of Antigua and Barbuda has gradually improved its accountability structures, but there are deficiencies in how the Public Accounts Committee and the auditor general operate. Public officials must disclose all income, assets and personal gifts received in their official capacity in a confidential report to the Integrity Commission. Resource deficiencies have impeded the commission's ability to investigate corrupt individuals. Despite the Procurement and Contract Management Act of 2011, concerns remain about public procurement—notably regarding the expertise of procurement officials, the completeness of documentation, and that some applications are made retroactively, often with a waiver being requested.

CIVIL LIBERTIES: 52 / 60

D. FREEDOM OF EXPRESSION AND BELIEF: 15 / 16

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

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

Most media outlets are concentrated among a small number of firms affiliated with either the ABLP or UPP.

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

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

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

Academic freedom is generally respected.

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

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

E. ASSOCIATIONAL AND ORGANIZATIONAL RIGHTS: 10 / 12

E1. Is there freedom of assembly? 4 / 4

Freedom of assembly is guaranteed under the constitution, and the government generally respects these rights in practice.

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

The country's few nongovernmental organizations (NGOs) are active, though inadequately funded and often influenced by the government. The NGO Women Against Rape was one of the plaintiffs in the successful 2022 case challenging the criminalization of same-sex relations.

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

Labor unions can organize freely and bargain collectively. Workers providing essential services must give notice two weeks before intent to strike. However, the International Labour Organization (ILO) has described the list of essential services as excessively broad. Strikes are rare.

F. RULE OF LAW: 14 / 16

F1. Is there an independent judiciary? 4 / 4

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

In recent years, the courts have increasingly asserted independence from the ABLP government, with the support of the Eastern Caribbean Supreme Court.

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

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

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

Residents of Antigua and Barbuda do not face any significant security threats. However, in 2021 the number of homicides increased dramatically, with 16 homicides compared to 9 in 2020. Ten homicides were recorded in 2022. Gun-related crimes have also increased in recent years.

Prisons are severely overcrowded, and conditions within them are poor. The occupancy rate as of September 2022 was 155 percent.

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

The 2005 Equal Opportunity Act bars discrimination based on race, gender, class, political affinity, or place of origin. There are no specific laws prohibiting discrimination against people with disabilities. Mental health services require improvement and people with physical disabilities are stigmatized and underemployed. Societal norms discourage participation of women in some sectors of the economy, and few women hold leadership positions in businesses.

In July 2022, the Eastern Caribbean Supreme Court ruled that elements of the country's Sexual Offences Act were unconstitutional, effectively decriminalizing same-sex sexual relations. The court found that certain sections went against a person's "right to liberty, protection of the law, freedom of expression, protection of personal property, and protection from discrimination on the basis of sex." The court also held that a constitutional provision prohibiting sex discrimination also prohibits discrimination based on "gender identity, sexual character, and sexual orientation." The court further ruled that "persons" must replace "a male person and a female person" in sections of the act defining intercourse.

G. PERSONAL AUTONOMY AND INDIVIDUAL RIGHTS: 13 / 16

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

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

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

Many Barbudans forced to evacuate the island due to Hurricane Irma in 2017 opposed moves by lawmakers in Antigua to eliminate the communal land ownership system that governed the island for almost two centuries, and instead establish private land ownership.

The development of a multimillion-dollar private resort on Barbuda has driven tensions between the Browne government and Barbudan population and their representatives, who are concerned about the environmental impacts of the development. The Browne government has threatened those who attempt to obstruct the plans with jail time. In June, Antigua and Barbuda's final appellate court, the UK-based Privy Council, rejected a challenge to the Paradise Found Act 2015, which the appellants argued violated their constitutional right of "protection from deprivation of property" and infringed on communal land rights in Barbuda.

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

The Domestic Violence Act of 2015 strengthened punishments for perpetrators of domestic violence and laid out a process for victims to obtain an order of protection. However, domestic violence remains a serious problem.

In October, Antigua's House of Representatives passed the Sexual Offenders Registry Bill, enacting increased monitoring of sex offenders and facilitating the sharing of information among jurisdictions. Debate on the bill involved balancing concerns between protecting victims and allowing for the rehabilitation of remorseful offenders.

Same-sex marriage and civil partnerships are not recognized.

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

Antigua and Barbuda is a destination and transit country for the trafficking of men, women, and children for the purposes of forced labor and sexual exploitation. Government efforts to address the problem are inadequate, but progress is being made, according to the US State Department's *2022 Trafficking in Persons* report.

Compulsory labor is prohibited by law.

In May 2022, the government ratified the ILO's Violence and Harassment Convention. The document recognizes the right to go to work without experiencing violence and harassment with an emphasis on abuses experienced by women in the workplace, a well as the effects of domestic violence on women's ability to work.

Argentina

Population: 46,200,000
Capital: Buenos Aires
Freedom Status: Free
Electoral Democracy: Yes

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

KEY DEVELOPMENTS IN 2022

- Vice President Cristina Fernández de Kirchner survived an assassination attempt outside her home in September. Several people accused of being involved in the attack were arrested that month, and investigations into alleged links between right-wing extremist groups and the attempt on Fernández de Kirchner's life were ongoing through year's end.
- In December, a court found Fernández de Kirchner guilty on corruption charges related to public works contracts issued during her 2007–15 presidential term. She was sentenced to six years in prison and permanently banned from holding public office, but the sentence will not take effect until the appeals process is complete.
- Also in December, the Supreme Court reversed a 2020 decree that had decreased federal funding for the city of Buenos Aires—which is governed by the opposition—and ordered the government to restore funding to the capital city. President Alberto Fernández initially said he would not comply, but later accepted the ruling, though he continued to accuse the court of political bias.

POLITICAL RIGHTS: 35 / 40

A. ELECTORAL PROCESS: 11 / 12

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

The 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.

Center-left candidate Alberto Fernández of the Front for Everyone (FdT) coalition was elected in the first round of elections in October 2019 with 48.2 percent of the vote, defeating incumbent Mauricio Macri of the Together for Change (JxC) bloc, who obtained 40.3 percent. International observers deemed the poll competitive and credible.

Fernández's victory was widely viewed as benefiting from having political veteran and former president Cristina Fernández de Kirchner on his ticket. A member of the populist Peronist movement, she was the subject of multiple allegations of corruption at the time of the election.

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

The National Congress consists of a lower house, the Chamber of Deputies, and an upper house, the Senate. The Chamber of Deputies has 257 members elected for four-year terms, and the Senate has 72 members elected for six-year terms. Half of all deputies and a third of senators are up for election every two years through a proportional-representation system with closed party lists. Legislative contests are generally deemed free and fair.

The FdT did poorly against JxC in the November 2021 legislative elections, marking an end to a decades-long majority for Peronist-led coalitions, although the governing coalition maintained a narrow plurality in both houses. The FdT notably lost ground in Buenos Aires Province, while the left-wing Workers' Left Front and the far-right Freedom Advances did well nationally.

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

Argentina has a clear and relatively fair framework for conducting elections. There is universal suffrage: voting is compulsory for people between 18 and 70 years old, and voluntary for people between 16 and 18 or older than 70.

However, the system suffers from shortcomings, including the inconsistent enforcement of electoral laws and campaign finance regulations. Additionally, each party must print and distribute its own paper ballots on election day, providing opportunities for abuse and favoring larger parties.

Aspects of election management fall under the purview of the executive branch; the National Electoral Chamber (CNE) works in conjunction with the National Electoral Directorate (DNE), a department of the Interior Ministry.

B. POLITICAL PLURALISM AND PARTICIPATION: 16 / 16

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

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

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

Argentina's multiparty system affords opposition candidates the realistic opportunity to compete for political power. Opposition parties command significant popular support, have a large presence in Congress, and govern several provinces.

The 2019 presidential election marked a return of Peronism; former president Macri was the only non-Peronist to complete a presidential term since 1928.

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

Argentinians' political choices are generally free from domination by democratically unaccountable groups. However, political choices are influenced by voter intimidation and clientelism, particularly in poorer regions.

A failed assassination attempt against Vice President Cristina Fernández de Kirchner in September 2022 drew widespread condemnation across the political spectrum. Some of the vice president's supporters, however, blamed the opposition for the attack, claiming that opposition politicians have encouraged political violence. Several people, including the gunman, were arrested in connection with the attempt on the vice president's life; investigations into alleged links between right-wing extremist groups and the attack on Fernández de Kirchner were ongoing at year's end. At least three people accused of participating in the attack remained in pretrial detention at the end of the year.

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

All segments of the population have full political rights. However, in practice, poorer Argentinians, ethnic minorities, and Indigenous people have limited access to political power.

The government has taken steps to improve women's presence in politics. All legislative party lists must respect full gender parity by law. After the November 2021 elections, women held 44.8 percent of lower-house seats and 43.1 of upper-house seats. A Ministry of Women, Genders, and Diversity (MMGD), which promotes equality and combats gender-based violence, was formed in 2019. However, men still dominate judicial and political positions at the national and provincial levels. Only 2 of Argentina's 24 provinces have women governors, and the Supreme Court has no female members.

LGBT+ people are well-represented in Argentina and legal protections for LGBT+ people are robust. In 2021, Congress passed a law mandating that 1 percent of public sector jobs be reserved for transgender people.

C. FUNCTIONING OF GOVERNMENT: 8 / 12

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

Elected officials are duly installed without interference. The political system is characterized by a powerful executive, with the president having authority to implement some policies by decree, bypassing the legislative branch. Provincial governors are also powerful and tend to influence national lawmakers representing their provinces.

Vice President Fernández de Kirchner handpicked Alberto Fernández (no relation) as presidential candidate and has been the driving force behind the ruling coalition. Several ministers and lawmakers answer personally to her. Growing divisions between them have weakened the president's authority.

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

A weak institutional framework hampers anticorruption efforts. The country's main anticorruption body is part of the executive, legislative oversight is scarce, and the judiciary is widely considered to be politicized and ineffectual, especially at the provincial level.

Many politicians hold immunity in connection with their elected posts, and are thus protected from legal consequences for corrupt behavior.

In recent years, incumbent vice president Cristina Fernández de Kirchner has been the subject of numerous investigations for alleged corruption during her 2007–15 presidential term. In December 2022, Fernández de Kirchner was found guilty of fraud for improperly awarding approximately $1 billion in public contracts to a family friend while serving as president. Fernández de Kirchner—Argentina's first vice president to be convicted of a crime while in office—has condemned the conviction as politically motivated. She was sentenced to six years in prison and permanently banned from holding public office, but the sentence will not be imposed until the appeals process is complete.

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

An agency to guarantee access to public information was created by law in 2017 but is not independent of the presidency. Adherence to and enforcement of public-asset disclosure regulations is inconsistent. Though the Constitution requires the head of the cabinet to appear before Congress monthly to report on the government's progress and answer questions, this rarely happens in practice.

The national government has endeavored to digitize records and procedural documents, but local and provincial governments have been slower in this work.

CIVIL LIBERTIES: 50 / 60 (+1)

D. FREEDOM OF EXPRESSION AND BELIEF: 15 / 16

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

Argentina has a robust and lively media environment. The law guarantees freedom of expression and bans official censorship. However, media ownership is concentrated among large conglomerates that frequently favor a political grouping, and state advertising allocation tends to favor government-friendly media groups. Journalists face occasional harassment and violence, especially when covering corruption and drug-related criminality. Some journalists have faced charges in connection with their investigative work.

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

Freedom of religion is constitutionally guaranteed and enforced in practice. The population is largely Roman Catholic but public education is secular, and religious minorities express their faiths freely.

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

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

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

Private discussion is vibrant and largely unrestricted. However, government agencies have been known to monitor social media activity, and intelligence services have been accused of illegally surveilling journalists, politicians, and civil society groups. In November 2022, a federal prosecutor requested that former president Macri be indicted on espionage charges for allegedly using Argentina's intelligence services to illegally monitor opposition leaders.

E. ASSOCIATIONAL AND ORGANIZATIONAL RIGHTS: 11 / 12

E1. Is there freedom of assembly? 4 / 4

Freedom of assembly is generally respected, and citizens frequently organize protests.

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

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

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

Union influence remains significant, although it has decreased in recent years. Organized labor is dominated by Peronists, and most labor unions have been controlled by the same individuals or groups for decades. Internal opposition to union leadership has been limited by fraud and intimidation.

F. RULE OF LAW: 10 / 16

F1. Is there an independent judiciary? 2 / 4

The Supreme Court is relatively independent and has resisted executive overreach. However, lower and province-level courts have close ties with political actors and engage in corrupt practices.

Leaders of the ruling coalition frequently attack judicial rulings and accuse the courts of ideological bias. President Fernández continued to accuse the judiciary of political bias in 2022, including in December, after the Supreme Court effectively reversed a 2020 decree that had substantially cut the percentage of federal funds allocated to the opposition-led city of Buenos Aires. The president initially said he would not comply with the ruling, which restored funding to the capital city, but later agreed to accept it.

After taking office, President Fernández and Vice President Fernández de Kirchner proposed legal reforms that, if enacted, could diminish judicial independence. The government has also tried to limit the independence of the body that names and removes judges.

Numerous vacancies and interim appointments hinder the autonomy of the judiciary: one seat on the 5-member Supreme Court has been vacant since late 2021, the role of national ombudsperson has remained vacant for 13 years, and the position of chief prosecutor has been filled on a temporary basis since 2017.

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

The right to due process is constitutionally protected and generally upheld. However, security officers and some judges are suspected of maintaining criminal ties. Prisons are overcrowded and inmates live in unsuitable conditions. Pretrial detainees represented 54 percent of the country's prison population as of December 2022.

In September, the attorney general's office reported that a total of 1,088 convictions for crimes committed during the 1976–83 dictatorship had been attained since 2006.

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

Argentina's homicide rate is low compared to other Latin American countries, but violence from criminal groups and the security forces remains a serious issue. International criminal organizations use Argentina as an operational base and a transit route; the country's northern and central regions are particularly affected. Drug-related violence has increased in recent years, especially in the port city of Rosario.

Police misconduct, torture, and brutality against detainees is endemic. Arbitrary arrests and abuses by police are rarely punished in the courts, and police officers commonly collude with drug traffickers.

In recent years, there have been violent clashes between security forces and Indigenous Mapuche activists in Argentina's Patagonia region, as well as repeated confrontations between local residents and activists. Some activists have used violence to seize and occupy land.

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

Argentina has robust antidiscrimination laws, but enforcement is uneven. Indigenous peoples, approximately 2.4 percent of the population, face government neglect, disproportionate levels of poverty, and poor access to services. Displays of xenophobia against migrants and race-based discrimination are common. Women enjoy legal equality, but continue to face economic discrimination and gender-based wage gaps.

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

G. PERSONAL AUTONOMY AND INDIVIDUAL RIGHTS: 14 / 16 (+1)

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

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

Argentina implemented one of the world's strictest and most prolonged COVID-19 lockdowns. Bans and restrictions on domestic and international travel were sometimes arbitrary and gave way to abuses; security officers used disproportionate force to enforce measures. Almost all COVID-19-related restrictions were lifted in September 2021, including border controls. The government continued to ease remaining travel restrictions during 2022.

Score Change: The score improved from 3 to 4 because Argentinian authorities lifted COVID-19-related movement restrictions and have subsequently refrained from arbitrary and abusive treatment of travelers.

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

Citizens generally enjoy the right to own property and establish private businesses. Economic instability, cumbersome regulations, and corruption affect the private sector at all levels.

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

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

Argentinians enjoy broad freedom regarding marriage and divorce. Same-sex marriage and adoption by same-sex couples were legalized in 2010. A 2012 gender-identity law allows people to legally change their gender.

Gender-based violence remains a serious problem. The ombudsperson's office reported 242 femicides in 2022.

Abortion was legalized up to the 14th week of pregnancy in 2020, a landmark decision in Latin America.

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

Argentina faces high poverty rates aggravated by high inflation. In the first half of 2022, the poverty rate was 36.5 percent, with 8.8 percent of people living in extreme poverty.

Forced labor is high in sectors such as garment and brick production, agriculture, and domestic work. At least half of the workforce is informally employed and lacks labor rights and legal protections. Sex trafficking is a serious concern, and efforts to combat it have been hindered by corruption and the complicity of some officials, according to the US State Department's 2022 *Trafficking in Persons Report*.

Armenia

Population: 3,000,000
Capital: Yerevan
Freedom Status: Partly Free
Electoral Democracy: No

Note: The numerical scores and status listed above do not reflect conditions in Nagorno-Karabakh, which is examined in a separate report. *Freedom in the World* reports assess the level of political rights and civil liberties in a given geographical area, regardless of whether they are affected by the state, nonstate actors, or foreign powers. Disputed territories are sometimes assessed separately if they meet certain criteria, including boundaries that are sufficiently stable to allow year-on-year comparisons. For more information, see the report methodology.

Overview: Armenia is in the midst of a significant transition following mass antigovernment protests and elections in 2018 that forced out an entrenched political elite. The new government has pledged to deal with long-standing problems including systemic corruption, opaque policymaking, a flawed electoral system, and weak rule of law. The country continues to be seriously affected by the 2020 conflict with Azerbaijan, which saw several months of fighting over control of the territory of Nagorno-Karabakh.

KEY DEVELOPMENTS IN 2022

- In May, a report by Google's Threat Analysis Group (TAG) linked the Armenian government to the use of Predator spyware, created by the North Macedonian company Cytrox. The spyware had been used to target journalists, dissidents, and human rights activists in several countries, including Armenia. Local media outlets reported that the devices of several political dissidents had been hacked.
- In September, Azerbaijani military forces entered Armenian territory. The escalation of the ongoing military conflict killed nearly 200 and injured more than 293 Armenian soldiers; three civilians were killed; and 20 soldiers were taken as prisoners of war. Official reports included credible evidence that Azerbaijani troops had committed war crimes. While active hostilities lasted two days, the subsequent ceasefire has been regularly violated.

POLITICAL RIGHTS: 23 / 40

A. ELECTORAL PROCESS: 7 / 12

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

Constitutional changes in 2015 transformed the country from a semipresidential to a parliamentary republic. The president is chosen by the parliament for a single seven-year term, and most executive power lies with the prime minister, who is chosen by a parliamentary majority. In January 2022, President Armen Sargsyan, who had been elected before the 2018 revolution, resigned. Vahagn Khachaturyan, who was serving as minister of high-tech industry, was elected as president.

In June 2021, Nikol Pashinyan's Civil Contract Party won a majority of seats in snap elections called after Pashinyan resigned as prime minister in April. The party's electoral victory allowed him to retain his position as prime minister. Though Pashinyan's win was contested by the opposition, the Constitutional Court upheld the election results, and local and international observers considered the elections to be free and fair, despite some irregularities.

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

The National Assembly consists of a minimum of 101 members elected for five-year terms under a newly adopted closed-list proportional representation system, simplifying the previous two-tier proportional representation system. Up to four additional seats are reserved for ethnic minority representatives, and further seats can be added to ensure that opposition parties hold at least 30 percent of the seats.

In April 2021, Pashinyan resigned as prime minister, triggering snap parliamentary elections that June. Three parties gained seats in the June parliamentary elections, with Pashinyan's Civil Contract Party winning a stable majority of 71 seats with 53.9 percent of the vote. The new Armenia Alliance, led by former president Robert Kocharyan, gained 29 seats with 21.1 percent of the vote. Another new bloc, the I Have Honor Alliance, founded

by former president Serzh Sargsyan (unrelated to Armen Sargsyan), gained 7 seats after receiving 5.2 percent of the vote, though one representative left I Have Honor to become an independent lawmaker in December. Though party alliances are required to meet a 7 percent electoral threshold, the threshold was waived for Sargsyan's alliance, as Armenian law mandates that legislature must be composed of no fewer than three parties.

Local and international observers deemed the elections to be competitive, well-organized, and fairly administered, though there were some irregularities.

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

Members of the Central Election Commission (CEC) are recommended and then confirmed by the parliament for six-year terms. According to international observers, during the June 2021 elections, the CEC conducted its work in a transparent and efficient manner, meeting all legal deadlines and enjoying a high level of confidence in its capacity to deliver its mandate. In October 2022, Vahagn Hovakimyan, a member of the ruling party, was elected head of CEC, drawing concerns from civil society groups about the independence and neutrality of the CEC.

In April 2021, the parliament amended existing electoral laws to reflect recommendations made by the Venice Commission and the Office for Democratic Institutions and Human Rights (ODIHR) within the Organization for Security and Co-operation in Europe (OSCE). The June snap elections were successfully administered under the reformed system, which eliminated territorial lists, simplifying the existing electoral system. The amendments enjoyed broad support by political forces and civil society; further reforms were also adopted in May 2021.

B. POLITICAL PLURALISM AND PARTICIPATION: 10 / 16

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

Political parties and opposition groups have been able to operate in a much freer environment since 2018. In January 2021, amendments to the Law on Parties took effect, tying public funding of political parties to female and nationwide representation and capping individual donations.

An unprecedented number of political entities—22 political parties and 4 alliances—took part in June 2021 snap parliamentary elections.

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

Before 2018, elections were highly flawed; the Republican Party of Armenia (HHK) had been the main ruling party since 1997, and opposition groups had little chance of winning power. However, the 2018 polls transformed the political landscape, and elections have become significantly more competitive. International and local observers deemed the June 2021 snap elections, which saw two opposition alliances gain parliamentary seats, to be competitive.

Following local elections in December 2021, authorities within the Ministry of Justice began prosecuting several opposition-affiliated elected representatives of local government bodies, including various cities' Councils of Elders. Local human rights advocates claimed the cases against the elected officials were politically motivated and called on the government to enable them to carry out their duties. In September 2022 local elections, the opposition parties won control of 9 out of 18 communities.

In July 2022, the vice speaker of Parliament and the chairman of a standing committee—both from the opposition—were forced out of their positions due to absences. In protest, other opposition members resigned from their leadership posts in standing committees. The open posts remained vacant at the end of the year.

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

In April 2021, the parliament adopted amendments calling for heavier penalties for vote buying, election-related violence, and disrupting the electoral process. They also criminalized the obstruction of pre-election campaign activities.

Though the 2021 elections saw a decline in such practices, international observers reported allegations of election disruption, including isolated incidents of vote buying and the misuse of administrative resources.

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

A system introduced as part of 2015 constitutional reforms mandates the inclusion of up to four members of Parliament representing ethnic minorities; all four must be elected on a party list. In 2021, the Civil Contract Party won three minority seats representing ethnic Russians, Yazidis, and Kurds, while the Armenia Alliance won one seat representing ethnic Assyrians.

No openly LGBT+ people have run in elections or been appointed to a public office in Armenia. Women remain underrepresented in politics and government, and most parties do little to address women's interests aside from meeting the gender quota on candidate lists.

C. FUNCTIONING OF GOVERNMENT: 6 / 12

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

Through its significant majority, gained in a free and fair election, the Civil Contract Party controlled parliamentary decision-making after the June 2021 snap elections. Though Prime Minister Pashinyan promised to loosen the influence of business over policymaking, two wealthy businessmen entered the parliament from his party list. Some opposition parliamentarians also maintain close ties to businesspeople.

Since facilitating the November 2020 cease-fire agreement that paused the conflict over Nagorno-Karabakh, Russia wields increased influence in Armenia as the main mediator in Armenian-Azerbaijani negotiations and has deployed military forces across the Armenian-Azerbaijani borders.

In May, opposition groups in the parliament boycotted parliamentary sessions and demanded the prime minister's resignation due to Pashinyan's handling of the conflict with Azerbaijan. However, the opposition groups failed to gain public support and dismantled their tents after two months of blockading the center of Yerevan. They continued boycotting parliamentary sessions until mid-November.

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

Relationships between politicians, public servants, and businesspeople have historically influenced policy and contributed to selective application of the law. High-level government officials are rarely investigated despite clear evidence of improper uses of their office. Though the government attempted to investigate past wrongdoings and fortify anticorruption mechanisms after the revolution, those measures were significantly hindered by security challenges following the 2020 war.

In November 2022, the new Anti-Corruption Court and the Anti-Corruption Chamber of the Court of Cassation went into effect after legislation created the two bodies in April 2021. Though authorities have initiated high-profile corruption investigations, no charges have been brought forward. In August 2022, prosecutors initiated lawsuits to recover stolen assets from allegedly corrupt former officials from the prerevolution regime. In November, Mnatsakan Martirosyan's election as an Anti-Corruption Court judge sparked controversy, as several of his rulings in politically charged cases had been overturned by the European Court of Human Rights (ECtHR).

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

Transparency has historically been limited, and enforcement of asset-declaration rules for public officials has been weak. In 2020, the parliament made strides in enhancing transparency, including by strengthening asset-declaration requirements, though a lack of transparency and accountability persists.

Prime Minister Pashinyan no longer conducts in-person press conferences with journalists, instead conducting them online, which has been criticized by local media groups.

CIVIL LIBERTIES: 31 / 60 (−1)

D. FREEDOM OF EXPRESSION AND BELIEF: 9 / 16

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

Independent and investigative outlets operate relatively freely in Armenia, and generally publish online. Small independent outlets often provide robust coverage challenging the narratives of state broadcasters and other establishment media. By comparison, most print and broadcast outlets are affiliated with political or larger commercial interests.

In 2021, authorities imposed several new restrictions on media freedom, including limiting the free movement of journalists in the parliament and in parts of the Syunik region. In July of that year, the parliament criminalized the act of directing serious insults (defamation) toward officials and public figures. After significant outcry from journalists' associations and human rights organizations raising concerns that the law could be easily abused, the law was removed from the criminal code in July 2022.

The Committee to Protect Freedom of Expression (CPFE), a local nongovernmental organization (NGO), recorded that 15 journalists had experienced physical violence between January and September 2022.

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

Article 18 of the constitution recognizes the Armenian Apostolic Church as a "national church" responsible for the preservation of Armenian national identity; 94 percent of the population identifies as Armenian Apostolic. Religious minorities have reported some discrimination in the past.

In 2020, the National Security Service (NSS) opened an investigation into Yazidi activist Sashik Sultanyan after he publicly stated that Yazidis experience discrimination in Armenia; international human rights nongovernmental organizations (NGOs) have criticized the investigation as retaliatory and unlawful. The trial was in progress at the end of 2022.

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

Although the constitution protects academic freedom, administrative and accreditation processes remain open to political influence. There is some self-censorship among academics on politically sensitive subjects.

In March 2021, the parliament issued an executive order allowing the government to appoint most members of the boards of trustees for three of the country's leading state universities, which enables the authorities to exercise more control over the universities' key decisions, including the election of university rectors.

In August 2022, Yerevan State University student Taron Manukyan, son of opposition member of Parliament Gegham Manukyan who had been arrested for assault, was expelled from the university for failing to take in-person exams. Gegham Manukyan claimed authorities had stepped in to prevent his son from sitting for his online or at the place he is detained, as other people in prison had been able to do so.

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

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

In July 2022, the minister of justice removed provisions from the criminal code that criminalized defamation, which had been implemented in July 2021 and had been used to open at least nine criminal cases against people accused of insulting public figures.

In late 2021, reports by Meta and Citizen Lab claimed that Armenian authorities had paid for the use of Predator spyware, created by the North Macedonian company Cytrox. The spyware had been used to target journalists, dissidents, and human rights activists in several countries, including Armenia. In May 2022, a report by Google's Threat Analysis Group (TAG) also linked the use of Cytrox spyware to victims in Armenia, claiming "government-backed actors" were responsible. Local media outlets reported that the devices of several political dissidents had been hacked.

E. ASSOCIATIONAL AND ORGANIZATIONAL RIGHTS: 8 / 12

E1. Is there freedom of assembly? 3 / 4

The right to assemble is legally guaranteed but inconsistently upheld in practice.

Frequent antigovernment protests took place throughout the country in 2022. In June, police used stun grenades to disperse protesters in Yerevan who were demanding Prime Minister Pashinyan's resignation after a law proposed by opposition that would reject any peace accord with Azerbaijan failed to pass in Parliament. At least 42 people, including police officers, were injured in the clashes between police and protesters.

In September 2022, relatives of soldiers who had been killed in the war with Azerbaijan peacefully protested during government-organized Independence Day events. Police violently detained at least 37 people, and some protesters were injured. In response, 35 local NGOs called for the resignation of the Yerevan chief of police.

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

Outspoken NGOs operate in Armenia, most of which are based in Yerevan. These NGOs lack significant local funding and often rely on foreign donors. Despite this impediment, civil society was active in the 2018 protests, and has consulted with the government on policy matters, most notably on electoral, constitutional, and anticorruption reform.

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

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

F. RULE OF LAW: 5 / 16 (−1)

F1. Is there an independent judiciary? 1 / 4

The courts face systemic political influence, and judicial institutions are undermined by corruption. Judges reportedly feel pressure to work with prosecutors to convict defendants, and acquittal rates are extremely low. The government published a five-year judicial-reform strategy in 2019; reforms continued to be enacted in 2022, though progress has been slow.

In July 2022, the acting head of Supreme Judicial Council (SJC) resigned after a recording leaked in which he threatened then-head of the SJC with criminal charges if the latter refused to resign. In October, to new SJC members were elected by the ruling faction, including a former minister of justice who had also been a member of the ruling party. The election was viewed as politically motivated.

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

Authorities apply the law selectively, and due process is not guaranteed in civil or criminal cases. Lengthy pretrial detention remains a problem, and the Armenian judiciary is largely distrusted by the public.

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

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

Reports of police abuse of detainees and poor conditions in prisons persist. After the change in government in 2018, law enforcement agencies renewed dormant investigations into past cases of physical violence by police.

Conditions in areas adjacent to Azerbaijan and Nagorno-Karabakh, an ethnic Armenian-majority territory that previously gained de facto independence from Azerbaijan in 1994, have declined following the 2020 military conflict in the region. Civilians in the region remain at risk of experiencing physical violence.

In September 2022, Azerbaijani military forces entered Armenian territory. The escalation of the ongoing military conflict killed over 200 and injured more than 293 Armenian soldiers. Three civilians were killed, and 20 soldiers were taken as prisoners of war. Official reports included credible evidence that Azerbaijani troops had committed war crimes. Civilian settlements and buildings Syunik, Gegharkunik and Vayots Dzor provinces were also targeted, causing significant damage and displacing thousands of civilians. While active hostilities lasted two days, the subsequent ceasefire has been regularly violated.

Dozens of Armenian prisoners of war reportedly remained in Azerbaijani custody in 2022. Some were reportedly tortured while in detention.

Score Change: The score declined from 2 to 1 due to an escalation in military aggression from Azerbaijan, with Azerbaijani forces launching several attacks on Armenian territory that killed more than 200 people and caused mass displacement of civilians.

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

Women reportedly face discrimination in employment and education, despite legal protections.

Although same-sex sexual activity was decriminalized in 2003, LGBT+ people continue to face violence and mistreatment at the hands of police and civilians. In 2022, several cases of attacks on trans women and public calls for violence against LGBT+ people were reported.

Under the new criminal code implemented in 2022, individuals who commit crimes based on sexual orientation and gender identity may be held criminally liable.

G. PERSONAL AUTONOMY AND INDIVIDUAL RIGHTS: 9 / 16

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

The law protects freedom of movement and the rights of individuals to change their place of residence, employment, and education. In practice, access to higher education is somewhat hampered by a culture of bribery.

Effects of the conflict over Nagorno-Karabakh have continued into 2022, continuing to constrain freedom of movement along some border areas. After the November 2020 ceasefire, Azerbaijani forces took control over a 21-kilometer (13-mile) stretch of the Goris-Kapan highway, the only major road connecting the Syunik region to the rest of Armenia, partitioning villages and affecting residents' ability to move freely. In November 2021, Azerbaijani forces built new checkpoints along the road.

Azerbaijani forces continued to occupy Armenian territory in 2022 and have frequently acted to impede the internal movement of Armenian residents, using threat of force against civilians to exert control. In September, Azerbaijani forces launched another military offensive, killing hundreds of soldiers and three civilians, and destroying infrastructure in the Syunik region.

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

Armenian law adequately protects property rights, though officials have not always upheld them in the past. Economic diversification and simpler regulations have increased the ease of doing business in recent years, but a lack of transparency and persistent cronyism created unfair advantages for those with ties to public officials during the HHK government's tenure. However, much of this has subsided since the 2018 change in government.

Numerous incidents of burning pastures and farms, as well as theft of cattle, were reported after the escalation of the militarized conflict and the entry of Azerbaijani troops into Armenia in September 2022.

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

The constitution defines marriage as a union between a man and a woman. Domestic violence is common and not adequately prosecuted, and services for victims are inadequate. A new law on domestic violence that took effect in 2018 placed an emphasis on "restoring family harmony," raising concerns that it would deter victims from leaving dangerous situations. In 2019, the government introduced amendments to remove that reference and expand the definition of what constituted domestic violence. In early January 2020, a women's rights activist reported that police became more responsive to domestic violence cases after the law's introduction.

The HHK government signed the Istanbul Convention, a Council of Europe (CoE) document that binds participating countries to bolster their efforts to combat violence against women, in 2018. While the government has not yet ratified the Istanbul Convention, the parliament did approve the ratification of the Lanzarote Convention, a CoE document that requires signatories to address sexual violence against children, in May 2020. The July 2022 criminal code includes more significant protections for survivors of gender-based violence (GBV).

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

Legal protections against exploitative or dangerous working conditions are poorly enforced, and about half of workers are employed in the informal sector, where they may be more exposed to such conditions. Armenians are subjected to sex and labor trafficking abroad, and some children in the country work in agriculture and other sectors. Children residing in care institutions face a particularly heightened risk of trafficking. According to the US State Department, the government does not fully meet the minimum standards for the elimination of trafficking but is making significant efforts to do so.

Australia

Population: 25,800,000
Capital: Canberra
Freedom Status: Free
Electoral Democracy: Yes

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

KEY DEVELOPMENTS IN 2022

- In May, Anthony Albanese of the Labor Party was sworn in as prime minister following parliamentary elections that handed a major defeat to the ruling coalition led by Prime Minister Scott Morrison of the Liberal Party.
- In August, it emerged that when he was prime minister, Morrison had secretly appointed himself to jointly lead five ministries between March 2020 and May 2021.
- In March, Western Australia reopened its interstate and international borders, becoming the country's final state or territorial government to lift pandemic-related travel restrictions.

POLITICAL RIGHTS 38 / 40 (−1)

A. ELECTORAL PROCESS 12 / 12

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

The Australian government is a parliamentary democracy under a constitutional monarchy. The leader of the popularly elected majority party or coalition is designated as prime minister, and serves as head of government. Anthony Albanese, leader of the Labor Party, became prime minister after free and fair federal elections in May 2022. His predecessor, Scott Morrison of the Liberal Party, was the first prime minister to serve an uninterrupted three-year term since 2007. The 2010s saw the premiership frequently switch hands following "leadership coups" in which politicians within the major parties contested the party leadership and, in turn, the office of prime minister. This pattern drew criticism for failing to reflect the will of the electorate, and both Labor and the Liberals have reformed their internal rules to make leadership challenges more difficult.

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

The September 2022 death of Queen Elizabeth II triggered debate about whether Australia should become a republic. Republican sentiment is divided in Australia, with polls in late 2022 showing between 40 and 46 percent of respondents supporting calls for an Australian head of state. Following the Australian Labor Party's victory in the 2022 election, the Albanese government created a new post, assistant minister for the republic, fueling speculation that it might push for a referendum on the issue.

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

The bicameral legislative branch consists of a 151-member House of Representatives and 76-member Senate. Lower house members are elected through a ranked-choice ballot, and serve three-year terms. Senators are elected through a ranked-choice ballot and serve staggered six-year terms.

The 2022 federal election saw the Labor Party returned to power after almost a decade in opposition after winning 77 seats in the House of Representatives, enough to form a single-party majority. The previous ruling coalition, composed of longtime partners the Liberal Party and the National Party, won less than 40 percent of seats in the lower house, losing 19 seats in the worst electoral defeat for Australian conservative parties in decades. Several senior Liberal Party figures, most notably Deputy Leader Josh Frydenberg, lost seats traditionally held safely by the party. Scott Morrison kept his seat, but was replaced as party leader soon after the election by Peter Dutton.

However, the coalition's resounding defeat did not translate to a landslide victory for the Labor Party, with Independent candidates and the Greens gaining ground. Six lower house seats were claimed by so-called "teal Independents," named for the color many of them used for their campaign signs, a loose association of mostly female Independent candidates. Many had no background in politics, but campaigned on transparency and climate and environmental issues. Teal candidates notably won some usually safe Liberal seats. Independent candidates who were not associated with the teal movement won four seats.

The Greens, a left-wing party traditionally aligned with Labor, won four seats in the lower house, an increase of three from the 2019 elections, while two minor parties, Centre Alliance and Katter's Australian Party, won one seat each.

Forty seats in the Senate were filled in the same contest. Labor and the Liberal-National coalition each won 15 seats; the Greens won 6; and the remaining seats were divided between Independents and minor parties, with one going to the far-right One Nation Party. Turnout for the election stood at 89.8 percent.

On Election Day, the Liberal Party drew criticism for sending an SMS message to millions of voters detailing the interception of a boat carrying asylum seekers travelling to Australia. The SMS message urged voters to "keep our borders secure by voting Liberal today." Asylum seekers, particularly those arriving unlawfully by boat, are a hot-button issue in Australian politics and the text message was widely viewed as a scare campaign. Correspondence released under freedom of information laws after the election revealed that the Morrison Government had pressured immigration officials to prepare and release a statement about the interception while events were still unfolding, and that officials described the request as "astonishing in form and timing." and "unprecedented."

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

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

B. POLITICAL PLURALISM AND PARTICIPATION: 15 / 16

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

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

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

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

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

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

On Election Day in 2022, the Morrison government placed pressure on public servants working for Australian Border Force (ABF), part of the country's immigration apparatus, to hastily release information about the interception of a Sri Lankan asylum seeker boat; the pressure and subsequent release of a Liberal Party SMS message about the situation appeared to be an attempt to influence the election.

Concerns about foreign interference in politics, particular from China, have persisted for several years. There have been allegations that Chinese actors, possibly including consular officials, have funded political candidates and parties. The government banned foreign donations to political parties, independent candidates, and other political campaign groups in 2018. Additionally, the Foreign Influence Transparency Scheme, which came into force that year, requires people who engage in political activities, such as lobbying on behalf of a foreign government or other entity, to register publicly.

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

Political rights and electoral opportunities are granted to all Australians. The interests of women are inadequately represented, but the results of the 2022 election offer cautious optimism that this situation is changing.

Following the election, 58 seats, or 38 percent of total seats, in the lower house were held by women, an increase of 10 from the previous parliament, and women made up a

majority of the Australian Senate, holding 57 percent of its seats. A notable feature of the 2022 elections was the role played by female "teal Independent" candidates, who in several cases ousted male incumbents in seats long considered safe.

The Labor Party employs an internal quota specifying that 45 percent of its candidates must be women, a quota that will rise to 50 percent by 2025). A majority—52 of 103—of the members of the Labor Party's federal caucus are women. By contrast, the Liberal Party has long resisted calls to introduce a gender quota system, and Liberal leader Peter Dutton and National Party leader David Littleproud again ruled out introducing quotas in 2022.

Women in parliament have reported being intimidated and harassed by their male colleagues. A November 2021 report by Australia's sex discrimination commissioner, Kate Jenkins, found that a third of federal political staffers experienced sexual harassment at work. That same year, a series of high-profile sexual assault allegations emerged, corroborating the commissioner's report and highlighting the misogyny and physical endangerment women in Australian politics face. One of those cases was the alleged 2019 rape of Liberal Party staffer Brittany Higgins by a colleague in the office of the defense minister at the time, Linda Reynolds, in 2019. Higgins accused the Liberal Party of covering up the story and leaking her personal information to journalists in an attempt to undermine her credibility. Higgins's alleged rapist, Bruce Lehrmann, was charged but, in October 2022, his trial before the Supreme Court of the Australian Capital Territory was aborted due to juror misconduct. A retrial, scheduled for February 2023, was abandoned by the prosecution, citing the impact that retestifying was likely to have on Higgins's mental health. Both Higgins and Lehrmann foreshadowed further legal proceedings in relation to the way the trial was handled and the surrounding media coverage.

The May 2022 elections resulted in improvements in the gender and racial diversity of Australia's Parliament, with successful candidates including Independent representative Dai Le, a journalist and former Vietnamese refugee, and Labor senator Fatima Payman, the daughter of an Afghan Hazara refugee, who became Australia's first hijab-wearing Muslim parliamentarian. However, Parliament remains disproportionately White compared to the make-up of Australia's population. Openly LGBT+ representatives have served in Parliament since the 1990s.

Indigenous Australians are generally underrepresented in Australian politics and some voting restrictions—including the requirement that voters hold a fixed address and a ban on voting by prisoners serving long sentences—disproportionately affect Indigenous populations. However, the 2022 elections brought the total number of sitting Indigenous legislators to 11, bringing the proportion of First Nations parliamentarians—4.8 percent—above the proportion of Indigenous Australians as part of the Australian population—3.3 percent.

After forming its government in 2022, the Labor Party pledged to hold a referendum by mid-2024 about constitutionally enshrining an Indigenous Voice to Parliament, a body that would advise Parliament on policy matters affecting Aboriginal and Torres Strait Islander peoples. Text of the proposed constitutional reform was released in July 2022.

C. FUNCTIONING OF GOVERNMENT 11 / 12 (−1)

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

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

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

Laws against official corruption are generally well enforced, but the absence of a federal anticorruption body has made enforcement more difficult. All states and territories operate local anticorruption bodies.

After coming to power in 2022, Labor introduced legislation to create a National Anti-Corruption Commission (NACC), which passed the House of Representatives and the Senate in late November. The NACC will have retrospective powers to investigate a broad range of conduct by public officials. Though the NACC's inclusive definition of corrupt conduct received praise, other elements received criticism from some legislators and transparency experts, notably the fact that the legislation as drafted only allows for public hearings in exceptional circumstances.

C3. Does the government operate with openness and transparency? 3 / 4 (−1)

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

In August 2022, it emerged in a series of reports that, while serving as prime minister, Scott Morrison had secretly appointed himself cominister of five portfolios between March 2020 and May 2021. In addition to the premiership, Morrison was jointly serving as minister of health, minister of finance, minister of industry, science, energy and resources (ISER), treasurer, and minister of home affairs—giving him power over 6 of the 14 departments of state. Morrison justified his self-appointments as a contingency plan should the responsible ministers contract COVID-19. Morrison denied ever exercising the powers granted by the secret appointments except in one case where he intervened in an offshore gas exploration matter.

There was significant criticism, from both the media and political class, of Morrison's conduct, including of his justification for the self-appointments and the secrecy surrounding them. Notably, three of Morrison's own cabinet ministers were unaware he had appointed himself to their portfolios; one of those former ministers, Karen Andrews, who had unknowingly jointly administered the home affairs ministry with Morrison, publicly called for him to resign from Parliament over the scandal.

While legal advice given to the Albanaese government by the Australian solicitor general found that Morrison's self-appointments were valid and had not breached any laws, it also found that Morrison's secrecy over the appointments was inconsistent with the constitutional principle of responsible government. The advice noted that, because Morrison's appointment was not publicly known, and because Morrison was legally and politically responsible for the administration of the departments within his ministerial remit, there was no means by which he could be held accountable for any actions he took or did not take. Following the November publication of a scathing report into the self-appointments by former High Court justice Virginia Bell, Morrison became the first former Australian prime minister to be censured by Parliament.

Score Change: The score declined from 4 to 3 due to the revelation that former prime minister Scott Morrison had secretly granted himself concurrent responsibility for five separate ministries during his premiership, and that the practice was evidently permissible under existing law.

CIVIL LIBERTIES: 57 / 60 (+1)

D. FREEDOM OF EXPRESSION AND BELIEF 15 / 16

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

Though the constitution does not explicitly protect press freedom, journalists scrutinize lawmakers and the government, covering controversial topics generally without serious

obstacles or risk of harassment or violence. Members of the press have been constricted by the use of judicial suppression orders while covering criminal cases.

In February 2021, the government passed the News Media and Digital Platforms Mandatory Bargaining Code, which established a mandatory arbitration regime for digital platforms, such as Facebook and Google, to negotiate with and ultimately pay news outlets for using their content. The code has been criticized for potentially weakening media diversity, but by August 2022, it had resulted in an additional AU$200 million ($138 million) in revenue for Australian news outlets arising from deals they struck with global platforms. The increase in revenue has been used to fund new hiring at some outlets.

Public figures, including politicians, regularly sue journalists or members of the public for defamation for publishing unfavorable stories or other content about them, particularly online. In a recent example, the Federal Court of Australia ordered in June 2022 that Google pay former deputy premier of New South Wales John Barilaro AU$715,000 ($493,000) in damages after popular blogger Jordan Shanks-Markovina posted videos on YouTube found to be defamatory toward Barilaro.

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

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

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

Academic freedom is generally respected. However, federal officials have in the past warned of Chinese attempts to monitor Chinese students in Australia, and to question academics in Australia whose views differed from those of the Chinese government. Some students have expressed fears of foreign surveillance, prompting them to wear masks to protect their identities while protesting Chinese government actions. Some universities receive significant amounts of foreign funding, particularly from China, which has further raised concerns over Beijing's influence on curriculums and university governance.

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

Generally, people in Australia may freely discuss personal views on sensitive topics, though the government has passed several laws in recent years increasing its surveillance powers. A data retention law requires telecommunications companies to store users' metadata for two years and has raised concerns about the government's ability to track mobile and online communications. In 2019, the Australian Federal Police (AFP) disclosed that it accessed Australians' metadata nearly 20,000 times and reviewed the metadata of journalists 58 times during its 2017–18 reporting period.

In late 2021, the Surveillance Legislation Amendment (Identify and Disrupt) Act 2021 was enacted, granting the AFP and the Australian Criminal Intelligence Commission broad surveillance powers, including powers to take over user accounts and disrupt user activity. Rights groups have criticized the laws as overly broad with insufficient safeguards.

The 2018 Assistance and Access Act requires technology companies to provide law enforcement agencies access to encrypted communications, on grounds that include preventing terrorism and crime. Civil rights groups criticized the law's broad reach, relative lack of

oversight, and steep fines for companies that do not comply. Vault Systems, an Australian provider of cloud services, warned in 2019 that multinational companies were increasingly housing their data in other countries because of the legislation.

E. ASSOCIATIONAL AND ORGANIZATIONAL RIGHTS: 12 / 12

E1. Is there freedom of assembly? 4 / 4

Freedom of assembly is not explicitly codified in law, but the government generally respects the right to peaceful assembly. There are some limited restrictions meant to ensure public safety, and some incidents of police using excessive force against protesters have been reported. Although public health measures imposed to stop the spread of COVID-19 in 2020 and 2021 constrained the right to assembly, these measures were progressively wound back in 2022. A series of violent protests against vaccination mandates and lockdown restrictions occurred in the country's two largest cities, Sydney and Melbourne, in the second half of 2021.

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

NGOs are generally free to form, function, and receive funding. Advocacy groups and charities are exempt from restrictions on donations by certain foreign entities, which were introduced in 2018.

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

Workers can freely organize and bargain collectively, and trade unions actively engage in political debates and campaigns. However, strikes are only allowed when negotiating new union agreements, and may only pertain to issues under negotiation, although strikes and other forms of industrial action are not uncommon in Australia. Throughout 2022, the metropolitan train network of Sydney, Australia's largest city, was frequently disrupted due to ongoing disputes between the rail union and the New South Wales state government.

While there are no formal restrictions on workers' rights to organize, in practice, policies from successive governments have contributed to plummetting union membership. By the end of 2022, only 12.5 percent of Australian workers were union members, compared to 41 percent in 1992.

F. RULE OF LAW: 15 / 16

F1. Is there an independent judiciary? 4 / 4

The Australian judiciary is generally independent, although a lengthy investigation in 2019 by independent media outlet Crikey revealed that the Liberal-National government consciously worked to install individuals affiliated with the Liberal Party—including former candidates, donors, and party members—to the Administrative Appeals Tribunal (AAT), a body that reviews the merits of administrative decisions by government agencies. Just prior to the 2022 election, the Morrison government extended the terms of a number of Liberal Party–affiliated members of the AAT for periods of up to seven years, even though many of these members had over a year left in their existing terms. The Albanese government announced in December 2022 that the AAT would be abolished and replaced by a new merits review body in 2023.

The judiciary, particularly in the higher-level courts, tends to lack diversity among its members, and many appointed judges come from prominent legal families.

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

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

People living in rural areas, and in particular Aboriginal people, face significant barriers to accessing the justice system. Judges, lawyers, and prosecutors must be flown into remote communities, providing little time to prepare cases or be briefed by clients. Courtrooms are often in ad hoc, repurposed buildings, and lengthy case dockets are a prominent issue. Judges traveling these circuits work large caseloads due to understaffing and underfunding, which could impact their health and their court decisions. Significant case backlogs cause individuals to wait years for their cases to be heard, which can place some, like those who have experienced domestic violence, in further danger.

Authorities shifted court proceedings to be held online during the COVID-19 pandemic, which has led to increased availability of court and registry services and resources. The greater flexibility offered by virtual hearings and services has, to a degree, increased access to the justice system in rural areas.

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

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

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

First Nations Australians continue to lag behind other groups in key social and economic indicators; suffer higher rates of incarceration; and report routine mistreatment by police and prison officials. Aboriginal and Torres Strait Islander children are placed in detention at a rate 22 times higher than that of non-Aboriginal children. Additionally, people with disabilities make up almost one-third of the prison population, and face harassment and violence in prisons.

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

Religious exemptions within the Sex Discrimination Act of 1984 allow for the expulsion of students and dismissal of teachers on the basis of their sexual orientation, although these exemptions are rarely invoked.

Australia's harsh asylum and immigration policies continued to be enforced in 2022. The government announced in October 2021 that it would cease detaining asylum seekers in Papua New Guinea (PNG) by December, transferring the refugees there either to its other offshore detention facility in Nauru—which is characterized by poor living conditions, inadequate safety for women and children, and a lack of sufficient healthcare and education services—or to the Papuan government. As of September 2022, approximately 111 refugees were in detention on Nauru. Asylum seekers can wait years for their applications to be processed; in one severe case, a man seeking asylum from Sri Lanka who fled to Australia in 2009 was still being held in immigration detention through at least the end of 2020. The

Albanese government had indicated in its election campaigning that it would grant eligible refugees permanent visa status, and abolish Temporary Protection Visas (TPVs) and Safe Haven Enterprise Visas (SHEVs), which expired after three years and five years, respectively. In December 2022, the Albanese government announced that in early 2023, 19,000 refugees would be transitioned to permanent protection visas, granting them rights to social security and reunion with family members.

G. PERSONAL AUTONOMY AND INDIVIDUAL RIGHTS: 15 / 16 (+1)

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

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

In response to the coronavirus pandemic in 2020 and 2021, some state and territory governments periodically closed their internal borders. The process to obtain an exemption for traveling between states was difficult and often significantly delayed. Some people who rely on services including employment or health care across state borders were unable to access these services due to the closures. Some states closed their borders with little notice, and some jurisdictions with lower rates of COVID-19 transmission, particularly Queensland and Western Australia, maintained a hardline stance on internal borders throughout 2021, despite low transmission rates of the virus and high vaccination rates.

Queensland reopened its borders to interstate and international travelers in January 2022, and Western Australia followed suit in March, and since then, no state or territory has reimposed pandemic-related border closures in response to the pandemic.

Score Change: The score improved from 3 to 4 because the last border closures imposed by state or territorial governments in response to the COVID-19 pandemic were lifted, restoring the freedom of internal travel.

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

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

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

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

Gender-based violence (GBV) remains a national concern, particularly for Aboriginal and Torres Strait Islander women. In addition, women who kill domestic abusers in self-defense are often jailed, with Aboriginal and Torres Strait Islander women representing the majority of this incarcerated group. In November 2022, the New South Wales state parliament passed a law criminalizing coercive control in intimate partner relationships, with penalties of up to seven years in prison.

Abortion law is decided by state and territory governments. New South Wales was the last state to decriminalize abortion in 2019. In some states there is no access to abortion

through public health systems despite its legality, forcing people in those areas to seek assistance from private providers.

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

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

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

Austria

Population: 9,000,000
Capital: Vienna
Freedom Status: Free
Electoral Democracy: Yes

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

KEY DEVELOPMENTS IN 2022

- Corruption investigations into leading ÖVP and FPÖ politicians continued during the year. Former FPÖ leader Heinz-Christian Strache, who was convicted on corruption charges in 2021, was tried on separate bribery charges in June; Strache was acquitted in July.
- In January, the National Council passed a measure making vaccination against COVID-19 compulsory. The vaccine mandate, which took effect in February, led to protests and was temporarily suspended the next month; the government ultimately abolished the mandate in June.

POLITICAL RIGHTS: 37 / 40

A. ELECTORAL PROCESS: 12 / 12

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

Executive elections in Austria are generally free and fair. The president is elected for a six-year term and has predominantly ceremonial duties. The president does, however, have the right to dissolve parliament and appoints the chancellor, who also needs the support of the legislature to govern. President Alexander Van der Bellen, former Green Party leader, narrowly prevailed in 2016 against FPÖ candidate Norbert Hofer. The 2016 polls featured a

runoff that was repeated twice after the Constitutional Court (VfGH) established that there had been problems with the handling of postal ballots. Van der Bellen was reelected to the presidency in October 2022 after securing an absolute majority of the vote.

Following snap elections in 2019, an ÖVP–Green government took office in January 2020, marking the first time the Greens have participated in a national government. Sebastian Kurz of the ÖVP, who led the previous ÖVP–FPÖ coalition, returned as chancellor. Kurz was forced to resign the chancellorship in October 2021 over corruption allegations, and ultimately left politics altogether. After Kurz's resignation, then foreign minister Alexander Schallenberg was appointed chancellor; Schallenberg resigned several weeks later, in December.

In December 2021, ÖVP party officials chose then interior minister Karl Nehammer to become both party leader and chancellor. Nehammer was sworn in as chancellor that month, and was officially confirmed as ÖVP party chair in May 2022.

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

Legislative elections in Austria are generally considered free and fair. The 183 members of the National Council (Nationalrat), the lower house of the Austrian national parliament, are chosen through proportional representation at the district, state, and federal levels, and serve five-year terms. The 61 members of the upper house, the Federal Council (Bundesrat), are appointed by state legislatures for five- or six-year terms.

Snap National Council elections took place in September 2019, after the Ibizagate affair triggered the previous ÖVP–FPÖ coalition's collapse. The ÖVP was the clear winner with 71 seats, though it did not win a parliamentary majority. The Green Party returned after a two-year absence from parliament, winning 26 seats. Support for the FPÖ collapsed, with the party losing 20 seats and holding 31. The SPÖ won 40, while the Liberal Forum (NEOS) claimed 15.

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

Austria's electoral laws are fair and implemented impartially by the relevant bodies.

B. POLITICAL PLURALISM AND PARTICIPATION: 15 / 16

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

Austria has competitive political parties that form and operate without encountering undue obstacles. Recent years have seen the rise and fall of various competing parties and coalitions through democratic processes.

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

Opposition parties have a realistic opportunity to gain representation. Until recently, Austria has often been governed by grand coalitions, a trend that has fostered some public disillusionment with the political process. An ÖVP–FPÖ government, which collapsed in 2019, was succeeded by an ÖVP–Green Party coalition in January 2020.

Within months of forming, People Freedom Fundamental Rights (MFG)—a so-called antilockdown party focused on opposing COVID-19-related restrictions—was able to gain enough votes to enter the state parliament in Upper Austria in September 2021.

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

Austrians are generally free to make their own political choices without pressure from any groups that are not democratically accountable.

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

The participation of Slovene, Hungarian, and Romany minorities in local government remains limited. There is little minority representation in the legislature. The number of people who have been naturalized has fallen since the establishment of a more restrictive national integration policy in 2009. To qualify for naturalization, individuals must have lived in Austria for 10 years—including 5 as a permanent resident—as well as provide proof of regular income and renounce their existing citizenship.

Several parties include support for gender equality in their platforms. In the 2019 elections, 39 percent of the members elected to the parliament were women, a slight increase compared to 2017. The country's first majority-female cabinet was appointed in January 2020.

Non-Austrian EU citizens are entitled to vote in municipal elections as well as in European Parliament elections.

C. FUNCTIONING OF GOVERNMENT: 10 / 12

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

The freely elected president and legislative representatives work with the chancellor, vice chancellor, and cabinet ministers to determine the policies of the government.

C2. Are safeguards against official corruption strong and effective? 3 / 4

Public-sector corruption is problematic, and the political class is widely perceived as corrupt. The Council of Europe (CoE)'s Group of States against Corruption (GRECO) has criticized Austria for failing to regulate lobbying and prevent corruption.

Investigations related to Ibizagate—which began with the 2019 release of a video of then FPÖ leader Heinz-Christian Strache offering state contracts in exchange for donations and favorable media coverage—continued in 2021 and 2022. Strache was found guilty of corruption in August 2021 and given a 15-month suspended sentence. An appeal was pending as of year-end 2022. Strache was also tried on separate corruption charges in June 2022, based on allegations that he had awarded board positions at a state-owned company in return for donations to an FPÖ-linked organization. He was acquitted in July.

In recent years, the corruption prosecutor's office has investigated numerous allegations of false testimony, bribery, and corruption involving senior FPÖ and ÖVP politicians, including former chancellor Kurz. High-level corruption investigations continued in 2022, including into the president of the National Council, Wolfgang Sobotka, who has been implicated in numerous corruption scandals.

Following a 2019 EU directive requiring member states to pass laws implementing rights and obligations regarding whistleblowers, the government drafted a bill in June 2022 that would introduce far-reaching measures to protect whistleblowers. The act had not been passed at year's end.

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

Austria's government has frequently been criticized for inadequate transparency. Official secrecy remains enshrined in the constitution, and Austria's overall legal framework on access to information is weak.

In February 2021, the ÖVP–Green Party government agreed on a draft Freedom of Information Act, which would provide for the end of official secrecy; the draft had not passed as of year-end 2022. The draft legislation has been criticized as weak and overly narrow by information rights groups.

CIVIL LIBERTIES: 56 / 60

D. FREEDOM OF EXPRESSION AND BELIEF: 14 / 16

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

The federal constitution and the Media Law of 1981 provide the basis for free media in Austria. However, libel and slander laws protect politicians and government officials, many of whom—particularly members of the FPÖ—have filed defamation suits in recent years. Media ownership remains highly concentrated, particularly in the provinces, and the government exerts some influence on the state broadcaster, the Austrian Broadcasting Corporation (ORF).

Media outlets are eligible to receive government funding through advertising and in the form of press subsidies intended to ensure media diversity. In March 2022, a broad parliamentary majority approved amendments to a 2004 media financing law, including reforms making €20 million in government funding available annually.

In 2021, several ÖVP politicians resigned over allegations of having purchased favorable news coverage during the 2017 elections. Former family minister Sophie Karmasin was arrested on corruption charges related to the scandal in March 2022.

While there is no official censorship, Austrian law prohibits any form of neo-Nazism or antisemitism, as well as the public denial, approval, or justification of Nazi crimes, including the Holocaust.

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

Religious freedom is constitutionally guaranteed. Austrian law divides religious organizations into three legal categories: officially recognized religious societies, religious confessional communities, and associations. Many religious minority groups allege that the law impedes their legitimate claims for recognition and demotes them to second-class status.

Foreign funding for Muslim houses of worship and imams is prohibited by a 2015 law; Orthodox Christian and Jewish groups with similarly strong links to communities abroad face no such restrictions. The FPÖ has been criticized for stoking anti-Muslim sentiment through controversial advertising campaigns. In recent years, antisemitic and anti-Islamic tendencies have become more prevalent.

Nearly 1,000 antisemitic attacks were recorded during 2021—a more than 65 percent increase over those recorded in 2020. According to the Jewish Community of Vienna (IKG), the number of antisemitic incidents reported in the first half of 2022 marked a 32 percent decrease compared to the same period in 2021. In 2021, the ÖVP–Green government established a new staff unit in the fight against antisemitism. In May 2022, representatives from 15 European Union (EU) member states met in Vienna to discuss standardizing the recording of antisemitic incidents and crimes.

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

Academic freedom is generally upheld, and the educational system is free from extensive political indoctrination.

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

Private discussion in Austria is generally free and unrestricted. However, there have been some difficulties related to the balance between ensuring freedom of speech and enforcing legal prohibitions on hate speech.

E. ASSOCIATIONAL AND ORGANIZATIONAL RIGHTS: 12 / 12

E1. Is there freedom of assembly? 4 / 4

Freedom of assembly is constitutionally protected and respected in practice. However, beginning in March 2020, assemblies were periodically subject to strict regulation under COVID-19-related public health measures. In March 2022, the government lifted most remaining restrictions, including limits on event sizes.

Despite COVID-19-related restrictions on public gatherings, large protests against lockdown measures were held throughout 2020 and 2021. Demonstrations against COVID-19-related restrictions, including some against the government's vaccine mandate, continued into 2022.

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

Nongovernmental organizations (NGOs) operate without restrictions.

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

Trade unions are free to organize and to strike, and they are considered an essential partner in national policymaking. According to government statistics, some 1.2 million workers are members of trade unions.

F. RULE OF LAW: 15 / 16

F1. Is there an independent judiciary? 4 / 4

The judiciary is independent, and is generally held in high regard among Austrians. The Constitutional Court examines the compatibility of legislation with the constitution without political influence or interference.

Austrian judges are appointed by the executive instead of a politically independent body, which the CoE has criticized as an insufficient separation of the state government from the judiciary.

In recent years, ÖVP officials have drawn criticism for allegedly attempting to obstruct judicial investigations into corruption allegations involving ÖVP politicians.

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

Due process generally prevails in civil and criminal matters. However, scandals involving Austria's intelligence apparatus in recent years raised concerns about the potential politicization of the justice system, and respect for due process.

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

People in Austria are generally free from the illegitimate use of physical force, war, and insurgencies. However, terrorist threats are a concern, and counterterrorism agencies have been found to "lack sufficient capacity" to adequately address existing risks.

The number of right-wing extremist crimes reported in Austria rose sharply during the COVID-19 pandemic, peaking in 2021 with more than 1,000 such crimes reported. In April

2022, security forces seized Nazi memorabilia and illegal weapons stockpiles from far-right groups while conducting raids across the country.

Conditions in prisons generally meet high European standards.

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

Some groups face difficulty exercising their human rights before the law. Strong rhetoric has been directed against refugees and migrants in recent years. Some asylum seekers can be deported while appeals are pending. In recent years, international organizations have criticized the Austrian asylum system for failing to meet international standards. Continuing deportations during the COVID-19 pandemic and, in 2022, ÖVP attempts to exclude asylum seekers from receiving certain forms of state aid have led to conflict between the coalition partners.

LGBT+ people face some societal discrimination. Although hate crime legislation prohibits incitement based on sexual orientation, no law prohibits service providers from denying services on that basis. In May 2022, the government amended blood donation regulations, removing restrictions that had previously prevented gay and bisexual men from donating blood.

Despite some improvement, gender equality remains an issue in Austria. According to Eurostat, Austria's gender wage gap of nearly 19 percent is among the largest in the EU.

Several members of Austria's armed forces have faced disciplinary proceedings and criminal charges in recent years for allegedly engaging in far-right extremist activities. In late 2022, government officials promised to pursue legal reforms mandating the automatic dismissal of any public employee convicted of violating the ban on the use of Nazi symbols.

G. PERSONAL AUTONOMY AND INDIVIDUAL RIGHTS: 15 / 16

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

Austrian citizens generally enjoy freedom of movement. However, restrictions were periodically imposed between March 2020 and March 2022 to curb the spread of COVID-19.

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 courses and job training.

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

Austrians may freely exercise the right to own property and establish businesses.

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

Same-sex marriage became legal in Austria in 2019. Restrictions on same-sex couples adopting children ended in 2016.

The 2009 Second Protection Against Violence Act increased penalties for perpetrators of domestic violence and authorized further punitive measures against chronic offenders. However, gender-based violence remains a problem; Austria has one of the highest rates of femicide in the EU.

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

A 1979 law guarantees women's freedom from discrimination in various areas, including the workplace.

In June 2022, Austrian police announced that an antitrafficking investigation had uncovered a large-scale labor trafficking operation in which more than 230 Iraqi asylum seekers had been forced to work in illegal conditions and subjected to systematic wage theft.

Azerbaijan

Population: 10,200,000
Capital: Baku
Freedom Status: Not Free
Electoral Democracy: No

Note: The numerical scores and status listed above do not reflect conditions in Nagorno-Karabakh, which is examined in a separate report. *Freedom in the World* reports assess the level of political rights and civil liberties in a given geographical area, regardless of whether they are affected by the state, nonstate actors, or foreign powers. Disputed territories are sometimes assessed separately if they meet certain criteria, including boundaries that are sufficiently stable to allow year-on-year comparisons. For more information, see the report methodology.

Overview: Power in Azerbaijan's authoritarian regime remains heavily concentrated in the hands of Ilham Aliyev, who has served as president since 2003, and his extended family. Corruption is rampant, and the formal political opposition has been weakened by years of persecution. The authorities have carried out an extensive crackdown on civil liberties in recent years, leaving little room for independent expression or activism. Azerbaijan won control of a third of the territory of Nagorno-Karabakh along with some adjacent land during a weeks-long conflict with Armenia in 2020, at the cost of over 2,900 soldiers.

KEY DEVELOPMENTS IN 2022

- Clashes between Azerbaijani and Armenian military forces continued during the year. The military conflict escalated when Azerbaijani troops entered Armenia in September; active fighting took place over a two-day period and reportedly resulted in the deaths of nearly 100 Azerbaijani soldiers and over 200 Armenian soldiers.
- A draft law regulating political parties was introduced in the Milli Mejlis in September. The opposition expressed concern that the legislation, which remained awaiting presidential approval at year's end, was created to stifle dissent and limit the ability of opposition parties to operate.

POLITICAL RIGHTS: 2 / 40

A. ELECTORAL PROCESS: 0 / 12

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

The president is directly elected for seven-year terms. There are no term limits. Since the early 1990s, elections have not been considered credible or competitive by international observers. President Ilham Aliyev—who succeeded his father, Heydar, in 2003—won a fourth term with some 86 percent of the vote amid evidence of electoral fraud and a boycott by the main opposition parties. Organization for Security and Co-operation in Europe

(OSCE) observers found that the election lacked genuine competition due to a restrictive political environment in which the seven nominal opposition candidates did not openly confront or criticize the president.

In 2017, President Aliyev appointed his wife, Mehriban Aliyeva, as vice president. The post was created via constitutional changes that were pushed through in 2016 without meaningful parliamentary debate or public consultation.

The prime minister and cabinet are appointed and dismissed by the president. Prime Minister Ali Asadov was appointed in 2019.

A2. Were the current national legislative representatives elected through free and fair elections? 0 / 4

The 125 seats in Azerbaijan's unicameral Milli Mejlis, or National Assembly, are filled through elections in single-member districts, with members serving five-year terms.

Aliyev dissolved the parliament in December 2019, and snap elections were held in February 2020. The ruling New Azerbaijan Party (YAP) won 70 parliamentary seats, while independents won 41 and the remainder were won by smaller parties; contests for 4 seats were not immediately decided. Turnout stood at 46.8 percent. A major opposition alliance, the National Council of Democratic Forces, boycotted the elections. OSCE monitors criticized the conduct of the poll, noting procedural and tabulation concerns and ultimately questioning "whether the results were established honestly."

A3. Are the electoral laws and framework fair, and are they implemented impartially by the relevant election management bodies? 0 / 4

The electoral laws and framework fall short of international standards and do not ensure free and fair elections. The nomination process for members of electoral commissions places the bodies under the influence of the ruling party. Commission members have been known to unlawfully interfere with the election process and obstruct the activities of observers. Complaints of electoral violations do not receive adequate or impartial treatment.

Election observers have repeatedly condemned restrictions on freedom of assembly, the inability of candidates to obtain permission to hold rallies or appear on television, political interference with courts investigating electoral violations, and noncompliance with past European Court of Human Rights (ECHR) decisions on election issues. OSCE monitors present during the February 2020 parliamentary elections noted pervasive electoral misconduct, including verbal and physical abuse directed against candidates' representatives and monitors.

B. POLITICAL PLURALISM AND PARTICIPATION: 2 / 16

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

The political environment in Azerbaijan is neither pluralistic nor competitive. The ability of opposition parties to operate and engage with the public is limited by the dominance of the YAP. A number of laws restrict candidates' efforts to organize and hold rallies, and the opposition has virtually no access to coverage on television, which remains the most popular news source. The regime has cracked down violently on any Islamic political movement that reaches national prominence.

Political dialogue between the government and the opposition began in 2020, resulting in the creation of new political parties for the first time since 2011. Another two parties were registered in 2021 as part of the process, which has been presented by the government as

a "new political configuration." However, critics say that the new parties are not genuine opposition groups and that the dialogue has been dominated by the government.

In September 2022, a draft law regulating political parties was introduced in the Milli Mejlis. If adopted, the legislation would impose numerous new restrictions on the activities of political parties in Azerbaijan. Among other things, the bill included provisions requiring that new political parties have 200 founding members, each of whom has lived in Azerbaijan without interruption for the previous 20 years. Critics say the draft law is intended to stifle dissent, and would affect the ability of existing opposition parties to operate as well as prevent new parties from forming. The bill passed its first reading in the parliament in November, and remained awaiting presidential approval at year's end.

B2. Is there a realistic opportunity for the opposition to increase its support or gain power through elections? 0 / 4

The Aliyev family has held the presidency since 1993. The biased electoral framework and repressive media and political environment effectively make it impossible for opposition parties to gain power through elections. The traditional opposition parties boycotted the most recent parliamentary, presidential, and municipal elections rather than take part in an unfair process.

Opposition politicians and party officials are subject to arbitrary arrest on dubious charges, physical violence, and intimidation. In 2021, Niyameddin Ahmedov, a member of the opposition Popular Front Party of Azerbaijan (AXFP), was sentenced to 13 years in prison for financing terrorism, a charge his lawyers called politically motivated.

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

The authoritarian system in Azerbaijan excludes the public from any genuine and autonomous political participation. The regime relies on abuse of state resources, corrupt patronage networks, and control over the security forces and criminal justice system to maintain its political dominance.

B4. Do various segments of the population (including ethnic, racial, religious, gender, LGBT+, and other relevant groups) have full political rights and electoral opportunities? 0 / 4

The political system does not allow women or minority groups to organize independently or advocate for their respective interests. There are no meaningful mechanisms to promote increased representation of women and ethnic or religious minorities. The government has worked to stifle public expressions of ethnic Talysh and Lezgin identity, among other targeted groups.

Internally displaced persons (IDPs) who left Nagorno-Karabakh and settled in other parts of Azerbaijan after the 1994 cease-fire have been unable to participate in municipal elections where they subsequently settled and are instead directed to vote for their former districts.

C. FUNCTIONING OF GOVERNMENT: 0 / 12

C1. Do the freely elected head of government and national legislative representatives determine the policies of the government? 0 / 4

Neither the president nor members of parliament are freely or fairly elected, and the parliament is unable to serve as a meaningful check on the powerful presidency. Lawmakers and lower-level elected officials essentially carry out the instructions of the ruling party.

C2. Are safeguards against official corruption strong and effective? 0 / 4

Corruption is pervasive. In the absence of a free press and independent judiciary, officials are held accountable for corrupt behavior only when it suits the needs of a more powerful or well-connected figure. In 2022, multiple high-ranking officials were arrested on corruption charges in the Azerbaijani exclave of Nakhchivan.

Investigative reports published by foreign media in recent years have revealed evidence that the Aliyev family has used their positions to amass large private fortunes. The resources were reportedly used in part to improperly influence the Parliamentary Assembly of the Council of Europe in order to minimize criticism of electoral conduct and alleged rights abuses. In 2021, the Pandora Papers—an investigation by the International Consortium of Investigative Journalists (ICIJ)—revealed that a network of offshore companies linked to Aliyev's family had traded around £400 million ($522.1 million) in property in the United Kingdom since 2006.

In June 2022, independent news outlet Abzas Media released a report showing that businesses connected to high-ranking officials—including companies linked to Aliyev's wife and daughters—have been awarded government contracts to develop agricultural land on the territories Azerbaijan gained during the 2020 Nagorno-Karabakh conflict.

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

Government operations are opaque. Although public officials are nominally required to submit financial disclosure reports, procedures and compliance remain unclear, and the reports are not publicly accessible. There are legal guarantees for citizens' access to information, but also broad exceptions to this right, and authorities at all levels systematically refuse to respond to information requests.

CIVIL LIBERTIES: 7 / 60

D. FREEDOM OF EXPRESSION AND BELIEF: 2 / 16

D1. Are there free and independent media? 0 / 4

Constitutional guarantees for press freedom are routinely and systematically violated, as the government works to maintain a tight grip on the information landscape. Defamation remains a criminal offense. Legal amendments passed in 2017 extended government control over online media, allowing blocking of websites without a court order if they are deemed to contain content that poses a danger to the state or society. Independent news sites are regularly blocked or struck with cyberattacks.

Journalists face detention or imprisonment on false charges, along with travel bans. In late 2020, Polad Aslanov, editor in chief of news sites Xeberman and Press-az, received a 16-year prison sentence for selling state secrets to Iran. Aslanov claimed that he was targeted for reporting on corruption.

Journalists also risk surveillance. In 2021, the Organized Crime and Corruption Reporting Project (OCCRP) reported that Azerbaijani journalists were among those targeted with the Pegasus spyware tool, which was likely supplied to the Azerbaijani government.

In 2021, Aliyev issued a presidential decree that called for "media reforms" and created a new media body, the Media Development Agency (MEDIA). That December, the parliament passed a bill authored with MEDIA's involvement that, among other things, requires journalists to register with the authorities and media owners to reside in Azerbaijan. Local and international media rights groups criticized the legislation, which was approved by Aliyev in February 2022.

Journalists—and their relatives—face harassment, violence, and intimidation, including by authorities. In February 2022, journalist Fatima Movlamli reported being beaten by police after refusing to delete a recording she made while covering a protest. Journalist Ayten Mammadova was attacked by an unknown man because of her work in May. The assailant threatened Mammadova and her young child with a knife, and demanded that Mammadova cease her coverage of an unnamed trial.

D2. Are individuals free to practice and express their religious faith or nonbelief in public and private? 0 / 4

The regime exercises control over religion through state-affiliated entities such as the Caucasus Muslim Board. Religious communities that attempt to operate independently face burdensome registration requirements, interference with the importation and distribution of printed religious materials, and arrest and harassment of religious leaders with international ties or a significant following. For example, members of the Muslim Unity Movement, a nonviolent conservative Shiite group, have been subjected to mass arrests, torture, and imprisonment as part of a crackdown that began in 2015.

A number of mosques have been closed in recent years, ostensibly for registration or safety violations. Jehovah's Witnesses face harassment as well as prosecution for evading military service.

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

The authorities have long curtailed academic freedom. Some educators have reported being dismissed for links to opposition groups, and students have faced expulsion and other punishments for similar reasons. The Azerbaijani history curriculum is known to include negative and discriminatory references to Armenians.

D4. Are individuals free to express their personal views on political or other sensitive topics without fear of surveillance or retribution? 1 / 4

Law enforcement bodies monitor private telephone and online communications—particularly of activists, political figures, and foreign nationals—without judicial oversight. The escalation of government persecution of critics and their families has undermined the assumption of privacy among ordinary residents and eroded the openness of private discussion. Even state officials have been punished for their and their family members' social media activity, and activists have been imprisoned—on unrelated, fabricated charges—for critical Facebook posts. In recent years, activists have been targeted by spear-phishing campaigns designed to install malicious software on their computers or steal personal information. Activists report that harassment on social media, often highly sexualized for women activists, is commonplace.

Social media users and antiwar activists who signed a statement calling for a peaceful resolution to the 2020 conflict over control of Nagorno-Karabakh were harassed and threatened online, prompting at least one activist to remove their signature.

In 2021, the OCCRP reported that people who had casual or familial connections to activists and journalists were targeted with Pegasus.

E. ASSOCIATIONAL AND ORGANIZATIONAL RIGHTS: 1 / 12

E1. Is there freedom of assembly? 0 / 4

The law imposes tight restrictions on freedom of assembly, which is contingent on the protection of "public order and morals." Activists have complained that in practice, the obstacles to public gatherings include additional, extralegal measures. Unsanctioned

assemblies can draw a harsh police response and fines for participants, and the government largely stopped issuing permits for rallies in Baku in 2019. Even when permits are issued, the government typically confines demonstrations to relatively isolated locations, where it can track attendees through facial-recognition technology and mobile-phone data.

In May 2022, about 30 people were detained prior to a planned antigovernment protest, organized by activists in response to several incidents in which the rights of opposition politicians, journalists, and members of civil society had been violated.

Unlike in previous years, the police did not prevent a rally held by women's rights activists on International Women's Day in March. However, several participants reported that police mistreated LGBT+ activists and confiscated pro-LGBT+ flags and placards on the day of the march.

E2. Is there freedom for nongovernmental organizations, particularly those that are engaged in human rights– and governance-related work? 0 / 4

Repressive laws on nongovernmental organizations (NGOs) have been used to pressure both local and foreign organizations, many of which have suspended operations when their bank accounts were frozen or their offices raided. Nearly all organizations or networks that work on human rights are forced by the state to operate in a legal gray zone. The government has refused to permit the European Union to provide grant support for local civil society groups. Civic activists are routinely subjected to harassment, intimidation, detention, and abuse by police.

Activists also risk surveillance; a 2021 OCCRP report noted that over 40 Azerbaijani activists were likely targeted with Pegasus, along with family members.

Several activists were arrested on spurious charges during 2022. Human rights defender Bakhtiyar Hajiyev was arrested on hooliganism charges in December; his lawyer called the charges "manufactured," saying they were connected to his activism. More than 30 people were detained during a rally held in support of Hajiyev the same month, including prominent opposition activist Tofig Yagublu. Yagublu was convicted of "petty hooliganism" and "disobeying the police" the same day he was arrested. Both Hajiyev and Yagublu remained in detention at year's end.

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

Although the law permits the formation of trade unions and the right to strike, the majority of unions remain closely affiliated with the government, and many categories of workers are prohibited from striking. Most major industries are dominated by state-owned enterprises, in which the government controls wages and working conditions.

F. RULE OF LAW: 0 / 16

F1. Is there an independent judiciary? 0 / 4

The judiciary is corrupt and subservient to the executive. Judges are appointed by the parliament on the proposal of the president. The courts' lack of political independence is especially evident in the many trumped-up or otherwise flawed cases brought against opposition figures, activists, and critical journalists.

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

Constitutional guarantees of due process are not upheld. Arbitrary arrest and detention are common, and detainees are often held for long periods before trial. Political detainees have reported restricted access to legal counsel, fabrication and withholding of evidence, and physical abuse to extract confessions.

Although nominally independent, the Azerbaijani Bar Association (AVK) acts on the orders of the Ministry of Justice and is complicit in the harassment of human rights lawyers. Legal amendments that took effect in 2018 stipulated that only AVK members could represent clients in court. Since then, the association has disbarred, suspended, or threatened most of the country's active human rights lawyers for speaking to the media about violations of their clients' rights. In nearly all disciplinary cases, the courts have upheld AVK decisions without a thorough assessment or public justification.

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

International observers have consistently concluded that both torture and impunity for the perpetrators of such abuse are endemic in the Azerbaijani criminal justice system. Police regularly administer beatings during arrest or while breaking up protests. Prison conditions are substandard. Medical care is generally inadequate, and overcrowding is common.

Azerbaijanis were affected by armed conflict with Armenia during 2020. The two countries engaged in a full-scale conflict over control of Nagorno-Karabakh that September. The conflict ended that November after a Russian-brokered cease-fire was agreed; under its terms, Azerbaijan would retain control of parts of Nagorno-Karabakh gained during the fighting, along with adjacent land held by Armenia. Baku reported that approximately 2,900 soldiers died in the fighting, while at least 146 civilians on both sides were killed. The conflict was marked by reported acts of mistreatment, desecration, and vandalism. Azerbaijani forces have been accused of physically abusing Armenian prisoners of war (POWs).

Military clashes between Azerbaijan and Armenia continued during 2022. In September, Azerbaijani military forces entered Armenian territory. The escalation of the ongoing military conflict reportedly resulted in the deaths of nearly 100 Azerbaijani soldiers and over 200 Armenian soldiers. Active fighting took place over a two-day period, though the subsequent cease-fire has been regularly violated. Official reports included credible evidence that Azerbaijani troops had committed war crimes.

F4. Do laws, policies, and practices guarantee equal treatment of various segments of the population? 0 / 4

Members of ethnic minority groups have complained of discrimination in areas including education, employment, and housing. Women are subject to discrimination in employment, including both de facto bias and formal exclusion from certain types of work under the labor code.

While IDPs from the Nagorno-Karabakh conflict that ended in 1994 are entitled to special assistance, they face severe infringements on their economic and social rights and freedom of movement. Many are housed in dormitories or substandard housing and are unable to change their place of residence, which is often located out of range of sources of employment or adequate medical care.

Although same-sex sexual activity is legal, LGBT+ people experience societal discrimination and risk harassment by the police. In 2017, police fined or detained dozens of people for weeks in a coordinated crackdown that led many LGBT+ residents to flee the country. In recent years, local and international NGOs have called on the authorities to investigate anti-LGBT+ attacks and take measures to protect LGBT+ individuals. In February 2022, openly gay LGBT+ activist Avaz Shikhmammadov—known as Avaz Hafizli—was murdered by his cousin, Amrulla Gulaliyev, who confessed to killing Hafizli because of his sexual orientation. Gulaliyev was sentenced to nine years and six months in prison in July. Activists noted that Hafizli's murder was not prosecuted as a hate crime.

G. PERSONAL AUTONOMY AND INDIVIDUAL RIGHTS: 4 / 16

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

The government restricts freedom of movement, particularly foreign travel, for opposition politicians, journalists, and civil society activists. While travel bans were lifted for some dissidents during 2019, many others remained in place, including for some of the political prisoners released that year; others fled the country to avoid further persecution. Some travel bans remained in effect in 2022 and were extended to the families of political emigrants.

IDPs from the previous Nagorno-Karabakh conflict enjoy freedom of movement in law, but not in practice. IDPs are legally registered at their place of initial resettlement, which are sometimes in rural areas and far from any source of employment. The process of changing registration is difficult, and IDPs who change their place of registration risk losing their status and accompanying state assistance. As a result, many families are separated, with usually male wage-earners relocating to urban centers for work while their families remain at their place of registration. In 2021, President Aliyev established the Karabakh Revival Fund, which is meant to finance infrastructure development in Nagorno-Karabakh to allow IDPs to return there. During 2022, several families who had been displaced in the 1990s were resettled on the territory taken by Azerbaijan following the 2020 Nagorno-Karabakh conflict.

Most of Azerbaijan's land borders remained closed into 2022, ostensibly for COVID-19-related reasons. Following the Russian military invasion of Ukraine in February, flights between Russia and Azerbaijan were suspended, which, combined with the land border closures, left many Azerbaijanis living in Russia unable to return to Azerbaijan during the year.

People with disabilities and psychiatric patients are routinely institutionalized; there is no clear procedure to review their confinement.

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

Property rights are affected by government-backed development projects that often entail forced evictions, unlawful expropriations, and demolitions with little or no notice. Corruption and the economic dominance of state-owned companies and politically connected elites pose obstacles to ordinary private business activity.

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

The law generally grants women and men the same rights on personal status matters such as marriage, divorce, and child custody. Domestic violence is a notable problem, and related legal protections are inadequate. Conservative social norms contribute to the widespread view that domestic violence is a private matter, which discourages victims from reporting perpetrators to the police. However, the growth of social media and the movement of rural populations to Baku in recent years have spurred public discussion of the issue.

Gender-based violence is a persistent problem. Sexual assaults frequently go unreported, and those that are reported often are not prosecuted.

In 2021, new legislation imposing mandatory mediation on those seeking to divorce came into force. The law introduces a number of obstacles for those wishing to divorce, especially for people outside of large cities who may not have access to official mediation services. Critics say that the law will disproportionately disadvantage people who cannot secure legal representation or those who are otherwise vulnerable, such as survivors of domestic abuse attempting to divorce their abuser.

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

Legal safeguards against exploitative working conditions are poorly enforced, and many employers reportedly ignore them without penalty. Children are vulnerable to sexual exploitation and forced labor.

The government has taken some steps to combat forced labor and sex trafficking, including by prosecuting traffickers and providing services to victims, but the problem persists, notably among Romany children and foreign household workers. The authorities extended a preexisting moratorium on labor inspections through the end of 2021.

As a result of corruption and a lack of public accountability for the allocation of resources, the state's oil and gas revenues tend to benefit privileged elites rather than the general population, narrowing access to economic opportunity.

The Bahamas

Population: 400,000
Capital: Nassau
Freedom Status: Free
Electoral Democracy: Yes

Overview: The Bahamas is a stable democracy where political rights and civil liberties are generally respected. However, the islands have a relatively high homicide rate. Harsh immigration policies, which mainly affect Haitian-Bahamians and Haitian migrants, are often executed in the absence of due process. Government corruption is a serious problem that is thought to have had significant economic consequences.

KEY DEVELOPMENTS IN 2022

- In June, opposition lawmaker Adrian Gibson was charged with abuse of power over his conduct as chairman of the Water and Sewerage Corporation (WSC). His trial is expected to begin in 2023.
- In August, Attorney General L. Ryan Pinder said the government would amend the Bahamas Nationality Act to bring gender equality to citizenship.
- In September, Prime Minister Philip Davis said the government would hold a referendum on whether The Bahamas should become a republic but did not specify a date. The British monarch is currently the head of state.
- Sam Bankman-Fried, chief executive of the Bahamas-headquartered cryptocurrency exchange FTX, was arrested and extradited to the United States in December, a month after the firm filed for bankruptcy in a US court. FTX lawyers accused Bahamian regulators of colluding with Bankman-Fried to impact the firm's bankruptcy proceedings in December, while the government vehemently objected to criticism of its conduct.

POLITICAL RIGHTS: 38 / 40

A. ELECTORAL PROCESS: 12 / 12

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

The Bahamas is governed under a parliamentary system, and a mostly ceremonial governor-general is appointed by the British monarch as head of state.

The prime minister is head of government and is appointed by the governor-general; the office is usually held by the leader of the largest party in Parliament or the head of a parliamentary coalition. In September 2021, Philip Davis became prime minister after the Progressive Liberal Party (PLP) won that month's parliamentary election.

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

Members of the lower chamber of the bicameral Parliament, the 39-member House of Assembly, are directly elected to five-year terms. The 16 members of the Senate are appointed for five-year terms by the governor-general based on recommendations made by the prime minister and the opposition leader.

The PLP won 32 House of Assembly seats in the September 2021 elections, defeating the ruling Free National Movement (FNM). The Coalition of Independents and the Democratic National Alliance respectively won over 6 and 1 percent of the vote but won no seats. Turnout stood at 65 percent, a relatively low figure. Organization of American States (OAS) monitors praised the electoral process and COVID-19-related protocols.

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

The electoral process is regulated by the Parliamentary Elections Act (PEA) and generally well managed by the Parliamentary Registration Department. The parliamentary commissioner heads the department and is appointed by the governor-general acting on the recommendation of the prime minister after consultation with the opposition leader.

After the PEA was amended in 2020, electoral authorities implemented a continuous voter register, which was used in the 2021 polls. In its postelectoral report, the OAS warned that individuals who were not included in the 2017 voter list or who did not register by the August 2021 election announcement may have been disenfranchised. The OAS reiterated prior calls to digitize voter registration and issue campaign-finance regulations.

B. POLITICAL PLURALISM AND PARTICIPATION: 16 / 16

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

Political parties organize freely and operate unhindered. However, as electoral financing is not regulated, there is no legal obligation to disclose funding sources and no limit on campaign spending.

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

Opposition parties operate without undue interference. Political power has alternated between the PLP and the FNM since the country achieved independence in 1973.

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

Voters and candidates are generally able to exercise their political choices freely. However, a lack of campaign-finance regulations leaves open avenues for the outsized role of money in politics.

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

Only citizens may vote, and protracted citizenship and naturalization proceedings make achieving citizenship difficult for children born in The Bahamas to foreign parents. This predominantly affects children of Haitian immigrants.

Women are politically underrepresented. In its 2021 postelectoral report, the OAS noted that women do not often seek office, in part due to "gendered perceptions of politics" and social pressure. The OAS nevertheless noted an increase in women candidates. Seven women won House of Assembly seats. Four women were appointed to the Senate. Women additionally serve as speakers of both houses.

Openly LGBT+ people are not overtly represented in politics.

C. FUNCTIONING OF GOVERNMENT: 10 / 12

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

Freely elected officials are generally unhindered in determining policy.

C2. Are safeguards against official corruption strong and effective? 3 / 4

Anticorruption mechanisms are relatively weak. There is no agency specifically empowered to handle allegations of government corruption. Rates of reporting corruption are low, as whistleblowers fear retaliation. The PLP vowed to establish an independent anticorruption body and an ombudsman after taking power but did not do so by the end of 2022.

In June 2022, FNM parliamentarian Adrian Gibson was charged with abuse of power while he served as chairman of the WSC. Gibson had stepped down as chairman in 2021 after facing allegations of misconduct. His trial is expected to begin in 2023.

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

Government procurement processes lack transparency, and political parties and campaigns are not required to disclose their finances. Legislators and other high-ranking public officials must disclose their income and assets annually under the Public Disclosure Act but often fail to submit the required information on time, without penalty.

The Fiscal Responsibility Act (FRA) of 2019 aims to improve transparency of public-sector spending. The FRA created an independent oversight and enforcement body, the Fiscal Responsibility Council. The Public Procurement Act (PPA), which is meant to ensure transparency in government contracts, took effect in 2021. In October 2022, Prime Minister Davis tabled a new bill to replace the PPA, calling it "deficient."

The Bahamian government faced criticism over the collapse of FTX, a major cryptocurrency exchange that filed for bankruptcy in the United States in November 2022. FTX collapsed after a press report suggested that chief executive Sam Bankman-Fried used FTX's cryptocurrency as collateral in other loans, prompting customers to withdraw from the exchange. In early November, the Securities Commission of The Bahamas (SCB) called on the national police to investigate FTX over concerns that it was mismanaging assets in a manner that amounted to a crime. In December, the SCB disclosed that it had

seized FTX assets worth $3.5 billion in November and said it would return those assets to creditors and customers. The firm's lawyers accused Bahamian regulators of colluding with Bankman-Fried to impact bankruptcy proceedings. The government in Nassau, meanwhile, vehemently objected to criticism of its conduct regarding FTX.

CIVIL LIBERTIES: 53 / 60

D. FREEDOM OF EXPRESSION AND BELIEF: 15 / 16

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

Press freedom in The Bahamas is constitutionally guaranteed and generally respected in practice. Privately owned newspapers and radio broadcasters freely express a variety of views, although partisanship is common. Libel is a rarely enforced criminal offense punishable by up to two years in prison.

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

Religious freedom is generally respected.

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

Academic institutions are generally free from political pressure and other interference.

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

People can freely express their views without fear of retribution or surveillance. However, ordinary Bahamians can face libel charges.

E. ASSOCIATIONAL AND ORGANIZATIONAL RIGHTS: 12 / 12

E1. Is there freedom of assembly? 4 / 4

Freedom of assembly is constitutionally protected and is respected in practice.

Prince William and Princess Catherine of the United Kingdom visited The Bahamas in March 2022; protesters called for reparations for slavery during that visit. In October, Lincoln Bain, leader of the Coalition of Independents, and eight supporters were arrested after police tried to move their protest away from the steps of Parliament, which the protesters allegedly resisted.

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

Freedom of association is generally protected, and a variety of nongovernmental organizations (NGOs) operate in the country. A 2019 NGO registration law required NGOs to declare sources of contributions and donations and account for annual income and expenditures.

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

Labor, business, and professional organizations are generally free from government interference. Unions have the right to strike, and collective bargaining is prevalent.

F. RULE OF LAW: 13 / 16

F1. Is there an independent judiciary? 4 / 4

The judicial system is headed by the Court of Appeal and the Supreme Court, with the additional right of appeal to the London-based Privy Council under certain circumstances.

The Bahamian judiciary is independent. In 2021, the Bahamas Bar Association called for legislation to better codify judicial independence. The Inter-American Development Bank has suggested separating the public prosecutor and attorney general's offices to ensure independence.

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

Due process in civil and criminal matters generally prevails. However, the government only appoints counsel to defendants in capital cases, leaving some people without legal representation.

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

Homicide and violent crime rates in The Bahamas remain among the highest in the Caribbean. In August 2022, Police Commissioner Clayton Fernander said there were 85 murders over the year to date, a 21 percent increase over the same period in 2021. However, state security agents generally do not engage in the illegal use of force against civilians, and the population is not threatened by large-scale violence or insurgencies. Prison conditions, meanwhile, are poor.

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

The constitution does not prohibit discrimination based on gender or sexual orientation. LGBT+ people continue to report discrimination in employment and housing. LGBT+ advocates celebrated the country's third annual Pride week in October 2022.

Harsh immigration policies enacted in 2014 target Haitian-Bahamians and Haitian migrants, requiring them to carry a passport and residency permits. The government prioritizes Bahamian citizens for hiring, land grants, and shelter in hurricane relief centers, and has pursued removal of shantytowns that primarily house migrants.

G. PERSONAL AUTONOMY AND INDIVIDUAL RIGHTS: 13 / 16

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

The freedom of movement is protected. Migrants and Haitian-Bahamians' ability to move freely is affected by their lack of Bahamian identity documents, however.

Roadblocks have been erected as part of immigration enforcement actions.

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

The country has a strong private sector, and the economy relies mostly on tourism and financial services. Individuals are free to establish businesses.

The government has worked to dismantle shantytowns in recent years. In 2021, a Supreme Court judge expanded an existing injunction to prohibit the dismantlement of any unregulated community in Abaco. In October 2022, Attorney General Pinder said the government was preparing contempt proceedings over structures that were erected in Abaco in apparent violation of that injunction. That same month, the Spanish Wells Commonage Committee announced a one-year construction ban in the Blackwood shantytown.

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

The government does not place explicit restrictions on social freedoms. However, the constitution distinguishes between Bahamian men and women in the transmission of citizenship to a spouse or child, resulting in distinctions in treatment of married Bahamian women's children and their foreign-born husbands.

In a 2020 ruling, the Supreme Court affirmed the granting of Bahamian citizenship to a Bahamian-born child regardless of the gender or marital status of their Bahamian parent. The Court of Appeal upheld that ruling in 2021. The former FNM government vowed to appeal to the Privy Council. In August 2022, Pinder said the incumbent PLP government would legislate to allow men and women to pass citizenship onto children.

Violence against women, including domestic violence and marital rape, is a serious issue. Same-sex marriage is not legalized.

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

The Bahamas is a source, destination, and transit country for forced labor and sexual exploitation. According to the US State Department's *Trafficking in Persons Report 2022*, the government made significant efforts to address trafficking. Migrant workers, many of whom arrive in The Bahamas to work in the agricultural sector and in domestic services, are particularly vulnerable to exploitation.

Bahrain

Population: 1,500,000
Capital: Manama
Freedom Status: Not Free
Electoral Democracy: No

Overview: Bahrain's Sunni-led monarchy dominates state institutions, and elections for the lower house of parliament are neither competitive nor inclusive. Since violently crushing a popular prodemocracy protest movement in 2011, the authorities have systematically eliminated a broad range of political rights and civil liberties, dismantled the political opposition, and cracked down on persistent dissent concentrated among the Shiite population.

KEY DEVELOPMENTS IN 2022

- In June, the king ordered a major cabinet reshuffle, changing 17 of 22 ministers, adding more women to the cabinet, and including only three ministers from the ruling family. Three ministries changed hands in a smaller shuffle in November.
- Elections for the lower house of parliament were held in November, but with opposition groups still banned, the resulting legislature was reliably supportive of the government.

POLITICAL RIGHTS: 2 / 40

A. ELECTORAL PROCESS: 2 / 12

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

The 2002 constitution gives the king power over the executive, legislative, and judicial authorities. The monarch appoints and dismisses the prime minister and cabinet members,

who are responsible to him rather than the legislature. Khalifa bin Salman al-Khalifa, the uncle of the current king, Hamad bin Isa al-Khalifa, was the country's only prime minister between independence from Britain in 1971 and his death in 2020. The crown prince and eldest son of the king, Salman bin Hamad al-Khalifa, was appointed prime minister that year, and he retained the role after a cabinet reshuffle that followed the November 2022 parliamentary elections.

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

The king appoints the 40-member Consultative Council, the upper house of the National Assembly. The lower house, or Council of Representatives, consists of 40 elected members serving four-year terms. Formal political parties are not permitted, but members of "political societies" have participated in elections.

Elections for the lower house were held in November 2022. The polls were uncompetitive due to bans on major opposition groups. A law adopted in 2018 prohibited the candidacy of anyone who belonged to dissolved political societies, had boycotted or been expelled from the parliament, or had received a prison sentence of at least six months. Political societies in general performed poorly in the 2022 elections, with most seats going to independents, including Sunni Islamists.

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

Bahrain's electoral framework is unfair, with electoral districts deliberately designed to underrepresent Shiites, who form a majority of the citizen population but have never been able to obtain majority representation in the parliament. The government has also allegedly drawn district borders to put certain political societies, including leftist and Sunni Islamist groups, at a disadvantage. The government directorate responsible for administering elections is headed by the justice minister, who is appointed by the crown prince, and it is not an independent body.

Voters' passports are stamped to indicate that they have voted, and there is a widespread belief that people who do not have these stamps are at a higher risk of being prevented from travelling. The government has previously punished people who call for election boycotts.

B. POLITICAL PLURALISM AND PARTICIPATION: 0 / 16

B1. Do the people have the right to organize in different political parties or other competitive political groupings of their choice, and is the system free of undue obstacles to the rise and fall of these competing parties or groupings? 0 / 4

Formal political parties are illegal. A 2005 law makes it illegal to form political associations based on class, profession, or religion, while a 2016 amendment prohibits serving religious clerics from engaging in political activity. The law permits "political societies," with some of the functions of a political party, to operate after registering with the government, but the authorities have closed almost all opposition political societies since 2016 and jailed many of their leaders. The most popular, the Shiite Islamist society Al-Wefaq, was forcibly disbanded that year for allegedly encouraging violence. The second-largest opposition group, the secularist National Democratic Action Society (Wa'ad), was banned in 2017. In 2018, the monarch banned individual members of dissolved groups from competing in elections.

Individual opposition leaders and activists routinely face harassment, and the regime has forced many into prison or exile. In 2019, the country's top court upheld a sentence of life

in prison against Al-Wefaq general secretary Ali Salman, who was jailed in 2018 for alleged espionage on behalf of Qatar. He had been in detention on various charges since 2014.

B2. Is there a realistic opportunity for the opposition to increase its support or gain power through elections? 0 / 4

The ruling family maintains a monopoly on political power through formal and informal positions, with the crown prince currently serving as prime minister. A major cabinet reshuffle in June 2022 left three additional members of the ruling family in the offices of deputy prime minister, minister of interior, and minister of finance and national economy, though this was a historically small share of cabinet seats for the family.

The constitutional system's structure excludes the possibility of a change in government through elections, and the parliament has been dominated by progovernment lawmakers since the dissolution of the main opposition societies and the imprisonment of many of their leaders.

B3. Are the people's political choices free from domination by forces that are external to the political sphere, or by political forces that employ extrapolitical means? 0 / 4

The monarchy generally excludes the public from any meaningful or genuinely independent political participation. Since 2011 it has used the security forces to isolate the country's Shiite population and suppress political dissent. The royal court allegedly uses its patronage networks to influence candidates and elections.

B4. Do various segments of the population (including ethnic, racial, religious, gender, LGBT+, and other relevant groups) have full political rights and electoral opportunities? 0 / 4

Although Shiite Muslims make up a majority of the citizenry, they have tended to be underrepresented in the cabinet and parliament. The regime, which is controlled by a Sunni ruling family, has often viewed Shiites with suspicion and sought to prevent them from organizing to advance their political interests. Senior positions in politics and government are typically allocated to members of the ruling family and affiliated Sunni tribes. Certain wealthy Shiite families also enjoy a privileged position. After the June 2022 cabinet reshuffle, nine of the 25 ministers belonged to the Shiite majority, though none were associated with the political opposition.

Women formally enjoy full political rights but are marginalized in practice. A record high of eight women were elected to the lower house of parliament in November 2022, and five women served in the cabinet as of that month.

Noncitizens make up about half of the total population, and most have no political rights, but the minority of expatriates who own property in Bahrain can vote in municipal elections. Citizenship generally must be inherited from a Bahraini father, and foreign men married to Bahraini women do not have access to naturalization.

LGBT+ identity is generally not recognized openly, including in political contexts.

C. FUNCTIONING OF GOVERNMENT: 2 / 12

C1. Do the freely elected head of government and national legislative representatives determine the policies of the government? 0 / 4

There are no elected officials with executive authority. The National Assembly may propose legislation, but the government drafts and submits the bills for legislative consideration. As major opposition groups are absent from the National Assembly, the body has become silent on politically sensitive topics, though it does feature debate on economic reforms, austerity measures, subsidy reforms, and public services.

Bahrain is fiscally and economically dependent on Saudi Arabia and the United Arab Emirates, which gives their governments significant influence over its foreign policy.

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

There are some laws in place to combat corruption, but enforcement is weak, and high-ranking officials or members of the ruling family who are suspected of corruption are rarely punished. The generally pliant parliament does not check malfeasance effectively, and the media are not sufficiently free to independently air allegations of corruption against powerful figures. Civil society anticorruption efforts are also restricted; activists who highlight such problems have been prohibited from traveling or otherwise harassed.

In January 2022, a court sentenced a civil servant to seven years in prison after convicting him of embezzling fees for the renewal of expatriates' residency permits; another defendant in the case was acquitted.

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

Parliamentary proceedings are public, and the parliament is entitled to scrutinize the government budget, but in practice the executive issues orders and laws without providing insight or allowing meaningful public consultation. The government does not publish regular and timely income or expenditure data. No access-to-information law has been adopted, and officials are not obliged to disclose their assets or income.

ADDITIONAL DISCRETIONARY POLITICAL RIGHTS QUESTION

Is the government or occupying power deliberately changing the ethnic composition of a country or territory so as to destroy a culture or tip the political balance in favor of another group? −2 / 0

Over the past two decades, the government has made concerted efforts to erode the Shiite citizen majority and tip the country's demographic balance in favor of the Sunni minority, mostly by recruiting foreign-born Sunnis to serve in the security forces and become citizens. No data on the sectarian makeup of the population are made public.

Meanwhile, hundreds of Bahrainis have had their citizenship revoked in recent years, including a large number of Shiite leaders and activists. After a mass revocation in 2019 prompted international outcry, the monarch and courts restored the citizenship of hundreds of people, but those left out of the restoration included the most prominent opposition activists, and the government retains the authority to revoke citizenship without meaningful due process.

CIVIL LIBERTIES: 10 / 60

D. FREEDOM OF EXPRESSION AND BELIEF: 2 / 16

D1. Are there free and independent media? 0 / 4

The government owns all national broadcast media outlets, and the private owners of Bahrain's main newspapers have close ties to the state. Self-censorship is encouraged by the vaguely worded Press Law, which allows the state to imprison journalists for criticizing the king or Islam or for threatening national security. Insulting the king is punishable by up to seven years' imprisonment. A 2016 edict requires newspapers to apply for a one-year renewable license to publish online. The government blocked access to Qatari news outlets between 2017, when diplomatic relations with Qatar were severed, and January 2021, when these ties were restored. Nonetheless, Al Jazeera remains inaccessible.

Journalists face legal and bureaucratic obstacles to their work in practice. The authorities have refused to renew the credentials of several Bahraini journalists working with

foreign outlets. Five journalists remained imprisoned in 2022, according to the Committee to Protect Journalists (CPJ). International journalists face difficulty obtaining an entry visa.

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

Islam is the state religion, and the penal code criminalizes blasphemy-related offenses. However, non-Muslim minority groups are generally free to practice their faiths. Both Muslim and non-Muslim religious groups are required to register with government ministries. In November 2022, Pope Francis became the first Roman Catholic pontiff to travel to Bahrain, the home of the Persian Gulf's first and largest Catholic churches, with the aim of advancing interreligious dialogue. Muslim religious groups are required to register with the Ministry of Justice and Islamic Affairs through the Sunni or Shiite awqaf (endowments) that oversee mosques and prayer houses; their directors are appointed by royal decree and paid by the government.

Although Shiite communities are free to carry out religious observances like Ashura, Shiite clerics and community leaders face harassment, interrogation, prosecution, and imprisonment. Shiite religious sites were demolished or vandalized in 2011 in apparent reprisal for the role of Shiite opposition groups in that year's protests. The Islamic Ulema Council, a group of Shiite clerics, was banned in 2014. Shiite cleric Isa Qassim lost his citizenship in 2016, received a suspended sentence for money laundering in 2017, and left Bahrain in 2018. Other Shiite clergy have been detained or questioned for their actual or suspected involvement in protest activity.

D3. Is there academic freedom, and is the educational system free from extensive political indoctrination? 0 / 4

Academic freedom is not formally restricted, but scholars who criticize the government have in the past been subject to dismissal, and universities are affected by a broader climate in which criticism is frequently equated with disloyalty.

D4. Are individuals free to express their personal views on political or other sensitive topics without fear of surveillance or retribution? 1 / 4

The penal code includes a variety of punishments for offenses such as insulting the king or state institutions and spreading false news. Many Bahrainis have been convicted and jailed for political speech, including on social media. Authorities have also warned against online expression that contradicts the foreign policy priorities of Bahrain and its regional allies. Following social media accounts deemed to promote sedition can constitute a cybercrime.

Security services are believed to employ networks of informers, and the government monitors the personal communications of activists, critics, and opposition members. Researchers with Toronto-based Citizen Lab have detected Pegasus spyware on the devices of at least a dozen Bahraini activists since 2020.

E. ASSOCIATIONAL AND ORGANIZATIONAL RIGHTS: 1 / 12

E1. Is there freedom of assembly? 0 / 4

A permit is required to hold demonstrations, and a variety of onerous restrictions make it difficult to organize a legal gathering in practice. Participants can face long jail terms, particularly if the demonstrations involve clashes with security personnel. Police regularly use force to break up political protests, most of which occur in Shiite villages.

In November 2022, during the visit by Pope Francis, a small protest was organized by families of prisoners on death row or facing life imprisonment; a spokesperson for the government confirmed that the protesters were asked to disperse and ultimately did so.

E2. Is there freedom for nongovernmental organizations, particularly those that are engaged in human rights– and governance-related work? 0 / 4

Nongovernmental organizations (NGOs) are prohibited from operating without a permit, and authorities have broad discretion to deny or revoke permits. The government also reserves the right to replace the boards of NGOs. Bahraini human rights defenders and their family members are subject to harassment, intimidation, and prosecution. Many remained either in prison or in exile as of 2022.

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

Bahrainis have the right to establish independent labor unions, but workers must give two weeks' notice before a strike, and strikes are banned in a variety of economic sectors. Trade unions cannot operate in the public sector, and collective-bargaining rights are limited even in the private sector. Harassment and firing of unionist workers occur in practice. Domestic, agricultural, and temporary workers do not have the right to join or form unions.

F. RULE OF LAW: 1 / 16

F1. Is there an independent judiciary? 0 / 4

The king appoints all judges and heads the Supreme Judicial Council, which administers the courts and proposes judicial nominees. The courts are subject to government pressure in practice. The country's judicial system is seen as corrupt and biased in favor of the ruling family and its allies, particularly in politically sensitive cases.

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

Due process is particularly problematic in politically sensitive cases. Law enforcement officers reportedly violate due process during arrests and detention, in part by obstructing detainees' access to attorneys. Detainees are sometimes held incommunicado. Judicial proceedings often put defendants at a disadvantage, with judges denying bail requests or restricting defense attorneys' attendance or arguments without explanation. Prominent defense lawyers who represent dissidents have themselves been prosecuted on various charges. A 2017 constitutional amendment permits military trials for civilians in security-related cases, further weakening due process rights.

In September 2022, a report from the Bahrain Centre for Human Rights found that there were 4,500 political activists currently in prison in Bahrain; it also concluded that Bahraini authorities had arrested some 15,000 people for their political views since 2011. A 2017 law allows prisoners to complete their sentences via alternative means, such as home detention and monitoring. Some political prisoners have been conditionally released under this provision.

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

Torture is criminalized, but detainees frequently report mistreatment by security forces and prison officials, who are rarely held accountable. The Interior Ministry ombudsman's office has failed to provide a meaningful check on such impunity. The Justice Ministry's Special Investigation Unit is also regarded as largely ineffective and lacking in independence, but it continued to examine cases of alleged ill-treatment and torture in 2022. In

April, a criminal court sentenced three members of the security forces to three years in prison for physically assaulting two inmates.

Political prisoners have alleged denial of medical care and religious discrimination against Shiite inmates. Several reports of medical negligence emerged in 2022, particularly for political prisoners in Jau Prison, where there was apparently a tuberculosis outbreak. Among other prominent cases during the year, Amnesty International highlighted the conditions faced by human rights defenders Abdulhadi al-Khawaja, who was at risk of losing his vision due to lack of medical care, and Abduljalil al-Singace, who had been on hunger strike since 2021 and was being denied some of his medication. Both had been in prison since 2011.

A moratorium on executions ended in 2017, though no prisoners have been executed since 2019. UN special rapporteurs and experts have raised concerns that individuals sentenced to death were forced to confess under torture, among other flaws in their cases. Bangladeshi workers are heavily represented among this group; in 2021, the NGO Reprieve reported that eight of the 13 foreigners who received death sentences between 2011 and 2020 were Bangladeshi.

Police have sometimes been targeted in small bombings and armed attacks in recent years, though no major incidents were reported in 2022.

F4. Do laws, policies, and practices guarantee equal treatment of various segments of the population? 0 / 4

Women enjoy legal equality on some issues, and gender-based discrimination in employment is prohibited, but discrimination is common in practice.

Shiites of both Arab and Persian ethnicity face de facto discrimination in matters including employment. They are largely excluded from the security forces, except when serving as unarmed community police officers. The government does not publish socioeconomic data that are broken down by religious sect.

Discrimination based on sexual orientation is common. The law does not provide protections against such bias, though same-sex sexual activity is not criminalized for those aged 21 and older. Public displays of same-sex affection could fall afoul of public decency laws.

Bahrain is not a signatory to the 1951 refugee convention and does not recognize refugee status.

G. PERSONAL AUTONOMY AND INDIVIDUAL RIGHTS: 6 / 16

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

Authorities sometimes restrict movement inside the country to prevent protests by residents of largely Shiite villages outside Manama. The government also obstructs foreign travel by numerous opposition figures and activists.

Bahrain established a "flexible" permit for foreign workers in 2017, aiming to ease the workers' ability to change jobs; the traditional sponsorship (*kafala*) system ties migrant workers to a specific employer. However, participation in the newer scheme has been limited by numerical caps and other restrictions.

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

Although registered businesses are largely free to operate, obtaining approval can be difficult in practice. For the wealthy elites who dominate the business sector, property rights are generally respected, and expropriation is rare. Shiite citizens encounter difficulties

obtaining affordable housing and in some cases face de facto bans on purchasing land. Much of the country's scarce land is occupied by royal properties and military facilities. Noncitizens can only own property in designated areas. Women may inherit property, but their rights are not equal to those of men.

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

Personal status issues such as marriage, divorce, and child custody are governed by a 2017 unified family law applying to both Sunni and Shiite Muslim families. The law's provisions are based on Sharia (Islamic law) principles that put women at a disadvantage on many topics. Unlike men, Bahraini women who marry non-Bahrainis cannot pass their citizenship to their children.

Accused rapists can avoid punishment by marrying their victims, and spousal rape is not specifically outlawed. Adultery is illegal, and those who kill a spouse caught in the act of adultery are eligible for lenience in sentencing.

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

Migrant workers, who make up a large portion of the population, are sometimes subjected to forced labor or have their salaries and passports withheld, although this is illegal. Due to their employment and living conditions, migrant workers have faced a disproportionate risk of contracting and dying from COVID-19, and those who lost their jobs amid the pandemic often faced eviction, denial of services, or deportation. Migrant workers also received fewer emergency benefits than citizens.

The US State Department found in its 2022 *Trafficking in Persons Report* that the government had made serious efforts to address human trafficking, highlighting the creation of a specialized prosecutor's office and court. The report also noted that no traffickers were convicted during its coverage period, however, and recommended increased efforts to investigate and convict traffickers.

Revenues from oil and gas exports are used to fund public employment and services that benefit all citizens, but access to public-sector jobs and promotion opportunities often depends on one's social and sectarian background and personal connections.

Bangladesh

Population: 171,200,000
Capital: Dhaka
Freedom Status: Partly Free
Electoral Democracy: No

Overview: The ruling Awami League (AL) has consolidated political power through sustained harassment of the opposition and those perceived to be allied with it, as well as of critical media and voices in civil society. Corruption is endemic, and anticorruption efforts have been weakened by politicized enforcement. Due process guarantees are poorly upheld and security forces violate human rights with near impunity. Violence and discrimination against religious minorities and refugees, particularly Rohingya who have fled Myanmar, are significant problems.

KEY DEVELOPMENTS IN 2022

- Bangladeshi security forces engaged in fewer extrajudicial killings during the year, after the US government sanctioned leaders of the elite Rapid Action Battalion (RAB). By February, human rights group Odhikar said that it recorded no such incidents, though security officers continued to engage in other abuses.
- The opposition Bangladesh Nationalist Party (BNP) was able to hold major rallies during the year, though AL supporters and authorities continued to disrupt rallies and clash with participants. At least 1 person died and another 60 were injured when police fired on BNP supporters during a December rally in Dhaka; two BNP leaders were then taken into custody for questioning.
- In June, the government revoked the registration of human rights group Odhikar, which documented human rights abuses in Bangladesh. The decision was upheld in September.

POLITICAL RIGHTS: 15 / 40

A. ELECTORAL PROCESS: 4 / 12

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

A largely ceremonial president, who serves for five years, is elected by the legislature. President Abdul Hamid was elected to his second term unopposed in 2018.

The leader of the party that wins the most seats in the unicameral National Parliament assumes the position of prime minister and wields effective power. Sheikh Hasina Wazed began her third term as prime minister in early 2019 following the AL's overwhelming victory in the 2018 elections, which were delegitimized by violence, credible allegations of fraud, and the exclusion of nonpartisan election monitors.

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

The National Parliament is composed of 350 members, 300 of whom are directly elected. Political parties select a total of 50 women members based on the parties' share of elected seats.

In the December 2018 parliamentary election, the Grand Alliance, which is led by the AL, won 288 directly elected seats. The BNP-led National Unity Front won 8. Election day and the preceding campaign were marked by political violence, ballot stuffing, and harassment and arrest of government critics and opposition candidates and supporters. After the polls, the BNP alleged that law enforcement and the army were complicit in electoral fraud. Several domestic and international observation missions were unable to observe the elections due to delayed or denied accreditation.

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

Opposition parties and outside observers have long criticized the independence of the Election Commission (EC) and its ability to investigate complaints. Some foreign governments and international organizations have withdrawn financial assistance to the EC over such concerns. The EC's stewardship of recent elections lent further credence to complaints that it favors the AL, as it disproportionately disqualified opposition candidates during the 2018 electoral period. Local elections held in 2022 were also marred by allegations of fraud.

New EC members were sworn in in late February 2022 to prepare for the next national election, which is set for January 2024. The BNP and most other opposition groups did not

participate in the selection process, while the BNP named no candidates to serve on the EC. The BNP heavily criticized a draft law on the new EC in January, citing the body's perceived alignment with the AL.

B. POLITICAL PLURALISM AND PARTICIPATION: 7 / 16

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

Bangladesh has a multiparty system in which power has historically alternated between AL- and BNP-led coalitions; third parties have traditionally had difficulty achieving traction. Both parties are led by family dynasties and have little internal democracy. A crackdown on the BNP ahead of the 2018 elections significantly disrupted its operations. Since 2018, the government has eased restrictions on opposition protests and rallies, though opposition activities are still met with some repression. In 2022, the BNP was able to organize large protests, though authorities and AL supporters disrupted some of those events.

The Islamist political party Jamaat-e-Islami (JI), which supported a BNP-led government from 2001 to 2006, lost its registration in 2013 for violating constitutional provisions outlawing religiously based parties. JI candidates have since run as independents or part of the BNP. JI came under continued pressure in 2022; in August, the EC announced it would not allow JI to pursue election activities under a new name. In December, the BNP founded a new electoral alliance in a move that analysts perceived an effort to distance it from JI. JI leaders have been prosecuted by the International Crimes Tribunal, a domestic government body that investigates war crimes committed during Bangladesh's independence war.

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

The BNP has been weakened by regular harassment and arrests of key members that have significantly harmed its ability to challenge the AL in elections; the BNP has also boycotted national and local elections in recent years. The 2018 election campaign, in which the BNP did take part, was marred by a crackdown that saw thousands of people and several political candidates arrested and many physically assaulted. BNP leader Khaleda Zia was imprisoned in 2018 and remains under de facto house arrest over corruption convictions. In December 2022, seven BNP lawmakers resigned at an antigovernment rally.

Nevertheless, political conditions have marginally improved recently. Independent candidates and defectors defeated AL candidates in the 2021–22 local election cycle and the BNP was permitted to hold major protests in 2022.

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

The AL and BNP dominate politics and limit political choices for those who question internal party structures or hierarchy, or who would create alternative parties or political groupings.

Animosity between Hasina and Zia, as well as between lower-level cadres, has contributed to continued political and electoral violence in which thousands of people have been killed or injured.

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

In the National Parliament, 50 seats are allotted to women, who are elected by political parties based on their overall share of elected seats. Women lead both main political parties. Nevertheless, societal discrimination limits female participation in politics in practice. Men are likelier to be selected as candidates, while women are often relegated to serving in women's wings of their parties; women also face social pressure to refrain from political activity. Religious, ethnic, and other marginalized groups remain underrepresented in politics and state agencies.

LGBT+ people are also limited in their ability to participate in politics, though they have won office. The town of Trilochanpur elected a member of the *hijra* community—whose members identify as neither male nor female and are classified as a distinct gender identity in Bangladesh—mayor in late 2021.

C. FUNCTIONING OF GOVERNMENT: 4 / 12

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

Policy is set by the ruling AL, and weaknesses in the country's institutions have reduced checks on its processes and decision-making. The dearth of opposition representation in the National Parliament significantly reduces its ability to scrutinize government policies, budgets, and proposed legislation. The incumbent government's legitimacy was also undermined by the conduct of the 2018 election, which was marred by violence, intimidation, and allegations of fraud.

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

Corruption is widespread. Under the AL, anticorruption efforts have been weakened by politicized enforcement and subversion of the judicial process. The Anti-Corruption Commission is ineffective and subject to overt political interference. The government continues to bring or pursue politicized corruption cases against BNP leaders. Throughout the COVID-19 pandemic, AL politicians and government officials were accused of corruption during relief efforts.

Media outlets and civil society face restrictions and are less able to expose government corruption.

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

Endemic corruption and criminality, weak rule of law, limited bureaucratic transparency, and political polarization have long undermined government accountability. The 2009 Right to Information Act (RIA) 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: 25 / 60 (+1)

D. FREEDOM OF EXPRESSION AND BELIEF: 6 / 16

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

Journalists and media outlets face many forms of pressure, including frequent lawsuits, harassment, and serious or deadly physical attacks. Throughout 2022, journalists were arrested or physically assaulted for critical reporting on the government, which has escalated under the AL government. A climate of impunity for attacks on media workers remains the norm, and there has been little progress made to ensure justice for a series of blogger murders since 2015. Dozens of bloggers remain in hiding or exile.

The 2018 Digital Security Act (DSA) allows the government to conduct searches or arrest individuals without a warrant, criminalizes various forms of online speech, and was vehemently opposed by journalists. Forms of artistic expression contained in books, films, and other materials are occasionally banned or censored.

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

Islam is designated as the official religion, though the constitution designates secularism as a fundamental principle. Although religious minorities have the right to worship freely, they occasionally face legal repercussions for proselytizing or alleged blasphemy. Members of minority groups—including Hindus, Christians, Buddhists, and Shiite and Ahmadiyya Muslims—face harassment and violence, including occasional mob violence against their houses of worship. Violence against religious minorities can be deliberately provoked on social media. In July 2022, for example, Hindu-owned homes and businesses were vandalized along with a temple in the village of Sahapara in apparent response to a Facebook post that denigrated Islam.

Those with secular or nonconformist views can face societal opprobrium and attacks from hardline Islamist groups.

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

In recent years, Bangladesh's academic institutions have faced frequent threats from a variety of actors, resulting in reduced autonomy and rising self-censorship. Faculty hiring and promotion are often linked to support for the AL, and campus debate is often stifled by the Bangladesh Chhatra League (BCL), the party's student wing; the BCL acts with impunity despite being known to law enforcement. In 2022, the BCL continued to suppress dissent and attack government critics on campus.

Islamist groups have growing influence on government policy and standards, compelling changes to educational content they deemed "atheistic" in widely used Bengali-language textbooks. Separately, Islamic extremists have attacked secular professors.

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

Open discussion of sensitive religious and political issues is restrained by fears of harassment and violence from the government and religious fundamentalists. Religious fundamentalists have retaliated against those who publicly discuss LGBT+ rights, atheism, or criticism of Islamist movements.

Bangladeshis are fearful of expressing dissent. A 2019 poll from the International Republican Institute indicated that a considerable number of Bangladeshis are afraid to publicly express their political opinions and widely reported self-censorship. The DSA has enabled the government to increase censorship of digital content and surveillance of telecommunications and social media; nearly 1,000 individuals were arrested under the DSA for mostly politicized and minor offenses between late 2018 and mid-2021 according to Amnesty International.

The government published the draft Data Protection Act, 2022, in July; Amnesty International had criticized its proposed framework in April, warning that it would give authorities access to encrypted communications and effectively override the RIA.

E. ASSOCIATIONAL AND ORGANIZATIONAL RIGHTS: 5 / 12

E1. Is there freedom of assembly? 2 / 4

The constitution provides for the rights of assembly and association, but this is upheld inconsistently. Protesters are frequently injured and occasionally killed during clashes in which police use excessive force.

While space for protests expanded in 2022, AL supporters and authorities targeted opposition rallies. In September, the European Union delegation to Bangladesh voiced concerns over clashes between BNP supporters and police that began in late August, some of which were fatal. In December, at least 1 person died and 60 were injured after police fired on BNP demonstrators at a Dhaka rally. Authorities then took two BNP leaders into custody for questioning, accusing them of provoking the violence.

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

Many nongovernmental organizations (NGOs) operate without onerous restrictions, but the use of foreign funds is closely monitored, and the government has broad authority to deregister NGOs. Democracy, governance, and human rights NGOs are regularly denied permission for proposed projects and face harassment and surveillance. Pressure and intimidation from Islamist groups also limit NGO activities on some issues such as LGBT+ rights and protection for religious minorities.

In April 2022, Human Rights Watch (HRW) reported that Bangladeshi authorities were retaliating against human rights advocates, their relatives, and the survivors of victims mistreated or killed by the RAB, which the US government sanctioned in 2021. In June 2022, the government revoked the registration of human rights NGO Odhikar, which documented human rights abuses in Bangladesh; the decision was upheld in September.

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

Legal reforms in 2015 eased restrictions on the formation of unions. However, union leaders who attempt to organize or unionize workers continue to face dismissal or physical intimidation. Labor rights organizations also face harassment. Worker grievances fuel unrest at factories, particularly in the garment industry, where protests over wages and working conditions are common. Protesting workers often face violence, arrest, and dismissal.

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

F1. Is there an independent judiciary? 1 / 4

Politicization of and pressure against the judiciary persists. The Ministry of Law controls promotions, postings, and transfers of subordinate court judges. Judges face political pressure over their rulings and judicial appointments at all levels are highly politicized.

In 2017, Supreme Court chief justice Surendra Kumar Sinha retired and fled Bangladesh, saying he was threatened over rulings against the government. In late 2021, he was sentenced in absentia to 11 years' imprisonment on corruption charges his supporters called politically motivated.

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

Individuals' ability to access the justice system is compromised by endemic corruption within the courts and severe case backlogs. Pretrial detention is often lengthy, and many defendants lack counsel. Suspects are routinely subject to arbitrary arrest and detention,

demands for bribes, and physical abuse by police. Criminal cases against AL activists are regularly withdrawn on the grounds of "political consideration," undermining the judicial process and entrenching a culture of impunity.

The 1974 Special Powers Act permits arbitrary detention without charge, and the criminal procedure code allows detention without a warrant. A 2009 counterterrorism law includes a broad definition of terrorism and generally does not meet international standards. Concerns have repeatedly been raised that the International Crimes Tribunal's procedures and verdicts do not meet international standards on issues such as victim and witness protection, the presumption of innocence, defendant access to counsel, and the right to bail. The tribunal has regularly imposed death sentences in recent years.

F3. Is there protection from the illegitimate use of physical force and freedom from war and insurgencies? 2 / 4 (+1)

Security forces have faced persistent accusations of extrajudicial killings, abductions and other human rights abuses, including during operations to counter the drug trade, organized crime, and terrorism. In late 2021, the US government placed sanctions on several leaders of the RAB. These sanctions appeared to curtail extrajudicial killings in 2022. Nevertheless, security agencies continue to commit human rights abuses including enforced disappearances, the use of secret prisons, arbitrary arrests, and torture.

While terrorist activity from Islamic militants has remained low since the 2016 Holey Artisan Bakery attack, there is ongoing concern that the Taliban's 2021 overthrow of Afghanistan's elected government could inspire militant activity in Bangladesh.

Score Change: The score improved from 1 to 2 because there were fewer incidents in which security forces used violence against civilians.

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

Members of ethnic and religious minority communities and other historically marginalized groups face some legal discrimination, as well as harassment and violations of their rights in practice.

Over a million ethnic Rohingyas fleeing Myanmar have entered Bangladesh since the 1990s, with a recent influx occurring in 2017. The vast majority do not have official refugee status and have limited access to health care, employment, and education. Repatriation efforts have failed, and the Bangladeshi government has implemented punitive policies in the camps including periodically disrupting mobile service and erecting barbed wire fencing. The government began to shut unsanctioned schools in late 2021.

In 2020, authorities began transferring refugees to the flood-prone island of Bhasan Char, which has a refugee population of 30,000 as of August 2022. The government plans to resettle at least 100,000 there. Refugee camps on the mainland are affected by gang-related violence and other forms of lawlessness. In October, two Rohingya community leaders were murdered in a refugee camp; authorities blamed the Arakan Rohingya Salvation Army, a Myanmar insurgent group. Refugees continue to flee Bangladesh on dangerous sea routes; the Office of the UN High Commissioner for Refugees reported that 2,400 attempted to flee by sea in 2022, five times as many as in 2021.

A criminal ban on same-sex relations is rarely enforced, but societal discrimination remains the norm, and LGBT+ individuals are regularly attacked. A number of LGBT+ individuals remain in exile after Islamist militants murdered LGBT+ activist Xulhaz Mannan

in 2016. Some legal recognition is available for transgender people, though they face severe discrimination in practice.

Women face social discrimination. Despite rising participation in the labor market, women still constitute less than 50 percent of the labor force. Women suffer sexual harassment and other forms of abuse in the workplace.

Indigenous people in the Chittagong Hill Tracts (CHT), religious and linguistic minorities, and other ethnic groups remain subject to physical attacks, property destruction, land grabs by Bengali settlers, occasional abuses by security forces, and social discrimination.

G. PERSONAL AUTONOMY AND INDIVIDUAL RIGHTS: 9 / 16

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

The ability to move within the country is relatively unrestricted, as is foreign travel, though there are some rules on travel into and around the CHT districts by foreigners as well as into Rohingya refugee camps.

There are few legal restrictions regarding choice of education or employment.

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

Property rights are unevenly enforced, and the ability to engage freely in private economic activity is somewhat constrained. Corruption and bribery, inadequate infrastructure, and official bureaucratic and regulatory hurdles hinder business activities throughout the country. State involvement and interference in the economy is considerable. The 2011 Vested Properties Return Act allows Hindus to reclaim land that the government or other individuals seized, but it has been unevenly implemented. Tribal minorities have little control over land decisions affecting them, and Bengali-speaking settlers continue to illegally encroach on tribal lands in the CHT.

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

Under personal status laws affecting all religions, women have fewer marriage, divorce, and inheritance rights than men, and face discrimination in social services and employment. Rape, acid throwing, and other forms of gender-based violence occur regularly despite laws offering some level of protection. As many as 70 percent of married women are abused by their intimate partners but rarely report those incidents. Domestic violence survivors receive little assistance from government-run shelters or support programs. In 2020, the government introduced the death penalty for rape in response to large protests after a series of high-profile incidents of rape and sexual assault.

Giving or receiving dowry is a criminal offense, but coercive requests still occur. Bangladesh has one of the world's highest rates of child marriage. Despite a stated government commitment in 2014 to abolish the practice by 2041, parliamentarians approved a law that would permit girls under the age of 18 to marry under certain circumstances in 2017, reversing a previous legal ban on the practice.

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

Socioeconomic inequality is widespread. Working conditions in the garment industry remain extremely unsafe in most factories despite the renewal of a legally binding accord

between unions and clothing brands to improve safety practices. Comprehensive reforms of the industry are hampered by the fact that a growing number of factory owners are also legislators or influential businesspeople.

Bangladesh remains both a major supplier of and transit point for trafficking victims. 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. In the 2022 edition of its *Trafficking in Persons Report*, the US State Department noted that antitrafficking tribunals resumed operating in 2021 but said that the government had lowered its protection efforts during the reporting period. A comprehensive 2013 antitrafficking law provides protection to victims and increased penalties for traffickers, but enforcement remains inadequate.

Barbados

Population: 300,000
Capital: Bridgetown
Freedom Status: Free
Electoral Democracy: Yes

Overview: Barbados is a democracy that regularly holds competitive elections and upholds civil liberties. Challenges include a lack of government transparency, discrimination against LGBT+ people, violent crime, and poverty.

KEY DEVELOPMENTS IN 2022

- In a snap election in January, the Barbados Labour Party (BLP) of Prime Minister Mia Mottley won another term, securing every seat in the lower house. Turnout fell to a record low of 41.7 percent.
- A Constitutional Reform Commission (CRC) started work in June. The CRC has a mandate to develop a new constitution to "meet the circumstances of a 21st century Barbados."
- In December, the High Court struck down sections of the 1992 Sexual Offences Act that criminalized same-sex relations. A written ruling was to be released in January 2023.

POLITICAL RIGHTS: 37 / 40 (−1)

A. ELECTORAL PROCESS: 12 / 12

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

The prime minister, usually the leader of the largest party in Parliament, heads the government. Mia Mottley of the BLP became prime minister after that party won the 2018 polls, defeating a Democratic Labour Party (DLP) government. Mottley remained in office after the BLP won snap elections in January 2022.

The British monarch was the head of state and was represented by a governor general until 2021, when Barbados became a republic. Former governor general Sandra Mason began serving a four-year term as president after being appointed by the prime minister and voted into the office by Parliament that year.

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

Members of the 30-seat House of Assembly, the lower house, are directly elected for five-year terms. The upper house, the Senate, comprises 21 members appointed by the president: 12 are chosen by the prime minister, 2 are nominated on the advice of the opposition, and 7 are chosen by the president. Senators serve five-year terms.

The BLP won 69 percent of the vote and all 30 lower-house seats in the snap January 2022 elections. The DLP won 27 percent of the vote. While the polls were credible, turnout stood at a record low at 41.7 percent. Some Barbadians were unable to cast ballots because they were in COVID-19 quarantine. A lawsuit over the issue was not allowed to proceed in mid-January for technical reasons. After the elections, Prime Minister Mottley said she would reach out to opposition parties to discuss senatorial appointments.

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

The independent Electoral and Boundaries Commission oversees elections in Barbados in a professional manner. Its five commissioners are chosen based on expertise by the prime minister and the opposition for a term of five years.

In January 2022, Prime Minister Mottley called for a constitutional amendment to allow an 18-year-old nominee to enter the Senate. The government decided not to pursue the matter further in March because it lacked sufficient support for such an amendment.

The CRC, which is comprised of legal experts and civil society leaders selected by the attorney general, started work in June 2022 with a broad mandate to develop a constitution, including via public consultation, to be approved by Parliament. The CRC's formation is widely seen as long overdue, but the CRC has been criticized as opposition members and some minority groups are not represented on it.

B. POLITICAL PLURALISM AND PARTICIPATION: 15 / 16 (−1)

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

The BLP dominates politics and holds all seats in the lower house, though other political parties do exist. The DLP was until recently a major political force but, along with several smaller opposition parties, failed to win any seats in either the 2018 or 2022 elections. Barbados has been without a leader of the opposition since January 2022, as no opposition party won seats in that month's polls.

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

Power has historically rotated peacefully between the BLP and DLP. However, the BLP won major electoral victories in 2018 and January 2022.

The DLP, meanwhile, won no seats in either election. Since 2018, neither the DLP nor any other opposition party has received the annual subvention generally paid to such groups. In November 2022, the DLP called on the Mottley administration to account for the subvention funds and warned that the lack of opposition funding was impacting Barbadian party politics; the party also questioned whether the ruling BLP had received subvention funds instead.

Score Change: The score declined from 4 to 3 because opposition groups have not received mandated state funding since losing parliamentary seats in the last election, hindering their ability to compete.

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

Voters and candidates are generally able to express their political choices without interference from actors that are not democratically accountable.

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

Barbados's population is fully enfranchised, with adult citizens, Commonwealth citizens, and foreigners with seven years' residency able to vote. Laws protect the political rights of women, but societal marginalization can discourage women from running for office. While the BLP and DLP leaders who contested the January 2022 elections were female, women make up only 26.7 percent of the House of Assembly—though that figure is the highest seen in the country's history.

C. FUNCTIONING OF GOVERNMENT: 10 / 12

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

The prime minister and Parliament are largely unimpeded in their ability to craft and implement policy. In 2021, Barbados became a republic.

Barbados's first-past-the-post electoral system meant that a 69-percent vote for the BLP in January 2022 translated to a 100-percent share of the lower house. There is no constitutional mechanism to select a leader of the opposition in such cases, which weakens scrutiny of the government.

C2. Are safeguards against official corruption strong and effective? 3 / 4

Acts of corruption occur but with less frequency than in the rest of the region. Barbados's government has failed to prosecute senior officials. Potential whistleblowers fear costly defamation suits. A Prevention of Corruption Act was passed in 2021, updating legislation dating back to 1929.

Barbados is one of just seven countries in the Americas to have neither signed nor ratified the Inter-American Convention on Mutual Assistance in Criminal Matters. The government has signed but not ratified the UN Convention against Corruption.

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

A Freedom of Information Act is yet to materialize. In February 2022, the Mottley administration vowed to reintroduce its Integrity in Public Life Bill, which the Senate rejected in 2020. That bill was not laid before Parliament by year's end, however.

CIVIL LIBERTIES: 57 / 60

D. FREEDOM OF EXPRESSION AND BELIEF: 16 / 16

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

The media are free from censorship and government control. Newspapers, including the two major dailies, are privately owned. Four private and two government-run radio stations operate. The government-owned Caribbean Broadcasting Corporation is the main local television station and is broadly balanced.

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

The constitution guarantees freedom of religion, which is widely respected for mainstream religious groups. Greater protections for the Rastafarian and Muslim communities have been secured in recent years.

Blasphemy is banned in Barbados, but that restriction is reportedly not enforced.

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

Academic freedom is respected, though members of the government occasionally disparage academics who criticize government policy.

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

Freedom of speech is largely respected in Barbados, with commentators and members of the public free to express their views on most topics without encountering negative consequences.

E. ASSOCIATIONAL AND ORGANIZATIONAL RIGHTS: 12 / 12

E1. Is there freedom of assembly? 4 / 4

Barbados's legal framework guarantees freedom of assembly, which is upheld in practice. Several protests took place peacefully in 2022, including a demonstration in February to demand the reopening of schools after COVID-19-related lockdowns.

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

Many nongovernmental organizations operate without restriction or surveillance in Barbados, primarily focusing on cultural issues, homelessness, environmentalism, and women's rights.

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

The right to form labor unions is respected, and unions are active and influential. However, critics have alleged that the BLP is seeking to sideline or co-opt organized labor bodies. Unions have argued that the Employment Rights Tribunal is weak; in September 2022, the government vowed to address the issue.

F. RULE OF LAW: 14 / 16

F1. Is there an independent judiciary? 4 / 4

The judiciary generally operates with independence. The Supreme Court includes a high court and a court of appeals. The Caribbean Court of Justice (CCJ) is the highest appellate court for Barbados. The prime minister enjoys a wide degree of discretion in judicial appointments and removals, something Mottley has promised to address in an ongoing constitutional reform process.

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

Constitutional due process guarantees are generally upheld. While the Mottley administration has appointed new judges, a case backlog persists.

F3. Is there protection from the illegitimate use of physical force and freedom from war and insurgencies? 3 / 4

Barbados is free from war. However, complaints that the Barbados Police Force physically abuses suspects have been reported in recent years.

Amid worsening gang violence, 43 homicides were reported in 2022, up from 32 in 2021.

The government has taken some steps to address prison overcrowding and abuse. In 2019, the government repealed the mandatory death penalty in cases of murder; the CCJ had ruled that practice unconstitutional in 2018. Capital punishment remains on the statute book, though the last execution was in 1984 and the last sentence in 2016. However, a number of prisoners facing the death sentence still awaited resentencing in 2022.

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

Women make up half of the country's workforce, although they earn less than men for comparable work. LGBT+ people face discrimination in housing, employment, and health care.

G. PERSONAL AUTONOMY AND INDIVIDUAL RIGHTS: 15 / 16

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

Individuals in Barbados are generally free to move, live, and work as they see fit.

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

The legal framework generally supports property rights and private business activity. The government has worked to ensure a healthy environment for business and to attract domestic and foreign investment, particularly in the tourism industry.

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

Violence against women remains widespread, and laws addressing domestic violence are not well enforced.

Same-sex relations were illegal under the 1992 Sexual Offences Act, but the High Court decriminalized those relations by striking part of that law down in December 2022. A written ruling was to be released in January 2023.

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

Residents generally have access to economic opportunity, and the law provides some protections against exploitative labor practices. However, unions have criticized opaque employment practices in the hospitality industry.

The government continues to crack down on human trafficking; in the 2022 edition of its *Trafficking in Persons Report*, the US State Department reported that authorities launched the first trafficking-related prosecutions since 2013. However, no successful convictions have been recorded since the 2016 Trafficking in Persons Prevention Act came into force.

Belarus

Population: 9,200,000
Capital: Minsk
Freedom Status: Not Free
Electoral Democracy: No

Overview: Belarus is an authoritarian state in which elections are openly rigged and civil liberties are severely restricted. In 2020, Alyaksandr Lukashenka, who maintains a firm grip over the military and security forces, cracked down on a massive prodemocracy protest movement that was sparked by his reelection in a fraudulent presidential poll. Since then, security forces have violently assaulted and arbitrarily detained journalists and ordinary citizens who challenge the regime. The judiciary and other institutions lack independence and provide no check on Lukashenka's power.

KEY DEVELOPMENTS IN 2022

- In February, several constitutional amendments were adopted via a referendum that was neither free nor fair. The approved amendments included provisions granting President Lukashenka lifelong immunity from prosecution.
- Belarus served as a staging ground for Russian military forces before they invaded Ukraine in February, and Lukashenka continued to allow Russian troops to operate on Belarusian territory through year's end. During the year, the government deliberately obscured information about the scale and extent of Belarus's involvement in the war against Ukraine.
- Authorities violently cracked down on antiwar demonstrations during the year, arresting more than 800 protesters in February alone. Security forces were also excessive when responding to people accused of disrupting railway links and supply lines used by the Russian military; authorities additionally harassed and threatened relatives of Belarusian volunteers in the Ukrainian military.
- The government approved several legislative measures targeting political activists living in exile during the year. In July, Lukashenka enacted legislation permitting authorities to hold trials in absentia for those accused of threatening Belarus's national security; in December, the parliament approved a legislative amendment that allows the citizenship of both native-born and naturalized Belarusians residing abroad to be revoked if they are convicted of charges related to "extremism."

POLITICAL RIGHTS: 2 / 40

A. ELECTORAL PROCESS: 0 / 12

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

The president is elected for five-year terms. A two-term limit, reintroduced by the 2022 amendments to the constitution, will be imposed after the next presidential election. Alyaksandr Lukashenka was first elected president in 1994, in the country's only democratic election. The 2020 campaign period was heavily controlled by authorities, who permitted only 15 of 55 applicants to register as candidates. The government arrested two major candidates, Siarhei Tsikhanouski and Viktar Babaryka, and forced another, Valery Tsepkalo, to flee Belarus before voting day. Scores of activists were similarly arrested or fled. Sviatlana Tsikhanouskaya registered as a presidential candidate after her husband, Siarhei,

was arrested. She received the endorsements of Maryia Kalesnikava and Veronika Tsepkalo, respectively representing the Babaryka and Tsepkalo campaigns. The three women, who led the largest opposition rallies in the country since the fall of the Soviet Union, experienced severe pressure from the authorities, and both Tsikhanouskaya and Veronika Tsepkalo went into exile after the election.

Authorities failed to send a timely invitation to the Organization for Security and Co-operation in Europe (OSCE), and the elections took place without an independent monitoring mission. The government's claim that Lukashenka won 80 percent of the vote was widely denounced as fraudulent. A parallel and independent vote count using the mobile phone application Golos, with data from nearly 23 percent of polling stations, revealed that Tsikhanouskaya likely received 13 times more votes than were reported. Protests after the announcement of the results were met with disproportionate force, including the use of live ammunition and mass, arbitrary detentions, among other abuses. By the end of 2020, 33,000 people had been detained and fined.

In September 2020, amid ongoing massive protests and growing calls for a repeat election, Lukashenka inaugurated himself in a secret, unannounced ceremony.

A2. Were the current national legislative representatives elected through free and fair elections? 0 / 4

Legislative elections in Belarus are tightly restricted. The 110 members of the Chamber of Representatives, the lower house of the National Assembly, are elected by popular vote to four-year terms from single-mandate constituencies. The upper chamber, the Council of the Republic, consists of 64 members serving four-year terms; regional councils elect 56 and the president appoints 8.

A parliamentary election was held in November 2019, nearly a year ahead of schedule. Candidates loyal to Lukashenka won every seat in the lower house, while independent candidates won none. OSCE election monitors reported an overall lack of transparency, restrictions on observation of the vote count, and indications of ballot box stuffing.

A3. Are the electoral laws and framework fair, and are they implemented impartially by the relevant election management bodies? 0 / 4

The legal framework for elections fails to meet democratic standards, and authorities have dismissed OSCE recommendations to improve it. Electoral commission members of all levels are politically aligned with and dependent on the government; out of the 1,989 members of local electoral commissions formed for the 2020 presidential election, only two representatives of independent political parties were allowed to register. Independent observers have no access to ballot-counting processes.

A national referendum on constitutional amendments that will further cement Lukashenka's grip on power was held in February 2022. According to the Central Election Commission (CEC), the amendments passed with the support of 65 percent of voters. The voting process was characterized by numerous flaws, including the exclusion of independent observers. Opposition members were not permitted to campaign, while citizens residing abroad were not allowed to vote. Antigovernment demonstrations on election day resulted in the detention of more than 800 people, many of whom were protesting both the referendum and the war in Ukraine.

The constitutional amendments reintroduced a two-term limit for presidents, which will take effect once a newly elected president assumes office and do not apply to Lukashenka's current term. Lukashenka would thus be able to be reelected as president until 2035. Among other changes, the amendments also introduced a new governing body, the All-Belarus

People's Assembly, which has extensive executive powers. The amended constitution does not specify the election procedure for assembly members.

B. POLITICAL PLURALISM AND PARTICIPATION: 1 / 16

B1. Do the people have the right to organize in different political parties or other competitive political groupings of their choice, and is the system free of undue obstacles to the rise and fall of these competing parties or groupings? 0 / 4

Involvement in political activism can result in a loss of employment, expulsion from educational institutions, smear campaigns in the media, fines, the confiscation of property, and imprisonment. Political parties face formidable challenges when seeking official registration. Political initiatives are actively persecuted and can lead to criminal charges for their leaders. Authorities harass and threaten political opponents, public figures, and political dissidents through state media.

Prominent political opponents to Lukashenka's regime face politically motivated criminal charges and lengthy prison sentences. In 2021, Viktar Babaryka was sentenced to 14 years in prison and Siarhei Tsikhanouski to 18 years. Numerous activists and opposition members received lengthy prison terms in 2022, including Radio Free Europe/Radio Liberty (RFE/RL) journalist Andrey Kuznechyk.

In August 2020, Maryia Kalesnikava, who campaigned with Tsikhanouskaya and Babaryka, announced the creation of a new political party called "Together." That September, Kalesnikava was kidnapped and later incarcerated, effectively ending the initiative. That same month, Tsikhanouskaya and other activists formed the Coordination Council, a civil society group that sought a peaceful resolution to the postelection violence and a rerun of the presidential poll. Belarusian authorities arrested and prosecuted several of its leaders, claiming that they were attempting to seize power illegally and that they were a national security threat. Coordination Council founding members Maryia Kalesnikava and Maxim Znak were sentenced in September 2021 to 11 years and 10 years in prison, respectively, on dubious charges including conspiracy to seize power. In December 2022, the general prosecutor announced that exiled members of the Coordination Council, including Tsikhanouskaya, would be tried in absentia on numerous charges; Tsikhanouskaya specifically faces a charge of treason.

B2. Is there a realistic opportunity for the opposition to increase its support or gain power through elections? 0 / 4

There is effectively no opportunity for independent candidates to gain power through elections, and Belarus has never experienced a democratic transfer of power. During the 2020 presidential election, vast numbers of Belarusians responded enthusiastically to the participation of opposition candidates. This interest manifested itself at the early stages of campaign and, despite the regime's attempts to eliminate challengers, developed into a broad civil resistance movement. However, Lukashenka's regime has proven unyielding to the popular demand for political change.

B3. Are the people's political choices free from domination by forces that are external to the political sphere, or by political forces that employ extrapolitical means? 0 / 4

Private citizens and political candidates are limited in their opportunities to express their views and make political choices. Meaningful participation in politics is generally not possible. The police and military used severe, sometimes fatal, violence and arrested and detained over 33,000 people to crack down on the August–November 2020 prodemocracy protests, ensuring that Lukashenka would remain in power. Antigovernment demonstrations

during the February 2022 constitutional referendum were also repressed by authorities, who arrested more than 800 people, preventing many from voting; at year's end, approximately 1,450 people were being held as political prisoners.

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

No registered party represents the specific interests of ethnic, religious, or other minority groups. In recent years, Belarusian authorities have dissolved nonprofit advocacy groups, charity organizations, and nongovernmental organizations (NGOs) that represented the interests of minority groups, including LGBT+ people and people living with disabilities.

Women formally enjoy equal political rights and make up 40 percent of the legislators elected in November 2019. However, women are underrepresented in leadership positions. Independent civil society's initiatives on raising awareness of gender-based violence and discrimination have been unsuccessful. State-sponsored women's advocacy groups and the government refrain from addressing these issues.

Authorities restrict the use of the Belarusian language in official settings, and Belarusian-language ballots were not available during the 2022 national referendum.

Throughout 2022, the government implemented various measures designed to target political opponents, civil society activists, and journalists in exile and exclude them from the domestic political process. For example, Belarusians living abroad were not permitted to vote in the February constitutional referendum. In December, the government adopted a legislative amendment allowing the authorities to revoke the citizenship of both native-born and naturalized Belarusians abroad if they are convicted of charges related to "extremism"; the law had not entered into force before year's end.

C. FUNCTIONING OF GOVERNMENT: 1 / 12

C1. Do the freely elected head of government and national legislative representatives determine the policies of the government? 0 / 4

Though Lukashenka claimed victory in the 2020 presidential elections, the legitimacy of his office is disputed both domestically and internationally. The constitution vests power in the president, stating that presidential decrees supersede legislation. Lukashenka considers himself the head of all branches of government, including the parliament, which always supports his policies and rarely initiates legislation on its own. Observers say that constitutional amendments enacted in February 2022 further entrenched Lukashenka's power, including by guaranteeing that after leaving office, former presidents will be granted immunity from prosecution for their actions while president and given a permanent seat in the Council of the Republic.

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

The state controls at least 70 percent of the economy, and graft is encouraged by a lack of transparency and accountability in government. There are no independent bodies to investigate corruption cases, and graft trials are typically closed. Presidential clemency has been issued occasionally to free convicted corrupt officials, some of whom Lukashenka has returned to positions of authority.

Powerful oligarchs enjoy the protection of the government and adjustment of regulations and government policies in their favor, so long as they channel money to Lukashenka in a quid pro quo arrangement. Spurious bribery and tax evasion charges have been used against Lukashenka's political opponents and human rights activists; for example, in 2021, Viktar Babaryka was sentenced to 14 years' imprisonment on corruption charges after he announced his intentions to register as a presidential candidate.

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

The government largely fails to adhere to legal access-to-information requirements, though authorities have moved to make some basic information about government operations available online in recent years.

From August through November 2021, Lukashenka intentionally withheld information about the increased numbers of economic migrants and asylum seekers that were being allowed into the country. Journalists and human rights groups have regularly been prevented from accessing migrant camps in Belarus near the Polish border.

Additionally, during 2022, the government deliberately obscured information about Belarusian involvement in the Russian invasion of Ukraine, including the stationing of Russian troops in Belarus.

CIVIL LIBERTIES: 6 / 60

D. FREEDOM OF EXPRESSION AND BELIEF: 1 / 16

D1. Are there free and independent media? 0 / 4

The government exercises unrestricted control over mainstream media. The 2008 media law secures a state monopoly over information about political, social, and economic affairs. Libel is both a civil and criminal offense, and the criminal code contains provisions protecting the "honor and dignity" of high-ranking officials.

The government owns the only internet service provider and controls the internet through legal and technical means. From August 9 to 12, 2020, during the height of the mass prodemocracy protests, the government disrupted internet access in almost the entire country, limiting reporters' ability to provide accurate information to the public. Internet disruptions were registered during protest rallies throughout 2020.

The official definition of mass media includes websites and blogs, placing them under the Information Ministry's supervision. Most independent journalists operate under the assumption that the Committee for State Security (KGB) surveils them. Reporters are subject to fines, detention, intimidation, and criminal prosecution for their work. The regime has used antiextremism legislation and investigations into alleged financial crimes to curtail media activity. In 2021, the government amended legislation on "mass media," "mass events," and "criminal liability," all of which tightened restrictions for independent media and significantly increased the already disproportionate criminal penalties for legitimate journalistic activities.

The government has forcefully cracked down on independent media in recent years. In 2021 and 2022, security forces raided the offices and homes of independent journalists, arrested journalists and staff members of news outlets, and seized equipment. At least 40 journalists were detained in 2022. Several journalists were given lengthy prison sentences in 2022, including Ksenia Lutskina, who was detained in 2020 following the prodemocracy protests and sentenced to eight years' imprisonment on charges of "conspiring to seize state power" in September 2022.

Authorities blocked access to over 100 news and media sites, including the country's most popular internet portal, Tut.by, in 2021. In March 2022, the government blocked access to several Ukrainian media sites, labeling them "extremist."

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

Despite constitutional guarantees of religious equality, government decrees and registration requirements restrict religious activity. Legal amendments in 2002 provided for government censorship of religious publications and barred foreigners from leading religious groups.

The amendments also placed strict limitations on religious groups active in Belarus for less than 20 years. In 2003, the government signed a concordat with the Belarusian Orthodox Church, which is controlled by the Russian Orthodox Church, giving it a privileged position.

After the 2020 elections, Lukashenka attempted to weaken the influence of the Catholic Church, which had denounced state violence against peaceful prodemocracy protesters. Several Catholic priests faced administrative detentions and fines, and some were forced to leave the country. Tadeusz Kondrusiewicz, a Belarusian citizen and archbishop of Minsk-Mahileu, was denied reentry to the country in August 2020. Though he was allowed to return to Belarus that December, he resigned in January 2021.

Political pressure on the Catholic Church continued throughout 2022. In August, the government closed a Catholic school in Minsk and in October, terminated a decades-long agreement that had allowed the Catholic Church to occupy and use the Church of Saints Simon and Helena in Minsk.

D3. Is there academic freedom, and is the educational system free from extensive political indoctrination? 0 / 4

Academic freedom remains subject to intense state ideological pressures, and academic personnel face harassment and dismissal if they use a liberal curriculum or are suspected of disloyalty. Students and professors who join opposition protests or express political dissent face threat of dismissal and revocation of degrees. In recent years, the government has increasingly restricted Belarusian-language instruction in schools and universities.

The government pressures young people to join the state-sponsored, pro-Lukashenka Belarusian Republican Union of Youth (BRSM). The government has tightened control over private schools and kindergartens, which has resulted in the closure of many alternative educational centers.

Many students were involved in the August 2020 prodemocracy protests. Authorities responded with unprovoked brutality and repression, as plainclothes security forces attacked peaceful student protests within and outside of university campuses. Lukashenka replaced at least eight deans at different universities. Between August 2020 and May 2021, at least 153 university students were arbitrarily expelled, many of whom fled to neighboring countries. Throughout 2021 and 2022, student activists were arrested and given yearslong prison sentences on a variety of spurious charges, including allegedly "violating social order."

In January 2022, President Lukashenka ordered historians to devise a single, unified "correct interpretation of history" to be taught in Belarus, and enacted legislation criminalizing any deviation from the approved historical narrative. Constitutional amendments adopted in February state that the government must "ensure the preservation of historical truth" of Belarusian heroism during World War II, further reinforcing Lukashenka's narrative. The new official history was introduced in Belarusian schools in September.

D4. Are individuals free to express their personal views on political or other sensitive topics without fear of surveillance or retribution? 0 / 4

The use of wiretapping and other surveillance by state security agencies limits the right to free private discussion. Private citizens often avoid discussing sensitive issues over the phone or via the internet, for fear that state security agents are monitoring conversations.

Authorities routinely threaten, harass, and arrest people who speak out against Lukashenka, postelection violence, and the war in Ukraine.

Police often coerce, threaten, and torture detained individuals, forcing them to open their mobile devices in search of evidence of antigovernment sentiment. Security forces

also organize raids of private homes, detain people in workplaces, and conduct random searches and interrogations to silence dissent. Authorities actively monitor internet users' social media activity to find evidence of protest involvement. The private company Synesis, which was sanctioned by the European Union (EU), reportedly helped authorities identify and arrest demonstrators after the 2020 elections by providing video surveillance technology with facial recognition.

Voicing criticism of public officials and security forces on social media platforms, including sharing posts from other users or media sites that have been labeled "extremist," can lead to criminal charges. Security forces have violently detained and arrested people who had posted allegedly critical or insulting comments about state officials on social media. Defamation charges were used to prosecute such speech, with ordinary internet users being sentenced to more than a year in prison. Local authorities routinely surveil and monitor individuals who publicly or privately display opposition symbols, including coded phrases or colors, and, since February 2022, antiwar signs or Ukrainian symbols and songs. People who participate in public antiwar appeals face criminal prosecution for "extremism" and "harming national security interests."

Security forces use various strategies to persecute political activists abroad. In 2021, for example, Belarusian authorities forced an Athens–Vilnius Ryanair flight to land in Minsk in order to arrest exiled blogger and opposition activist Raman Pratasevich. Authorities have also canceled the travel documents of dissidents abroad and harassed activists' relatives who remain in Belarus, including the families of Belarusian military volunteers in Ukraine.

E. ASSOCIATIONAL AND ORGANIZATIONAL RIGHTS: 0 / 12

E1. Is there freedom of assembly? 0 / 4

The government severely restricts freedom of assembly. Protests require permission from local authorities, who often arbitrarily deny it. The 2021 amendment to the law on mass events imposes strict authorization requirements and impedes organizers' ability to raise funds for protests.

During the 2020 electoral period, hundreds of thousands of people participated in unprecedented prodemocracy protests. Major campaign rallies for Tsikhanouskaya were held across the country. Police and military forces only partially succeeded in blocking people from congregating before voting day on August 9. In the following weeks, the regime deployed military equipment and armed riot police who indiscriminately attacked and arrested people, killing many. Numerous instances of cruel treatment, beatings, and torture of protesters were recorded, with total impunity for the security forces involved.

Under the criminal code, those who participate in an unauthorized mass event can face administrative fines or 15- to 30-day detention periods. The regime instrumentalized administrative detention against participants in the prodemocracy movement that began in 2020.

Antiwar protests were held in at least 12 Belarusian cities following the Russian invasion of Ukraine in February 2022. More than 800 people were arrested during the protests; most of those arrested were held for 15 days, with many being physically abused by security forces while detained.

E2. Is there freedom for nongovernmental organizations, particularly those that are engaged in human rights– and governance-related work? 0 / 4

Freedom of association is severely restricted. In January 2022, criminal-code amendments recriminalized participation in unregistered or dissolved organizations; those accused of participating in such organizations face steep fines and up to two years in prison.

Prior to the 2020 prodemocracy movement, few human rights groups managed to operate due to resource shortages and pressure from the authorities, and staff and supporters risked prosecution and fines for their activism.

NGOs and public associations, including prominent organizations like the Belarusian Association of Journalists, the Belarusian Helsinki Committee, and the Belarusian PEN Center, have been ordered to dissolve in recent years. According to Lawtrend, 757 NGOs were in forced-dissolution processes or were removed from an official register between 2021 and the end of 2022, while 416 had decided to self-liquidate. The government actively uses antiextremism legislation against independent organizations and individuals to restrict public outreach and suppress dissent.

Human rights activists who remained in the country following the 2020 prodemocracy protests have faced harassment and threats from security forces. During 2022, human rights activist Nasta Loika was repeatedly detained on a variety of spurious charges, including "extremism"; in December, Loika was further charged with two criminal offenses, including "violating public order." Loika remained in pretrial detention at year's end.

E3. Is there freedom for trade unions and similar professional or labor organizations? 0 / 4

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

Independent unions were prominent in the prodemocracy movement in 2020, striking to protest the fraudulent presidential election and police violence toward peaceful demonstrators. The state increasingly targeted and pressured workers to prevent them from going on strike. Union leaders and rank-and-file members were arrested, fined, dismissed from their posts, sent to psychiatric institutions, and forced into exile.

In 2021, security forces arrested at least 11 people, accusing them of involvement in an independent labor movement. The arrested workers faced charges of treason and conspiracy to seize power, with a maximum punishment of 15 years in prison. According to the Belarusian Independent Trade Union, approximately 40 trade union activists were imprisoned as of December 2022.

F. RULE OF LAW: 0 / 16

F1. Is there an independent judiciary? 0 / 4

Courts are entirely subservient to President Lukashenka, who appoints Supreme Court justices with the approval of the rubber-stamp parliament.

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

The right to a fair trial is not respected and often flatly dismissed in cases with political overtones. In a departure from international norms, the power to extend pretrial detention lies with a prosecutor rather than a judge. The absence of independent oversight allows police to routinely violate legal procedures. The government regularly attacks attorneys, who often are the only connection between imprisoned activists and their families and society.

Since the 2020 presidential campaign, arbitrary arrests, police brutality and torture, and the denial of due process have continued with impunity. Lawyers are often denied the right to meet with their defendants. Many lawyers defending political prisoners were disbarred or arrested. In July 2022, Lukashenka enacted a law permitting the authorities to conduct trials in absentia for crimes that "entail a threat to national security."

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

Law enforcement agencies have broad powers to employ physical force against suspects, who have little opportunity for recourse if they are abused. Human rights groups continue to document instances of beatings, torture, and intimidation during detention. During and after the presidential election period in 2020 and throughout 2021, detained peaceful prodemocracy protesters experienced cruel and dehumanizing treatment during their arrests, while being transported to detention centers and when incarcerated. Excessive force has been used to extract confessions from detainees. Extracted confessions, where detainees appear beaten, distressed, and humiliated, have been recorded, published, and distributed by state agencies, violating the principle of human dignity and the right to a fair trial.

Belarus served as a staging ground for Russian military forces before and during their invasion of Ukraine in February 2022, and President Lukashenka continued to allow Russian troops to operate from Belarusian territory through year's end. Belarusian dissidents have resisted the Russian military presence, with so-called railway partisans notably attacking Belarusian rail infrastructure; their sabotage prevented the transit of Russian military forces and equipment to Ukraine. Authorities quickly labeled the railway partisans as "terrorists," and used excessive force to detain several people for their alleged participation. In May, Lukashenka enacted new legislation to make such attacks punishable by death; as of December, several people had been convicted of engaging in rail sabotage and received lengthy prison sentences.

F4. Do laws, policies, and practices guarantee equal treatment of various segments of the population? 0 / 4

Authorities have sought to increase the dominance of the Russian language. Official usage of Belarusian remains rare. The UN Educational, Scientific, and Cultural Organization (UNESCO) recognizes Belarusian as "vulnerable." Since Lukashenka became president, the share of first graders who study in Belarusian fell from 40 to under 10 percent as of 2019. During 2022, authorities continued to restrict the use of the Belarusian language, including by refusing to provide Belarusian-language materials to voters before or during the constitutional referendum in February. The authorities also arbitrarily shut down at least one publishing house specializing in Belarusian-language publications and designated numerous Belarusian-language books and newspapers as "extremist materials" during the year.

Women are prohibited from entering 181 different occupations, and societal norms in much of the country hold that women should be mothers or housewives. However, Tsikhanouskaya's mass support in the prodemocracy movement has become a slight counter to long-standing gender roles.

LGBT+ people face widespread societal discrimination, and law enforcement authorities are reluctant to investigate and prosecute attacks against them.

In 2021, Belarusian authorities began deliberately facilitating the passage of asylum seekers and migrants—most of them from Iraq—through Belarus to the borders of the EU. Polish and Belarusian authorities used tear gas and water cannons against the migrants, who were left in freezing temperatures without adequate shelter, supplies, and assistance. Approximately 2,000 asylum seekers, refugees, and migrants were stranded in Belarus by the end of 2021, and over 1,000 people chose to return home voluntarily as of the end of that year. Belarusian authorities continued to push asylum seekers and migrants to cross the EU border throughout 2022, though individuals have also left via repatriation flights; over 3,800 Iraqis were repatriated according to the International Federation of Red Cross and Red Crescent Societies in its November 2021–May 2022 report.

G. PERSONAL AUTONOMY AND INDIVIDUAL RIGHTS: 5 / 16

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

Opposition activists are occasionally detained at the border for lengthy searches. Passports are used as a primary identity document in Belarus, and authorities are known to harass people living in a different location than indicated by domestic stamps in their passport. Routine citizenship and documentation services abroad have been restricted, resulting in severe delays or denial of service for people who fled the country for political reasons.

On numerous occasions, authorities have forced the expulsion of politically active Belarusians since 2020, including Tsikhanouskaya and Catholic archbishop Kondrusiewicz. That December, authorities prohibited Belarusians from leaving the country at land border crossings, except with Russia, ostensibly to prevent the spread of COVID-19; the policy was likely enforced to prevent political dissidents from fleeing. In May 2021, the EU banned Belarusian airlines from traveling over its airspace and accessing its airports. This has limited travel options for Belarusian citizens and significantly increased the cost of leaving the country. Further restrictions on air travel were imposed in response to the border crisis instigated by the Belarusian authorities.

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

Though limits on economic freedom have eased in recent years, state interference still affects the economy and profitable business owners are never secure from arbitrary government pressure and harassment. Many businesspeople that became involved in the postelection prodemocracy efforts, often to support victims of human rights abuses or to incentivize policemen to resign from law enforcement, were criminally prosecuted on groundless claims. Other businesses and their owners who supported candidates other than Lukashenka have been arrested under false pretense. Multiple businesses relocated their employees to neighboring countries for fear of state harassment or prosecution.

In October 2022, Lukashenka announced price regulation measures for 370 consumer goods. At least one chain store was heavily fined and more than 40 people were detained for unsanctioned price increases before year's end; in one case, a business owner received a suspended sentence of to up to two years in prison for "abuse of office."

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

Domestic violence is a pervasive problem in Belarus, and police register about 150,000 incidents per year. In 2018, Lukashenka blocked a draft law on the prevention of domestic violence jointly developed by law enforcement agencies and civil society representatives, calling attitudes against the corporal punishment of children "nonsense from the West." Threats of losing custody of children are often used to intimidate and harass political activists.

The constitution explicitly bans same-sex marriage. Constitutional amendments made in 2022 define marriage as a union solely between a man and a woman. The amendments further declare that marriage, motherhood, and fatherhood are protected by the state, creating further obstacles for same-sex partners to obtain legal recognition and to plan their family life. The Belarusian government led a 2016 effort to block LGBT+ rights from being part of a UN international initiative focused on urban areas.

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

Mandatory unpaid national workdays, postgraduate employment allocation, compulsory labor for inmates in state rehabilitation facilities, and restrictions on leaving employment in certain industries have led labor activists to conclude that all Belarusian citizens experience forced labor at some stage of their life. Many women become victims of international sex trafficking.

Belgium

Population: 11,600,000
Capital: Brussels
Freedom Status: Free
Electoral Democracy: Yes

Overview: Belgium is a stable electoral democracy with a long record of peaceful transfers of power. Political rights and civil liberties are legally guaranteed and largely respected. Major concerns in recent years have included the threat of terrorism, corruption scandals, and rising right-wing nationalism and xenophobia.

KEY DEVELOPMENTS IN 2022

- Four people were arrested in September for allegedly planning to kidnap Belgium's justice minister, who police believe was targeted due to his efforts to crack down on international drug trafficking. Investigations into the alleged plot remained ongoing at year's end.
- Several senior officials of the Walloon parliament, including its president, resigned in December after being implicated in a corruption scandal involving the misuse of public funds. The same month, Marc Tarabella, a Belgian politician and member of the European Parliament, was accused of accepting illegitimate funds from Qatar; investigations into the allegations against Tarabella continued through year's end.

POLITICAL RIGHTS: 39 / 40

A. ELECTORAL PROCESS: 12 / 12

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

The Belgian monarchy is largely ceremonial, although the king retains constitutional authority to mediate the process of government formation. He was particularly active in this role in 2020 as negotiations over a new government stalled. The prime minister, who is the leader of the majority party or coalition, is appointed by the monarch and approved by the legislature. In late September 2020, seven parties forged a parliamentary majority under the leadership of Alexander De Croo of the Open Flemish Liberals and Democrats party, who was sworn in as prime minister that October.

Belgium's multilayered subnational administrative units have their own governments with varying degrees of autonomy. In addition to the three main geographic divisions of French-speaking Wallonia in the south, Flemish-speaking Flanders in the north, and the bilingual Brussels capital region, there are overlapping governments for the French community, the Flemish community, and the much smaller German-speaking community.

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

Belgium's federal parliament consists of two houses: the Chamber of Representatives and the Senate. The 150 members of the lower house are elected directly by proportional representation. The Senate is composed of 50 members selected by community and regional parliaments, and an additional 10 members chosen by the first 50 based on the results of the Chamber of Representatives elections. Members serve five-year terms in both houses, and elections are generally free and fair.

In the May 2019 elections, establishment parties lost significant shares of support to parties on the far left and far right of the political spectrum. For example, the right-wing, nationalist New Flemish Alliance (N-VA) lost some power, taking 25 seats in the Chamber of Representatives (down 8 seats), but the far-right, separatist Flemish Interest (VB) party won 18 seats, a gain of 15. On the left, the francophone Socialist Party (PS) won 20 seats, down 3 from the previous election, while the Greens—composed of the francophone Ecolo and their Flemish-speaking counterpart Groen—won a combined 21 seats. The leftist Workers' Party of Belgium (PvdA in Flemish, PTB in French) also made major gains, rising from 2 seats to 12. A total of 12 parties won seats in the lower house. It took until September 2020 to form a new government, a delay that is not historically unusual for Belgium.

In 2019, the German-speaking community launched a system of participatory democracy in which citizens are selected by lot to join a Citizens' Council, which provides input on policy matters. A similar program has been introduced in the local parliaments in the Brussels region, and plans to launch related initiatives in other regions and at the national level were underway as of 2022.

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

Despite the complexity of the political system, the electoral laws and framework are generally fair and impartially implemented.

B. POLITICAL PLURALISM AND PARTICIPATION: 16 / 16

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

The party system is robust but highly fragmented, with separate Flemish and francophone political parties representing various positions on the left-right spectrum.

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

Belgium's coalition-based politics allow individual parties to move easily in and out of government, and there is a long record of peaceful transfers of power between rival parties at the federal level. However, the 2019 regional and federal elections showed decreasing support for establishment parties and increasing support for far-right, far-left, and green parties across the country. The increasing power of the Flemish right-wing N-VA and the far-right VB makes majority coalitions that exclude these nationalist parties increasingly difficult to assemble. The N-VA and VB became the two largest parties in Flanders after the 2019 elections, and they criticized the formation in 2020 of a federal government that lacked their participation.

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

The political choices of voters and candidates are generally free from undue interference.

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

Members of racial, ethnic, religious, and other minority groups are free to participate in national and subnational politics, and women enjoy full political rights. In the 2019 elections, women were elected to 65 seats out of 150 in the Chamber of Representatives; this 43 percent share represented a rise of 4 percentage points from the 2014 elections. The Senate must have a minimum of 20 women senators.

In general, the larger parties incorporate members of minority groups, including in senior positions. In 2019, Belgians elected Petra De Sutter, an openly transgender member of the Groen party, as a member of the European Parliament; in 2020, De Sutter became Belgium's deputy prime minister. In May 2021, Ihsane Haouach, who wears a hijab, was appointed as government commissioner at the Institute for the Equality of Women and Men. However, Haouach resigned her post that July after facing months of anti-Muslim harassment.

C. FUNCTIONING OF GOVERNMENT: 11 / 12

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

Elected officials generally adopt and implement laws and policies without improper interference from unelected entities.

C2. Are safeguards against official corruption strong and effective? 3 / 4

Public officials can face heavy fines and up to 10 years' imprisonment for corruption-related offenses, and enforcement of anticorruption legislation is generally adequate. However, recent corruption scandals have drawn attention to abuses involving politicians who hold multiple positions on the boards of public and private entities, with some officials holding more than a dozen paid positions. The Group of States against Corruption (GRECO), a Council of Europe (CoE) anticorruption body, has repeatedly warned about Belgium's slow implementation of recommended anticorruption reforms.

Two new laws improving whistleblower protections in line with EU requirements were passed in November and December 2022. The legislation, which provides protections in both the private and public sectors, had not yet entered into force at year's end.

Several senior officials of the Walloon parliament, including its president, resigned in December 2022 after being implicated in a scandal involving the misuse of public funds. The same month, Marc Tarabella, a PS politician and member of European Parliament, was suspended from the PS following allegations that he had accepted illicit funds from Qatar. Investigations into Tarabella's involvement in the so-called Qatargate corruption scandal were ongoing at year's end.

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

The law provides mechanisms for the public to access government information, and these procedures generally function in practice. Legislators and other high-ranking elected officials are required by law to regularly disclose their assets as well as paid or unpaid mandates, executive functions, and occupations to the Court of Audit. Information about asset declarations is not publicly accessible, but declarations of interests are published in the

official government gazette. In recent years, both GRECO and the European Commission have recommended that Belgium adopt stronger regulations governing interactions between lobbyists and high-level government officials, including members of parliament.

CIVIL LIBERTIES: 57 / 60

D. FREEDOM OF EXPRESSION AND BELIEF: 15 / 16

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

Freedom of the press is guaranteed by the constitution and generally respected by the government. Belgians have access to numerous public and private media outlets that present a range of views. Internet access is unrestricted. While online harassment cases are generally rare, the CoE issued several alerts about the online and offline harassment of journalists during 2022.

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

More than half of the country's population identifies as Roman Catholic. Freedom of religion is generally protected, but members of minority religious groups have complained of discrimination and harassment. A ban on the partial or total covering of the face in public locations, which is understood to target Muslims, has been in effect since 2011. The rise of nationalist and far-right parties in Flanders has contributed to the normalization of anti-Muslim rhetoric.

Several high-profile anti-Muslim incidents have occurred in recent years. In one case in 2021, a court ordered a Brussels-based public transport company to pay €51,000 ($60,700) in damages to a woman who was denied a job because she wears a hijab. The court found that preventing individuals from wearing religious symbols in the workplace constitutes discrimination and disproportionately affects women.

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

The government does not restrict academic freedom. Schools are free from political indoctrination, and there are no significant impediments to scholarly research or discussion.

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

Private discussion is open and vibrant, and freedom of expression is guaranteed by the constitution, though there are laws banning incitement to hatred and other such offenses, which occasionally lead to prosecutions, fines, and jail terms.

E. ASSOCIATIONAL AND ORGANIZATIONAL RIGHTS: 12 / 12

E1. Is there freedom of assembly? 4 / 4

Freedom of assembly is protected by law and generally respected in practice.

In January 2022, large protests against COVID-19-related restrictions in Brussels saw police use tear gas and water cannons to disperse protesters who were vandalizing buildings, setting fires, and throwing objects at police. Approximately 70 people were arrested, and 12 demonstrators and 3 police officers were injured. Other large protests held during the year took place without incident.

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

Freedom of association is guaranteed by the constitution, and nongovernmental organizations (NGOs) operate without undue restrictions.

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

Workers at companies that employ more than 50 people have the right to organize and join unions and to bargain collectively. Employers found guilty of firing workers because of union activities are required to reinstate the workers or pay an indemnity.

F. RULE OF LAW: 15 / 16

F1. Is there an independent judiciary? 4 / 4

The judiciary is independent by law and in practice, and court rulings are duly enforced by other state entities.

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

The judicial process generally guarantees a fair trial, and the authorities typically observe safeguards against arbitrary arrest and detention. Extraordinary security measures adopted in the period surrounding terrorist attacks in 2015 and 2016 have eased significantly in the years since, though a 2017 legal change increased the maximum length of detention in police custody without a judicial order from 24 to 48 hours.

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

Although conditions in prisons and detention centers meet most international standards, the facilities continue to suffer from overcrowding and other problematic living conditions.

Drug trafficking and related violence is a problem. In September 2022, four people were arrested for allegedly plotting to kidnap Belgium's justice minister, who police believe was targeted due to his efforts to crack down on international drug trafficking. Investigations into the incident remained ongoing at year's end.

According to the Belgian Coordination Body for Threat Analysis (OCAM), the threat from far-right extremism has increased in recent years. In September 2022, a series of antiterror police raids targeting suspected right-wing extremists were conducted across the country. One man was shot and killed during a raid after he allegedly opened fire on the police; the Antwerp prosecutor's office later opened an investigation into the incident.

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

Antidiscrimination legislation prohibits bias and acts of hatred and incitement based on categories including gender, race, ethnicity, nationality, and sexual orientation. Nevertheless, some groups, including immigrants, Belgians of African descent, and Romany residents, continue to face a degree of discrimination in practice.

In 2019, UN experts stated that racial discrimination is institutionally endemic in Belgium and called for recognition of the country's history of human rights abuses during its colonial rule over what is now the Democratic Republic of the Congo. Following debates prompted by the Black Lives Matter protests in 2020, King Philippe expressed regrets over Belgian colonial rule. Although politicians have gradually become aware of the need for critical discussion about the country's past, the rising influence of hard-right nationalist parties in Flanders has been accompanied by racism and xenophobia.

Despite robust legal protections for the rights of LGBT+ people, LGBT+ individuals sometimes face instances of violence and discrimination in practice.

G. PERSONAL AUTONOMY AND INDIVIDUAL RIGHTS: 15 / 16

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

The law provides for freedom of domestic movement and foreign travel, and the government upholds these rights in practice.

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

The legal framework supports property rights, and commercial activity is regulated without arbitrary interference.

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

There are few significant restrictions on personal social freedoms. Belgium legalized same-sex marriage in 2003, and in 2006 same-sex couples gained the right to adopt children.

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

Immigration has increased in recent years, but non–European Union immigrants and their Belgian-born children remain poorly integrated into the labor market.

Belize

Population: 400,000
Capital: Belmopan
Freedom Status: Free
Electoral Democracy: Yes

Overview: Belize is a democracy that has experienced regular rotations of power through competitive elections. Civil liberties are mostly respected. Government corruption is a concern, as is the high rate of violent crime. Authorities have been slow to address persistent problems of police brutality and human trafficking within the country's borders.

KEY DEVELOPMENTS IN 2022

- In October, the parliament passed the Senior Courts Bill and the 12th Constitutional Amendment, which provided for fundamental reforms of the country's judicial system. The Senior Courts Bill was enacted in November, and included provisions that replaced the Supreme Court with a new High Court and established a new Senior Court system.
- Also in October, the parliament passed the People's Constitution Commission Act, beginning the process of comprehensive constitutional reform. The act was signed into law in November, and the People's Constitution Commission (PCC), tasked with reviewing the existing constitution and holding consultations on reforms, was officially launched that month.

POLITICAL RIGHTS: 34 / 40

A. ELECTORAL PROCESS: 12 / 12

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

The prime minister, usually the leader of the largest party in the parliament, is head of government. Formally, the prime minister is appointed by the governor general, who represents the British monarch as head of state. The legitimacy of the prime minister is largely dependent on the conduct of legislative elections, which are typically credible and well administered. After 17 years in opposition, the People's United Party (PUP), under the leadership of Johnny Briceño, won a convincing victory in the 2020 elections, defeating the United Democratic Party (UDP).

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

The 31 members of the House of Representatives are directly elected to five-year terms. The Senate has 12 seats. The ruling party, the opposition, and several civil associations select the senators, who are then appointed by the governor general.

In the 2020 legislative polls, the opposition PUP won a landslide victory. Turnout was over 81 percent, the highest since 1998.

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

Electoral laws are generally fair, although there is some politicization of the Elections and Boundaries Commission (EBC). There are large differences in constituency size, and boundaries have not changed since 1984. In February 2022, a redistricting task force was created to make recommendations on how the disparities could be reduced. The redistricting process faced several delays in 2022, leading members of the opposition to express concerns about potential political interference in the process.

In October 2022, the parliament passed the People's Constitution Commission Act, beginning the process of comprehensive constitutional reform. The legislation was enacted in November, and the People's Constitution Commission (PCC) was officially launched that month. The PCC, which is made up of representatives from Belize's main political parties and 19 civil society organizations, is tasked with reviewing the existing constitution, holding consultations on constitutional reforms across Belize and among the Belizean diaspora, and issuing a final report on its findings.

B. POLITICAL PLURALISM AND PARTICIPATION: 14 / 16

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

Political parties can organize freely. The effects of the country's "first-past-the-post" electoral system and a degree of political clientelism have entrenched the country's two largest parties.

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

The political system allows for opposition parties to increase their support or gain power through elections. Since 1984, there have been fairly regular transfers of power between the two main parties.

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

Recent elections, including those in 2020, have been viewed as generally free of undue interference from entities outside the democratic political sphere. However, the Organization of American States (OAS) has raised concerns about the potential impact of unregulated campaign financing on the political process.

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

Women are reasonably well represented in the political system, holding five seats in the current House of Representatives and six seats in the Senate. In municipal elections in 2021, 24 women were elected, and the capital city, Belmopan, elected its first woman mayor.

Indigenous people, particularly those of Mayan descent, who make up 11 percent of the population, are not well represented in politics. Mestizo Belizeans and Afro-Indigenous peoples are better integrated into the political system. LGBT+ people face discrimination, which affects their ability to engage fully in political and electoral processes. A collection of religious denominations nominates one member of the Senate, but non-Christian groups are not included in the process.

C. FUNCTIONING OF GOVERNMENT: 8 / 12

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

The elected prime minister, cabinet, and national legislative representatives are duly seated following elections and are able to freely determine the policies of the government.

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

Belize continues to struggle with corruption, and there is little political will to address the problem. Anticorruption laws are poorly enforced.

In July 2022, Moises Cal, a leading member of the PUP—who in 2007 was accused of various acts of corruption, including bribery and money laundering—was appointed chairman of the Public Service Commission (PSC). Cal withdrew his name from consideration in August, before the appointment was confirmed, due to widespread opposition to his candidacy.

In November 2022, the US government accused high-ranking UDP member John Saldivar of "significant corruption," including providing Belizean immigration documents in return for bribes and interfering in public processes for personal gain while he was a government official.

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

The government generally engages in policymaking with openness and transparency. However, a 2020 Supreme Court ruling found that the UDP government had improperly spent $645 million, and had unconstitutionally sidelined the legislature on budgetary and finance matters.

There are also persistent issues with procurement processes and officials' financial disclosure statements. Members of Belize's business community have alleged that favoritism influences the government's awarding of licenses and public contracts. The Prevention of Corruption in Public Life Act, which requires elected officials to submit annual financial statements, is poorly enforced.

CIVIL LIBERTIES: 53 / 60

D. FREEDOM OF EXPRESSION AND BELIEF: 16 / 16

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

The constitution guarantees freedom of the press, though it includes exceptions for interests such as national security, public order, and morality. While reporting generally covers a wide range of viewpoints in practice, journalists sometimes face threats, physical harassment, or assault in the course of their work.

In January 2022, the cabinet approved the replacement of the existing Libel and Defamation Act with a new Defamation Act. Among other things, the new Defamation Act, which became law in August, broadened the scope of what can be considered defamatory. Critics have raised concerns about restrictions the new law may place on the media.

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

Religious freedom is constitutionally protected and largely respected in practice.

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

Academic freedom is generally respected.

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

There are no significant constraints on individual expression.

E. ASSOCIATIONAL AND ORGANIZATIONAL RIGHTS: 11 / 12

E1. Is there freedom of assembly? 4 / 4

Freedom of assembly is constitutionally protected, and the government generally respects this right.

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

Nongovernmental organizations (NGOs) are generally free from government interference.

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

Unions are free to form and operate, and employers have been penalized for violating union rights under the labor code. There are some restrictions on the right to strike, and while labor unions are active and politically influential, their ability to protect workers' rights is limited in practice.

F. RULE OF LAW: 13 / 16

F1. Is there an independent judiciary? 4 / 4

The judiciary is generally independent, despite inadequate resources and periodic attempts by political and business interests to interfere with its composition. After coming to power in 2020, the PUP government pledged to provide greater resources to the judiciary; however, as of October 2022, extra resources have not been forthcoming.

In April 2021, the parliament passed new legislation requiring Supreme Court and Court of Appeal judges to deliver written judgments within six months or face dismissal.

In October 2022, the parliament passed the Senior Courts Bill, which will reform the country's judicial system, and the 12th Constitutional Amendment, which will allow the Senior Courts Bill to be enacted. According to the new legislation, the Supreme Court will be replaced with a new High Court, which, with the Court of Appeal, will comprise a new Senior Court system. The Senior Courts Bill was signed into law in November.

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

Detainees and defendants are guaranteed a range of legal rights, which are mostly respected in practice. However, police have reportedly detained suspects without charge for longer than is permitted by the law and have used the threat of extended detention to intimidate suspects. Judicial delays and a large backlog of cases contribute to lengthy trials and other procedures, with many defendants spending years in pretrial detention.

F3. Is there protection from the illegitimate use of physical force and freedom from war and insurgencies? 3 / 4

Belize is free from major threats to physical security, such as war and insurgencies, but the long-running border dispute with Guatemala remains unresolved. Tensions have lessened in recent years, but there are occasional incidents.

Belize remains among the countries with the highest per capita murder rates in the world. According to government statistics, in 2022, there were 113 homicides, compared to 125 in 2021. Much of the violence is localized around the south side of Belize City.

Cases of police brutality continue to be reported. In one case in December 2022, police used excessive force while arresting a man accused of smoking marijuana in public. The man, who had hemophilia, later died from injuries allegedly sustained from severe beatings during his arrest and while in police custody.

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

The constitution and laws protect against many forms of discrimination, but there are no specific provisions addressing sexual orientation or gender identity.

Discrimination against LGBT+ people persists. In 2016, the Supreme Court struck down a provision of the criminal code that outlawed same-sex sexual activity. In December 2019, the Court of Appeal upheld the unconstitutionality of the criminal code article and confirmed that constitutional freedom of expression and antidiscrimination protections include sexual orientation.

Women face employment discrimination and are less likely than men to hold managerial positions. However, the government has actively pursued programs aimed at encouraging gender equality and protecting women's rights.

Migration into Belize has increased significantly in recent years, and government estimates suggest that up to 15 percent of the country's population is without official documentation. Migrants face legal and social challenges to integration into Belizean society, and some immigrants have faced detention in Belize Central Prison for entering the country illegally. In August 2022, an amnesty program began to allow undocumented immigrants to gain permanent residency under certain conditions. The application process was originally set to run until November 2022, but that month, the government extended the program to February 2023.

No separate legal system or laws specifically protect Indigenous people.

G. PERSONAL AUTONOMY AND INDIVIDUAL RIGHTS: 13 / 16

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

The government generally respects freedom of internal movement and foreign travel.

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

Individuals have the right to own property and establish private businesses. However, legal regulations are at times poorly enforced. Leaders of the Indigenous Maya community say their ancestral land rights are not protected, particularly with regard to oil exploration and logging activities. In 2016, the Belizean government responded to a 2015 Caribbean Court of Justice (CCJ) ruling requiring recognition of Mayan land rights by setting up a commission to facilitate implementation of the court's decision, but progress has been slow. As of 2022, the government has continued to make decisions on pertinent issues without obtaining the consent of Indigenous leaders or representatives.

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

Personal social freedoms are generally respected, though domestic violence remains a serious problem despite government measures to combat it. Rape is illegal, but reporting and conviction rates are low, and sentences are sometimes light.

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

Some legal protections against exploitative working conditions are respected and enforced. However, Belizean and foreign women and girls are vulnerable to sex trafficking, and migrant workers are sometimes subjected to forced labor in agriculture, fisheries, and retail businesses. The US State Department's 2022 *Trafficking in Persons Report* recognized the government's "significant efforts" to combat trafficking, but also noted that the government has failed to "adequately address official complicity in trafficking crimes."

Benin

Population: 13,400,000
Capital: Porto-Novo
Freedom Status: Partly Free
Electoral Democracy: No

Overview: Benin had been among the most stable democracies in sub-Saharan Africa, but President Patrice Talon began using the justice system to attack his political opponents after taking office in 2016, and new electoral rules and a crackdown on his political opponents enabled him to consolidate his power in 2021. Deadly police violence at political protests, arrests of activists, and other restrictions on civil liberties have become increasingly problematic in recent years.

KEY DEVELOPMENTS IN 2022

- Approximately fifty members of the opposition who had been imprisoned during the 2021 election period were released in June and July; however, major opposition figures, including imprisoned 2021 presidential candidate Reckya Madougou, remained behind bars through year's end.
- In November, the Democrats, Benin's main opposition party, were barred from contesting the 2023 legislative elections for failing to provide required tax information; the party was ultimately allowed to register later that month after the Constitutional Court ruled in its favor. At year's end, seven parties—including three opposition parties—had been registered for the 2023 elections.

POLITICAL RIGHTS: 17 / 40

A. ELECTORAL PROCESS: 3 / 12

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

The president is elected by popular vote for up to two five-year terms and serves as both the chief of state and head of government. In 2021, Patrice Talon won reelection as president with 86 percent of the vote. The authorities had disqualified, arrested, or forced into exile the major opposition candidates, leaving only two opponents who posed no significant competition. Elected members of progovernment parties had veto power over which candidates qualified for the ballot, and some opposition parties boycotted the election. Peaceful protesters against the unfair and noncompetitive contest were injured, and at least five people were killed after security forces fired tear gas and live ammunition into the air. Official voter turnout was 50 percent, a historic low for the country's multiparty presidential contests; civil society groups estimate turnout at 26 percent. Observers described election day as "calm" and "orderly."

Constitutional amendments created the largely ceremonial position of vice president in 2019. Mariam Chabi Talata, Talon's running mate in 2021, became the first to hold the office.

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

Delegates to the 83-member, unicameral National Assembly serve four-year terms and are elected by proportional representation. The 2019 legislative elections were neither free nor fair, as new electoral rules effectively prevented all opposition parties from participating. Observers canceled poll-monitoring plans for fear of violence, turnout fell to about a quarter of eligible voters amid an opposition boycott, there was an internet shutdown on election day, and security forces violently suppressed protests before and after balloting, resulting in several deaths.

Only the two progovernment parties on the ballot won seats. In November 2021, the new National Assembly adopted constitutional amendments, including provisions imposing three-term limits on legislators, expanding the body to 109 seats, and extending terms to five years beginning in 2026 to align them with those of the president. The government ignored a call by the African Court on Human and Peoples' Rights (AfCHPR) for these amendments' repeal before the presidential election.

Municipal elections were held in 2020, ignoring an AfCHPR order to suspend them and ensure opposition participation. Sébastien Ajavon, a businessman living in exile after receiving a drug trafficking conviction in 2018, had sued after opposition parties were barred from participating. The Progressive Union and the Republican Bloc won most local council

seats, while the Cowry Forces for an Emerging Benin (FCBE), the only opposition group to field candidates, won 14 percent of them. In 2021, the AfCHPR ruled in Ajavon's case that Benin had violated its human rights obligations.

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

Elections are conducted by the Autonomous National Electoral Commission (CENA). Following the passage of a restrictive electoral law in 2018, the Constitutional Court ruled that parties must obtain a "certificate of conformity" from the Interior Ministry. In 2019, CENA approved only two progovernment parties for the legislative election. CENA also barred most opposition groups from the 2020 local elections.

Legislative elections scheduled for 2023 will be run by a restructured CENA largely appointed by Talon and his allies. As of the end of 2022, seven parties—four progovernment, three opposition—were registered to contest the 2023 elections. CENA initially disqualified the main opposition party, the Democrats, in November 2022 for failing to provide required tax information. The party was ultimately allowed to register after appealing the decision to the Constitutional Court, which found in the party's favor later that month.

Due to a 2019 amendment requiring presidential candidates to be endorsed by 10 percent of mayors and members of the National Assembly, the disqualifications of opposition parties in the 2019 and 2020 elections empowered members of Talon's party to disqualify all but two candidates for the 2021 presidential election.

B. POLITICAL PLURALISM AND PARTICIPATION: 9 / 16

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

After multiparty elections were restored in 1991, Benin generally had a large number of active political parties. However, the 2018 electoral code established restrictive rules including an unusually high 10 percent national threshold and an onerous increase in obligatory financial deposits. Costs for presidential candidates were reduced in 2019, but other requirements were introduced, including the need for endorsements and a vice presidential candidate.

All opposition parties were excluded from the 2019 parliamentary contest. As of December 2022, three opposition parties had been permitted to register for the 2023 legislative elections.

The FCBE was able to put forward a candidate for the 2021 presidential election. Though the Democrats won recognition in December 2020, the party's presidential candidate, Reckya Madougou, was arrested before the election. The leader of a disqualified front of opposition parties, Joël Aïvo, was arrested shortly after the polls.

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

Talon's defeat of Lionel Zinsou, former president Thomas Boni Yayi's chosen successor in the 2016 election, marked Benin's fourth presidential transfer of power between rival groups since 1991.

However, Talon's government has since introduced significant obstacles to opposition parties and presidential candidates, and leading opposition figures have faced harassment and prosecution. Zinsou, Ajavon, and others have been sentenced in absentia to extensive sentences and remain in exile. Madougou and Aïvo were disqualified from the 2021

presidential ballot, arrested, and, in December of that year, sentenced to 20 and 10 years in prison, respectively. Approximately fifty members of the opposition imprisoned during 2021 were released in June and July 2022.

Under the 2019 constitutional amendments, no president can serve more than two terms in their life, even if they are nonconsecutive; some alleged this provision was aimed at Boni Yayi.

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

Politics have generally been free from military interference. The role of personal wealth in politics has increased in recent years, with higher campaign costs and clientelist structures boosting the careers of wealthier politicians. Talon developed his private businesses in part by financing the campaigns of Boni Yayi and other elites and then securing lucrative contracts. After becoming president, Talon allegedly attempted to bribe lawmakers while working to secure passage of constitutional amendments.

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

Women and minority groups are not legally excluded from political participation, but cultural factors limit women's engagement. Women won just 7 percent of the seats in the 2019 parliamentary elections. Recent constitutional amendments reserve 24 seats for women in the next legislative term. Benin's first vice president, Mariam Chabi Talata, is a woman.

Benin has historically been divided between northern and southern ethnic groups, and political parties often rely on ethnic bases of support. Southern-born Talon selected most of his political appointees from the southern Gbe-speaking region. The 2019 election of a southerner as National Assembly president broke with a tradition where legislative leaders and chief executives come from different regions. Vice President Talata is from the north.

C. FUNCTIONING OF GOVERNMENT: 5 / 12

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

The president and the legislature generally determine government policy. However, the president and legislative representatives were not elected freely or fairly, and the lack of opposition members seriously undermines the legislature's role as an independent branch of government.

The government does not consistently implement policy throughout Benin. In many rural areas, the state struggles to deliver basic services, and citizens instead rely on local customary and religious leaders.

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

Corruption remains widespread. Corrupt officials rarely face prosecution, contributing to a culture of impunity. In 2020, the National Anti-Corruption Authority (ANLC) was dissolved to be succeeded by the High Commission for the Prevention of Corruption (HCPC), which has the authority to refer corruption cases to court. The law establishing this office also removed aspects of public officials' asset declaration requirements.

The Court of Punishment of Economic Crimes and Terrorism (CRIET) was established in 2018 to prosecute corruption, drug trafficking, and terrorism cases, but critics claim it targets political opponents and journalists.

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

The 2015 Information and Communication Code provides for public access to government records. However, information deemed sensitive, including national security, trade, and judicial documents, remains restricted.

A law passed in 2020 repealed asset declaration provisions for presidential candidates and government officials, and a 2021 joint report by the Clingendael Institute and the Armed Conflict Location and Event Data Project (ACLED) indicates that the government is deliberately concealing increasingly violent communal conflicts in the north from the public.

CIVIL LIBERTIES: 42 / 60

D. FREEDOM OF EXPRESSION AND BELIEF: 14 / 16

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

Constitutional guarantees of freedom of expression are somewhat respected, and print outlets have expressed a wide variety of viewpoints. However, media outlets have encountered new scrutiny and restrictions under the Talon administration.

Defamation remains a crime punishable by fines, and media outlets critical of the government have increasingly risked suspension. Major television broadcasters have been shuttered by the High Authority for Audiovisual Media and Communication (HAAC) and remain so, despite court orders reversing those actions. In 2020, the HAAC banned all "unauthorized" online news outlets, suspending three outlets temporarily; others ignored the order.

A 2017 digital media law allows for the prosecution and imprisonment of journalists for online content that is allegedly false or harasses individuals.

In February 2022, Beninese journalist Flore Nobime and Dutch journalist Olivier van Beemen were arrested and held for four days on specious charges of espionage after failing to notify authorities that they would be working near Pendjari National Park. The charges were ultimately dropped, but authorities ordered that van Beemen be deported. In December, a journalist was arrested after publishing a story on alleged extrajudicial executions by the police; he was detained for two days and charged with spreading false news to disturb the peace. If convicted, he faces up to 6 months' imprisonment and a fine of 500,000 Central African francs ($807).

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

Religious freedom is constitutionally guaranteed and generally respected in practice.

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

Academic freedom is largely respected.

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

There are no major restrictions on personal expression, and individuals generally are not subject to surveillance or reprisals when discussing political or other sensitive matters.

E. ASSOCIATIONAL AND ORGANIZATIONAL RIGHTS: 8 / 12

E1. Is there freedom of assembly? 2 / 4

Freedom of assembly has traditionally been respected; permit and registration requirements for demonstrations are not always enforced. A COVID-19-related ban on gatherings

of more than 50 people, which authorities had sometimes used to prevent political opponents from organizing meetings and rallies, was lifted in March 2022.

Security forces violently dispersed opposition protests before the election in 2021 by firing tear gas and live ammunition into the air, resulting in at least five civilian deaths.

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

Nongovernmental organizations (NGOs), including human rights groups, generally operate freely, but individual activists have been arrested in increasing numbers. Large numbers of political figures and activists were arrested leading up to and after the 2021 presidential election; several of those arrested at that time were released in 2022.

New regulations included in a 2021 draft law would require civil society organizations to renew their registration and pay a significant fee, which may limit small NGOs' ability to operate and enable the authorities to withdraw the registration of organizations that criticize the government. Beninese NGOs can no longer bring cases to the AfCHPR after Benin withdrew from a relevant protocol in 2020.

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

Workers, except certain civil servants and public employees, have the right to form and join unions, and to bargain collectively, with some restrictions. Public employees in the defense, health, justice, and security sectors are barred from striking; workers in other sectors may strike for a maximum of 10 days per year.

The National Assembly voted to ban workers in the hydrocarbon sector and at the port and airport in Cotonou from striking in October 2022, following a September strike by air traffic controllers.

F. RULE OF LAW: 10 / 16

F1. Is there an independent judiciary? 2 / 4

Although the judiciary has demonstrated some independence, the courts are susceptible to corruption. Judges are not nominated or promoted transparently.

Judicial independence was undermined when President Talon's personal lawyer, Joseph Djogbénou, was named Constitutional Court president in 2018. The court has since issued a number of decisions that favor the government, intensifying concerns about its autonomy. Djogbénou stepped down in July 2022 to take over leadership of the progovernment Progressive Union party.

CRIET also lacks independence. Judges were appointed by decree in 2018, in lieu of a transparent confirmation process. A CRIET judge resigned and fled the country in 2021, reporting that the court is used to prosecute Talon's political opponents.

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

Due process usually prevails in criminal and civil matters. However, judicial inefficiency, corruption, and a shortage of attorneys in the north inhibit the right to a fair trial. Lack of resources contributes to often lengthy pretrial detentions. Arbitrary arrests and detentions occasionally occur, sometimes with extreme sentencing, particularly in the CRIET.

During the 2021 presidential election period, reports suggest that large numbers of opposition leaders and activists were arrested by the authorities. Reckya Madougou—a prominent prodemocracy campaigner, former justice minister, and presidential candidate—was arrested and detained on spurious terrorism charges in March 2021 and, despite a lack

of evidence, sentenced to 20 years in prison that December. In November 2022, the UN Working Group on Arbitrary Detention called for Madougou's release after ruling that her 2021 arrest was devoid of legal basis and that her detention is arbitrary.

According to international rights NGO Human Rights Without Frontiers (HRWF), hundreds of nonviolent individuals were arrested for politically motivated reasons in 2021.

F3. Is there protection from the illegitimate use of physical force and freedom from war and insurgencies? 3 / 4

The population is free from war and other major physical threats, though the threat of terrorism is growing in the north. Approximately 20 people were killed in terrorist attacks during 2022, including at least 12 soldiers.

Prison conditions are harsh. Prisoners face overcrowding, lack of access to food and water, and occasional physical abuse. Police brutality remains a problem, including beatings and torture of suspects. Superiors often shield perpetrators from prosecution.

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

Relations among Benin's ethnic groups are generally amicable, despite recent political tensions. Minority ethnic groups have typically been represented in government agencies, the civil service, and the armed forces. The constitution prohibits discrimination based on race, gender, and disability, but not sexual orientation. The 1996 penal code imposes a higher age of consent for same-sex sexual activity (21) than for heterosexual activity (13). LGBT+ people face social stigma and discrimination in practice. In February 2022, police detained and severely beat a transgender woman who had been the victim of an assault, forcing her to remain naked in detention for three days before releasing her without charge.

Women experience discrimination in employment and access to credit, health care, and education.

G. PERSONAL AUTONOMY AND INDIVIDUAL RIGHTS: 10 / 16

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

Individuals can generally move freely throughout Benin. However, in some rural areas, cultural traditions force women to remain indoors for extended periods.

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

Reforms to the business registration process, anticorruption efforts, and other regulatory changes since 2010 improved the business environment. However, property registration is difficult, and contract enforcement is inconsistent. Despite laws guaranteeing equal rights to inheritance for women, many women are denied the right to inherit property in practice.

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

Domestic violence remains a serious problem, and women are often reluctant to report domestic abuse. A 2003 law that prohibits female genital mutilation (FGM) was somewhat effective in reducing its occurrence, though the challenge persists. Marriage for those under 18 years old is prohibited, though exceptions are allowed for 14- to 17-year-olds with parental consent. Child marriage and forced marriage remain common in rural areas.

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

Legal protections against forced labor and other exploitative working conditions are unevenly enforced. Poor conditions are prevalent in the large informal sector, which was impacted by the COVID-19 pandemic. Human trafficking is widespread, despite increased convictions for the crime in recent years. The practice of sending young girls to wealthy families to work as domestic servants has led to cases of exploitation and sexual slavery. Children are also exploited for agricultural labor and work in various trades.

Bhutan

Population: 800,000
Capital: Thimphu
Freedom Status: Partly Free
Electoral Democracy: Yes

Overview: Bhutan is a constitutional monarchy that has undergone democratic consolidation in recent years, which have featured credible elections and transfers of power to opposition parties. Ongoing problems include discrimination against Nepali-speaking and non-Buddhist minorities, the use of defamation cases to silence journalists, and media censorship.

KEY DEVELOPMENTS IN 2022

- Border tensions between Bhutan and China escalated after the January implementation of a new Chinese land border law, and subsequent construction of Chinese settlements inside Bhutanese territory.
- Two civil servants were reportedly forced to retire in April after talking to the media about their concerns over staffing at the Ministry of Agriculture and Forests.

POLITICAL RIGHTS: 29 / 40

A. ELECTORAL PROCESS: 10 / 12

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

The monarch is head of state, appoints a number of high officials, and retains a waning degree of influence over ministerial positions. King Jigme Khesar Namgyel Wangchuck formally succeeded his father in 2008.

The monarch nominates the leader of the majority party in the elected National Assembly to serve as prime minister. Lotay Tshering of the United Party of Bhutan (DNT) was appointed prime minister in November 2018.

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

The constitution provides for a bicameral Parliament, with a 25-seat upper house, the National Council, and a 47-seat lower house, the National Assembly. Members of both houses serve five-year terms. The king appoints five members of the nonpartisan National Council, and the remaining 20 are popularly elected. The National Assembly is entirely elected.

The April 2018 National Council election saw record turnout; some observers ascribed the higher turnout to reforms such as a new postal voting system that were designed to encourage voting and make casting ballots easier. The National Assembly election was held in two rounds in September and October 2018, with the two parties that won the most support in the first round advancing to the second. The DNT, which launched in 2013, won 30 seats. The Bhutan Peace and Prosperity Party (DPT) won 17. The then ruling People's Democratic Party did not advance to the runoff and therefore was not represented in the National Assembly.

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

Elections are administered by the Election Commission of Bhutan (ECB), which is generally considered impartial, although some of its regulations regarding which parties can compete in elections are controversial.

B. POLITICAL PLURALISM AND PARTICIPATION: 12 / 16

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

Citizens must receive government approval to form political parties, and obtaining approval is sometimes difficult.

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

The opposition has a realistic chance to win elections, and there is now regular turnover in control of government. In 2018, the DNT won control of Parliament for the first time, and another opposition party, the DPT, finished second, despite having won no seats in 2013.

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

India still has some influence over the choices of Bhutanese voters and politicians. The Chinese government does not have a diplomatic relationship with Thimphu but has courted Bhutanese leaders and worked to gain control of Bhutanese territory. Chinese forces have constructed villages, military outposts, and infrastructure inside Bhutan since 2015 and the implementation of a Chinese land border law in January 2022 exacerbated the problem.

The royal family retains influence, although it has significantly retreated from policy interference in recent years.

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

Electoral rules stipulate that political parties must not be limited to members of any regional, ethnic, or religious group. Citizenship rules are strict, and many Nepali-speaking people have not attained citizenship, leaving them disenfranchised.

Women are underrepresented in public office; traditional customs inhibit women's political participation, though electoral reforms introduced for the 2018 elections improved female turnout. Female representation in the National Assembly improved from 8.5 percent before the 2018 elections to 14.9 percent immediately after, and women held 17.4 percent of the chamber's seats at the end of 2022.

C. FUNCTIONING OF GOVERNMENT: 8 / 12

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

Bhutan has made a successful transition from a system in which the monarch dominated governance to one in which policies and legislation are mostly determined by elected officials. Beijing has widened its effective influence over policymaking in part of Bhutan through its settlement activity in recent years, effectively obstructing Thimphu's authority.

The Indian government maintains significant influence on Bhutanese policymaking, in part by supplying considerable foreign aid.

C2. Are safeguards against official corruption strong and effective? 3 / 4

The government generally enforces anticorruption laws effectively. The 2006 Anti-Corruption Act established whistleblower protections. The Anti-Corruption Commission (ACC) is tasked with investigating and preventing graft and has successfully prosecuted several high-profile cases. The number of cases reported to the commission has grown each year, showing public interest and the ACC's widening utility.

Nepotism in public procurement and government employment remains problematic.

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

The government has strengthened transparency by making the salaries of officials public and making the central and local budgets more open to review. A right to information law passed by the National Assembly in 2014 was designed to put the onus on agencies to release information. However, the National Council never approved the bill.

ADDITIONAL DISCRETIONARY POLITICAL RIGHTS QUESTION

Add Q. Is the government or occupying power deliberately changing the ethnic composition of a country or territory so as to destroy a culture or tip the political balance in favor of another group? –1

The government has for decades attempted to repress the rights of ethnic Nepalis, forcing many of them to leave Bhutan. The government expelled a large percentage of Nepali speakers in the early 1990s. A resettlement effort aimed at transferring the refugees to other countries began in 2007, resulting in the resettlement of the majority of refugees. However, between 6,000 and 7,000 Bhutanese refugees remain in Nepal.

CIVIL LIBERTIES: 32 / 60

D. FREEDOM OF EXPRESSION AND BELIEF: 9 / 16

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

While there are multiple private media outlets, many depend on advertising from state bodies, and the media environment remains subject to self-censorship. Powerful individuals can use defamation laws to retaliate against critics.

The Bhutan Information Communications and Media Act 2018 mandated the establishment of an independent Media Council, which became operational in 2019, to monitor the media for harmful content. Press freedom advocates fear the body will prompt further self-censorship.

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

The constitution protects freedom of religion, but local authorities are known to harass non-Buddhists.

Christian churches have often been unable to obtain registration from the government, which places constraints on their activities.

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

Few restrictions on academic freedom have been reported. However, Bhutanese university students are often hesitant to speak out on controversial political issues, including issues related to the monarchy, and practice self-censorship.

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

Freedom of expression is constitutionally guaranteed and generally respected. However, under the National Security Act, speech that creates or attempts to create "hatred and disaffection among the people" or "misunderstanding or hostility between the government and people," among other offenses, can be punished with imprisonment. The broad language of the law makes it vulnerable to misuse. Two civil servants who worked at the Ministry of Agriculture and Forests were reportedly forced to retire in April 2022 after talking to the media about staffing concerns.

E. ASSOCIATIONAL AND ORGANIZATIONAL RIGHTS: 5 / 12

E1. Is there freedom of assembly? 2 / 4

The constitution guarantees freedom of assembly, but this right is limited by government-imposed restrictions. Public gatherings require government permission, which is sometimes denied.

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

Nongovernmental organizations (NGOs) that work on issues related to ethnic Nepalis are not allowed to operate, but other local and international NGOs work on a wide range of issues. Under the 2007 Civil Society Organization Act, all new NGOs must register with the government. Registration is granted to NGOs that are determined by the government to be "not harmful to the peace and unity of the country."

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

The constitution nominally guarantees the right of workers to form unions, but the right to strike is not legally protected. Workers may bargain collectively, and antiunion discrimination is prohibited.

F. RULE OF LAW: 9 / 16 (+1)

F1. Is there an independent judiciary? 3 / 4

The independence of the judiciary is largely respected. Senior judges are appointed by the king on the recommendation of the National Judicial Commission. However, the rulings of judges often lack consistency, and many people view the judiciary as corrupt.

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

Although the right to a fair trial is largely guaranteed and arbitrary arrest is not a widespread problem, plaintiffs and defendants in civil disputes often represent themselves. Many people who are unable to repay debts are held in detention, which is considered arbitrary under international law.

A number of political prisoners who were detained before Bhutan transitioned to its current democratic system remain imprisoned. Six were released in April 2022, but 49 reportedly remained in jail.

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

The civilian police force generally operates within the law, and incidents of excessive force are rare. In recent years, crime rates have generally been low. However, insurgents from the Indian state of Assam sometimes enter Bhutan and undermine security. Occasional instances of kidnapping and robbery occur along the border with India.

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

The constitution protects against discrimination based on sex, race, disability, language, religion, or societal status. However, Nepali-speaking people reportedly face employment discrimination and many forms of bias.

LGBT+ people experience societal discrimination and stigma. There are no legal protections for transgender people. In December 2020, both houses of Parliament completed a final vote to repeal provisions that criminalized same-sex sexual activity, and the king gave his assent in February 2021.

Discrimination in employment and education persists for women.

G. PERSONAL AUTONOMY AND INDIVIDUAL RIGHTS: 9 / 16

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

Bhutanese citizens generally have the freedom to travel domestically and internationally. However, the government has established different categories of citizenship, which restricts foreign travel for some. These restrictions reportedly have the greatest effect on Nepali speakers.

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

Individuals generally have rights to own property and establish businesses, but the process of registering property or a new business can be cumbersome. In recent years, the legal system has become more consistent, and establishing businesses has become easier. However, some ethnic Nepalis who lack a security clearance certificate face difficulties in starting a business.

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

Reports of domestic violence have increased in recent years. Societal taboos lead many incidents of rape and domestic violence to go unreported. Child marriage still occurs with some frequency.

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

Female household workers, who often come from rural areas or India, are vulnerable to forced labor and other abuse, as are foreign workers in the construction and hydropower sectors. Child labor persists, mostly in the agriculture and construction sectors.

The US State Department's *Trafficking in Persons Report 2022* noted that during the reporting period the Bhutanese government did not expand its overall antitrafficking efforts, with only one investigation into possible trafficking and no new prosecutions, although three traffickers were convicted in 2021.

Sex trafficking remains a problem; Bhutanese antitrafficking legislation does not criminalize all forms of this practice.

Bolivia

Population: 11,800,000
Capital: La Paz (administrative), Sucre (judicial)
Freedom Status: Partly Free
Electoral Democracy: Yes

Overview: Bolivia is a democracy where credible elections have been held regularly. While mass protests and violence erupted after the disputed 2019 elections, new general elections held in 2020 and subnational elections held in 2021 were credible and fair, and stakeholders accepted the results. Nevertheless, the underlying causes of the political violence of 2019 still pose a threat to the country's political stability. Child labor and violence against women are persistent problems, independent and investigative journalists face harassment, and the judiciary is highly politicized and hampered by corruption.

KEY DEVELOPMENTS IN 2022

- After being held in preventive detention for over a year on numerous charges, including terrorism and sedition, former interim president Jeanine Áñez Chavez was brought to trial in June; Áñez was convicted of illegally assuming the presidency and sentenced to 10 years in prison.
- In July, President Luis Arce's administration announced that the upcoming national census, planned for November, would be postponed until the summer of 2024, sparking violent protests and national strikes spearheaded by the opposition government of Santa Cruz Province. The violence began to decrease in November, and in December, the parliament passed a bill moving the census to March 2024, roughly three months earlier than originally announced.
- Prominent opposition leader and governor of the Santa Cruz Region Luis Camacho was arrested on charges of "terrorism" in December. Camacho remained in detention at year's end.
- In August, the National Association of Bolivian Journalists (ANPB) declared a "state of emergency" in the Bolivian press due to the persistent harassment and intimidation of members of the media, including by government officials.

POLITICAL RIGHTS: 27 / 40

A. ELECTORAL PROCESS: 10 / 12

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

Bolivia's president is both chief of state and head of government, and is directly elected to a five-year term. The presidential election in October 2020 took place after the results of

the 2019 election were annulled. Early results of the 2019 presidential election suggested that a runoff between incumbent Evo Morales of the Movement for Socialism (MAS) and the main opposition candidate, former president Carlos Mesa of the Comunidad Ciudadana (Citizen Community) party, was likely. Soon after, election officials released an updated vote count showing Morales with an outright victory, prompting mass demonstrations. A report by an Organization of American States (OAS) electoral observation mission criticized the tally that showed Morales with an outright victory, saying it contradicted independent counts—though the credibility of this criticism has since been disputed by some independent analysts. A 2022 report by the US Department of State supported the conclusions of the OAS report.

In November 2019, as protests, counterprotests, and accompanying violence intensified in the weeks following the October poll, Morales, vice president Álvaro García Linera, and the heads of the Senate and the lower chamber resigned, after Morales lost the support of the military and police forces. Days later, Jeanine Áñez Chavez, a senior senator and the highest-ranking official in the line of succession who had not yet resigned, was endorsed by the Plurinational Constitutional Tribunal (TCP) to assume the presidency on an interim basis. Áñez indicated that she would only serve until a new election could be held, though in January 2020, she announced her candidacy for president in the next election. She eventually withdrew from the race in September 2020.

An agreement between the interim government and the parliament, mediated by the United Nations, the European Union (EU), and the Roman Catholic Church, established a new election date and a new Supreme Electoral Tribunal (TSE). The election was supposed to be held in May 2020; however, it was postponed until October due to the COVID-19 pandemic. The results of the October 2020 poll showed a clear victory for MAS candidate Luis Arce, who won over 55 percent of the vote, precluding the need for a runoff. Voter turnout was recorded at 84 percent. Multiple independent observer missions deemed the poll credible and fair, and competing parties and civil society stakeholders accepted the results.

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

The Plurinational Legislative Assembly (ALP) consists of a 130-member Chamber of Deputies and a 36-member Senate. Legislative terms are five years.

Due to allegations of irregularities in the 2019 general elections, the results of the vote for legislative representatives were considered invalid, and in November 2019, the ALP unanimously passed a law calling for new legislative elections to be held in October 2020. In those elections, the MAS won 75 of the 130 seats in the Chamber of Deputies and 21 seats in the Senate. The Citizen Community party secured 39 seats in the lower house and 11 seats in the upper house, and the new We Believe (Creemos) alliance won 16 and 4 seats in the Chamber of Deputies and the Senate, respectively.

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

The final report of the OAS on the 2019 elections claimed that the elections' overall results were not verifiable, due to "willful manipulation" abetted by a biased TSE. After Morales's resignation in November 2019, the parliament agreed on a transparent formula to reconstitute an independent TSE in December of that year.

In the 2020 elections, the TSE's actions were widely considered independent and free from undue political influence. Though the day of the vote was postponed twice due to the coronavirus pandemic, the body nevertheless administered a safe vote with high turnout.

For years, Bolivian politics were characterized by MAS efforts to abolish presidential term limits. In 2017, MAS lawmakers overturned the articles in the constitution setting presidential term limits by consulting the TCP, a body the lawmakers themselves had appointed, despite voters rejecting this measure by referendum in 2016. In June 2021, the Inter-American Commission on Human Rights (IACHR) found that term limits do not violate rights protected by the American Convention on Human Rights.

B. POLITICAL PLURALISM AND PARTICIPATION: 10 / 16

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

Citizens have the right to organize political parties. MAS has dominated politics since 2005, drawing support from social movements, trade unions, and civil society actors. Morales's attempts to achieve a reelection bid were a core issue in the rancorous 2019 campaign period. The most prominent opposition party, Comunidad Ciudadana, attracted individuals who opposed his persistent efforts to extend his term.

In January 2020, Luis Fernando Camacho—the regional leader from Santa Cruz who led the mass protests against Morales in 2019—founded the Creemos alliance. Creemos quickly became the leading party in Santa Cruz, Bolivia's richest region, where Camacho was elected governor in 2021.

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

There are no formal institutional barriers that prevent opposition parties from participating in elections. Between 2005 and 2019, however, the overwhelming dominance of MAS, aided by its use of public resources to back its campaigns, made it difficult for opposition parties to gain power through elections. MAS candidates achieved sweeping victories in the local elections held in March 2021, but lost the mayoral races in Bolivia's largest cities, and in most gubernatorial races.

Following the 2019 presidential election, the OAS observer mission claimed that the results of the vote were manipulated by the TSE to prevent a runoff between Morales and Mesa, the second-place candidate. However, in 2020, independent researchers found that methodological errors significantly affected the OAS's results; when the errors were corrected, the researchers found no evidence of electoral fraud. Elections held in 2020 were generally considered to be free and fair.

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

People are generally free to make political decisions without undue influence from the military, foreign powers, or other influential groups. Although several violent confrontations occurred between supporters of competing parties in the run-up to the 2020 election, leaders of all parties called for their supporters to allow everyone to campaign freely and peacefully in each region. The levels of violence that preceded and followed the 2019 elections have decreased in severity since 2020.

However, tensions remained high into 2022, and violence between MAS supporters and supporters of the regionalist movement in Santa Cruz escalated after the Arce administration announced that a national census, originally planned for November 2022, would be postponed until 2024, purportedly due to administrative challenges. Due to the growing population of the Santa Cruz region, the census results are expected to trigger the

reapportionment of government resources and parliamentary seats away from traditional MAS strongholds to Santa Cruz. By delaying the national census, opposition leaders say that the Arce administration has attempted to give unfair financial and parliamentary advantages to MAS. In November 2022, following several weeks of violent protests, the government agreed to hold the census in March 2024, roughly three months earlier than officials had originally announced.

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

Adult citizens enjoy universal and equal suffrage.

The constitution recognizes 36 Indigenous nationalities within a plurinational state, and formalizes political autonomy in Indigenous territories. Indigenous groups are well represented in government, and seven seats are reserved for Indigenous peoples in the Chamber of Deputies. However, the interests of Indigenous groups are often overlooked by politicians.

Formally, Bolivia has progressive legislation that guarantees equal political representation for women and seeks to protect them from political violence. While women are well represented in politics, holding 46 percent of seats in the Chamber of Deputies and nearly 56 percent of those in the Senate, sexism and patriarchal attitudes undermine their work, particularly at local levels.

C. FUNCTIONING OF GOVERNMENT: 7 / 12

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

Elected officials are free to set and implement government policy without undue interference from nonstate actors. However, opposition members charge that the MAS majority in the legislature has opened the space for strong executive influence on legislative processes, closing the possibility of debating policy at the legislative level. In September 2022, following a months-long electoral process, the MAS majority in the parliament secured the election of their preferred candidate for ombudsman after calling an impromptu vote while several opposition legislators were absent, sparking further criticism from the opposition about MAS legislators' use of their parliamentary majority.

Historically, powerful social movements have been able to exert pressure on the ALP to prevent the adoption of policies seen as detrimental to their interests. In late 2022, unionized and cooperative miners demanded that the government repeal a decree issued in August 2022, which states that the "resources" of public and majority state-owned companies would be transferred "to the General Treasury of the Nation (TGN) to finance investment projects and/or programs of social interest." In October, following months of protests and talks with mining representatives, the government agreed to repeal certain articles of the decree.

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

Anticorruption laws are poorly enforced, and corruption affects a range of government entities and economic sectors, including law enforcement bodies and extractive industries. Public procurement processes are frequently compromised by bribery.

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

Bolivia has no law guaranteeing access to public information. Elected officials by law must make asset declarations, but these are unavailable to the public.

CIVIL LIBERTIES: 39 / 60

D. FREEDOM OF EXPRESSION AND BELIEF: 14 / 16

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

While the constitution guarantees freedom of expression, in practice, journalists encounter harassment in connection with critical or investigative reporting. Media outlets critical of the government faced harassment from administration officials during the Morales and Áñez presidencies. Similar harassment has continued under the Arce administration, which has characterized journalists as liars and independent media outlets as partisan actors.

During 2022, members of the press faced attacks and harassment, including from protesters while reporting on demonstrations and from government officials, who denied journalists access to official information, particularly in relation to corruption scandals. In August, the National Association of Bolivian Journalists (ANPB) declared a "state of emergency" in the Bolivian press due to the "intimidation" and "judicial and political persecution" of the media.

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

Freedom of religion is guaranteed by the constitution and generally upheld in practice. The 2009 constitution ended the Roman Catholic Church's official status, and created a secular state.

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

Academic freedom is legally guaranteed and upheld in practice.

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

Private discussion is robust and generally free from interference or surveillance.

E. ASSOCIATIONAL AND ORGANIZATIONAL RIGHTS: 9 / 12

E1. Is there freedom of assembly? 3 / 4

Bolivian law protects the right to peaceful assembly. However, many past protests have been marred by clashes between demonstrators and police, as well as physical confrontations between protesters and counterprotesters.

Widespread protests during the 2019 elections were characterized by high levels of violence among protesters, counterprotesters, and security forces. A report issued in August 2021 by the Interdisciplinary Group of Experts (GIEI), commissioned through an agreement between the IACHR and the Bolivian government, found that during the protests that led to Morales's resignation, his administration facilitated the transport of its supporters and provided them with materials and weapons to use against the opposition, causing grave human rights violations. The IACHR and the UN High Commissioner for Human Rights (OHCHR) further investigated police use of excessive force during the 2019 postelectoral unrest, reporting that the police forces had committed serious human rights violations.

Large protests against the Arce government's decision to delay the national census until 2024 were held in October and November 2022 in the Santa Cruz region, led by opposition leader Luis Camacho. The protests featured occasional violent clashes between police and protesters, but were called off when opposition groups and the Arce administration reached a consensus on a new census date. Violent protests in Santa Cruz resumed in December, following Camacho's arrest on charges of terrorism for his role in the 2019 protests against Morales.

Other protests during the year included demonstrations by coca growers from Yungas, who accused the government of attempting to weaken their organization in favor of coca growers from the Chapare region, who are allied with the ruling party. These protests were met with high levels of repression by security forces, and according to the OHCHR, demonstrators were subjected to violence and "excessive use of force" by the police.

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

Many nongovernmental organizations (NGOs) operate but are subject to some legal restrictions. In 2016, the TCP dismissed a petition arguing that two statutes in the country's NGO laws gave the government license to dissolve NGOs. Government officials from all political affiliations have at times smeared rights groups as political conspirators.

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

Labor and peasant unions are an active force wielding significant political influence.

The country's official labor code is inconsistent with Bolivian law; for example, it prohibits public sector unions, yet many public sector workers are able to legally unionize. A National Labor Court hears cases of antiunion discrimination, but tends to hand down verdicts slowly, and penalties for antiunion discrimination are not consistently applied.

F. RULE OF LAW: 6 / 16

F1. Is there an independent judiciary? 1 / 4

Bolivia stands as the sole country that appoints justices via popular elections. However, judges on the Supreme Court (TSJ), the TCP, and other entities are first nominated through a two-thirds vote in the legislature. For years, this allowed MAS to dominate the candidate selection process, producing a lenient judiciary. The popular election of judges has politicized and factionalized appointments, creating further opportunities for corruption. In October 2022, the head of the Council of Magistrates, the body in charge of regulating the judiciary, resigned after acknowledging that he had collaborated with legislators from the ruling party to confirm the nomination of several judges. In addition to its politicization, the judiciary remains overburdened.

The use of the judiciary to prosecute opposition leaders was a common practice during the Morales administration and continued under interim president Áñez's government, which pressured prosecutors to pursue criminal cases against hundreds of individuals associated with the Morales administration. An arrest warrant for Morales, issued in December 2019, was annulled following the MAS victory in the October 2020 elections. In October 2020, the outgoing legislature approved the indictment of 11 ministers from the interim government, and recommended that interim president Áñez be prosecuted for her role in worsening the election-related violence in 2019. Áñez was arrested on multiple charges in March 2021, including conspiracy, sedition, and terrorism; she remained in preventive detention until June 2022, when she was brought to trial. Áñez was convicted of illegally assuming the presidency in 2019 and sentenced to ten years in prison. The Arce administration has also accused several opposition leaders elected in the March 2021 local elections, including Camacho, of terrorism, conspiracy, and sedition. New charges were brought against Camacho and other civic leaders following antigovernment protests in Santa Cruz in late 2022, including charges of sedition, conspiracy, and terrorism. Camacho was arrested in December on terrorism charges and remained in pretrial detention at year's end.

The August 2021 GIEI report on the 2019 political crisis found that a lack of independence, transparency, and objectivity in the exercise of criminal prosecutions—often

used against political opponents—constitutes a structural and endemic problem of the Bolivian judiciary.

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

Many people have difficulty accessing the justice system because they lack resources to travel to courts and other relevant offices. In criminal matters, people accused of committing crimes can go years before they have a formal trial; interim president Áñez, who was arrested in March 2021, remained in preventive detention for more than a year before her June 2022 trial. Police are poorly paid and receive inadequate training, and corruption within the police force remains a problem.

In September 2022, a preliminary IACHR report revealed that in 2009, while Morales was president, Bolivian security forces detained, tortured, and extrajudicially executed at least three people who allegedly belonged to a terrorist cell that was supporting a separatist movement in the region of Santa Cruz. Others accused of involvement in the movement were illegally held in preventive detention for up to ten years. The 2022 report found the Bolivian government responsible for the human rights abuses stemming from this incident.

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

Morales supporters and opponents fought violently in several cities following the 2019 elections and Morales's resignation. Both sympathizers and detractors of Morales had access to explosives, including dynamite, homemade rocket launchers, and Molotov cocktails, and used them against each other and the security forces. The houses of journalists and activists from both sides were burnt, as were a number of public buses in La Paz. A political dialogue backed by the EU, the United Nations, and the Episcopal Conference, among others, allowed the violence to decrease before reaching the point of civil war or insurgency.

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

The 2010 antiracism law contains measures to combat discrimination and impose criminal penalties for discriminatory acts. However, racism and associated discrimination is common in the country, especially against Indigenous groups.

Bolivia has laws in place that prohibit discrimination against LGBT+ people. However, these laws are rarely enforced, and LGBT+ people experience widespread societal discrimination.

G. PERSONAL AUTONOMY AND INDIVIDUAL RIGHTS: 10 / 16

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

There are no formal limits on people's ability to change their place of residence, employment, or education, but choices can be limited by socioeconomic difficulties. Roads are occasionally blockaded as part of protest actions, impeding free movement.

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

Women enjoy the same formal rights to property ownership as men, but discrimination is common, leading to disparities in property ownership and access to resources.

The rights of Indigenous people to prior consultation in cases of natural resource extraction and land development are not fully upheld by law or in practice.

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

The constitution reserves marriage as a bond between a man and a woman, and makes no provision for same-sex civil unions. However, in July 2020, the Second Constitutional Chamber of the La Paz Department Tribunal overturned a decision of the civil registry office denying a same-sex couple registration of their civil union, which was later officially approved.

Gender-based violence is a serious problem, and laws criminalizing violence against women are not well enforced. A new law increasing the criminal penalties for those convicted of rape, infanticide, and femicide was enacted in July 2022. Bolivia registered more than 90 femicides in 2022. Many women lack access to birth control and reproductive health care.

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

Bolivia is a source country for the trafficking of men, women, and children for forced labor and prostitution, and the country faced international criticism over permissive legislation regarding child labor in 2018, when the country changed the minimum working age to 14 years old.

Bosnia and Herzegovina

Population: 3,400,000
Capital: Sarajevo
Freedom Status: Partly Free
Electoral Democracy: No

Overview: Bosnia and Herzegovina (BiH) is a highly decentralized parliamentary republic whose complex constitutional regime is embedded in the Dayton Peace Agreement, which ended the 1992–95 Bosnian War. Political affairs are characterized by severe partisan gridlock among nationalist leaders from the country's Bosniak, Serb, and Croat communities. Political participation by citizens from other communities is extremely limited. Corruption remains a serious problem in the government and elsewhere in society.

KEY DEVELOPMENTS IN 2022

- Monitors deemed October's general elections competitive, but noted media bias and electoral irregularities, and expressed concern that increasing ethnic segregation in the country continued to have negative implications for Bosnian democracy. Reformist candidates posted modest gains.
- Less than an hour after polls closed, the internationally appointed High Representative Christian Schmidt used the executive "Bonn powers" to amend the electoral law of the Federation, one of the two entities comprising Bosnia and Herzegovina. Schmidt said the move was meant to increase "functionality" in the entity's governance, but the move sidestepped the newly elected parliament, and critics said it disproportionally benefitted the nationalist Croatian Democratic Union (HDZ BiH).
- In December, BiH was awarded European Union (EU) candidate status by the European Council. The move was widely seen as a geopolitical development, rather than one reflecting democratic reform in the country.

POLITICAL RIGHTS: 18 / 40 (–1)

A. ELECTORAL PROCESS: 5 / 12 (–1)

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

The 1995 Dayton Accords that ended the war in BiH reorganized the state as including two autonomous entities—the Federation of BiH, whose residents are mainly Bosniak and Croat, and the Serb-dominated Republika Srpska (RS)—that operate under a weak central government. The position of head of state is held by a three-member presidency comprising one Bosniak, one Serb, and one Croat; they are each elected to a four-year term, which they serve concurrently.

The chair of the Council of Ministers, or prime minister, is nominated by the presidency and approved by the House of Representatives. The chair in turn nominates other ministers for approval by the House.

In October 2022, BiH held general elections. Denis Bećirović of the Social Democratic Party (SDP) defeated longtime Bosniak nationalist chief Bakir Izetbegović of the Party of Democratic Action (SDA) for the Bosniak seat on the state presidency. Željko Komšić, leader of the multiethnic Democratic Front, defeated Borjana Krišto of the nationalist Croatian Democratic Union (HDZ BiH) for the Croat seat, but the HDZ BiH claimed his election was "illegitimate" on the grounds that Komšić's support came in part from Bosniak voters, as in the Federation of Bosnia and Herzegovina voters may choose to vote for either the Bosniak or Croat representative. (Komšić drew overall support from moderate Bosniak and Croat voters, rather than those in the HDZ BiH's conservative strongholds.) The secessionist Alliance of Independent Social Democrats (SNSD) from the Serb-dominated RS entity won the Serb seat on the state presidency, although the party's leader, Milorad Dodik, opted not to seek reelection and instead ran for the presidency of the RS entity. Significant evidence of electoral fraud in RS elections prompted the Central Election Commission (CIK) to call for a recount of the entity's presidential race. Dodik won the recount and was declared the president in late October, but the discovery of illegally printed ballots as well the large number of invalid ballots raises serious questions about the integrity of the vote and of the overall democratic process in BiH.

An election-monitoring mission from the Organization for Security and Co-operation in Europe (OSCE) assessed the polls as competitive but noted deficiencies in electoral framework, general distrust in government, unequal participation by women, concerns about the secrecy of votes, procedural irregularities during vote counting, and "limited and biased media coverage." The mission noted that deepening ethnic segregation and "corresponding divergent views on the future of the country remain a concern for the functioning of democratic institutions."

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

The Parliamentary Assembly, a state-level body, has two chambers. The 15-seat upper house, the House of Peoples, consists of five members from each of the three main ethnic groups, elected by the Federation and RS legislatures for four-year terms. The lower house, the House of Representatives, has 42 popularly elected members serving four-year terms, with 28 seats assigned to representatives from the Federation and 14 to representatives from the RS.

While the SDA, HDZ BiH, and SNSD dominated the October 2022 general elections, they faced significant competition from other parties, particularly the SDP. Polling took place concurrently with the presidential poll, and election monitors noted similar irregularities. Turnout was down 3 percent from the previous elections, to just above 50 percent.

Less than an hour after polls closed, the High Representative, Christian Schmidt, moved to amend the Federation entity's election law and constitution. While Schmidt said he intended to streamline government functionality and respect a Bosnian Constitutional Court ruling, he imposed the changes without offering an opportunity to the new entity parliament (in which moderate and reform-minded actors had increased their representation) to exercise its legislative powers to realize the relevant changes. Critics credibly alleged that Schmidt undermined the democratic integrity of BiH institutions; passed changes that appear to disproportionately favor the Croat nationalist HDZ BiH; and failed to adequately address the totality of the outstanding constitutional and electoral cases facing the Bosnian state.

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

The CIK administers elections with the help of municipal election commissions. Both are subject to significant political party interference. The CIK is a largely ineffectual body, unable to act decisively without political support.

Conflicts over fair ethnic representation surround aspects of the constitution and electoral laws. BiH citizens who do not identify as members of the country's Bosniak, Serb, or Croat "constitutive peoples" remain barred from the presidency and membership in the House of Peoples, despite 2009 and 2016 rulings by the European Court of Human Rights (ECtHR) that the exclusion of members of other ethnic groups violated the European Convention on Human Rights (ECHR).

In July 2022, media reports emerged that High Representative Schmidt was going to amend the Federation entity's election laws. After criticism and protests, Schmidt made only technical amendments. Those interventions, and the more substantial amendments he made in October, were presented primarily as streamlining government functionality in the Federation entity. The decision, however, was widely understood and implicitly acknowledged by the Office of the High Representative (OHR) itself as a way of implementing a Constitutional Court decision in the so-called Ljubić case, regarding participation by the three main ethnic groups in certain political races. The move sidestepped the newly elected parliament and was widely perceived as benefitting the HDZ BiH. Despite his claims, Schmidt's changes have not led to prompt government formation in either the Federation entity or at the state level.

Score Change: The score declined from 2 to 1 because abrupt changes to electoral laws by the OHR disrupted democratic processes in Bosnia and Herzegovina.

B. POLITICAL PLURALISM AND PARTICIPATION: 9 / 16

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

Political parties typically organize and operate freely, though the political arena in the Federation is generally limited to Bosniaks and Croats, while Serbs control politics in the RS. Coalitions at all levels of government shift frequently, but incumbent parties have tended to maintain their positions with the help of vast patronage networks, making it difficult for smaller reform-oriented groupings to achieve meaningful gains. The OHR's 2022 election law amendments significantly strengthened the position of the HDZ BiH in the Federation House of Peoples.

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

While there are no explicit legal barriers preventing opposition parties from entering government, expansive veto powers granted to the constitutive peoples and their representatives have helped the dominant nationalist parties to manipulate the system and shut out reformist or multiethnic challengers. However, the decisive victory of Bećirović over Izetbegović in the October 2022 state presidency race was seen as a major victory for reformist actors.

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

In addition to domestic problems like the politicization of public resources and the influence of corrupt patronage networks, the governments of Serbia and Croatia exert leverage in Bosnian politics through their respective local allies, the SNSD and the HDZ BiH. The Russian and Turkish governments have also offered support to preferred parties and candidates. There are credible reports that the government of Croatia has intensively lobbied the OHR, especially with respect to Schmidt's 2022 changes to the electoral code of the Federation entity. (Croatian officials have publicly boasted of their regular but "discreet" communications with Schmidt, additionally.) In July 2022, local media reported that the Croatian foreign minister had helped directly prepare the OHR's election law amendments.

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

Political rights in BiH are in large part contingent on one's ethnic background and place of residence. Jews and Roma are constitutionally barred from the presidency and from membership in the House of Peoples, despite the ECtHR rulings against those provisions. Serbs who live in the Federation and Croats and Bosniaks who live in the RS are also excluded from the presidency. Some Croats argue that their rights to representation are violated by electoral laws allowing non-Croats a significant voice in the selection of the Croat member of the presidency and Croat members of the House of Peoples. Critics of the Croat nationalist HDZ BiH, however, counter that the party has manipulated the discourse surrounding this issue to obstruct civic and liberal reforms of the country's constitutional order.

Women are underrepresented in politics and government. As a result, debates pertaining to maternal health and domestic violence are rarely at the center of parliamentary discussion, although they are openly, if infrequently, discussed in the media. LGBT+ people are marginalized in formal political life, but LGBT+ rights groups are active in the civic sphere.

C. FUNCTIONING OF GOVERNMENT: 4 / 12

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

Government formation and policy implementation are seriously impeded by the country's complex system of ethnic representation. Under the Dayton Accords, representatives from each of the three major ethnic groups, at both the state and entity levels, may exercise a veto on legislation deemed harmful to their interests. The state government is also undercut by movements within each of BiH's entities for greater autonomy.

Dodik, now the RS president, maintains expansive control over the entity, and continues to speak openly of his desire for the RS to secede from BiH. In October 2021, he announced the RS's withdrawal from various federal institutions, notably the military, prompting fears of a secession crisis. The move came largely in response to the OHR's July 2021 law against

genocide denial and was the latest in a series of escalating efforts to chip away at the functionality of the BiH state. Dodik continued to engage in secessionist rhetoric throughout 2022, prompting additional rounds of sanctions against him and his associates by the United States and United Kingdom.

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

Corruption remains widespread and systemic, and legislation designed to combat the problem is poorly enforced. When corruption probes are actually opened, they rarely result in convictions.

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

Government operations remain largely inaccessible to the public. Procurement awards are often made in secret, and public institutions frequently fail to comply with freedom of information laws. Candidates for major offices are obliged to make financial disclosures, but the relevant laws are weak, and the resulting disclosures are widely considered unreliable. Debate and decisions on matters of public interest, including legislation and subjects pertaining to EU accession, routinely occur during interparty negotiations that take place behind closed doors, outside of government institutions.

CIVIL LIBERTIES: 34 / 60

D. FREEDOM OF EXPRESSION AND BELIEF: 10 / 16

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

Freedom of expression is legally guaranteed but limited in practice. Journalists face political pressure as well as harassment, threats, and occasional assaults in the course of their work. There is a large private media sector, including outlets that are affiliated with local political parties and those that belong to major international news networks. Public broadcasters in both entities, and at the canton level, often operate as partisan platforms; this is especially pronounced with the entity broadcaster in the RS, Radio-Television Republika Srpska (RTRS), whose coverage serves the interests of the SNSD.

On a number of occasions during 2022, High Representative Schmidt reacted aggressively to pointed questions by journalists.

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

Religious freedom is not subject to formal restrictions, but in practice religious communities face some discrimination in areas where they constitute a minority. Acts of vandalism against religious sites continue to be reported.

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

The education system is racked by corruption and clientelism, and the curriculum is politicized at all levels of education. At some schools in the Federation, Bosniak and Croat students are still divided into separate classes. Some Bosniak returnees in the RS have sent their children to temporary alternative schools to avoid curriculums they find discriminatory, and some Serb families have described discriminatory educational environments in the Federation.

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

Freedom of expression for individuals is generally protected from overt government interference. However, peer pressure and the risk of an adverse public reaction remain significant curbs on the discussion of sensitive topics.

E. ASSOCIATIONAL AND ORGANIZATIONAL RIGHTS: 7 / 12

E1. Is there freedom of assembly? 3 / 4

Freedom of assembly is generally respected in BiH, and peaceful protests are common. However, demonstrators sometimes encounter administrative obstacles or police violence, and organizers can become targets of police or political harassment. In June 2022, Sarajevo successfully held a pride parade for the fourth year in a row, unmarred by violence or harassment of participants. A small counterdemonstration by religious conservatives was kept far away from the main proceedings by local police.

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

The nongovernmental organization (NGO) sector in BiH remains robust but is sometimes exposed to government pressure and interference, with conditions more difficult in the RS.

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

Labor unions operate freely in the whole of BiH, although workers often have limited bargaining power in practice. The right to strike is legally protected, but labor laws in the Federation pose significant barriers to the exercise of this right. Legal protections against antiunion action by employers are weakly enforced. The leading political blocs in the country exercise significant control over unions in their respective strongholds.

F. RULE OF LAW: 7 / 16

F1. Is there an independent judiciary? 1 / 4

The judiciary is formally independent but weak in practice. Dozens of Constitutional Court decisions have been disregarded by political leaders, as has some jurisprudence from the ECtHR. Individual judges are also subject to political pressure, interference, and intimidation regarding the cases before them. The High Judicial and Prosecutorial Council of Bosnia and Herzegovina (HJPC), which appoints judges, has been racked by scandals and is widely perceived as corrupt. The HJPC was among the state institutions from which the RS intended to withdraw, according to Dodik's October 2021 announcement.

The existence of four separate court systems—for BiH, the RS, the Federation, and the self-governing Brčko District—contributes to overall inefficiency.

Successive rounds of US sanctions in 2022 targeted, among other things, criminal elements within the Bosnian prosecutor's chamber and individuals involved in the refusal of the Croat nationalist HDZ BiH to appoint judges to the Federation's Constitutional Court.

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

Guarantees of due process are inconsistently upheld, with judges often failing to manage trials effectively and contributing to extensive delays. Access to adequate legal counsel can be contingent on one's financial standing. Police corruption is a problem and sometimes stems from links to organized crime. Public prosecutors are widely reputed to be corrupt and under political control.

The process of prosecuting war crimes in domestic courts has been slow, with political interference and courts' lack of resources and capacity exacerbating a large backlog of cases.

Despite efforts to reinvigorate the process, impunity for war crimes including killings and sexual violence has persisted.

In September 2021, the HJPC removed the country's chief prosecutor, Gordana Tadić, from her post for negligence. She was accused of working to shield individuals presumed to be under the protection of the HDZ BiH from prosecution. US sanctions in 2022 have continued to home in on state prosecutors.

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

Although overall violent crime rates are low, organized crime is a significant problem, and high-profile incidents in recent years have fueled public frustration with the police and judicial system. Members of vulnerable groups are subject to harassment by police, including migrants transiting through the country. Many prisons are overcrowded or feature other substandard conditions, and detainees face physical abuse by prison authorities. Active land mines dating to the 1990s continue to pose a threat to civilians in rural parts of the country.

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

Laws guaranteeing equal treatment are unevenly upheld. Discrimination against members of the Romany minority is widespread. People who returned to their homes after being displaced during the war face discrimination in employment and housing in regions where their ethnic group constitutes a minority; Bosniak returnees in the RS face notable discrimination and harassment. Bosniaks and Croats in the RS more generally experience difficulties in accessing social services. Women are legally entitled to full equality with men but encounter discrimination in the workplace in practice. Members of the LGBT+ community face discrimination, harassment, and occasional physical attacks, and authorities often fail to adequately investigate and prosecute crimes against LGBT+ people.

Tens of thousands of migrants, refugees, and asylum seekers have arrived in the country each year since 2018. While the vast majority travel on to other locations, thousands remain stranded in BiH, most of whom live in squalid camps that lack basic services or protection against the elements. Authorities in the RS have refused to allow any migrant centers, and the burden of care has been thrust almost entirely on a handful of municipalities in the country's northwest.

G. PERSONAL AUTONOMY AND INDIVIDUAL RIGHTS: 10 / 16

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

The law protects freedom of movement, though there are minor barriers to the exercise of this right—for example, taxis will generally not take passengers across the border between the two entities. Bureaucratic hurdles make registering new domiciles a tedious and lengthy process. Land mines limit movement in some areas.

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

Although the legal framework broadly supports property rights and private business activity, widespread corruption and patronage remain major barriers to free enterprise. Individuals who returned to their homes after being displaced by the 1992–95 war have faced attacks on their property. The European Commission has called for further progress on compensating people for property that cannot be returned.

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

Individual freedoms on personal status matters such as marriage and divorce are generally protected. Same-sex marriage is not recognized, though in 2020 the Federation government appointed a working group to consider ways to acknowledge such partnerships.

Domestic violence is considerably underreported, and civic groups have found that law enforcement authorities are often reluctant to intervene or impose strong penalties.

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

Legal protections against exploitative working conditions are poorly enforced. Patronage and clientelism continue to adversely affect hiring practices and contribute to de facto restrictions on economic opportunity.

While human trafficking remains a problem, the US State Department in 2022 noted an increase in antitrafficking efforts, including identifying, prosecuting, and convicting traffickers.

Botswana

Population: 2,600,000
Capital: Gaborone
Freedom Status: Free
Electoral Democracy: Yes

Overview: While it is considered one of the most stable democracies in Africa, Botswana has been dominated by a single party since independence, and many institutions answer to the office of the president. Media freedom is threatened by hostile lawsuits against journalists and attempts by the government to introduce closer oversight of the press corps. The Indigenous San people, as well as migrants, refugees, and LGBT+ people, face discrimination.

KEY DEVELOPMENTS IN 2022

- President Mokgweetsi Masisi held a historic meeting in January with representatives of the country's leading LGBT+ rights organization, Lesbians, Gays, and Bisexuals of Botswana (LEGABIBO). At the meeting, he promised to respect the 2019 decriminalization of same-sex relations.
- In September, the Presidential Commission of Inquiry into the Review of the Constitution of Botswana presented its report to the president. President Masisi stood accused of employing a top-down, nonparticipatory, and nontransparent approach to constitutional reform.
- In September, the Law Society of Botswana (LSB) asked Chief Justice Terrence Rannowane to resign following allegations that, together with the minister for state president, he tried to influence a judge in a case against lawmaker and former cabinet member Thapelo Matsheka. LSB also accused him of manipulating the allocation of high-profile cases that the executive had a vested interest in.
- In July, Parliament passed the Media Practitioners' Association Bill. Journalists expressed concern about the bill's creation of a formal register for journalists and media enterprises. Earlier in the year the government had attempted, but failed, to push through a bill that contained provisions for warrantless surveillance; journalists had expressed alarm about potential introduction of the practice.

POLITICAL RIGHTS: 28 / 40

A. ELECTORAL PROCESS: 10 / 12

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

The president is indirectly elected by the National Assembly for a five-year term and is eligible for reelection to a second term. The vice president is appointed by the president and confirmed by the National Assembly. The president holds significant power, including the authority to prolong or dismiss the National Assembly. In 2018, Vice President Mokgweetsi Masisi was named interim president when the term of his predecessor, Ian Khama, expired. He was then sworn into office that November, after the Botswana Democratic Party (BDP) won a majority of parliamentary seats in the October 2019 elections.

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

Parliament includes a unicameral, 65-seat National Assembly and an advisory House of Chiefs. Voters directly elect 57 National Assembly members to five-year terms, while 6 members are nominated by the president and approved by the National Assembly. The president and attorney general are ex officio members. The 35-member House of Chiefs (Ntlo ya Dikgosi) is composed mostly of traditional leaders, representatives they elect, and representatives appointed by the president. It advises legislators on tribal issues, land matters, and the constitution. In August 2022, Parliament passed the Constitution Amendment Bill, which will increase by four the number of elected members of Parliament from 57 to 61.

The BDP won 38 National Assembly seats with 52.7 percent of the vote in the October 2019 elections, while the Umbrella for Democratic Change (UDC) won 15 seats and 35.9 percent, the Botswana Patriotic Front (BPF) won 3 seats and 4.4 percent, and the Alliance of Progressives (AP) won 1 seat and 5.1 percent.

Southern African Development Community (SADC) and African Union (AU) observers called the poll free and fair but criticized the lack of indelible ink and the use of translucent ballot boxes. The UDC claimed that voters were allowed to cast multiple ballots, and that voters and election officials were bribed. The UDC petitioned the High Court to throw the results out, but their case was dismissed in December 2019. The Court of Appeal agreed to hear the matter in January 2020, but dismissed it later that month, citing a lack of jurisdiction.

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

The Independent Electoral Commission (IEC) administers elections and is generally considered independent and capable. However, the IEC was affected by budgetary constraints and a staff shortage during the 2019 electoral period, impacting its voter-education and registration drives. There have been calls for the IEC to be removed from the mandate of the Office of the President to allow it greater independence.

In September, the Presidential Commission of Inquiry into the Review of the Constitution of Botswana presented its report to the president. President Masisi stood accused of employing a top-down, nonparticipatory, and nontransparent approach to constitutional reform.

B. POLITICAL PLURALISM AND PARTICIPATION: 10 / 16

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

The right of political parties to form and operate is legally guaranteed and is respected in practice. However, the opposition has alleged that the BDP abuses state resources, including the influential state media, to its own benefit. The lack of a public-financing system also leaves opposition parties at a disadvantage. The 2018 withdrawal of a provision that had increased candidates' fees brought some relief to opposition parties. There were calls in 2022 during consultations on constitutional reform for laws to further regulate political-party funding.

The UDC and its leader, Duma Boko, reported harassment and interference from government agencies during the 2019 election campaign, including the harassment of Boko's family members and the impounding of a light aircraft used by the UDC for campaigning. The Directorate of Intelligence and Security Services (DISS) has also been accused of harassing opposition parliamentarians.

In July 2020, amid concerns that BDP parliamentarians intended to join other parties, the government introduced a bill that would effectively prohibit local and national legislators from doing so. The law came into force in February 2021.

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

The BDP, drawing on the advantages of its long incumbency, has dominated the political landscape since 1966; no opposition party has ever won power.

Several attempted opposition coalitions since 2012 have failed to coalesce into a potent political force due to political infighting, mistrust, and the prevalence of personality-based leadership.

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

People's political choices are largely free from domination by unelected outside groups. While observers noted the potential for tribal chiefs to influence voters, a 2020 Afrobarometer survey showed that most respondents did not see chiefs as influential.

Election monitors noted that Batswana political parties rely on foreign donations, which could allow for external interference in domestic politics.

In August 2022, a lawmaker introduced a motion requesting that Parliament ban external funding of elections.

There have been reports of vote buying during elections.

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

Women have full political rights, but cultural factors and resource constraints limit their participation, and their interests are not necessarily addressed by elected leaders. Only 11 female candidates ran for legislative seats in 2019, a decline from the 17 who participated in 2014. Seven women currently sit in the National Assembly. The *SADC Gender and Development Monitor 2022*, published in August, reported that Botswana was among the worst performers among South African Development Community (SADC) countries as far as women's representation in national assemblies.

Smaller ethnic and tribal groups tend to be left out of the political process, with observers noting that members are disadvantaged by the country's first-past-the-post electoral system. People with disabilities have participated at low levels in recent parliamentary elections. Parties generally do not represent the interests of LGBT+ people.

C. FUNCTIONING OF GOVERNMENT: 8 / 12

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

Elected officials determine government policies. However, opposition parties have criticized the executive for its influence over Parliament, and for rushing legislation without adequate deliberation or consultation.

President Masisi was criticized for single-handedly initiating a 2022 constitutional review process without seeking input from important stakeholders, including Parliament.

In July 2022 Parliament passed a bill establishing a standing committee on the remuneration of elected representatives, members of the House of Chiefs, and some other specified offices. The inclusion of ministerial appointees with voting rights in the committee was criticized by some lawmakers for fear that that would undermine the committee's independence.

In 2016, lawmakers approved an amendment increasing the number of National Assembly members appointed by the president from four to six. Opposition leaders argued that the change would strengthen executive power at the legislature's expense.

In 2018, Masisi transferred the DISS and the Financial Intelligence Agency from their respective ministries to the president's office, prompting concerns over the improper centralization of power.

C2. Are safeguards against official corruption strong and effective? 3 / 4

Botswana has a comprehensive legislative anticorruption framework. Whistleblower-protection legislation was passed in 2016. In 2019, legislators passed the Declaration of Assets and Liabilities Act (DALA), and an Ethics and Integrity Directorate became operational in January 2020. However, anticorruption operations are constrained by a lack of funding.

The main anticorruption agency, the Directorate on Corruption and Economic Crime (DCEC) has been accused of ineffectiveness in pursuing high-level cases, and its independence has been questioned since it was transferred to the president's office in 2012. In July, Parliament dismissed a legislative move, backed by civil society groups, to make the DCEC independent.

The DCEC is prone to leadership instability and has had a high turnover of directors general. In June 2022, Director General Tymon Katlholo was suspended from office, a move some perceived as political interference in its work. In an appearance before a parliamentary committee that month, Katlholo said the DCEC had 215 cases with prosecuting authorities, 140 cases before the courts, and a backlog of 619 active investigations.

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

Botswana lacks a freedom-of-information law, which limits government transparency. Budget processes are opaque and public contracts are often awarded through patronage networks. Section 44 of the Corruption and Economic Crime Act prohibits publishing information on DCEC investigations.

Public officers and the heads of private organizations are subject to DALA. A new Procurement Act, which decentralized public procurement, came into effect in 2022 and is aimed at addressing corruption and strengthening transparency and accountability. In March 2022, Botswana committed itself to a tax transparency agenda by endorsing the Yaoundé Declaration. Authorities have also published clear information on the emergency use of COVID-19 funds.

CIVIL LIBERTIES: 44 / 60

D. FREEDOM OF EXPRESSION AND BELIEF: 12 / 16

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

Freedom of expression is constitutionally guaranteed. However, there were legislative developments during 2022 that caused concern among media workers and press freedom advocates.

In a move that prompted alarm among journalists, the government attempted, but ultimately failed, to include provisions for warrantless surveillance in the 2022 Criminal Procedure and Evidence (Controlled Investigations) Bill, which Parliament enacted in February. In July, Parliament passed the Media Practitioners' Association Bill. Although viewed as a significant improvement over the draconian 2008 Media Practitioners Act, journalists expressed concerns over about the creation of a formal register for journalists and media enterprises.

State-run media outlets dominate the broadcasting sector and have exhibited progovernment bias. A government ban on private-media advertising remains in place, harming the competitiveness and viability of many outlets. Journalistic activity is also affected by provisions of the National Security Law, DALA, and the DISS Act, as well as the use of strategic lawsuits against public participation (SLAPPs) by the rich and powerful to suppress critical press.

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

Religious freedom is generally respected, though all religious organizations must register with the government.

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

Although academic freedom is generally respected, professors often practice self-censorship when addressing sensitive topics. Foreign academics have previously been deported for publishing work that criticized the government, contributing to cautiousness among many scholars.

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

Freedom of expression is constitutionally protected but at times restricted in practice, prompting self-censorship among Batswana. Insulting the president, a lawmaker, or a public official is punishable by a fine. The 2008 Public Service Act restricts the ability of public-sector workers to air political views. The DISS has some capacity to monitor private online communications. In October 2021, the UN Human Rights Committee expressed concern over an increase in the "scale and scope" of intrusive surveillance methods used against Batswana by the authorities in recent years. The government's failed attempt to introduce warrantless surveillance provisions into the Criminal Procedure and Evidence (Controlled Investigations) Act 2022 heightened concerns about the government's perception of free-expression rights.

E. ASSOCIATIONAL AND ORGANIZATIONAL RIGHTS: 10 / 12

E1. Is there freedom of assembly? 4 / 4

Freedom of assembly is constitutionally guaranteed and largely upheld in practice. However, the Public Order Act requires citizens to seek police permission to hold demonstrations.

The constitutionality of this clause has been questioned in the past, and police have sometimes denied requests for unclear reasons. In April 2022, the Women in Politics movement reported that it had been refused permission by the office of the presidency to march to the office's grounds and present a petition expressing concern about gender-based violence.

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

Nongovernmental organizations (NGOs), including human rights groups, generally operate without restriction.

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

The right to form a union is respected, but the Trade Dispute Act places restrictions on who can strike. As a result, the government declares many strikes illegal, putting employees' jobs at risk. The law does not always protect workers from antiunion discrimination by employers and other unfair employment practices in the workplace. In December 2022, Botswana committed itself to upkeeping an effective system of labor inspections by ratifying two International Labor Organization (ILO) labor inspection conventions.

In May 2022 President Masisi reiterated an unfulfilled promise from 2018 to revive the dormant Public Service Bargaining Council (PSBC), but had failed to do so by year's end.

F. RULE OF LAW: 11 / 16

F1. Is there an independent judiciary? 3 / 4

The judiciary is generally independent and free from interference. Judges have ruled against the government in several high-profile cases in recent years.

The year 2022 saw a number of organizations, including the Law Society of Botswana (LSB), condemn several acts involving the chief justice. The LSB accused the chief justice of manipulating the allocation of cases involving high-profile disputes in which the executive has a vested interest. The attorney general registered similar concerns. In September, the LSB called for the immediate resignation of the chief justice following accusations that, working together with Minister for State President Kabo Morwaeng, he tried to influence a judge in the a case against parliament member and former cabinet minister Thapelo Matsheka. The chief justice denied interfering.

Calls to improve the transparency, impartiality, and public oversight of the selection and appointment processes for judges persist. While the Judicial Service Commission (JSC) advertises vacancies and interviews potential members of the High Court, the appointment process for Court of Appeal judges is relatively nontransparent.

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

The right to a fair trial is constitutionally protected and generally upheld in practice. However, the judiciary lacks human and financial resources, leading to case backlogs, lengthy pretrial detentions, and the postponement of cases. In February 2022, the chair of the LSB called out a lack of disciplinary actions against judges who failed to deliver timely judgments. Among other things he pointed to the case of a judge who retired without delivering more than 100 pending judgments. A directive was issued to restart the cases at the expense of litigants.

In August 2022, Justice Gaolapelwe Ketlogetswe lambasted the government for detaining Matsheka without a warrant or charge for more than the legally permitted 48 hours.

Attorneys are provided to defendants in capital cases, but defendants in noncapital cases must pay for their own counsel. The UN Working Group on Arbitrary Detention observed during its July 2022 visit that legal aid was only available in civil proceedings and capital

cases. It also raised concern about the automatic and often indefinite detention of irregular migrants. The DISS can arrest suspects without a warrant if agents believe they have committed or will commit a crime.

F3. Is there protection from the illegitimate use of physical force and freedom from war and insurgencies? 3 / 4

Although citizens are largely protected from the illegitimate use of force, corporal punishment is sometimes imposed.

The law allows for capital punishment. During its July 2022 visit to the country, the UN Committee Against Torture noted inhumane treatment of people on death row. The state does not provide them or their families with details about the date and time of execution, and their bodies are not always given to their families for burial.

The DISS has historically been accused of corrupt activity, unlawful arrests, and extrajudicial killings. Instances of police brutality have been reported, and perpetrators are rarely held accountable. Botswana has no human rights body to investigate human rights abuses, but has conferred that function to the Office of the Ombudsman. The penal code does not define torture as a crime. In February 2022, the defense, justice, and security minister was criticized for instructing police at a police conference to "eliminate" suspected criminals.

Antipoaching operations have resulted in fatal incidents over the past two decades. In 2018, President Masisi ended an unwritten shoot-to-kill policy originally adopted in at least 2013 to deter wildlife poachers. The poaching ban was revoked altogether in 2019. In January 2022, an inquest found that soldiers who had killed four suspected poachers in November 2020 were not criminally liable.

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

Customary law, commonly applied in rural areas, often discriminates against women. The Indigenous San people tend to be economically marginalized and lack access to education and other public services. There have been reports of beatings, abuse, and arbitrary arrests of San by police and park rangers.

Same-sex relations were criminalized until 2019, when the High Court ruled that the ban was unconstitutional. The Court of Appeal upheld the ruling in November 2021. President Masisi promised to respect the ruling during a historic meeting January 2022 with representatives of the LGBT+ rights group LEGABIBO.

Refugees in Botswana have been detained in encampments and have been denied the ability to work and integrate into local communities.

G. PERSONAL AUTONOMY AND INDIVIDUAL RIGHTS: 11 / 16

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

Most citizens can move freely throughout the country and travel internationally, though refugees and asylum seekers face movement restrictions. San people have limited access to their traditional lands in the Central Kalahari Game Reserve. The government's long-standing policy has been to relocate San out of the reserve, and those who still have relatives living there must apply for a permit to visit them. In December 2022, the Court of Appeal upheld a High Court decision denying an elderly San man the right to be buried in his ancestral land in the Central Kalahari Game Reserve. Tribal rights group Survival International has accused the government of ill-treating San people residing inside the reserve.

All COVID-19-related movement restrictions were lifted in 2022.

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

Botswana has generally sound legal protections for property rights, and these are generally enforced in practice. The country's regulatory framework is considered conducive to establishing and operating private businesses. Land rights for wives, widows, and orphans were improved in September 2020, when President Masisi signed amendments to the 2015 Land Policy into law. In May 2021, the High Court found the compulsory acquisition of tribal land to be unlawful in a ruling that the SALC praised as "vital" to protecting tribal land rights.

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

Gender-based violence, including domestic violence and rape, is pervasive. Spousal rape is not considered a crime. Customary law restricts women's rights within a marriage. When husbands and wives separate, custody of any children is traditionally granted to the father. Child and forced marriages still occur under customary law. Perpetrators are rarely prosecuted. Women can experience harassment for not dressing conservatively.

In 2018, Parliament passed the Penal Code Amendment Bill, which introduced stronger penalties for rape and raised the age of consent from 16 to 18. Subsequent amendments introduced longer sentences for rape and provide compensation for victims. Women's rights activists expressed concern over certain aspects of the reforms, including the criminalizing of false rape allegations. Other interventions include a sex offenders registry, a toll-free line for victims of gender-based violence, an interministerial committee on gender-based violence, and 25 courts dedicated to gender-based violence cases.

Same-sex relations have been decriminalized, but there is no legislation yet that legalizes same-sex unions.

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

Workers enjoy protections against exploitative labor practices. However, employer abuses in the retail, tourism, and private-security sectors are an ongoing problem. Botswana lacks a strong regulatory framework for labor brokers that dispatch workers to clients on short-term contracts, in which exploitation is common.

Human trafficking remains an ongoing challenge, although the government increased its efforts to combat it in 2022 compared to the previous year. Cooperation efforts with foreign governments improved, as well as the identification and referral of victims to care.

Forced and child labor, particularly on San cattle farms, remain challenges. No labor inspections were conducted in known problematic areas in 2022.

Brazil

Population: 214,800,000
Capital: Brasília
Freedom Status: Free
Electoral Democracy: Yes

Overview: Brazil is a democracy that holds competitive elections, and the political arena, though polarized, is characterized by vibrant public debate. However, independent

journalists and civil society activists risk harassment and violent attack, political violence is high, and the government has struggled to address crime and disproportionate violence against and economic exclusion of minorities. Corruption is endemic at top levels, and governmental transparency has decreased, contributing to widespread disillusionment among the public. Societal discrimination and violence against LGBT+ people remain serious problems.

KEY DEVELOPMENTS IN 2022

- Former president Luiz Inácio Lula da Silva of the Workers' Party (PT) won the second round of the presidential election in late October, narrowly defeating incumbent Jair Bolsonaro of the Liberal Party (PL). The PL became the largest single party in both houses of the National Congress in the concurrently held legislative polls. Parties aligned with the nonideological center, meanwhile, collectively represented the largest lower-house group.
- Outgoing president Bolsonaro, who claimed that the country's voting system was susceptible to fraud during the campaign, challenged the results in court in late November. The Superior Electoral Court (TSE) chief rejected the case, saying Bolsonaro's campaign acted in bad faith.
- The highly polarized campaign was marred by disinformation, aggressive rhetoric, harassment, and political violence. A federal police officer in Paraná State was accused of killing a PT official in July, while a worker in Mato Grosso State killed a PT supporter in September. In late December, a man was arrested for attempting to detonate a bomb near Brasília's airport, saying he was inspired by Bolsonaro.

POLITICAL RIGHTS: 30 / 40 (−1)

A. ELECTORAL PROCESS: 10 / 12

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

Brazil is a federal republic governed under a presidential system. The president is elected by popular vote for a four-year term and is eligible for reelection to a second consecutive term.

In the 2022 race, the candidates appealed to voters concerned with economic difficulties and rising poverty levels. Luiz Inácio Lula da Silva of the PT, who served as president from 2003 to 2011, and incumbent Jair Bolsonaro of the PL were the two leading candidates. Lula campaigned on economic concerns and social policy, while Bolsonaro's campaign focused attention on evangelical support. The election was decided in a late October runoff, with Lula winning 50.9 percent of the vote and Bolsonaro earning 49.1 percent.

The highly polarized campaign was marred by disinformation, aggressive rhetoric on social networks and online messaging services and political violence. Bolsonaro also said the country's voting system was susceptible to fraud during the contest. As the second round was held, federal highway agents reportedly conducted traffic stops in several states, stopping buses carrying voters to polling stations. Bolsonaro did not explicitly concede after losing the election, initially remaining silent while his supporters blocked major roads and called for new elections and military intervention. In late November, Bolsonaro challenged the results in court, calling for some runoff results to be "invalidated" after the TSE ratified the vote. TSE chief Alexandre de Moraes, who is also a Supreme Court justice, rejected the case, saying the campaign acted in bad faith. In late December, a man was arrested for attempting to detonate a bomb near Brasília's airport, telling police he was inspired by Bolsonaro's rhetoric. Lula was due to be sworn in on January 1, 2023.

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

Legislative elections are generally free and fair. The bicameral National Congress is composed of an 81-member Senate and a 513-member Chamber of Deputies. Senators serve staggered eight-year terms, with one- to two-thirds coming up for election every four years. Members of the Chamber of Deputies serve four-year terms.

In the October 2022 elections, the PL became the largest single party in the Chamber of Deputies with 99 seats, while the PT won 69. The *Centrão* ("Big Center"), an array of patronage-based parties without clear ideological positions that provided legislative support to Bolsonaro, became the largest force in the Chamber of Deputies; the five parties understood to make up the Centrão won a combined 231 seats. The PL became the largest party in the Senate.

Brazilians also voted for state-level governors and legislators in all 26 states and the Brasília Federal District, concurrently with the national contests. Parties affiliated with the Centrão performed well, with over half of Brazil's state-level representatives hailing from its parties. State-level campaigning took place in the same highly polarized environment as the presidential contest, marked by aggressive rhetoric and political violence.

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

Brazilian election laws are generally well enforced. The TSE presides over cases related to violations of electoral law.

While Brazilian voters have cast ballots electronically since 1996, Bolsonaro had proposed its replacement with a paper-receipt system via a constitutional amendment, which the Chamber of Deputies did not sustain in a 2021 vote. Bolsonaro again claimed that the country's ballot system was vulnerable to fraud ahead of the 2022 elections, though no evidence has ever been found. The Defense Ministry inspected several hundred voting machines in October; while it found no irregularities, it did not publish its report until November. The report did not explicitly declare whether potential fraud was possible.

In October 2022, the TSE gave de Moraes the unilateral authority to order the removal of online content that did not comply with previous TSE rulings, as part of an effort to combat disinformation. Bolsonaro supporters and legal experts criticized the move, fearing that it could allow for censorship. De Moraes cited the proliferation of false information and hate speech when initially proposing the move to the TSE.

B. POLITICAL PLURALISM AND PARTICIPATION: 13 / 16 (−1)

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

Brazil has an unfettered multiparty system marked by vigorous competition among rival parties. The electoral framework encourages the proliferation of parties, a number of which are based in a single state. Some parties display little ideological consistency. Lawmakers often switch parties, rendering electoral coalitions fragile. The executive branch must assemble diverse and often ideologically incoherent coalitions to pass legislation due to the large number of parties. Political parties operate with little transparency and under no governance rules, and often are targets of investigations into the misuse of public funds.

Ahead of the 2022 elections, 32 parties were registered, 23 of which won seats in the Chamber of Deputies. In 2018, 30 parties won lower-house seats.

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

Opposition parties are able to compete and gain power through elections at both the federal and subnational levels. In the 2022 elections, the PL and the PT both gained significant levels of support. However, the Bolsonaro administration used public programs to bolster its campaign, reducing the opposition's power to compete freely. The government increased the size of *Auxílio Brasil* (Brazil Aid) welfare payments between August and December 2022. In September, the government published rules on loans for Auxílio Brasil recipients. In October, it made 480,000 extra households eligible for Auxílio Brasil support.

B3. Are the people's political choices free from domination by forces that are external to the political sphere, or by political forces that employ extrapolitical means? 2 / 4 (−1)

Powerful business interests undermine democratic accountability by facilitating or encouraging corruption among elected officials. Criminal groups have carried out attacks against political candidates.

Brazilian voters face high levels of political violence, which increased by 400 percent between 2018 and 2022 according to an October survey conducted by two nongovernmental organizations (NGOs). In July, a federal police officer in Paraná State was accused of murdering a local PT official, voicing support for Bolsonaro as he did so. In September, a worker in Mato Grosso State, who also supported Bolsonaro, admitted to killing a PT supporter and claimed self-defense. In an August survey, almost 70 percent of Brazilian respondents feared threats and harassment for their political views and 3.2 percent said they were victimized for their political views within 30 days of participating. In October, the Labor Ministry reported receiving 173 claims of electoral harassment—where employers promised benefits to or otherwise threatened employees depending on who they voted for—ahead of the elections.

Militias and other criminal organizations—which may exercise significant control over campaigning and other political activity within their territories—have been blamed for a rise in violence in recent years.

Score Change: The score declined from 3 to 2 because Brazilians were subjected to unprecedented levels of intimidation, threats, and physical violence during national- and state-level elections.

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

The constitution guarantees equal rights without prejudice, but some groups have greater political representation than others, and there is great unevenness in exercising de facto political rights. Afro-Brazilians and women and their interests remain underrepresented in electoral politics and in government. In the 2022 election, women won 17.8 percent of Chamber of Deputies seats, a slight improvement over the 15 percent figure achieved in 2018. Afro-Brazilian representation also improved in 2022. In December, incoming president Lula announced a cabinet that featured more racial and gender diversity.

C. FUNCTIONING OF GOVERNMENT: 7 / 12

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

Widespread corruption undermines the government's ability to make and implement policy without undue influence from private or criminal interests.

During the 2010s, the functioning of government was severely hampered by a rolling political crisis due to corruption scandals. Congressional leaders have gained political prominence during the Bolsonaro administration, which lacked a stable governing coalition. The National Congress and state governors helped fill a vacuum in responding to COVID-19, with many governors imposing stricter restrictions and objecting to Bolsonaro's management.

The presence of active-duty and retired military officials in the Bolsonaro administration, along with the expansion of military missions into areas like environmental protection and the pandemic response, prompted unease about the military's influence in politics. The Defense Ministry was additionally responsible for examining a number of voting machines during the 2022 elections.

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

Corruption and graft are endemic in Brazil, especially among elected officials. Between 2014 and 2021, an investigation known as Operation Car Wash focused on bribery, money laundering, and bid-rigging involving state oil company Petrobras and private construction companies.

However, a series of investigative reports known as the Car Wash Leaks, published by the Intercept Brasil in 2019, exposed an improper relationship between Sérgio Moro—a judge who later became a Bolsonaro-era justice minister and won a Senate seat in 2022—and federal prosecutors. The Supreme Court annulled the convictions in 2021 on procedural grounds. Lula, who was imprisoned over corruption allegations in 2018, was released in November 2019, while his convictions were among those that were later annulled. Moro himself resigned as justice minister in 2020, after Bolsonaro attempted to interfere with the federal police, one of the agencies tasked with investigating his family and associates.

Criminal inquiries have targeted multiple members of Bolsonaro's family. By early 2021, Bolsonaro and all four of his sons faced corruption investigations. In August 2022, the UOL news outlet reported that Bolsonaro family members traded 107 properties since 1990, with federal prosecutors examining transactions on 25 of them. None of the inquiries have advanced because of the veto power of the attorney general and Bolsonaro's presidential immunity.

In March 2022, Education Minister Milton Ribeiro resigned after two pastors allegedly bribed the ministry in order to direct funding to their municipalities. Riberio was arrested on corruption charges in June, along with a pastor tied to Bolsonaro.

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

Brazil enacted a Freedom of Information Act (LLI) in 2012, but the government does not always release requested information, and when doing so, not always in machine-readable formats. Compliance with the LLI also varies among the country's states and municipalities. In 2019, the Bolsonaro administration modified the LLI by decree, giving a larger group of officials the power to classify information as secret.

The Bolsonaro administration often decreed 100 years of secrecy on information it considered sensitive, including meetings with pastors, allegations against former health minister Eduardo Pazuello, and two of Bolsonaro's sons' visits to the presidential residence.

The Bolsonaro administration additionally used a "secret budget," an opaque system of financial grants that routed billions of reais through a rapporteur. Observers criticized the arrangement, which allowed lawmakers to receive added funding in exchange for backing the administration without transparency or oversight. In December 2022, the Supreme Court ruled the arrangement unconstitutional.

CIVIL LIBERTIES: 42 / 60

D. FREEDOM OF EXPRESSION AND BELIEF: 13 / 16

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

The constitution guarantees freedom of expression and the country's media environment is vibrant. However, investigative journalists, particularly those who cover corruption and crime, face threats, harassment, obstruction, and sometimes deadly violence. The legal framework provides inadequate protection for freedom of expression. Defamation is subject to criminal penalties.

Journalists who criticize Bolsonaro face online and offline harassment, and outlets that carry such criticism face economic pressure from the government. Between August 16 and October 30, 2022, Reporters Without Borders (RSF) counted 2.9 million social media posts containing aggressive and offensive content against journalists. Most came from Bolsonaro supporters or Bolsonaro himself, who often posts aggressive content against journalists, especially women.

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

The constitution guarantees freedom of religion, and the government generally respects this right in practice. However, Afro-Brazilian religious groups face considerable discrimination. Violence against Afro-Brazilian religious groups is frequent, especially in Rio de Janeiro's favelas. In recent years, Afro-Brazilian temples ("terreiros") have closed after assaults or threats from evangelical drug dealers, who claim territory and seek to repress faiths other than their own.

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

Education policy has become politicized under the Bolsonaro administration, with some professors and researchers seeking temporary refuge abroad following threats in Brazil. The administration placed persistent pressure on academia and scientific organizations, especially by reducing funds for science and education.

In September 2022, the Health Ministry blocked Deisy Ventura, a professor who criticized the Bolsonaro administration's COVID-19 response, from joining a World Health Organization technical committee.

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

People are generally able to express personal views in public without fear of institutional surveillance or retaliation. However, the 2018 and 2022 electoral periods were affected by the fear of political violence. Violent homophobic rhetoric contributes to a sense of fear among many that open discussion of LGBT+ rights and issues could be met with harassment or attack.

Social media intimidation and harassment by progovernment troll groups remains a serious problem in Brazil. Bolsonaro allies, including family members, have faced investigations over their involvement in disinformation campaigns.

Public servants are subject to social media monitoring and risk losing their positions if they criticize the government.

E. ASSOCIATIONAL AND ORGANIZATIONAL RIGHTS: 9 / 12

E1. Is there freedom of assembly? 3 / 4

While freedom of assembly is generally respected, police or other security agents sometimes use excessive force against demonstrations.

Pro- and anti-Bolsonaro protests were held nationwide on September 7, 2022, the country's independence day. While pro-Bolsonaro rallies held in 2021 were marred by clashes with authorities, events in 2022 were largely peaceful.

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

NGOs operate freely in a variety of fields. However, activists working on land rights and environmental protection issues have faced harassment, threats, and violence in recent years, along with verbal hostility from Bolsonaro and other administration officials. In September 2022, Global Witness called Brazil the world's most dangerous country for environmental activists in the last decade, noting the deaths of 342 activists from 2012 to 2021. More than 85 percent of the killings happened in the Amazon.

In June 2022, British journalist Dominic "Dom" Phillips and activist Bruno Araújo Pereira, who was documenting the exploitation of the Amazon rainforest, went missing in Amazonas State; their bodies were discovered that month, when a fisherman confessed to killing them and directed authorities to their remains. In late July, prosecutors charged the fisherman and his brother along with a third man. Another individual suspected of involvement was bailed in October.

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

Industrial labor unions are well organized, and although they are politically connected, Brazilian unions tend to be freer from political party control than their counterparts in other Latin American countries. However, controversial labor reforms enacted in 2017 diminished the strength and role of unions in collective bargaining with businesses.

F. RULE OF LAW: 8 / 16

F1. Is there an independent judiciary? 3 / 4

The judiciary, though largely independent in many parts of the country, is overburdened, inefficient, and often subject to intimidation and other external influences, especially in rural areas. Despite these shortcomings, the country's progressive constitution has resulted in an active judiciary that often rules in favor of citizens over the state.

The Supreme Court serves as an autonomous counterweight to the executive. Tensions remained high in 2022, with Bolsonaro frequently issuing threats against the court. Bolsonaro has maintained an adversarial stance towards Supreme Court justices, especially Alexandre de Moraes, who Bolsonaro accused of favoring Lula in a January 2022 comment. In October, Bolsonaro threatened to pack the Supreme Court with his appointees if reelected.

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

The judiciary generally upholds the right to a fair trial. However, federal, state, and appellate courts are severely backlogged. Access to justice varies greatly due to income inequality, and the state struggles to provide legal counsel for defendants and prisoners who are unable to afford an attorney. Under a 2017 law, members of the armed forces and military police accused of certain serious crimes against civilians can be tried in military, rather than civilian, courts. In the vast majority of homicides by police, there is no due process.

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

Brazil has a high homicide rate; 20,100 people were murdered in the first half of 2022, though that figure represented a 5 percent fall from the same period in 2021. The police force remains mired in corruption, and serious police abuses, including extrajudicial killings, continued in 2022. Police officers are rarely prosecuted for abuses, and those charged are almost never convicted. In May 2022, the Violence Monitor—a project of the G1 news site, the Center for the Study of Violence, and the Brazilian Public Security Forum (FBSP)—counted more than 6,100 deaths caused by police in 2021. Some 81.5 percent of the victims whose race was known were Black.

Police violence is particularly acute in Rio de Janeiro State. According to the May 2022 Violence Monitor report, police killed 1,356 people there, the most of any state in the country. A raid that took place in Vila Cruzeiro that month resulted in 22 deaths. Police violence is also prevalent in several other states; incidents in the states of Bahia, Goiás, São Paulo, Pará, Paraná, and Rio de Janeiro accounted for over 70 percent of all deaths by police in 2021.

Conditions in severely overcrowded prisons are life-threatening, characterized by disease, inadequate food, and deadly gang-related violence. Violence is more likely to affect poor, Black prisoners.

Indigenous people are also at physical risk. In its August 2022 report, the Indigenous Missionary Council (CIMI) counted 176 murders of Indigenous people in 2021, its second-highest figure. CIMI also reported 148 suicides, its highest-ever figure. In July 2022, the Inter-American Commission on Human Rights and the Office of the UN High Commissioner for Human Rights voiced their concern over attacks on Indigenous people and called on the government to better protect them.

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

While Brazilian society is largely tolerant, some populations are not able to fully exercise their human rights in practice.

Just over half of the population identifies as Black or of mixed race. Afro-Brazilians suffer from high rates of poverty and illiteracy, and almost 80 percent of Brazilians living in extreme poverty are Black or mixed race. Victims of violence in Brazil are predominantly young, Black, and poor: According to a July 2022 FBSP report, 77.9 percent of murder victims in 2021 were Black. The FBSP also counted 1,341 femicides in 2021, a 1.7 percent decrease from 2020.

In 2019, despite intense pressure from some religious and political leaders, the Supreme Court ruled LGBT+ people are protected under a criminal law that prohibits discrimination on the basis of "race, color, ethnicity, religion, and national origin." However, Brazil reportedly has one of the world's highest levels of anti-LGBT+ violence. According to a February 2022 report by Grupo Gay da Bahia, an LGBT+ advocacy organization, 276 LGBT+ people were killed in 2021 because of homophobic violence, while another 24 died by suicide. The group's figures represented an 8 percent increase over 2020.

Many Indigenous communities—who comprise about 1 percent of the population—suffer from poverty and lack adequate sanitation and education services. The Indigenous population faces considerable discrimination, and their lands have been subject to increased pressure under Bolsonaro, encouraged by his rhetoric and support for easing environmental laws. The National Indian Foundation, a government agency for Indigenous affairs, was weakened during the Bolsonaro administration.

G. PERSONAL AUTONOMY AND INDIVIDUAL RIGHTS: 12 / 16

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

Brazilians enjoy freedom to travel within and outside of the country, and to make decisions about their places of residence and employment, though access to high-quality education across all levels remains a challenge. Gang violence in favelas has sometimes impeded free movement and has prompted schools to shut down temporarily.

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

While property rights are generally enforced, laws granting Indigenous populations exclusive use of certain lands are not always upheld, sometimes leading to violent conflicts. According to the Pastoral Land Commission, 35 people were murdered over land disputes in 2021, a 75 percent increase compared to 2020. CIMI, meanwhile, counted 305 cases of land invasion, illegal exploitation, or property damage against Indigenous people in 2021. According to Human Rights Watch (HRW), the federal government effectively ceased collecting environmental fines starting in 2019, even as illegal deforestation increased.

Requirements for starting new businesses are often onerous, but authorities have taken steps to ease the process. Corruption and organized crime can pose obstacles to private business activity.

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

The government generally does not restrict social freedoms. Same-sex marriage became legal in 2013. Gender-based violence remains widespread, though legislation has been introduced to combat it. A 2006 law sought to address high rates of impunity for domestic violence. Law 14.188 amended the penal code to criminalize simple bodily harm due to gender and criminalize psychological violence against women.

Abortion is legal only in the case of rape, a threat to the mother's life, or a rare and usually fatal brain deformity in the fetus. However, women and young girls are denied their legal right to abortion due to discretionary acts from the bureaucracy and judicial system. As many as one million Brazilians seek abortions through clandestine means annually, including by traveling abroad.

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

Slavery-like working conditions pose a significant problem in rural and urban zones. A 2012 constitutional amendment allows the government to confiscate all property of landholders found to be using slave labor, a measure Bolsonaro criticized. Deeply entrenched patterns of discrimination, including precarious informal employment, contributed to Afro-Brazilians suffering high COVID-19-related mortality rates.

COVID-19 and inflation have exacerbated inequality in Brazil. State spending to address inequality was obstructed when a 20-year budgetary spending cap was enacted in 2016, though the Bolsonaro administration was able to increase aid payments for part of 2022. Over 33 million people in Brazil faced extreme poverty as of June.

Brunei

Population: 400,000
Capital: Bandar Seri Begawan
Freedom Status: Not Free
Electoral Democracy: No

Overview: Brunei is an absolute monarchy in which the sultan exercises executive power. There are no elected representatives at the national level. Freedoms of the press and assembly are significantly restricted. Online speech is monitored by authorities, but people still express their views on many topics.

KEY DEVELOPMENTS IN 2022

- In October, the Brunei government signed multiple agreements with the government of Bangladesh to increase the number of Bangladeshi workers in Brunei and to increase the number of flights between the two countries so as to ease migrant workers' travel. In the past, rights groups have noted that Bangladeshi workers are subject to awful and inhumane conditions in Brunei. Workers who were promised salaried jobs upon arrival have found no employment, and employers have seized workers' passports to prevent them from accessing services and from leaving for another job.
- In June, Hajah Romaizah became the first woman ever appointed to the cabinet. She will serve a four-year term as education minister, replacing the previous minister before the end of their term. Women do not hold meaningful political representation: of the 33 seats on the Legislative Council, only 3 are women.

POLITICAL RIGHTS: 7 / 40

A. ELECTORAL PROCESS: 0 / 12

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

The hereditary sultan, Hassanal Bolkiah Mu'izzaddin Waddaulah, is the head of state and prime minister, and continues to wield broad powers under a state of emergency imposed in 1962.

In recent years, authorities have appeared to be paving the way for Hassanal's son, Prince Al-Muhtadee Billah, to take power. There are no indications that any transition would involve moving away from a traditional monarchy.

A2. Were the current national legislative representatives elected through free and fair elections? 0 / 4

The unicameral Legislative Council has no political standing independent of the sultan, who appoints its 33 members. Brunei has not held direct legislative elections since 1962.

Elections are held for village-level councils that play a consultative role, though candidates are vetted by the government.

A3. Are the electoral laws and framework fair, and are they implemented impartially by the relevant election management bodies? 0 / 4

There are no national-level electoral laws, and there have not been any national, direct legislative elections in over five decades.

B. POLITICAL PLURALISM AND PARTICIPATION: 3 / 16

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

Genuine political activity by opposition groups remains extremely limited. The National Development Party (NDP) was permitted to register in 2005 after pledging to work as a partner with the government and swearing loyalty to the sultan; it is Brunei's only registered party, but does not have representation in the Legislative Council, which is appointed.

B2. Is there a realistic opportunity for the opposition to increase its support or gain power through elections? 0 / 4

There are no national-level elections in which opposition forces could gain power.

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

With the dominance of the sultan and lack of elections, residents have few avenues for genuine and autonomous political participation.

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

Members of ethnic, religious, and other minority groups have few opportunities for political participation, even on a local level. Village council candidates must be Muslim, and ministers and deputy ministers must be Muslim and Malay unless the sultan grants an exception.

Women do not hold meaningful political representation. Of the 33 seats on the Legislative Council, only 3 are women. However, in June 2022, Hajah Romaizah became the first woman ever appointed to the cabinet. She will serve a four-year term as education minister, replacing the previous minister before the end of their term. LGBT+ people have no political representation, and open expressions of nonbinary gender identities and same-sex relations are criminalized, with the latter punishable by death.

C. FUNCTIONING OF GOVERNMENT: 4 / 12

C1. Do the freely elected head of government and national legislative representatives determine the policies of the government? 0 / 4

No national-level policymakers are chosen through elections. The sultan wields broad powers and is counseled by appointed advisory bodies and the appointed legislature. The Legislative Council only serves to suggest changes to policies and legislation that ultimately need the approval of the sultan.

C2. Are safeguards against official corruption strong and effective? 3 / 4

In 2015, the government enacted amendments to the Prevention of Corruption Act, which strengthened the anticorruption framework by establishing new conflict of interest rules for public officials, among other provisions. The government claims to have a zero-tolerance policy on corruption, and its Anti-Corruption Bureau has successfully prosecuted several lower-level officials.

In early 2020, two former judges were convicted of charges including money laundering over accusations that they embezzled millions of dollars from government-controlled accounts. In July 2021, the Court of Appeal upheld their convictions and lengthened their prison sentences.

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

Although the appointed Legislative Council has no independent power, it formally passes the state budget and engages in question-and-answer sessions with government officials.

CIVIL LIBERTIES: 21 / 60

D. FREEDOM OF EXPRESSION AND BELIEF: 6 / 16

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

Officials may close newspapers without cause and fine and imprison journalists for up to three years for reporting deemed "false and malicious." Brunei's only television station is state-run. The country's main English-language daily newspaper, the *Borneo Bulletin*, is controlled by the sultan's family and its journalists often practice self-censorship. *The Scoop*, a news site that launched in 2017, contains mildly independent coverage.

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

The state religion is the Shafi'i school of Sunni Islam, but the constitution allows for the practice of other religions. Non-Shafi'i forms of Islam are actively discouraged, and marriage between Muslims and non-Muslims is not allowed. Muslims require permission from the Ministry of Religious Affairs to convert to other faiths. Christians are allowed to hold low-key Christmas celebrations inside churches or at homes, but not outdoors or at shopping malls.

In 2014, Brunei implemented new criminal regulations based on Sharia (Islamic law), which include limits on the use of certain words and expressions deemed to be sacred to Islam in reference to other religions. The code also includes a ban on proselytizing of a religion other than Islam and requires Muslims to participate in religious observances. In 2019, the government implemented a second phase that mandated death by stoning for insulting the prophet Muhammad, though a moratorium on this phase was issued that May.

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

Academic freedom is respected to some extent, although institutions must seek approval from authorities to host visiting scholars, public lectures, and conferences. Scholars reportedly practice self-censorship.

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

The government utilizes an informant system to monitor suspected dissidents, and online communications are monitored for subversive content. Nevertheless, Brunei has an increasingly active and vibrant online community, and this continued in 2022, though internet users reportedly self-censor regarding issues related to the monarchy.

E. ASSOCIATIONAL AND ORGANIZATIONAL RIGHTS: 3 / 12

E1. Is there freedom of assembly? 1 / 4

Long-standing state-of-emergency laws restrict freedom of assembly. No more than 10 people can assemble for any purpose without a permit, and these laws are frequently enforced.

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

Most nongovernmental organizations (NGOs) are professional or business groups, although some work on issues related to social welfare. All groups must register, registration can be refused for any reason, and registered groups can be suspended.

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

The law guarantees the right to form and join a union, but the agreement that had permitted Brunei's only formerly active union, the Brunei Oilfield Workers Union, is expired. Strikes are illegal, and collective bargaining is not recognized.

F. RULE OF LAW: 5 / 16

F1. Is there an independent judiciary? 1 / 4

Brunei has a dual judicial system of secular and Sharia courts; all senior judges are appointed by the sultan. The courts appear to act independently when handling civil matters, and have yet to be tested in political cases or under the new regulations recently phased in. They have not shown independence in any cases relating to the sultan's interests, however.

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

Civil and criminal law is based on English common law and is enforced in secular courts, while Sharia is enforced in Sharia courts. People detained under the Internal Security Act lack due process rights including the presumption of innocence.

The country's controversial Sharia-based penal code was delayed for several years; Brunei introduced the first phase in 2014 but did not fully implement the code, which contains penalties including amputations and death by stoning, until 2019.

The government only provides an attorney to indigent defendants in death penalty cases. To address this gap in access to justice, the Law Society of Brunei launched a pilot program for the country's first legal aid fund in 2018.

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

Brunei retained the death penalty for crimes including drug trafficking before the new Sharia code was launched. However, no individual has been executed since 1957. Prison conditions generally meet international standards.

Sharia-based criminal statutes implemented in 2019 contain more severe penalties for violations including consensual same-sex relations, theft, and adultery; they vary from whippings to amputations and death by stoning. That May, the sultan issued a "de facto moratorium on capital punishment," but did not issue clarification on the other provisions.

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

Bruneian citizenship is inherited from citizen fathers. Citizen mothers must complete an application to pass citizenship on to children born to a noncitizen father. Thousands of stateless residents of Brunei, including longtime ethnic Chinese residents, are denied the full rights and benefits granted to citizens.

LGBT+ people living in Brunei are subject to severe penalties for same-sex relations under Sharia-based laws. Under regulations introduced in 2019, consensual same-sex acts can be punished by death, or by whipping if the offenders are female.

G. PERSONAL AUTONOMY AND INDIVIDUAL RIGHTS: 7 / 16

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

Freedom of movement is respected. All government employees, domestic and foreign, must apply for permission to travel abroad, but permission is easily obtained. The Brunei

authorities maintained some pandemic-related restrictions in 2022 but eased them in line with epidemiological data.

Stateless children do not have free access to education and instead must apply to enroll in schools; if accepted they sometimes have to pay tuition not required of citizens.

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

Bruneian citizens are able to own property and can establish businesses with relative ease, but protections for private property are weak. State-linked firms dominate many sectors of the economy, and the government heavily subsidizes a number of industries.

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

Women are disadvantaged in Brunei under Islamic law in matters involving divorce and child custody. The Sharia penal code criminalizes "indecent behavior," enjoins women to dress "modestly," and makes abortion and extramarital sex capital offenses. There is no specific law against domestic violence, and spousal rape is not criminalized.

Transgender people are prohibited from dressing in line with their gender identity under the Sharia-based penal code.

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

There is no private-sector minimum wage in Brunei. Migrants who come to Brunei to serve as household workers are often coerced into involuntary servitude or debt bondage and can face varying forms of abuse. Workers who overstay visas are regularly imprisoned and, in some cases, caned.

In October 2022, the Brunei government signed multiple agreements with the government of Bangladesh to increase the number of Bangladeshi workers in Brunei and to increase the number of flights between the two countries so as to ease migrant workers' travel. In the past, rights groups have noted that Bangladeshi workers are subject to awful and inhumane conditions in Brunei. Workers who were promised salaried jobs upon arrival have found no employment, and employers have seized workers' passports to prevent them from accessing services and from leaving for another job.

According to the US State Department's 2022 *Trafficking in Persons Report*, Brunei has not made substantial efforts or dedicated adequate resources to preventing human trafficking. The Brunei government has disputed the claims of the US report.

Bulgaria

Population: 6,800,000
Capital: Sofia
Freedom Status: Free
Electoral Democracy: Yes

Overview: Multiple parties compete in Bulgaria's democratic system, which features peaceful transfers of power between rival parties. The country continues to struggle with political corruption and organized crime. Though the media sector remains pluralistic, outlets face

pressure from political and business interests, and ownership concentration remains a problem. Ethnic minority groups, particularly Roma, face discrimination. Despite funding shortages and other obstacles, civil society groups remain active and influential.

KEY DEVELOPMENTS IN 2022

- The country was plunged into another round of political crisis when the coalition government of Prime Minister Kiril Petkov lost a parliamentary no-confidence vote just seven months after being formed.
- After the parliament then failed to elect a new government, snap elections were called for October—the fourth parliamentary elections since April 2021. The result was yet another fragmented parliament which at year's end was still struggling to elect a regular government. Due to political instability, lawmakers struggled to address a number of crises during the year, including spiking inflation and other troubles related to the full-scale Russian military invasion of Ukraine.
- In December, the caretaker government moved rapidly to amend the electoral code to reintroduce paper ballots, prompting protests among citizens who argued that a shift away from digital voting machines could facilitate fraud.

POLITICAL RIGHTS: 33 / 40

A. ELECTORAL PROCESS: 11 / 12

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

The president, directly elected for up to two five-year terms, is the head of state. The prime minister, who serves as head of government, is chosen by the legislature. Though presidential powers are generally limited, in the event that parliament cannot form a government the president has the power to dissolve the National Assembly, schedule new elections, and appoint a caretaker government.

In November 2021, incumbent president Rumen Radev was reelected with 65.8 percent of the vote in the second round of the presidential elections. Radev, an independent candidate, was supported by the Bulgarian Socialist Party (BSP), the We Continue the Change party (PP), and the anti-elite There Is Such a People party (ITN). The election was assessed by international observers to be generally competitive and free, though some irregularities, including problems with voting machines, were noted.

In December 2021, the newly elected parliament confirmed Kiril Petkov, a member of the PP, as prime minister. In June 2022 ITN withdrew its ministers from the government and joined an opposition-led no-confidence vote that toppled the government. The parliament failed to form a new government; President Radev dissolved it in early August, called new elections for October 2, and appointed a caretaker government led by Prime Minister Galab Donev. At year's end the parliament remained fragmented and had not elected a regular government.

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

The unicameral National Assembly, with 240 members, is elected every four years in 31 multimember constituencies.

Regular parliamentary elections were held as scheduled in April 2021, and two more elections were called that year after parliament failed to form a regular government. The PP, at that time a newly formed, centrist party, won the third set of parliamentary elections

with 25.5 percent of the vote. It formed a coalition government with the BSP, the ITN, and the Democratic Bulgaria alliance (DB). After forming, the coalition—which occupies 134 seats in the National Assembly—announced that it would govern based on a shared anticorruption platform.

All three parliamentary elections held in 2021 were deemed to be generally competitive and free by international election observation missions. However, alleged instances of voter intimidation and vote-buying by various groups, including by the Movement for Rights and Freedoms (DPS) party, were reported; such irregularities are persistent in economically and socially vulnerable communities. The Organization for Security and Co-operation in Europe (OSCE) election observation mission also reported the "massive" misuse of government resources by the incumbent Citizens for European Development of Bulgaria (GERB) during the April 2021 elections.

After the fall of the Petkov government in June 2022 and the dissolution of parliament in early August, President Radev called early elections for October 2, 2022. Election monitors found the polls generally free and fair, though OSCE observers noted that the president and the government he appointed played "a prominent part" in the electoral campaign by issuing several statements criticizing Petkov's government.

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

The Central Election Commission (CEC) administers Bulgaria's elections and generally works professionally and impartially, though some flaws have been reported in past elections. In recent years, changes to the electoral framework have been introduced just ahead of elections with little opportunity for debate or public comment, some of which have had negative effects for electoral administration. In late 2022, the caretaker government moved rapidly to amend the electoral code to reintroduce paper ballots, prompting protests among citizens who argued that a shift away from digital voting machines could facilitate fraud.

The OSCE, in its assessment of the October 2022 elections, noted that "several longstanding concerns" about the electoral process persisted, including "inconsistencies and ambiguous provisions" that negatively affected election administration and media coverage of the campaign.

B. POLITICAL PLURALISM AND PARTICIPATION: 14 / 16

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

Political parties operate freely. The political-party landscape is quite volatile, featuring both established parties like the BSP and DPS, as well as cycles in which new parties emerge while others decline or disappear. Several new parties emerged and gained power in 2020 and 2021, including both the ITN and the PP, members of the coalition government formed after the November 2021 parliamentary elections. Yet another newcomer—Bulgarian Rise, led by former prime minister Stefan Yanev—entered the parliament in the October 2022 elections.

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

There have been multiple peaceful transfers of power between rival parties through elections since the end of communist rule in 1990.

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

Bulgarians are generally free to make independent political choices. However, limited public funding and unlimited private funding for political parties leaves parties vulnerable to undue influence by private and corporate donors. Vote-buying remains an endemic problem. People in smaller communities (including Roma, but not only) are frequently pressured to vote for the party that controls the city council or has appointed the mayor, or for the party favored by the biggest employers in the area (a phenomenon known as a "controlled" or "corporate" vote).

Prominent businessmen dominate major political parties and exert influence over party platforms and policy decisions, and some are also able to advance their agenda through media holdings. The problem of business influence in politics is exacerbated by a lack of transparency in campaign finance laws.

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

While marginalized groups generally have full political rights, the law dictates that electoral campaigns must be conducted in the Bulgarian language, which hinders outreach to non-Bulgarian-speaking minority groups. The ethnic Turkish minority is represented by the DPS, but the Roma are more marginalized. Small Romany parties are active, and many Roma reportedly vote for the DPS, though none hold seats in the parliament. Courts have continued to deny registration to the political party OMO Ilinden, which seeks legal recognition of a Macedonian ethnic minority in Bulgaria.

Members of far-right nationalist parties have engaged in hate speech against Roma, ethnic Turks, Jews, Muslims, migrants, and refugees, among other groups, particularly during election periods.

Women are underrepresented in parliament, and the inclusion of women's issues in politics is generally lacking.

So-called oligarchs exert influence on the vote in smaller municipalities and within marginalized groups in particular, an issue referred to as the "controlled" or "corporate" vote.

C. FUNCTIONING OF GOVERNMENT: 8 / 12

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

Elected executive and legislative officials in general are able to set and implement policies without undue interference from external or unelected entities. However, "oligarch" politicians exert influence on policy making and on legislative support for the government.

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

Bulgaria, which joined the EU in 2007, has struggled to meet the bloc's anticorruption requirements amid resistance from much of the political class. Anticorruption laws are not adequately enforced, including in high-profile cases, contributing to a culture of impunity.

In 2022, during the short-lived Petkov government, actions against corrupt practices introduced by the previous GERB governments were undertaken. The state reclaimed phytosanitary control over the Bulgarian-Turkish border in May, for example (though a court later overturned the move); the previous lax controls had been criticized for allowing agricultural products with unacceptable levels of pesticides into the country, and allegedly had led to an increase in drug smuggling. Under Petkov's administration, authorities also

said they had identified billions of dollars' worth of public construction contracts that were signed in the absence of proper procurement procedures.

Meanwhile, the March 2022 arrest of former prime minister Boyko Borissov on suspicion of corrupt dealings while in office—allegations linked to investigations by the EU prosecutor's office—did not result in charges against him. (The arrest itself was deemed illegal by a court in August, on grounds of procedural irregularities.)

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

Although Bulgaria has laws meant to ensure that the government operates with transparency, they are only partially enforced. While the transparency in the work of Parliament, the cabinet, and municipal bodies has increased considerably in recent years, public access to information about budgets and spending of various government agencies is sometimes inadequate or presented in an inaccessible way.

Government transparency improved during the short-lived Petkov government. The caretaker government appointed by President Radev has been less open about decisions, as well as reasons for the dismissal and appointment of new senior officials at key governmental offices and ministries.

CIVIL LIBERTIES: 46 / 60

D. FREEDOM OF EXPRESSION AND BELIEF: 13 / 16

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

The constitution protects freedom of expression, including for the press, but journalists face threats and pressure from private owners or public media management. Even though the media sector remains pluralistic, many outlets are dependent on financial contributions from the state (through advertising), effectively resulting in pressure to run government-friendly material. Ownership concentration remains a problem.

During the Petkov government there were no reports of governmental pressures over journalists either in private or in the public media. However, private media ownership remains opaque, raising concerns of undue business and political influence over editorial content.

Journalists can face defamation suits in relation to legitimate investigative work. In 2022, the private investment company Eurohold filed a defamation case that threatens the survival of the investigative site Bivol, which had investigated its fundraising activities. Also during the year, the prosecutorial office pressured an investigative journalist and the editor in chief of a major business weekly, *Capital*, demanding that they reveal their sources of information.

In October 2022 the Vazrazhdane (Revival) party introduced to the parliament a Russian-style law on the registration of "foreign agents" that would, among other things, require media that had received 1,000 lev ($560) or more from a foreign source to register as a "foreign agent." (This designation has been used elsewhere to demonize legitimately operating media and nongovernmental organizations [NGOs] as tools of foreign meddlers.)

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

Religious freedom is generally respected, but members of minority faiths in the mostly Orthodox Christian country have reported instances of harassment and discrimination, and some local authorities have prohibited proselytizing and other religious activities by such groups. A 2016 law that imposed fines for the wearing of face-covering garments in public locations was widely understood to be directed against Muslims.

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

Academic freedom is generally upheld in practice.

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

Freedom of expression is guaranteed by the constitution. However, Bulgaria's criminal code allows for legal secret surveillance of citizens in a wide range of cases, and concerns persist that authorities have misused such surveillance laws in order to monitor citizens who criticize the government. However, there were no reports of such scandals in 2022.

E. ASSOCIATIONAL AND ORGANIZATIONAL RIGHTS: 11 / 12

E1. Is there freedom of assembly? 4 / 4

The authorities generally respect constitutional guarantees of freedom of assembly.

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

NGOs operate freely and have a degree of influence, though they experience funding shortages, often rely on foreign donors, and sometimes face hostility from politicians and interest groups. In October 2022, the far-right Russophile political party Revival filed a draft law requiring all media and private persons receiving foreign funding of 1,000 lev or more to register as "foreign agents." In a way reminiscent of the law introduced in Russia in 2012, it aims to ban "foreign agents" from offering educational activities, working with the government, and engaging in other activity. The bill has not drawn support from other parties in parliament.

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

Workers have the right to join trade unions, which are generally able to operate, but some public employees cannot legally strike. Collective bargaining is legal, and collective contracts are listed in a specialized public registry. While trade unions partner with the government and the business community to discuss public budgets and other issues like retirement age, pension reforms, and health care reforms, their influence is weak.

F. RULE OF LAW: 10 / 16

F1. Is there an independent judiciary? 3 / 4

Bulgaria's judiciary has benefited from legal and institutional reforms associated with EU membership, but is still prone to politicization. Despite significant legislation formally guaranteeing judicial independence, the members and governing bodies of the judiciary often act in accordance with the ruling majority.

A Supreme Judicial Council (SJC) is responsible for judicial and prosecutorial appointments and management, with half the members (six judges, four prosecutors, and an investigator) elected by their peers and half by a two-thirds parliamentary majority. Bulgarian legal observers have reported that in practice, requiring a two-thirds majority vote in parliament to appoint SJC members has allowed political parties—including minority parties such as DPS—to exert undue influence over the selection and appointment of the country's top magistrates.

The Supreme Administrative Court has controversially ruled to annul government decisions. One such ruling in 2022 annulled the government decision to return phytosanitary control over a Turkish-Bulgarian border crossing 2022 to a private company.

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

Constitutional rights to due process are not always upheld. Police have been accused of misconduct, including arbitrary arrests and failure to inform suspects of their rights. The arrest in March 2022 of former prime minister Borissov on suspicion of corruption while in office did not follow the procedural rules and in August was held illegal by a court, reflecting occasional violations of due process in Bulgaria.

Public trust in the justice system is low due to its reputed vulnerability to political and outside pressure.

The relatively lengthy seven-year mandate granted to the prosecutor general and the lack of effective accountability mechanisms have long been noted as major problems with the prosecutorial office, weakening due process and rule of law in the country. The prosecutor general's strong influence with regard to career promotion and within the SJC inhibits individuals from voicing and investigating allegations of misconduct within the office.

F3. Is there protection from the illegitimate use of physical force and freedom from war and insurgencies? 3 / 4

Although the population faces few acute threats to physical security, police brutality, including abuse of suspects in custody, remains a problem. Overcrowding and violence plague many of Bulgaria's prisons. Organized crime is still an issue.

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

Ethnic minorities, particularly the Roma, face discrimination in employment, health care, education, and housing, though the government and NGOs operate a number of programs meant to improve their social integration. Authorities periodically demolish illegally constructed or irregular housing—mostly in areas occupied by Roma—without providing alternative shelter. The Romany minority was also subject to disproportionately severe pandemic-related restrictions throughout 2020.

Migrants and asylum seekers have reportedly faced various forms of mistreatment by Bulgarian authorities, including beatings and extortion.

Discrimination based on sexual orientation or gender identity is illegal, but societal bias against LGBT+ people persists. While anti-LGBT+ violence has been significantly underreported in Bulgaria, and largely goes unaddressed by authorities, there were no registered homophobia-motivated hate crimes in Bulgaria in 2022, and LGBT+ groups note some slowly increasing tolerance toward LGBT+ people. To date, homophobia has not been added to the penal code as an aggravating factor in hate crimes.

A gender equality law passed in 2016 was designed to foster equal opportunity for women, but discrimination in employment persists: women are employed less often and paid less than men.

G. PERSONAL AUTONOMY AND INDIVIDUAL RIGHTS: 12 / 16

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

For the most part, Bulgarians face few major restrictions on their freedom of movement. However, the government restricts the ability of asylum seekers to move outside of the district where they are housed.

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

The legal and regulatory framework is generally supportive of property rights and private business, though property rights are not always respected in practice, and corruption continues to hamper business and investment. The gray economy of undeclared business activity has been estimated at over 20 percent of the country's economy. Attempts at business raiding, including with the suspected assistance of state institutions and the prosecutorial office, are perceived to be on the rise and were among the triggers of major antigraft protests in 2020–21.

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

The law generally grants equal rights to men and women regarding personal status matters such as marriage and divorce. However, Bulgaria does not recognize same-sex marriages or same-sex unions, nor does it allow same-sex couples to adopt or register as parents of a child. The European Court of Justice in late 2021 ruled that a lesbian couple's daughter—born in Spain in 2019 to a Bulgarian national and a British national but considered stateless herself—must be issued a Bulgarian passport, raising hopes that this issue would be finally resolved in Bulgaria.

Domestic violence remains a problem. People who have experienced domestic violence and NGOs addressing gender-based violence claim that state authorities are often ineffective in providing protection and pursuing criminal charges when abuse is reported.

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

Labor laws provide basic protections against exploitative working conditions, but they do not extend in practice to gray-market employment. Roma and other ethnic minorities are particularly vulnerable to trafficking for sexual and labor exploitation. Although the government has continued to step up efforts to combat trafficking, shelter victims, and punish perpetrators, these measures have not matched the scale of the problem, and punishments remain light in practice.

Burkina Faso

Population: 22,700,000
Capital: Ouagadougou
Freedom Status: Not Free
Electoral Democracy: No

Status Change: Burkina Faso's status declined from Partly Free to Not Free due to the effects of two successive military coups, including the suspension of the constitution and dissolution of the legislature, and an expanding conflict with Islamist militant groups.

Overview: Two separate coups organized by the military in 2022 plunged Burkina Faso into political crisis, eliminating many of the significant political reforms implemented after the 2014–15 political transition. While civil society and organized labor remain strong forces for democracy, Burkinabè also face continued insecurity and violence from armed militant

groups, militia groups, and government forces, displacing millions of people. Though the military's justification for its two illegal seizures of power was to address growing security and humanitarian crises, insecurity worsened following the takeovers.

KEY DEVELOPMENTS IN 2022

- In January, Lieutenant Colonel Paul-Henri Sandaogo Damiba led a military coup that ousted the democratically elected president, Roch Marc Christian Kaboré. Damiba justified his actions by citing the worsening security situation and Kaboré's inability to resolve it. A temporary government was installed by the military junta in March, with Damiba naming himself president.
- Captain Ibrahim Traoré led a second coup in September, dismissing Damiba's transitional government, suspending the constitution, and placing power in the military junta Traoré had formed and led. Less than two weeks later in October, the Traoré junta organized a national forum, during which Traoré was formally recognized as president. The forum also drafted a charter that provided him the authority to name a transitional government and legislate by decree until the naming of legislators.
- In April, former president Blaise Compaoré was found guilty of conspiracy in the 1987 assassination of former president Thomas Sankara and was sentenced to life in prison in absentia. Despite his conviction, in July Compaoré traveled from Côte d'Ivoire, where he had been living, to Ouagadougou at the invitation of then junta-leader Damiba. He was allowed to stay for a few days before returning to Côte d'Ivoire.
- The security environment was deteriorating in the country before the first coup in January, but the two seizures of power during the year by military juntas deepened the crisis. Security forces and state-aligned militias have committed widespread extrajudicial violence and Islamist groups have attacked armed forces and civilians openly, all of which has displaced millions of civilians. More than two dozen Fulani people were killed by armed groups in the town of Nouna in late December.

POLITICAL RIGHTS: 3 / 40 (−20)

A. ELECTORAL PROCESS: 0 / 12 (−7)

A1. Was the current head of government or other chief national authority elected through free and fair elections? 0 / 4 (−2)

Two separate military coups in 2022 restored military rule after nearly eight years of political reforms that had yielded democratic gains. In January, Lieutenant Colonel Paul-Henri Sandaogo Damiba led a military coup that ousted the democratically elected president, Roch Marc Christian Kaboré. Captain Ibrahim Traoré led the second coup in September, dismissing the transitional government set up by Damiba in March, suspending the constitution, and placing power in the military junta he had formed and led. Less than two weeks later, in October, the Traoré junta organized a national forum, during which Traoré was formally recognized as president. The forum also drafted a transitional charter which provided him with the authority to name a transitional government and legislate by decree until the naming of legislators.

Traoré named Appollinaire Joachim Kyelem de Tambela as his prime minister to serve as head of a 23-member transitional government, which was created in late October.

Score Change: The score declined from 2 to 0 due to two separate coups fomented by military officers that removed the elected and interim presidents.

A2. Were the current national legislative representatives elected through free and fair elections? 0 / 4 (−2)

The two coups dissolved both the elected parliament and the subsequent transitional bodies. In November 2022, the Traoré-led junta and its national forum established a 71-member transitional legislature through the transitional charter. Twenty members of the legislature were chosen by Traoré. The rest were made up of 16 members from the security and defense forces; 13 civil society leaders who were not affiliated with a political movement; 12 members from political parties (4 from the former majority party, 4 from the former opposition, 2 from the unaffiliated opposition, and 2 from other parties); and 10 other members from civil society. The 20 members appointed by Traoré and the 16 from the security and defense forces make up a one-seat majority at 36 members. The charter cannot be revised without Traoré's support and a two-thirds majority vote from the transitional legislature.

Score Change: The score declined from 2 to 0 because coup leaders dissolved the elected parliament in January, and a subsequent transitional assembly was dissolved in the September coup.

A3. Are the electoral laws and framework fair, and are they implemented impartially by the relevant election management bodies? 0 / 4 (−3)

The transitional charter, which operates as the guiding legal text under Traoré's junta, stipulates that all legal matters be determined by the 1991 constitution unless otherwise decided by the transitional legislature. Until the legislative session opened in November 2022, Traoré legislated by decree. There is no defined electoral framework in the interim other than a deadline to hold elections by 2024.

Score Change: The score declined from 3 to 0 because coup leaders suspended the constitution in January and again in September, effectively overturning existing electoral law.

B. POLITICAL PLURALISM AND PARTICIPATION: 2 / 16 (−8)

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

The laws regulating political parties were effectively suspended following the January and September 2022 coups. Political parties received token representation in the transitional legislature based on their affiliations under the previous civilian administration. Immediately following the September coup, the junta suspended all political and civil society activity,though they restored party and civil society representation in the weeks following. The suspension underscored the limited power political parties and civil society wield in the current military government.

Score Change: The score declined from 2 to 1 because the military dissolved the elected parliament and has dominated the subsequent transition, limiting the ability of parties to function.

B2. Is there a realistic opportunity for the opposition to increase its support or gain power through elections? 0 / 4 (−3)

Following the September 2022 coup, no legal framework for an electoral process had been enacted, meaning there was no clear means for a party to gain power. Presumably, the

organization and administration of elections would be a priority of the transitional legislative assembly that took office in November. The junta, Traoré, and the transitional charter stipulated that elections would be held by July 2024.

Score Change: The score declined from 3 to 0 because the military coups removed political parties ability to win power through elections and because no party can operate without the military's consent.

B3. Are the people's political choices free from domination by forces that are external to the political sphere, or by political forces that employ extrapolitical means? 0 / 4 (−2)

The junta has attempted to characterize its seizure of power as popular and enjoying public support, but it is effectively ruling by decree. Burkina Faso's armed forces remain fragmented, and power has changed hands in an arbitrary, tumultuous manner, all underscored by the two coups in 2022. In parts of the country, armed militant groups target local leaders for assassination and abduction, effectively controlling the territory.

Score Change: The score declined from 2 to 0 due to the military's total dominance of the political system following two coups.

B4. Do various segments of the population (including ethnic, racial, religious, gender, LGBT+, and other relevant groups) have full political rights and electoral opportunities? 1 / 4 (−2)

The two coups in January and September 2022 have returned the military to the center of the political arena, eliminating political rights for the population.

Stigmatization of the Fulani (Peul or Fulbè) community also grew during the year, as insecurity spread throughout the northern and eastern areas of the country.

Score Change: The score declined from 3 to 1 because coup leaders dissolved the elected parliament in January, stopping Burkinabè from engaging in political participation through elections.

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

C1. Do the freely elected head of government and national legislative representatives determine the policies of the government? 0 / 4 (−2)

Lieutenant Colonel Damiba dissolved the National Assembly following his January 2022 coup and created a transitional government in March. Captain Traoré in late September staged another coup and in October dissolved the transitional legislature established under Damiba. Traoré legislated by decree until members of a new transitional assembly took office and a legislative session opened in November.

Score Change: The score declined from 2 to 0 because elected government bodies were dissolved by coup leaders.

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

Prior to the 2022 coups, corruption was already widespread, particularly among customs officials and municipal police as well as several other public sectors. Few, if any, impediments remain to safeguard against official corruption following the coups of 2022. Formal bodies exist to address corruption, such as the Higher Authority for State Control and the Fight Against Corruption (ASCE-LC), and the independent Anti-Corruption National

Network (REN-LAC). Their ability to provide oversight of the junta, however, has been minimal, accelerating the deleterious effects of corruption on public services.

Score Change: The score declined from 2 to 1 because the junta engages in corruption and allows no avenue for accountability.

C3. Does the government operate with openness and transparency? 0 / 4 (−2)

Very little is known about the composition of the ruling junta, which refers to itself as the Patriotic Movement for Safeguard and Restoration (MPSR). Many political parties and civil society organizations have underscored this fact and the danger this lack of transparency presents.

Score Change: The score declined from 2 to 0 due to the lack of any meaningful openness from the junta in its decision-making, its membership, and in its appointment of members to transitional bodies.

CIVIL LIBERTIES: 27 / 60 (−3)

D. FREEDOM OF EXPRESSION AND BELIEF: 10 / 16 (−1)

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

The media environment in Burkina Faso is relatively robust. However, growing and continued physical insecurity has curbed media access, and military leaders have further constrained the press. In May 2022, the military government blocked the operations of the Higher Council for Communication, a body tasked with ensuring respect for journalistic ethics, promoting freedom of expression, and safeguarding the media's access to sources of information. In December, Traoré appointed a new council president, allowing the agency to function again.

Authorities also suspended French broadcaster Radio France Internationale (RFI) in December, accusing them of having disseminated a message of intimidation attributed to a "terrorist leader," though they did not reference any specific RFI report. Journalists face increased risks due to militant attacks, and some have been threatened, abducted, and killed in recent years.

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

Burkina Faso is a secular state, and freedom of religion is generally respected. The population is predominately Muslim with a large Christian minority. Followers of both religions often engage in syncretic practices. However, religious activity is affected by ongoing insecurity. In February 2022, Islamic militant groups attacked the Saint Kisito Christian seminary in Bogui.

D3. Is there academic freedom, and is the educational system free from extensive political indoctrination? 2 / 4 (−1)

Academic freedom is unrestricted in principle, though due to past repressive tactics against student-led protests, a legacy of tension between the government and academic organizations persists.

Islamic militant groups in the north and east regularly threaten schools and teachers, resulting in the closure of numerous institutions. These groups have killed public school officials for refusing to adhere to and teach extremist ideology and curriculums. Prolonged

insecurity and militant Islamist violence has left large swathes of territory without primary and secondary education for years. From January to November 2022, 5,574 schools were closed due to insecurity, affecting over a million students.

Score Change: The score declined from 3 to 2 because Islamist militant groups threatened or attacked schools and teachers for failing to adhere to and teach extremist ideology, resulting in the closure of thousands of schools, affecting more than a million students.

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

Private discussion is unrestricted in much of the country. However, attacks and intimidation by Islamic militants in the north and east, an increased security presence in response to their activities, and 2019 penal-code revisions have dissuaded people from discussing local news, politics, and other sensitive topics. In some areas, Burkinabè fear surveillance from the informers of Islamic militants, who may attack communities who speak out against them.

E. ASSOCIATIONAL AND ORGANIZATIONAL RIGHTS: 7 / 12

E1. Is there freedom of assembly? 2 / 4

The transitional charter relies on the 1991 constitution as a legal foundation; the 1991 constitution does provide for the freedom of assembly. Demonstrations in support of the ruling junta in 2022 have appeared to occur organically and comprise at most a few hundred individuals in any mobilization.

During the chaotic days of Captain Traoré's coup from late September 2022 to early October, demonstrators in support of the coup vandalized, looted, and set fire to buildings housing French government offices. Junta leaders had claimed France was harboring Lieutenant Colonel Damiba at a military base during this period.

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

While many nongovernmental organizations (NGOs) operate openly and freely, human rights groups have reported abuses by security forces in the past. NGOs face harassment in carrying out their work and NGO leaders argue that some legal provisions, including vaguely worded terrorism laws, can be misused to silence human rights defenders.

The operating space for NGOs and human rights organizations became further constrained in 2022 due to growing violence and the return of military rule. Towns, displacement camps, and large swathes of territory are routinely cut off from state authorities. Humanitarian access is limited particularly in northern Burkina Faso where armed conflict is at its worst.

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

The two military coups in 2022 left the basic structure of the 1991 constitution in place, which does provide for the right to strike and to form trade unions. However, the transitional charter following the September coup clearly places superseding authority in the executive to intercede in organized labor activity.

In the past, unions frequently and freely engaged in strikes and collective bargaining and coordinated with civil society to organize demonstrations on social issues. However, the government has used legal means to suppress union activity, including the denial of permits for planned demonstrations.

F. RULE OF LAW: 4 / 16 (−1)

F1. Is there an independent judiciary? 2 / 4

The judiciary is formally independent but has historically been subject to executive influence and corruption. The Constitutional Council in October 2022 officially inaugurated Captain Traoré as president after his military coup the previous month.

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

Constitutional due-process guarantees are undermined by corruption and the inefficacy of the judiciary and police force. The judicial system is also affected by ongoing insecurity, which has caused the closure of some courts and has limited access to judicial services.

In April 2022, former president Blaise Compaoré was found guilty of conspiracy in the 1987 assassination of former president Thomas Sankara and was sentenced to life in prison in absentia. Despite his conviction, in July Compaoré traveled from Côte d'Ivoire, where he had been living, to Ouagadougou at the invitation of then junta-leader Damiba. He was allowed to stay for a few days before returning to Côte d'Ivoire. The high profile visit revealed the limits of the Burkinabè justice system in holding powerful figures to account.

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

The security environment is affected by Islamic militant groups, bandits, and militias. Traditional leaders, government officials, lawmakers, and civilians are regularly targeted for kidnapping or assassination by militants. Militants target government institutions, like health clinics and schools, restricting access to government services. Children are increasingly being recruited by militants and engage in armed activity. Ongoing violence has prompted significant internal displacement; humanitarian organizations in a joint letter in September 2022 reported that nearly 2 million Burkinabè were internally displaced.

Government forces and state-allied militias like the Volunteers for the Defense of the Homeland (VDP) commit extrajudicial violence, particularly against the Fulani ethnic group. Militants, militias, and government forces are believed to orchestrate forced disappearances. Security forces, militias, and civilians faced armed attacks during 2022, causing numerous casualties. Allegations of torture and abuse of suspects in custody by police are common, and prison conditions are poor. Security forces have been accused of forcibly detaining and abusing civilians. Security in the country has deteriorated since the military took power in the first coup of the year in January 2022.

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

While the constitution outlaws all forms of discrimination, prejudice occurs in practice. Members of the Fulani ethnic group have expressed dissatisfaction over government neglect, discrimination, and abuse, particularly at the hands of security forces and militias. Their treatment has worsened since the military seized power in January 2022 and recruited volunteer militias that have intentionally targeted Fulani people. More than two dozen Fulani civilians were killed, apparently by the VDP, in the town of Nouna in late December. Military rule has also eliminated legal guarantees of protection.

LGBT+ people, as well as those living with HIV, routinely experience discrimination, including difficulty accessing health services. While illegal, gender discrimination remains common in employment and education.

Score Change: The score declined from 2 to 1 due to an increase in discrimination against Fulani people, mostly caused by volunteer militias recruited by the junta to intentionally target members of that ethnic group.

G. PERSONAL AUTONOMY AND INDIVIDUAL RIGHTS: 6 / 16 (−1)

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

Due to insecurity, the government has established heavily guarded checkpoints on roads and has instituted curfews and states of emergency in some provinces. Travelers are sometimes subjected to bribery or harassment by security forces at checkpoints. The town of Djibo, which houses at least 285,000 internally displaced persons (IDPs), was blockaded by militants during much of 2022, making it difficult for aid groups to deliver food and medicine. Displaced women fleeing extremist violence have been targeted by Islamist militant groups, and the number of sexual assault cases has risen drastically in the Center North region. The Economic Community of West African States (ECOWAS) said in June that authorities control only 60 percent of the country's territory.

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

In recent years, the government has implemented reforms to reduce the amount of capital necessary to start a business, facilitating the ability to obtain credit information, and improving the insolvency resolution process. However, the business environment is hampered by corruption and insecurity. The two military coups in 2022 cast further doubts over the regulatory environment individuals would confront.

Insurgents regularly interfered with commercial activities in 2022, including by stealing livestock, imposing taxes, and interrupting mining operations. State authorities have little control over a significant portion of the country.

Score Change: The score declined from 2 to 1 because internally displaced Burkinabè have suffered the destruction of property due to conflict and because the authorities are unable to ensure property rights throughout the country.

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

Women face discrimination in cases involving family rights and inheritance. Early marriage remains an issue, especially in the north. The practice of female genital mutilation (FGM) is less common than in the past, but still occurs. Domestic violence remains a problem despite government efforts to combat it. Gender-based violence has become more widespread of a challenge with the rising physical insecurity driven by extremist groups. The United Nations Population Fund estimated that more than 660,000 people will need protection from sexual assault and rape.

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

Burkina Faso is a source, transit, and destination country for human trafficking. Child labor is prominent in the mining sector, with 20,000 children working in gold mines. Children are also recruited by militant groups. Women from neighboring countries are recruited by traffickers and transported to Burkina Faso, where they are forced into prostitution.

According to the US State Department's *Trafficking in Persons Report 2022*, the Burkinabè government did not prosecute suspected traffickers and provided insufficient support and shelter for trafficking survivors during the report's coverage period.

Burundi

Population: 12,900,000
Capital: Gitega
Freedom Status: Not Free
Electoral Democracy: No

Overview: Burundi has been in political and economic crisis since 2015. Democratic gains made after the 12-year civil war ended in 2005 have been undone by a shift toward authoritarian politics and violent repression against perceived opponents of the ruling party, the National Council for the Defense of Democracy–Forces for the Defense of Democracy (CNDD-FDD).

KEY DEVELOPMENTS IN 2022

- In August, President Évariste Ndayishimiye dismissed dozens of judges accused of corruption and mismanagement. The judges were convicted on corruption-related charges later that month, and were issued sentences of up to 30 years' imprisonment and fines of up to 3.3 million Burundian francs ($1,640).
- In August, Burundian troops associated with an East African Community (EAC) mission were deployed in the eastern Democratic Republic of the Congo (DRC). EAC member states had agreed to deploy forces there to help the Congolese government fight armed groups in the region.
- In September, Ndayishimiye accused then prime minister Alain-Guillaume Bunyoni of planning a coup and removed him from office. Former security minister Gervais Ndirakobuca was appointed to replace Bunyoni as prime minister; members of Parliament unanimously approved Ndirakobuca's appointment the same day.

POLITICAL RIGHTS: 4 / 40

A. ELECTORAL PROCESS: 1 / 12

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

Burundi adopted a new constitution in 2005 after a series of agreements ended the country's 12-year civil war. Among other provisions, the amended constitution lengthened presidential terms from five years to seven.

In January 2020, CNDD-FDD insiders selected Évariste Ndayishimiye, a former army general and interior minister, as the party's candidate to succeed outgoing president Pierre Nkurunziza for that May's election. Ndayishimiye won 71.5 percent of the vote, while Agathon Rwasa of the National Congress for Liberty (CNL) received 25.2 percent, and Gaston Sindimwo of the Union for National Progress (UPRONA) received 1.7 percent. The contest was marred by a wide-ranging campaign of repression, which the UN Commission of Inquiry (CoI) on Burundi said included the intelligence services, police, and the Imbonerakure, the ruling party's youth wing. International observers were barred from the polls. The CNL claimed that the results were fraudulent, though the Constitutional Court upheld them in June. Ndayishimiye was to take office that August but was inaugurated that June, after Nkurunziza died in office.

The president appoints a vice president, who must be approved separately by a two-thirds majority in both houses of Parliament. Prosper Bazombanza was named vice president in June 2020, while former public security minister Alain-Guillaume Bunyoni was

named prime minister. In September 2022, President Ndayishimiye accused Bunyoni of planning a coup and removed him from office. Ndayishimiye then appointed former security minister Gervais Ndirakobuca as prime minister. Ndirakobuca's appointment was unanimously approved in Parliament the same day.

A2. Were the current national legislative representatives elected through free and fair elections? 0 / 4

Parliament's lower house, the National Assembly, includes 100 members who are directly elected via proportional representation along with 23 "co-opted" members to ensure that members of the Hutu ethnic group hold 60 percent of the house while Tutsis hold 40 percent. Members serve five-year terms. The upper house, the Senate, consists of 39 members, 36 of whom are chosen by locally elected officials for five-year terms. Three seats are reserved for the Twa ethnic group.

National Assembly elections took place concurrently with the May 2020 presidential elections, amid a campaign to repress opposition groups. The CNDD-FDD secured 86 seats, while the CNL secured 32 and UPRONA secured 2. The Twa received 3 seats via co-optation.

Senators were indirectly elected in July 2020; the CNDD-FDD received 34 seats, while the CNL and UPRONA each received 1. Twa members held 3 seats.

A3. Are the electoral laws and framework fair, and are they implemented impartially by the relevant election management bodies? 0 / 4

The five-member Independent National Electoral Commission is under the effective control of the ruling CNDD-FDD. In 2015, two members who fled the country amid that year's unrest were replaced with pro-Nkurunziza appointees approved by a CNDD-FDD-controlled Parliament. Constitutional amendments extending presidential term limits, consolidating power in the executive, and allowing for a future revision of the Burundian ethnic power-sharing system were approved in a 2018 referendum that was marred by a violent intimidation campaign conducted by the CNDD-FDD.

CNL presidential candidate Rwasa challenged the conduct of the 2020 presidential election, alleging incidents of ballot-box stuffing, falsified election reports, and votes counted from deceased or exiled citizens. The Constitutional Court rejected that challenge that June.

B. POLITICAL PLURALISM AND PARTICIPATION: 3 / 16

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

Political party formation is legally allowed, but the activities of opposition parties and political leaders are discouraged under the threat of retaliatory violence, repression, or arrest.

According to the Burundi Human Rights Initiative (BHRI), opposition party members and those suspected of opposing the government faced arbitrary arrests and forced disappearances by the Imbonerakure and the National Intelligence Service (SNR) during 2021 and 2022.

B2. Is there a realistic opportunity for the opposition to increase its support or gain power through elections? 0 / 4

The opposition has little realistic opportunity to increase its popular support through elections. Opposition parties, politicians, and their supporters face harassment, intimidation, and assassination. Many are forced to operate in exile.

B3. Are the people's political choices free from domination by forces that are external to the political sphere, or by political forces that employ extrapolitical means? 0 / 4

The Imbonerakure, SNR, and police are allies of the CNDD-FDD and use violence and intimidation to influence people's political choices.

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

The 2005 constitution requires power-sharing between Hutus and Tutsis in Parliament, and additionally stipulates that women and Twa representatives be seated in both houses.

Imelde Sabushimike, who was appointed as human rights minister in June 2020, is Burundi's first Twa cabinet minister.

Women face social pressure that can deter active political participation, and few women hold political office at senior levels.

C. FUNCTIONING OF GOVERNMENT: 0 / 12

C1. Do the freely elected head of government and national legislative representatives determine the policies of the government? 0 / 4

The ruling CNDD-FDD, and particularly President Ndayishimiye, whose election to power fell far short of standards for free and fair elections, controls policy development and implementation.

C2. Are safeguards against official corruption strong and effective? 0 / 4

Corruption is rampant in Burundi. Corrupt officials generally enjoy impunity, even when wrongdoing is exposed by nongovernmental organizations (NGOs) and other actors. Anticorruption organizations are underresourced and ineffective.

Though President Ndayishimiye has vowed to address corruption, his actions in office have been contradictory. The Ndayishimiye administration dismissed over 120 government employees for embezzlement in 2021, though none of them faced prosecution. Ndayishimiye has also reorganized Burundian anticorruption bodies since taking office, abolishing an anticorruption court and an anticorruption brigade and placing their functions within existing offices.

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

Government operations are opaque, and government officials are generally unaccountable to voters. There are few opportunities for civil society actors and others to participate in policymaking. Due to recurrent assassinations and assassination attempts, politicians are wary of organizing town hall–style meetings or making other public appearances before voters.

The government was not transparent during the COVID-19 pandemic, with authorities providing little scientific information.

CIVIL LIBERTIES: 10 / 60

D. FREEDOM OF EXPRESSION AND BELIEF: 4 / 16

D1. Are there free and independent media? 0 / 4

Freedom of expression is constitutionally guaranteed but severely restricted in practice by draconian press laws and a dangerous operating environment for media workers, who face threats, harassment, and arrest in response to their coverage.

Many journalists have fled the country since 2015, and some have been forcibly disappeared. In 2021, the Supreme Court published a 2020 decision to issue life sentences against seven exiled journalists for their alleged involvement in the events of 2015.

The government lifted its ban on the British Broadcasting Corporation (BBC) in March 2022; the BBC's operating license had been revoked in 2019 after it aired an investigation into human rights abuses allegedly committed by the government.

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

Freedom of religion is generally observed. However, relations between the government and the Roman Catholic Church, of which most Burundians are members, have worsened in recent years. In 2019, the UN CoI reported that the government was exerting more control over churches to curb political dissent.

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

Both university students and staff who support the CNDD-FDD receive preferential treatment at academic institutions. Continued intimidation of opposition supporters has created an atmosphere of fear and limited free speech on university campuses. Reports indicate that teachers allied to the CNDD-FDD have intimidated students who are considered unsupportive, in some cases preventing them from attending school. Teachers are increasingly screened for political loyalty to the ruling party.

D4. Are individuals free to express their personal views on political or other sensitive topics without fear of surveillance or retribution? 0 / 4

While freedom of expression on political matters is constitutionally guaranteed, in practice Burundians generally do not feel safe discussing issues related to the government or politics. There is a reluctance to engage in speech that could be perceived as critical of the CNDD-FDD for fear of reprisal. The SNR and the Imbonerakure actively surveil private citizens. Social media and messaging applications were notably blocked on election day in 2020.

E. ASSOCIATIONAL AND ORGANIZATIONAL RIGHTS: 1 / 12

E1. Is there freedom of assembly? 0 / 4

Opposition or antigovernment meetings and rallies are usually prevented or dispersed, and participants face harassment or arrest. Many people who participated in the 2015 protests against late president Nkurunziza fled Burundi amid a subsequent crackdown.

In 2021, the UN CoI noted that the strictest restrictions on assembly were effectively loosened after the 2020 elections, as the CNL was perceived as a less acute threat to the CNDD-FDD.

E2. Is there freedom for nongovernmental organizations, particularly those that are engaged in human rights– and governance-related work? 0 / 4

NGOs in Burundi face restrictive registration laws and persecution for activity seen as hostile to the government. Human rights advocates can face arrest and imprisonment. A number of human rights and other groups perceived as antigovernment were banned during the 2018 referendum and the 2020 elections, and many of their members have fled the country. A 2021 Human Rights Watch (HRW) report noted that NGO workers avoided open criticism of the government.

The government reversed its ban on anticorruption NGO PARCEM ("Words and Actions for the Awakening of Consciences and the Evolution of Mentalities") in 2021, but authorities continued to impede and monitor its work through 2022.

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

The constitution provides protections for organized labor, and the labor code guarantees the right to strike. However, it is unlikely that union members would feel free to exercise legally guaranteed collective bargaining rights in the current political climate.

F. RULE OF LAW: 1 / 16

F1. Is there an independent judiciary? 0 / 4

The judiciary is hindered by corruption and a lack of resources and training. The judiciary is generally subservient to the executive, which regularly interferes in the criminal justice system to protect CNDD-FDD and Imbonerakure members and persecute the political opposition.

In 2020, the Constitutional Court partially checked the CNDD-FDD's power by upholding a challenge to the disqualification of an opposition parliamentary candidate. However, it did not entertain a challenge over the conduct of the presidential election, despite evidence of widespread fraud and intimidation.

President Ndayishimiye has repeatedly accused the judiciary of corruption and human rights violations. In August 2022, Ndayishimiye dismissed 40 judges accused of corruption and mismanagement. The judges were convicted on corruption-related charges later that month, and were issued sentences ranging from 1 to 30 years in prison as well as fines of up to 3.3 million Burundian francs ($1,640).

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

The courts, police, and security forces do not operate independently or professionally, and constitutional guarantees of due process are generally not upheld. Arbitrary arrest and lengthy pretrial detention are common.

In 2017, the International Criminal Court (ICC) opened an investigation into alleged crimes against humanity committed by the government. Burundi left the ICC days later, becoming the first country in the world to do so.

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

The security situation in Burundi remains extremely poor. A 2021 UN CoI report notes that widespread human rights violations persist, including forced disappearance, execution, torture, and arbitrary arrest and detention. The report identified the SNR as the principal perpetrator, though it also noted the involvement of the Imbonerakure and police.

According to a July 2022 BHRI report, hundreds of Burundian soldiers and untrained Imbonerakure members were "secretly deployed" to fight the Resistance Movement for the Rule of Law–Tabara, a Burundian armed opposition group located in the DRC, as early as December 2021. Burundian troops officially entered the DRC in August 2022 as part of an EAC mission meant to help the Congolese fight armed groups active in the east of that country.

According to the Office of the UN High Commissioner for Refugees, 258,000 Burundian refugees resided in nearby countries as of December 2022, 48.9 percent of them in Tanzania. The CNDD-FDD apparatus has violently targeted returning refugees on suspicion of opposition sympathies, along with individuals suspected of having ties to Burundian rebels operating in the DRC.

The Burundian prison system is overcrowded. In late November 2022, the World Prison Brief reported that although Burundian prisons have an official capacity of approximately 4,290, over 12,000 inmates are imprisoned.

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

Despite quotas for representation in the National Assembly, the Twa population remains marginalized relative to the Hutu and Tutsi ethnic groups. People living with albinism face systematic discrimination and violence. LGBT+ people also experience official and societal discrimination. The 2009 penal code criminalizes same-sex sexual activity, and punishments include up to two years in prison.

Discrimination against women is common in access to education, healthcare, and employment.

G. PERSONAL AUTONOMY AND INDIVIDUAL RIGHTS: 4 / 16

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

Since 2015, concerns for personal safety have restricted free movement, particularly in neighborhoods regarded as opposition strongholds and where security forces frequently conduct search operations. In 2020, the UN CoI reported that the Imbonerakure maintained a checkpoint system to control population movement, despite official instructions for the organization to refrain from such activity. Some local authorities have imposed curfews on women and girls.

According to the International Organization for Migration, there were over 84,000 internally displaced persons in Burundi as of April 2022.

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

Land conflict has been an explosive issue in Burundi for decades, which was exacerbated by the return of displaced populations after the end of the civil war in 2005. Many returnees found new owners occupying their land, and the courts have often failed to fairly adjudicate land disputes.

Due to customary law, women are typically unable to inherit property. The deteriorating security situation hampers private business activity in Burundi, as does rampant corruption.

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

Sexual and domestic violence are serious problems but are rarely reported to law enforcement agencies. Rights monitors continue to report sexual violence carried out by security forces and the Imbonerakure, who act with impunity. Women are often targeted for rape if they or their spouses refuse to join the CNDD-FDD. Men sometimes experience sexual abuse while in government custody.

According to the citizenship code, a Burundian woman married to a foreign national cannot pass on her citizenship to her husband or children.

The constitution explicitly bans same-sex marriage.

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

Individuals not allied with the ruling party may lose their employment. Community service requirements have taken on political overtones, such as building offices for the CNDD-FDD, amounting to what a 2019 UN report called forced labor.

Women have limited opportunities for advancement in the workplace. Much of the population is impoverished. In 2017, "vagrancy" and begging by able-bodied persons became formal offenses under the penal code.

Human trafficking continues to be a serious issue in Burundi, with the IOM counting over 1,000 trafficking victims between 2017 and July 2021. Burundian government employees are reportedly complicit in trafficking girls. According to the US State Department's 2022 *Trafficking in Persons Report*, Burundi's government has significantly expanded investigations, prosecutions, and convictions of traffickers, including allegedly complicit officials.

Cabo Verde

Population: 600,000
Capital: Praia
Freedom Status: Free
Electoral Democracy: Yes

Overview: Cabo Verde is a stable democracy with competitive elections and periodic transfers of power between rival parties. Civil liberties are generally protected, but access to justice is impaired by an overburdened court system, and crime remains a concern. Other outstanding problems include persistent inequities for women and migrant workers.

KEY DEVELOPMENTS IN 2022

- In June, the government declared a social and economic emergency due to the effects of the war in Ukraine, COVID-19, and recent droughts on access to food and other basic supplies. While the declaration prompted official efforts to stabilize prices and seek international aid, it did not lead to restrictions on citizens' rights and freedoms.
- The parliament adopted a number of legislative reforms during the year, including measures to combat tax evasion and improve oversight of public spending.

POLITICAL RIGHTS: 38 / 40

A. ELECTORAL PROCESS: 12 / 12

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

The president is directly elected for up to two consecutive five-year terms. The prime minister, who holds most executive authority, is formally appointed by the president but is nominated by and accountable to the National Assembly.

Ulisses Correia e Silva became prime minister in 2016 and secured a new term after his center-right Movement for Democracy (MpD) party won the April 2021 parliamentary elections. In October of that year, José Maria Neves of the left-leaning African Party for the Independence of Cabo Verde (PAICV) was elected president with 51.7 percent of the vote, defeating MpD candidate Carlos Veiga. Neves, who succeeded term-limited MpD incumbent Jorge Carlos Fonseca, took office in November. Observers assessed both elections as largely free and fair.

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

Members of the 72-seat National Assembly are directly elected in multimember constituencies to serve five-year terms. In the April 2021 elections, the ruling MpD won 38 seats, the PAICV won 30, and the Democratic and Independent Cabo Verdean Union took 4.

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

The legal framework provides for fair and competitive elections. The National Elections Commission (CNE), whose members are elected by a two-thirds majority in the National Assembly, is generally considered impartial.

B. POLITICAL PLURALISM AND PARTICIPATION: 16 / 16

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

There are no significant impediments to the formation and competition of political parties. A number of different parties are active, though only the PAICV and the MpD have held power at the national level. Nonpartisan independents also participate in elections and play a role in political life.

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

The opposition has a realistic opportunity to gain power through elections. There have been three democratic transfers of power between the PAICV and the MpD since independence in 1975, with the most recent occurring in 2016.

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

The political choices of voters and candidates are free from undue external influence. However, the functioning of public agencies is reportedly affected by partisanship.

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

Women have full and equal political rights and are increasingly involved in politics. Nevertheless, social constraints have somewhat impaired their participation. The 40 percent gender quota for candidates required by the 2019 Gender Parity Law is often unmet, though women held 38.9 percent of the National Assembly's seats after the 2021 elections and 42 percent of the seats in municipal assemblies.

C. FUNCTIONING OF GOVERNMENT: 10 / 12

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

The prime minister and cabinet determine the policies of the government, under the supervision of the National Assembly and the president. The government is able to implement laws and policies without undue interference from unelected entities.

C2. Are safeguards against official corruption strong and effective? 3 / 4

Cabo Verde has relatively low levels of corruption overall, but bribery and nepotism are problems at the municipal level. Allegations of clientelism and graft continue to surround costly infrastructure projects and other spending measures, public procurements, public companies, and management of public lands.

In March 2022, the cabinet approved a revision of the penal code to extend the statute of limitations for offenses related to corruption and influence peddling, correcting an error in a previous amendment. The parliament adopted the revision in December, overriding a

presidential veto. Also in December, lawmakers approved a new tax code designed to combat tax fraud and evasion.

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

The current government has taken numerous steps to improve transparency, including the online publication of more information about state operations and finances; it generally adheres to legal guarantees of public access to information. However, many individual officeholders fail to comply with asset-declaration rules. During 2022, the government approved an electronic platform for public acquisitions, an action plan for open government, a new statute for the Court of Accounts, and a strategic plan to combat money laundering.

CIVIL LIBERTIES: 54 / 60

D. FREEDOM OF EXPRESSION AND BELIEF: 16 / 16

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

Press freedom is guaranteed by law and generally respected in practice, though Article 105 of the electoral code prohibits media organizations from disseminating opinions on or criticism of parties and candidates after a certain date during a campaign period.

Publicly and privately owned media outlets are largely free of government control. However, precarious finances at many outlets can undermine journalists' job security and their ability to undertake investigative reporting projects. A lack of funding has contributed to the closure of several privately owned newspapers, decreasing the diversity of information in the print sector.

In early 2022, three journalists came under criminal investigation for "qualified disobedience" after allegedly disclosing judicially protected information about a police killing. The journalists' trade union called for an update to the relevant law to clarify the relationship between press freedom and judicial secrecy.

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

The constitution establishes the separation of church and state, though the Roman Catholic Church receives some privileges, such as the recognition of Catholic marriages under civil law. While all religious groups are required to register with the Justice Ministry to obtain tax and other benefits, the process is not restrictive, and there are no limitations on freedom of worship.

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

Academic freedom is respected, and the educational system is not affected by political indoctrination.

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

There are no significant constraints on individuals' freedom of expression. The government is not known to engage in online surveillance or improper monitoring of personal communications. Social media are widely used to express private and political opinions.

E. ASSOCIATIONAL AND ORGANIZATIONAL RIGHTS: 11 / 12

E1. Is there freedom of assembly? 4 / 4

Freedom of assembly is legally guaranteed and observed in practice.

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

Nongovernmental organizations (NGOs) operate freely in the country, focusing on a variety of social, economic, environmental, and cultural issues. Both international and local organizations are able to monitor prison conditions and other human rights indicators without government interference. Under the new statute for the Court of Accounts that was adopted in 2022, the auditing body will monitor the finances of NGOs that receive government funding.

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

The constitution protects the right to unionize, and workers may form and join unions in practice. However, the government restricts the right to strike in broadly defined essential industries, and formal collective bargaining is reportedly uncommon in the private sector.

F. RULE OF LAW: 14 / 16

F1. Is there an independent judiciary? 4 / 4

The judiciary is independent, though the courts are overburdened, understaffed, and underfunded. During 2022, the courts decreased their case backlog, with 10,160 pending cases remaining in November. The judiciary's goal was to reduce pending cases by half over the course of four years.

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

Police and prosecutors generally observe legal safeguards against arbitrary arrest and detention. Defense attorneys are provided to indigent defendants. However, due to the limited capacity of the court system, there are often delays in detainees' first hearings before a judge, and many cases are dropped because defendants in detention are denied a timely trial.

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

Law enforcement officials are sometimes accused of using excessive force, but perpetrators are often investigated and punished by oversight bodies.

Cabo Verde is generally free of major violence or unrest. Nevertheless, violent crime does occur, and street crime, smuggling, and drug trafficking are perceived as consistent problems. The government sought to increase the capacity of law enforcement during 2022, establishing a municipal police force in Sal and reporting on plans to extend the measure to other municipalities.

In 2017, the government permitted the Chinese technology firm Huawei to install surveillance cameras in Praia and three other cities as part of its Safe City project. While observers voiced privacy concerns, the government has maintained its support for the program. In April 2022, the government announced the expansion of the surveillance system to Tarrafal.

Prison conditions are poor and often overcrowded, but the government has been working to improve conditions through steps including changes to legislation, the implementation of a social reintegration program for prisoners, the construction of more cells and bathrooms, and the rehabilitation and expansion of existing facilities.

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

Gender discrimination is prohibited by law, but wage discrimination and unequal access to education persist for women. The country lacks comprehensive antidiscrimination

legislation covering all forms of bias. Immigrants, who make up 2.2 percent of the population, often face discriminatory treatment in accessing documents and employment.

Same-sex relations are not criminalized, and the law protects against employment discrimination based on sexual orientation. However, LGBT+ people are reportedly subject to such discrimination as well as physical violence and verbal or online abuse.

G. PERSONAL AUTONOMY AND INDIVIDUAL RIGHTS: 13 / 16

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

Individual freedom of movement is recognized by law, and there are no significant restrictions in practice. People may freely change their place of employment or education.

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

Property rights are generally respected. The legal framework and government policies are supportive of private business activity, though obstacles such as corruption and legal and bureaucratic inefficiency remain a concern. Small and medium-size businesses are often the main sources of income for families whose members are not directly employed in the public sector.

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

Personal social freedoms are generally protected, including in matters of marriage and family law. Same-sex marriages are not recognized, however. In recent years authorities have strengthened and enforced laws against rape, domestic abuse, femicide, and sexual abuse of minors, but such violence remains a serious problem, and the public resources dedicated to supporting and protecting victims remain insufficient.

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

The law prohibits forced labor and other exploitative practices, and the government actively enforces such safeguards in the formal sector. However, a high percentage of the Cabo Verdean labor force continues to work informally.

Immigrant workers who lack employment contracts remain vulnerable to abuses, and children are reportedly exposed to sex trafficking and illegal work in agriculture or domestic service.

The combined economic effects of the war in Ukraine, the COVID-19 pandemic, and recent droughts imposed serious hardship on residents during 2022, threatening their access to affordable food and other supplies. The government declared a social and economic emergency in June, clearing the way for efforts to stabilize food prices and solicit international aid.

Cambodia

Population: 16,800,000
Capital: Phnom Penh
Freedom Status: Not Free
Electoral Democracy: No

Overview: Cambodia's political system has been dominated by Prime Minister Hun Sen and the Cambodian People's Party (CPP) for more than three decades. While the country

conducted semicompetitive elections in the past, the 2018 elections were held in a severely repressive environment. Since then, Hun Sen's government has maintained pressure on opposition party members, independent press outlets, and demonstrators with intimidation, politically motivated prosecutions, and violence.

KEY DEVELOPMENTS IN 2022

- Members of the opposition continued to face repression during the year; in March, 19 members of the banned opposition Cambodia National Rescue Party (CNRP) were sentenced to between 5 and 10 years in prison on politically motivated charges including incitement and conspiracy. In a separate case, in October, exiled CNRP leader Sam Rainsy was sentenced in absentia to life imprisonment on specious charges related to his political activism.
- June local elections saw the ruling CPP take 80 percent of the vote, while the opposition Candlelight Party won 18 percent. The Candlelight Party's performance in the polls, which were neither free nor fair, was celebrated by leaders of the country's heavily repressed opposition.
- Constitutional amendments that would permit the ruling party to appoint the country's prime minister without parliamentary approval were signed into law in August. The amendments have been widely condemned as an undemocratic attempt to allow incumbent prime minister Hun Sen to eventually name his son, Hun Manet, as his successor.

POLITICAL RIGHTS: 5 / 40

A. ELECTORAL PROCESS: 1 / 12

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

King Norodom Sihamoni is chief of state, but has little political power. The prime minister is head of government, and is appointed by the monarch from among the majority coalition or party in parliament following legislative elections. Hun Sen first became prime minister in 1985. He was nominated most recently after 2018 National Assembly polls, which offered voters no meaningful choice. Most international observation groups were not present due to the highly restrictive nature of the contest.

A2. Were the current national legislative representatives elected through free and fair elections? 0 / 4

The bicameral parliament consists of the 62-seat Senate and the 125-seat National Assembly. Members of parliament and local councilors indirectly elect 58 senators, and the king and National Assembly each appoint 2. Senators serve six-year terms, while National Assembly members are directly elected to five-year terms.

In 2018, the CPP won every seat in both chambers in elections that were considered neither free nor fair. Several small, obscure new "opposition parties" ran candidates in the lower-house elections, though many of these were believed to have been manufactured by government allies to suggest multiparty competition.

Local elections held in June 2022 saw the ruling CPP take 80 percent of the vote, while the opposition Candlelight Party won 18 percent. The Candlelight Party's performance in the polls, which were neither free nor fair, was celebrated by leaders of the country's heavily repressed opposition. Prior to the June elections, the CPP held 95 percent of local elected positions.

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

Election laws permit security forces to take part in campaigns, punish parties that boycott parliament, and mandate a campaign period of 21 days. The laws have been broadly enforced.

The CPP has complete control over the nine seats of the National Election Committee (NEC). In 2018, the NEC sought to aid the CPP's campaign by threatening to prosecute any figures that urged an election boycott, and informing voters that criticism of the CPP was prohibited.

B. POLITICAL PLURALISM AND PARTICIPATION: 2 / 16

B1. Do the people have the right to organize in different political parties or other competitive political groupings of their choice, and is the system free of undue obstacles to the rise and fall of these competing parties or groupings? 0 / 4

Cambodia is a de facto one-party state. The main opposition Cambodia National Rescue Party (CNRP) was banned in the run-up to the 2018 elections, and its leaders have been charged with crimes. In late 2021, the opposition Candlelight Party resumed independent operations. After the Candlelight Party won 18 percent of seats in the June 2022 local elections, the government quickly cracked down on its supporters and leaders, again weakening the opposition.

Members of the political opposition, including CNRP members and supporters and a broad range of other political activists, have faced harassment and arrests. In March 2022, 19 CNRP members—including party leader Sam Rainsy and deputy party leader Mu Sochua—were sentenced to between 5 and 10 years in prison on spurious charges of incitement and conspiracy.

In a separate case in October, Sam Rainsy was sentenced in absentia to life imprisonment for purportedly plotting to cede Cambodian territory to a "foreign entity"; the specious charges were based on the opposition leader's 2013 pledge to uphold the land rights of Indigenous Cambodians. Additionally, a yearslong trial against opposition leader Kem Sokha on politically motivated charges of treason concluded in December; the verdict had not been not pronounced before year's end.

B2. Is there a realistic opportunity for the opposition to increase its support or gain power through elections? 0 / 4

The political opposition has been quashed through an ongoing government campaign of harassment, arrests, and convictions of opposition figures, supporters, and perceived supporters, carried out alongside severe restrictions on press freedom, free assembly, and civil society. In the lead-up to the 2018 polls, the Supreme Court banned the main opposition party, the CNRP; several of its members were jailed, and many others fled the country.

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

The ruling party is not democratically accountable, and top leaders, especially Hun Sen, use the police and armed forces as instruments of repression. The military has stood firmly behind Hun Sen.

The Chinese government, Cambodia's biggest patron, has increasingly come to influence major government decisions. In June 2022, Chinese and Cambodian officials broke ground on a new facility on Cambodia's Ream Naval Base, near Sihanoukville. This new facility is widely believed to be a base for Chinese naval activities, though both the Chinese and Cambodian governments have denied the allegation.

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

Ethnic minorities, especially those of Vietnamese descent, are regularly excluded from the political process and scapegoated by both the CPP and the opposition. Women make up 15 percent of the National Assembly, but their interests, like those of most citizens, are poorly represented.

Voting is tied to a citizen's permanent-resident status in a village, township, or urban district; this status cannot be easily changed.

C. FUNCTIONING OF GOVERNMENT: 2 / 12

C1. Do the freely elected head of government and national legislative representatives determine the policies of the government? 0 / 4

Hun Sen has increasingly centralized power, and figures outside of his close circle have little impact on policymaking. Hun Sen's son, General Hun Manet, has been named to several key posts during his father's rule, including that of deputy commander-in-chief of the Royal Cambodian Armed Forces (RCAF). In December 2021, the CPP's central committee unanimously voted to endorse Hun Manet as "future prime minister."

New constitutional amendments signed into law in August 2022 allow the ruling party to select a prime minister without parliamentary approval. The amendments have been widely condemned as an attempt to ensure Hun Manet's dynastic succession to the premiership.

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

Anticorruption laws are poorly enforced, and corruption is pervasive in public procurement and tax administration, to the benefit of Prime Minister Hun Sen and his family.

Members of the prime minister's family have also allegedly used their positions to keep millions of dollars in assets abroad.

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

Nepotism and patronage undermine the functioning of a transparent bureaucratic system. A draft access to information law was finalized in 2019, but the government still had not passed the bill by year-end 2022. International information rights groups have criticized the bill, warning it does not meet international standards.

CIVIL LIBERTIES: 19 / 60

D. FREEDOM OF EXPRESSION AND BELIEF: 7 / 16

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

The government uses lawsuits, criminal prosecutions, massive tax bills, and occasionally violent attacks to harass and intimidate the media. There are private print and broadcast outlets, but many are owned and operated by the CPP.

Since 2017, the government has engaged in an intense crackdown on independent media. In 2018, the *Phnom Penh Post*, an independent newspaper, was sold to a Malaysian investor with links to Hun Sen, and many of its editors and reporters quit or were fired. The government stripped the licenses of three digital media outlets in March 2022—the Bayong Times, Khmer Cover TV (KCTV), and Cambodia Today—for allegedly "violating journalistic ethics" after they published stories on government corruption.

While progovernment media organizations operate freely, foreign media groups operate with more severe restrictions and in some instances are forced out of the country altogether.

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

The majority of Cambodians are Theravada Buddhists and can practice their faith freely, but societal discrimination against religious and ethnic minorities persists.

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

Teachers and students practice self-censorship regarding discussions about Cambodian politics and history. Criticism of the prime minister and his family is often punished.

D4. Are individuals free to express their personal views on political or other sensitive topics without fear of surveillance or retribution? 1 / 4

Open criticism of the prime minister and government by private citizens can result in reprisals, notably during the run-up to elections.

Free expression has been increasingly restricted in recent years. In 2020, the government enacted legislation giving Hun Sen the power to declare a state of emergency that would grant authorities vast powers to conduct digital surveillance, ban assemblies, and ban or limit broadcasting, among other provisions that amounted to virtually unchecked powers. In 2021, dozens of people were arrested for criticizing the government's response to the COVID-19 pandemic.

Hun Sen has proposed instituting a single internet gateway, which would centralize internet traffic and increase the government's capacity for internet censorship and online surveillance. If adopted, internet users' private speech and personal expression would be drastically limited.

E. ASSOCIATIONAL AND ORGANIZATIONAL RIGHTS: 3 / 12

E1. Is there freedom of assembly? 1 / 4

Authorities are openly hostile to free assembly. Gatherings by the banned opposition CNRP are prohibited. Demonstrations related to politics, labor rights, land disputes, and anything else the government considers sensitive are routinely dispersed by security forces, who frequently subject peaceful protesters to threats, excessive violence, and arbitrary detention.

The introduction of a law on "Preventive Measures Against the Spread of COVID-19" and other contagious diseases in 2021 allows the government to "ban or restrict any gathering or demonstration" in order to prevent the spread of COVID-19. Those who violate the law could be subject to lengthy prison sentences and fines of up to 20 million riels ($5,000).

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

Activists and civil society groups dedicated to justice and human rights risk violence and typically face state harassment and arrest, as do activists involved in land disputes.

A 2020 report issued by the UN Human Rights Office (OHCHR) in Cambodia found that human rights activists and nongovernmental organizations (NGOs) are often subjected to undue "interference, intimidation, or harassment" by Cambodian authorities.

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

Cambodia has a small number of independent trade unions, and workers have the right to strike, but many face retribution for doing so. Authorities continue to crack down on labor leaders and those who strike.

In 2022, hundreds of NagaWorld casino workers were violently arrested while participating in a strike against their employer. Several of the women arrested during the strike reported being assaulted by security forces. Prominent union leader Chhim Sithar was arrested while striking in January 2022 and held in pretrial detention until March; she was rearrested in November for allegedly violating her bail conditions. She remained in pretrial detention through the end of the year. The strike, which began in December 2021, was ongoing at year's end.

In November 2022, Human Rights Watch (HRW) released a report chronicling how the government has used the threat of the COVID-19 pandemic as a pretext to crack down on independent unions and arrest union members.

F. RULE OF LAW: 3 / 16

F1. Is there an independent judiciary? 0 / 4

The judiciary is marred by corruption and a lack of independence. Judges have facilitated the government's ability to pursue charges against a broad range of opposition politicians.

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

Due process rights are poorly upheld in Cambodia. Abuse by law enforcement officers and judges remains extremely common. Sham trials are frequent, while elites generally enjoy impunity.

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

Cambodians live in an environment of repression and fear, which has accelerated in recent years as Hun Sen has consolidated power. The torture of suspects and prisoners is frequent.

The work of the Extraordinary Chambers in the Courts of Cambodia (ECCC), established to try the leaders of the former Khmer Rouge regime, has brought convictions for crimes against humanity, homicide, torture, and religious persecution against three former Khmer Rouge leaders. The 2018 convictions of Nuon Chea and Khieu Samphan, two surviving leaders of the Khmer Rouge, marked the first time the Khmer Rouge crimes were legally defined as genocide. In September 2022, the ECCC rejected a final appeal from former top leader Khieu Samphan. The ECCC, which Hun Sen never fully supported, concluded in December 2022.

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

Ethnic minorities, especially those of Vietnamese descent, often face legal and societal discrimination.

G. PERSONAL AUTONOMY AND INDIVIDUAL RIGHTS: 6 / 16

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

The constitution guarantees the rights to freedom of travel and movement, and the government generally respects these rights in practice.

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

Land and property rights are regularly abused for the sake of private development projects. Over the past several years, hundreds of thousands of people have been forcibly

removed from their homes, with little or no compensation, to make room for commercial plantations, mine operations, factories, and high-end residential developments. Land disputes are common, and security forces typically respond to protests with force.

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

The government does not frequently repress personal social freedoms, but women suffer widespread social discrimination. Rape and violence against women are common.

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

Equality of opportunity is severely limited in Cambodia, where a small elite controls most of the economy. Labor conditions can be harsh, sometimes sparking protests and crackdowns. Exploitative working conditions and wage theft are common; in April 2021, numerous garment workers reported that their legally guaranteed severance pay had been withheld.

Cambodia is a country of origin, destination, and transit point for sex and labor trafficking. In its 2022 *Trafficking in Persons Report*, the US State Department dropped Cambodia to Tier 3, the lowest possible level, noting that while the government continued to prosecute some trafficking cases, credible reports accusing government officials of colluding with labor traffickers were not investigated.

Cameroon

Population: 27,900,000
Capital: Yaoundé
Freedom Status: Not Free
Electoral Democracy: No

Overview: President Paul Biya has ruled Cameroon since 1982. His Cameroon People's Democratic Movement (CPDM) has maintained power by rigging elections, using state resources for political patronage, and limiting the activities of opposition parties. Press freedom and nongovernmental organizations (NGOs) are restricted, and due process protections are poorly upheld. A conflict between security forces and separatists in the Anglophone Northwest and Southwest regions is ongoing and has resulted in widespread civilian deaths and displacements.

KEY DEVELOPMENTS IN 2022

- Corruption remained a problem. Under pressure from the IMF, financial authorities opened investigations into alleged embezzlement of funds set aside to manage the COVID-19 pandemic in Cameroon. In May, corruption proceedings against the director of the Autonomous Port of Douala were suspended, reportedly at the president's behest, despite clear irregularities in his awarding of service contracts.
- In March, journalist Paul Chouta, known as a strong critic of the government, was kidnapped by unidentified assailants who and beaten, inflicting severe injuries to his face and ear.

- Also in March, a general strike of high school teachers to call for improved working conditions was heavily restricted by the police.
- The conflict in the Anglophone regions wore on, with frequent reports of violence and deaths attributed to both separatists and government forces.

POLITICAL RIGHTS: 6 / 40

A. ELECTORAL PROCESS: 1 / 12

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

The president is the head of state and is directly elected to a seven-year term in a single voting round and may serve an unlimited number of terms. President Paul Biya won a seventh term in the October 2018 presidential election, with 71 percent of the vote in a process characterized by low turnout and a lack of genuine democratic competition. Maurice Kamto of the Cameroon Renaissance Movement (CRM) came in second with 14 percent of the vote. The election was marred by irregularities including unsigned results sheets. Intimidation and fear in the Anglophone regions prevented many from casting their votes.

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

The upper chamber of Cameroon's bicameral Parliament is the 100-member Senate. Senators serve five-year terms; 70 are elected through indirect suffrage by regional councils, while the remaining 30 are appointed by the president. The 180 members of the National Assembly, the lower chamber, are directly elected in multimember constituencies to five-year terms.

Long-delayed National Assembly elections were finally held in Cameroon in February 2020, together with municipal elections. The CRM refused to put up candidates, though the Social Democratic Front (SDF) participated, as did the National Union for Democracy and Progress (UNDP), which is allied with the CPDM. The CPDM retained its majority, winning 139 of the 167 seats contested. The Constitutional Council invalidated the results in 11 constituencies of the Anglophone Northwest and Southwest Regions, where boycotts and ongoing tensions resulted in low turnout. Reruns took place in March 2020, and the incumbent CPDM won all 13 of the seats at stake.

The first-ever regional elections took place in December 2020, despite calls for a boycott by opposition parties and threats by separatist groups in the Anglophone regions to arrest would-be voters. Biya's CPDM won the majority.

A3. Are the electoral laws and framework fair, and are they implemented impartially by the relevant election management bodies? 0 / 4

Partisan election management bodies compromise the independence of Cameroon's electoral system. The majority of the 11 members of the Constitutional Council, which validates election results and adjudicates election disputes, have ties to the ruling party. The council rejected all 18 petitions to cancel the presidential election results filed by opposition parties in 2018, despite credible allegations of fraud and intimidation.

The Elections Cameroon (ELECAM) electoral body was created in 2006 to address concerns about the fair management of previous elections. However, President Biya chooses its members, and CPDM partisans have historically dominated the body. Police shut down a 2021 effort by the leaders of seven opposition parties to draft a new electoral code.

B. POLITICAL PLURALISM AND PARTICIPATION: 3 / 16

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

The ability to organize in political groups and their freedom to operate is severely limited, and opposition leaders risk arrest and imprisonment. Opposition rallies are frequently prohibited by the government, while CPDM marches in support of President Biya are authorized.

In 2022, several CRM party leaders arrested in September 2020 after a peaceful protest were still facing proceedings at a military tribunal, with potential sentences ranging from five to seven years.

B2. Is there a realistic opportunity for the opposition to increase its support or gain power through elections? 0 / 4

Despite the existence of hundreds of registered political parties, Cameroon remains a one-party state. The organizational advantages of the ruling party's long incumbency, its dominance over electoral bodies, and its superior access to media and public resources disadvantage opposition candidates. Frequent harassment, intimidation, and arrests of opposition figures further reduce the ability of opposition parties to gain power through elections.

Opposition parties—including the two largest, the SDF and CRM—remain highly fragmented, preventing any one of them from becoming a viable alternative to the ruling CPDM. In June 2022, an internal reshuffle carried out by the SDF chairman created two opposing internal groups. Within the CRM, one of the leaders and main activists, Alex Nguepi, was excluded from the party following an internal election.

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

State patronage and President Biya's control of high-level appointments help the CPDM retain power.

Insecurity in the Anglophone regions caused by violence between armed militants and the military made voting nearly impossible in the 2018 presidential election. The Anglophone crisis also affected the 2020 parliamentary, municipal, and regional elections, contributing to very low turnout.

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

Groups advocating for greater self-determination in the Anglophone regions remain marginalized and excluded from political debate. LGBT+ people, some ethnic minorities, and women are generally excluded from positions of political influence, and their interests are poorly represented by elected officials.

C. FUNCTIONING OF GOVERNMENT: 2 / 12

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

President Biya has extensive executive authority, including wide-ranging appointment powers and strong control over state institutions. Many policies are instructed by the government and adopted by presidential decree, with minimal involvement of the parliament. When involved, Parliament often shows little independence and largely acts as a rubber stamp for the president's policy initiatives.

C2. Are safeguards against official corruption strong and effective? 0 / 4

Corruption is systemic and bribery is commonplace in all sectors, despite anticorruption initiatives and the presence of the National Anticorruption Commission (CONAC). Several former high-level government officials are in prison for corruption allegations, though these efforts are often perceived as moves by President Biya to sideline political adversaries. Individuals convicted of crimes have been released by seemingly arbitrary clemency decisions, and corruption charges at times are similarly dropped despite evidence of wrongdoing. In 2022, proceedings against the director of the Autonomous Port of Douala were suspended, reportedly at the president's behest, despite clear irregularities in his awarding of service contracts.

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

Decisions, especially those made by presidential decree, are often adopted without public consultation. Cameroon lacks an access to information law, and it is difficult to access government documents or statistics. The websites of most ministries do not provide substantial information. Despite the existence of a minister dedicated to public procurement, the process is typically opaque. A constitutional article regarding asset declaration by the president and senior officials offers no means to assess their wealth when entering and leaving office.

In 2022, financial authorities opened investigations into alleged embezzlement of funds set aside to manage the COVID-19 pandemic in Cameroon. The development came after the International Monetary Fund (IMF), citing alleged mismanagement, called for an independent audit of the agency in charge of pandemic spending.

CIVIL LIBERTIES: 9 / 60

D. FREEDOM OF EXPRESSION AND BELIEF: 4 / 16

D1. Are there free and independent media? 0 / 4

Independent and investigative journalists continue to face serious pressure including risk of attack or detention. In March 2022, journalist Paul Chouta, known as a strong critic of the government, was kidnapped by unidentified assailants who assaulted him and left him with severe injuries to his face and ear.

The National Communication Council (CNC), a media regulatory body, has a history of harassing journalists. Throughout 2022, several journalists received sanctions including temporary suspensions ordered by the president of the CNC. State-run Cameroon Radio Television (CRTV) has been criticized for favoring the CPDM in its coverage. The government continued to suppress media coverage of the Anglophone crisis in 2022.

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

Religious freedom is somewhat restricted in northern areas affected by the presence of the Boko Haram extremist group, which has carried out violent attacks against places of worship. In addition, random attacks against believers and religious facilities in connection with the conflict in the Northwest and Southwest Regions are common.

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

There are no legal restrictions on academic freedom, but state security informants operate on university campuses and academics can face negative repercussions for criticizing the government or discussing its political opponents. In September 2021, military security forces detained and tortured Fridolin Nke, a university professor who had recently published

a book criticizing the Biya government. In April 2022, Messanga Nyamding, a professor, faced threats after he publicly accused several high-level officials of embezzling of public funds. Nyamding first lost his academic position at the International Relations Institute Cameroon (IRIC), and was expelled from the CPDM, of which he had been a member.

Academic freedom continues to be severely impacted by the crisis in the Anglophone regions, with separatists enforcing a boycott of schools and carrying out acts of violence against teachers and students.

D4. Are individuals free to express their personal views on political or other sensitive topics without fear of surveillance or retribution? 1 / 4

Public criticism of the government and membership in opposition parties can have negative consequences on professional and career advancement. In general, Cameroonians avoid discussing sensitive political issues for fear of reprisals. Such topics include the potential return to a federal system that would grant the Anglophone regions more autonomy.

E. ASSOCIATION AND ORGANIZATIONAL RIGHTS: 2 / 12

E1. Is there freedom of assembly? 0 / 4

Freedom of assembly is subject to significant restrictions. Authorities continued to ban and violently disperse events perceived as antigovernment in 2022, especially those initiated by the opposition CRM.

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

The influence of civil society is weak, with many nongovernmental organizations (NGOs) relying entirely on foreign assistance, and others coopted by the regime. Anglophone activists have faced harassment, violence, and arrest for their activities. LGBT+ organizations have also been targeted by law enforcement.

The government has restricted the work of international NGOs, denying them access to the country. This includes even medical operations such as Doctors Without Borders (MSF), which was forced to withdraw from the Northwest Region in August 2021. In 2022, the Ministry of Defense issued a press release on "false allegations" of a report published by Human Rights Watch that August. The report provided evidence of the execution of civilians, looting, arbitrary detention, and other severe abuses committed by security forces between April and June 2022 in the Northwest Region.

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

Trade unions and collective bargaining are legally permitted, although unions are still subject to numerous restrictions when exercising their rights. Strikes are theoretically permitted, but in practice, the government has used force to disrupt them. In March 2022, a general strike of high school teachers to call for improved working conditions was heavily restricted by the police.

F. RULE OF LAW: 0 / 16

F1. Is there an independent judiciary? 0 / 4

The judiciary is subordinate to the Ministry of Justice, and corruption and political influence weakens the courts. The president appoints judges and can dismiss them at will. Prosecutors have been pressured to stop pursuing corruption cases against certain high-profile officials.

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

Due process rights are poorly upheld. Lengthy pretrial detentions are commonplace. Civilians accused of terrorism are frequently not afforded the right to a fair trial. French legal norms are regularly imposed upon Cameroonians in Anglophone regions. Acts of violence against lawyers continue to be reported. The government has also invoked charges of terrorism and insurrection against opposition leaders and separatist supporters, and they are often detained in the absence of due process and without realistic avenues for challenging their detention.

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

In 2022, active conflicts involving both Boko Haram and Anglophone separatists continued to threaten the security of millions of people and have forced large numbers of people to flee their homes. As of December 2022, the UN Office for the Coordination of Humanitarian Affairs estimated that there were over 600,000 internally displaced persons (IDPs) in the Northwest and Southwest Regions. Likewise, the Far North Region crisis has internally displaced some 385,000 people as of December 2022.

Prison conditions are harsh, marked by extreme overcrowding and poor sanitation. Inmates often face a lack of access to food, water, and medical care. Police brutality remains a problem, including the abuse and torture of detainees.

F4. Do laws, policies, and practices guarantee equal treatment of various segments of the population? 0 / 4

Discrimination against Anglophone Cameroonians and individuals from certain ethnic groups, including the Bamiléké, is common. The government imposes the French language in Anglophone regions, and Anglophone Cameroonians are frequently denied senior jobs in the civil service.

Discrimination against LGBT+ individuals is rife, and violence against them is common. The penal code forbids same-sex relations; those convicted face prison sentences as long as five years. A cybercrime law punishes those who solicit same-sex relations online with two-year prison sentences. People are frequently prosecuted under draconian anti-LGBT+ laws on suspicion that they are gay.

G. PERSONAL AUTONOMY AND INDIVIDUAL RIGHTS: 3 / 16

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

Free movement is severely limited in parts of the Far North Region due to Boko Haram activity, and in the two Anglophone regions due to the ongoing crisis. The latter has exacted a heavy toll on children, many of whom have been deprived of their right to education. Thousands of schools have closed, and attacks and kidnappings of students and teachers were frequent throughout 2022. In April, separatists launched an attack at the University of Bamenda's campus in Bambili, in the Northwest Region, injuring at least five people.

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

Harassment of small business owners by state agents is common. Agribusinesses and logging operations are often carried out without consulting local inhabitants. In many regions, women are still dispossessed of their inheritance rights.

Powerful individuals have effectively evicted people from their homes as part of large land purchases. These properties typically have dubious land titles, often granted with the complicity of administrative authorities.

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

The constitution guarantees equal rights to men and women, but traditional legal values and practices often take precedence, and do not always provide women with full rights. The Boko Haram conflict has exacerbated the already prevalent practice of child marriage and the sexual abuse of minors in the Far North Region. Customary law can allow rapists to escape punishment if they marry their victim. Despite laws guaranteeing equal rights to men and women to file for divorce, in practice courts often disadvantage women by making proceedings prohibitively expensive or lengthy. Cases of domestic violence and rape are widespread, and perpetrators are rarely prosecuted.

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

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. Child labor remains common, and child workers are frequently exposed to hazardous working conditions.

Women and children, who make up 60 percent of IDPs, have been the most affected by internal displacement driven by the Anglophone crisis and have been exposed to sexual violence and lack access to job opportunities and education.

Canada

Population: 38,800,000
Capital: Ottawa
Freedom Status: Free
Electoral Democracy: Yes

Overview: Canada has a strong history of respect for political rights and civil liberties, though in recent years citizens have been concerned about laws relating to the administration of elections, government transparency, the treatment of inmates in prisons, and restrictions on public sector employees wearing religious symbols. While Black, Indigenous, and other marginalized Canadians still face discrimination and economic, social, and political challenges, the federal government has acknowledged these problems and made some moves to address these issues.

KEY DEVELOPMENTS IN 2022

- In March, the New Democratic Party (NDP) agreed to govern in alliance with the Liberal Party. As part of the agreement, the Liberals promised to amend the Elections Act. Specifically, the agreements says that the parties will work towards reforms such as extending the number of days that voting stations are open, allowing voters to cast a ballot at any polling station in their electoral district, and improving how mail-in ballots are processed. If such amendments are passed, voting

in Canadian federal elections will become significantly easier and it is possible that participation in elections will increase.

- Two initiatives began during the year that mark important progress on equal rights for Indigenous and LGBT+ people. In January, the federal government outlawed conversion therapy in Canada and introduced the 2SLGBTQI+ Action Plan, a policy brief to further strengthen equal rights for LGBT+ people. In June, Bill C-29 was introduced in the House of Commons to establish a National Council for Reconciliation, which will monitor the federal government's efforts to ensure equal rights and justice for Indigenous people.

POLITICAL RIGHTS: 40 / 40

A. ELECTORAL PROCESS: 12 / 12

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

The British monarch is head of state, represented by a ceremonial governor general, currently Mary Simon, who is appointed on the advice of the prime minister. Simon is the first Indigenous governor general and has made reconciliation between Indigenous and non-Indigenous Canadians a major theme of her tenure. The prime minister is the head of government and is invited to the post by the governor general after elections; the office is usually held by the leader of the majority party or governing coalition in Parliament. Justin Trudeau remained prime minister after the Liberal Party maintained control of government in the 2021 federal elections.

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

The Canadian parliament consists of an elected 338-member House of Commons and an appointed 105-member Senate. Lower-house elections are held every four years on fixed dates; though early elections may be called by the governor general if the government loses a no-confidence vote, or on the advice of the prime minister. In August 2021, Prime Minister Trudeau called for snap elections to be held the following month. There were almost no changes in the number of seats held by parties in Parliament in the September vote: the center-left Liberal Party won 160 seats in the House of Commons and maintained its minority government; the Conservative Party took 119 seats; the Bloc Québécois secured 32 seats; the left-leaning New Democratic Party (NDP) won 25 seats; and the Green Party won 2. In March 2022, the NDP and the Liberals announced a "supply and confidence agreement" that will allow the Liberals to govern with the parliamentary support of the NDP until 2025.

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

Electoral laws are generally fair and well enforced by the relevant bodies. Some critics expressed concern about the 2014 Fair Elections Act, arguing that its stringent voter identification requirements placed Indigenous Canadians and Canadians from vulnerable groups at a disadvantage. In 2018, the Liberal government passed legislation that relaxed some of the criticized provisions; restricted spending by political parties and other actors during elections; gave voting rights to all Canadians living abroad; improved the privacy of voters' information within the databases of political parties; and increased the power of the commissioner of Canada Elections to investigate violations of election rules. It further bans foreign donations for partisan campaigns and requires major online platforms, such as Facebook and Google, to create a registry of digital political advertisements.

The Liberal government proposed a law in 2021 that would allow voting on the weekend prior to election day, increase options for mail-in ballots, and create special procedures to facilitate voting for seniors in long-term care and for persons with disabilities. However, the snap September elections prevented the bill from proceeding before year-end. In March 2022, as a stipulation of the agreement between the NDP and the Liberals to govern in alliance, the Liberals promised to amend the Elections Act. Specifically, the agreements says that the parties will work towards reforms such as extending the number of days that voting stations are open, allowing voters to cast a ballot at any polling station in their electoral district, and improving how mail-in ballots are processed. If such amendments are passed, voting in Canadian federal elections will become significantly easier and it is possible that participation in elections will increase.

B. POLITICAL PLURALISM AND PARTICIPATION: 16 / 16

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

A small number of parties have historically dominated elections. However, Canadians are free to organize in different political parties, and the system is open to the rise and fall of competing groups. A total of 21 political parties were registered in the 2021 federal elections.

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

Opposition parties have a realistic chance of gaining power through elections. In 2015, the Conservatives lost power to a Liberal majority government, and in 2019 and 2021, the Liberal Party's control of Parliament diminished to a minority government.

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

People's political choices are generally free from domination by actors that are not democratically accountable.

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

Members of religious minorities and Indigenous people are seated in the parliament, as are many women. Further, Prime Minister Trudeau's cabinet has full gender parity, though women make up only 30 percent of the House of Commons. The rights and interests of LGBT+ people are protected. In January 2022, a law came into effect to ban conversion therapy in Canada, and the federal government introduced its first 2SLGBTQI+ Action Plan, a policy brief to further strengthen equal rights for LGBT+ people.

C. FUNCTIONING OF GOVERNMENT: 12 / 12

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

Canada's freely elected head of government and its legislature cooperate to determine policy. All emergency powers for the federal finance minister to spend money on pandemic-related measures without parliamentary approval that were granted in 2020 have now expired.

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

Canada has a reputation for clean government and a record of vigorous prosecution of corruption cases.

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

Canadians may request public information under the provisions of the Access to Information Act, but they may face delays or excessive costs. A law amending the act to improve this situation was passed in 2019, but critics have charged that it has not been very effective, and Canadian journalists have started campaigns to press the government to improve the system. While the federal government currently has no plans to make further reforms, reports from September 2022 claim a House of Commons committee plans to study the issue.

CIVIL LIBERTIES: 58 / 60

D. FREEDOM OF EXPRESSION AND BELIEF: 15 / 16

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

Canada's media are generally free; journalists are mostly protected from violence and harassment in their work and express diverse viewpoints.

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

The Canadian constitution and other legislation protect religious freedom. However, in 2019, the Quebec provincial government passed Bill 21, which bans certain government employees in positions of authority from wearing religious symbols such as a hijab, crucifix, turban, or kippah while at work. The list of such persons includes judges, police officers, government lawyers, and teachers. The bill has a grandfather clause for government employees already wearing symbols—they can keep wearing them until they change institutions or take a promotion. The law remained in place at the end of 2022.

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

Academic freedom is generally respected.

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

Private discussion in Canada is generally free and unrestrained.

E. ASSOCIATIONAL AND ORGANIZATIONAL RIGHTS: 12 / 12

E1. Is there freedom of assembly? 4 / 4

Freedom of assembly is constitutionally protected and generally upheld in practice.

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

Nongovernmental organizations (NGOs) operate freely and frequently inform policy discussions.

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

Trade unions and business associations enjoy high levels of membership and are well organized.

F. RULE OF LAW: 15 / 16

F1. Is there an independent judiciary? 4 / 4

Canada's judiciary is generally independent.

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

Constitutionally protected due process rights are generally upheld in practice.

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

The use of solitary confinement for extended periods of time in Canada's prisons has been controversial. While there have been changes in recent years to solitary confinement laws, an advisory panel report released in May 2021 found that the length of solitary confinement and the frequency of its use had not substantially changed. Despite continued pressure, the federal government has not publicized plans to change solitary confinement laws and procedures.

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

Governments in Canada have made increasing efforts to enforce equal rights and opportunities for minority groups, although problems persist. Black and Indigenous Canadians remain subject to widespread discrimination, struggle with food insecurity, and have unequal access to education, health care, public services, and employment. While there has been some recent progress on these issues, it has been slow.

The federal government's 2015 Truth and Reconciliation Commission of Canada (TRC) and its 2019 National Inquiry into Missing and Murdered Indigenous Women and Girls (MMIWG) —which concluded that the history of state discrimination and oppression of Indigenous people amounted to genocide—made several recommendations to improve the lives of Canada's Indigenous peoples. An analysis that was last updated in July 2022 found that only 13 out of 94 TRC calls to action had been completed. In June, Bill C-29 was introduced in the House of Commons to establish a National Council for Reconciliation that will monitor progress on the completion of the TRC's calls to action and suggest areas where governments improve their efforts to ensure equal rights and justice for First Nations people. Though the government's response to the MMIWG was delayed due the COVID-19 pandemic, it has now committed C$2.2 billion (US$1.7 billion) over five years to implement the Inquiry's recommendations and related programs. Parliament also has also passed a law to implement the United Nations Declaration on the Rights of Indigenous Peoples in Canada. How this new law will impact federal government policies relating to Indigenous people remains to be seen. Finally, the federal government's 2019 antiracism strategy, which included substantial programs to combat anti-Black and anti-Indigenous racism, is now operational.

G. PERSONAL AUTONOMY AND INDIVIDUAL RIGHTS: 16 / 16

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

Freedom of movement is constitutionally protected and upheld in practice. All restrictions on Canadian movements over borders and limits on the size of public gatherings related to the pandemic have now been lifted.

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

Property rights are not constitutionally guaranteed but are generally well protected by law and through the enforcement of contracts.

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

Canada legalized same-sex marriage in 2005. In March 2021, the House of Commons passed amendments to Canada's assisted suicide laws to remove the eligibility requirement for a person's natural death to be "reasonably foreseeable," among other changes.

Domestic violence is a problem that disproportionately affects women, particularly Indigenous women, and is underreported. However, there have been initiatives in recent years to better train police in handling domestic violence cases.

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

There have been some reports of forced labor in the agricultural, food processing, construction, and other sectors, as well as among domestic workers. However, the government, aided by NGOs that work to reveal forced labor and sex trafficking, do attempt to hold perpetrators accountable and to provide aid to victims.

Central African Republic

Population: 5,600,000
Capital: Bangui
Freedom Status: Not Free
Electoral Democracy: No

Overview: The Central African Republic (RCA) suffers from pervasive insecurity and an absence of state authority in much of the country. A series of peace deals between the government and various armed groups have been repeatedly breached. Violent attacks against civilians, including sexual violence, are an acute risk in many areas. Independent journalists enjoy little support, and workers with nongovernmental organizations (NGOs), particularly aid workers, operate at great personal risk.

KEY DEVELOPMENTS IN 2022

- In March, Chadian authorities arrested Maxime Mokom Gawaka and handed him to the International Criminal Court (ICC). Mokom, a leader of the antibalaka ("Invincible") group of fighters who targeted Central African Muslims in the early 2010s, was accused of war crimes and crimes against humanity.
- In August, President Faustin-Archange Touadéra announced a constitutional referendum as part of his efforts to seek a third term. In September, the Constitutional Court ruled that the creation of a drafting committee was unconstitutional; Touadéra dismissed court chief Danièle Darlan by decree in October.
- In September, the ICC opened the trial of Mahamat Said Abdel Kani for war crimes and crimes against humanity. Said had led the Séléka ("Alliance") rebel coalition, which overthrew the government of François Bozizé in 2013.

POLITICAL RIGHTS: 3 / 40

A. ELECTORAL PROCESS: 2 / 12

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

The president is chief of state and is directly elected to up to two five-year terms. Faustin-Archange Touadéra was reelected in December 2020 with 53.1 percent of the vote. In January 2021, the Constitutional Court rejected appeals presented by the opposition and confirmed the election's legality, despite significant electoral flaws.

The election was characterized by delays and voter-registration irregularities, and was held following more than a week of intense fighting outside Bangui. While the government and its international partners described the election as credible and legitimate, opposition parties denounced the polls as marred by widespread ballot-box stuffing and vote buying. Many citizens were prevented from voting due to threats and attacks perpetrated by a rebel coalition. There were no international independent observers outside of Bangui.

The prime minister is the head of government and is appointed by the president. In February 2022, Touadéra appointed then economy minister Félix Moloua as prime minister, after the resignation of Henri-Marie Dondra.

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

Members of Parliament (MPs) are directly elected to five-year terms in the 140-seat National Assembly. The constitution adopted in 2015 stipulated the creation of a Senate, which has not been established.

The first round of legislative elections took place in December 2020 alongside the presidential election, and was plagued by insecurity, voter intimidation, and allegations of fraud. In January 2021, the Constitutional Court nullified some first-round results, citing electoral irregularities, violence, and intimidation. Another three rounds were held to fill the lower house's seats.

The ruling United Hearts Movement (MCU) ultimately won 61 seats. No other party won more than 10. The MCU's parliamentary group expanded to 86 by September 2021 as MPs defected to its banner. According to UN reports, that year's polls were flawed but turnout was high and the elections were largely peaceful.

Repeatedly postponed, local elections are now scheduled for July 2023.

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

Electoral laws permit multiparty competition, and adult citizens enjoy universal and equal suffrage. However, electoral authorities operate opaquely. A 2020 law regulating the National Elections Authority (ANE) introduced mechanisms to enhance its independence. However, the ruling MCU still controls the ANE's board.

The MCU and its allies made several attempts to amend the constitution during 2022 so that Touadéra could seek a third term. In August, Touadéra notably announced a constitutional referendum and created a committee to draft a new document. In September, the Constitutional Court ruled that the committee's formation was unconstitutional; in response, Touadéra dismissed court chief Danièle Darlan by decree in October.

A government-organized reconciliation initiative made little progress in 2022, with major opposition parties and rebel groups boycotting it in March.

B. POLITICAL PLURALISM AND PARTICIPATION: 2 / 16

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

While political parties are legally able to form and operate, party members conducting political activities risk intimidation and violence by the national police and progovernment militias in Bangui, and by armed groups and security forces outside the capital.

Threats against Touadéra's political opponents increased in 2022 in parallel with initiatives to amend the constitution. Progovernment movements called on supporters to use violence against political opponents.

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

Several opposition parties hold seats in the National Assembly. However, most of the candidates in the 2020–21 elections were unable campaign outside Bangui due to widespread violence and direct threats and aggression by armed rebel groups.

After the elections, administrative and judicial authorities severely restricted the rights of several prominent opposition leaders, who were prevented from leaving the country and threatened with the loss of their parliamentary immunity. Others have chosen voluntary exile in France for fear of arrest. The government has reportedly considered banning dual nationals from serving as president or as an MP, a move that would affect two prominent opposition figures.

B3. Are the people's political choices free from domination by forces that are external to the political sphere, or by political forces that employ extrapolitical means? 0 / 4

Citizens are vulnerable to pressure and intimidation from national police and nonstate armed groups. Due to enduring insecurity, voters outside Bangui are largely unable to participate in political processes.

The Russian regime maintains significant influence over the RCA's political affairs. President Touadéra assigned his security to the Wagner Group, a Russian security company with links to Russian president Vladimir Putin. Wagner mercenaries have supported military operations and directly fought armed rebel groups, reportedly winning them public support.

In March 2022, Russian diplomat Yevgeny Migunov told then Constitutional Court chief Darlan that the presidential term limit must be changed. Diplomats from Western countries later claimed that Moscow had called for the constitutional referendum announced in August.

In 2021, the European Union sanctioned the Wagner Group, citing serious human rights abuses and destabilizing activities in the RCA. In March 2022, Michelle Bachelet Jeria, then the UN high commissioner for human rights, accused security forces and the Wagner Group of engaging in human rights violations.

B4. Do various segments of the population (including ethnic, racial, religious, gender, LGBT+, and other relevant groups) have full political rights and electoral opportunities? 0 / 4

Members of many ethnic, religious, and other minority groups are prevented from achieving political representation due to discrimination and an accompanying lack of access to the political process. Sectarian violence against Muslims affects their ability to participate in public space.

Women are underrepresented in politics, with only 18 women sitting in the 140-seat National Assembly, though the electoral law passed in 2019 requires that 35 percent of

candidates be women. Societal and legal discrimination against LGBT+ people prevents them from advocating for their interests via the political process.

Due to the long-lasting tribalization of politics, the country's public institutions and army are dominated by the Gbaya ethnic majority, to which former president Bozizé belongs. President Touadéra has promoted members of his group, the Mbaka-Mandja, to key positions and to the presidential guard.

C. FUNCTIONING OF GOVERNMENT: 0 / 12

C1. Do the freely elected head of government and national legislative representatives determine the policies of the government? 0 / 4

While elected representatives can determine the policies of the government, their ability to implement policy is severely affected by poor governance and a lack of authority outside Bangui. Local decision-making is also impacted by Russian influence.

C2. Are safeguards against official corruption strong and effective? 0 / 4

Corruption and nepotism have long been pervasive in government. Political will to address public-sector corruption is lacking.

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

Government operations are largely nontransparent, and civil society groups and others have limited opportunity to influence impending policy decisions. Citizens outside of Bangui have limited access to their MPs. Touadéra and his inner circle pursued constitutional reform without consulting MPs or the wider public.

ADDITIONAL DISCRETIONARY POLITICAL RIGHTS QUESTION

Add Q. Is the government or occupying power deliberately changing the ethnic composition of a country or territory so as to destroy a culture or tip the political balance in favor of another group? −1 / 0

Targeted religious- and ethnic-based violence perpetrated by the Central African Armed Forces (FACA) and Russian mercenaries increased after the 2020–21 elections in the east and northwest. Hundreds of thousands of civilians remain internally displaced or confined to ethnic and sectarian enclaves.

CIVIL LIBERTIES: 4 / 60

D. FREEDOM OF EXPRESSION AND BELIEF: 3 / 16

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

There is little support for independent media. In Bangui, outlets are increasingly aligned with national politicians and foreign governments, especially Moscow. Media outlets and social media channels often carry material meant to incite hate, discrimination, or violence, mainly against minority groups and opposition leaders. Although the High Commission of Communication plays an active role in media regulation, the situation has not improved.

Security and progovernment militia forces regularly threaten journalists. The government prevents international media workers from traveling outside Bangui. Incidents of harassment and intimidation by government forces often go unreported for fear of reprisals.

In February 2022, journalist Jean Saint-Clair Maka Gbossokotto died after meeting an individual affiliated with the RCA government and the Wagner Group; friends feared Gbossokotto was poisoned. In September, Communications Minister Serge Ghislain Djorie threatened to close Radio Ndékèluka if it continued to discuss Touadéra's efforts to amend the constitution.

D2. Are individuals free to practice and express their religious faith or nonbelief in public and private? 0 / 4

While the RCA is officially secular, ethnic and religious cleavages often overlap with the country's political divisions. Muslims and Christians in Bangui remain partially segregated in separate enclaves, and fears of identity-based or sectarian violence by armed actors impede free religious expression. Muslims living in the northwest and east are targeted by FACA and Russian mercenary forces.

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

Although extremely dysfunctional, the educational system is generally free of extensive political indoctrination. However, clientelism and corruption are widespread in many schools and universities. Russian-language studies were expanded at the university level in 2021, as Moscow continued to exert influence in the RCA. In June 2022, Moscow issued scholarships to provide Russian-language training to Central African professors.

Outside the capital, the school year is often disrupted, including by a lack of available teachers and the occupation of school buildings by a variety of armed actors.

D4. Are individuals free to express their personal views on political or other sensitive topics without fear of surveillance or retribution? 0 / 4

State authorities surveil public discussion and political debates. Political instability and the growing risk of violent retaliation for discussing sensitive topics—including widespread abuses perpetrated by progovernment militias, FACA forces, and Russian mercenaries—inhibit free expression.

E. ASSOCIATIONAL AND ORGANIZATIONAL RIGHTS: 1 / 12

E1. Is there freedom of assembly? 0 / 4

Although freedom of assembly and the right to political protest are constitutionally guaranteed, these liberties are curtailed due to government repression of the opposition in Bangui, and threats posed by armed groups, FACA forces, and Russian mercenaries elsewhere.

With the exception of an opposition rally held in August 2022, only progovernment, pro-Russian, and anti-French gatherings are authorized in Bangui.

E2. Is there freedom for nongovernmental organizations, particularly those that are engaged in human rights– and governance-related work? 0 / 4

NGO operations are limited by poor security conditions, and aid workers are particularly vulnerable. The International NGO Safety Organization counted 170 security incidents in 2022 involving relief workers; 21 were injured and 8 were abducted.

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

Trade unions and collective bargaining are permitted, although union organizers are sometimes subject to arbitrary detention or arrest. Small-scale agricultural organizations and cooperatives exist throughout the country, including organizations for women farmers.

F. RULE OF LAW: 0 / 16

F1. Is there an independent judiciary? 0 / 4

Courts are generally inefficient and frequently hampered by corruption. The government has limited authority to enforce judicial decisions. Judicial salaries have often gone unpaid. Judicial personnel are often untrained and are reluctant to be deployed outside of the capital.

The Special Criminal Court (CPS), created in 2015, is struggling to fulfill its mandate. The Truth, Justice, Reconciliation and Reparations Commission, created in 2020, has yet to start its work.

The Constitutional Court was subjected to political interference during 2022. In March, a Russian diplomat called on then chief Danièle Darlan to help secure a third term for President Touadéra. In October, Touadéra dismissed Darlan by decree.

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

Arbitrary detention and lengthy pretrial detention are commonplace, and the justice system has limited presence beyond Bangui. Impunity for violence, economic crimes, and human rights violations are widespread.

National and international courts made some steps in trying those accused of violence. In March 2022, Chadian authorities arrested antibalaka leader Maxime Mokom Gawaka, who was accused of war crimes and crimes against humanity, and handed him to the ICC. In June, a French prosecutor launched a preliminary investigation into whether the France-based Groupe Castel was involved in war crimes in the RCA. In September, the ICC opened the trial of former Séléka leader Mahamat Said Abdel Kani. In October, three rebels who had been accused of war crimes and crimes against humanity were found guilty at the CPS.

F3. Does due process prevail in civil and criminal matters? 0 / 4

In Bangui, the officials of the Central African Office for the Repression of Banditry and progovernment militias are often accused of abuse of power and excessive use of force. Elsewhere, armed nonstate actors operate with impunity. These groups are responsible for violent attacks against civilians, international peacekeeping forces, and humanitarian workers. FACA and Russian mercenary forces have also been accused of human rights violations.

Security forces and insurgent groups compete to control territory and natural resources, causing widespread internal displacement. Conflicts between farmers and nomadic pastoralists have also destabilized the country.

In July 2022, the UN Security Council exempted the RCA's security forces from an ongoing arms embargo.

F4. Do laws, policies, and practices guarantee equal treatment of various segments of the population? 0 / 4

Same-sex activity is illegal, and punishable by fines and imprisonment. While enforcement of these laws is uncommon, societal discrimination against LGBT+ people remains acute. In September 2022, the interior minister expelled two Cameroonian nationals for engaging in same-sex activity.

Muslims, nomadic pastoralists, and the Ba'aka minority group face continued discrimination. The Gbaya majority, to which former president Bozizé belongs, is also targeted, while the Mbaka-Mandja are favored by Touadéra.

The independent High Authority for Good Governance is tasked with protecting the rights of members of minority groups and people with disabilities, though its reach is limited.

G. PERSONAL AUTONOMY AND INDIVIDUAL RIGHTS: 0 / 16

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

Free movement is inhibited by insecurity and targeted violence. Transportation routes are threatened by banditry and theft in many areas.

The UN Office for the Coordination of Humanitarian Affairs reported there were 518,000 internally displaced persons as of November 30, 2022.

G2. Are individuals able to exercise the right to own property and establish private businesses without undue interference from state or nonstate actors? 0 / 4

Businesses and homes are regularly looted or extorted by armed militants, with little prospect for compensation or legal recourse for victims. The agricultural economy—the livelihood of the majority of the population—remains restricted by ongoing violence and insecurity.

The family code does not discriminate against women regarding their inheritance rights. However, in practice, the possibility for women to inherit faces many challenges, including eviction from the family home after the death or disappearance of men during conflict.

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

Women and girls are by far the primary victims of sexual violence, but men and boys are also affected. Sexual violence is used as a deliberate tool of warfare; attackers enjoy broad impunity. Such acts that are not related to ethnic conflict are most often perpetrated within communities by family or neighbors. Constitutional guarantees for women's rights are rarely enforced, especially in rural areas. Allegations of sexual abuse committed by UN peacekeeping forces in the country have also been documented.

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

Economic opportunity is heavily restricted by widespread corruption and the presence of armed groups. Many armed groups exploit gold and diamond mines, and forced labor and child recruitment for soldiering are common practices.

In its *Trafficking in Persons Report 2022*, the US State Department reported that Central African authorities did not provide sufficient services for survivors, nor did they finalize antitrafficking legislation. However, prosecutors secured the first trafficking-related conviction in five years.

Chad

Population: 17,700,000
Capital: N'Djamena
Freedom Status: Not Free
Electoral Democracy: No

Overview: The death of longtime president Idriss Déby Itno in 2021 triggered a military coup that installed his son, Mahamat Idriss Déby, as a transitional president. The junta announced that it would oversee an 18-month transition period. In 2022, Déby organized a so-called Sovereign Inclusive National Dialogue (DNIS) that extended the transition by two years. Opposition to Déby's continued rule has generated massive protests by political and civil society activists, who in turn have faced violence, imprisonment, torture, and intimidation at the hands of security forces. Presidential elections have historically been characterized by a high degree of repression, and legislative elections have been routinely delayed. Multiple

insurgencies led by rebel factions in the north and the Islamist extremist group Boko Haram in the south continue to threaten physical security.

KEY DEVELOPMENTS IN 2022

- In March, the military government and dozens of armed opposition groups began mediated negotiations in Doha, Qatar. More than 40 of the factions signed a peace agreement with the government in August.
- The DNIS that began in August included Doha signatories as well as prominent political, social, religious, and labor groups. While several participants later pulled out, the dialogue concluded in October with a decision to postpone elections for another two years, officially disband the military junta, and retain Déby as president of a new transitional government. The plan also called for a new constitution that would be approved by referendum.
- On October 20, the date originally set by the junta for a return to elected civilian government, security forces violently suppressed public protests, resulting in more than 100 deaths, according to some estimates. A curfew was imposed in major urban areas, and a three-month ban on political activities was imposed the following day. Security forces continued to target the opposition with detentions and harassment later in the year.

POLITICAL RIGHTS: 1 / 40

A. ELECTORAL PROCESS: 0 / 12

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

President Idriss Déby Itno seized power in 1990 during a rebellion and officially won all subsequent elections. These elections were not credible or free, taking place amid government crackdowns on political dissent. Following Déby's April 2021 death, a Transitional Military Council (CMT) headed by his son, General Mahamat Idriss Déby Itno, took control of the country in a coup d'état.

The CMT announced that it would oversee an 18-month transition culminating in elections. To gain support from armed opposition groups, the council in 2022 organized negotiations hosted by the Qatari government, which lasted from March to August. Those talks were followed by the DNIS with civilian representatives, which concluded in October with a new transition timeline that envisioned elections in two years. The CMT formally disbanded, and Mahamat Déby remained in position as president of a new transitional government. He appointed a former political opposition leader, Saleh Kebzabo, as transitional prime minister.

A2. Were the current national legislative representatives elected through free and fair elections? 0 / 4

Prior to the April 2021 military coup, the unicameral National Assembly consisted of 188 members elected to four-year terms. Elections were last held in 2011, having been repeatedly postponed. At the time of the coup, legislators were performing their functions despite the expiration of their electoral mandates.

The CMT dissolved the National Assembly and in September 2021 appointed a 93-member National Transitional Council (CNT) as an interim legislature. While some opposition members were named to the body, members of a prominent opposition coalition that denounced the coup were excluded. In October of that year, the former president of the National Assembly, Haroun Kabadi, was appointed as president of the CNT. In November 2022, Déby issued a decree to name 104 additional deputies to the CNT.

A3. Are the electoral laws and framework fair, and are they implemented impartially by the relevant election management bodies? 0 / 4

Before the April 2021 coup, elections were managed by the Independent National Electoral Commission (CENI); the CENI's leadership was appointed by the country's entrenched political class through the National Framework for Political Dialogue (CNDP), and civil society was excluded from the process.

The CMT, which suspended the constitution upon taking power, violated constitutional provisions requiring that executive authority be passed to the president of the National Assembly should the head of state die in office. In October 2022, the DNIS established a new two-year transition timetable that was to include a new electoral code and a referendum on a new constitution.

B. POLITICAL PLURALISM AND PARTICIPATION: 1 / 16

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

There are more than 130 registered political parties in Chad, though most have historically been aligned with the ruling party of former president Déby, the Patriotic Salvation Movement (MPS). Opposition parties have legal recognition, and some members are represented in the transitional government and legislature. However, opposition parties remain subject to government harassment, intimidation, and arrest. During 2022, the authorities arrested leaders of prominent opposition groups following demonstrations against the junta and used violent repression to disperse and intimidate political activists. After the October protests, the government issued a curfew for major urban areas and a three-month ban on political activities.

B2. Is there a realistic opportunity for the opposition to increase its support or gain power through elections? 0 / 4

Chad has never experienced a peaceful rotation of power through elections, and repeated delays in holding elections have denied opposition groups an opportunity to compete with incumbent forces. After the October 2022 protests against the new two-year transition period, security forces continued to target the opposition and their headquarters with detentions and harassment. The opposition claimed that hundreds of their supporters had been detained or disappeared by year's end.

B3. Are the people's political choices free from domination by forces that are external to the political sphere, or by political forces that employ extrapolitical means? 0 / 4

Extensive kinship networks tied to former president Déby had resulted in a concentration of political and economic power. The former government was not accountable to voters in practice, and citizens had few effective means of influencing politics. After the military, led by Déby's son, took control in 2021, it suspended the constitution, perpetuating a historic pattern of military interventions in political affairs. The two-year extension to the transitional period in 2022 further postponed any shift toward electoral politics and voter participation.

B4. Do various segments of the population (including ethnic, racial, religious, gender, LGBT+, and other relevant groups) have full political rights and electoral opportunities? 0 / 4

The transitional leadership has continued a long-standing practice of appointing members of the Beri or Zaghawa ethnic group to prominent positions within the government,

causing resentment among the country's other ethnic groups. The Beri make up less than 5 percent of Chad's population. Many ethnic groups from the south have been largely excluded from political power; while some have held government posts, they had little ability to advocate for their communities or act independently from the MPS structure.

Women have historically held few senior positions in government, and they face societal discrimination. LGBT+ people are severely marginalized, with minimal space for engagement in political processes or advocacy for their interests.

C. FUNCTIONING OF GOVERNMENT: 0 / 12

C1. Do the freely elected head of government and national legislative representatives determine the policies of the government? 0 / 4

None of the executive or legislative officials installed since the 2021 coup have been elected. Even before 2021, the president was not freely elected, and the mandate of the National Assembly had expired in 2015.

C2. Are safeguards against official corruption strong and effective? 0 / 4

Corruption, bribery, and nepotism are endemic in Chad. Journalists, labor leaders, and religious figures have faced harsh reprisals for speaking out about corruption, including arrest, prosecution, and expulsion from the country. Corruption charges against high-level officials that do go forward are widely viewed as selective prosecutions meant to discredit those who have fallen out with or pose a threat to the government or its allies. The arrest of top executives within Chad's oil sector in June 2022 raised suspicions of such politicized enforcement.

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

Chad has no law establishing the right to access official information. Since seizing power, Mahamat Déby has largely ruled by decree, offering no meaningful opportunity for civil society to comment on government policies or obtain basic information about government operations.

CIVIL LIBERTIES: 14 / 60

D. FREEDOM OF EXPRESSION AND BELIEF: 6 / 12

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

The CMT's transitional charter provides for freedom of the press, but press freedom is restricted in practice. Newspaper editors are legally required to have completed at least three years of higher education; outlets employing editors who do not meet this condition face suspension, constraining the media environment. Although criticism of the government is permitted within certain boundaries, reporters and editors commonly self-censor to avoid reprisals. Journalists can face arrest, detention, and imprisonment on charges including defamation. Several reporters were beaten or temporarily detained while covering opposition demonstrations in 2022; one journalist was fatally shot during the October protests, and another was killed in February as he covered a local conflict in the south.

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

The state imposes a number of several religious restrictions, primarily against certain Muslim sects. Those deemed to promote violence are banned, despite limited evidence of such activity. Imams are subject to governance by the semipublic High Council for Islamic Affairs, which is led by a group of imams belonging to the Tijanyya Sufi order.

Wearing burqas is banned by ministerial decree, and the government detains individuals who wear them in public.

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

The government does not explicitly restrict academic freedom, but funds meant for the education system, as well as government-funded stipends, are regularly in arrears, increasing scholars' vulnerability to political pressure or self-censorship. Academic freedom is also affected by broader legal and practical restrictions on antigovernment speech.

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

There is some space for personal expression and free private discussion, but residents tend to self-censor due to fears of reprisal from the state. More outspoken activists face harassment, intimidation, arrest, and torture by security forces.

E. ASSOCIATIONAL AND ORGANIZATIONAL RIGHTS: 4 / 12

E1. Is there freedom of assembly? 1 / 4

The right of free assembly is not upheld by the transitional government. While some protests denouncing a lack of political transparency and inclusivity were authorized by transitional authorities and allowed to proceed peacefully during 2021, earlier demonstrations against the military coup were met with lethal violence.

Security forces used gunfire, tear gas, and beatings to suppress protests on multiple occasions in 2022. Their response to mass demonstrations on October 20, the date originally set by the junta for a return to elected civilian rule, caused dozens of deaths. Initial government estimates put the toll at about 50 people killed, but opposition leaders and civic groups claimed that more than 100 were killed, and hundreds more were injured and arrested.

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

Nongovernmental organizations (NGOs) must receive government approval to operate legally, and few such applications are approved. Some NGOs do operate in the country, but they have tended to focus on less politically sensitive issues like humanitarian relief or human trafficking. In November 2022, following the October protests, the authorities banned Wakit Tama—a coalition of NGOs and opposition parties—and forbade any other such civic-political alliances. The coalition's events had faced bans earlier in the year, and a number of its leaders were subjected to arrest and harassment.

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

Though the CMT's transitional charter protects the rights to strike and unionize, other laws limit public-sector workers' right to strike. Despite such restrictions, some public unions, including the largest civil servants' union, organized strikes in 2022. Union leaders were among the NGO officials who faced arrest during the year for their role in organizing Wakit Tama demonstrations.

F. RULE OF LAW: 1 / 16

F1. Is there an independent judiciary? 0 / 4

The political leadership heavily influences the courts, and instances of political interference in trials were reported in 2022. Judges went on strike in September, protesting the condition of their offices and the illegal suspension of salaries for some magistrates.

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

Security forces routinely ignore legal guidelines regarding search, seizure, and detention. Detained persons are often denied access to lawyers, especially those held in connection with their involvement in antigovernment protests or activities. Many people suspected of committing crimes are jailed for lengthy periods without charge. Instances of arbitrary detention and forced disappearances by security forces were reported throughout 2022.

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

The security forces have been accused of killing and torturing civilians with impunity. In addition, tensions among ethnic groups have been known to escalate into violent conflict, and did so on multiple occasions in 2022, particularly in the context of disputes over land use.

The Boko Haram militant group, including a faction known as the Islamic State's West Africa Province (IS-WA), operates near Lake Chad and was active throughout 2022. In September, the provincial governor of Hadjer-Lamis held an emergency meeting in response to Boko Haram attacks in Kassalaré and Néra.

Armed opposition groups, most notably the Front for Change and Concord in Chad (FACT) and the Military Command Council for the Salvation of the Republic (CCMSR), threaten the government from bases in southern Libya. While they observed a cease-fire after the launch of the mediated negotiations in Qatar in 2022, key groups including FACT and CCMSR did not sign an agreement with the government at the end of the process. FACT leader Mahamat Mahdi Ali reiterated his group's determination to oppose Mahamat Déby's dynastic succession to the presidency, including through armed struggle.

F4. Do laws, policies, and practices guarantee equal treatment of various segments of the population? 0 / 4

While there are some legal protections against discrimination based on race, sex, and other categories, none are effectively enforced. Ethnic disparities in the justice system have been reported, with officials refraining from enforcing court orders against people who share their ethnic identity. Arbitrary arrests and detentions based on ethnic identity have also been reported.

Women face pervasive discrimination, and girls have limited access to education. Due to cultural stigmatization, LGBT+ citizens are forced to conceal their sexual orientation and gender identity. The penal code criminalizes same-sex sexual activity.

While discrimination against people with disabilities is legally prohibited, NGOs report that these provisions are not upheld in practice.

As of mid-December 2022, the UN Office for the Coordination of Humanitarian Affairs reported that there were nearly 577,000 refugees in Chad, but they generally lack access to government services and rely on international organizations for humanitarian assistance.

G. PERSONAL AUTONOMY AND INDIVIDUAL RIGHTS: 3 / 16

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

Although legal guarantees for freedom of movement exist, militant activity and government restrictions have limited movement in practice. In some areas of Chad, militants have erected roadblocks, and the security forces periodically close borders with Libya, Sudan, and the Central African Republic due to militant activity in those countries. The Lake Chad Basin region also experiences periodic border closures and official restrictions on movement

in response to militant attacks. As of December 2022, such insecurity had contributed to the internal displacement of more than 381,000 Chadians.

Public-resource constraints limit citizens' ability to pursue employment or educational opportunities outside of their home areas, for example by hampering the processing of official documents.

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

Laws establishing land and property rights are nominally in force, but they are functionally irrelevant to the majority of the country's population due to the state's minimal presence in rural areas; customary law governs land ownership and usage rights in practice. Laws protecting the right of women to inherit land are not enforced.

Establishing and operating a business in Chad is extremely difficult, with obstacles including official corruption.

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

Violence against women is common, and female genital mutilation/cutting (FGM/C) is illegal but widely practiced. Roughly a third of women aged 15 to 49 have suffered FGM/C. According to the UN Global Database on Violence against Women, which compiles data from various local and international sources, 28.6 percent of women aged 15 to 49 have experienced physical or sexual intimate-partner violence in their lifetime, and 17.5 percent have experienced such violence in the last 12 months. A little more than 60 percent of married women aged 20 to 24 were married before age 18. The penal code bans child marriage, setting the legal age of marriage at 18, but the courts rarely hold those who violate the ban accountable.

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

The government has adopted minimum wage and occupational safety laws, but they are not well enforced. Many workers are unaware of or lack access to formal channels through which they may seek redress for mistreatment; corruption also impedes workers from obtaining such redress. Unpaid wages are a problem in many sectors.

Chad is a source, transit, and destination country for child trafficking; victims are exploited for forced labor or commercial sex, or recruited into armed groups. NGOs have reported that a large percentage of human trafficking within Chad is related to the operation of illegal gold mines in the north.

Chile

Population: 19,800,000
Capital: Santiago
Freedom Status: Free
Electoral Democracy: Yes

Overview: Chile is a stable democracy that has experienced a significant expansion of political rights and civil liberties since the return of civilian rule in 1990. Ongoing concerns include corruption and unrest linked to land disputes with Indigenous Mapuche people.

KEY DEVELOPMENTS IN 2022

- The Constitutional Convention—elected to draft a new constitution in 2021—published its final proposal in July. In September, 62 percent of voters rejected the progressive constitution proposed by the convention in a national plebiscite.
- A state of emergency imposed in parts of southern Chile in 2021 due to violent conflict between government forces and Indigenous Mapuche activists was extended until March. Newly inaugurated president Gabriel Boric imposed a new state of emergency in the same areas in May due to an increase in conflict-related violence; the state of emergency remained in place through year's end.

POLITICAL RIGHTS: 38 / 40

A. ELECTORAL PROCESS: 12 / 12

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

Presidential elections in Chile are free and fair. The president is directly elected to a four-year term. Consecutive terms are not permitted. In December 2021, Chileans elected Gabriel Boric to the presidency. Boric, a leftist member of Congress, won the second round of the election with 55.8 percent of the vote, becoming the youngest elected president in Chilean history at age 35. He was sworn into office in March 2022.

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

The upper house, the Senate, has 50 seats, and the lower house, the Chamber of Deputies, has 155 seats; all members are directly elected. Senators serve eight-year terms, with half up for election every four years, and members of the Chamber of Deputies are elected to four-year terms.

In November 2021, Chileans elected 27 of 50 senators and all 155 members of the Chamber of Deputies. No coalition won a majority of seats, and both chambers remain politically diverse.

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

Chile's electoral framework is robust and generally well implemented.

A constitutional reform process was triggered by an October 2020 national plebiscite, organized in response to large-scale protests held the previous year. In May 2021, the 155-member Constitutional Convention was elected to draft a new constitution; the body published its final proposal in July 2022. In September, 62 percent of voters rejected the progressive proposed constitution in a national plebiscite. The results of the vote were widely accepted as legitimate.

In December, lawmakers announced that they had reached a multiparty agreement to begin work on drafting a new constitution. The agreement provides for a commission of 24 experts, appointed by Congress, to draft the preliminary text of a new constitution, which will then go to a new, 50-member Constitutional Council—made up of 25 men and 25 women who will be directly elected in mid-2023—to undergo further revision. The agreement remained awaiting congressional approval at year's end. A national plebiscite on adopting the new draft constitution is scheduled to be held in late 2023.

B. POLITICAL PLURALISM AND PARTICIPATION: 15 / 16

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

Chile has a multiparty political system in which parties operate freely. As of 2022, Congress includes representatives from 19 political parties, as well as several independent members.

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

Power alternation between parties occurs regularly, both in Congress and for the presidency.

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

People are generally free to exercise their political choices without undue influence from actors that are not democratically accountable. In recent years, however, far-right organizations such as Team Patriota and the Social Patriot Movement (MSP) have sought to influence Chilean politics, reportedly including by trying to exert pressure on conservative politicians.

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

The Constitutional Convention elected in May 2021 featured gender parity among its 155 members, and 17 seats were reserved for members of Indigenous communities. The Constitutional Council set to be elected in 2023 will also feature gender parity among its 50 members, but does not have a set number of seats reserved for Indigenous representatives.

Women are represented in government, and the electoral system includes a quota for women in the legislature. However, women have reported difficulty gaining influence in intraparty debates. President Boric has made gender parity a core focus of his administration; his first cabinet, announced in January 2022, was made up of 14 women and 10 men. Following changes made within the government in September, Boric's cabinet comprised 15 women and 9 men.

The interests of the Mapuche minority, which represents about 9 percent of the population, are present in political life, with Mapuche activists regularly making their voices heard in street demonstrations. However, this activism has yet to translate into significant legislative power.

Members of the LGBT+ community are organized in civil society organizations but few are elected to political positions.

C. FUNCTIONING OF GOVERNMENT: 11 / 12

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

While lobbying and interest groups exist and work to shape policy, there is little significant intervention by actors who are not democratically accountable in policymaking processes.

C2. Are safeguards against official corruption strong and effective? 3 / 4

Anticorruption laws are generally enforced, though high-level corruption scandals crop up with some regularity. In March 2022, Ricardo Martínez, then commander in chief of the army, resigned one day before testifying in the so-called Milicogate case, a series of

corruption scandals that involved military officers using fake procurement deals to embezzle public funds between 2010 and 2019. In April 2022, Martínez was placed under preventive arrest in relation to the Milicogate investigation; he was indicted on eight fraud charges, but was granted bail soon after his arrest. The military court revoked the indictment in August, and the Supreme Court rejected an appeal against the military court's action later that month.

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

The government operates with relative transparency. In 2009, the Transparency and Access to Public Information Law came into force; it increased public access to information and created a Council on Transparency. Agencies have generally been responsive to information requests.

In 2019, the government replaced the decades-old Copper Law, which was viewed as a major step toward improving transparency in the wake of a series of corruption scandals involving the armed forces. Earlier legislation stipulated that 10 percent of the state-run copper giant Codelco's export sales be channeled to the armed forces without oversight.

CIVIL LIBERTIES: 56 / 60

D. FREEDOM OF EXPRESSION AND BELIEF: 16 / 16

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

Guarantees of free speech are generally respected, though some laws barring defamation of state institutions remain on the books. Media ownership is highly concentrated.

Several journalists reported facing harassment and assault, including by the police, during 2022. In May, three journalists were injured while covering a protest in Santiago, including Francisca Sandoval, who was shot by gunmen who opened fire on the demonstration. Sandoval later died from her injuries, becoming the first journalist to be killed in the line of duty since the Pinochet era.

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

The constitution provides for religious freedom, and the government generally upholds this right in practice.

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

Academic freedom is generally unrestricted in Chile.

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

Chileans enjoy open and free private discussion.

E. ASSOCIATIONAL AND ORGANIZATIONAL RIGHTS: 12 / 12

E1. Is there freedom of assembly? 4 / 4

The right to assemble peacefully has traditionally been respected. However, peaceful protest activity that arose in 2019, when people took to the streets to demonstrate against the government and against societal inequality, was severely disrupted by a variety of factors including people who took advantage of the protest movement's cover to engage in looting, arson, and vandalism; and by widespread police violence and a restrictive state of emergency that was imposed in response to the unrest.

Several protests were held during 2022, including a number of demonstrations against rising inflation and persistent inequality. Though some demonstrations featured violence

from both protesters and law enforcement, both civilian violence and police repression have decreased significantly since 2019.

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

Nongovernmental organizations (NGOs) form and operate without interference.

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

There are strong laws protecting worker and union rights, but some limited antiunion practices by private sector employers continue to be reported.

F. RULE OF LAW: 13 / 16

F1. Is there an independent judiciary? 4 / 4

The constitution provides for an independent judiciary, and the courts are generally free from political interference.

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

The right to legal counsel is constitutionally guaranteed and due process generally prevails in civil and criminal matters. However, indigent defendants do not always receive effective legal representation.

Human rights groups and the United Nations have criticized the government's use of antiterrorism laws, which do not guarantee due process, to prosecute acts of violence by Mapuche activists.

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

While the government has developed mechanisms to investigate and punish police abuses, excessive force and human rights abuses committed by the *carabineros* (the national police) still occur, and such abuses intensified during the social upheaval that started in 2019. Protests, vandalism, and police use of excessive force occurred sporadically throughout 2022, but did not reach the intensity of the unrest seen in 2019.

The government's National Institute for Human Rights (INDH), Human Rights Watch (HRW), and Amnesty International have accused the carabineros and the military of perpetrating human rights violations during the 2019 protests, including excessive use of force against protesters, as well as torture and sexual abuse of people held in detention. The Boric administration established a police reform commission and a reform advisory unit in August 2022.

Conflict between Indigenous Mapuche people and the Chilean state continued throughout 2022. The unrest reportedly featured growing violence by some Mapuche activists, including the use of arson attacks against landowners and forestry workers. In October 2021, then president Sebastián Piñera declared a state of emergency in the Araucanía and Biobío regions in response to violent clashes between security forces and Mapuche activists. The state of emergency was extended several times until President Boric took office in March 2022. In response to increasing violence and road blockades, President Boric imposed a new state of emergency in the same areas in May; the new state of emergency, which is reportedly more limited in scope than that under Piñera, remained in place through year's end.

Though Chile has one of the lowest rates of violent crime in Latin America, the country recorded an increased level of violent crime during 2022. According to police statistics, the homicide rate grew by more than 32 percent between 2021 and 2022. Violent crime related to drug trafficking is also a concern, particularly in the Tarapacá region.

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

While Indigenous people still experience societal discrimination and police brutality, their poverty levels have declined somewhat, aided by government scholarships, land transfers, and social spending.

LGBT+ people continue to face societal bias, despite a 2012 antidiscrimination law that covers sexual orientation and gender identity. In 2018, the president signed a gender-identity law allowing for gender identity to be changed on the civil registry.

In practice, elites benefit from systematic favorable legal treatment.

G. PERSONAL AUTONOMY AND INDIVIDUAL RIGHTS: 15 / 16

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

The constitution protects the freedom of movement, and the government respects this right in practice. During 2022, freedom of movement was at times impacted by the ongoing conflict between the Mapuche people and the government in parts of southern Chile. Among other things, the continuing conflict saw Mapuche activists put up roadblocks and barricade highways during the year; a state of emergency imposed in May and extended through year's end allowed for the military to guard roads and transit routes in the conflict zone. In November, President Boric announced the creation of a peace and reconciliation commission intended to resolve the conflict, in part by returning some ancestral land to Indigenous communities.

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

Individuals generally have the right to own property and establish and operate private businesses, and do so without interference from the government or other actors. However, Mapuche activists continue to demand greater territorial rights to land, ancestral waters, and natural resources.

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

The government generally does not restrict personal social freedoms.

Violence against children and women remains a problem. A law against femicide went into force in 2010. The government reported 43 femicides and 180 attempted femicides in 2022.

In 2017, legislation that decriminalized abortion in the events of rape, an inviable fetus, or danger to the life of the woman took effect.

In 2021, Congress approved same-sex marriage by an overwhelming majority; the law came into effect in March 2022. Previously, a 2015 law recognized civil unions for same-sex couples.

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

While compulsory labor is illegal, forced labor, particularly among foreign citizens, continues to occur in the agriculture, mining, and domestic service sectors.

Although there have been improvements in fighting child labor, minors still suffer commercial sexual exploitation and work unprotected in the agricultural sector. There is limited public information about forced child labor.

China

Population: 1,412,300,000
Capital: Beijing
Freedom Status: Not Free
Electoral Democracy: No

Note: The numerical scores and status listed above do not reflect conditions in Hong Kong or Tibet, which are examined in separate reports. *Freedom in the World* reports assess the level of political rights and civil liberties in a given geographical area, regardless of whether they are affected by the state, nonstate actors, or foreign powers. Territories are sometimes assessed separately if they meet certain criteria, including boundaries that are sufficiently stable to allow year-on-year comparisons. For more information, see the report methodology.

Overview: China's authoritarian regime has become increasingly repressive in recent years. The ruling Chinese Communist Party (CCP) continues to tighten control over all aspects of life and governance, including the state bureaucracy, the media, online speech, religious practice, universities, businesses, and civil society associations. The CCP leader and state president, Xi Jinping, secured a third term as party leader in October 2022, further consolidating personal power to a degree not seen in China for decades. Following a multiyear crackdown on political dissent, independent nongovernmental organizations (NGOs), and human rights defenders, China's civil society has been largely decimated.

KEY DEVELOPMENTS IN 2022

- Xi Jinping was appointed to a third five-year term as the CCP's general secretary at the 20th Party Congress in October. The designation, awarded four years after Xi had orchestrated a change in China's constitution to abolish presidential term limits, cleared the way for him to secure a third term as state president in 2023. The CCP also announced the new membership of the Politburo Standing Committee (PSC), which sets government and party policy; all of those on the revamped committee were Xi loyalists and allies.
- In late November the largest protests since 1989 erupted across the nation, triggered by news of an apartment fire that killed 10 people in Xinjiang's regional capital, Urumqi. Strict COVID-19 lockdown rules were widely thought to have prevented the victims from escaping. Protesters criticized Xi's "zero-COVID" policy, which had also caused food shortages and other extreme hardships, and some called for Xi's resignation and democratic reforms. Law enforcement authorities moved quickly, and in some cases violently, to quash the protests.
- The government abruptly abandoned key components of its zero-COVID policy in December, in what was seen as a major concession to demonstrators. Official statements and the state-controlled media sector downplayed the consequences of the policies' cancellation, and sought to portray the move as a well-organized process backed by science. Bloomberg News and the *Financial Times* reported on leaked documents from top Chinese health officials in which it was estimated that almost 250 million people in China had contracted COVID-19 in the first 20 days of December.
- Authorities continued to develop intense surveillance and mass data-collection systems capable of monitoring individuals' movements, social contacts, online activity, and other behavior, and to draw on these tools to crush dissent.

POLITICAL RIGHTS: −2 / 40

A. ELECTORAL PROCESS: 0 / 12

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

There are no direct or competitive elections for national executive leaders. The National People's Congress (NPC) formally elects the state president for five-year terms and confirms the premier after he is nominated by the president, but both positions are determined in advance by the top CCP leadership and announced at the relevant party congress. The CCP's seven-member PSC, headed by Xi Jinping in his role as the party's general secretary, sets government and party policy in practice. Xi also holds the position of state president and serves as chairman of the state and party military commissions.

Xi was appointed for a third five-year term as CCP general secretary at the 20th Party Congress in October 2022, paving the way for him to remain in power indefinitely. This marked a sharp break from the post–Cultural Revolution practice of maintaining a two-term limit for the country's highest leadership position.

A2. Were the current national legislative representatives elected through free and fair elections? 0 / 4

The 3,000 NPC members are formally elected for five-year terms by subnational congresses, but in practice all candidates are vetted by the CCP. Only the NPC's standing committee meets regularly, with the full congress convening for just two weeks a year to approve proposed legislation; party organs and the State Council, or cabinet, effectively control lawmaking decisions. The current NPC was seated in March 2022.

A3. Are the electoral laws and framework fair, and are they implemented impartially by the relevant election management bodies? 0 / 4

Political positions are directly elected only at the lowest levels. Independent candidates who obtain the signatures of 10 supporters are by law allowed to run for seats in the county-level people's congresses, and elections for village committees are also supposed to give residents the chance to choose their representatives. In practice, however, independent candidates for these posts are often kept off the ballot or out of office through intimidation, harassment, fraud, and in some cases detention.

Elections are not administered by an independent body. The indirect elections that populate people's congresses at various levels are conducted by those congresses' standing committees, while village-level elections are conducted by a village electoral committee that answers to the local party committee.

B. POLITICAL PLURALISM AND PARTICIPATION: 0 / 16

B1. Do the people have the right to organize in different political parties or other competitive political groupings of their choice, and is the system free of undue obstacles to the rise and fall of these competing parties or groupings? 0 / 4

The CCP effectively monopolizes all political activity and does not permit meaningful political competition. Eight small noncommunist parties are represented in the Chinese People's Political Consultative Conference (CPPCC), an official advisory body, but their activities are tightly circumscribed, and they must accept the CCP's leadership as a condition for their existence.

Citizens who have sought to establish genuinely independent political parties or prodemocracy movements are nearly all in prison, under house arrest, or in exile. The authorities continue to hold prodemocracy activists and lawyers in various forms of detention and

prison. New Citizens' Movement founder and legal activist Xu Zhiyong, in detention since February 2020, was reportedly tried in secret for "subversion" in June 2022.

B2. Is there a realistic opportunity for the opposition to increase its support or gain power through elections? 0 / 4

China's one-party system provides no institutional mechanism for organized political opposition, and the CCP has ruled without interruption since winning a civil war against the Nationalist Party (Kuomintang) in 1949. While factions within the CCP have always existed, they do not compete openly or democratically, and they remain unaccountable to the public. Xi Jinping has steadily increased his personal power and authority within the party since 2012, notably by purging rivals and challengers as part of an anticorruption campaign.

B3. Are the people's political choices free from domination by forces that are external to the political sphere, or by political forces that employ extrapolitical means? 0 / 4

The authoritarian CCP is not accountable to voters and denies the public any meaningful participation in political affairs. The party uses a broad array of coercive tools and methods to suppress independent political engagement.

B4. Do various segments of the population (including ethnic, racial, religious, gender, LGBT+, and other relevant groups) have full political rights and electoral opportunities? 0 / 4

The political system is dominated in practice by ethnic Han Chinese men. Societal groups such as women, ethnic and religious minorities, and LGBT+ people have no opportunity to gain meaningful political representation. Nominal representatives of ethnic minority groups such as Tibetans, Uyghurs, and Mongolians hold administrative offices and participate in party and state bodies like the NPC, but their role is largely symbolic. Women are severely underrepresented in top CCP and government positions. For the first time in 25 years no women will sit on China's Politburo, after the 20th Party Congress failed to name any in 2022. No woman has ever sat on the PSC.

C. FUNCTIONING OF GOVERNMENT: 1 / 12

C1. Do the freely elected head of government and national legislative representatives determine the policies of the government? 0 / 4

None of China's national leaders are freely elected, and the legislature plays a rubber-stamp role in policymaking and the development of new laws. The continuing concentration of power in Xi Jinping's hands, an expanding cult of personality centered on Xi, and his regular calls for greater ideological conformity and party supremacy have further reduced the limited space for policy debate, even within the CCP.

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

Since becoming CCP leader in 2012, Xi has pursued an extensive anticorruption campaign. Well over a million officials have been investigated and punished, according to official figures, including senior state, party, and military officials. Anticorruption functions are currently managed by the National Supervisory Commission (NSC), which was established through a 2018 merger of existing state and party entities and is tasked with enforcing political and ideological discipline in addition to compliance with the law. In 2022, anticorruption efforts focused heavily on law enforcement agencies, reflecting both endemic corruption within the police as well as the leadership's effort to secure loyalty within law enforcement.

Nevertheless, corruption remains rooted in the one-party system, which does not tolerate the institutions necessary for effectively addressing graft—such as a free press, independent civil society groups, and impartial courts.

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

The Chinese government and the CCP are notoriously opaque. Regulations on "open government" do not effectively compel local party and state organs to share critical data or respond to citizen requests. Under Xi Jinping's leadership, the government has developed increasingly sophisticated methods for controlling the diffusion of information and shaping public discourse. In 2022, authorities continued to suppress information about their management of COVID-19, spread disinformation about the pandemic, and punish those who sought to report truthfully about the situation.

ADDITIONAL DISCRETIONARY POLITICAL RIGHTS QUESTION

Is the government or occupying power deliberately changing the ethnic composition of a country or territory so as to destroy a culture or tip the political balance in favor of another group? –3 / 0

Chinese authorities have aggressively pursued policies to deliberately alter the demographics of ethnic minority regions, particularly in Xinjiang, Tibet, and Inner Mongolia. Authorities in Xinjiang have interned more than a million Uyghurs and other members of Turkic ethnic minority groups in so-called Vocational Skills Education and Training Centers (VSETCs), as well as in prisons and other detention facilities. While the government claims that VSETCs are educational centers that Uyghurs and others participate in voluntarily, a cache of internal government documents, including speeches and photographs, obtained by the International Consortium of Investigative Journalists (ICIJ) and published in 2022 provided further evidence of their coercive and abusive nature. The documents, which date back to 2017, describe facilities secured by armed guards who have been issued shoot-to-kill orders against anyone attempting to escape. Inside, detainees are subject to aggressive forms of indoctrination and political reeducation that aim to undermine their ethnic identities and religious beliefs.

Uyghur and other Muslim women in Xinjiang, particularly those with two or more children, are subject to a program of forced sterilization. Previous investigations and witness testimony have revealed that Xinjiang authorities have coerced women to accept surgical sterilization, forcibly implanted intrauterine contraceptive devices prior to internment, administered unknown drugs and injections to women in detention, and used fines and internment as punishment for birth-control violations.

In 2022, poverty alleviation measures included the coercion of hundreds of thousands of Uyghurs and other ethnic minority members, mostly farmers and other residents authorities refer to as "surplus rural laborers," to leave their hometowns and take low-wage jobs elsewhere, largely in state-owned factories. Participants have described prison-like environments where individuals are subjected to political indoctrination. Despite the government's claim that the relocations are voluntary and to the financial benefit of participants, a UN special rapporteur in a 2022 report cited evidence that the programs involve forced labor, heavy surveillance, violence, and degrading treatment, and that "some instances may amount to enslavement as a crime against humanity.

Increasing numbers of ethnic minority children in Xinjiang and Tibet have been separated from their parents and forced to attend state-run boarding schools, where Mandarin is the sole language of instruction and where students are subject to intense political indoctrination. Those who protest are subject to detention and other forms of punishment. In recent years the Ministry of Education has required preschools across China to make Mandarin Chinese the language of instruction, reflecting an ongoing push to impose Mandarin as the dominant language at all educational levels and further weaken the cultural identities of ethnic minority groups and individuals. A multiyear campaign of detaining ethnic minority

writers, scholars, musicians, and religious figures, often meting out long prison terms, continues to damage the cultural, religious, social and economic leadership of these communities.

The government has also continued to promote policies that have attracted hundreds of thousands of Han Chinese to relocate to ethnic minority regions. Programs that encourage marriages between Han Chinese and members of ethnic minorities through financial and other incentives further aim to dilute minority identities.

CIVIL LIBERTIES: 11 / 60

D. FREEDOM OF EXPRESSION AND BELIEF: 1 / 16

D1. Are there free and independent media? 0 / 4

China is home to one of the world's most restrictive media environments and its most sophisticated system of censorship, particularly online. The CCP maintains control over news reporting via direct ownership, accreditation of journalists, harsh penalties for comments that are critical of party leaders or the CCP, and daily directives to media outlets and websites that guide coverage of breaking news stories. State management of the telecommunications infrastructure enables the blocking of websites, removal of smartphone applications from the domestic market, and mass deletion of social media posts and user accounts that address banned political, social, economic, and religious topics. Thousands of websites have been blocked, many for years, including major news and social media hubs like the *New York Times*, the British Broadcasting Corporation (BBC), YouTube, Twitter, and Facebook.

Rules and regulations governing the media and internet usage include measures that restrict news dissemination and contribute to the banning of mobile apps focused on minority languages, Bible content, and foreign-language learning, among other topics. Censors have also removed large numbers of social media groups, accounts, or posts that dealt with LGBT+ issues, financial advice, critical views of CCP history, and celebrities. The country's network of some 20 million pro-CCP volunteer internet commentators and more than 2 million paid employees continued to aggressively monitor and censor online communications.

According to the Committee to Protect Journalists (CPJ), 43 journalists were imprisoned in China in 2022, though the number of people held for uncovering or sharing newsworthy information is far greater. Numerous citizen journalists and bloggers were detained, disappeared, or criminally charged during 2022 for their reporting and online posts. Zhang Zhan, a citizen journalist and former human rights lawyer, continued to serve a 4-year prison sentence for "picking quarrels and provoking trouble" for her reporting on the COVID-19 pandemic. The whereabouts of many others detained for reporting on the pandemic remain unknown.

D2. Are individuals free to practice and express their religious faith or nonbelief in public and private? 0 / 4

The CCP regime operates a multifaceted apparatus to control all aspects of religious activity, including by vetting religious leaders for political reliability, placing limits on the number of religious authorities such as priests and imams, requiring ideological conformity within religious doctrine, and installing security cameras inside religious establishments. All religious groups must go through a rigorous process of certification to be officially recognized by the authorities, with those that refuse to do so being labeled illegal and persecuted. Certain religions and religious groups, including Tibetan Buddhists, Uyghur Muslims, Falun Gong practitioners, and Christian "house churches," are persecuted harshly. In Xinjiang, peaceful religious practices are routinely punished under charges of "religious extremism," resulting in detention, prison sentences, and indoctrination for many Uyghur, Kazakh, and Hui Muslims.

Thousands of Buddhist, Taoist, and folk-religion temples and house churches across China were completely or partially demolished by authorities in recent years. Authorities were reported to have used COVID-19 restrictions and inspections to justify the closure of churches and other religious venues, even as nearby venues like restaurants remained open.

The government continued to operate mobile "transformation" units, which subject members of "illegal" religious groups to severe psychological and physical torture intended to force them to "transform" by renouncing their religious beliefs. Thousands of members of such illegal groups are also sentenced to long prison terms and illegal forms of detention, in which torture and ill-treatment are routine. Children under the age of 18 are prohibited by law from attending church or engaging in religious activities. Dozens of Falun Gong practitioners were reported to have died in custody, or shortly after their release, in recent years.

D3. Is there academic freedom, and is the educational system free from extensive political indoctrination? 0 / 4

Academic freedom is heavily restricted. Efforts to police classroom discussions are present at all levels of education, including via installation of surveillance cameras in some classrooms, large-scale recruitment of student informants, and the creation of special departments to supervise the political thinking of teaching staff. The CCP controls the appointment of top university officials, and CCP committees and party branches have significant formal authority over university administration. Many scholars practice self-censorship to protect their careers and personal safety.

Political indoctrination, including the study of "Xi Jinping Thought," is a required component of the curriculum at all levels of education. A number of universities have removed references to "freedom of thought" from their charters, replacing them with pledges of loyalty to the CCP. Professors and students face reprisals—ranging from censored writings, travel restrictions, and demotions to arrest and imprisonment—for expressing views that are deemed critical of the CCP's governance or Xi's leadership. Authorities have continued to shut down or nationalize private schools across the country, in an effort to bring all education under state control.

D4. Are individuals free to express their personal views on political or other sensitive topics without fear of surveillance or retribution? 1 / 4

Citizens continue to be charged and sentenced to sometimes long prison terms for critical or satirical social media posts on a variety of subjects, notably the government's response to the COVID-19 pandemic, and criticism or perceived criticism of Xi or the CCP. In addition to criminal punishment, internet users face account deletions, job dismissals, arbitrary detention, and police interrogation over such posts.

The government's vast ability to monitor citizens' lives and communications inhibits online and offline conversations. Administrators of social media applications like WeChat closely monitor user discussions to ensure conformity with government content restrictions. Surveillance cameras, now frequently augmented with facial-recognition software, cover many urban areas and public transportation, and these networks are expanding into rural regions. Devices used by police to quickly extract and scan data from smartphones, initially deployed in Xinjiang, have spread nationwide.

Police have access to the personal details of broad categories of individuals. China's Cybersecurity Law obliges companies to store Chinese users' data within the country and submit to often intrusive security reviews. Telecommunications companies are required to obtain facial scans of new internet or mobile phone users as part of the real-name registration process, which is combined with mass surveillance tools to closely monitor all

residents. Electronic surveillance is supplemented with offline monitoring by neighborhood party committees and "public security volunteers" who are visible during large events.

There is an especially heavy police presence in ethnic minority regions, particularly Xinjiang. The ability of Uyghurs and members of other Muslim minority groups in Xinjiang to express themselves freely, even in private, has been further undermined in recent years by a policy of having Chinese officials live in their homes to monitor and indoctrinate them.

E. ASSOCIATIONAL AND ORGANIZATIONAL RIGHTS: 2 / 12

E1. Is there freedom of assembly? 1 / 4

The constitution protects the right of citizens to demonstrate, but in practice protesters seldom obtain approval and risk punishment for assembling without permission. Spontaneous demonstrations have provided some outlet for local grievances, though they are frequently met with police violence and criminal prosecution. Solitary protests—in which an individual holds a placard in public, for example—can be criminally punished. Armed police have been accused of opening fire during past protests, particularly in Xinjiang.

Following widespread spontaneous protests at the end of 2022 against the country's zero-OVID policy—dubbed the "white paper" movement because many participants held up blank pieces of paper, a tactic meant to both evade arrest and implicitly criticize censorship—dozens of protesters were detained, with many reporting abusive interrogation procedures.

E2. Is there freedom for nongovernmental organizations, particularly those that are engaged in human rights– and governance-related work? 0 / 4

Both Chinese and foreign nongovernmental organizations (NGOs) lack meaningful autonomy. While hundreds of thousands of NGOs are formally registered, many effectively operate as government-sponsored entities and focus primarily on service delivery. Nearly all prominent NGOs that focused on policy advocacy, including in previously less politically sensitive areas, have been shuttered under government pressure in recent years.

Engaging in NGO work unsanctioned by the state is risky, and many NGO workers have been detained and jailed. In 2022, it was reported that Cheng Yuan, the founder of an NGO that advocated for the rights of migrant workers and people with chronic health issues and disabilities, had been tortured in prison while serving a multiyear sentence imposed after a secret trial.

The law requires foreign NGOs to find a Chinese sponsor and register with the Ministry of Public Security, and police have the authority to search NGOs' premises without a warrant, seize property, detain personnel, and initiate criminal procedures.

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

The only legal labor union organization is the government-controlled All-China Federation of Trade Unions (ACFTU), which has long been criticized for failing to defend workers' rights. Efforts to organize independent trade unions are swiftly shut down by authorities, and the activists involved face harsh penalties. Despite the risks, workers engaged in a number of largely spontaneous strikes, with over 800 recorded during 2022.

F. RULE OF LAW: 2 / 16

F1. Is there an independent judiciary? 1 / 4

The CCP dominates the judicial system, with courts at all levels supervised by party political-legal committees that have influence over the appointment of judges, court operations, and verdicts and sentences. CCP oversight is evident in politically sensitive cases, and most judges are CCP members. Judges are expected to conform to CCP ideology and

uphold the principle of party supremacy over the judiciary. Many judges complain about local officials interfering in cases to protect powerful litigants, support important industries, or avoid their own potential liability.

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

Violations of due process are widespread in practice. Trials of human rights activists, religious dissidents, and other human rights defenders are routinely held in secret, with even family members being denied information or entry. While adjudication of routine civil and administrative disputes is considered more fair, cases that touch on politically sensitive issues or the interests of powerful groups are subject to decisive "guidance" from party political-legal committees.

Prosecutions rely heavily on confessions, many of which are obtained through torture, despite laws prohibiting such practices. Forced confessions are often televised. An ongoing crackdown on human rights lawyers has left many defendants without effective or independent legal counsel.

Extrajudicial forms of detention remain widespread. The practice of "residential surveillance in a designated location" allows the police to hold individuals in secret detention for up to six months and has been deployed against human rights defenders and lawyers, and government critics.

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

Conditions in places of detention are harsh, with reports of inadequate food, regular beatings, and deprivation of medical care. In addition to their use to extract confessions, torture and other forms of coercion are widely employed in efforts to force political and religious dissidents to recant their beliefs. Impunity is the norm for police brutality and suspicious deaths in custody. Citizens and lawyers who seek redress for such abuse are often meet with reprisals or imprisonment. Many political and religious dissidents have died in prison or shortly after release due to ill-treatment or denial of medical care. Peaceful protesters are regularly beaten by police or hired aggressors.

The government has gradually reduced the number of crimes that carry the death penalty, though the total was still more than 40 as of 2022. It is estimated that thousands of people are executed each year; the actual figure is considered a state secret. Despite the government's claim that it has ended the transplantation of organs from executed prisoners, the scale and speed of the transplantation industry far exceed what is feasible via the country's nascent voluntary donation system. In June 2021, a group of UN human rights experts expressed alarm over ongoing reports of organs being procured from "minorities, including Falun Gong practitioners, Uyghurs, Tibetans, Muslims, and Christians, in detention in China."

F4. Do laws, policies, and practices guarantee equal treatment of various segments of the population? 0 / 4

Chinese laws formally prohibit discrimination based on nationality, ethnicity, race, gender, religion, or health condition, but these protections are often violated in practice. Several laws bar gender discrimination in the workplace, and some indicators of gender equality have reportedly improved over the past decade. Nevertheless, bias remains endemic, including in job recruitment and college admissions. Women's rights activists and individuals who campaign against sexual harassment and assault have themselves faced harassment, detention, and in some cases criminal prosecution. In August 2022, Zhou Xiaoxuan lost her

landmark case against CCTV host Zhu Jun, whom she had accused of sexual harassment, on the grounds of "insufficient evidence." She had come forward with the allegations in 2018, helping to galvanize the #MeToo movement in China.

Members of ethnic and religious minority groups, LGBT+ people, people with disabilities, and people with illnesses such as HIV/AIDS and hepatitis B also face discrimination in employment and access to education. Members of religious and ethnic minorities are disproportionately targeted and abused by security forces and in the criminal justice system. In addition to being held in extrajudicial detention in larger numbers, members of these groups tend to be sentenced to longer prison terms than Han Chinese convicts. Data has shown showing higher-than-normal unemployment rates for former COVID-19 patients. Propaganda under Xi's leadership has sought to negatively associate LGBT+ individuals with liberal "Western" culture, exacerbating discrimination against them.

Despite China's international obligation to protect the rights of asylum seekers and refugees, law enforcement agencies continue to repatriate North Korean defectors, who face imprisonment or execution upon return.

G. PERSONAL AUTONOMY AND INDIVIDUAL RIGHTS: 6 / 16

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

Prior to the sudden abandonment of the strict zero-COVID policies in late November 2022, following widespread protests, lockdowns in dozens of cities across the country restricted people's movement, and in some cases confining them to their homes or to quarantine centers. The COVID-19 "health code" app, which was in use until late 2022, was reportedly used to restrict peoples' access to air and train travel, medical facilities, and a range of public services and spaces based on arbitrary or opaque criteria. Some individuals reported that they were prevented from attending protests after their health code app suddenly turned from green to red while they were en route to the event, pointing to the government's use of the app to restrict the movements of specific individuals.

While China's constitution gives individuals the right to petition the government concerning a grievance or injustice, in practice petitioners are routinely intercepted in their efforts to travel to government centers, forcibly returned to their hometowns, or extralegally detained.

Despite the government's stated commitment to reforming the *hukou* (household registration) system, it continues to prevent close to 300 million internal migrants from enjoying full legal rights as residents in the cities where they work.

Police checkpoints throughout Xinjiang limit residents' ability to travel or even leave their hometowns.

Millions of people are affected by government restrictions on their access to foreign travel and passports, with Uyghurs and Tibetans experiencing the greatest difficulty. The authorities continued to use COVID-19 as a justification to restrict overseas travel. Many overseas Chinese nationals who engage in politically sensitive activities abroad are prevented from returning to China, while those who seek refuge abroad often face forced repatriation and arrest.

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

The authorities dominate the economy through state-owned enterprises in key sectors such as banking and energy, through state ownership of land, and through political and regulatory control. Chinese citizens are legally permitted to establish and operate private

businesses. However, all enterprises are vulnerable to political interference, arbitrary regulatory obstacles, debilitating censorship, negative media campaigns, demands for bribes, and other forms of corruption.

An ongoing government crackdown on private businesses, particularly large technology and social media firms, has ostensibly been aimed at curbing monopolistic practices, uncontrolled growth, and other economic ills, but has also brought the private sector more firmly under CCP control. Running a business continues to expose individuals to prosecution and long prison terms. Chinese-Canadian Xiao Jianhua, one of China's richest businessmen, was sentenced to 13 years in prison on bribery and other charges in August 2022, five years after his abduction from a Four Seasons hotel in Hong Kong. Tomorrow Holdings, the investment group he had founded, had been linked to family members of prominent former officials.

Property rights protection remains weak. Urban land is owned by the state, with only the buildings themselves in private hands. Rural land is collectively owned by villages. Farmers enjoy long-term lease rights to the land they work, but they have been restricted in their ability to transfer, sell, or develop it. Low compensation and weak legal protections have facilitated land seizures by local officials, who often evict residents and transfer the land rights to developers. Corruption is endemic in such projects, and local governments rely on land development as a crucial source of revenue.

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

Following regulatory changes in 2021 allowing couples to have up to three children, out of concern over falling fertility rates, the government in 2022 launched a new campaign instructing local family planning officials to limit the number of abortions, including by discouraging abortions for "nonmedical" reasons. The move was interpreted as a further effort to boost the country's declining fertility rate. While ethnic minority couples were already permitted to have up to three children prior to 2021, in practice ethnic Tibetans as well as Uyghurs and other Muslims in Xinjiang are subject to abusive policies aimed at limiting their reproduction.

Domestic violence continues to affect one-quarter of Chinese women, according to official figures, despite laws criminalizing the behavior. The law does not criminalize spousal rape.

Chinese law defines marriage as the union between a man and a woman, denying marriage rights to same-sex couples. Muslims in Xinjiang face restrictions and penalties related to aspects of their appearance with religious connotations, such as headscarves on women or beards on men.

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

While workers in China are afforded important protections under existing laws, violations of labor and employment regulations are widespread. Exploitative employment practices such as wage theft, excessive overtime, student labor, and unsafe working conditions are pervasive in many industries. Forced labor and human trafficking are common, affecting internal migrants as well as Chinese nationals who are trafficked abroad. Forced labor is the norm in prisons and other detention facilities.

Colombia

Population: 50,900,000
Capital: Bogotá
Freedom Status: Free
Electoral Democracy: Yes

Status Change: Colombia's status improved from Partly Free to Free due to more open and competitive national elections, a decline in restrictions on assembly and movement, and the decriminalization of abortion. However, illegal armed groups remained active, and the country was still one of the deadliest in the world for human rights defenders.

Overview: Colombia is among the longest-standing democracies in Latin America, but one with a history of widespread violence and serious human rights abuses. Public institutions have demonstrated the capacity to check executive power, and the country's main left-wing guerrilla group signed a peace accord in 2016. Nonetheless, Colombia faces enormous challenges in consolidating peace and guaranteeing political rights and civil liberties outside of major urban areas. In June 2022, opposition candidate and former left-wing guerrilla member Gustavo Petro was elected to the presidency and formed a government comprised of a broad left-wing coalition, becoming Colombia's first leftist government since the reestablishment of competitive democracy.

KEY DEVELOPMENTS IN 2022

- Opposition politician Gustavo Petro, a former guerrilla member belonging to the now-defunct April 19th Movement (M-19), was elected president in a June runoff vote with 50.4 percent of the vote. Petro, Colombia's first leftist president, selected Francia Márquez, an environmentalist and civil society leader as vice president; Márquez is the first Afro-Colombian and the second woman to hold the post.
- Following March legislative elections, a broad coalition composed of both leftist and traditional parties gained a wide majority in Congress, and subsequently elected to support Petro's legislative agenda. The coalition included many of the parties that previously supported outgoing president Iván Duque.
- After taking office in August, Petro was able to broker a fragile, temporary truce between the government and various criminal organizations, such as the left-wing Revolutionary Armed Forces of Colombia (FARC) rebel group. In December, the government announced a six-month cease-fire with the National Liberation Army (ELN), FARC dissidents, and three other armed groups. The ELN later denied adopting such an agreement.

POLITICAL RIGHTS: 31 / 40 (+2)

A. ELECTORAL PROCESS: 10 / 12

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

The president is directly elected to a four-year term. As part of a series of 2015 constitutional amendments, presidential reelection was eliminated.

No candidate garnered an outright majority in the first round of the 2022 election, held in May. Following a polarized runoff campaign, Gustavo Petro, the left-wing Historic Pact (PH) candidate, took 50.4 percent of the second-round vote in June, becoming Colombia's first leftist president, and defeating the former mayor of Bucaramanga, Rodolfo Hernández, who was backed by several leaders in incumbent president Iván Duque's party, the Democratic Center (CD). Voter turnout reached 58 percent, marking the highest turnout for presidential elections in nearly 25 years. The balloting was considered competitive and credible, and the results were accepted by stakeholders. Election observers logged sporadic reports of vote buying and other violations in both rounds of polls.

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

Congress is composed of the Senate and the Chamber of Representatives, with all seats up for election every four years. The nation at large selects 100 Senate members using a proportional representation system; two additional members are chosen by Indigenous communities, one seat is awarded to the runner-up in the presidential election, and another five seats were reserved in 2018 and 2022 for the FARC under the peace accord. Following the 2022 elections, the Chamber of Representatives features 188 members: 162 were elected by proportional representation in multimember districts, two chosen by Afro-Colombian communities, one each by Indigenous and expatriate voters, one seat reserved for the runner-up vice presidential candidate, five seats reserved for the FARC, and 16 seats reserved for representatives of victims of the country's internal conflict; the latter were instituted following an August 2021 law implementing a peace accord provision.

The March 2022 legislative elections were peaceful, though observers reported some irregularities and officials from multiple parties accused the electoral authorities of fraud, vote buying, and allowing candidacies for people with connections to organized crime figures. Most allegations came because of disparities between the unofficial preliminary vote count and the official tally released after the election. Ultimately, the final tally corrected earlier discrepancies, and independent observers deemed the polls and results credible.

Senate seats were dispersed, with seven parties winning 10 or more seats. Petro's PH won a plurality, taking 20 seats, followed by the Conservative Party with 15 seats, and the Liberal Party with 14. In the Chamber of Representatives, three parties won 21 or more seats, led by the Liberal Party with 32 seats. In its second balloting as a legal party, the FARC took no seats aside from the five guaranteed to it in each chamber.

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

The legal framework generally allows for competitive balloting in practice, though the nine-member National Electoral Council (CNE)—which oversees the conduct of the country's elections, including the financing of political campaigns and the counting of votes—has faced criticism for ineffective enforcement of electoral laws, blamed in part on the partisan selection system for its members. Congress voted in October 2021 to suspend a law that constrains public contracting during electoral periods, raising concerns about the diversion of state resources for electoral purposes; the Constitutional Court ruled against the law's suspension in February 2022, and cancelled all contracts signed while the suspension was in effect.

An internal audit of the National Registry, Colombia's election management body, found irregularities in ballot reporting during the 2022 legislative elections, but did not find evidence that fraud had occurred.

B. POLITICAL PLURALISM AND PARTICIPATION: 13 / 16 (+2)

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

Colombia's historically rigid two-party system has begun to diversify in recent years. It continued to do so in 2022, with candidates representing a wide range of parties—including new groups that emerged without obstruction—freely competing in the year's presidential and legislative elections. Opposition leader Gustavo Petro of the new PH party won the presidency in 2022 and garnered the support of a broad coalition of leftist politicians and civil society leaders, as well as seasoned politicians who broke from their traditional parties.

Three former political parties that had become defunct due to conflict-related violence returned to contest the 2022 elections after being reinstated by a December 2021 court ruling; similar redress is available for other political parties unduly impacted by the conflict.

Score Change: The score improved from 3 to 4 because presidential candidates outside the country's two-party system—including the winning candidate—launched significant and credible campaigns during the May and June elections.

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

Democratic transfers of power between rival parties are routine at both the national level and in many regions, though significant areas remain under the long-term control of machine-style political clans with ties to organized crime. Following the 2022 presidential elections, opposition leader Gustavo Petro became Colombia's first leftist president and his PH party left the congressional opposition to lead the new governing coalition. Numerous prominent politicians occupy the political space between the extremes of Petro and the CD.

Score Change: The score improved from 3 to 4 because a large group of political parties competed in the year's elections, weakening the country's traditional political duopoly.

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

After decades of political violence and insecurity around elections, the 2018 and 2022 elections were peaceful and safe for most voters. In limited areas, however, and despite the peace accord with the FARC, activity by the smaller ELN leftist guerrilla group, the successors of previously disbanded right-wing paramilitary groups, so-called "dissident" FARC members, and criminal gangs has continued to impair the ability of citizens to participate freely in the political process.

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

Women enjoy equal political rights, and at least 30 percent of the candidates on party lists must be women. Following the March 2022 legislative elections, the share of congressional seats held by women increased to 29 percent. Following the 2022 presidential elections, Francia Márquez became the first Afro-Colombian vice president and the second woman to hold the post. Colombia's Congress has historically disregarded women's issues, but in 2021 legislators passed several laws intended to improve social and economic conditions for women, including on issues of family violence and employment opportunities.

Though LGBT+ people's rights are legally protected and there are LGBT+ representatives in government, LGBT+ individuals are marginalized in the political sphere.

Lighter-skinned Colombians occupy a disproportionate share of government posts. While progress remains slow, the government has undertaken a series of steps to incorporate Indigenous and Afro-Colombian voices into national political debates in recent years. The 2016 peace accord included provisions for improving consultation mechanisms for marginalized groups, but issues affecting Afro-Colombians and Indigenous groups are rarely priorities in national policymaking.

C. FUNCTIONING OF GOVERNMENT: 8 / 12

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

Elected officials generally determine government policy without interference. However, the Colombian state has long struggled to establish a secure presence in all parts of its territory, meaning threats from guerrilla groups and criminal gangs can disrupt policymaking and implementation in certain regions and localities. The peace accords ended FARC control of significant territory, but since 2017 nonstate armed actors have filled the void in many regions, with FARC dissidents and paramilitary successors expanding the territory in which state authority is absent or mainly limited to coca-eradication efforts.

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

Corruption occurs at multiple levels of public administration. Graft scandals have emerged in recent years within an array of federal agencies, but investigations do result in convictions, including against senior officials.

However, in 2022 more than 200 individuals were sentenced on corruption charges, including a group of corrupt public officials led by a former congressperson.

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

Government information is generally available to the public, though information related to military and security affairs, as well as criminal justice processes, can be difficult to access. Civil society groups and independent media have exposed irregularities in government spending and contracting in recent years, including identifying shortcomings in government data regarding disbursement and oversight of COVID-19-related emergency spending.

CIVIL LIBERTIES: 39 / 60 (+4)

D. FREEDOM OF EXPRESSION AND BELIEF: 13 / 16 (+1)

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

The constitution guarantees freedom of expression, and opposition views are commonly aired in the media. However, journalists face intimidation and violence both while reporting and in retaliation for their work. The government has prosecuted several notorious cases of murdered journalists in recent years, but convictions are rare. Free expression groups including the Committee to Protect Journalists (CPJ) also harshly criticized the government for a 2021 attempt to undermine the Inter-American Court of Human Rights (IACHR) October ruling that the state bore responsibility for the 2000 kidnapping, sexual assault, and torture of journalist Jineth Bedoya. As of September 2022, the crime remained under investigation by Colombian officials.

Self-censorship is common, and slander and defamation remain criminal offenses. The government does not restrict access to the internet, nor does it censor websites. Twitter and

other social media platforms have become important arenas for political discourse, but large areas of Colombia remain without local news coverage. Government officials, including President Petro, have sometimes disparaged members of the media in response to negative coverage of the government and ruling coalition.

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

The constitution provides for freedom of religion, and the government generally respects this right in practice.

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

Academic freedom is generally respected, and university debates are often vigorous. Armed groups maintain a presence on some campuses to generate political support and intimidate opponents, and some of their threats impacted some academic activities in Medellin and Cordoba in 2022. However, the overall activity of armed groups on campuses has significantly decreased in recent years. Most academic activities proceeded without interruption in 2022, in contrast to the total suspension of the academic calendar seen in major public universities during the 2021 mass protests.

Score Change: The score improved from 3 to 4 because armed groups are less active on campuses and because academics encounter fewer impediments when engaging in scholarly work.

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

Individual expression is generally protected in major urban centers, but it remains inhibited in more remote areas where the state, insurgents, and criminals vie for control.

E. ASSOCIATIONAL AND ORGANIZATIONAL RIGHTS: 6 / 12 (+1)

E1. Is there freedom of assembly? 2 / 4 (+1)

Although provided for in the constitution, freedom of assembly is restricted in practice by violence. A wave of protests, dubbed the national strike, swept the country between April and June 2021, inspired by a range of grievances, including a government-proposed tax plan, economic despair, and police brutality. Most protests were peaceful, but some individuals destroyed property and erected blockades that disrupted supplies of essential goods and services in several cities. Police cracked down on protesters with what domestic and international rights observers characterized as serious human rights abuses. Government prosecutors opened numerous investigations into their actions, but officials also repeatedly portrayed protesters as terrorists, blamed the unrest on armed infiltrators, and downplayed the scale of rights violations. In January 2022, then-president Duque signed into law Congress's controversial Citizen Security Law, which human rights advocates claimed could exacerbate unjust treatment of protesters.

Colombians organized various street protests in 2022, which generally proceeded peacefully.

Score Change: The score improved from 1 to 2 because demonstrators encountered fewer violent responses from security forces than in the previous year.

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

The legal framework generally supports nongovernmental organizations (NGOs), and civil society is diverse and active, but the threat of violent reprisal poses a major obstacle to freedom of association. While the government provides protection to thousands of threatened human rights workers, hundreds of activists have been murdered in recent years, mostly by insurgents or the criminal organizations that succeeded demobilized right-wing paramilitary groups. Impunity is widespread, with indictments and convictions occurring in only a small minority of cases.

Attacks on civil society leaders increased in 2022—189 were killed according to human rights group Indepaz—though newly elected President Petro committed to increasing protections for several civil society leaders. Land rights, victims' rights, and ethnic and Indigenous rights advocates are frequently targeted by illegal armed groups and other powerful interests seeking to control local illicit economies or halt the implementation of rural development plans, especially coca substitution programs.

E3. Is there freedom for trade unions and similar professional or labor organizations? 2 / 4

Workers may form and join trade unions, bargain collectively, and strike, and antiunion discrimination is prohibited. Though Colombia's illegal armed groups have killed thousands of union activists and leaders over the past three decades, killings declined substantially from their peak in the early 2000s. Between April 2021 and March 2022, 13 trade unionists were murdered, down from 22 in the previous year, according to the International Trade Union Confederation (ITUC). A special prosecutorial unit has substantially increased prosecutions for such assassinations since 2007, but few investigations have targeted those who ordered the killings.

F. RULE OF LAW: 9 / 16

F1. Is there an independent judiciary? 4 / 4

The justice system remains compromised by corruption and extortion. The Constitutional Court, the Council of State, and the Supreme Court have consistently exhibited independence from the executive, though corruption allegations involving members of the courts have damaged their credibility in recent years. In March 2021, a former Supreme Court chief justice was convicted of corruption and sentenced to 19 years in prison.

In February 2022, the Constitutional Court expanded abortion rights, decriminalizing all abortions performed up to the 24th week of pregnancy, despite fierce opposition from the government.

The Constitutional Court has repeatedly been asked to mediate polarizing political disputes, especially with respect to the Special Jurisdiction for Peace (JEP), a parallel judicial tribunal that lies at the heart of the 2016 peace accord's transitional justice system. Though critics of the peace accord, previously led by former president Álvaro Uribe, have repeatedly called for shutting down the JEP, it was able to fulfill its mandate without undue interference in 2022.

F2. Does due process prevail in civil and criminal matters? 2 / 4

Colombia's prosecutorial service is relatively professional, but watchdog groups suggest that key oversight institutions, including the Attorney General's Office, became less independent during the Duque administration. Due process protections remain weak, and trial processes move very slowly, though a judicial reform passed in June 2021 included provisions intended to accelerate legal processes.

The country's two key transitional justice bodies following the peace accord, the JEP and the Truth Commission, began operations in 2018; by late 2021 they had amassed enormous volumes of evidence and received testimony from thousands of people. The Truth Commission delivered its final report in 2022, calling for "sweeping changes" to the country's military and for a renewed focus on human rights. The report was disseminated widely, despite fierce criticism from members of the CD. The JEP issued several indictments in 2022, including filing criminal charges against more than a dozen military officials accused of war crimes in July. However, uncertainty remains about the extent to which the bodies will be able to render a comprehensive historical and judicial accounting of Colombia's conflict.

F3. Is there protection from the illegitimate use of physical force and freedom from war and insurgencies? 2 / 4

Many soldiers operate with limited civilian oversight, though the government has in recent years increased human rights training and investigated violations by security forces personnel. Collaboration between security forces and illegal armed groups has declined, but rights groups report official toleration of paramilitary successor groups in some regions. The police lack necessary resources, some units are prone to abuse, and police are largely absent from many rural areas where the most dangerous groups are active. The rights abuses committed by police during the national strike in 2021 prompted calls for deep institutional changes. In response to these calls, President Petro installed new military and police commanders in August 2022; Petro has also promised to reform the controversial riot control forces and to remove the police from the Ministry of Defense, though these changes had not been implemented before year's end. Reforms to the national police disciplinary code were enacted in March, introducing new provisions that impose stricter penalties for police officers found to have used excessive force.

Civil-military relations have been a source of significant tension in recent years. A portion of the armed forces opposed the peace process, and the ability of accused human rights violators within the military to receive benefits under the transitional justice system is one of the most controversial elements of the process. Scandals involving both corruption and rights violations have continued to buffet the military, including the bombing of a FARC dissident camp in March 2021 that killed several minors.

Some parts of the country, particularly resource-rich zones and drug-trafficking corridors, remain highly insecure. Remnant guerrilla forces—including both the ELN and dissident factions of the FARC—and paramilitary successor groups regularly abuse the civilian population, especially in coca-growing areas. However, President Petro has spoken out against the "irrational" war on drugs, saying that the associated violence has been fueled by militaristic anti-drug policies. A general conflict fragmentation and intensification has affected some areas, illustrated by a continuing rise in the number of people affected by mass displacement—in December 2022, the UN Office for the Coordination of Humanitarian Affairs (OCHA) reported that over 78,000 people were displaced during the year. After Petro took office in August, a number of criminal organizations expressed willingness to accept an offer of more lenient terms of surrender to the state, resulting in a fragile truce that temporarily improved safety for citizens in some areas.

A steady trickle of former FARC combatants, including several high-ranking members, have returned to clandestine life, alleging government failure to abide by the accord's terms. Indepaz estimated the total number of "dissidents" at around 5,200 in October 2021; several of the most prominent dissidents have been killed in internecine fighting in Venezuela during 2021–22. President Petro proposed a new peace deal with FARC dissidents in August

2022, sparking criticism from the top government negotiators of the 2016 peace agreements. The Petro administration also began negotiations with the ELN in December, marking the first new talks with the organization since 2019. That month, the government announced a six-month cease-fire with the ELN, FARC dissidents, and three other armed groups; the ELN later denied adopting such an agreement.

Violence overall has significantly subsided since the internal conflict peaked in the early 2000s, but analysts have noted a gradual trend upward since 2017. The homicide rate decreased slightly between 2021 and 2022, but remained relatively high, with more than 12,000 cases reported as of November 2022. Impunity for crime in general is rampant, and prison conditions remain harsh.

F4. Do laws, policies, and practices guarantee equal treatment of various segments of the population? 2 / 4

The legal framework provides protections against various forms of discrimination based on gender, race and ethnicity, sexual orientation and gender identity, and other categories, and the government takes some measures to enforce these protections. Nevertheless, several vulnerable groups suffer serious disadvantages in practice.

Afro-Colombians, who account for as much as 25 percent of the population, make up the largest segment of the more than 7 million people who have been displaced by violence. Areas with concentrated Afro-Colombian populations continue to suffer vastly disproportionate levels of abuse by guerrillas, security forces, and criminal groups. UN officials have reported that impunity is nearly absolute for killers of Afro-Colombian and Indigenous ex-combatants and social leaders.

Most of Colombia's Indigenous inhabitants, who make up more than 3 percent of the population, live on approximately 34 million hectares granted to them by the government, often in resource-rich, strategic regions that are highly contested by armed groups. Indigenous people have been targeted by all sides in the country's various conflicts. In 2022, Indigenous communities in the departments of Chocó, Cauca, Valle de Cauca, and Nariño suffered widespread violence and displacement perpetrated by former FARC members, paramilitary successors, and criminal groups.

Women face employment discrimination and sexual harassment in the workplace, as well as gender-based violence. In June 2022, the Constitutional Court ruled that businesses must take steps to prevent and punish workplace gender violence.

Though Colombian law prohibits LGBT+ discrimination, LGBT+ individuals often suffer societal discrimination and abuse, and there are high levels of impunity for crimes committed against them. According to Colombian NGO Caribe Afirmativo, 49 LGBT+ people were murdered between January and August 2022.

As many as 2.4 million Venezuelan migrants have entered Colombia in recent years, and the government has offered work permits, access to services, and other accommodations to those who register. International relief agencies praised a February 2021 government announcement that Venezuelan migrants would be granted long-term temporary protection status, though stigmatization, discrimination, and lack of access to services remain problems.

G. PERSONAL AUTONOMY AND INDIVIDUAL RIGHTS: 11 / 16 (+2)

G1. Do individuals enjoy freedom of movement, including the ability to change their place of residence, employment, or education? 3 / 4 (+1)

Freedom of movement improved substantially in tandem with the peace process, but it remains restricted by ongoing violence in certain regions, particularly for marginalized people. More than 35,000 individuals were displaced during the first six months of 2022,

mostly due to threats from armed groups. Travel in some remote areas is further limited by illegal checkpoints operated by criminal and guerrilla groups.

Most COVID-19-related restrictions on movement ended in 2022, but incoming international travelers were still required to be vaccinated or provide a negative coronavirus test before entering the country.

As of July 2022, more than one million Venezuelan migrants have been granted Temporary Protection Status (ETPV), allowing them to work and move freely in Colombia for 10 years. Permit-holders are eligible for a range of state-run programs and services, including healthcare and education.

Score Change: The score improved from 2 to 3 because the Colombian government began providing temporary permits for Venezuelan refugees and other migrants seeking protective measures and because COVID-19-related movement restrictions were loosened.

G2. Are individuals able to exercise the right to own property and establish private businesses without undue interference from state or nonstate actors? 2 / 4

Violence and instability in some areas threaten property rights and the ability to establish businesses. Guerrillas, paramilitary successor groups, and common criminals regularly extort payments from business owners. Corruption as well as undue pressure exerted on prosecutors and members of the judiciary can disrupt legitimate business activity.

Progress remains slow on the implementation of the landmark 2011 Victims and Land Law, which recognized the legitimacy of claims by victims of conflict-related abuses, including those committed by government forces. While affected citizens continue receiving compensation and modest progress has been made on land titling, the legal process for land restitution is heavily backlogged, and the resettlement of those who were displaced during the conflict moved slowly during the Duque administration, which demonstrated limited will to advance the process. In 2022, the newly elected Petro administration promised to accelerate the process, and in October, the government agreed to a series of land purchases, which will be distributed at a subsidized price to those displaced by the conflict.

G3. Do individuals enjoy personal social freedoms, including choice of marriage partner and size of family, protection from domestic violence, and control over appearance? 4 / 4 (+1)

Personal social freedoms, such as those related to marriage and divorce, are largely respected. In 2016, after several years of contradictory judicial and administrative decisions regarding same-sex unions, the Constitutional Court voted to legalize them.

In February 2022, the Constitutional Court decriminalized all abortions performed within the first 24 weeks of pregnancy. Prior to this, women continued to face criminal charges for abortion.

Score Change: The score improved from 3 to 4 because the Constitutional Court decriminalized abortions performed within the first 24 weeks of a pregnancy in a February ruling.

G4. Do individuals enjoy equality of opportunity and freedom from economic exploitation? 2 / 4

Child labor, the recruitment of children by illegal armed groups, and related sexual abuse are serious problems in Colombia; recruitment declined following the peace accord but has increased since 2020 amid pandemic-related disruption and violence. A 2011 free trade agreement with the United States and a subsequent Labor Action Plan called for enhanced investigation of abusive labor practices and rights violations, but progress remains deficient in several areas. In coca-growing zones, armed groups exert coercive pressure on farmers to engage in coca cultivation and shun government-run crop-substitution programs.

Comoros

Population: 800,000
Capital: Moroni
Freedom Status: Partly Free
Electoral Democracy: No

Overview: Comoros's volatile political history includes coups and attempted coups, though some recent presidential and legislative elections were reasonably well administered. A controversial 2018 referendum introduced major systemic changes, and opponents of the referendum were severely persecuted. Since winning the referendum and securing reelection in 2019, President Azali Assoumani has consolidated power by cracking down on the opposition and limiting press freedom. Systemic corruption and poverty remain problems.

KEY DEVELOPMENTS IN 2022

- In February, the government launched a national dialogue intended to build consensus on political and socioeconomic topics. The Inter-Comorian National Dialogue, which concluded in March, was boycotted by a great majority of the opposition, who did not believe that it would provide an opportunity for genuine political engagement.
- In March, the former governor of Anjouan, Abdou Salami Abdou—who had been in pretrial detention since his October 2018 arrest—was tried and sentenced to 12 years in prison for allegedly participating in an insurrection, disturbing public order, and undermining national unity. Observers have called the former governor a political prisoner.
- Former president Ahmed Abdallah Sambi, who was arrested for corruption-related crimes in 2018, was brought to trial in November; Sambi refused to attend the trial after the first day, calling the proceedings "illegitimate." Though Sambi was initially charged with corruption, at his trial, he was sentenced to life in prison for the crime of "high treason."

POLITICAL RIGHTS: 16 / 40

A. ELECTORAL PROCESS: 5 / 12

A1. Was the current head of government or other chief national authority elected through free and fair elections? 1 / 4

Under the 2001 constitution, the president was directly elected for a single five-year term, with eligibility rotating among the main islands of Grande Comore (Ngazidja), Anjouan, and Mohéli. However, a new constitution, approved in a controversial 2018 referendum that was boycotted by the opposition, allows the president to run for two consecutive five-year terms, and abolished the system of rotating power among the islands. The referendum allowed President Azali Assoumani of the Convention for the Renewal of the Comoros (CRC) party to contest and win the March 2019 presidential election, which was also boycotted by the opposition. Azali was sworn in for a second presidential term in May 2021.

The Independent National Electoral Commission (CENI) and the Supreme Court agreed that Azali won the election in the first round. Twelve opposition candidates rejected the results. Observers, including from the African Union (AU), said the contest was marred by irregularities.

A2. Were the current national legislative representatives elected through free and fair elections? 2 / 4

The unicameral Assembly of the Union consists of 24 directly elected members who serve five-year terms. Another 9 members were previously selected by the three islands' assemblies, but those seats were eliminated via a 2019 ordinance.

The 2020 legislative elections, held in two rounds in January and February, were boycotted by the major opposition parties. Progovernment candidates won every seat; the CRC won 20, the allied Orange Party won 2, and progovernment independent candidates won the remaining 2. AU monitors who observed the January round called the contest generally peaceful, but noted a lack of public interest due to the opposition boycott.

A3. Are the electoral laws and framework fair, and are they implemented impartially by the relevant election management bodies? 2 / 4

The CENI, while historically able to run credible elections, has faced more recent accusations of bias and corruption.

The 2018 constitutional referendum was marred by an opposition boycott. Opposition groups denounced it as an unconstitutional power grab by Azali, and said Azali's dismissal of the Constitutional Court ahead of the vote rendered it illegal. There were also allegations of voter intimidation and fraud.

Among other things, the new constitution allows the president to run for two consecutive terms, abolished the system of rotating power among the islands, and abolished the three vice-presidential posts (one representing each island). The new constitution also transferred the competencies of the Constitutional Court, which was considered impartial in deciding electoral matters, to a new Supreme Court chamber.

B. POLITICAL PLURALISM AND PARTICIPATION: 7 / 16

B1. Do the people have the right to organize in different political parties or other competitive political groupings of their choice, and is the system free of undue obstacles to the rise and fall of these competing parties or groupings? 2 / 4

Political parties are mainly formed around specific leaders and draw on island or ethnic bases of support. In the past, parties generally operated freely, though the government occasionally disrupted opposition parties' activities by denying them meeting and assembly space.

The authorities systematically cracked down on opposition figures who publicly criticized the 2018 constitutional referendum. The former governor of Anjouan, Abdou Salami Abdou, who had been in pretrial detention since his October 2018 arrest, was tried and sentenced to 12 years in prison in March 2022 for allegedly participating in an insurrection, disturbing public order, and undermining national unity. Observers have called the former governor a political prisoner.

Presidential candidates Achmet Said Mohamed and Soilihi Mohamed were briefly detained in March 2019, though both were later released. Soilihi, who led a National Transitional Council (CNT) that unsuccessfully attempted to force Azali from office through civil disobedience and industrial action, agreed to refrain from further involvement after his release that April.

In February 2022, the government launched a national dialogue intended to build consensus on political and socioeconomic issues. The Inter-Comorian National Dialogue, which concluded in March, reportedly submitted a number of recommendations to the government, including on political reforms. The dialogue was boycotted by a majority of the opposition, some of whom likened participation in the dialogue to offering President Azali a "blank check" to pursue his own political agenda.

B2. Is there a realistic opportunity for the opposition to increase its support or gain power through elections? 1 / 4

In the past, numerous opposition parties had a realistic chance of gaining power through elections, though they were impeded by occasional government interference. Allegations of misuse of state resources by incumbents were not uncommon. However, the arrests, convictions, and harsh sentences against opposition leaders who spoke out against the 2018 constitutional referendum hampered the ability of opposition parties to compete in elections. The 2020 legislative elections, which were marred by an opposition boycott, ended with progovernment candidates winning every seat.

B3. Are the people's political choices free from domination by forces that are external to the political sphere, or by political forces that employ extrapolitical means? 2 / 4

While individuals are generally free to exercise their political choices, the influence of Comoros's powerful army—which cracked down on dissent during the 2018 constitutional referendum—as well as of religious authorities can place pressure on voters and candidates.

The army was used to intimidate and detain opposition figures during and after the 2019 presidential campaign. Gendarmes arrested Soilihi after he announced his CNT involvement that March. Gendarmes also interrogated the spouse of presidential candidate Achmet, who served as a CNT spokesperson, that April.

B4. Do various segments of the population (including ethnic, racial, religious, gender, LGBT+, and other relevant groups) have full political rights and electoral opportunities? 2 / 4

There are no laws preventing various segments of the population from enjoying full political rights and electoral opportunities. However, traditional attitudes discourage women from participating in politics. Only four women won legislative seats in the 2020 polls. Legal and societal discrimination against LGBT+ people makes political advocacy for LGBT+ rights difficult.

C. FUNCTIONING OF GOVERNMENT: 4 / 12

C1. Do the freely elected head of government and national legislative representatives determine the policies of the government? 2 / 4

According to the constitution, the president decides on the policies of the state, which are executed by the government. However, irregular legislative activity hampered representative policymaking in previous years.

C2. Are safeguards against official corruption strong and effective? 1 / 4

There are reports of corruption at all levels, including within the judiciary, civil service, and security forces. The Azali administration dissolved the National Commission for Preventing and Fighting Corruption in 2016.

In 2018, former president Ahmed Abdallah Sambi was arrested for corruption, embezzlement, and forgery in connection with a passport-sales scheme. A parliamentary report that year revealed that the scheme cost Comoros as much as $971 million. Sambi was convicted of "high treason" for his role in the scheme and sentenced to life in prison in a November 2022 trial.

C3. Does the government operate with openness and transparency? 1 / 4

Government operations are characterized by opacity. Various reform initiatives have been unsuccessful. Financial asset disclosures by public officials are not released to the public. Comoros provides no opportunities for public engagement in the budget process.

CIVIL LIBERTIES: 26 / 60

D. FREEDOM OF EXPRESSION AND BELIEF: 8 / 16

D1. Are there free and independent media? 1 / 4

The constitution and laws provide for freedom of speech and of the press. However, the use of censorship laws to prosecute legitimate journalistic work, and other pressure, has prompted widespread self-censorship. Press freedom was restricted in 2018 with the closings of private radio stations as criticism of Azali and the constitutional referendum gained traction.

Journalistic activity remained restricted throughout 2022, and journalists continue to face harassment and intimidation, including from government officials. Arrests of journalists and bloggers are common.

D2. Are individuals free to practice and express their religious faith or nonbelief in public and private? 2 / 4

Some 98 percent of the population is Sunni Muslim. Sunni Islam was made the state religion in 2018, resulting in wariness of the government among adherents of minority religions. Previously, the state religion had been "Islam"; some observers suggested the change reflected Azali's efforts to bring Comoros closer to Saudi Arabia and to counter the influence of former president Sambi, who is seen as close to Iran.

Anti-Shia sentiments have been publicly expressed by some government figures, while many Christians keep their faith private to avoid harassment. Proselytizing and public religious ceremonies are prohibited for all religions except Sunni Islam.

D3. Is there academic freedom, and is the educational system free from extensive political indoctrination? 3 / 4

Comoros has two types of schools: madrassas, where the Quran is integral, and state-run schools with French instruction. Academic freedom is generally respected, though the education system is sometimes affected by unrest from student protests and teacher strikes. Self-censorship on political topics is reportedly common within the education system.

D4. Are individuals free to express their personal views on political or other sensitive topics without fear of surveillance or retribution? 2 / 4

Private discussion is generally free. However, the legacies of the country's volatile political history—which involves coups and attempted coups, the opposition crackdown during the 2018 constitutional referendum, authorities' monitoring of social media during the 2019 presidential campaign, and a one-day shutdown of telecommunications services that March—can discourage people from openly discussing politics in some situations.

E. ASSOCIATIONAL AND ORGANIZATIONAL RIGHTS: 6 / 12

E1. Is there freedom of assembly? 1 / 4

Freedoms of assembly and association are constitutionally protected, but these freedoms have been inconsistently upheld, and have deteriorated significantly since 2018. Opposition rallies held before and soon after the March 2019 presidential election were violently dispersed. Public gatherings were banned under COVID-19-related measures in 2020; such measures remained in effect during much of 2021 and 2022.

E2. Is there freedom for nongovernmental organizations, particularly those that are engaged in human rights– and governance-related work? 2 / 4

Nongovernmental organizations (NGOs) sometimes face bureaucratic interference, including requirements to secure permits from high-level officials to visit prisons. Some NGO

representatives have spoken out against the atmosphere of repression in recent years, but did so at some risk in light of the broad crackdown on dissent.

E3. Is there freedom for trade unions and similar professional or labor organizations? 3 / 4

Workers have the right to form unions, bargain collectively, and strike. In cases of national interest, the government may require essential personnel to return to work. No law prohibits antiunion discrimination or protects workers from retribution for striking. There are some laws that impose mandatory arbitration processes for labor disputes.

F. RULE OF LAW: 6 / 16

F1. Is there an independent judiciary? 1 / 4

The judicial system is based on both Sharia (Islamic law) and the French legal code. Though the law establishes mechanisms for the selection of judges and attorneys, the executive often disregards these and simply appoints people to their positions. Court decisions are not always upheld.

The 2018 referendum abolished the Constitutional Court and established a new constitutional chamber of the Supreme Court. This chamber ruled in favor of the government during the March 2019 election period by barring several candidates from running and by validating the results, despite widespread concerns over voting irregularities.

F2. Does due process prevail in civil and criminal matters? 1 / 4

All defendants have the right to a fair public trial, but they often face lengthy delays. Due-process rights are affected by corruption.

Political figures, including candidates, have been denied due process. Former president Sambi's legal pretrial detention period ended in April 2019, but he remained under house arrest until his trial in November 2022. Sambi refused to attend the trial after the first day, calling the proceedings "illegitimate"; some observers have called Sambi a political prisoner. Though Sambi was initially charged with corruption, at his trial, he was sentenced to life in prison for the crime of "high treason"—a crime his lawyers claim does not exist in Comorian law.

In May 2020, Inssa "Bobocha" Mohamed was arrested for allegedly attacking President Azali in an unsuccessful bombing the previous month. Bobocha remained in pretrial detention until escaping from prison that November; he was returned to custody in January 2021. He was allegedly held as a "secret prisoner" before his March 2022 trial, after which he was sentenced to eight years in prison for "criminal association and conspiracy."

F3. Is there protection from the illegitimate use of physical force and freedom from war and insurgencies? 2 / 4

The law prohibits the illegitimate use of physical force, but security agents have engaged in excessive force, and are generally not held accountable for such behavior. There are questions about the will or capacity of the army to identify and punish abuses within its ranks.

F4. Do laws, policies, and practices guarantee equal treatment of various segments of the population? 2 / 4

The law provides for equality of persons. However, same-sex sexual activity is illegal, with punishments of a fine and up to five years' imprisonment. Few women hold positions of responsibility in business outside of elite families. Laws requiring that services be provided for people with disabilities are not well enforced.

G. PERSONAL AUTONOMY AND INDIVIDUAL RIGHTS: 6 / 16

G1. Do individuals enjoy freedom of movement, including the ability to change their place of residence, employment, or education? 2 / 4

Internal and external freedom of movement is constitutionally and legally protected. While these rights are generally respected in practice, poverty frequently prevents travel between the islands as well as access to higher education.

The authorities introduced COVID-19-related movement restrictions in March 2020, suspending travel to the French territories of Mayotte and Réunion. An overnight curfew was imposed in February 2021 and remained in effect until June 2022.

G2. Are individuals able to exercise the right to own property and establish private businesses without undue interference from state or nonstate actors? 2 / 4

In accordance with civil and some customary laws, women have equal rights in inheritance matters. Local cultures on Grande Comore and Mohéli are matrilineal, with women legally possessing all inheritable property. However, this is complicated by the concurrent application of Sharia, interpretations of which can limit gender equality. In addition, a poor land-registration system and women's difficulties in securing loans hampers their right to own land.

Endemic corruption and a lack of transparency hampers normal business activity.

G3. Do individuals enjoy personal social freedoms, including choice of marriage partner and size of family, protection from domestic violence, and control over appearance? 1 / 4

Early and forced marriages have been reported in Comoros. The law prohibits domestic violence, but courts rarely fine or order the imprisonment of convicted perpetrators, and women and children rarely file official complaints. Sexual violence and workplace harassment are believed to be widespread, but are rarely reported to authorities.

G4. Do individuals enjoy equality of opportunity and freedom from economic exploitation? 1 / 4

The Comorian economy, which is primarily agricultural, relies heavily on remittances from Comorian citizens in France. Many young people struggle to find sustainable opportunities for employment. Poverty has driven many people to attempt the dangerous trip to Mayotte.

Government efforts to identify and prosecute human trafficking are minimal, and trafficking cases, if addressed, are often done so through informal mediation processes. These mechanisms have sometimes facilitated the return of trafficking victims to traffickers. However, in August 2021, Comoros ratified the International Labour Organization's (ILO) Forced Labour Protocol, which is designed to "eliminate forced labor," and requires the government to take legal action against traffickers.

Congo, Republic of the (Brazzaville)

Population: 6,000,000
Capital: Brazzaville
Freedom Status: Not Free
Electoral Democracy: No

Overview: President Denis Sassou Nguesso has maintained nearly uninterrupted power for over 40 years by severely repressing the opposition. Corruption and decades of political

instability have contributed to poor economic performance and high levels of poverty. Abuses by security forces are frequently reported and rarely investigated. While a variety of media operate, independent coverage is limited by widespread self-censorship and the influence of owners. Human rights– and governance-related nongovernmental organizations (NGOs) scrutinize state abuses, but also self-censor to avoid reprisals. Religious figures are also known to self-censor.

KEY DEVELOPMENTS IN 2022

- In February, curfews affecting the cities of Brazzaville and Pointe-Noire—and originally imposed under the pretext of the COVID-19 pandemic—were lifted, as were national border controls.
- In the July parliamentary elections, the ruling Congolese Labor Party (PCT) took 112 lower-house seats while the opposition Pan-African Union for Social Democracy (UPADS) and Union of Humanist Democrats–YUKI (UDH-YUKI) each won 7. The elections were marred by opposition boycotts, credible allegations that the vote would be rigged, opposition accusations of fraud, and low turnout.

POLITICAL RIGHTS: 2 / 40

A. ELECTORAL PROCESS: 0 / 12

A1. Was the current head of government or other chief national authority elected through free and fair elections? 0 / 4

The president is directly elected to five-year terms. The 2002 constitution restricted the president to two terms and set an age limit of 70. However, a 2015 constitutional referendum proposed by President Denis Sassou Nguesso removed those restrictions, allowing him to run again. The referendum passed amid widespread protests and claims of fraud.

Sassou Nguesso has held power since 1979, with the exception of a five-year period in the 1990s. In March 2021, he secured a fourth presidential term since returning to power in 1997, claiming 88.4 percent of the vote. The election was marked by a boycott from the UPADS, intimidation, and an internet shutdown. Authorities also restricted assembly rights ahead of polling day. Guy Brice Parfait Kolélas, who died of COVID-19 soon after the election, won 8 percent.

A2. Were the current national legislative representatives elected through free and fair elections? 0 / 4

Congo's parliament consists of a 72-seat Senate and a 151-seat National Assembly. Councilors from every department elect senators to six-year terms. National Assembly members are directly elected to five-year terms.

The two-round July 2022 legislative elections were boycotted by several opposition parties amid credible allegations that the vote would be rigged. Sassou Nguesso's PCT claimed 112 National Assembly seats when the polls were fully concluded, while its allies won 12 in the first round. The opposition UPADS and UDH-YUKI each won 7. Opposition groups alleged that the elections were fraudulent; voter turnout was low.

A3. Are the electoral laws and framework fair, and are they implemented impartially by the relevant election management bodies? 0 / 4

The 2015 constitutional referendum to increase presidential term limits consolidated the PCT's dominance of the political system by allowing Sassou Nguesso to run for a third term. Elections are administered by the Independent National Electoral Commission, which was established in 2016 and is widely regarded as an instrument of presidential authority.

B. POLITICAL PLURALISM AND PARTICIPATION: 2 / 16

B1. Do the people have the right to organize in different political parties or other competitive political groupings of their choice, and is the system free of undue obstacles to the rise and fall of these competing parties or groupings? 1 / 4

Political groupings exist, but the government represses those not aligned with the PCT, including by persecuting their leaders. In 2016, opposition leader Paulin Makaya of the United for Congo (UPC) party was sentenced to two years' imprisonment for inciting disorder over his participation in protests against the constitutional referendum. Makaya was released in 2018 but was blocked from leaving the country on several occasions; Makaya was allowed to seek medical treatment abroad in 2021.

Sassou Nguesso's two most prominent opponents in the 2016 presidential election received prison terms after that contest. In 2018, retired general Jean-Marie Michel Mokoko was sentenced to 20 years' imprisonment for threatening state security. In 2019, André Okombi Salissa, who had led the opposition Initiative for Democracy in Congo coalition, was sentenced to 20 years of forced labor for the same charge.

Private campaign contributions are banned, leaving opposition parties and candidates dependent on limited public financing.

Political parties are sometimes denied registration without cause. In 2020, the government suspended a number of parties, including the UPC, excluding them from its list of approved parties.

B2. Is there a realistic opportunity for the opposition to increase its support or gain power through elections? 0 / 4

There is little opportunity for the opposition to gain power through elections, and opposition leaders frequently experience harassment, intimidation, and arrest. During the 2016 presidential race, opposition candidates Mokoko and Okombi Salissa were repeatedly harassed and were subsequently imprisoned. In 2021, Kolélas complained of movement restrictions, while authorities cancelled some campaign events.

B3. Are the people's political choices free from domination by forces that are external to the political sphere, or by political forces that employ extrapolitical means? 0 / 4

The Sassou Nguesso government routinely uses military and police forces to intimidate citizens. Employers engage in widespread discrimination in hiring and regarding other decisions, based on political beliefs.

B4. Do various segments of the population (including ethnic, racial, religious, gender, LGBT+, and other relevant groups) have full political rights and electoral opportunities? 1 / 4

Although there are no legal restrictions on political participation by religion, gender, sexual identity, or ethnic group, members of Sassou Nguesso's northern Mbochi ethnic group occupy key government posts. Insofar as the government includes representatives from other regional and ethnic groups, their ability to shape policy is very limited. The government routinely suppresses political parties that draw support from Congo's southern regions, which have long opposed Sassou Nguesso.

Women, whose political participation is limited by societal constraints, are underrepresented in government. Women won only 25 National Assembly seats in the July 2022 elections and held only 13 Senate seats as of year's end. Evelyne Tchitchelle of the PCT became the country's first female mayor when she was elected in Pointe-Noire in September 2022. Tchitchelle had not been sworn in by year's end.

C. FUNCTIONING OF GOVERNMENT: 0 / 12

C1. Do the freely elected head of government and national legislative representatives determine the policies of the government? 0 / 4

Government policy is set by President Sassou Nguesso, who won reelection in a deeply flawed process in March 2021. There is little oversight from the parliament, which is dominated by the ruling PCT and protects the executive from accountability.

C2. Are safeguards against official corruption strong and effective? 0 / 4

Corruption is endemic, and domestic prosecutions for corruption are often politically motivated. The president's family and advisers control the state-run National Petroleum Company of Congo (SNPC) without meaningful oversight, and offshore companies are allegedly used to embezzle SNPC funds.

Sassou Nguesso's family has long been dogged by credible allegations of corruption. In June 2022, French investigators seized a Paris property belonging to Denis Christel Sassou Nguesso, the president's son, though prosecutors said in September that no indictment had been lodged against him. In August, French outlet Mediapart reported that authorities there suspected him of laundering €19 million ($19.9 million).

C3. Does the government operate with openness and transparency? 0 / 4

Government operations are opaque. Although the constitution guarantees access to information, there is no implementing legislation, nor is there a specific law mandating public access to official information. Public procurement procedures are nontransparent. Authorities generally do not publish draft legislation or regulations.

In 2020, Global Witness reported that the SNPC held as much as $3.3 billion in undisclosed liabilities, some of which resulted from activities unrelated to oil production, while dividends owed to the government had gone missing.

CIVIL LIBERTIES: 15 / 60

D. FREEDOM OF EXPRESSION AND BELIEF: 6 / 16

D1. Are there free and independent media? 1 / 4

While the constitution provides for freedom of speech and press, the government routinely pressures, threatens, and incarcerates journalists. While there are numerous media outlets, many are owned by government allies who influence their coverage. Widespread self-censorship among journalists discourages independent reporting in practice.

Augias Ray Malonga, interim editor of the *Sel-Piment* newspaper, was arrested in Brazzaville in late December 2021 and was released in January 2022. Later in January, Congo's media regulator suspended the publication of *Sel-Piment* for six months after it republished an article alleging corruption on the part of the country's treasurer; the article was originally published by an exile-run website. In December, the regulator suspended VOX TV, accusing the private broadcaster of disseminating information that could "disturb public order."

D2. Are individuals free to practice and express their religious faith or nonbelief in public and private? 3 / 4

Although religious freedom is generally respected, pastors are reticent to make statements that could be construed as hostile to the government. In 2015, the government banned the wearing of the niqab, the full face veil, in public, citing security and terrorism concerns.

D3. Is there academic freedom, and is the educational system free from extensive political indoctrination? 1 / 4

Academic freedom is tenuous. Most university professors avoid discussions of or research on politically sensitive topics. In 2018, the government announced that it would ban a book, published in Paris, about widespread human rights abuses perpetrated by the military in the Pool Region between 2016 and 2017.

D4. Are individuals free to express their personal views on political or other sensitive topics without fear of surveillance or retribution? 1 / 4

The government surveils electronic communications of private individuals and maintains an extensive surveillance apparatus, which includes secret police and local informants. Surveillance is reportedly prevalent in public spaces in Brazzaville and Pointe-Noire. Citizens who speak out against the government are often arrested.

E. ASSOCIATIONAL AND ORGANIZATIONAL RIGHTS: 2 / 12

E1. Is there freedom of assembly? 0 / 4

The government restricts freedom of assembly. Groups must receive official authorization from local and federal authorities to hold public assemblies, and permission is routinely denied. Government forces sometimes employ violence against protesters or disperse assemblies.

The government imposed curfews and assembly restrictions under the pretext of limiting the spread of COVID-19 in previous years. While curfews affecting Brazzaville and Pointe-Noire were lifted in February 2022, citizens remained concerned about the threat of repression; no prominent antigovernment protests were reported during the year.

E2. Is there freedom for nongovernmental organizations, particularly those that are engaged in human rights– and governance-related work? 0 / 4

Although the constitution guarantees freedom of association, NGOs must register with the Interior Ministry. Those critical of the government often encounter a more burdensome registration process. Arbitrary arrests of civil society figures have continued in recent years, contributing to a reduction in activity. Groups still operating commonly curtail reporting on human rights abuses or word criticism of authorities carefully to avoid reprisals or harassment.

In September 2022, security forces reportedly ransacked the offices of the Congolese Observatory of Human Rights (OCDH), which has published reports critical of the government, and another human rights NGO.

E3. Is there freedom for trade unions and similar professional or labor organizations? 2 / 4

Although union rights are nominally protected, laws protecting union members are not always enforced. The government has intervened in labor disputes by harassing and arresting laborers and pressuring union leaders, particularly against the country's largest labor union, the Congolese Trade Union Confederation.

F. RULE OF LAW: 1 / 16

F1. Is there an independent judiciary? 0 / 4

Congo's judiciary is dominated by Sassou Nguesso's allies, crippled by lack of resources, and vulnerable to corruption and political influence. In 2015, the Constitutional

Court's confirmation of the constitutional referendum results was viewed as a rubber-stamp approval of Sassou Nguesso's efforts to remain in power. In 2021, the Constitutional Court rejected legitimate objections to the conduct of that March's elections.

F2. Does due process prevail in civil and criminal matters? 1 / 4

Defendants, including the government's political opponents, are routinely denied due process. Arbitrary arrests and detentions are constitutionally prohibited but are nevertheless common. Other fair-trial rights guaranteed by law, including the right to legal assistance for those who cannot afford it, are not always honored in practice.

F3. Is there protection from the illegitimate use of physical force and freedom from war and insurgencies? 0 / 4

Citizens in some neighborhoods are at risk of intimidation and violent crime by groups of young men known as *bébés noirs*. There have also been reports of arbitrary arrests and physical abuses by police attempting to curb the activities of such groups. Reports of human rights violations by security forces are generally not investigated by the government.

F4. Do laws, policies, and practices guarantee equal treatment of various segments of the population? 0 / 4

Employment discrimination against women persists. The government prevents refugees and other foreign workers from holding certain jobs, and refugees sometimes face harassment and arrest by authorities.

While no law specifically prohibits same-sex sexual relations between adults, LGBT+ people experience occasional police harassment.

Minority ethnic groups experience severe discrimination in employment, housing, and education. Some communities often live in substandard housing on the outskirts of villages, and occasionally are targeted in acts of violence committed by members of the majority Bantu population.

The government exhibits widespread discrimination against residents of Congo's southern regions. They are routinely denied high-paying public-sector jobs, as well as admission to the public university. By contrast, residents of Congo's northern regions are disproportionately appointed to key government positions and the civil service.

G. PERSONAL AUTONOMY AND INDIVIDUAL RIGHTS: 6 / 16

G1. Do individuals enjoy freedom of movement, including the ability to change their place of residence, employment, or education? 2 / 4

Although private citizens generally enjoy freedom of movement, activists and opposition leaders can face restrictions and confiscation of their passports.

The government imposed curfews, border closures, and internal travel restrictions in response to the COVID-19 pandemic in 2020. While curfews expired in much of Congo that year, nighttime curfews in Brazzaville and Pointe-Noire remained in effect until February 2022, when borders were also reopened.

G2. Are individuals able to exercise the right to own property and establish private businesses without undue interference from state or nonstate actors? 2 / 4

Legal protections for business and property rights can be undermined by bureaucracy, poor judicial safeguards, and corruption. The government directly or indirectly controls property in key industries such as oil, minerals, and aviation.

G3. Do individuals enjoy personal social freedoms, including choice of marriage partner and size of family, protection from domestic violence, and control over appearance? 1 / 4

Violence against women, including domestic violence and rape, is widespread but rarely reported. There are no specific laws forbidding domestic violence other than general assault statutes.

Men are legally considered the head of the household, and divorce settlements are thus skewed against women. Adultery is illegal for both men and women, but women convicted of the crime face a potential prison sentence, while the penalty for men is a fine.

G4. Do individuals enjoy equality of opportunity and freedom from economic exploitation? 1 / 4

Congo is a source and destination country for human trafficking, and allegations of complicity have been lodged against government officials. However, the US State Department reported in its 2022 *Trafficking in Persons Report* that authorities made some efforts to increase antitrafficking efforts by finalizing an updated action plan, providing more assistance to victims, and opening investigations of trafficking cases.

According to local NGOs, members of minority groups have been conscripted into forced farm labor by members of the Bantu ethnic majority. Child labor laws are reportedly not effectively enforced.

Congo, Democratic Republic of the (Kinshasa)

Population: 99,000,000
Capital: Kinshasa
Freedom Status: Not Free
Electoral Democracy: No

Overview: The political system in the Democratic Republic of the Congo (DRC) is paralyzed due the manipulation of the electoral process by political elites. Citizens are unable to freely exercise basic civil liberties, and corruption is endemic. Physical security is tenuous due to violence and human rights abuses committed by government forces, as well as armed rebel groups and militias in many areas of the country.

KEY DEVELOPMENTS IN 2022

- The armed March 23 Movement (M23) maintained an offensive against government forces in the east of the country throughout the year. East African Community (EAC) member states agreed to send an armed mission to support the government in April. Rwanda, which is believed to back M23, negotiated a truce between the group and Kinshasa in November, but M23 fighters did not immediately lay down their arms.
- Violent protests against the continued presence of UN peacekeepers occurred in July. Protesters damaged UN offices in several eastern cities, while peacekeepers reportedly used excessive force. Some 36 people were killed nationwide in the clashes.
- In December, the UN Security Council voted to extend the organization's peacekeeping mission in the DRC through the end of 2023; under a previous plan, the mission would have continued through 2024.
- In August, opposition leader Jean-Marc Kabund, who was formerly an ally of President Félix Tshisekedi, was arrested for allegedly insulting the president. Kabund had launched a new opposition party in July.

POLITICAL RIGHTS: 4 / 40

A. ELECTORAL PROCESS: 1 / 12

A1. Was the current head of government or other chief national authority elected through free and fair elections? 0 / 4

According to the constitution, the president is chief of state and is elected for a maximum of two five-year terms. The prime minister is head of government and is formally appointed by the president.

Félix Tshisekedi was declared president in 2019, following elections held in late 2018. His predecessor, Joseph Kabila, had overstayed his constitutional mandate by two years; the Constitutional Court allowed Kabila to stay in office until his successor's election, but polls were repeatedly delayed. The Independent National Electoral Commission (CENI) declared Tshisekedi president with 38.6 percent of the vote, defeating Martin Fayulu of the Lamuka (Wake Up) coalition, who reportedly secured 34.8 percent. Tshisekedi, of the Course for Change (CACH) coalition, was believed to have come to power via a backroom deal under which he allied with the Kabila-led Common Front for Congo (FCC). The poll was heavily criticized due to voter suppression and electoral fraud; several opposition candidates were barred from running.

By the end of 2020, Tshisekedi and the CACH ended their coalition with the FCC. Sylvestre Ilunga Ilukamba, a Kaliba ally, resigned as prime minister in January 2021 after losing a no-confidence vote. Tshisekedi appointed Jean-Michel Sama Lukonde Kyenge as prime minister that February.

A2. Were the current national legislative representatives elected through free and fair elections? 1 / 4

The DRC has a bicameral national legislature with a 500-seat National Assembly chosen via direct election, and a 109-seat Senate elected by provincial assemblies. Eight Senate seats are reserved for customary chiefs. As former president, Kabila holds a lifetime Senate appointment. Members of both houses serve five-year terms. The FCC won 341 National Assembly seats, the Lamuka coalition took 102, and the CACH took 46 in the deeply flawed 2018 parliamentary elections.

In late 2020, President Tshisekedi announced a new coalition, the Sacred Union of the Nation (USN); he went on to sway many pro-Kaliba lawmakers to back it. By April 2021, when Tshisekedi announced a new cabinet, he and the USN reportedly had the support of 400 lower-house members.

A3. Are the electoral laws and framework fair, and are they implemented impartially by the relevant election management bodies? 0 / 4

The country's electoral framework does not ensure transparent elections in practice. Opposition parties and civil society frequently criticize CENI and the Constitutional Court for lacking independence. CENI has also been affected by corruption. In 2019, the US Treasury Department sanctioned three CENI officials, accusing them of undermining the electoral process.

In November 2022, CENI announced that the next presidential election would be held in December 2023 but warned that its work would be affected by the ongoing coronavirus pandemic, Ebola, and armed conflict.

B. POLITICAL PLURALISM AND PARTICIPATION: 2 / 16

B1. Do the people have the right to organize in different political parties or other competitive political groupings of their choice, and is the system free of undue obstacles to the rise and fall of these competing parties or groupings? 1 / 4

People have the right to organize political parties. Hundreds of parties exist, with many configured along ethnic or regional lines; 34 parties won National Assembly seats in the 2018 elections. Most parties lack national reach and their ability to function is limited in practice. Opposition leaders and supporters are often intimidated and face restrictions on movement and rights to campaign or organize public events. Coalitions have also shifted in recent years, with the USN being formed in 2020 and displacing a pro-Kabila majority in the legislature by 2021.

Under the Tshisekedi administration, some opposition members have been released from prison and some politicians living in exile were permitted to return. However, political-party officials still faced reprisals for criticizing the government. In August 2022, opposition leader and erstwhile Tshisekedi ally Jean-Marc Kabund was arrested for allegedly insulting the president; Kabund launched a new party, the Alliance for Change, the month before.

B2. Is there a realistic opportunity for the opposition to increase its support or gain power through elections? 0 / 4

Opposition groups enjoy significant public support, but their electoral prospects have been impacted by the repeated postponement of elections, government interference in polling, and disruptions of opposition candidates' activities. Armed groups have also obstructed candidate movements.

B3. Are the people's political choices free from domination by forces that are external to the political sphere, or by political forces that employ extrapolitical means? 0 / 4

Citizens' political choices and their ability to participate in the political process are hindered by the military, security services, and armed groups.

B4. Do various segments of the population (including ethnic, racial, religious, gender, LGBT+, and other relevant groups) have full political rights and electoral opportunities? 1 / 4

Lack of access to public services and state institutions in rural areas hinder political participation. Women are politically underrepresented, holding only 12.8 percent of National Assembly seats. Ethnic-minority and Indigenous groups are effectively missing in the political sphere.

Although homosexuality is not explicitly criminalized, LGBT+ people are marginalized; civil society groups that explicitly mention LGBT+ issues in their constitutions have been denied official registration.

C. FUNCTIONING OF GOVERNMENT: 1 / 12

C1. Do the freely elected head of government and national legislative representatives determine the policies of the government? 0 / 4

Massive electoral fraud and irregularities prevent democratically elected officials from determining government policies. A "state of siege" in North Kivu and Ituri provinces was imposed in 2021 as part of the government's efforts to reestablish control over violence-affected areas. The state of siege was most recently renewed in December 2022.

C2. Are safeguards against official corruption strong and effective? 1 / 4

Corruption in the government, security forces, and mineral extraction industries is extensive and has corroded public services and development efforts.

President Tshisekedi publicly committed the government to fighting corruption when he came to power. In 2020, Tshisekedi's chief of staff, Vital Kamerhe, was convicted and received a 20-year forced-labor sentence for embezzling public funds. However, Kamerhe and a codefendant were cleared of embezzlement charges in June 2022.

In 2021, reports revealed Israeli businessman Dan Gertler's embezzlement of $3.7 billion in state funds through Kabila-approved contracts over several years. In February 2022, the government and Gertler signed an agreement where a Gertler-linked company would return assets that were reportedly worth over $2 billion. Civil society groups criticized the government for its lack of transparency over the deal, which was believed to favor Gertler.

C3. Does the government operate with openness and transparency? 0 / 4

Despite previous incremental improvements in revenue reporting, there is little transparency in the state's financial affairs. The law does not provide for public access to government information, and citizens often lack the practical ability to obtain records on public expenditures and state operations. Contracts for the extractive industries are conducted in secret.

In 2021, some efforts were made to bring the Central Bank of Congo (BCC) into compliance with International Monetary Fund (IMF) protocols as a condition for loans. However, required financial disclosures from top officials were not made public; tax agencies suffer from poor reporting; and shadow networks determine political and financial decisions in practice. In a September 2022 technical update, the IMF reported that a bill on the BCC's transparency and independence existed in draft form and expected its ultimate approval. The IMF authorized a disbursement of funds in December.

The government is not transparent on the state's involvement in violence in insecure areas. Military authorities, who are inaccessible to constituents, were installed in Ituri and North Kivu when a state of siege was imposed on those provinces in 2021.

CIVIL LIBERTIES: 15 / 60

D. FREEDOM OF EXPRESSION AND BELIEF: 7 / 16

D1. Are there free and independent media? 1 / 4

Although media freedom is constitutionally guaranteed, journalists often face criminal defamation suits, threats, detentions, arbitrary arrests, and physical attacks in the course of their work. The DRC has a diverse media environment, but only UN-affiliated Radio Okapi and the state-owned Congolese National Radio Television are accessible nationwide; print outlets' reach is largely limited to the capital.

Civil society groups have reported a rising trend of repression under the Tshisekedi administration. In November 2022, Journalist in Danger (JED), a Congolese watchdog, reported 124 press freedom violations over the year to date, a 13 percent increase over reported abuses in 2021. According to JED, one journalist was killed in 2022.

D2. Are individuals free to practice and express their religious faith or nonbelief in public and private? 3 / 4

The constitution guarantees freedom of religion, and authorities generally respect this right in practice. Although religious groups must register with the government to be

recognized, unregistered groups typically operate unhindered. Some religious facilities, personnel, and services have been affected by violence in conflict areas.

Mosques in North Kivu operate in a threatening environment. Islamist rebels have targeted Muslims who criticize Islamist militancy; Muslims are also subject to government suspicions that they are aiding rebel groups.

D3. Is there academic freedom, and is the educational system free from extensive political indoctrination? 2 / 4

There are no formal restrictions on academic freedom. Primary and secondary school curriculums are regulated but not strongly politicized.

Armed groups have attacked schools, preventing children from accessing education. Schools in the east have also been used to shelter internally displaced persons (IDPs), notably in the North Kivu territory of Rutshuru.

D4. Are individuals free to express their personal views on political or other sensitive topics without fear of surveillance or retribution? 1 / 4

Although open political dissent is routinely suppressed, Congolese publicly express their views on some subjects. Many Congolese openly discuss systemic corruption and insecurity on social media platforms. Authorities in areas under a state of siege crack down on dissent.

E. ASSOCIATIONAL AND ORGANIZATIONAL RIGHTS: 3 / 12

E1. Is there freedom of assembly? 1 / 4

The constitution guarantees freedom of assembly, and demonstrations are held regularly in urban areas. However, those who participate risk arrests, beatings, and lethal violence.

Assembly rights are curtailed in areas affected by the state-of-siege declaration; authorities in North Kivu threatened to arrest those participating in a September 2022 protest over the fate of the M23-occupied town of Bunagana.

Violent protests against the continued presence of the UN Stabilization Mission in the DRC (MONUSCO) occurred in July 2022, affecting several cities in the east. Protesters damaged UN offices; in one incident, protesters also damaged the homes of UN workers. Witnesses reported that UN peacekeepers used excessive force in response to clashes. Some 36 people, most of them civilians, were killed nationwide by the time the protests subsided.

E2. Is there freedom for nongovernmental organizations, particularly those that are engaged in human rights– and governance-related work? 1 / 4

Thousands of civil society groups are active in the DRC, but many face obstacles to their work. Citizen movements and pressure groups that demonstrate against insecurity or the ineffectiveness of public services have faced violent repression by authorities. Civil society activists have also faced arrest in areas under a state of siege.

E3. Is there freedom for trade unions and similar professional or labor organizations? 1 / 4

A number of national labor unions and professional associations, covering parts of the public and private sectors, operate legally in the DRC, but the overwhelming majority of workers are informally employed. Some civil servants and members of state security forces are not permitted to unionize and bargain collectively. Violations of the procedures for a legal strike can result in prison terms. Although employers cannot legally retaliate against workers for union activities, such protections are poorly enforced.

F. RULE OF LAW: 1 / 16

F1. Is there an independent judiciary? 1 / 4

The judiciary is often seen as corrupt and subject to political manipulation. It often shows bias against the opposition and civil society, while government allies typically enjoy impunity for abuses.

F2. Does due process prevail in civil and criminal matters? 0 / 4

Courts are concentrated in urban areas; rural areas rely on customary courts. Informal justice mechanisms are common throughout the country. Civilians are often tried in military courts, which have weak safeguards for defendants' rights and poor witness-protection mechanisms. These courts are also subject to interference from high-ranking military personnel.

The state of siege in North Kivu and Ituri enacted martial law but only authorized military courts to try criminal, not civilian cases, resulting in growing detentions and stalled judicial cases. Arbitrary arrests and detentions are common, as is prolonged pretrial detention; much of the prison population consists of pretrial detainees. Prisoners frequently pay bribes to avoid torture or meet basic needs; rape among detainees is common.

DRC courts have officially granted reparations to the targets of sexual violence and other serious crimes, but these are rarely paid in practice.

F3. Is there protection from the illegitimate use of physical force and freedom from war and insurgencies? 0 / 4

Civilian authorities do not effectively control security forces. The military is notoriously undisciplined; soldiers are known to exchange intelligence and weapons with rebel or militia groups. Soldiers and police regularly commit serious human rights abuses, including rape and other physical attacks, and high-ranking military officials enjoy impunity for crimes. Despite the government's promise to "eradicate" militia groups during the 2021 state of siege, affected areas still suffer widespread violence.

Armed groups have contributed to years of conflict and communal violence that have had a catastrophic impact on civilians, with over five million conflict-related deaths since 1998. Human Rights Watch (HRW) reports that 120 such groups are active in four eastern provinces. M23, which claims to defend ethnic Tutsis against Hutu opponents and last fought in the DRC in the early 2010s, launched a renewed campaign in 2021 and was active in 2022. In June, M23 fighters killed at least 17 people in North Kivu for allegedly reporting their location to government forces. M23 forces later disrupted supply lines serving the city of Goma. In November, the New Humanitarian news outlet reported that 280,000 people had been displaced by the fighting.

In April 2022, EAC member states agreed to launch an armed mission against M23; Burundian troops affiliated with that mission were deployed by August. While the Rwandan government, which is widely believed to support M23, negotiated a truce with Kinshasa in November, M23 fighters did not immediately lay down their arms. In late December, M23 fighters said they would retreat from Kibumba, a strategic town near Goma.

MONUSCO has been active in the DRC since 2010 but Congolese have criticized its performance. Those who participated in the violent July 2022 protests called the mission ineffective, especially in the face of M23, and demanded MONUSCO's immediate withdrawal. In August, the government said it would reconsider the MONUSCO withdrawal plan, under which the mission would continue through 2024. In late December, the UN Security Council voted to extend MONUSCO through the end of 2023.

F4. Do laws, policies, and practices guarantee equal treatment of various segments of the population? 0 / 4

Although the constitution prohibits discrimination against women, they face discrimination in nearly every aspect of their lives. The family code assigns women a subordinate role in the household.

Ethnic discrimination is common. Kinyarwanda-language speakers and ethnic Tutsis face discrimination and hate speech, which was widely disseminated on social networks during M23's 2022 campaign. Indigenous peoples also face pervasive discrimination and have limited access to public services. In November, President Tshisekedi signed a law meant to expand access to services, address discrimination, and respect land rights.

People with disabilities remain nationally marginalized despite the creation of a ministry dedicated to people with disabilities.

Although homosexuality is not explicitly criminalized, LGBT+ people are marginalized and forced to hide their sexual orientation. Penal-code provisions, including those for "insulting morals" and "offending modesty" have been used against LGBT+ people.

G. PERSONAL AUTONOMY AND INDIVIDUAL RIGHTS: 4 / 16

G1. Do individuals enjoy freedom of movement, including the ability to change their place of residence, employment, or education? 1 / 4

Freedom of movement is protected by law but seriously curtailed in practice, in large part due to armed conflicts and other security problems. In its July 2022 update, the UN Office for the Coordination of Humanitarian Affairs reported there were 5.5 million IDPs in the DRC, 1.2 million being newly displaced during the year to date. Various armed groups and government forces impose illegal tolls on travelers passing through territory under their control.

G2. Are individuals able to exercise the right to own property and establish private businesses without undue interference from state or nonstate actors? 1 / 4

Individuals have the right to own property and establish private businesses. In conflict zones, armed groups and government soldiers regularly seize private property and destroy homes and businesses. Property ownership and business activity are also hampered by pervasive corruption and a complicated system of taxation and regulation that encourages bribery.

Although the constitution prohibits discrimination against women, some laws and customary practices put women at a disadvantage with respect to inheritance and land ownership.

G3. Do individuals enjoy personal social freedoms, including choice of marriage partner and size of family, protection from domestic violence, and control over appearance? 1 / 4

Sexual and gender-based violence is common. Rebels and government soldiers have regularly been implicated in cases of rape and sexual abuse. Rebel commanders have abducted girls into forced marriages. Convictions for these offenses remain rare. Abortion is prohibited except to save the life of a pregnant woman, and illegal abortions can draw lengthy prison sentences.

The family code obliges wives to obey their husbands, who are designated as the heads of their households. Married women are under the legal guardianship of their husbands. Although the legal minimum age for marriage is 18, many women are married earlier.

G4. Do individuals enjoy equality of opportunity and freedom from economic exploitation? 1 / 4

Formal protections against economic exploitation are poorly enforced, and most Congolese are informally employed. Although the law prohibits forced or compulsory labor,

such practices are common and include forced child labor in mining, street vending, domestic service, and agriculture. Some government forces and armed groups force civilians to work for them, and the recruitment and use of child soldiers remains widespread. Working conditions can be life threatening. Accidents are common in the mining sector, and safety precautions are rarely enforced.

Costa Rica

Population: 5,200,000
Capital: San José
Freedom Status: Free
Electoral Democracy: Yes

Overview: Costa Rica has a long history of democratic stability, with a multiparty political system and regular rotations of power through credible elections. Freedoms of expression and association are robust. The rule of law is generally strong, though presidents have often been implicated in corruption scandals. Among other ongoing concerns, Indigenous people face discrimination, and land disputes involving Indigenous communities persist.

KEY DEVELOPMENTS IN 2022

- In April, Rodrigo Chaves of the Social Democratic Progress Party (PPSD) was elected president with 53 percent of the vote, defeating former president José María Figueres of the National Liberation Party (PLN) in the runoff. All elections held during the year were considered free and fair.
- General elections were held in February, and saw the PLN win 19 seats to become the largest party in the legislature, followed by the PPSD with 10 seats. No party won a majority.
- The number of asylum seekers in Costa Rica has risen sharply in recent years; government officials confirmed there were over 200,000 pending asylum applications—as well as 50,000 people waiting to make a formal application—as of September. Approximately 96 percent of those seeking asylum in Costa Rica are from Nicaragua, Venezuela, and Cuba.

POLITICAL RIGHTS: 38 / 40

A. ELECTORAL PROCESS: 12 / 12

A1. Was the current head of government or other chief national authority elected through free and fair elections? 4 / 4

The president is directly elected for a four-year term and can seek a nonconsecutive second term. Presidential candidates must win 40 percent of the vote to avoid a runoff. In April 2022, Rodrigo Chaves of the center-right Social Democratic Progress Party (PPSD) was elected president, winning 53 percent of the vote in the runoff to defeat former president José María Figueres of the National Liberation Party (PLN). The elections were free and fair, but both rounds featured a low voter turnout.

A2. Were the current national legislative representatives elected through free and fair elections? 4 / 4

Elections for the 57-seat unicameral Legislative Assembly occur every four years. Deputies, elected by proportional representation, may not run for two consecutive terms, but may run again after skipping a term. No party won a majority in the February 2022 general elections, which saw the PLN become the largest party in the legislature after winning 19 seats, followed by the PPSD, which won 10. Four other parties entered the legislature with fewer than 10 seats each.

A3. Are the electoral laws and framework fair, and are they implemented impartially by the relevant election management bodies? 4 / 4

A special chamber of the Supreme Court appoints the independent national election commission, the Supreme Electoral Tribunal (TSE), which is responsible for administering elections. The TSE carries out its functions impartially, and the electoral framework is fair.

B. POLITICAL PLURALISM AND PARTICIPATION: 15 / 16

B1. Do the people have the right to organize in different political parties or other competitive political groupings of their choice, and is the system free of undue obstacles to the rise and fall of these competing parties or groupings? 4 / 4

People have the right to organize in different political parties without undue obstacles. The historical dominance of the PLN and the Social Christian Unity Party (PUSC) has waned in recent years as new parties gain traction, leading to the collapse of the traditional two-party system. Both the Liberal Progressive Party, founded in 2016, and the New Republic Party, founded in 2018, won legislative representation for the first time following the February 2022 elections.

B2. Is there a realistic opportunity for the opposition to increase its support or gain power through elections? 4 / 4

Power regularly alternates in Costa Rica, and opposition parties compete fiercely in presidential and legislative elections.

B3. Are the people's political choices free from domination by forces that are external to the political sphere, or by political forces that employ extrapolitical means? 4 / 4

Citizens' political choices are free from domination by unelected elites and other undemocratic powers.

B4. Do various segments of the population (including ethnic, racial, religious, gender, LGBT+, and other relevant groups) have full political rights and electoral opportunities? 3 / 4

Members of religious, racial, ethnic, and other minority groups enjoy full political rights. Some groups remain underrepresented in government. Indigenous rights have not historically been prioritized, and there is little representation of Indigenous Costa Ricans, who comprise 2.4 percent of the population. Sonia Rojas Méndez, who was elected to the legislature in February 2022, is the country's first deputy who identifies as an Indigenous woman. Afro–Costa Ricans, who make up almost 8 percent of the population, are also underrepresented in government. Women and women's interests are represented in government, with approximately 47 percent of seats in the Legislative Assembly held by women.

C. FUNCTIONING OF GOVERNMENT: 11 / 12

C1. Do the freely elected head of government and national legislative representatives determine the policies of the government? 4 / 4

Costa Rica's freely elected government and lawmakers set and implement state policy without interference. However, legislative gridlock remains a systemic issue.

C2. Are safeguards against official corruption strong and effective? 3 / 4

Costa Rica's anticorruption laws are generally well enforced. However, despite the existence of functioning anticorruption mechanisms, nearly every president since 1990 has been accused of corruption after leaving office.

Several high-profile corruption investigations remained ongoing in 2022, including the investigation into the so-called Cochinilla case, a corruption scandal that reportedly involved state agencies accepting bribes from private construction companies in return for government contracts. Similarly, investigations into the Diamante case—an alleged bribery scheme related to public works contracts that led to the 2021 arrests of several politicians—continued during the year. Legal proceedings also advanced in a third high-profile scandal known as the Cementazo case, which was uncovered in 2017 and involved influence peddling related to Chinese cement exports to Costa Rica.

In September 2022, Costa Rica's legislature opened an investigation into allegations that President Chaves's electoral campaign had received illicit funding; Vice President Stephan Brunner was charged for his alleged role in the scheme in October. Chaves has called the allegations politically motivated.

C3. Does the government operate with openness and transparency? 4 / 4

Citizens generally have access to government information. There are some deficiencies in the reporting of budgets to the public, including a lack of transparency in communicating the objectives of the annual budget. Senior government officials are required to make financial disclosures, but that information is not available to the public.

CIVIL LIBERTIES: 53 / 60

D. FREEDOM OF EXPRESSION AND BELIEF: 16 / 16

D1. Are there free and independent media? 4 / 4

Freedom of the press is largely respected in Costa Rica. Defamation laws are on the books, but imprisonment was removed as a punishment for defamation in 2010.

Now president Chaves repeatedly denounced the press in 2022. During his presidential campaign in February, Chaves promised to "destroy" Costa Rican newspaper *La Nación* and the private television station Canal 7; both outlets had reported on sexual harassment allegations made against him. The Chaves administration has also introduced restrictions on what information government employees can share with members of the media; in August, the director of Costa Rica's journalists' association asked the Constitutional Chamber to nullify newly issued instructions allegedly preventing civil servants from interacting with the press.

In July 2022, the Chaves administration suspended the operating permit for an events arena owned by Grupo La Nación, a business group that owns *La Nación*. The suspension was perceived by many as retribution for the newspaper's critical reporting on the administration, and was widely criticized by press freedom groups. The Constitutional Chamber annulled the suspension in October.

D2. Are individuals free to practice and express their religious faith or nonbelief in public and private? 4 / 4

Roman Catholicism is the official religion, but the constitution guarantees the freedom of religion, which is generally respected in practice.

D3. Is there academic freedom, and is the educational system free from extensive political indoctrination? 4 / 4

Academic freedom is constitutionally protected and generally upheld.

D4. Are individuals free to express their personal views on political or other sensitive topics without fear of surveillance or retribution? 4 / 4

Private discussion is free, and the government is not known to surveil the electronic communications of Costa Ricans. However, widespread concern over possible government surveillance arose following the February 2020 publication of an executive decree creating a Presidential Data Analysis Unit (UPAD) with the power to access "confidential information held by public institutions when required." The decree was quickly repealed, and in August 2022, the Constitutional Chamber declared it unconstitutional.

E. ASSOCIATIONAL AND ORGANIZATIONAL RIGHTS: 11 / 12

E1. Is there freedom of assembly? 4 / 4

Freedom of assembly is constitutionally protected. This right is largely upheld in practice. A diverse range of groups hold regular rallies and protests without government interference.

E2. Is there freedom for nongovernmental organizations, particularly those that are engaged in human rights– and governance-related work? 4 / 4

Nongovernmental organizations (NGOs), including those engaged in human rights work, are active and do not encounter undue obstacles.

E3. Is there freedom for trade unions and similar professional or labor organizations? 3 / 4

Although labor unions are free to organize and mount frequent protests and strikes with minimal governmental interference, the law requires a minimum of 12 employees to form a union, which may impact union rights at small enterprises. Rates of union membership in the private sector are low, due in part to discrimination by employers against members. Employers occasionally fire workers who attempt to form unions. In 2020, then president Carlos Alvarado Quesada enacted a law restricting strikes by public sector employees, which includes limits on permitted justifications for strikes and salary suspensions for workers who participate in strikes deemed illegal.

F. RULE OF LAW: 13 / 16

F1. Is there an independent judiciary? 4 / 4

The judicial branch is generally independent and impartial. Supreme Court judges are elected by a supermajority of the legislature. Prosecutors and judges are able to investigate public officials.

F2. Does due process prevail in civil and criminal matters? 3 / 4

Due process rights are enshrined in the constitution and are generally protected. However, there are often substantial delays in judicial processes, sometimes resulting in lengthy pretrial detention.

F3. Is there protection from the illegitimate use of physical force and freedom from war and insurgencies? 3 / 4

Violent crime has increased in recent years. Authorities estimated a homicide rate of 12 per 100,000 people in 2022. Criminal groups transport drugs along the coasts, and the government has reported that many homicides there are related to organized crime and drug trafficking. There are reports of occasional police abuses of detainees and civilians; confirmed cases are generally investigated and prosecuted.

Overcrowding, poor sanitation, insufficient access to health care, and violence remain serious problems in prisons. Recurrent abuse by prison police has not been thoroughly investigated due to victims' reluctance to file formal complaints.

F4. Do laws, policies, and practices guarantee equal treatment of various segments of the population? 3 / 4

The constitution outlines equal rights for all people, but rights are upheld unevenly. Indigenous people face discrimination, particularly regarding land rights and access to basic services. In recent years, conflict over land disputes has led to Indigenous groups being targeted by lawsuits and violence. In August 2022, an Indigenous rights organization reported that Indigenous communities and individuals in Costa Rica had been subjected to at least 63 violent attacks in 2021, including incidents of harassment, arson, and physical assault. At least 26 attacks were reportedly perpetrated or permitted by police forces.

Costa Ricans of African descent have faced discrimination in health care, education, and employment. A law recognizing the historical discrimination against Afro–Costa Ricans stipulates that, for a period of 10 years, public institutions must allocate at least 7 percent of vacant positions annually to people of African descent. The law also mandates the inclusion of the legacy of Afro–Costa Ricans in the country's history in public education curriculums.

Women experience discrimination due to entrenched stereotypes, which can limit their equal access to employment, health services, and the justice system. In recent years, femicide laws have been expanded and penalties for the crime increased.

Executive orders prohibit discrimination on the basis of sexual orientation and gender identity. However, law enforcement officials have discriminated against LGBT+ people, and there have been reports of attacks by police on transgender sex workers.

The number of people seeking asylum in Costa Rica has risen sharply in recent years. In September 2022, government officials confirmed there were over 200,000 pending asylum applications, and another 50,000 people waiting to make a formal application. Although the law entitles asylum seekers to access public services, discrimination sometimes prevents such access in practice. In November 2022, President Chaves signed two immigration-related decrees. The first decree, effective at the time of publication, reformed the country's refugee regulations: among other things, refugees will no longer be immediately issued a work permit, and asylum seekers are prohibited from leaving the country while their applications are being processed. The second decree, which had not come into effect as of year-end 2022, provides a way for migrants from Cuba, Venezuela, and Nicaragua—who account for approximately 96 percent of asylum seekers in the country—to regularize their immigration status.

G. PERSONAL AUTONOMY AND INDIVIDUAL RIGHTS: 13 / 16

G1. Do individuals enjoy freedom of movement, including the ability to change their place of residence, employment, or education? 4 / 4

Freedom of movement is constitutionally guaranteed. Costa Ricans enjoy relative freedom in their choice of residence and employment. COVID-19-related transit restrictions were lifted in March 2022.

G2. Are individuals able to exercise the right to own property and establish private businesses without undue interference from state or nonstate actors? 3 / 4

Property rights are generally protected. The business climate is relatively open, and individuals are free to establish businesses, although complicated bureaucracy can deter entrepreneurs from doing so.

Land disputes between Indigenous and non-Indigenous peoples have been a source of conflict for years, and Indigenous groups sometimes face harassing lawsuits and violence. A 1977 Indigenous Law formalized Indigenous groups' exclusive rights to some territories,

but the government has failed to implement the law or provide compensation to non-Indigenous settlers who continue to occupy the land.

G3. Do individuals enjoy personal social freedoms, including choice of marriage partner and size of family, protection from domestic violence, and control over appearance? 3 / 4

Despite the existence of domestic violence protections, violence against women and children remains a problem. In 2019, then president Alvarado signed a bill increasing the statute of limitations in child sexual abuse cases from 10 to 25 years, and in 2021 he signed a bill expanding the definition of femicide and increasing the penalties for those convicted of the crime.

In 2020, Costa Rica became the first Central American country to permit same-sex marriage.

Abortion is illegal in Costa Rica except when a woman's health is in danger. In 2019, then president Alvarado signed a technical decree to facilitate limited access to abortion, though conditions remain restrictive.

G4. Do individuals enjoy equality of opportunity and freedom from economic exploitation? 3 / 4

Despite legal protections, domestic workers are subject to exploitation and forced labor. Employers often ignore minimum wage and social security laws, and fines for violations are insignificant. Child labor is a problem in the informal economy.

Sex trafficking and child sex tourism are serious problems. The US State Department's 2022 *Trafficking in Persons Report* highlighted the government's "significant efforts" to combat trafficking, including implementing a national antitrafficking action plan. However, the report also noted that antitrafficking efforts are underfunded, and the government failed to prosecute or convict any labor traffickers in 2021 and 2022.

Côte d'Ivoire

Population: 28,200,000
Capital: Yamoussoukro (official), Abidjan (de facto)
Freedom Status: Partly Free
Electoral Democracy: No

Overview: Côte d'Ivoire continues to recover from an armed conflict that ended in 2011. Several root causes of that conflict remain, including ethnic and regional tensions, land disputes, corruption, and impunity. While an outbreak of violence during the 2020 electoral period represented a significant setback, civil liberties have been better protected in recent years, and civil society and the political opposition have operated more freely since that year's election.

KEY DEVELOPMENTS IN 2022

- In July, authorities in Mali arrested 49 Ivorian soldiers who arrived to participate in a UN peacekeeping mission there. Forty-six of them received prison sentences for undermining Malian security in December, while three who had been released in September received death sentences in absentia.

- In August, Ivorian authorities placed Pulchérie Gbalet, president of the Ivorian Citizens Alternative (ACI) civil society group, in pretrial detention and accused her of colluding with a foreign power. Gbalet had called on the Ivorian government to negotiate for the release of the soldiers detained in Mali and visited that country before her arrest; she remained in custody in Côte d'Ivoire at year's end.
- Also in August, President Alassane Ouattara offered a pardon to former president Laurent Gbagbo, who faced a prison sentence over allegations that he stole assets from the Central Bank of West African States (BCEAO) during the 2010–11 conflict.

POLITICAL RIGHTS: 19 / 40

A. ELECTORAL PROCESS: 6 / 12

A1. Was the current head of government or other chief national authority elected through free and fair elections? 2 / 4

The October 2020 presidential election, in which President Alassane Ouattara won a third term, was neither free nor fair. Rally of the Houphouëtists for Democracy and Peace (RHDP) presidential candidate and former prime minister Amadou Gon Coulibaly died unexpectedly that July. President Ouattara, who had spent two five-year terms in office, reversed his previous decision not to run; he was nominated that August by the RHDP, which claimed Ouattara was eligible for two more terms because the 2016 constitution's two-term limit was adopted after Ouattara won his second term. Some critics charged that Ouattara had moved forward with the new constitution to enable his third term. His nomination was met by major protests from opposition parties.

The Constitutional Council validated the candidacy of only four individuals: Ouattara, Henri Konan Bédié, Pascal Affi N'Guessan, and Bertin Konan Kouadio. Rejected candidates were unable to appeal, and the government ignored an African Court of Human and People's Rights (ACHPR) ruling to allow former prime minister Guillaume Soro and former president Laurent Gbagbo to run. Several leading opposition parties, including those of Soro and Gbagbo, refused to participate in the polls and called for boycotts and protests. The government banned public demonstrations throughout the election period, and those that occurred were met with violence. The campaign period itself was marred by instances of violence between progovernment and antigovernment supporters, resulting in dozens of deaths.

The opposition boycotted the election outright, while many would-be voters were prevented from casting ballots due to security concerns. Ouattara won 94 percent of the vote on a turnout of 54 percent according to the government. These numbers were contested by independent observers from the Electoral Institute for Sustainable Democracy in Africa (EISA), which reported that only 54 percent of polling stations opened and only 41 percent of voter cards were distributed before the polls. The EISA also voiced concerns over the comprehensiveness of electoral-roll data, noting that the roll included a large number of deceased individuals; claimed the election commission lacked transparency; and said the commission heavily favored the RHDP in administering the election.

The prime minister is the head of government, is appointed by the president, and is responsible for designating a cabinet which is also approved by the president. Patrick Achi was appointed in 2021 following the death of former prime minister Hamed Bakayoko. Achi and his cabinet resigned in April 2022; Achi was reappointed that month to preside over a smaller group of ministers.

A2. Were the current national legislative representatives elected through free and fair elections? 2 / 4

The bicameral parliament consists of a 255-seat lower house, the National Assembly, and a 99-seat Senate, which was envisaged by the 2016 constitution and seated in 2018. National Assembly members are directly elected to five-year terms. Some 66 senators are indirectly elected by the National Assembly and members of various local councils, while the president appoints the other 33; all 99 serve five-year terms.

A transparent, credible, and peaceful lower-house election was held in March 2021. Candidates from several opposition parties and coalitions, including most of those that had boycotted the October 2020 presidential elections, took part. However, the Soro-led Generations and People in Solidarity (GPS) party did not participate in either the presidential or the parliamentary elections.

The RHDP won an absolute majority, taking 139 seats but suffering a net loss compared to its 167-seat contingent in the last parliament. An opposition coalition of the Democratic Party of Côte d'Ivoire–African Democratic Rally (PDCI-RDA) and the pro-Gbagbo Together for Democracy and Solidarity (EDS) won 80. Ten seats went to other party lists and groups, while 22 were won by independents. Despite the increased opposition participation and peaceful conduct of the polls, turnout remained low at 37.8 percent.

A3. Are the electoral laws and framework fair, and are they implemented impartially by the relevant election management bodies? 2 / 4

In 2016, the ACHPR ruled that the Independent Electoral Commission (CEI) was biased in favor of the government and ordered amendments to the electoral law. President Ouattara conceded to the CEI's reorganization, increasing the number of civil society members in the CEI from four to six by parliamentary amendment in 2019. Civil society criticized the reforms, warning that the government would still exert influence due to its continued nominating powers, and changes that could make the body more independent were only partially implemented. Ruling party members were largely left to run the CEI due to staff changes, allegations of irregularities in appointment and other procedures, and opposition boycotts that affected district-level staffing.

In April 2020, the government amended the electoral code by emergency executive ordinance—enabled via COVID-19 emergency measures—without consulting candidates. The updated electoral roll was opaque and regionally unbalanced; the CEI refused to report detailed data or submit to an independent audit. That July, the ACHPR ruled that Côte d'Ivoire must take steps to further reform the CEI, including the nominating process, to reduce potential government influence over nominations.

The post-2016 changes have improved electoral competition, though the Ivorian electoral framework still contains weaknesses and dissatisfaction over recent reforms has persisted. Opposition groups have more recently participated in the CEI's central commission after reforms allowed political parties with significant parliamentary representation to receive seats. Opposition candidates were also able to participate in the 2021 parliamentary elections without facing arbitrary rejection by electoral administration bodies.

B. POLITICAL PLURALISM AND PARTICIPATION: 9 / 16

B1. Do the people have the right to organize in different political parties or other competitive political groupings of their choice, and is the system free of undue obstacles to the rise and fall of these competing parties or groupings? 3 / 4

The Ivorian constitution permits multiparty competition. Recent presidential and legislative elections have been contested by a large number of parties and independent candidates. The ruling RHDP, dominated by Ouattara's Rally of the Republicans (RDR), holds a virtual lock on political power but has faced increased competition in recent years. In 2018,

the PDCI of former president Bédié broke away from a coalition with the RHDP. Guillaume Soro, meanwhile, formed the GPS after being pressured into resigning as National Assembly speaker in 2019.

In contrast to the 2020 presidential elections—which had been boycotted by several leading opposition parties—competition improved in 2021, with multiple parties participating in that year's parliamentary elections.

More parties have been formed since those polls. In June 2021, former president Laurent Gbagbo returned to Côte d'Ivoire after 10 years, following his acquittal by the International Criminal Court (ICC) on charges of crimes against humanity; he launched the African People's Party–Côte d'Ivoire, a left-wing pan-African party, that October. The Ivorian Popular Front, which he founded in exile in 1982, remains active. Former first lady Simone Ehivet Gbagbo formed the Movement of Capable Generations (MGC) in 2021 and was named party leader in August 2022.

B2. Is there a realistic opportunity for the opposition to increase its support or gain power through elections? 2 / 4

Opposition parties have little chance of gaining power without reforming the electoral framework, which favors the ruling party. The RHDP has an absolute majority in the National Assembly, limiting the opposition's ability to pursue such reforms.

Opposition groups' chances to meaningfully contest the 2020 presidential election were dashed that August when the Constitutional Council rejected the candidacy of 40 of the 44 parties and individuals who submitted a nomination, including Soro and Laurent Gbagbo. International observer missions noted there was no appeals process for rejected candidates. The government ignored the ACHPR's ruling to accept Soro's and Gbagbo's candidacies. Opposition figures were arrested and detained by security forces after the 2020 election took place, while dissidents were arrested for participating in protests during that year's electoral period.

B3. Are the people's political choices free from domination by forces that are external to the political sphere, or by political forces that employ extrapolitical means? 2 / 4

Individuals faced intimidation, threats, and physical violence when participating in the 2020 presidential election. Those who held protests despite the government's ban faced forceful reprisals, with several demonstrators being killed during the campaigning period. Members of leading civil society institutions, like academics, suggested that participating in public debate about the elections would be seen as protest by their superiors.

Supporters of the opposition faced threats from the police and the military, while militia members engaged in violence and enjoyed impunity. Party-linked militias refrained from such violence during the relatively peaceful and transparent March 2021 parliamentary elections, however.

B4. Do various segments of the population (including ethnic, racial, religious, gender, LGBT+, and other relevant groups) have full political rights and electoral opportunities? 2 / 4

Citizenship has been a source of tension since the 1990s, when Ivorian nationalists adopted former president Bédié's concept of "Ivoirité" to exclude perceived foreigners, including Ouattara, from the political process. A law relaxing some conditions for citizenship went into effect in 2014 but its application remains uneven. Hundreds of thousands of individuals, mostly northerners, lack documentation.

Women are poorly represented in the parliament, holding 13.7 percent of National Assembly seats and 21.4 percent of the Senate as of December 2022.

A north-south, Muslim-Christian schism has been a salient feature of Ivorian life for decades and was exacerbated by the 2002–11 crisis. However, the schism has since receded, and the current governing coalition includes Muslims and Christians. Political parties are not ethnically homogenous—Côte d'Ivoire comprises people from more than 60 ethnicities—though each tends to be dominated by specific ethnic groups.

C. FUNCTIONING OF GOVERNMENT: 4 / 12

C1. Do the freely elected head of government and national legislative representatives determine the policies of the government? 2 / 4

Though defense and security forces are nominally under civilian control, problems of parallel command and control systems within the armed forces, known as the Republican Forces of Côte d'Ivoire, remain significant. In 2016, the government instituted a law meant to reduce the size of the officer corps and refine the military's command structure, but these changes have largely gone unimplemented. Nonstate armed actors and former rebels enjoy significant influence, especially in the north and west.

Mutinies in 2017 exposed the fragility of the civilian government's control over the military. Civilian control was tested again in 2019, when special forces members scuffled with Abidjan police in an effort to free an arrested colleague; this incident ended without violence.

Opposition parties openly participated in legislative processes in 2022, an improvement over previous years. Opposition parliamentarians cast ballots when the National Assembly elected Adama Bictogo as its speaker in June, for example.

C2. Are safeguards against official corruption strong and effective? 1 / 4

Corruption and bribery remain endemic, and particularly affect the judiciary, police, and government contracting operations. Petty bribery also hampers citizens' access to services ranging from obtaining a birth certificate to clearing goods through customs. The High Authority for Good Governance (HABG), a public anticorruption body, is considered ineffective. Perpetrators at all levels seldom face prosecution.

C3. Does the government operate with openness and transparency? 1 / 4

The government generally awards contracts in a nontransparent manner. Access to up-to-date information from government ministries is difficult for ordinary citizens to acquire, although some ministries do publish information online. Enforcement of a 2013 access-to-information law has been inconsistent. The HABG requires public officials to submit asset declarations, but this is not well enforced.

CIVIL LIBERTIES: 30 / 60

D. FREEDOM OF EXPRESSION AND BELIEF: 10 / 16

D1. Are there free and independent media? 2 / 4

Conditions for the press have improved since the end of the 2010–11 conflict. However, journalists face intimidation and occasional violence by security forces in connection with their work. Most national media sources, especially newspapers, exhibit partisanship in their news coverage, consistently favoring either the government or the opposition. Reporters Without Borders (RSF) noted that RHDP supporters own the country's three private television networks.

While serious violence against journalists was rare after the end of the 2010–11 conflict, many journalists were arrested, detained, and beaten by police while covering protests and violence during and after the 2020 election period.

D2. Are individuals free to practice and express their religious faith or nonbelief in public and private? 3 / 4

Legal guarantees of religious freedom are typically upheld, and individuals are free to practice their faith in public and private. Relations between Muslims and Christians worsened due to the 2002–11 crisis, but tensions have largely receded.

D3. Is there academic freedom, and is the educational system free from extensive political indoctrination? 2 / 4

Public universities were closed and used as military bases during the 2010–11 conflict and now suffer from a lack of adequate resources and facilities.

Academics faced threats and intimidation if they addressed or critiqued the ruling party and other politically sensitive topics during the 2020 election cycle. Legal scholars were unable to organize a public debate on the constitutionality of President Ouattara's third term, as many feared their participation would be considered a form of illegal protest. Self-censorship persists at institutions led by RHDP supporters and for fear of repression by government agencies.

D4. Are individuals free to express their personal views on political or other sensitive topics without fear of surveillance or retribution? 3 / 4

While people are free to engage in political discussion and debate, politics and the ruling party became dangerous topics during the 2020 election cycle. During and after the elections, militias and unknown actors attacked opposition supporters demonstrating and meeting during the opposition's boycott of the presidential election. Security forces largely overlooked the violence against opposition supporters, which discouraged individuals from openly expressing their political views. While Ivorians' ability to speak openly greatly improved after that election, self-censorship remains common and some political discussions still carry a risk of harassment for participants.

E. ASSOCIATIONAL AND ORGANIZATIONAL RIGHTS: 7 / 12

E1. Is there freedom of assembly? 2 / 4

Freedom of assembly was restricted via 2019 criminal code revisions, which include one- to three-year prison sentences for organizing "undeclared or prohibited" assemblies and a vague definition of "public order" that can be broadly interpreted by authorities.

President Ouattara banned public demonstrations and protests throughout the 2020 election period. Police violently dispersed protests and other acts of civil disobedience that stemmed from the opposition's election boycott; more than 50 people were killed because of violence at public demonstrations. Demonstrations that occurred in subsequent years were not subjected to such violence or interference.

E2. Is there freedom for nongovernmental organizations, particularly those that are engaged in human rights– and governance-related work? 2 / 4

Domestic and international nongovernmental organizations (NGOs) are generally free to operate. However, poor security conditions, especially in north and west, are a constraint for some organizations.

Pulchérie Gbalet of the ACI was placed in pretrial detention in August 2022; Gbalet had called on the Ivorian government to negotiate for the release of 49 soldiers held in Mali and had visited that country. Prosecutors accused Gbalet of "agreeing with the agents of a foreign power" for her statements. Gbalet remained in custody in Côte d'Ivoire at year's end.

E3. Is there freedom for trade unions and similar professional or labor organizations? 3 / 4

The right to organize and join labor unions is constitutionally guaranteed. Workers have the right to bargain collectively. Strikes are common occurrences, though some have become violent.

F. RULE OF LAW: 6 / 16

F1. Is there an independent judiciary? 1 / 4

The judiciary is not independent, and judges are highly susceptible to external interference and bribes. Processes governing the assignment of cases to judges are opaque. The courts generally adjudicate cases in accordance with the ruling party's political interests; the judiciary was fully mobilized to support President Ouattara's third term and remains supportive of his policies.

F2. Does due process prevail in civil and criminal matters? 1 / 4

The constitution guarantees equal access to justice and due process for all citizens, but these guarantees are poorly upheld in practice. The state struggles to provide attorneys to defendants who cannot afford legal counsel. Security officials are susceptible to bribery and are rarely held accountable for misconduct. Prolonged pretrial detention is a serious problem for both adults and minors, with some detainees spending years in prison without trial. In 2018, the lower house adopted a new Code of Criminal Procedure that included a circuit of criminal courts to address the backlog.

F3. Is there protection from the illegitimate use of physical force and freedom from war and insurgencies? 2 / 4

Physical violence against civilians in the form of extortion, banditry, and sexual violence—sometimes perpetrated by members of the armed forces—remain common. Disputes over land use and ownership between migrants and those who claim customary land rights sometimes turn violent. The country's prisons are severely overcrowded, and incarcerated adults and minors are not always separated.

Concerns about impunity, victor's justice, and reconciliation have persisted after the close of the 2010–11 conflict. To date, only a handful of individuals have been put on trial for crimes committed during that period, and most prosecutions have focused on figures associated with Gbagbo. In 2018, Ouattara pardoned 800 people accused or convicted of committing violent acts during the 2010–11 conflict, including former first lady Simone Ehivet Gbagbo, ostensibly to foster reconciliation. In 2019, Laurent Gbagbo was acquitted of crimes against humanity during the 2010–11 conflict by the ICC and was conditionally released; he returned to Côte d'Ivoire in 2021 after the acquittal was upheld. In August 2022, President Ouattara offered a pardon to Laurent Gbagbo, who faced a 20-year sentence related to the alleged robbery of BCEAO assets during the 2010–11 conflict. Ouattara cited the need for "social cohesion" when announcing that offer.

Terrorist attacks have occurred in the north of country, along the borders with Burkina Faso and Mali, in recent years. In 2021, the head of the General Directorate for External Security (DGSE), a French intelligence agency, warned that terrorist groups were planning to expand their operations in Côte d'Ivoire. The Ivorian government increased its budget for antiterrorism programs in the north that December.

Côte d'Ivoire has participated in the UN Multidimensional Integrated Stabilization Mission in Mali (MINUSMA); in July 2022, Malian authorities arrested 49 Ivorian soldiers who Abidjan said were sent to take part in MINUSMA. Forty-six of them received prison

sentences for undermining Malian security in December, while three who had been released in September received death sentences in absentia. In November, the Ivorian government announced it would end its participation in the peacekeeping mission by August 2023.

F4. Do laws, policies, and practices guarantee equal treatment of various segments of the population? 2 / 4

Same-sex relations are not criminalized in Côte d'Ivoire, but LGBT+ people can face prosecution under criminal code language amended in 2019 that references "unnatural acts" and "moral sensitivity." No law prohibits discrimination based on sexual orientation. LGBT+ people face societal prejudice as well as harassment by state security forces.

Intercommunal tensions over land rights frequently involve migrants from neighboring countries, who sometimes experience violent intimidation.

G. PERSONAL AUTONOMY AND INDIVIDUAL RIGHTS: 7 / 16

G1. Do individuals enjoy freedom of movement, including the ability to change their place of residence, employment, or education? 2 / 4

Freedom of movement has improved since 2011. However, irregular checkpoints and acts of extortion continue in some areas, particularly in the west and north, and near gold- and diamond-producing regions. The government's efforts to combat these practices have been undermined by inconsistent financial support and a failure to investigate and prosecute perpetrators. Women are generally afforded equal freedom of movement, though risks of insecurity and sexual violence hinder this in practice.

G2. Are individuals able to exercise the right to own property and establish private businesses without undue interference from state or nonstate actors? 2 / 4

Citizens have the right to own and establish private businesses, and the country has attracted significant investment since 2011. However, property and land rights remain weak, especially in the west, where conflict over land tenure remains a significant source of tension. Under a marriage law passed in 2019, women are legally entitled to use inherited property as collateral for loans. Migrants may be discriminated over land issues even though they have legal documents of their property title.

G3. Do individuals enjoy personal social freedoms, including choice of marriage partner and size of family, protection from domestic violence, and control over appearance? 1 / 4

Women suffer significant legal and economic discrimination, and sexual and gender-based violence are widespread. According to a 2019 survey carried out by Citizens for the Promotion and Defense of the Rights of Children, Women and Minorities (CPDEFM), an Ivorian NGO, more than 70 percent of women in Abidjan, Côte d'Ivoire's largest city, have been victims of domestic violence.

Legal protections from gender-based violence are weak and are often ignored. Impunity for perpetrators also remains a problem, and when it is prosecuted, rape is routinely reclassified as indecent assault. Costly medical certificates are often essential for convictions yet are beyond the means of victims who are impoverished.

Child marriage is historically widespread, though the 2019 marriage law set the minimum age for marriage at 18 for both sexes. Customary and religious marriages, more common outside urban areas, were not affected by the law. The law also banned same-sex marriage.

G4. Do individuals enjoy equality of opportunity and freedom from economic exploitation? 2 / 4

Despite efforts by the government and international industries in recent years to counter the phenomenon, child labor is a frequent problem, particularly in the cocoa industry. Human trafficking is prohibited by the constitution, but government programs for victims of trafficking—often children—are inadequate.

In the 2022 edition of its *Trafficking in Persons Report*, the US State Department reported that the government was successfully convicting more traffickers and identifying more victims, but also reported that victims receive insufficient shelter or services.

Croatia

Population: 3,800,000
Capital: Zagreb
Freedom Status: Free
Electoral Democracy: Yes

Overview: Croatia is a parliamentary republic that regularly holds free elections. Civil and political rights are generally respected, though corruption in the public sector is a serious issue. The Roma and ethnic Serbs face discrimination, as do LGBT+ people. In recent years, concerns about the presence of far-right groups and figures espousing discriminatory values in public life have increased.

KEY DEVELOPMENTS IN 2022

- Construction Minister Darko Horvat was arrested in February over his suspected involvement in a plan to route government subsidies to companies that did not qualify, prompting Prime Minister Andrej Plenković to dismiss him from the cabinet. In October, the Croatian anticorruption authority indicted Horvat and three other former ministers over their alleged participation, along with three officials and a former mayor.
- In August, authorities arrested five people over their alleged involvement in a scheme to resell natural gas at inflated prices. The scheme affected energy firm INA, which the government maintains a significant minority stake in. Opposition lawmakers called on Plenković and the cabinet to resign over the affair in September, noting that supporters of the ruling Croatian Democratic Union (HDZ) allegedly took part.
- In July, the European Union (EU) approved Croatia's application to use the euro as its currency, replacing the kuna. Croatia is due to use the euro and join the Schengen Area, where member states do not employ internal border checks, in 2023.

POLITICAL RIGHTS: 35 / 40 (−1)

A. ELECTORAL PROCESS: 12 / 12

A1. Was the current head of government or other chief national authority elected through free and fair elections? 4 / 4

The president, who is head of state, is elected by popular vote for a maximum of two five-year terms. Former Social Democratic Party (SDP) prime minister Zoran Milanović defeated incumbent Kolinda Grabar-Kitarović in the second round of the country's presidential elections in January 2020, winning 52.7 percent of the vote. Voter turnout was 55 percent.

The prime minister is head of government and is appointed by the president with parliamentary approval. Andrej Plenković, who chairs the conservative HDZ, remained prime minister after the party won the July 2020 legislative elections.

A2. Were the current national legislative representatives elected through free and fair elections? 4 / 4

Members of the 151-seat, unicameral Hrvatski sabor (Croatian Parliament) are elected to four-year terms.

The HDZ captured 66 seats in the July 2020 parliamentary elections, which enabled it to form a coalition government with two smaller parties. The main opposition party, the SDP, won 41 seats, the far-right Homeland Movement secured 16, and the left-wing We Can took 8. Though the elections were deemed free and fair, ethnic Serb candidates experienced harassment during the campaign.

A3. Are the electoral laws and framework fair, and are they implemented impartially by the relevant election management bodies? 4 / 4

While concerns about the use of public funds for political campaigns persist, the State Election Commission implements robust electoral laws effectively.

B. POLITICAL PLURALISM AND PARTICIPATION: 14 / 16

B1. Do the people have the right to organize in different political parties or other competitive political groupings of their choice, and is the system free of undue obstacles to the rise and fall of these competing parties or groupings? 4 / 4

Citizens may freely organize and participate in the activities of a wide variety of political parties. A slate of new right- and left-wing populist parties and candidates emerged in the 2019 European Parliament elections. Two new coalitions made breakthroughs in the July 2020 parliamentary polls: the far-right Homeland Movement and the left-wing We Can.

B2. Is there a realistic opportunity for the opposition to increase its support or gain power through elections? 4 / 4

The SDP-led opposition coalition holds a significant bloc of parliamentary seats and is generally able to operate free from restrictions or intimidation. However, the HDZ has dominated politics and draws support from the Catholic Church, veterans, and a growing number of conservative nongovernmental organizations (NGOs). The SDP-led bloc has won the most seats in only two parliamentary elections since 1991, although the country was headed by non-HDZ executives between 2000 and 2015. SDP-backed candidates served as president from 2010 to 2015 and again since 2020. President Milanović, who was elected in 2020, campaigned from the right instead of relying only on the SDP's traditional base of support.

B3. Are the people's political choices free from domination by forces that are external to the political sphere, or by political forces that employ extrapolitical means? 3 / 4

While voters and candidates are generally able to freely express their political choices, many public servants obtained their positions through patronage networks and risk becoming beholden to a party or special interest group as a result. Patronage networks are particularly influential in Zagreb, which was under the almost-continuous stewardship of HDZ-affiliated mayor Milan Bandić—considered one of the country's most powerful politicians—between 2000 and his death in 2021. Bandić's tenure was marked by corruption accusations and credible allegations of improper hiring practices and public procurement deals.

The influential Catholic Church associates with conservative and far-right civil society groups, which have become more influential in local politics in recent years. Veterans' groups are also significant, especially in regard to the still-contentious discourse surrounding the 1991–95 Independence War and the position of ethnic Serbs in Croatian society.

B4. Do various segments of the population (including ethnic, racial, religious, gender, LGBT+, and other relevant groups) have full political rights and electoral opportunities? 3 / 4

Eight parliamentary seats are set aside for ethnic minorities, including three for ethnic Serbs. However, the political interests of marginalized groups, notably Roma and Serbs, are underrepresented. Another three seats are reserved for Croatian citizens in the diaspora, including ethnic Croats in neighboring Bosnia and Herzegovina (BiH).

Women are represented across political parties, and women have held Croatia's presidency between 2015 and 2019 and the prime minister's office between 2009 and 2011. However, the number of women in the parliament decreased in 2016 after the Constitutional Court struck down a law requiring 40 percent of a party's candidates be women. In the 2020 parliamentary election, 35 women won seats in the parliament.

Ethnic Serbs in public office are subjected to mistreatment, with Independent Democratic Serb Party (SDSS) leader Milorad Pupovac receiving verbal attacks in recent years. SDS election posters have been defaced during both European Parliament and Croatian elections.

Societal discrimination discourages LGBT+ people from participating in politics, and elements of the political establishment have espoused discriminatory attitudes in their activism.

C. FUNCTIONING OF GOVERNMENT: 9 / 12 (−1)

C1. Do the freely elected head of government and national legislative representatives determine the policies of the government? 4 / 4

Democratically elected representatives are duly installed into office and are generally able to make public policy without undue external influence or pressure.

C2. Are safeguards against official corruption strong and effective? 2 / 4 (−1)

A criminal code in effect since 2013 enforces stiffer penalties for various forms of corruption. While some progress has been made, official corruption—including nepotism, bribery, fraud, and patronage—remains a serious problem. The European Commission singled out corruption as a major issue facing the country. Croatia's anticorruption mechanisms have been strengthened during the 21st century, with specialized anticorruption courts being established and the Bureau for Combating Corruption and Organized Crime (USKOK) gaining new powers. Nevertheless, local NGOs have observed that corruption has worsened since Croatia's 2013 accession into the EU.

Croatian and European authorities continued to grapple with major corruption cases in 2022. In February, police arrested Construction Minister Darko Horvat, who was accused of directing subsidies to companies that did not qualify for support when he held a different cabinet post. Prime Minister Plenković dismissed Horvat but called on prosecutors to explain Horvat's arrest, calling it disproportionate. Also in February, Deputy Prime Minister and SDSS member Boris Milošević resigned his post after being implicated in Horvat's alleged manipulation of subsidies. In October, Horvat, Milošević, former labor minister Josip Aladrović, and former minister Tomislav Tolušić were all indicted by the USKOK, along with three officials and a former mayor.

In August 2022, authorities arrested five people over their suspected involvement in a natural-gas reselling scheme that affected energy firm INA, in which the government holds a large minority stake. Authorities also froze the individuals' assets, which totaled

over 800 million kuna ($110.8 million), that month. Opposition parliamentarians called on Plenković and the cabinet to resign in September, noting the involvement of HDZ supporters in the alleged scheme.

In late December 2022, the European Public Prosecutor's Office indicted former minister Gabrijela Žalac, former Central Finance and Contracting Agency head Tomislav Petric, and two businesspeople for corruption. The four were originally arrested in 2021 over allegations that they manipulated public tenders. In November 2022, the Telegram.hr news outlet reported that Žalac used public funds for a birthday party in 2019.

Score Change: The score declined from 3 to 2 due to systemic corruption among government ministers and officials.

C3. Does the government operate with openness and transparency? 3 / 4

The 2013 Law on the Right of Access to Information created a proportionality and public-interest test designed to balance reasons for disclosing information and reasons for restricting it. It also established an independent information commissioner to monitor compliance. However, government bodies do not always release requested information in a timely manner. Government officials and businesspeople have also interacted in a nontransparent manner; in 2017, for example, a government minister crafted a law addressing the fate of troubled agricultural company Agrokor in private, unofficial meetings.

CIVIL LIBERTIES: 49 / 60

D. FREEDOM OF EXPRESSION AND BELIEF: 13 / 16

D1. Are there free and independent media? 3 / 4

Media in Croatia is highly polarized but generally free from overt political interference or manipulation. However, journalists face threats, harassment, and occasional attacks—sometimes at the hands of police—which has created an atmosphere of self-censorship. A 2020 European Commission report warned about deteriorating media freedoms in Croatia. The European Federation of Journalists (EFJ) and local journalist associations have warned of growing political pressure and attacks on the Croatian press under the HDZ government. In 2021, the EFJ criticized the widespread use of strategic lawsuits against public participation (SLAPPs) in Croatia.

Prime Minister Plenković and President Milanović have both engaged in acrimonious exchanges with local and regional media. In a video recorded in 2019 and made public in September 2022, Plenković threatened to assault the late journalist Mislav Bago for interrupting him.

D2. Are individuals free to practice and express their religious faith or nonbelief in public and private? 3 / 4

The Croatian constitution guarantees freedom of religion, which is generally upheld in practice. However, the small Serb Orthodox community remains vulnerable to harassment, and members have reported vandalism of their churches.

Jewish communities and other groups have expressed increasing concern about Holocaust denial and displays by right-wing nationalists of symbols and slogans associated with the fascist Ustaša regime that ruled Croatia during the Second World War. Far-right groups, newspapers, and academics have advanced revisionist accounts of the Ustaša period in recent years.

D3. Is there academic freedom, and is the educational system free from extensive political indoctrination? 3 / 4

While there are generally no overt restrictions on speech in classrooms, critics continue to allege inappropriate political interference at all levels of education. While aspects of a long-planned modernization of school curriculums were approved by the parliament in 2018, the HDZ has long sought to delay the updates and has moved to install its own members into the group tasked with developing its policies—including extremely conservative members opposed to sex education.

D4. Are individuals free to express their personal views on political or other sensitive topics without fear of surveillance or retribution? 4 / 4

People are generally free to engage in discussions of a sensitive nature without fearing surveillance or retribution, although there have been some reports of police arresting individuals voicing criticism of the government.

E. ASSOCIATIONAL AND ORGANIZATIONAL RIGHTS: 12 / 12

E1. Is there freedom of assembly? 4 / 4

Freedom of assembly is protected and respected in Croatia.

E2. Is there freedom for nongovernmental organizations, particularly those that are engaged in human rights– and governance-related work? 4 / 4

NGOs in Croatia are robust, active, and free from restrictions. However, many groups have complained of growing political pressure from parts of the government and the HDZ against journalists and civil society activists.

E3. Is there freedom for trade unions and similar professional or labor organizations? 4 / 4

The constitution allows workers to form and join trade unions, and this right is generally respected in practice.

F. RULE OF LAW: 11 / 16

F1. Is there an independent judiciary? 3 / 4

While judicial independence is generally respected, there have been recent concerns about the influence of extreme right-wing groups on the judiciary. Critics allege the courts have been ruling in line with the views of right-wing NGOs and the HDZ, while the courts maintain that they are redressing partisan rulings of the Yugoslav communist era. Judges have also faced corruption allegations in recent years; three judges were arrested in 2021 over bribery accusations lodged by football club administrator Zdravko Mamić, who himself was convicted of corruption in absentia in 2018.

F2. Does due process prevail in civil and criminal matters? 3 / 4

Due process rights are generally upheld, but the system tends to work more efficiently for individuals with abundant resources or high social standing.

The International Commission on Missing Persons has criticized Croatia for its slow progress in identifying human remains of victims of the 1991–95 conflicts and in making reparations to survivors and their families.

F3. Is there protection from the illegitimate use of physical force and freedom from war and insurgencies? 3 / 4

Violence by state and nonstate actors is uncommon. In March 2022, however, a Soviet-era drone crashed in a Zagreb neighborhood. The device's operator was unknown as it bore both Soviet and Ukrainian markings, but no one was injured in the crash.

Prison conditions do not meet international standards due to overcrowding and inadequate medical care.

F4. Do laws, policies, and practices guarantee equal treatment of various segments of the population? 2 / 4

Ethnic and religious minorities and LGBT+ people in Croatia face discrimination. A group of NGOs criticized the government for lacking a comprehensive human rights policy in 2018 and warned of the continuing deterioration of protection of human rights in the country, especially for marginalized groups and women. According to a 2021 Council of Europe report on the protection of national minorities, ethnic Serbs continue to face high levels of discrimination.

Analysts have expressed concerns that the increasing visibility of far-right, nationalist groups has allowed discriminatory rhetoric to spread. Occasionally, the government's actions suggest their endorsement of far-right groups, and observers have expressed concern that the government has tacitly approved of discriminatory behavior. The Croatian Defense Forces (HOS), a right-wing militia that uses Ustaša-era and other fascist symbols, has maintained ties with HDZ members in recent years. In April 2022, a group of students in the Slavonia region were photographed wearing HOS paraphernalia and offering fascist salutes with their teacher present.

The constitution prohibits gender discrimination, but women earn less than men for comparable work and hold fewer leadership positions.

Police have engaged in violence, including sexual violence and torture in some cases, against migrants, refugees, and asylum seekers. Police have also engaged in illegal pushbacks along the border with BiH. Pushbacks are reportedly less common than in the past, but the practice persists; in a May 2022 report, the Border Violence Monitoring Network noted that Croatian police entered BiH territory while pushing people back across the border.

G. PERSONAL AUTONOMY AND INDIVIDUAL RIGHTS: 13 / 16

G1. Do individuals enjoy freedom of movement, including the ability to change their place of residence, employment, or education? 4 / 4

Freedom of movement is protected by the constitution and upheld in practice. People may freely change their place of residence, employment, or education.

G2. Are individuals able to exercise the right to own property and establish private businesses without undue interference from state or nonstate actors? 3 / 4

Property rights are generally well protected. However, corruption can inhibit normal business operations.

G3. Do individuals enjoy personal social freedoms, including choice of marriage partner and size of family, protection from domestic violence, and control over appearance? 3 / 4

In 2014, following a 2013 referendum that banned same-sex marriage, the parliament passed a law allowing same-sex civil unions. The law affords same-sex couples equal rights in inheritance, social benefits, and taxation. In April 2021, an administrative court in Zagreb ruled that same-sex couples have the right to adopt children. The ruling was confirmed by a higher court in May 2022.

Domestic violence remains a concern. Convictions for rape and domestic violence can bring lengthy prison terms, although Amnesty International noted that the vast majority of cases receive sentences of one year or less. Police sometimes fail to adhere to recommended procedures for handling domestic violence reports.

In 2018, lawmakers ratified the Istanbul Convention, a treaty on preventing and combating gender-based and domestic violence. The treaty was unpopular among conservative and far-right groups who believed its tenets could lead to the legal introduction of same-sex marriage, a third gender category, or school curriculum changes. In response, the government offered a statement saying the treaty's adoption would not change the legal definition of marriage. Amnesty International criticized the Croatian government for failing to harmonize its legislative and policy framework with the treaty's terms.

Abortion is legal, but is restricted to cases of rape, incest, or serious health problems for the pregnant person or fetus after 10 weeks. Croatian doctors face pressure to refrain from performing the procedure. In May 2022, a Croatian woman whose fetus was diagnosed with an aggressive tumor was only able to receive an abortion after a medical commission ruled in her favor. Four hospitals had declined to assist the woman, who was advised to travel to Slovenia.

G4. Do individuals enjoy equality of opportunity and freedom from economic exploitation? 3 / 4

Worker protection laws are robust, and the Office of the Labor Inspectorate actively investigates work sites. However, labor violations remain a problem within the hospitality sector. Workers in the informal sector have less access to legal protections.

Human trafficking remains a problem, sentences for those convicted of it can be light, and witness statements are not always given appropriate consideration in court cases.

Cuba

Population: 11,100,000
Capital: Havana
Freedom Status: Not Free
Electoral Democracy: No

Overview: Cuba's one-party communist state outlaws political pluralism, bans independent media, suppresses dissent, and severely restricts basic civil liberties. The government continues to dominate the economy despite recent reforms that permit some private-sector activity. The regime's undemocratic character has not changed despite a generational transition in political leadership between 2018 and 2021 that included the introduction of a new constitution.

KEY DEVELOPMENTS IN 2022

- Government repression against activists, political opponents, and those who took part in the 2021 social protests continued throughout the year.
- The country's economic crisis deepened with growing inflation during the year, resulting in food shortages and frequent power cuts that triggered popular protests in the summer and fall. Many protests were characterized by violent state repression against demonstrators; a number of protesters were detained, and some have been criminally charged for participating in the demonstrations.

- A national referendum on a new family code passed in September with 67 percent of the vote, recognizing same-sex marriage and the right of same-sex couples to adopt or be beneficiaries of assisted reproduction techniques.
- A new penal code was approved in May and entered into force in December. Among other things, it criminalizes the receipt of foreign financing to carry out activism and increases the minimum penalties for charges typically used to suppress dissent, such as "public disorder."

POLITICAL RIGHTS: 1 / 40

A. ELECTORAL PROCESS: 0 / 12

A1. Was the current head of government or other chief national authority elected through free and fair elections? 0 / 4

Under the 2019 constitution, the president and vice president of the republic are chosen to serve up to two five-year terms by the National Assembly. The prime minister and the Council of Ministers are designated by the National Assembly upon the president's recommendation. In practice, these processes ratify candidates who have been preselected by the Communist Party of Cuba (PCC).

Miguel Díaz-Canel Bermúdez was elected president of the republic under the new constitutional system in a nearly unanimous National Assembly vote in October 2019. That December, he named Manuel Marrero Cruz prime minister. National Assembly president Juan Esteban Lazo Hernández became president of the Council of State, Cuba's top executive office under the old constitution, in October 2019, succeeding Díaz-Canel.

Raúl Castro Ruz, who preceded Díaz-Canel as president of the Council of State, continued to wield considerable power as PCC first secretary. However, Castro retired from that post during the April 2021 party congress and was succeeded by Díaz-Canel. Castro maintains significant influence despite his retirement.

A2. Were the current national legislative representatives elected through free and fair elections? 0 / 4

The unicameral National Assembly is directly elected to serve five-year terms, but a PCC-controlled commission designates all candidates, presenting voters with a single candidate for each seat. Those who receive more than 50 percent of the valid votes cast are deemed elected. The National Assembly in turn selects members of the Council of State, a body that exercises legislative power between the assembly's two brief annual sessions. In the 2018 National Assembly elections, all 605 of the approved candidates were deemed elected.

Elections for municipal assemblies held in November 2022 were marked by historically low voter turnout. The elections reportedly featured only one opposition candidate out of the more than 26,000 nominated, leading opposition groups to call for a boycott of the polls.

A3. Are the electoral laws and framework fair, and are they implemented impartially by the relevant election management bodies? 0 / 4

The only Cuban elections that offer a choice of more than one candidate per office are those for municipal assemblies, but no campaigning is allowed. This did not change under the electoral law unanimously approved in 2019 following ratification of the new constitution, which retained the system of PCC-controlled electoral and candidacy commissions. However, the new law eliminated provincial assemblies, calling instead for municipal assemblies to approve provincial governors proposed by the president, and cut the number of National Assembly delegates to 474 as of the 2023 elections.

B. POLITICAL PLURALISM AND PARTICIPATION: 0 / 16

B1. Do the people have the right to organize in different political parties or other competitive political groupings of their choice, and is the system free of undue obstacles to the rise and fall of these competing parties or groupings? 0 / 4

The constitution identifies the PCC as the "superior driving force of society and the state." All other political parties are illegal. Political dissent is a punishable offense, and dissidents are systematically harassed, detained, physically assaulted, and imprisoned for minor infractions. Supposedly spontaneous mob attacks, known as "acts of repudiation," are often used to silence political dissidents. Madrid-based nongovernmental organization (NGO) Prisoners Defenders reported that more than 1,000 political prisoners were being held by Cuban authorities as of the end of November 2022. That number far exceeds the figures of other allied and similar regimes in Latin America, including Nicaragua and Venezuela.

B2. Is there a realistic opportunity for the opposition to increase its support or gain power through elections? 0 / 4

The PCC has monopolized government and politics in Cuba since the mid-1960s, allowing no electoral competition and preventing any alternative force from succeeding it through a democratic transfer of power. Security forces suppressed opposition activity during both the February 2019 constitutional referendum and the October 2019 election of Díaz-Canel. Municipal elections held in November 2022 featured only one opposition candidate out of the more than 26,000 nominated; earlier that month, opposition groups, who said that the government had blocked opposition candidates from participating, called on voters to boycott the polls.

B3. Are the people's political choices free from domination by forces that are external to the political sphere, or by political forces that employ extrapolitical means? 0 / 4

The authoritarian one-party system in Cuba excludes the public from any genuine, autonomous political participation. Intelligence agencies play an important role in suppressing dissent and wield deep influence over virtually every aspect of the state. Members of dissident groups and even independent actors in the arts, journalism, and other fields are systematically surveilled and periodically interrogated in order to silence them or turn them into informants.

State employees who express political dissent or disagreement with the authorities often face harassment or summary dismissal. Professionals dismissed from their jobs in the state sector have difficulty continuing their careers.

B4. Do various segments of the population (including ethnic, racial, religious, gender, LGBT+, and other relevant groups) have full political rights and electoral opportunities? 0 / 4

The PCC leadership has exhibited greater gender and racial diversity in recent years. However, since political rights are denied to all Cuban citizens, women, Afro-Cubans, and members of other demographic groups are unable to choose their representatives or organize independently to assert their political interests.

Women hold more than half of the 605 National Assembly seats. However, women held only 3 seats in the 12-seat Political Bureau of the PCC Central Committee during the April 2021 party congress. Cubans of African and mixed-race descent are well represented in the legislature. Lazo, an Afro-Cuban PCC stalwart, simultaneously holds the powerful positions of National Assembly president and head of the Council of State.

The political interests of LGBT+ people are not well represented. Some public advocacy is permitted, but only with the permission of the PCC.

C. FUNCTIONING OF GOVERNMENT: 1 / 12

C1. Do the freely elected head of government and national legislative representatives determine the policies of the government? 0 / 4

None of Cuba's nominally elected officials are chosen through free and fair contests, and major policy decisions are reserved for the PCC leadership in practice. The National Assembly, which the constitution describes as the "supreme organ of state power," has little independent influence, meets for brief sessions twice a year, and votes unanimously on nearly all matters before it.

C2. Are safeguards against official corruption strong and effective? 1 / 4

Corruption remains a serious problem in Cuba, with widespread illegality permeating everyday life. The state enjoys a monopoly on most large business transactions, and there are no independent mechanisms to hold officials accountable for wrongdoing.

The government has at times pursued anticorruption campaigns, and long prison sentences have been imposed on high-level Cuban officials and foreign businessmen found guilty of corruption-related charges. However, internal reforms that would make the system more transparent and less prone to abuse have been rejected. The authorities do not tolerate civil society groups, independent journalists, or independent courts that might serve as external checks on government malfeasance.

C3. Does the government operate with openness and transparency? 0 / 4

Cuba lacks effective laws that provide for freedom of information and access to official records. Decree Law 6 of 2020 allows individuals to request data from the national statistics office; in practice, however, officials can decline such requests.

CIVIL LIBERTIES: 11 / 60

D. FREEDOM OF EXPRESSION AND BELIEF: 4 / 16

D1. Are there free and independent media? 0 / 4

Cuba has one of the most restrictive media environments in the world. The formal media sector is owned and controlled by the state, and the constitution prohibits privately owned media. The country's independent press operates outside the law, its publications are considered "enemy propaganda," and its journalists are routinely harassed, detained, interrogated, threatened, defamed in the official press, and prohibited from traveling abroad. Government agents regularly accuse them of being mercenaries and even terrorists, and many face charges of "usurpation of legal capacity," "diffusion of false news," or other vaguely defined offenses. Journalists at state-owned outlets engage in similar discourse when discussing dissidents; in April 2021, television presenter Humberto López called for members of the dissident San Isidro Movement (MSI) and 27N artist collectives to be charged with "treason against the homeland," a capital offense.

The government closely monitors and persecutes perceived dissidents within the artistic community, mainstream artists, and media figures who air independent or critical views. In May 2021, authorities forcefully entered the home of MSI member Luis Manuel Otero Alcántra—who began a hunger strike over the seizure and destruction of artwork in April—and sent him to a hospital. Otero was discharged at the end of May but was arrested on July 11, as protests were held nationwide.

In mid-May 2021, MSI cofounder Maykel Castillo Pérez, who coproduced and performed the antigovernment song "Patria y Vida" ("Homeland and Life") along with Otero, was detained by the authorities and charged with crimes including "resistance" and

"contempt." Both Castillo and Otero were held in pretrial detention until June 2022, when they were sentenced to nine and five years in prison, respectively.

The work of independent media and journalists was further impeded by the passage of the amended penal code in May 2022, which criminalizes the receipt of funds used to promote acts that the government considers contrary to state security. Several rights organizations, including the Committee to Protect Journalists (CPJ), condemned the legislation as part of an "intricate and perverse legal regime of censorship" by the government intended to further suppress the country's independent media. Numerous independent journalists were coerced into publicly resigning in exchange for their freedom during the year, and many entered into exile as a result of government repression.

D2. Are individuals free to practice and express their religious faith or nonbelief in public and private? 3 / 4

While Cubans do enjoy religious freedom, official obstacles make it difficult for churches to operate without interference. Certain church groups have struggled to obtain registration, and association with an unregistered group is a criminal offense. The Roman Catholic Church has enjoyed an expansion of its pastoral rights, including periodic access to state media and the ability to build new churches. Protestant and evangelical groups tend to face greater restrictions, though they too have experienced improved conditions in recent years.

After the historic July 11, 2021 protests and others throughout 2021 and 2022, both leaders and members of several religious groups have been interrogated, persecuted and forced into exile for supporting protesters' demands and assisting the families of those imprisoned for participating in the protests. In September 2022, David Pantaleón, the head of the Jesuit order in Cuba, who openly offered support for MSI activists and denounced state repression, was forced to leave the country after the authorities declined to renew his residence permit.

D3. Is there academic freedom, and is the educational system free from extensive political indoctrination? 0 / 4

Academic freedom is restricted in Cuba. Private schools and universities have been banned since the early 1960s, teaching materials often contain ideological content, and educators commonly require PCC affiliation for career advancement. Despite the elimination of exit visas in 2013, university faculty must still obtain permission to travel to academic conferences abroad, and officials often prevent dissident intellectuals from attending such events. Officials also deny entry to prominent intellectuals who have been critical of the regime. Recent years have featured numerous cases of academics and students being dismissed from universities in reprisal for their political opinions or activities.

D4. Are individuals free to express their personal views on political or other sensitive topics without fear of surveillance or retribution? 1 / 4

Cubans often engage in private discussions regarding everyday issues like the economy, food prices, foreign travel, and internet access, but tend to avoid discussing more sensitive political issues. Neighborhood-level "Committees for the Defense of the Revolution" assist security agencies by monitoring, reporting, and suppressing dissent.

The new penal code adopted in December 2022 designates the use of social media to incite crimes or spread disinformation—as defined by the government—as an "aggravating circumstance," allowing for higher penalties to be applied in such cases. International human rights groups have condemned the new penal code as severely limiting individuals' right to freedom of expression.

E. ASSOCIATIONAL AND ORGANIZATIONAL RIGHTS: 0 / 12

E1. Is there freedom of assembly? 0 / 4

Restrictions on freedom of assembly remain a key form of political control. Security forces and government-backed assailants routinely interrupt peaceful gatherings or protests by political dissidents and civic activists.

On July 11, 2021, Cubans participated in the largest rallies in over 20 years, holding nationwide protests over shortages of basic goods, economic difficulties, the government's COVID-19 response, and a lack of fundamental freedoms. Authorities acted violently in order to disperse the protests; security officers used live ammunition, tear gas, and pepper spray, and were also seen charging protesters. One person was killed and as many as 1,300 people were arrested. During 2022, hundreds of people were sentenced on charges related to their participation in the 2021 protests, with hundreds more remaining in pretrial detention at year's end.

Antigovernment demonstrations, including protests over frequent power cuts and food shortages, continued during 2022, though not to the scale seen in 2021. Police arrested a number of protesters, and frequently used violence to disperse protests; in one case in August, while attempting to dispel an antigovernment protest in Nuevitas, police forces physically assaulted protesters, including an 11-year-old girl. In April, Carlos Ernesto Díaz González—known as Ktivo Disidente—was arrested for peacefully protesting in Havana. He was accused of contempt and defamation, put on trial in November, and found guilty and sentenced to two and a half years in jail.

E2. Is there freedom for nongovernmental organizations, particularly those that are engaged in human rights– and governance-related work? 0 / 4

Citing the 1985 Law on Associations, the government refuses to register any new organization that is not state supervised. Nearly all politically motivated short-term detentions in recent years have targeted members of independent associations, think tanks, human rights groups, political parties, and trade unions.

In 2022, state repression of activist movements and human rights organizations that had supported the protests of 2021 and 2022 severely limited their ability to engage in their work, with members facing arrest, detention, and exile. In addition to the MSI, the authorities also targeted activist groups including 27N, Archipiélago, the Ladies in White, and the Patriotic Union of Cuba (UNPACU). During the year, Berta Soler Fernández, leader of the Ladies in White, and Guillermo Fariñas, head of the United Anti-Totalitarian Forum (FANTU), were subject to repeated arrests.

E3. Is there freedom for trade unions and similar professional or labor organizations? 0 / 4

Cuban workers do not have the right to strike or bargain collectively, and independent labor unions are illegal.

F. RULE OF LAW: 1 / 16

F1. Is there an independent judiciary? 0 / 4

According to the constitution, the National Assembly controls judicial appointments and suspensions, and the Council of State exercises these powers when the assembly is not in session. The Council of State is also empowered to issue "instructions of a general character" to the courts, whose rulings typically conform to the interests of the PCC.

In May 2022, the independent Cuban press published a video from 2018 of a meeting between the president of the Supreme Court, Rubén Remigio Ferro, and various individuals, including prosecutors and officials from the Ministry of the Interior. In the video, Remigio

expressly recognized that the judiciary is controlled by the PCC and that, in practice, judges are required to issue rulings in line with PCC policies.

F2. Does due process prevail in civil and criminal matters? 0 / 4

The regime's systematic violation of due process is regularly illustrated by trumped-up criminal cases against dissidents and independent journalists. Cubans facing trial do not benefit from speedy proceedings.

Those arrested on July 11, 2021 faced due process violations, and the judiciary held summary trials against defendants. Courts issued convictions and sentences against 40 people by early August, though none of those individuals benefited from legal representation. Another round of trials reportedly took place in December, with the US State Department noting that over 150 defendants received prison sentences during those proceedings; some defendants convicted in December received terms of up to 30 years. Summary trials and sentencing of protesters continued in 2022.

F3. Is there protection from the illegitimate use of physical force and freedom from war and insurgencies? 0 / 4

Although violent crime rates are believed to be relatively low, physical security for the population is undermined by government-backed violence. Opposition activists, human rights defenders, and other perceived enemies of the regime are routinely subjected to public assaults, excessive use of force by police during raids and arrests, and abuse in custody. The government has repeatedly refused to allow international monitoring of its prisons. Prison conditions are poor, featuring overcrowding, forced labor, inadequate sanitation and medical care, and physical abuse.

Following the surge in popular protests seen in 2021 and 2022, explicit violence against demonstrators at the hands of the authorities has reportedly increased in frequency. In July 2021, security forces used live ammunition against protesters and subsequently engaged in violent and degrading treatment—including torture, sleep deprivation, and threats of reprisal—against those taken into custody. In 2022, security forces continued to violently repress protests and perceived dissidents across the country, with many individuals subjected to physical assaults and arbitrary arrests.

F4. Do laws, policies, and practices guarantee equal treatment of various segments of the population? 1 / 4

Article 42 of the 2019 constitution extended protection from discrimination to a wider array of vulnerable groups, explicitly adding categories such as ethnic origin, gender identity, sexual orientation, age, and disability to the existing safeguards regarding race, sex, national origin, and religion. PCC control of the government and justice system limits the ability to enforce such guarantees impartially or effectively, and independent calls for equal treatment can draw state reprisals.

Women enjoy legal equality and are well represented in most professions, though their labor force participation rate lags well behind that of men, suggesting persistent economic disparities and cultural double standards.

Discrimination based on sexual orientation was criminalized in the new penal code passed in May 2022. Also, in a national referendum in September, a new family code that recognizes same-sex marriage and the right of same-sex couples to adopt or be beneficiaries of assisted reproduction techniques was approved with 67 percent of the vote. Mariela Castro Espín, Raúl Castro's daughter and director of the National Center for Sex Education (CENESEX)—which seeks to control and direct LGBT+ advocacy—has advocated on

behalf of LGBT+ people. However, the advocacy efforts of independent LGBT+ groups and activists are either ignored or suppressed.

G. PERSONAL AUTONOMY AND INDIVIDUAL RIGHTS: 6 / 16

G1. Do individuals enjoy freedom of movement, including the ability to change their place of residence, employment, or education? 1 / 4

Freedom of movement and the right to change one's residence and place of employment are restricted. Cubans still face extremely high passport fees, and Cuban doctors, diplomats, and athletes who "defect" abroad are prohibited from visiting for eight years. Numerous dissidents, including MSI member Anamely Ramos and civil rights activist Omara Ruiz Urquiola, as well as journalist and writer Carlos Manuel Álvarez, were prevented from entering Cuba in 2022.

Some dissidents and journalists are barred from foreign travel, despite a 2013 migration law that rescinded the exit-visa requirement. The number of people leaving Cuba—including those barred from traveling abroad, known as *regulados*—has risen sharply since the July 2021 protests, with estimates exceeding 140,000 Cuban immigrants and asylum seekers attempting to enter the United States between October 2021 and July 2022 alone.

G2. Are individuals able to exercise the right to own property and establish private businesses without undue interference from state or nonstate actors? 1 / 4

The 2019 constitution recognized private property as one form of ownership, though opportunities to obtain property and operate private enterprises remain restricted. In June 2021, the government announced that it would allow the formation of small and medium-sized enterprises but would limit their activities to sectors that are not deemed strategic. Restrictions on self-employed workers remained under the government's updated private-enterprise policy, however. The government has at times used legal provisions, such as Decree Law 370 and Decree Law 149, to confiscate assets from individuals, organizations, and businesses as a means of repressing dissent.

G3. Do individuals enjoy personal social freedoms, including choice of marriage partner and size of family, protection from domestic violence, and control over appearance? 3 / 4

Individuals enjoy broad freedom in their interpersonal, romantic, and sexual relationships. While divorce is common, men and women have equal rights to marital goods and child custody. A new family code was adopted in September 2022 after being approved with 67 percent of the vote in a referendum; the new law recognizes same-sex marriage and grants same-sex couples the right to adopt or be beneficiaries of assisted reproduction techniques.

Abortion is legal in Cuba.

Domestic violence is a problem, and police are reportedly unresponsive to complaints of such abuse. In 2022, the new family code codified penalties for those convicted of domestic violence-related offenses. Other legislation passed since October 2021, including the new penal code passed in May 2022, established a number of preventative and compensatory mechanisms for victims of domestic and gender-based violence, including provisions that increase the penalties for crimes with gender-based violence as a component.

G4. Do individuals enjoy equality of opportunity and freedom from economic exploitation? 1 / 4

Average official salaries remain extremely low and the country faces extremely high inflation. Cubans employed by foreign firms are often much better remunerated than their fellow citizens, even though most are contracted through a state employment agency that siphons off the bulk of their wages and uses political criteria in screening applicants.

Cyprus

Population: 1,300,000
Capital: Nicosia
Freedom Status: Free
Electoral Democracy: Yes

Note: The numerical scores and status listed here do not reflect conditions in Northern Cyprus, which is examined in a separate report. *Freedom in the World* reports assess the level of political rights and civil liberties in a given geographical area, regardless of whether they are affected by the state, nonstate actors, or foreign powers. Disputed or occupied territories are sometimes assessed separately if they meet certain criteria, including boundaries that are sufficiently stable to allow year-on-year comparisons. For more information, see the report methodology.

Overview: The Republic of Cyprus is a democracy with de jure sovereignty over the entire island. In practice, however, the government controls only the southern, largely Greek-speaking part of the island, as the northern area is ruled by the self-declared Turkish Republic of Northern Cyprus (TRNC), recognized only by Turkey. Political rights and civil liberties are generally respected in the Republic of Cyprus. Ongoing concerns include corruption, societal discrimination against minority groups, obstacles to integration for migrants, and weaknesses in the asylum system.

KEY DEVELOPMENTS IN 2022

- Political affairs during the year were focused on the upcoming February 2023 presidential election, with different parties declaring support for their respective candidates and policy proposals.
- The country's capacity to process and host migrants and asylum seekers came under further strain, as new asylum applications increased by more than 60 percent compared with 2021.

POLITICAL RIGHTS: 38 / 40

A. ELECTORAL PROCESS: 12 / 12

A1. Was the current head of government or other chief national authority elected through free and fair elections? 4 / 4

The president, who serves as both head of state and head of government, is elected by popular vote for up to two five-year terms. President Nicos Anastasiades of the center-right Democratic Rally (DISY) party won a second term with 56 percent of the vote in a 2018 runoff against Stavros Malas, who was backed by the left-wing Progressive Party of Working People (AKEL). The two had outpolled seven other candidates in the first round. International observers found that the overall election process adhered to democratic principles.

The next presidential election was set for February 2023, and Anastasiades said he would not seek a third term, quieting a debate on whether a 2019 constitutional amendment imposing the two-term limit should apply retroactively.

A2. Were the current national legislative representatives elected through free and fair elections? 4 / 4

The unicameral House of Representatives has 80 seats filled through proportional representation in six multimember electoral districts. Members serve five-year terms. In practice,

only 56 seats are occupied, as the 24 seats reserved for the Turkish Cypriot community have been left unfilled since Turkish Cypriot representatives withdrew from the chamber in 1964.

In the 2021 legislative elections, which were held in accordance with international standards, DISY led the voting with 17 seats, down one from 2016, followed by AKEL with 15, also a one-seat decline. The centrist Democratic Party (DIKO) received nine seats, the far-right National Popular Front (ELAM) received four, the Movement for Social Democracy–Citizens' Alliance (EDEK-SYPOL) also took four seats, and the Green Party (KOSP) secured three seats. The liberal centrist Democratic Alignment (DIPA) won parliamentary representation for the first time, receiving four seats.

Also in 2021, the parliament voted to postpone that year's municipal elections until the 2024 implementation of structural reforms that would, among other changes, reduce the number of municipalities. The incumbent municipal councils would remain in place while the reforms were pending.

A3. Are the electoral laws and framework fair, and are they implemented impartially by the relevant election management bodies? 4 / 4

Electoral laws are generally fair. Voters may only cast ballots at their locality of residence, not in other parts of Cyprus, and from abroad under certain conditions. In its report on the 2021 legislative elections, the Organization for Security and Co-operation in Europe (OSCE) praised the electoral administration but recommended several improvements, including legal provisions for the presence of foreign and citizen observers, caps on parties' campaign spending, and earlier reporting requirements for such spending.

B. POLITICAL PLURALISM AND PARTICIPATION: 15 / 16

B1. Do the people have the right to organize in different political parties or other competitive political groupings of their choice, and is the system free of undue obstacles to the rise and fall of these competing parties or groupings? 4 / 4

A wide array of parties compete in the political system. Cyprus's two main parties, DISY on the right and AKEL on the left, usually split the largest share of the vote, but other parties are often able to play significant roles. In the most recent elections, the vote threshold for parties to win representation in the legislature was 3.6 percent.

B2. Is there a realistic opportunity for the opposition to increase its support or gain power through elections? 4 / 4

Cyprus has experienced regular democratic transfers of power between rival parties in recent decades. Multiple opposition parties are able to gain representation in the legislature.

B3. Are the people's political choices free from domination by forces that are external to the political sphere, or by political forces that employ extrapolitical means? 4 / 4

People are generally able to express their political choices without undue interference from outside actors.

B4. Do various segments of the population (including ethnic, racial, religious, gender, LGBT+, and other relevant groups) have full political rights and electoral opportunities? 3 / 4

Three recognized Christian minority groups—the Armenians, the Latins (Catholic), and the Maronites—each have one nonvoting representative in the parliament. Members of these communities vote in special elections for their representatives, as well as in the general elections. The 24 seats reserved for the Turkish Cypriot population remain unfilled. However, in the 2019 European Parliament (EP) elections, AKEL's Niyazi Kızılyürek became the first Turkish Cypriot to be elected to the EP or to win office in the Republic of Cyprus since 1964.

Women in Cyprus have equal political rights, but sexism and patriarchal attitudes discourage them from playing a more active role in politics. No parliamentary party is led by a woman, and parties have failed to meet internal quotas mandating that 30 to 35 percent of their candidates be women. Only eight women were elected to the parliament in 2021, a decline from the 2016 results. Nevertheless, that year Annita Demetriou of DISY became the first woman to be elected as speaker of the Cypriot parliament.

The interests of the LGBT+ community, which still faces significant discrimination from some sectors of society, are not always well represented in the political system.

Immigrants have some access to naturalization procedures and the political rights associated with citizenship, generally requiring several years of legal residency to apply. Separately, many Cyprus-born residents with one Turkish and one Turkish Cypriot parent have faced lengthy delays in their citizenship applications, leaving them stateless in some cases.

C. FUNCTIONING OF GOVERNMENT: 11 / 12

C1. Do the freely elected head of government and national legislative representatives determine the policies of the government? 4 / 4

The freely elected government is able to make and implement policy without improper interference from unelected entities.

C2. Are safeguards against official corruption strong and effective? 3 / 4

Cyprus has strong anticorruption laws that are, for the most part, adequately enforced. However, there have been a number of high-profile corruption scandals in recent years, and the government has faced criticism for early releases and pardons of individuals convicted on corruption charges.

In 2022, the authorities continued to revoke passports that had been granted illegally under a flawed citizenship-by-investment program. The program was terminated in 2020 following revelations that passports had been improperly issued to individuals with criminal records or links to foreign governments.

C3. Does the government operate with openness and transparency? 4 / 4

In general, the government operates with openness and transparency. A freedom of information law was enacted in 2017, though civil society activists argued that its exemptions were too broad.

Most candidates for the February 2023 presidential election agreed during 2022 to comply with an enhanced asset-declaration procedure proposed by independent experts who regarded the legally required declarations as inadequate.

CIVIL LIBERTIES: 54 / 60 (−1)

D. FREEDOM OF EXPRESSION AND BELIEF: 15 / 16

D1. Are there free and independent media? 4 / 4

Freedom of speech is constitutionally guaranteed, and media freedom is generally respected. A vibrant independent press frequently holds the authorities to account. Numerous private outlets compete with public media. There are no restrictions on access to online news sources.

D2. Are individuals free to practice and express their religious faith or nonbelief in public and private? 4 / 4

Religious freedom is constitutionally guaranteed and generally protected in practice. Nearly 90 percent of those living in government-controlled Cyprus are Orthodox Christians,

and the Orthodox Church enjoys certain privileges, including religious instruction and some religious services in public schools. Non-Orthodox students may opt out of such activities. The government also constitutionally recognizes and subsidizes non-Orthodox Christian and Muslim religious institutions, and it facilitates crossings to and from Northern Cyprus for the purpose of worship at religious sites. Unrecognized religious groups can receive tax exemptions by registering as nonprofit organizations.

Muslim groups have occasionally faced obstacles in the operation of their religious sites or discrimination by the general public. Muslims have criticized the hours of access to Hala Sultan Tekke, an important holy site in Larnaca that is administered by the Department of Antiquities. The site's mosque is generally open for only two of Islam's five daily prayers for most of the year, though extended hours are granted during Ramadan and at other times upon request.

D3. Is there academic freedom, and is the educational system free from extensive political indoctrination? 3 / 4

Academic freedom is respected in Cyprus. However, state schools use textbooks containing negative language about Turkish Cypriots and Turkey, and there is pressure from elements of the political system regarding schools' treatment of sensitive historical and unification-related issues.

D4. Are individuals free to express their personal views on political or other sensitive topics without fear of surveillance or retribution? 4 / 4

People are generally free to engage in political and other sensitive discussions without fear of retribution or surveillance.

E. ASSOCIATIONAL AND ORGANIZATIONAL RIGHTS: 11 / 12

E1. Is there freedom of assembly? 4 / 4

Freedom of assembly is constitutionally guaranteed and generally respected in practice.

E2. Is there freedom for nongovernmental organizations, particularly those that are engaged in human rights– and governance-related work? 3 / 4

NGOs are generally free to operate without government interference. However, the government has used regulatory rules to harass specific organizations in recent years. A 2020 amendment to the law on associations empowered the Interior Ministry to swiftly deregister NGOs that it deems inactive or noncompliant with the law's filing requirements. The ministry then deregistered Action for Equality, Support, Antiracism (KISA), which was known for its advocacy on behalf of migrants and asylum seekers, on the grounds that it failed to file documents with the Registrar of Associations within the required deadline. The necessary information was submitted after the deadline, but in 2021 the ministry ordered banks to freeze the organization's assets, and the Administrative Court rejected KISA's appeal of the deregistration. An appeal to the Supreme Court was still pending at the end of 2022. Also during the year, several NGOs had their bank accounts temporarily frozen under indiscriminate policies related to addresses in Northern Cyprus or protections against money laundering.

E3. Is there freedom for trade unions and similar professional or labor organizations? 4 / 4

Workers have the right to strike, form independent trade unions, and engage in collective bargaining. The law provides remedies for antiunion discrimination, though enforcement is uneven.

F. RULE OF LAW: 15 / 16

F1. Is there an independent judiciary? 4 / 4

The judiciary is independent. Supreme Court judges are appointed by the president on the recommendation of the court's existing members, and lower court judges are appointed by Supreme Court judges in their capacity as the Supreme Council of Judicature.

F2. Does due process prevail in civil and criminal matters? 4 / 4

The justice system generally upholds due process standards. Law enforcement agencies largely observe safeguards against arbitrary arrest and detention, and criminal defendants have access to counsel and fair trial procedures.

F3. Is there protection from the illegitimate use of physical force and freedom from war and insurgencies? 4 / 4

Residents are free from major threats to physical security, though human rights monitors have noted cases of police brutality. Overcrowding and other problematic conditions have been reported at prisons and migrant detention centers.

F4. Do laws, policies, and practices guarantee equal treatment of various segments of the population? 3 / 4

Despite government efforts to combat prejudice and inequality, members of non–Greek Cypriot minority groups, including migrants and asylum seekers, face discrimination and occasional violence.

A total of 21,565 new asylum applications were filed in Cyprus during 2022, a 63 percent increase from the 2021 total. Partly as a result of this rise, there were some 30,000 asylum applications pending at the end of 2022, up from nearly 19,000 at the end of 2021. A specialized administrative court began operating in 2019 to handle appeals. In 2021, the government simplified procedures for hiring asylum seekers, though they were permitted to work only in certain sectors and categories of employment. Most asylum seekers arrive by land through the TRNC, prompting allegations from the Cypriot government that Ankara is encouraging irregular migration. Cypriot authorities have engaged in controversial maritime pushbacks to Lebanon to prevent arrivals by sea.

Overcrowding and other poor conditions at the Pournara reception center have been exacerbated by the rise in new arrivals, prompting periodic protests by the residents. The center, built in 2014 as an emergency reception facility for up to 400 people, was later expanded to accommodate 1,000. By 2022 it reportedly hosted more than 2,000 people, with authorities struggling to properly house unaccompanied minors and other vulnerable groups.

Gender discrimination in the workplace remains a problem, including with respect to hiring practices, salaries, and sexual harassment; laws against such discrimination have not been adequately enforced.

Antidiscrimination laws generally prohibit bias based on sexual orientation, and there are legal protections for transgender people on some issues. However, the LGBT+ community continues to face societal discrimination in practice.

G. PERSONAL AUTONOMY AND INDIVIDUAL RIGHTS: 13 / 16 (−1)

G1. Do individuals enjoy freedom of movement, including the ability to change their place of residence, employment, or education? 3 / 4

There are few impediments to freedom of movement within the government-controlled area. The UN buffer zone dividing the island remains in place, but the number of border crossings between north and south has increased over the last decade.

G2. Are individuals able to exercise the right to own property and establish private businesses without undue interference from state or nonstate actors? 3 / 4 (−1)

Property rights are generally respected in Cyprus.

A 1991 law stipulates that property left by Turkish Cypriots after 1974, when a Turkish invasion divided the island, is administered by the Interior Ministry. Under the law in the north, Greek Cypriots can appeal to the Immovable Property Commission (IPC), which has been recognized by the European Court of Human Rights as a responsible authority for the resolution of property disputes. However, its work has been seriously impaired in recent years by a lack of funding from the TRNC and Ankara.

In September 2022, the government confirmed that many Turkish Cypriot properties had been illegally sublet by Greek Cypriots who exploited the low rents charged by the Interior Ministry's management agency. Meanwhile, Turkish Cypriot owners continued to be denied access and restitution.

Score Change: The score declined from 4 to 3 because Turkish Cypriot property managed by the Interior Ministry has been regularly subjected to illegal subletting by Greek Cypriot residents.

G3. Do individuals enjoy personal social freedoms, including choice of marriage partner and size of family, protection from domestic violence, and control over appearance? 4 / 4

Personal social freedoms are largely unrestricted. Same-sex civil unions are allowed under a 2015 law. However, there are no adoption rights for same-sex couples. No progress was reported during 2022 on legislation proposed in 2017 to allow corrections of one's legal gender. Domestic violence remains a problem despite official efforts to prevent and punish it. Government-funded shelters are open to survivors of domestic abuse.

G4. Do individuals enjoy equality of opportunity and freedom from economic exploitation? 3 / 4

The legal framework generally protects workers against exploitative conditions of employment, and the government has made genuine progress in combating human trafficking. However, persistent problems include insufficient resources for labor inspectors and illegally low pay for undocumented migrant workers. Migrant workers and asylum seekers remain vulnerable to sexual exploitation and forced labor.

Czech Republic

Population: 10,500,000
Capital: Prague
Freedom Status: Free
Electoral Democracy: Yes

Overview: The Czech Republic is a parliamentary democracy in which political rights and civil liberties are generally respected. In recent years, the country has experienced several corruption scandals and political disputes that have hampered normal legislative activity, though institutions are responsive to corruption allegations. Illiberal rhetoric and the influence of powerful business entities in the political arena are visible.

KEY DEVELOPMENTS IN 2022

- In November, a bill meant to strengthen the independence of Czech Television (ČT) and Czech Radio (ČRo) passed its first reading. The bill, which was then sent to a parliamentary committee, would make it more difficult to remove their board members and allow the Senate to fill some of their boards' seats.
- In March, former prime minister Andrej Babiš was indicted over accusations that a Agrofert, firm he maintained effective ownership of, improperly benefited from European Union (EU) subsidies. The trial against Babiš and an associate began in September and was ongoing at year's end.
- In June, prosecutors charged 11 people with bribery and other offenses related to alleged misconduct at the Prague Transport Company, including lobbyist and businessman Michal Redl. The education minister resigned over his connection to Redl in June, while intelligence chief resigned in August.

POLITICAL RIGHTS: 36 / 40

A. ELECTORAL PROCESS: 12 / 12

A1. Was the current head of government or other chief national authority elected through free and fair elections? 4 / 4

The president is the head of state but holds limited powers and is directly elected to up to two five-year terms. In January 2018, incumbent Miloš Zeman of the Party of Civic Rights was reelected, defeating Jiří Drahoš in the second round.

The prime minister is the head of government and holds most executive power. Petr Fiala of the Civic Democratic Party (ODS) became prime minister in November 2021, a month after parliamentary elections. Fiala leads a coalition government comprising two pro-EU electoral alliances; one is the Together coalition (SPOLU), while the other includes the Czech Pirate Party and centrist Mayors and Independents.

A2. Were the current national legislative representatives elected through free and fair elections? 4 / 4

The 200 members of the Chamber of Deputies, the lower house of Parliament, are elected to four-year terms by proportional representation. The Senate, the upper chamber, which holds limited legislative power, has 81 members elected for six-year terms, with one-third up for election every two years.

The free and fair October 2021 elections saw a voter turnout of 65.4 percent. The Action of Dissatisfied Citizens (ANO) party won a plurality of 72 seats in the Chamber of Deputies. SPOLU—comprising the ODS, the Christian Democratic Union–Czechoslovak People's Party (KDU-ČSL), and Tradition, Responsibility, Prosperity 09 (TOP 09)—won 71. The Pirates-Mayors coalition took 37. The populist, anti-immigration Freedom and Direct Democracy (SPD) party won 20. SPOLU and the Pirates-Mayors group formed a governing coalition, with then premier Babiš giving way that November.

The ANO performed well in local elections held in September 2022. However, it won few of the Senate seats contested in two rounds in September and October. The ANO won 3 of the Senate seats decided in October, while SPOLU won 20.

A3. Are the electoral laws and framework fair, and are they implemented impartially by the relevant election management bodies? 4 / 4

The electoral framework is robust and generally well implemented by the State Election Commission. However, the body does not always operate with transparency. In 2021, the Organization for Security and Co-operation in Europe expressed disappointment that most of its previous recommendations went unaddressed.

The Interior Ministry was responsible for registering candidates for the January 2023 presidential election. In December 2022, the Supreme Administrative Court ruled that businessman Karel Diviš was inappropriately excluded and could run. It also disqualified activist Denisa Rohanová; some of her backers were lower-house members whose mandates had ended before the election was due.

B. POLITICAL PLURALISM AND PARTICIPATION: 15 / 16

B1. Do the people have the right to organize in different political parties or other competitive political groupings of their choice, and is the system free of undue obstacles to the rise and fall of these competing parties or groupings? 4 / 4

Political parties are free to form and operate.

Presidential candidates can qualify after receiving 50,000 signatures or otherwise securing the support of 20 deputies or 10 senators. However, the law is unclear as to whether a candidacy submitted by outgoing lawmakers is permitted.

B2. Is there a realistic opportunity for the opposition to increase its support or gain power through elections? 4 / 4

Power rotates between parties regularly. The liberal Pirates-Mayors coalition and the center-right SPOLU were both formed ahead of the October 2021 polls.

B3. Are the people's political choices free from domination by forces that are external to the political sphere, or by political forces that employ extrapolitical means? 4 / 4

The influence of politically connected media outlets has been a notable concern. In recent years, critics have accused Babiš of using *MF Dnes* and *Lidove noviny*, newspapers he placed in a trust during his premiership, to advance his political and business interests.

B4. Do various segments of the population (including ethnic, racial, religious, gender, LGBT+, and other relevant groups) have full political rights and electoral opportunities? 3 / 4

By law, all citizens have full political rights and electoral opportunities. However, Roma lack meaningful political representation.

Women are underrepresented in electoral politics and appointed positions. Women held 52 lower-house seats as of December 2022, a record. Women held 15 Senate seats as of September.

C. FUNCTIONING OF GOVERNMENT: 9 / 12

C1. Do the freely elected head of government and national legislative representatives determine the policies of the government? 4 / 4

Elected officials are duly installed and generally able to craft and implement policy.

C2. Are safeguards against official corruption strong and effective? 2 / 4

Corruption remains a problem in Czech politics, but institutions have generally been responsive to corruption allegations.

In 2017, Czech police and the European Anti-Fraud Office (OLAF) began investigating Babiš following allegations of improprieties regarding the disbursement of EU subsidies to Agrofert, a company Babiš maintained de facto ownership of. In 2018, OLAF concluded that the subsidies were obtained in a manner that may have broken Czech law. Babiš was indicted in March 2022 and the trial against him and an associate began in September. Babiš, who was considering contesting the 2023 presidential election, argued that the case was politically motivated. The trial was ongoing at year's end.

The coalition government was affected by allegations of misconduct at the Prague Transport Company in 2022. In June, prosecutors charged 11 people with bribery and other offenses, including Prague deputy mayor Petr Hlubuček, who resigned from his post. Lobbyist and businessman Michal Redl was also charged. Education Minister Petr Gazdík, who met Redl several times, resigned that same month, while Civil Intelligence Service chief Petr Mlejnek, who was also linked to Redl, left his post in August.

In November 2022, the government presented a new bill to protect whistleblowers. The bill faced criticism for potentially burdening larger companies while offering insufficient protections for whistleblowers. The measure was making its way through Parliament at year's end.

C3. Does the government operate with openness and transparency? 3 / 4

The government often fails to proactively publish information about procurement processes, public officials' salaries, and public spending. Members of the public must request a time-sensitive password to view asset declarations online. Under a 2018 law, the "ultimate beneficial owners" of companies and trust funds must be disclosed in a register. That register is not available to the public, though law enforcement agencies, the courts, and several other entities can access it.

In August 2022, an amended version of the 1999 Act on Free Access to Information took effect, requiring more partially state-owned firms to abide by its provisions. The law also expands the provision of information regarding public-sector compensation.

CIVIL LIBERTIES: 56 / 60 (+1)

D. FREEDOM OF EXPRESSION AND BELIEF: 15 / 16 (+1)

D1. Are there free and independent media? 4 / 4 (+1)

The media operate relatively freely, and the government does not place undue restrictions on content.

Legislation protects private ownership of media outlets, but concerns remain about the extent to which the media is controlled by wealthy business figures. Critics had accused Babiš's newspapers of providing biased coverage and acting as tools to advance his political interests, though government pressure on the media sector has declined since he left office.

The independence of publicly owned ČT was threatened under the Babiš-led ANO government, which unsuccessfully attempted to appoint new members to ČT's board and unseat its director. In November 2022, a bill meant to strengthen the independence of ČT and ČRo passed its first reading. The bill, which was then sent to a parliamentary committee, would make it more difficult to remove ČT and ČRo board members and would empower the Senate to fill some of their boards' seats.

Score Change: The score improved from 3 to 4 because government pressure on and influence over the media has decreased since Andrej Babiš, a media magnate who retained control over several private outlets, left the premiership in late 2021.

D2. Are individuals free to practice and express their religious faith or nonbelief in public and private? 3 / 4

The government generally upholds freedom of religion. Tax benefits and financial support are provided to registered religious groups. In 2012, the government passed a law to facilitate the return of land confiscated from churches by the former communist regime. In 2019, the Constitutional Court ruled that churches cannot be taxed for returned land.

D3. Is there academic freedom, and is the educational system free from extensive political indoctrination? 4 / 4

Academic freedom is respected. Ceremonial presidential approval is required for academic positions.

D4. Are individuals free to express their personal views on political or other sensitive topics without fear of surveillance or retribution? 4 / 4

People are generally able to express controversial or political opinions without fear of surveillance or retribution.

E. ASSOCIATIONAL AND ORGANIZATIONAL RIGHTS: 12 / 12

E1. Is there freedom of assembly? 4 / 4

Freedom of assembly is upheld in practice, and demonstrations take place frequently and without incident.

Protests took place peacefully and without undue interference from the authorities during 2022. Large antigovernment protests were held in Prague in September and late October, while a large progovernment rally was held at the end of October.

E2. Is there freedom for nongovernmental organizations, particularly those that are engaged in human rights– and governance-related work? 4 / 4

Tens of thousands of registered nongovernmental organizations operate in the country, generally without official interference.

E3. Is there freedom for trade unions and similar professional or labor organizations? 4 / 4

Trade unions and professional associations function freely, though they are weak in practice. Workers have the right to strike, though this right is limited for essential public employees, such as hospital workers and air traffic controllers.

F. RULE OF LAW: 14 / 16

F1. Is there an independent judiciary? 3 / 4

The judiciary is largely independent, though its complexity and multilayered composition have led to slow delivery of judgments.

In March 2022, President Zeman pardoned an associate who received a three-year prison sentence for manipulating a public tender process. The president of the Constitutional Court and the head of the Union of Public Prosecutors criticized Zeman's pardon.

F2. Does due process prevail in civil and criminal matters? 4 / 4

The rule of law generally prevails in civil and criminal matters. Despite corruption and political pressure within law enforcement agencies, the office of the public prosecutor has become more independent in recent years.

F3. Is there protection from the illegitimate use of physical force and freedom from war and insurgencies? 4 / 4

The Czech Republic is free from war and insurgencies. However, prisons are overcrowded and at times unsanitary.

In June 2021, police intervened in a fight involving Stanislav Tomáš, a Romany man, pinning him to the ground while kneeling on his back; Tomáš later died in an ambulance. A wave of protests followed Tomáš's death, prompting calls for an investigation into police brutality against Roma people. In March 2022, the General Inspectorate of Security Forces

ruled that police acted lawfully when interacting with Tomáš and found no causal link between their actions and his death.

F4. Do laws, policies, and practices guarantee equal treatment of various segments of the population? 3 / 4

The 2009 Antidiscrimination Act provides for equal treatment regardless of sex, race, age, disability, belief, or sexual orientation. Roma face discrimination in the job market and significantly poorer housing conditions than non-Roma, as well as occasional threats and violence from right-wing groups. Many Roma children attend ethnically segregated schools.

Women are underrepresented at the highest levels of business and suffer a large pay gap.

Anti-Muslim attitudes have increased in recent years amid a legal battle between Prague and the EU over refugee quotas. The SPD has used Islamophobic rhetoric, characterizing Islam as "incompatible with freedom and democracy." These positions are episodically approved by some of the highest representatives of state.

Asylum seekers are routinely detained, and conditions in detention centers are generally poor. The country has been relatively welcoming to Ukrainians, however; 454,000 received temporary protection as of the end of October 2022 according to the United Nations.

G. PERSONAL AUTONOMY AND INDIVIDUAL RIGHTS: 15 / 16

G1. Do individuals enjoy freedom of movement, including the ability to change their place of residence, employment, or education? 4 / 4

Individuals enjoy freedom of movement, including the ability to change their place of residence, employment, or education. Coronavirus-related movement restrictions were lifted in early 2022.

G2. Are individuals able to exercise the right to own property and establish private businesses without undue interference from state or nonstate actors? 4 / 4

The rights to own property and operate private businesses are established in the law and upheld in practice.

G3. Do individuals enjoy personal social freedoms, including choice of marriage partner and size of family, protection from domestic violence, and control over appearance? 4 / 4

Authorities generally do not restrict social freedoms. Same-sex marriages are not legally recognized, though same-sex partners can enter civil unions. While gender discrimination is legally prohibited, sexual harassment in the workplace appears to be fairly common.

In June 2022, a group of lawmakers proposed a civil-code amendment that would allow same-sex marriages. Another group of lawmakers proposed a constitutional amendment to define marriage as a union between a man and a woman in July. Parliament did not complete the legislative process for either proposal by year's end.

Parliament has not ratified the Council of Europe's Istanbul Convention on preventing and combating violence against women, though the government signed the treaty in 2016. In January 2022, Justice Minister Pavel Blažek requested a one-year postponement on the ratification debate. Reports show that only a small number of perpetrators of gender-based violence face criminal charges.

G4. Do individuals enjoy equality of opportunity and freedom from economic exploitation? 3 / 4

Human trafficking remains a problem as organized criminal groups use the country as a source, transit, and destination point; women and children are particularly vulnerable to being trafficked for the purpose of sexual exploitation. The government has made serious efforts to fund protective services and other resources for survivors and to prosecute perpetrators.

Denmark

Population: 5,900,000
Capital: Copenhagen
Freedom Status: Free
Electoral Democracy: Yes

Overview: Denmark is a robust democracy with regular free and fair elections. Citizens enjoy full political rights, the government protects free expression and association, and the judiciary functions independently. However, Denmark has struggled to uphold fundamental freedoms for immigrants and other newcomers.

KEY DEVELOPMENTS IN 2022

- In June, a commission of inquiry found that Prime Minister Mette Frederiksen had acted without sufficient legal basis in requiring Danish mink farms to cull their herds in late 2020 due to a COVID-19 strain spreading in the mink population. In July, Parliament officially reprimanded Frederiksen over the issue.
- In March, Parliament adopted a special law for Ukraine, giving protection to people fleeing the Russian government's full-scale invasion of that country. By the end of the year, 32,800 Ukrainians had been issued temporary residence permits.
- In December, Frederiksen announced the formation of a left-right coalition government following snap elections held in November amid continued fallout over the 2020 mink culling. Frederiksen, whose Social Democratic Party (SDP) took a plurality of votes, remained prime minister.

POLITICAL RIGHTS: 40 / 40

A. ELECTORAL PROCESS: 12 / 12

A1. Was the current head of government or other chief national authority elected through free and fair elections? 4 / 4

The constitution retains a monarch, currently Queen Margrethe II, with mostly ceremonial duties. The monarch chooses the prime minister, usually the leader of the largest party or government coalition. Mette Frederiksen of the SDP was appointed by Queen Margrethe in June 2019, after that party emerged as Parliament's largest in the election held that month. Frederiksen was reappointed prime minister in December 2022 after the November parliamentary elections.

A2. Were the current national legislative representatives elected through free and fair elections? 4 / 4

The 179 members of Denmark's unicameral Parliament (Folketinget) are elected to four-year terms through a system of modified proportional representation.

Frederiksen—who had headed an SDP-led government since 2019 with the support of the Red-Green Alliance, the Socialist People's Party (SF), and the Social Liberal Party (SLP)—called for early elections in November 2022 amid ongoing fallout from the government's November 2020 decision to order the culling of the Danish mink population due to the spread of COVID-19. Frederiksen's center-left bloc won a one-seat majority in the snap parliamentary elections, but she resigned as prime minister the day after the election, announcing that she would work to form a left-right coalition government. In December, her efforts yielded a government comprising the SDP, the Liberal Party, and the newly formed

Moderate party. The election was considered competitive and democratic by international monitors, and the results were accepted by stakeholders and the public.

Local elections held in November 2021 were competitive and well-administered.

A3. Are the electoral laws and framework fair, and are they implemented impartially by the relevant election management bodies? 4 / 4

Robust electoral laws are upheld impartially by the various bodies tasked with implementation.

B. POLITICAL PLURALISM AND PARTICIPATION: 16 / 16

B1. Do the people have the right to organize in different political parties or other competitive political groupings of their choice, and is the system free of undue obstacles to the rise and fall of these competing parties or groupings? 4 / 4

Numerous political parties compete freely. Fourteen competed in the November 2022 national elections, the second-highest number ever. The Moderate party, one of the three members of the new ruling coalition, was newly formed by former prime minister Lars Løkke Rasmussen in June 2022.

B2. Is there a realistic opportunity for the opposition to increase its support or gain power through elections? 4 / 4

The Danish political system is open to the rise of opposition parties through elections.

B3. Are the people's political choices free from domination by forces that are external to the political sphere, or by political forces that employ extrapolitical means? 4 / 4

Voters and political figures are generally free from undue influences by actors who are not democratically accountable.

B4. Do various segments of the population (including ethnic, racial, religious, gender, LGBT+, and other relevant groups) have full political rights and electoral opportunities? 4 / 4

The electoral laws guarantee universal suffrage for citizens, as well as representation in regional and municipal elections for permanent residents. Refugees and other immigrants may vote in municipal and regional but not general elections, after having obtained permanent residence at least three years before an election date. Women, LGBT+ people, people with disabilities, and members of ethnic and religious minority groups are represented in prominent positions.

The territories of Greenland and the Faroe Islands each have two representatives in Parliament. They also have their own elected institutions, which have power over almost all areas of governance, except foreign and financial policy.

C. FUNCTIONING OF GOVERNMENT: 12 / 12

C1. Do the freely elected head of government and national legislative representatives determine the policies of the government? 4 / 4

Denmark's freely elected government is able to craft and implement policy. Governments most often control a minority of seats in Parliament, ruling with the aid of one or more supporting parties. Since 1909, no single party has held a majority of seats.

C2. Are safeguards against official corruption strong and effective? 4 / 4

Anticorruption laws and bodies are generally effective, and corruption is not considered an urgent problem in Denmark. The government upholds a zero-tolerance policy for corruption and is subject to independent audits; those found in violation of anticorruption regulations face criminal prosecution.

C3. Does the government operate with openness and transparency? 4 / 4

Government operations are generally transparent. The Public Access to Information Act recognizes the right to request government information, though with some exceptions, such as information concerning national security and foreign policy.

CIVIL LIBERTIES: 57 / 60

D. FREEDOM OF EXPRESSION AND BELIEF: 16 / 16

D1. Are there free and independent media? 4 / 4

Domestic media reflect a wide variety of political opinions and are frequently critical of the government.

D2. Are individuals free to practice and express their religious faith or nonbelief in public and private? 4 / 4

Freedom of worship is legally protected. However, the Evangelical Lutheran Church is subsidized by the government as the official state religion. The faith is taught in public schools, though students may withdraw from religious classes with parental consent.

In 2018, a general ban on the public wearing of face coverings, widely referred to as a "burqa ban" applicable to Muslim women, took effect. Between 2018 and 2020, an average of 20 people a year were charged with violating the ban. In 2021, only two charges were filed under the law, and in 2022, only one. Fines for defying the ban range from $150 to $300.

In 2018, Parliament adopted a law requiring mandatory participation in a ceremony for confirmation of newly granted Danish citizenship, with guidelines including a requirement for shaking hands. The provision was viewed as a means of requiring Muslims who refuse to touch someone of a different gender on religious grounds to adopt practices seen as "Danish." In February 2022, one person was denied citizenship for protesting the law by refusing to shake hands during the citizenship ceremony. The handshake rule had been suspended as part of Denmark's COVID-19 preventative protocols, but was reinstated in January 2022.

D3. Is there academic freedom, and is the educational system free from extensive political indoctrination? 4 / 4

Academic freedom is generally respected.

D4. Are individuals free to express their personal views on political or other sensitive topics without fear of surveillance or retribution? 4 / 4

Private discussion is vibrant and unrestricted.

E. ASSOCIATIONAL AND ORGANIZATIONAL RIGHTS: 12 / 12

E1. Is there freedom of assembly? 4 / 4

The constitution provides for freedom of assembly, which is upheld in practice. Restrictions were placed on assembly throughout 2020 and 2021 to limit the spread of COVID-19, but all were lifted in January 2022.

E2. Is there freedom for nongovernmental organizations, particularly those that are engaged in human rights– and governance-related work? 4 / 4

Nongovernmental organizations (NGOs) operate freely in Denmark, and frequently inform policy debates.

E3. Is there freedom for trade unions and similar professional or labor organizations? 4 / 4

Workers are free to organize and bargain collectively.

F. RULE OF LAW: 14 / 16

F1. Is there an independent judiciary? 4 / 4

The judiciary is independent. Judges are formally appointed by the monarch but are recommended by the Justice Minister in consultation with the independent Judicial Appointments Council.

F2. Does due process prevail in civil and criminal matters? 3 / 4

Citizens enjoy full due-process rights. However, restrictions imposed especially on rejected asylum seekers remain in force. Individuals who were denied asylum in Denmark, but whom the government is for various reasons unable to deport, may be subject to administrative measures parallel to those imposed on people with criminal convictions. Many such individuals live in isolated centers with poor facilities where they are subject to travel restrictions and have no legal option to challenge their placement.

In October 2019, Parliament adopted legislation that would allow the minister of immigration and integration to strip citizenship from individuals who fight abroad for extremist groups, namely the Islamic State (IS); the minister only has the power to do so for those holding dual citizenship. Further, children born to Danish parents in conflict zones are no longer granted Danish citizenship at birth, and the Danish foreign service may deny fighters in foreign conflicts consular assistance. As of April 2022, 12 people considered to be "foreign fighters" had been stripped of their Danish citizenship. Seven of these have appealed the government's decision; court proceedings in one such case ended in October when the Supreme Court confirmed an April High Court ruling that the decision to revoke citizenship was legal.

F3. Is there protection from the illegitimate use of physical force and freedom from war and insurgencies? 4 / 4

People in Denmark are generally free from violent crime and physical abuse by state authorities.

F4. Do laws, policies, and practices guarantee equal treatment of various segments of the population? 3 / 4

Discrimination, including based on gender identity or sexual orientation, is prohibited by law.

In November 2021 and March 2022 respectively, Parliament adopted special laws regarding refugees evacuated from Afghanistan and Ukraine. As of the end of 2022, almost 900 Afghan and approximately 32,800 Ukrainian refugees were granted residency permits. The permits for both groups expire after two years—with Ukrainians given the option of a one-year extension—after which refugees must apply for asylum or for a different type of residency.

In recent years, controversy has arisen over the disproportionate number of people with non-Danish ethnic ancestry in the justice system. In March 2022, the Danish Institute of Human Rights (DIHR) released a report indicating that immigrants are more likely to be falsely accused of a crime than ethnic Danish people. The report cites data showing that first- and second-generation immigrants are 27 percent and 45 percent more likely, respectively, to be charged with a crime that ends in dropped charges or an acquittal than are ethnic Danish people.

In October 2021, 14 out of 19 children with a claim to Danish citizenship who had been living at the Syrian al-Hol and al-Roj prison camps arrived back in Denmark with their mothers. The Danish government offered to retrieve the remaining five children but not their mothers, whom the government accused of association with the IS, but the offer

was rejected by the mothers. The organization Repatriate the Children raised the issue in the Danish city courts in May 2022, suing the government on behalf of three of the children and two of the mothers. The trial concluded in December 2022 with a ruling in favor of the Danish state.

In February 2022, the admissibility of a case, *Johansen v. Denmark*, was arbitrated at the European Court of Human Rights (ECHR). The case, which concerned the deprivation of a dual citizen's Danish citizenship following a conviction on terrorism charges, was deemed inadmissible due to the complaint being "manifestly ill-founded." The court highlighted "that it was legitimate for Contracting States to take a firm stand against terrorism, which in itself constituted a grave threat to human rights."

G. PERSONAL AUTONOMY AND INDIVIDUAL RIGHTS: 15 / 16

G1. Do individuals enjoy freedom of movement, including the ability to change their place of residence, employment, or education? 4 / 4

Freedom of movement is protected by law and generally respected by the government. However, in 2018, the government, then headed by Lars Løkke Rasmussen, proposed an "antighetto" initiative, applicable to neighborhoods identified as having high unemployment and crime rates as well as a high percentage of residents designated to have "non-Western" origins. In June 2021, Parliament made changes to the regulations, expanding their reach to new neighborhoods. The revision, which replaces the term "ghetto" with "parallel society," imposes tenancy restrictions based on education, income, ethnicity, and criminal record. In November 2022, the Danish Eastern High Court referred a case brought on behalf of a group of Danish residents affected by the initiatives to the Court of Justice of the European Union (CJEU). The court will rule on whether the "antighetto" policies—particularly the tenancy quotas based on "non-Western" background—violate the European Union (EU) Race Equality Directive.

Since 2015, Denmark has enacted measures that restrict the movement of people who seek to join, or have joined, extremist groups abroad—notably the IS. Some of the measures have been criticized for having a low evidentiary threshold or for lacking appropriate oversight mechanisms. In October 2022, the ECHR ruled that Denmark did not violate the freedom of movement of a Dutch national sentenced to six months in prison for traveling to a restricted area in Syria to join a group fighting against the IS.

G2. Are individuals able to exercise the right to own property and establish private businesses without undue interference from state or nonstate actors? 4 / 4

Private business activity is free from undue influence by government officials or nonstate actors.

G3. Do individuals enjoy personal social freedoms, including choice of marriage partner and size of family, protection from domestic violence, and control over appearance? 3 / 4

Refugees and other newcomers face lengthy waiting times for family reunification, including in cases involving small children, and restrictions on family reunification were tightened in the wake of the 2015 refugee crisis.

In 1989, Denmark became the first country in the world to adopt same-sex civil unions, and in 2012, Parliament overwhelmingly passed same-sex marriage legislation enabling couples to wed in the Lutheran state church of their choosing.

Since December 2020, sex without explicit consent has been criminalized.

In December 2021, former immigration minister Inger Støjberg was convicted of unlawfully separating several couples seeking asylum in Denmark in 2016—including couples

with children and those with one partner below the age of 18—and was sentenced to two months in prison. A majority of legislators voted to remove Støjberg from Parliament later that month, but in the November 2022 elections she was voted into Parliament again after forming a new party in June.

G4. Do individuals enjoy equality of opportunity and freedom from economic exploitation? 4 / 4

Public- and private-sector workers are generally free from exploitation by employers. The government and NGOs work, frequently in conjunction, to identify and prevent human trafficking and to provide aid to survivors.

Djibouti

Population: 1,100,000
Capital: Djibouti
Freedom Status: Not Free
Electoral Democracy: No

Overview: Djibouti is a republic ruled by a powerful president, Ismail Omar Guelleh, who has been in office since 1999 and is not subject to term limits. While Djibouti technically has a multiparty political system, the ruling Union for a Presidential Majority (UMP) uses authoritarian means to maintain its dominant position. The opposition's ability to operate is severely constrained, and journalists and activists who air criticism of Guelleh or the UMP are regularly harassed or arrested.

KEY DEVELOPMENTS IN 2022

- In March, authorities held regional and communal elections that the UMP won while facing almost no competition; the only area where other party lists competed was Ali Sabieh. Opposition parties were either limited in their activities or simply boycotted the polls, which they did not perceive as free or fair.
- Also in March, the deputy director of materials, Farah Mohamed Osman, and director of the general treasury, Sahal Said Awaleh, were arrested over an alleged money laundering operation. However, critics claim their arrest was driven by the desire to silence voices opposing the Guelleh regime, rather than as part of larger efforts to clamp down on political corruption in Djibouti.

POLITICAL RIGHTS: 5 / 40

A. ELECTORAL PROCESS: 2 / 12

A1. Was the current head of government or other chief national authority elected through free and fair elections? 0 / 4

The president, who holds most executive power, serves five-year terms without term limits. President Guelleh was elected to a fifth term in April 2021 with 97 percent of the vote, according to the Interior Ministry. Of the nearly 215,000 citizens registered to vote, more than 80 percent cast ballots, according to the African Union (AU) observation mission. The AU monitors also reported that the polls were conducted competently, though the main opposition parties boycotted the contest, alleging that the election administration would be neither free nor fair.

A2. Were the current national legislative representatives elected through free and fair elections? 1 / 4

The 65 members of the unicameral National Assembly are directly elected for five-year terms. Constitutional changes in 2010 called for the creation of an upper house, which had yet to be established as of 2022.

Most of the opposition boycotted legislative elections held in 2018, citing the government's failure to honor a 2014 political agreement that provided for electoral reform. The 2018 polls were marked by irregularities, and the ruling UMP increased its majority to 57 of 65 seats. The opposition Union for Democracy and Justice–Djiboutian Democratic Party (UDJ-PDD) won seven seats, and the Center of Unified Democrats (CDU) took one.

In March 2022, authorities held regional and communal elections that the UMP won while facing almost no competition; the only area where other lists competed was Ali Sabieh. Opposition parties were either limited in their activities or simply boycotted the polls, which they did not perceive as free or fair.

A3. Are the electoral laws and framework fair, and are they implemented impartially by the relevant election management bodies? 1 / 4

A core element of the 2014 political agreement—meant to end the opposition's boycott of the legislature following deeply flawed elections in 2013—was a pledge to reform the Independent National Electoral Commission (CENI), which the opposition has accused of bias. These reforms had not been carried out as of 2022. Other electoral provisions favor the dominant party, for example by awarding at least 80 percent of the seats in each multimember parliamentary district to the party that wins a majority in that district.

B. POLITICAL PLURALISM AND PARTICIPATION: 3 / 16

B1. Do the people have the right to organize in different political parties or other competitive political groupings of their choice, and is the system free of undue obstacles to the rise and fall of these competing parties or groupings? 1 / 4

While Djibouti technically has a multiparty political system, parties must register with the government to operate legally. The authorities have denied recognition to a number of opposition parties; members of such parties have been periodically harassed, arrested, and prosecuted, and their offices have been raided by police. The law requires the leaders of political parties to have clean criminal records, and the government has pursued spurious charges against opposition figures to disqualify them or their parties.

B2. Is there a realistic opportunity for the opposition to increase its support or gain power through elections? 0 / 4

President Guelleh has been in power since 1999, when he succeeded his uncle, the only other president since independence in 1977. The 2013 elections marked the first time that the opposition had won any seats in the National Assembly. Opposition parties have traditionally been disadvantaged by Djibouti's electoral system, media controls, abuse of state resources to favor incumbents, and arrests and harassment of opposition leaders and supporters.

B3. Are the people's political choices free from domination by forces that are external to the political sphere, or by political forces that employ extrapolitical means? 1 / 4

The ruling party dominates the state apparatus and uses security forces and other administrative resources to marginalize, disrupt, and suppress independent political activity.

B4. Do various segments of the population (including ethnic, racial, religious, gender, LGBT+, and other relevant groups) have full political rights and electoral opportunities? 1 / 4

The constitution prohibits political parties based on gender or on ethnic, religious, or regional identity. Minority groups, including the Afar, Yemeni Arabs, and non-Issa Somalis, are represented at all levels of the government, but the president's majority Issa group holds paramount positions in the ruling party, the civil service, and the security forces. Members of the Afar community are marginalized and in response have formed groups such as the militant FRUD-Armé, a splinter group of the Front for the Restoration and Democracy political party that has attacked government installations throughout Djibouti.

Women are underrepresented in leadership positions. A legal quota ensures that women hold at least 25 percent of the seats in the National Assembly, and the actual number is only slightly above that level. In practice, the authoritarian political system restricts the ability of women and members of ethnic and religious minorities to organize independently and advance their respective interests.

C. FUNCTIONING OF GOVERNMENT: 0 / 12

C1. Do the freely elected head of government and national legislative representatives determine the policies of the government? 0 / 4

The president, who is not freely elected, effectively controls policymaking and governance, and the UMP-dominated parliament does not serve as a meaningful check on executive power.

C2. Are safeguards against official corruption strong and effective? 0 / 4

Corruption is a serious problem that is enabled and sustained by the dominant position of President Guelleh and his ruling party in every aspect of public administration. All significant business deals reportedly go through the president himself.

State bodies tasked with combating corruption lack the resources and independence to function effectively. Prosecutions of senior officials are rare. When senior officials are prosecuted, cases are often pursued selective and politicized. The deputy director of materials, Farah Mohamed Osman, and head of the treasury, Sahal Said Awaleh, were arrested over an alleged money laundering operation in March 2022. However, critics claim their arrest was driven by the desire to silence voices opposing the Guelleh regime rather than as part of larger efforts to clamp down on political corruption in Djibouti.

C3. Does the government operate with openness and transparency? 0 / 4

The government operates in an opaque manner and resists attempts to shed light on its policymaking, budgetary, and procurement decisions.

There is also little transparency on President Guelleh's investment deals with the Chinese government and other foreign entities, which have resulted in a massive amount of public debt and spread discontent among local communities that were not consulted on the location or terms of foreign development projects.

CIVIL LIBERTIES: 19 / 60

D. FREEDOM OF EXPRESSION AND BELIEF: 6 / 16

D1. Are there free and independent media? 0 / 4

Despite constitutional protections, freedom of expression is not upheld in practice, and j*ournalists engage in self-censorship.* Defamation and distribution of false information are criminal offenses. The National Communication Commission distributes licenses to media

outlets; the National Security Service reportedly has a role in approving such licenses. The government owns the dominant newspaper, television station, and radio broadcaster, as well as printing presses.

According to Reporters Without Borders, domestic media content generally reflects government views. Journalists affiliated with outlets based abroad or small opposition publications are subject to harassment and arbitrary arrest. The websites of overseas opposition radio station La Voix de Djibouti, run by exiles in Europe, and the Association for Respect for Human Rights in Djibouti (ARDHD) are sometimes blocked by the state-owned internet service provider.

In July 2020, police arrested journalist Charmarke Saïd Darar, a reporter working for La Voix de Djibouti, while covering protests over the detention and alleged torture of an air force pilot. Darar was held without access to a lawyer until his release nearly a month later, during which time police interrogated him, physically assaulted him, and deprived him of food and water.

D2. Are individuals free to practice and express their religious faith or nonbelief in public and private? 2 / 4

Islam is the state religion, and 94 percent of the population is Sunni Muslim. The Islamic Affairs Ministry oversees religious matters. Registered non-Muslim religious groups operate freely, and unregistered groups are able to worship in private, though public proselytizing is illegal.

D3. Is there academic freedom, and is the educational system free from extensive political indoctrination? 2 / 4

Academic freedom is not always respected. Teachers have at times been detained for alleged affiliation with opposition groups. The state oversees the curriculums of the secular public school system and private Islamic schools.

D4. Are individuals free to express their personal views on political or other sensitive topics without fear of surveillance or retribution? 2 / 4

Open discussion of sensitive political issues is impeded by restrictive laws on defamation and other such offenses. The government reportedly monitors social media and conducts surveillance on perceived opponents. Individuals are subject to arrest for posting critical content about the government online.

In March 2020, air force lieutenant Fouad Youssouf Ali fled to Ethiopia and called for an armed uprising in a video on social media in which he accused a military official of corruption and clan-based discrimination. After Ethiopian authorities deported him back to Djibouti in April, the government arrested him on charges of treason, defamation of the armed forces, and incitement to hatred and rebellion. In June, he released a video from prison, alleging he had been tortured while detained. In November 2021, Ali was referred to a criminal court, where he was convicted of attempting to incite a coup and attempted theft of military property. The court sentenced him to 10 years' imprisonment with an additional fine of 300,000 Djiboutian francs ($1,700)—he had already been fined 2 million francs ($11,254), payable to the state.

E. ASSOCIATIONAL AND ORGANIZATIONAL RIGHTS: 3 / 12

E1. Is there freedom of assembly? 0 / 4

Freedom of assembly is protected under the constitution but not respected in practice. Permits are required for public gatherings. Police regularly use violence to disperse

unauthorized protests and arrest participants. In June 2020, antigovernment protests were held for several days after the arrest and alleged torture of air force lieutenant Ali. Over 200 people were allegedly arrested.

E2. Is there freedom for nongovernmental organizations, particularly those that are engaged in human rights– and governance-related work? 1 / 4

Local human rights groups that work on politically sensitive matters cannot operate freely, face difficulties in registering with the authorities, and are subject to government harassment. Individual activists are regularly arrested for their work.

E3. Is there freedom for trade unions and similar professional or labor organizations? 2 / 4

While workers may legally join unions and strike, the union registration process is onerous and subject to government discretion, which the Labor Ministry has used to favor progovernment unions and deny registration to independent labor groups. The government has been known to intimidate labor leaders and obstruct union activities.

F. RULE OF LAW: 4 / 16

F1. Is there an independent judiciary? 0 / 4

The courts are not independent of the government and suffer from corruption. Supreme Court judges are appointed by the president, with the advice of a judicial council dominated by presidential and UMP nominees. The president and parliamentary majority also control appointments to the Constitutional Council.

F2. Does due process prevail in civil and criminal matters? 2 / 4

Security forces frequently make arrests without the required court approval, and lengthy pretrial detention is a problem, with detainees often waiting years to go to trial. Allegations of politically motivated prosecutions are common.

F3. Is there protection from the illegitimate use of physical force and freedom from war and insurgencies? 1 / 4

Security forces regularly engage in physical abuse and torture during arrest and detention. Prison conditions are reportedly poor, with pretrial and convicted prisoners often held together due to overcrowding. In recent years, there has been an uptick in fatal violence committed by security forces with impunity, including the killing of at least two people in 2022.

In February 2022, security forces arrested top officials within the police and the army on suspicion of plotting a coup.

In October 2022, the FRUD-Armé, an armed opposition group that has been active since 1991, attacked a military base in Garabistan, killing 7 soldiers.

F4. Do laws, policies, and practices guarantee equal treatment of various segments of the population? 1 / 4

Though the law provides for equal treatment of all Djiboutian citizens, Somali Issas control the ruling party and dominate government positions.

Women have fewer employment opportunities and are paid less than men for the same work. A law which requires at least 20 percent of upper-level public service positions be held by women is not enforced.

Same-sex sexual activity is not specifically banned, but such conduct has been penalized under broader morality laws, and there are no laws in place to prevent discrimination against LGBT+ people. Matters of sexual orientation and gender identity are not discussed publicly.

As of the end of 2021, Djibouti hosted roughly 34,700 refugees and asylum seekers. Slow processing of asylum claims leaves many asylum seekers at risk of deportation.

G. PERSONAL AUTONOMY AND INDIVIDUAL RIGHTS: 6 / 16

G1. Do individuals enjoy freedom of movement, including the ability to change their place of residence, employment, or education? 2 / 4

The government has been accused of suspending the travel privileges of political opponents. Civilian movement is restricted in militarized border areas due to past activity by the FRUD-Armé and tensions with Eritrea.

G2. Are individuals able to exercise the right to own property and establish private businesses without undue interference from state or nonstate actors? 2 / 4

Private property protections are weak, and court proceedings on business and property matters are affected by corruption and political influence.

Customary practices and personal status rules based on Sharia (Islamic law) place women at a disadvantage regarding inheritance and property ownership.

G3. Do individuals enjoy personal social freedoms, including choice of marriage partner and size of family, protection from domestic violence, and control over appearance? 1 / 4

Female genital mutilation (FGM) is illegal, but most women and girls have undergone the procedure. Domestic violence is rarely reported and prosecuted, and spousal rape is not specifically criminalized. The Sharia-based family code requires women to obtain a guardian's consent to marry, among other discriminatory provisions surrounding marriage and divorce.

G4. Do individuals enjoy equality of opportunity and freedom from economic exploitation? 1 / 4

Many residents have difficulty finding employment in the formal sector, as the president and his allies tightly control all large-scale economic activity. Legal safeguards against exploitative working conditions are poorly enforced; migrant workers and refugees are especially vulnerable to abuse.

Dominica

Population: 70,000
Capital: Roseau
Freedom Status: Free
Electoral Democracy: Yes

Overview: Dominica is a parliamentary democracy and has been governed by the Dominica Labor Party (DLP) since 2000. While the country is committed to democratic governance and civil liberties are generally upheld, several concerns persist; these include effective management of elections, judicial efficiency, and government corruption—notably relating to the country's Citizenship by Investment (CBI) program.

KEY DEVELOPMENTS IN 2022

- In November, Prime Minister Roosevelt Skerrit called for snap general elections. The snap elections were held in December, and saw a historically low voter turnout

of just 31.6 percent; Dominica's main opposition parties, the United Workers' Party (UWP) and the Dominica Freedom Party (DFP), boycotted the elections, citing the government's failure to make progress on enacting promised electoral reforms.

- The ruling DLP controlled 19 of the 21 seats in the legislature after the December elections, including 6 seats won in November because DLP candidates had run uncontested. Independent candidates took the remaining 2 seats.
- In July, the Caribbean Court of Justice (CCJ) dismissed a case by the opposition UWP challenging the results of the 2019 general election. However, the CCJ remarked that "areas of grave concern" remained about the conduct of the elections; the DLP called the court's remarks gratuitous, and criticized the CCJ's comments for "causing unnecessary discord" in the country.

POLITICAL RIGHTS: 37 / 40

A. ELECTORAL PROCESS: 11 / 12

A1. Was the current head of government or other chief national authority elected through free and fair elections? 4 / 4

The president, who is the ceremonial head of state, is nominated by the prime minister and opposition leader and elected by the House of Assembly for a five-year term. The prime minister is head of government and is appointed by the president.

The leader of the ruling DLP, Roosevelt Skerrit, retained his position as prime minister after his party won most of the parliamentary seats in the December 2022 snap general election. Despite the poll's overall credibility, the election was marred by low voter turnout amid an opposition-led boycott over an alleged lack of progress on electoral reform.

In October 2018, the government reelected former security minister Charles Savarin as president.

A2. Were the current national legislative representatives elected through free and fair elections? 4 / 4

Dominica's unicameral House of Assembly consists of 30 members who serve five-year terms; 21 members are directly elected, 5 senators are appointed by the prime minister, and 4 are appointed by the opposition leader. There are two ex officio members: the House speaker and the clerk of the House.

In November 2022, Prime Minister Skerrit called for snap general elections to be held that December. The DLP won 19 seats in the 2022 general elections, while independents captured 2. The elections were considered peaceful and orderly by election monitors. However, two leading opposition parties, the United Workers' Party (UWP) and the Dominica Freedom Party (DFP), along with the smaller Alternative Peoples' Party (APP), boycotted the elections, citing the government's failure to make progress on enacting electoral reforms. DLP candidates ran uncontested for six seats, resulting in those seats being allocated to the party in late November, ahead of the December elections. Both the boycott and the DLP's uncontested victories may have contributed to a historically low 31.6 percent voter turnout for the December elections.

A3. Are the electoral laws and framework fair, and are they implemented impartially by the relevant election management bodies? 3 / 4

The Electoral Commission manages and organizes the election process, and the electoral laws are generally fair. However, concerns persist. Both the opposition and members of the Dominican diaspora have campaigned for electoral reforms, such as updating voter rolls and issuing voter identification cards.

After the 2019 polls, the Organization of American States (OAS) recommended a series of changes, including issuing photo identification cards to voters, introducing an electronic voting system, undertaking a voter-list review, and introducing party and campaign finance legislation. Despite the DLP government's repeated promises to enact such reforms, no changes were made in 2022.

In late December 2019, the opposition challenged the results of that year's elections in 10 constituencies, alleging they were affected by fraud and bribery. In July 2022, the Caribbean Court of Justice (CCJ) dismissed the case. However, the CCJ noted that "areas of grave concern" about the conduct of the 2019 elections remained, and should be addressed before the country's future elections. The DLP criticized the CCJ's comments, calling the remarks gratuitous and saying that they had sown discord in Dominica.

B. POLITICAL PLURALISM AND PARTICIPATION: 16 / 16

B1. Do the people have the right to organize in different political parties or other competitive political groupings of their choice, and is the system free of undue obstacles to the rise and fall of these competing parties or groupings? 4 / 4

Political parties are free to organize and operate. The effects of the country's first-past-the-post electoral system has entrenched two-party politics.

B2. Is there a realistic opportunity for the opposition to increase its support or gain power through elections? 4 / 4

Opposition parties are unencumbered by formal restrictions and are generally free to operate. There has not been a change of party in government since 2000, mostly due to the weakness of the opposition.

B3. Are the people's political choices free from domination by forces that are external to the political sphere, or by political forces that employ extrapolitical means? 4 / 4

Voters and candidates are generally able to express their political choices without undue influence from actors that are not democratically accountable.

B4. Do various segments of the population (including ethnic, racial, religious, gender, LGBT+, and other relevant groups) have full political rights and electoral opportunities? 4 / 4

All adult citizens may vote. Women are underrepresented in politics generally. Out of 45 candidates in the 2022 elections, 15 were women, and 10 won seats—an improvement from the 2019 elections. Newly elected independent legislator Jesma Paul was sworn in as leader of the opposition in December.

The Indigenous Carib-Kalinago population participates in the political process, with members generally supporting one of the two major political parties. LGBT+ people face discrimination and are marginalized, impacting their ability to engage fully in political processes.

C. FUNCTIONING OF GOVERNMENT: 10 / 12

C1. Do the freely elected head of government and national legislative representatives determine the policies of the government? 4 / 4

The freely elected prime minister, cabinet, and national legislative representatives determine the policies of the government.

C2. Are safeguards against official corruption strong and effective? 3 / 4

While the government generally implements anticorruption laws effectively, domestic and international observers have raised concerns over corruption within Dominica's

Citizenship by Investment (CBI) program, which allows foreigners to gain citizenship through an economic investment in the country. In 2021, the US State Department said in its *International Narcotics Control Strategy Report* that "Dominica accepts a large number of applicants and sometimes issues passports despite adverse information on applicants uncovered during the vetting process."

In 2019, Al Jazeera published a story claiming that Dominican officials from both major parties, including Skerrit, were willing to receive money in return for political appointments.

C3. Does the government operate with openness and transparency? 3 / 4

The government of Dominica generally operates with openness and transparency, though there are concerns that the long-incumbent DLP has been less forthcoming in recent years with information on some programs, including CBI. Government officials are required to submit financial accounts, but these accounts are frequently incomplete. Access to information is not protected by law.

CIVIL LIBERTIES: 56 / 60

D. FREEDOM OF EXPRESSION AND BELIEF: 15 / 16

D1. Are there free and independent media? 3 / 4

Freedom of expression is constitutionally guaranteed, and the press is generally free in practice. However, defamation remains a criminal offense punishable by imprisonment or fines. Defamation lawsuits and threats of lawsuits are commonly used by the Skerrit government against members of the media, resulting in some self-censorship. In July 2022, the CCJ alleged that the opposition's access to some state-owned media, including the national radio station, has been restricted.

D2. Are individuals free to practice and express their religious faith or nonbelief in public and private? 4 / 4

Freedom of religion is protected under the constitution and other laws and is generally respected in practice.

D3. Is there academic freedom, and is the educational system free from extensive political indoctrination? 4 / 4

Academic freedom is generally respected.

D4. Are individuals free to express their personal views on political or other sensitive topics without fear of surveillance or retribution? 4 / 4

Individuals are generally free to express their personal views on political or other sensitive topics.

E. ASSOCIATIONAL AND ORGANIZATIONAL RIGHTS: 11 / 12

E1. Is there freedom of assembly? 3 / 4

Freedom of assembly is guaranteed under the constitution, and the government has generally respected these rights. However, protests sometimes become violent, or give way to looting or acts of vandalism.

Some unrest took place at opposition protests in 2017, and Prime Minister Skerrit characterized them as threats to state security. Later, several UWP members, including leader Lennox Linton, were charged with incitement and obstruction. The trials were still ongoing as of December 2022.

In March 2022, social activist Atherton Martin began leading weekly walks for "peace, justice, and prosperity in Dominica" in the capital, Roseau. Martin did not seek permission for the walks, as he claimed they were not public processions and therefore did not require official approval. In May, ten participants in the walks, including UWP leader Linton, were charged for participating in unapproved protests.

E2. Is there freedom for nongovernmental organizations, particularly those that are engaged in human rights– and governance-related work? 4 / 4

Nongovernmental organizations (NGOs) and advocacy groups generally operate without interference.

E3. Is there freedom for trade unions and similar professional or labor organizations? 4 / 4

Workers have the right to organize, strike, and bargain collectively, and laws prohibit antiunion discrimination by employers. However, the country's definition of "essential" workers is broad, extending to those in the agricultural sector, and there are burdensome restrictions on the ability of these workers to strike.

F. RULE OF LAW: 15 / 16

F1. Is there an independent judiciary? 4 / 4

An independent judiciary is provided for in the constitution, and judicial independence is generally respected. Courts are subordinate to the interisland Eastern Caribbean Supreme Court (ECSC) and the CCJ.

F2. Does due process prevail in civil and criminal matters? 4 / 4

The constitution provides for due process rights, and these are generally observed in practice. While the judicial system generally operates efficiently, staffing shortages remain a problem and can result in prolonged pretrial detention.

F3. Is there protection from the illegitimate use of physical force and freedom from war and insurgencies? 4 / 4

People in Dominica generally enjoy freedom from illegitimate force.

F4. Do laws, policies, and practices guarantee equal treatment of various segments of the population? 3 / 4

Women's rights are not fully protected. Laws on sexual harassment are weak. Cases of rape are underreported, with significant stigma attached to the crime and little support available for victims.

Same-sex sexual relations are illegal, though the relevant provisions of the Sexual Offences Act are not enforced, a position that has been made clear by Prime Minister Skerrit. In September 2022, the country's High Court heard a constitutional challenge to two sections of the Sexual Offences Act that outlaw consensual same-sex relations. A ruling on the challenge had not been issued by year's end.

Members of the small Indigenous population, the Carib-Kalinago, face discrimination and a variety of accompanying challenges, including high poverty levels and difficulties in obtaining loans from banks. Rastafarians have reported discrimination and profiling by police.

G. PERSONAL AUTONOMY AND INDIVIDUAL RIGHTS: 15 / 16

G1. Do individuals enjoy freedom of movement, including the ability to change their place of residence, employment, or education? 4 / 4

Individuals in Dominica generally enjoy freedom of movement, though those outside the established Carib-Kalinago community must apply for special access to the Carib Reserve area, which is granted by the Carib Council. There are no restrictions on people's ability to change their place of employment or education.

G2. Are individuals able to exercise the right to own property and establish private businesses without undue interference from state or nonstate actors? 4 / 4

The government of Dominica supports both domestic and foreign investment. Property rights are generally safeguarded. However, women have more limited rights because property is traditionally deeded to the head of household, who is usually a man.

G3. Do individuals enjoy personal social freedoms, including choice of marriage partner and size of family, protection from domestic violence, and control over appearance? 3 / 4

Women and children have some limitations on their personal freedoms, including freedom from violence. There is little protection against domestic abuse, and both violence against women and child abuse remain widespread problems.

G4. Do individuals enjoy equality of opportunity and freedom from economic exploitation? 4 / 4

Revisions to labor laws have strengthened worker protections in recent years, though violations of overtime laws in the tourism sector have occurred. The labor commissioner operates within the Justice Department and is underresourced. The government has made efforts to address poverty and unemployment, including in the wake of Hurricane Maria, which devastated the island in 2017. In September 2021, the government implemented minimum-wage increases.

In its 2021 *Findings on the Worst Forms of Child Labor* report, the most recent available, the US Labor Department found no evidence of child labor in Dominica but warned that the government had only made "minimal advancement" in efforts to prevent the practice. Carib-Kalinago children face barriers to education, making them more vulnerable.

Dominican Republic

Population: 11,200,000
Capital: Santo Domingo
Freedom Status: Partly Free
Electoral Democracy: Yes

Overview: The Dominican Republic holds regular elections that are relatively free. Pervasive corruption undermines state institutions and the use of excessive force by police is a problem. Discrimination against Dominicans of Haitian descent and Haitian migrants, as well as against LGBT+ people, remain serious problems.

KEY DEVELOPMENTS IN 2022

- Anti-Haitian sentiment continued to intensify in the Dominican Republic and the year was marked by an escalation in deportations of Haitian migrants; as of November, more than 136,000 people, reportedly including 1,800 unaccompanied children and hundreds of pregnant women, had been deported to Haiti.

- The Anti-Corruption Office (PEPCA) confirmed in May that former president Danilo Medina was under investigation for his involvement in administrative corruption.

POLITICAL RIGHTS: 27 / 40

A. ELECTORAL PROCESS: 9 / 12

A1. Was the current head of government or other chief national authority elected through free and fair elections? 3 / 4

The president is both head of state and chief of government and is elected to a four-year term. A 2015 constitutional amendment allowed presidents to run for a second term. In 2020, Luis Abinader of the Modern Revolutionary Party (PRM) was elected president over the Dominican Liberation Party (PLD) candidate Gonzalo Castillo, ending the PLD's 16-year tenure. Voter turnout was low at 49.6 percent, compared to 68 percent in 2016.

Observers from the Organization of American States (OAS) monitored the elections and deemed the polls credible, lauding the Central Electoral Board's (JCE's) measures to curb the spread of the coronavirus at polling stations and the consensus among political forces in postponing the election. However, inconsistent enforcement of social distancing and curfew measures benefited the PLD, and both parties used pandemic-related food, services, and medical supplies to incentivize voters. OAS Observers reiterated issues with electronic voting and repeated calls for compliance with parity requirements for women candidates and better supervision of parties' and candidates' finances under existing regulations.

A2. Were the current national legislative representatives elected through free and fair elections? 3 / 4

The Dominican Republic's bicameral National Congress consists of the 32-member Senate and the 190-member Chamber of Deputies, with members of both chambers directly elected to four-year terms. The PRM gained majorities in both chambers in the 2020 legislative elections, which were held alongside the presidential election.

A3. Are the electoral laws and framework fair, and are they implemented impartially by the relevant election management bodies? 3 / 4

Despite its shortcomings, the JCE operates with some transparency and cooperates with election monitors, opposition parties, and other relevant groups. The 2019 Electoral Regime Law and the 2018 Law of Political Parties, Groups, and Movements established the country's new electoral framework. The 2020 elections exposed gaps in the implementation of campaign finance laws—demonstrated by unregulated distribution of gifts and humanitarian aid, candidates' failure to submit required budgets and expenditure reports, and a lack of transparency in public fund allocations to candidates.

New members of the Superior Electoral Court (TSE) were appointed in July 2021. However, a December 2021 Constitutional Court decision invalidated the law that assigned the TSE's jurisdiction to hear electoral crimes trials, recognizing instead ordinary criminal courts.

B. POLITICAL PLURALISM AND PARTICIPATION: 11 / 16

B1. Do the people have the right to organize in different political parties or other competitive political groupings of their choice, and is the system free of undue obstacles to the rise and fall of these competing parties or groupings? 4 / 4

Political parties are generally free to form and operate. However, newer and smaller parties struggle to access public financing and secure equal media coverage. In April 2021,

the Constitutional Court allowed parties to maintain legal status if they achieve congressional or municipal representation, expanding the rule that previously required dissolution if they failed to gain at least 1 percent of the vote.

B2. Is there a realistic opportunity for the opposition to increase its support or gain power through elections? 3 / 4

Opposition parties and candidates generally do not face selective restrictions during election periods but are disadvantaged by elements of the electoral framework. In July 2020, the main opposition party, the PRM, ended the PLD's 16-year tenure and won a majority in the National Congress.

B3. Are the people's political choices free from domination by forces that are external to the political sphere, or by political forces that employ extrapolitical means? 3 / 4

People are generally free to exercise their political choices. A history of violent police responses to social and political demonstrations may deter political participation by some, and economic oligarchies and organized crime groups have some influence over the political sphere. The Specialized Directorate for Financial Control was established in December 2020 to monitor public and private financing for political parties and electoral candidates.

B4. Do various segments of the population (including ethnic, racial, religious, gender, LGBT+, and other relevant groups) have full political rights and electoral opportunities? 1 / 4

A 2013 Constitutional Tribunal decision stripped hundreds of thousands of Dominican-born descendants of Haitian migrants of their citizenship, and thus their right to vote. Discriminatory attitudes and occasional acts of targeted violence against Black Dominicans (perceived to be Haitians) and LGBT+ people discourage their political participation.

None of the key ministerial posts in the president's cabinet are currently held by women, despite the government's stated commitment to promoting gender equality. However, the vice-president is a woman. Gender parity laws requiring between 40 and 60 percent of candidates for the National Congress be women were not respected during the 2020 elections. Women hold 53 seats in the Chamber of Deputies, 28 percent of the total seats, and 4 in the Senate, 13 percent of seats. In September 2022, the OAS and the TSE committed to work on a plan of action to guarantee conditions for full participation of Dominican women in politics, with support from the Inter-American Commission of Women and the Canadian government.

C. FUNCTIONING OF GOVERNMENT: 7 / 12

C1. Do the freely elected head of government and national legislative representatives determine the policies of the government? 3 / 4

Government and legislative representatives are generally able to determine national policies in a free and unhindered manner.

C2. Are safeguards against official corruption strong and effective? 2 / 4

Corruption remains a serious, systemic problem at all levels of the government, judiciary, and security forces, as well as in the private sector. In May 2022, the Anti-Corruption Office (PEPCA) confirmed that it was investigating former president Danilo Medina and his involvement in administrative corruption. The ongoing investigation into Medina's administration had resulted in the 2020 arrest of Medina's brother and had linked several legislators to drug trafficking and money laundering networks. In July 2022, the Organic Law of Domain Extinction, which made it easier for the government to seize foreign and domestic assets connected to illegal activity, was enacted.

C3. Does the government operate with openness and transparency? 2 / 4

The government does not always operate with transparency. State agencies often provide inaccurate or incomplete responses to information requests. Public officials are required to publicly disclose assets, but NGOs have cast doubt upon the accuracy of these disclosures. Public contracting and purchasing processes are opaque, and a September 2021 report exposed millions of dollars in missing taxes from purchases of luxury and other vehicles imported under the names of Dominican legislators, who have exemptions.

In a September 2022 speech to mark the beginning of an international "Open America" conference held in the Dominican Republic, President Abinader argued that an uptick in reports of corruption is a sign of a more open government because it shows that citizens are empowered to participate in governance. He also touted the findings of the 2021 Open Budget Survey, released in May 2022, in which the Dominican Republic ranked 9th in budget transparency of the 120 countries surveyed.

CIVIL LIBERTIES: 41 / 60

D. FREEDOM OF EXPRESSION AND BELIEF: 14 / 16

D1. Are there free and independent media? 2 / 4

Dominican law guarantees freedom of speech and of the press. Several national daily newspapers, many local publications, more than 300 privately owned radio stations, and several private television networks operate in the country alongside the state-owned Radio Televisión Dominicana (RTVD). However, ownership of private outlets is highly concentrated and public funding of media lacks transparency.

Journalists risk intimidation and violence when investigating drug trafficking and corruption and may also face legal or regulatory pressure as a result of their investigations.

In July, Abinader launched an advisory commission led by a journalist to draft an update of the country's 1962 law on free expression. Amid heavy criticism, the government withdrew a cybersecurity bill it had submitted to Congress in June; the bill maintained and in some cases increased criminal punishments for defamation and included other potentially repressive provisions.

D2. Are individuals free to practice and express their religious faith or nonbelief in public and private? 4 / 4

Religious freedom is generally upheld. However, the Catholic Church receives special privileges from the state, including funding for construction and exemptions from customs duties. In September 2021, the education minister announced that bibles would be given to public school students.

D3. Is there academic freedom, and is the educational system free from extensive political indoctrination? 4 / 4

Constitutional guarantees regarding academic freedom are generally observed.

D4. Are individuals free to express their personal views on political or other sensitive topics without fear of surveillance or retribution? 4 / 4

People are generally free to express personal views in public and private without fear of retribution or surveillance. In January 2021, the director of police threatened legal consequences for individuals who post content online, including through videos that he called "smear campaigns," portraying or alleging police abuse.

E. ASSOCIATIONAL AND ORGANIZATIONAL RIGHTS: 10 / 12

E1. Is there freedom of assembly? 3 / 4

Freedom of assembly is guaranteed by the constitution, and demonstrations are common, but sometimes subject to violent dispersal by police. In July 2022, police broke up a demonstration for the reopening of hospitals led by members of the Dominican Medical College (CMD), reportedly assaulting protesters in the process.

E2. Is there freedom for nongovernmental organizations, particularly those that are engaged in human rights– and governance-related work? 4 / 4

Freedom of association is constitutionally guaranteed, and the government respects the right to form civic groups.

E3. Is there freedom for trade unions and similar professional or labor organizations? 3 / 4

Workers other than military and police personnel may form and join unions, though over 50 percent of workers at a workplace must be union members to engage in collective bargaining. Workers must exhaust mediation measures and meet other criteria for a strike to be considered legal. In practice, union membership is discouraged, and workers risk dismissal for joining.

F. RULE OF LAW: 8 / 16

F1. Is there an independent judiciary? 3 / 4

Judicial independence is hampered by corruption and the judiciary is susceptible to political pressure. Reports of selective prosecution and the improper dismissal of cases continue.

Despite a request by the public prosecutor's office that they be tried for embezzlement and fraud, all 11 people charged in the Los Tres Brazos case were exonerated by a judge in June 2022; the case involved a land sale alleged by PEPCA to be corrupt.

F2. Does due process prevail in civil and criminal matters? 2 / 4

Corruption and politicization of the justice system have significant impact on due process, and strongly limit access to justice for people without resources or political connections. Corruption within law enforcement agencies remains a serious challenge.

According to data from the World Prison Brief, around 60 percent of people being held in Dominican prisons are in pretrial detention.

F3. Is there protection from the illegitimate use of physical force and freedom from war and insurgencies? 2 / 4

Prisons in the Dominican Republic remain overcrowded, with an occupancy level of more than 162 percent, and rates of murder and other violent crime are high. President Abinader announced in April 2021 the creation of a special commission for police reform after police killed a young couple in their car that month. Police violence continued to be a problem in 2022, with rights advocates saying that race and economic status were often a factor in the illegitimate use of force by Dominican authorities. In May 2022, a public outcry followed the death of David de los Santos, a 24-year-old who had been fatally injured while in police custody. Seven people, including four police officers, were arrested soon after his death, which was the third death of someone in police custody in a month.

F4. Do laws, policies, and practices guarantee equal treatment of various segments of the population? 1 / 4

Dominicans with European features or lighter skin color enjoy systemic advantages. Dominican-Haitians and Haitian migrants continue to face persistent discrimination, which was

exacerbated by unrest in Haiti in 2021 and 2022. They face obstacles in securing legal documents and difficulty registering their children as Dominican citizens, and without identification, they are ineligible for any social assistance. In October 2022, 14 social and human rights organizations demanded action from the attorney general's office to combat hate crimes and human rights violations against Haitian immigrants, citing several recent examples.

Dominican authorities deported tens of thousands of people to Haiti in 2022 despite unrest and dangerous conditions there. More than 136,000 people had been deported as of November, reportedly including hundreds of pregnant women and 1,800 unaccompanied children.

In the World Economic Forum's 2022 Global Gender Gap Report, published in July, the Dominican Republic rose to 84 out of 146 countries in the Global Gender Gap Index, up from 89 in 2021.

LGBT+ people experience occasional violence, as well as discrimination in employment, education, and health services. They are barred from working in certain public sectors, such as the police and armed forces.

G. PERSONAL AUTONOMY AND INDIVIDUAL RIGHTS: 10/ 16

G1. Do individuals enjoy freedom of movement, including the ability to change their place of residence, employment, or education? 2 / 4

Asylum seekers and refugees must pay a fee to gain travel documents. People of Haitian descent without identification cards cannot attend university or obtain formal jobs.

In February 2022, President Abinader lifted COVID-19-related movement restrictions. Construction of a border wall between the Dominican Republic and Haiti that would inhibit the movement of thousands of Haitian workers began in February 2022 and progressed steadily during the year.

G2. Are individuals able to exercise the right to own property and establish private businesses without undue interference from state or nonstate actors? 3 / 4

Private business activity remains susceptible to undue influence by organized crime and corrupt officials.

G3. Do individuals enjoy personal social freedoms, including choice of marriage partner and size of family, protection from domestic violence, and control over appearance? 2 / 4

Violence and discrimination against women remain pervasive. In January 2021, President Abinader prohibited marriage for individuals under 18 years of age and issued a decree that created the Cabinet for Women, Young Women, and Girls within his office. In September 2022, the government, the Korea International Cooperation Agency (KOICA), and UNICEF launched a four-year initiative to prevent childhood marriages.

Poor medical care has left the country with one of the highest maternal mortality rates in the region, though a public health bulletin in July 2022 indicated that that rate fell by 36 percent in the first five months of the year, from 96 in the same period of 2021 to 63. Meanwhile, a total ban on abortion had been in place since 2015.

G4. Do individuals enjoy equality of opportunity and freedom from economic exploitation? 2 / 4

Many workers in the country are employed informally, leaving them without legal protections. Haitians who lack documentation and clear legal status are particularly susceptible to forced labor but are often overlooked by antitrafficking initiatives. The US Department of Labor in September 2022 released its seventh report since 2013 documenting poor working

conditions and abuses of labor rights in the Dominican Republic's sugar industry, which primarily employs Haitian migrants and Dominicans of Haitian descent.

The Dominican Republic remains a source, transit, and destination country for the trafficking of men, women, and children for sexual exploitation and forced labor. The US State Department's 2022 *Trafficking in Persons* report classified the country as Tier 2, grouping it with countries whose governments do not fully meet minimum standards for the elimination of trafficking but are making significant efforts to bring themselves into compliance with those standards. Notably, in August 2022, a large human trafficking network was dismantled, with at least 80 Venezuelan and Colombian women rescued; 16 people, including active police and former military personnel, were charged for running a sex trafficking network.

Ecuador

Population: 18,000,000
Capital: Quito
Freedom Status: Free
Electoral Democracy: Yes

Overview: Elections take place regularly, and some key state institutions have recently displayed greater independence. Freedoms for media and civil society expanded under former president Lenín Moreno, the chosen successor of leftist Rafael Correa. The 2021 elections marked the first time in 14 years that neither Correa nor his preferred candidate won the presidency. Ongoing challenges include official corruption, due process violations, and violence in prisons and during protests.

KEY DEVELOPMENTS IN 2022

- In June, Indigenous activists initiated a series of protests against the economic policies of President Guillermo Lasso. The protests, which were characterized by violent clashes between protesters and security forces, lasted for 17 days and led to nationwide fuel and food shortages; the government was eventually forced to concede to several of the protesters' demands.
- Also in June, opposition legislators moved to impeach President Lasso over "the serious political crisis" caused by the protests. The impeachment bid did not succeed, and Lasso remained in office at year's end.
- Violent crimes related to drug trafficking and organized criminal groups continued to escalate during the year. Authorities recorded over 4,500 homicides by year's end, more than double the number recorded the previous year.

POLITICAL RIGHTS: 30 / 40 (−1)

A. ELECTORAL PROCESS: 11 / 12

A1. Was the current head of government or other chief national authority elected through free and fair elections? 4 / 4

The 2008 constitution provides for a directly elected president. The president has the authority to dissolve the legislature, which triggers new elections for both the assembly and the presidency. In 2018, voters approved a referendum that restored term limits, which had

been eliminated in a 2015 constitutional amendment under former president Correa; the president can now serve up to two terms, which effectively bars Correa from reclaiming the presidency.

In April 2021, Guillermo Lasso, who had unsuccessfully run for president twice before, defeated Union for Hope (UNES) candidate Andrés Arauz, winning 52 percent of the vote.

A2. Were the current national legislative representatives elected through free and fair elections? 4 / 4

Ecuador has a 137-seat unicameral National Assembly, with 116 members directly elected, 15 elected by proportional representation, and 6 elected through multiseat constituencies for Ecuadorians living abroad. Members may serve a maximum of two four-year terms.

International and domestic observers generally praised the February 2021 legislative elections as credible and fair. While no party won a majority, UNES, the new party formed by Rafael Correa and his allies, secured 49 seats, followed by Pachakutik with 27. The Social Christian Party (PSC) and the Democratic Left (ID) both won 18. President Lasso's party, Creating Opportunities (CREO) obtained only 12.

A3. Are the electoral laws and framework fair, and are they implemented impartially by the relevant election management bodies? 3 / 4

During the Correa era, the National Electoral Council (CNE) had generally been considered government-controlled. The body faced some criticism for its administration of the 2017 elections, including for slow vote counting and irregularities in the voter rolls. In response to the criticism, the transitional National Council of Citizen Participation and Social Control (CPCCS), which is responsible for appointing CNE members, dismissed all sitting CNE members in July 2018, and that November, five newly appointed members began a six-year term. The new members have generally displayed greater independence and transparency than their predecessors.

The Observatory on Latin American (OLA), a research center at The New School University in New York, praised the CNE for how the 2021 elections were organized, for successfully implementing recommendations from international election observers and the OAS, and publishing the results quickly and accurately.

B. POLITICAL PLURALISM AND PARTICIPATION: 13 / 16

B1. Do the people have the right to organize in different political parties or other competitive political groupings of their choice, and is the system free of undue obstacles to the rise and fall of these competing parties or groupings? 3 / 4

According to the 2008 constitution, political organizations must collect voters' signatures equivalent to 1.5 percent of the electoral roll to register and participate in general elections. If a party or group fails to win 4 percent of the vote for two consecutive elections, its registration can be revoked, disadvantaging smaller parties. Recent elections have seen a significant rise in electoral competition: the 2021 elections featured 16 presidential candidates and 17 legislative party lists.

B2. Is there a realistic opportunity for the opposition to increase its support or gain power through elections? 4 / 4

For decades, Ecuador's political parties have been largely personality based, clientelist, and fragile. Proud and Sovereign Fatherland (PAIS), the largest bloc in the legislature during the Correa administration, split after former president Moreno came to power, with

one faction loyal to Moreno and the other loyal to Correa; ahead of the 2019 polls the latter group left the ruling party and joined the Citizens' Revolution party.

Smaller establishment parties such as the PSC and newer parties have successfully gained representation in recent years. Lasso's victory in the 2021 presidential election marked the first time in 14 years that neither Correa nor a candidate affiliated with one of Correa's parties became president.

B3. Are the people's political choices free from domination by forces that are external to the political sphere, or by political forces that employ extrapolitical means? 3 / 4

The people's political choices are generally free from domination by powerful groups that are not democratically accountable. However, wealthy business interests can undermine democratic accountability by facilitating or encouraging corruption among elected officials.

B4. Do various segments of the population (including ethnic, racial, religious, gender, LGBT+, and other relevant groups) have full political rights and electoral opportunities? 3 / 4

Ecuador's constitution promotes nondiscrimination and provides for the adoption of affirmative action measures to promote equality and representation of marginalized groups. In practice, however, Indigenous groups often lack a voice in key decisions pertaining to their land and resources. Nonetheless, Indigenous groups are an important force in national politics. Yaku Pérez of Indigenous-affiliated party Pachakutik finished in third place in the first round of the 2021 presidential election. Pachakutik became the second largest legislative bloc in the concurrent legislative polls and Pachakutik member Guadalupe Llori became the first Indigenous woman to preside over the National Assembly.

Though the Lasso administration has committed to working towards women's equality, his government has faced criticism for failing to do so, including by not fulfilling Lasso's promise of gender parity within his cabinet.

C. FUNCTIONING OF GOVERNMENT: 6 / 12 (−1)

C1. Do the freely elected head of government and national legislative representatives determine the policies of the government? 2 / 4 (−1)

Elected officials are generally free to set and implement government policy without undue interference from nonstate actors. An escalating security crisis—marked by a rapid rise in homicides and other violent crime in the country since 2021, largely driven by drug-related gang activity—poses a threat to the ability of the elected government to effectively and freely govern. Organized crime groups routinely intimidate, bribe, and attack government officials, and their presence has weakened state control of institutions, especially Ecuador's prison system.

Other nongovernmental groups have used violent tactics to influence government policies. In June 2022, large antigovernment protests led by the Confederation of Indigenous Nationalities of the Ecuadorian Amazon (CONAIE) saw protesters block roads and attack security forces while demanding that the government change its economic policies, among other things. The government was forced to concede to several of the protesters' demands, including agreeing to lower fuel prices and restrict mining in protected areas.

Hostility between the legislature and executive has increased in recent years, impeding government efforts to make and implement policies. In June 2022, opposition legislators moved to impeach President Lasso over "the serious political crisis and internal commotion" caused by that month's Indigenous-led antigovernment protests. Ultimately, the opposition did not garner enough votes to impeach Lasso.

Score Change: The score declined from 3 to 2 because the ability of the elected leadership to govern effectively has been constrained by unelected forces, including Indigenous protesters who used blockades and threats of violence to force policy changes and criminal organizations whose numerous bombings and other attacks undermined state control in some areas.

C2. Are safeguards against official corruption strong and effective? 2 / 4

Ecuador has long been racked by corruption, and the weak judiciary and lack of investigative capacity in government oversight agencies contribute to an environment of impunity. Although the Moreno administration initially emphasized anticorruption efforts and several prominent politicians have faced investigation and prosecution in recent years, corruption scandals rocked the country during the COVID-19 pandemic, illustrating the depth of the challenge of effectively combating graft. In September 2021, the Lasso administration estimated the cost of corruption between 2007 and 2019 at approximately $68 billion.

In October 2022, energy minister Xavier Vera resigned after becoming the focus of a corruption investigation that began when a local media outlet released audio recordings suggesting that Vera had exchanged jobs at the state-owned oil company PetroEcuador for payment.

Other high-profile corruption probes during the year included an investigation into an alleged corruption network within PetroEcuador during the Correa administration. According to former energy secretary and PetroEcuador CEO Carlos Pareja Yannuzzelli, who testified about the case before the legislature in November, Correa was involved in a corruption scheme related to "irregular practices in oil contracting" that allegedly resulted in the loss of more than $5 billion. The investigation was ongoing as of November.

C3. Does the government operate with openness and transparency? 2 / 4

The law guarantees citizens' right to access public information. Although compliance has improved over the years, some government bodies remain reluctant to disclose such information. Public procurement processes are frequently opaque and malpractice involving government contracts is common.

CIVIL LIBERTIES: 40 / 60

D. FREEDOM OF EXPRESSION AND BELIEF: 13 / 16

D1. Are there free and independent media? 3 / 4

Media freedom improved after former president Moreno took office in 2017. His administration permitted more diverse coverage in the country's state-run media, which had previously shown clear bias toward Correa and PAIS. In 2018, the National Assembly reformed the restrictive Organic Communications Law, including by eliminating the notorious Superintendency of Information and Communication (SUPERCOM), which monitored media content, investigated journalists, and issued fines and other sanctions.

Nonetheless, challenges to press freedom remain. Members of the media face harassment and attacks, which are often met with impunity. In 2022, a number of journalists were attacked in their homes, and at least two were killed in relation to their work. Several journalists were attacked while covering the June protests. In an October report, the Inter American Press Association (IAPA) noted that such violence and impunity significantly worsened between August 2021 and August 2022, limiting press freedom in the country.

D2. Are individuals free to practice and express their religious faith or nonbelief in public and private? 4 / 4

Freedom of religion is constitutionally guaranteed and generally respected in practice.

D3. Is there academic freedom, and is the educational system free from extensive political indoctrination? 3 / 4

In 2018, the National Assembly approved reforms to the Organic Law on Higher Education, which restored public funding for research at universities that operate in Ecuador under international agreements. In August 2021, the Lasso administration proposed amendments to the same law that would strengthen the autonomy of universities and independence of students in Ecuador.

D4. Are individuals free to express their personal views on political or other sensitive topics without fear of surveillance or retribution? 3 / 4

Discussion of controversial topics among private citizens is generally free. However, crackdowns on social media have led some online outlets to disable sections for public comments for fear of reprisals, limiting the freedom of private discussion online.

E. ASSOCIATIONAL AND ORGANIZATIONAL RIGHTS: 9 / 12

E1. Is there freedom of assembly? 3 / 4

Protests occur regularly throughout the country without incident. However, national security legislation provides a broad definition of sabotage and terrorism, extending to acts against persons and property by unarmed individuals, which can be used to limit assembly rights. In May 2020, the Ministry of Defense issued a regulation authorizing soldiers' use of lethal force in situations that potentially included protests. Following a challenge by rights groups, the Constitutional Court suspended the regulation that June, pending a full decision.

In October 2021, Indigenous communities initiated mass protests as President Lasso proposed an increase in fuel prices. Protesters blocked major roads and were prevented from entering the presidential palace by riot police.

In June 2022, CONAIE initiated another demonstration that saw Indigenous activists march to Quito to protest the government's economic policies and demand that the Lasso administration uphold Indigenous land rights. Though the protests began peacefully, they quickly escalated into "abhorrent violence." Protesters attacked journalists and security forces; briefly held dozens of security officers captive; and blockaded roads, leading to nationwide fuel and food shortages. President Lasso imposed a state of emergency after the protests began, limiting the freedom of assembly and mobilizing military forces. Authorities responded violently to the protests, using excessive force and arbitrary arrests to repress the demonstrations. Hundreds of protesters and security forces were injured during the 17 days of demonstrations, and at least seven people, including one soldier, were killed.

E2. Is there freedom for nongovernmental organizations, particularly those that are engaged in human rights– and governance-related work? 3 / 4

In 2017, the Moreno administration rescinded controversial Correa-era decrees that heavily restricted nongovernmental organizations (NGOs) and their ability to operate. However, though observers saw improvements under the Moreno administration, many criticized the retention of excessive government regulatory power. Current NGO regulations allow authorities to close organizations perceived to be participating in politics, or organizations deemed to perform activities different from those for which they were created.

E3. Is there freedom for trade unions and similar professional or labor organizations? 3 / 4

Private-sector labor unions have the right to strike, though the labor code limits public-sector strikes. Only a small portion of the general workforce is unionized, partly because many people work in the informal sector.

F. RULE OF LAW: 8 / 16

F1. Is there an independent judiciary? 2 / 4

Ecuador's highest-ranking judicial bodies are the 21-member National Court of Justice and the 9-member Constitutional Court. Both courts faced attacks on their autonomy during the Correa era, but judicial independence increased during the Moreno administration. The passage of the 2018 referendum restructured the CPCCS, a powerful body responsible for appointing the attorney general, and the Judiciary Council, which appoints judges. All CPCCS members, who were considered allies of the Correa government, and Judiciary Council members were replaced.

More controversially, the transitional CPCCS had significant influence over the composition of the Constitutional Court, despite its lack of jurisdiction. The transitional CPCCS voted to remove all nine judges on the court, citing corruption and a lack of independence within the body, and created a committee to select the court's new members, who were selected and approved in early 2019. Later that year, the new court ratified the legality of the transitional CPCCS's actions.

In October 2022, legislators from UNES and PSC attempted to impeach members of the Judiciary Council for their roles in the 2019 evaluation and removal of National Court justices. The motion to impeach did not pass, and was dismissed in October.

F2. Does due process prevail in civil and criminal matters? 2 / 4

Judicial processes remain slow, and procedures designed to expedite cases have been implemented at the detriment of defendants' due process rights. Many people are held in pretrial detention for longer than is permitted by law. While the number of public defenders has increased in recent years, the state is still unable to provide adequate legal counsel for all defendants who are unable to supply their own.

During his tenure, former president Correa and his allies frequently intervened in court cases, telling judges how they should rule, and sometimes removing judges who refused to comply. Under former president Moreno, such blatant interference in court proceedings diminished, allowing defendants more fair public hearings of their cases.

Despite improvements in the post-Correa era, reports of due process infringements, including trial delays and "improper pressure" on the judiciary have continued during the Lasso administration.

F3. Is there protection from the illegitimate use of physical force and freedom from war and insurgencies? 2 / 4

Allegations of police abuse of suspects and detainees are common. In August 2022, legislation regulating the use of force by security personnel came into effect. However, reports of excessive use of force by police continued.

Multiple groups that conducted investigations into the 2019 protest violence, including the Inter-American Commission on Human Rights (IACHR), found that state agents committed human rights violations during the protests, but investigations had not yielded charges.

Prisons are overcrowded and understaffed, and gang- and drug-related violence is rampant. As of October 2022, there are more than 32,000 inmates, 41 percent of whom are awaiting trial. Major security incidents regularly occur in Ecuadorian prisons, where more than 400 inmates were killed between February 2021 and November 2022. In September 2021, 119 inmates were killed in a high-security prison in Guayaquil after a dispute between two rival criminal gangs became violent. Various media outlets reported that the aggressors were heavily armed with machetes, knives, rifles, semiautomatic weapons, and grenades.

The events in Guayaquil highlighted the state's inability to protect prisoners from gangs and drug cartels, and was the most fatal such incident in the country's history.

Ecuador experienced a significant increase in violent crime in 2022, recording over 4,500 homicides—more than double the number recorded during the previous year—the country's "highest homicide rate in decades," according to Interior Minister Juan Zapata. Zapata attributed 83 percent of these deaths to drug trafficking and gang activity.

In response to a series of car bombs and explosions in Guayaquil and Esmeraldas in November, President Lasso declared a state of emergency to allow police and armed forces to conduct security operations aimed at curbing the violence.

F4. Do laws, policies, and practices guarantee equal treatment of various segments of the population? 2 / 4

Indigenous people continue to suffer widespread societal discrimination, and oil-drilling and mining projects on Indigenous lands are frequently carried out without consulting local Indigenous communities, as required by the constitution. In July 2020, the Constitutional Court reinforced consultation requirements for proposed changes to the status of Indigenous ancestral territories.

Ecuador is one of the largest recipients of refugees in Latin America. According to the Office of the UN High Commissioner for Refugees (UNHCR), Ecuador hosted over 502,000 Venezuelans as of the end of 2022. Many Venezuelan immigrants have reported facing discrimination and xenophobia, amid unfounded accusations that their arrival has caused a spike in crime and violence in the country. In addition, approximately 250,000 refugees from Colombia have entered Ecuador since the late 1990s, and thousands have remained.

G. PERSONAL AUTONOMY AND INDIVIDUAL RIGHTS: 10 / 16

G1. Do individuals enjoy freedom of movement, including the ability to change their place of residence, employment, or education? 3 / 4

Freedom of movement outside and inside the country is largely unrestricted. Workers in the palm oil industry, however, have faced restrictions on their movement imposed by employers, including curfews. Individuals may generally determine their place of employment and education.

Freedom of movement was limited during the June 2022 protests, both by demonstrators using road blockades as a protest tactic and government forces, who closed the main roads in Quito for several days. A state of emergency imposed by President Lasso in response to the protests also limited free movement until it was lifted later that month.

G2. Are individuals able to exercise the right to own property and establish private businesses without undue interference from state or nonstate actors? 2 / 4

The government does not impose significant restrictions on the right to own property and establish private businesses. However, widespread corruption by both public officials and private-sector actors can obstruct normal business activity and weakens the protection of property rights.

G3. Do individuals enjoy personal social freedoms, including choice of marriage partner and size of family, protection from domestic violence, and control over appearance? 3 / 4

In June 2019, the Constitutional Court narrowly ruled that the marriage ban on same-sex couples was unconstitutional, based on a previous opinion by the IACHR that recommended the recognition of same-sex marriage. The Constitutional Court ruling divided

public opinion, but same-sex couples successfully applied for marriage licenses in the following months. Civil unions had previously been recognized in Ecuador.

Ecuador faces significant ongoing challenges in protecting women from violence and abuse. A study from the National Institute of Statistics and Censuses (INEC) found that 65 percent of Ecuadorian women had suffered abuse in some form during their lives. More than 270 femicides were committed between January and November 2022 according to the Latin American Association for Alternative Development (Aldea). In one high-profile case, lawyer María Bélen Bernal was allegedly killed by her husband, a police lieutenant, on the grounds of a Quito police academy in September; an investigation remained ongoing at year's end.

Abortion remains a crime in Ecuador, with few exceptions. In April 2022, the legislature passed a law—enacted later that month—decriminalizing abortion in the case of rape. The legislation passed in April was significantly more restrictive than an earlier version of the bill, passed by the National Assembly in February but vetoed by President Lasso in March.

G4. Do individuals enjoy equality of opportunity and freedom from economic exploitation? 2 / 4

Men, women, and children are sometimes subjected to forced labor and sex work in Ecuador; Indigenous and Afro-Ecuadorian individuals, as well as migrants and refugees, remain most vulnerable. The economic disruption caused by the COVID-19 pandemic further increased migrants' economic precarity and vulnerability.

The government has taken some action to address the problem of economic exploitation, including by increasing trafficking-related law enforcement operations. However, services for victims are inadequate, and some public officials believed to be complicit in trafficking operations have escaped punishment.

Egypt

Population: 103,500,000
Capital: Cairo
Freedom Status: Not Free
Electoral Democracy: No

Overview: President Abdel Fattah al-Sisi, who first took power in a 2013 coup, has governed Egypt in an increasingly authoritarian manner. Meaningful political opposition is virtually nonexistent, as expressions of dissent can draw criminal prosecution and imprisonment. Civil liberties, including press freedom and freedom of assembly, are tightly restricted. Security forces engage in human rights abuses and extrajudicial killing with impunity. Discrimination against women, LGBT+ people, and other groups remain serious problems, as do high rates of sexual and gender-based violence.

KEY DEVELOPMENTS IN 2022

- In August, at least 41 people, including 18 children, died when an electrical fire swept through a Coptic Christian church in Giza Governorate. Rights groups claimed that discriminatory government policies and restrictions on the construction and renovation of churches resulted in unsafe conditions in the church, which ultimately caused the fire.

- The Arab Network for Human Rights Information (ANHRI), a prominent human rights group, suspended its Egyptian operations in January. Its founder, Gamal Eid, claimed he had experienced years of harassment from authorities, including the freezing of his assets, a travel ban, and physical assault.

POLITICAL RIGHTS: 6 / 40

A. ELECTORAL PROCESS: 2 / 12

A1. Was the current head of government or other chief national authority elected through free and fair elections? 0 / 4

President al-Sisi, who took power in a 2013 coup while serving as Egypt's defense minister and armed forces commander, has been elected only through unfair, noncompetitive contests. In the 2018 elections, Sisi received 97 percent of the votes after pressuring all opposition candidates to withdraw. The vote was marred by low turnout, the use of state resources and media to support Sisi's candidacy, voter intimidation, and vote buying.

Constitutional amendments adopted in 2019 added two years to Sisi's current term, extending it through 2024, at which point he will be allowed to seek an additional six-year term. Future presidents will be limited to two six-year terms.

A2. Were the current national legislative representatives elected through free and fair elections? 1 / 4

The 2019 amendments to the 2014 constitution reestablished the Egyptian parliament as a bicameral body in which members serve five-year terms. The upper house, the Senate, consists of 300 seats and has no significant legislative competencies. Two-thirds of senators are elected (half through closed party lists and half in individual seats) and one-third are appointed by the president. The House of Representatives consists of 568 members, half elected through closed party lists and half in individual seats. The president has the right to appoint 28 additional members to the House.

The 2020 elections to both parliamentary bodies were marred by the widespread detention and intimidation of individuals who criticized the process, low turnout, claims of fraud, vote buying, and severe interference by security apparatuses. No credible groups were allowed to monitor the elections.

Without any competitor lists, the Unified National List, headed by the regime-allied Mostaqbal Watan (Nation's Future) Party, won all 100 party-list seats and 88 individual seats in the Senate; Mostaqbal Watan also won all 284 party-list seats and 31 individual seats in the House of Representatives. Another proregime party, independents, and small parties took the remaining seats in both houses. In October 2020, President Sisi appointed 100 mostly proregime members to the Senate.

Egypt has not held elections for local councils since 2008, and the last elected local councils were dissolved in 2011.

A3. Are the electoral laws and framework fair, and are they implemented impartially by the relevant election management bodies? 1 / 4

While electoral laws provide an ostensible basis for credible elections, electoral authorities fail to ensure an open and competitive campaign environment. The board of the National Electoral Commission (NEC) consists of senior judges drawn from some of Egypt's highest courts, who serve six-year terms. The NEC's establishing legislation phases out direct judicial supervision of elections by 2024, which critics argue will further damage the integrity of elections and reduce public trust in the results.

B. POLITICAL PLURALISM AND PARTICIPATION: 2 / 16

B1. Do the people have the right to organize in different political parties or other competitive political groupings of their choice, and is the system free of undue obstacles to the rise and fall of these competing parties or groupings? 0 / 4

Political parties are legally allowed to form and operate, but in practice, activists, opposition parties, and political movements that criticize the regime face arrests, harsh prison terms, death sentences, extrajudicial violence, and other forms of pressure. In the Al-Amal (Hope) Coalition case, at least 15 individuals were detained in 2019 before launching a secular coalition to run in the 2020 parliamentary elections. In November 2021, an emergency court gave multiyear prison sentences without appeal to many of its leaders. While some members of this group were released in 2022, thousands of opposition members remained imprisoned and live in unsanitary conditions.

Parties formed based on religion are forbidden. While some Islamist parties still operate in a precarious legal position, the Muslim Brotherhood was outlawed in 2013 as a terrorist organization, and its political party was banned. Since then, authorities have systematically persecuted its members.

B2. Is there a realistic opportunity for the opposition to increase its support or gain power through elections? 0 / 4

By extending presidential term lengths and limits in 2019, controlling the electoral process, intimidating presidential and parliamentary candidates, and arresting and prosecuting those seeking to contest elections, the Sisi regime makes it nearly impossible for the opposition to gain power through elections.

B3. Are the people's political choices free from domination by forces that are external to the political sphere, or by political forces that employ extrapolitical means? 1 / 4

Since the 2013 coup, the military and intelligence agencies dominate the political system, with most power and patronage flowing from Sisi and his domestic allies in the armed forces and security agencies. Regional support from the United Arab Emirates and Saudi Arabia helped stabilize the regime domestically and globally. Most of Egypt's provincial governors are former military or police commanders. Vaguely worded 2019 constitutional amendments further strengthened the legal underpinnings of the military's political influence, calling on it to "protect the constitution and democracy" for the sake of citizens' rights that are not respected by Egyptian authorities.

B4. Do various segments of the population (including ethnic, racial, religious, gender, LGBT+, and other relevant groups) have full political rights and electoral opportunities? 1 / 4

The constitution and Egyptian laws grant political rights to all citizens regardless of religion, gender, race, ethnicity, or any other such distinction. However, Christians, Shiite Muslims, people of color, and LGBT+ people face discrimination and are denied access to rights, which in turn affects their ability to participate in political life. Sisi and the security apparatus's increasing control of elections and other aspects of society only permit these groups to represent their interests within the narrow scope of officially sanctioned politics or risk harsh penalties for transgressing stated and unstated red lines. The diminishing power of the legislature further undercuts avenues for meaningful representation.

Women generally do not see their interests represented in politics and held 27.5 percent of seats in the House of Representatives as of December 2021, in large part due to legal gender quotas.

C. FUNCTIONING OF GOVERNMENT: 2 / 12

C1. Do the freely elected head of government and national legislative representatives determine the policies of the government? 0 / 4

President Sisi and the security apparatus dominate the policymaking process. The parliament has neither a significant role in forming and debating laws, nor the ability to provide a meaningful check on executive power. Laws originating in Sisi's cabinet receive parliamentary approval without meaningful contestation or deliberation.

The 2019 constitutional amendments further consolidated Sisi's authority and increased the military's constitutional role in civilian governance and already considerable independence from civilian oversight. The amendments allow the Supreme Council of the Armed Forces to permanently control the appointment of the defense minister, who is also the commander in chief.

C2. Are safeguards against official corruption strong and effective? 1 / 4

Corruption is pervasive at all levels of government. Official mechanisms for investigating and punishing corrupt activity remain weak and ineffective. President Sisi controls the Administrative Control Authority, the body responsible for most anticorruption initiatives. It lacks credibility, transparency, and impartiality and is not allowed to monitor the economic activities of the military.

C3. Does the government operate with openness and transparency? 1 / 4

The Sisi administration provides little transparency regarding government spending and operations and denies civil society groups and independent journalists opportunities to comment on, oversee, or influence state policies through intimidation and censorship.

Although the government makes its budget documents, including debt obligations, accessible to the public, data on debt held by state-owned enterprises (SOEs) remains inaccessible. Moreover, state budget documents do not include allocations to military SOEs, and audits for large SOEs are never public. The military is notoriously opaque with its budget and extensive business interests.

CIVIL LIBERTIES: 12 / 60

D. FREEDOM OF EXPRESSION AND BELIEF: 3 / 16

D1. Are there free and independent media? 0 / 4

The Egyptian media sector is dominated by progovernment outlets; most critical or opposition-oriented outlets were shut down in the wake of the 2013 coup. Private media are owned by businesspeople and individuals tied to the military and intelligence services. Intelligence apparatuses seek to limit citizens' accessibility to credible information while shaping citizen attitudes by promoting conspiracy theories, disinformation, and animosity toward the political opposition.

Independent reporting is suppressed through restrictive laws and intimidation, and foreign journalists face obstruction by the state. The Committee to Protect Journalists (CPJ) recorded that 12 journalists had been killed, 21 were imprisoned, and 1 went missing in 2022.

Multiple laws allow authorities to censor online content without judicial approval and block any website considered to be a threat to national security—a broad stipulation that is vulnerable to abuse. Since 2017, Egyptian authorities have banned hundreds of websites, and continued to do so in 2022. Penal-code amendments passed in 2021 tightened punishments for journalists who cover criminal trial sessions without prior approval and toughened penalties for disclosing classified information. The amendments also increased potential fines and allow for prison terms between six months and five years for these offenses.

D2. Are individuals free to practice and express their religious faith or nonbelief in public and private? 1 / 4

While Article 2 of the 2014 constitution declares Islam to be the official religion, Article 64 states that "freedom of belief is absolute." Most Egyptians are Sunni Muslims. Coptic Christians form a substantial minority, and there are smaller numbers of Shiite Muslims, non-Coptic Christian denominations, and other groups. Religious minorities and atheists have faced persecution and violence, with Coptic Christians in particular suffering numerous cases of forced displacement, physical assaults, bomb and arson attacks, and blocking of church construction in recent years. Informal reconciliation sessions following instances of sectarian conflict have denied Coptic Christians justice for acts of violence against them. Religious minority groups are often persecuted for expressing their beliefs publicly and are sometimes charged with blasphemy by the authorities.

In August 2022, an electrical fire swept through a Coptic Christian church in Giza Governorate, killing at least 41 people, including 18 children. Rights groups claimed that discriminatory government policies and restrictions on the construction and renovation of churches resulted in the conditions that ultimately caused the fire. In January, security forces in al-Minya Governorate arrested nine Coptic Christians protesting authorities' refusal to rebuild a church in their village, releasing them two months later.

D3. Is there academic freedom, and is the educational system free from extensive political indoctrination? 1 / 4

The state controls education and curriculums in public schools and to a lesser degree in some private institutions. Faculty members and departments have some autonomy in shaping specific courses, though many scholars self-censor to avoid punitive measures. University professors can be dismissed for on-campus political activity, and several prominent academics are in prison for expressing political views. The government imposes strict requirements for academics to obtain approval from security officials for travel abroad, and many have been subject to prosecution by emergency courts. Authorities have significant control over the appointment of university presidents and can expel students for political reasons.

Since 2013, university students have been subjected to arrest, disciplinary sanctions such as expulsion, military trials, and extrajudicial killings for their political activism.

D4. Are individuals free to express their personal views on political or other sensitive topics without fear of surveillance or retribution? 1 / 4

Individuals who express personal views contrary to preferred state narratives are subject to reprisals. Security agencies extensively surveil and tightly regulate social media companies and users, as well as other mobile phone applications, allowing them to control public discourse.

Arrests of activists over social media posts and other activities are common and send a clear message that voicing dissent is intolerable, which contributes to self-censorship among ordinary Egyptians. Dozens of Egyptian activists, rights defenders, and journalists have been targeted by digital phishing attacks as part of an apparent campaign to intimidate and silence critics of the government. Moreover, authorities have targeted content creators on social media platforms, most notably TikTok, charging them with various spurious crimes. Progovernment media figures and state officials regularly call for national unity and suggest that only enemies of the state would criticize authorities.

E. ASSOCIATIONAL AND ORGANIZATIONAL RIGHTS: 1 / 12

E1. Is there freedom of assembly? 0 / 4

Though the constitution guarantees the right to free assembly, the Interior Ministry can legally ban, postpone, or relocate protests with a court's approval. Unauthorized gatherings of 10 or more people can be dispersed forcefully. Protest organizers must inform police of their plans at least three days in advance. Thousands of protesters have been arrested since these strict laws were introduced in 2013, and some jailed protesters have received death sentences. Because of this crackdown, protests are extremely rare.

In November 2022, during the UN Climate Change Conference (COP27), Egyptian authorities arrested and charged at least 138 protesters with joining a terrorist group, spreading false news, inciting terrorist crimes, and misusing social media.

E2. Is there freedom for nongovernmental organizations, particularly those that are engaged in human rights– and governance-related work? 0 / 4

In recent years, nongovernmental organizations (NGOs) have faced mass closures as well as harassment in the form of office raids, arrests of members, lengthy legal cases, and restrictions on travel. A 2019 law constrains the activities of NGOs deemed to threaten national security, public morals, and public order and imposes onerous reporting requirements and intrusive monitoring systems. Punishments for violations of the law are severe.

The Arab Network for Human Rights Information (ANHRI) suspended its Egyptian operations in January 2022, claiming its founder had experienced years of harassment from authorities, including freezing of his assets, a travel ban, and physical assault.

Political dissidents and human rights defenders abroad experience transnational repression, while their families in Egypt have increasingly faced persecution by state authorities.

E3. Is there freedom for trade unions and similar professional or labor organizations? 1 / 4

The government only recognizes unions affiliated with the state-controlled Egyptian Trade Union Federation. While Article 15 of the constitution provides for the right to organize peaceful strikes, they are not tolerated in practice, and the law on protests prohibits gatherings that impede labor and production. Striking workers have in the past been arrested and prosecuted. Workers at military-owned businesses are subject to trials by military courts. Authorities failed to protect striking workers in 2021, allowing the large manufacturing company LORD International to unfairly dismiss and punish workers on strike.

F. RULE OF LAW: 2 / 16

F1. Is there an independent judiciary? 1 / 4

The executive branch exerts influence over the courts, which typically protect the interests of the government, military, and security apparatus and have often disregarded due process and other basic safeguards in cases against the government's political opponents and all forms of independent expression. The 2019 constitutional amendments further strengthened the president's supervisory and appointment powers over the judiciary and undermined its independence.

In July 2022, President Sisi appointed a military general to be the Supreme Constitutional Court's first deputy justice, which further placed the country's institutions under Sisi's control. The emergency courts that Sisi used to prosecute government critics and opposition figures were in effect until October 2021, when the state of emergency was suspended.

F2. Does due process prevail in civil and criminal matters? 0 / 4

Since 2013, Egyptian authorities have increasingly imposed months- or even years-long pretrial detentions on opposition members, journalists, and activists as retribution for their activities. These due process violations have normalized the use of the justice system for political purposes.

Although the constitution limits military trials of civilians, a 2014 presidential decree placed all "public and vital facilities" under military jurisdiction, resulting in the referral of thousands of civilian defendants to military courts. That change was made permanent in November 2021. Charges brought in military courts are often vague or fabricated, defendants are denied due process, and basic evidentiary standards are routinely disregarded.

In October 2021, President Sisi suspended the state of emergency imposed in 2017, which should have ended the use of emergency courts that do not satisfy the minimum standards of fair trials. However, his decision did not preclude hearing cases that were already referred to those courts, nor did it invalidate repressive legislation that was integrated into criminal law.

In April 2022, President Sisi reactivated so-called pardon committees to review the status of political prisoners; while 332 people were reportedly pardoned as of August, authorities arbitrarily detained far more people during the same period.

F3. Is there protection from the illegitimate use of physical force and freedom from war and insurgencies? 0 / 4

Police brutality and impunity for abuses by security forces were catalysts for the 2011 uprising against former president Hosni Mubarak, but no reforms have since been enacted and security forces continue to wield illegitimate force with impunity. Counterterrorism laws provide a vague definition of terrorism and grant law enforcement personnel sweeping powers and immunity in enforcement. Prison conditions are very poor, and prisons were grossly unequipped during the COVID-19 pandemic to treat the illness or prevent its spread. Inmates are subject to physical abuse, overcrowding, unsanitary conditions, and denial of medical care.

Since President Sisi effectively came to power, dozens of people have died in custody amid credible reports of torture or denial of timely and adequate health care. In 2021 alone, at least 52 detainees died in custody following medical complications and at least 4 following reports of torture. Prominent economist and government critic Ayman Hadhoud, who had been researching the military's role in the economy, disappeared in February 2022 and died in March, likely due to physical assault and torture he experienced while in custody. Use of the death penalty has increased dramatically since Sisi took power, despite serious concerns about due process violations and politicized prosecutions.

Conflict continues between security forces and adherents of the Islamic State (IS) militant group based in the North Sinai region. Terrorist attacks and military operations have resulted in civilian casualties. For years, Egyptian security forces have carried out extrajudicial executions while claiming that the victims had been killed in shootouts.

F4. Do laws, policies, and practices guarantee equal treatment of various segments of the population? 1 / 4

Though the constitution stipulates equality for women, women face extensive discrimination, particularly in employment and in the justice system. Coptic Christians, other religious minorities such as Baha'i people, people with dark skin from southern Egypt, people with disabilities, LGBT+ people, and migrants and refugees from sub-Saharan Africa also face various forms of discrimination and harassment. In March 2022, Amnesty International

called on the government to halt the deportations of Eritrean nationals, accusing it of engaging in refoulement.

There are different personal status laws governing Muslims and Christians, which commonly results in discrimination against Christians.

While same-sex sexual conduct is not explicitly banned, people suspected of such activity can be charged with prostitution or "debauchery." The police regularly arrest people on such charges.

G. PERSONAL AUTONOMY AND INDIVIDUAL RIGHTS: 6 / 16

G1. Do individuals enjoy freedom of movement, including the ability to change their place of residence, employment, or education? 1 / 4

The constitution guarantees freedom of movement, but internal travel and access are restricted tightly in North Sinai and to a lesser extent in other governorates along Egypt's borders. Sinai residents are subject to curfews, checkpoints, and other obstacles to travel.

Individuals seeking to change their place of employment or education can encounter bureaucratic barriers and scrutiny from security officials. In addition, a growing list of rights activists, journalists, political party members, bloggers, and academics have been subjected to arbitrary international travel bans in recent years. Foreign researchers and activists have been expelled or denied entry to the country.

G2. Are individuals able to exercise the right to own property and establish private businesses without undue interference from state or nonstate actors? 2 / 4

Under Sisi, the military is woven into many aspects of Egypt's economy. It runs businesses, produces goods, and manages megaprojects and infrastructure that benefit from tax and customs exemptions, free labor through the use of conscripted soldiers, lack of public budget oversight, and allocation of land through presidential decrees. Opportunities for private businesses are limited. Prominent businessmen faced political harassment, arrest, travel bans, and defamation in state-owned media.

Property rights in Sinai and other border areas are affected by the activities of security forces. Women are at a legal disadvantage in property and inheritance matters, typically receiving half the inheritance due to a man. Societal biases also discourage women's ownership of land.

In November 2021, President Sisi approved legal amendments that gave the Egyptian military the authority to secure vital facilities including gas stations, gas lines, oil fields, railways, road networks, and bridges. According to the amendments, crimes against public and vital facilities and properties are subject to the military judiciary's jurisdiction.

G3. Do individuals enjoy personal social freedoms, including choice of marriage partner and size of family, protection from domestic violence, and control over appearance? 2 / 4

Domestic violence, sexual harassment, and female genital mutilation (FGM) are still among the most acute problems in Egyptian society. While the penalties for FGM were toughened in 2021, the laws' implementation is hindered by societal resistance, poor enforcement, police abuses, and lack of adequate protection for witnesses, all of which deter victims from contacting authorities. Spousal rape is not a crime. Several violent crimes against women in 2022 highlighted the pervasiveness of gender-based violence, including three prominent cases of femicide.

Personal status rules based on religious affiliation put women at a disadvantage in marriage, divorce, and custody matters. Muslim women cannot marry non-Muslim men, for example, and the Coptic Church rarely permits divorce.

G4. Do individuals enjoy equality of opportunity and freedom from economic exploitation? 1 / 4

Women and children, migrants from sub-Saharan Africa and Asia, and Syrian refugees are vulnerable to forced labor and sex trafficking in Egypt. Authorities routinely punish individuals for offenses that stemmed directly from their circumstances as trafficking victims. Military conscripts are exploited as cheap labor for military- or state-affiliated development projects.

In March 2022, Human Rights Watch (HRW) reported that authorities forced least 30 Sudanese refugees and asylum seekers who had been arrested in late 2021 to provide labor.

El Salvador

Population: 6,300,000
Capital: San Salvador
Freedom Status: Partly Free
Electoral Democracy: Yes

Overview: Elections in El Salvador are largely credible and free. However, widespread corruption undermines democracy and the rule of law, and lack of physical security remains a grave problem. Authorities have pursued a harsh, militarized response to the country's powerful criminal gangs, resulting in extrajudicial killings, mass arbitrary arrests, and other abuses. Members of the active civil society sector and dynamic press risk harassment and violence in connection with coverage of organized crime, corruption, and criticism of government policy.

KEY DEVELOPMENTS IN 2022

- Following rumors that informal agreements between President Nayib Bukele's government and the leaders of criminal gangs had broken down, in March the government instituted an open-ended, unconstitutional state of exception. Along with the state of exception, authorities suspended constitutional protections of assembly and association and routinely violated citizens' privacy by allowing law enforcement to access and surveil individuals' communications without a court order. Further, the criminal code was amended to mandate pretrial detention for charges of gang membership, homicide, and extortion, and to remove the limit on the duration of pretrial detention in these cases, effectively establishing unlimited incarceration without a conviction.
- The government used the state of exception to carry out a staggering crackdown beginning in March, indefinitely and arbitrarily arresting more than 60,000 people by the end of the year, all to allegedly prevent gang-related activity. Authorities eliminated arrested people's due process guarantees and quashed access to public information regarding the crackdown. Criminal courts have remanded virtually all detainees to indefinite custody, without individual scrutiny or respect for due process.
- A January report published by multiple human rights and research groups found that at least 35 Salvadoran journalists had been targeted with Pegasus spyware in 2020 and 2021, allegedly by the Salvadoran government, although the researchers could not definitively prove this. In July, the Inter-American Commission on

Human Rights (IACHR) granted protection measures to more journalists in El Salvador who had owned devices that were compromised by Pegasus surveillance; the IACHR also provided protections to journalists in February 2021.

POLITICAL RIGHTS: 25 / 40 (−1)

A. ELECTORAL PROCESS: 10 / 12

A1. Was the current head of government or other chief national authority elected through free and fair elections? 4 / 4

El Salvador's president is directly elected for a five-year term. In 2019, Nayib Bukele won the presidential election in the first round with 53 percent of the vote and was inaugurated that June. Voter turnout was 52 percent. Organization of American States (OAS) observers called the election free and generally fair and praised the peaceful transfer of power.

A2. Were the current national legislative representatives elected through free and fair elections? 3 / 4

The 84-member, unicameral Legislative Assembly is elected for three years. The Nationalist Republican Alliance (ARENA) and Farabundo Martí National Liberation Front (FMLN) dominated Salvadoran politics since the first postwar election in 1994. However, in the February 2021 legislative elections, ARENA was reduced to 14 seats and the FMLN to 4, while the newly constituted party of President Bukele, New Ideas (NI), won a supermajority with 56 seats. The remaining 10 seats went to smaller parties.

European Union (EU) and Latin American election observers attested that the results reflected the popular will but found that the campaign environment was flawed in favor of NI, with violations of electoral law including the use of significant state resources to favor the party.

A3. Are the electoral laws and framework fair, and are they implemented impartially by the relevant election management bodies? 3 / 4

El Salvador's electoral framework is designed by the Legislative Assembly and administered by the Supreme Electoral Tribunal (TSE).

In September 2021, the Constitutional Chamber of the Supreme Court of Justice (CSJ), dominated by unconstitutionally appointed magistrates allied with Bukele, ruled that the president may serve two consecutive terms, in contravention of several articles of the constitution. The Constitutional Chamber directed the TSE to allow the change, which the TSE did, saying that the ruling could not be appealed. In September 2022, President Bukele announced he would run for reelection in 2024.

In March 2022, the FMLN-nominated TSE magistrate Julio Olivo claimed that a group of four government-aligned magistrates had effectively taken control of decision-making processes within the institution, excluding the other six members.

B. POLITICAL PLURALISM AND PARTICIPATION: 12 / 16

B1. Do the people have the right to organize in different political parties or other competitive political groupings of their choice, and is the system free of undue obstacles to the rise and fall of these competing parties or groupings? 3 / 4

Salvadorans have traditionally been free to organize in different political parties or groupings. However, in 2021, politically motivated corruption charges resulted in raids on opposition party offices, and figures from ARENA and FMLN were arrested or had arrest warrants issued against them. Meanwhile, the Legislative Assembly set up commissions to investigate past bonus payments to politicians and public funding of nongovernmental

organizations (NGOs) during the year. While these actions were all ostensibly linked to fighting alleged corruption, opposition parties, human rights groups, and other critics denounced them as political persecution and attempts to silence the opposition.

B2. Is there a realistic opportunity for the opposition to increase its support or gain power through elections? 4 / 4

Opposition parties are legally able to increase support and gain power through elections. However, President Bukele's election marked a break in the executive dominance of ARENA and the FMLN, and both parties imploded in the 2021 legislative and municipal elections, when new parties gained representation. President Bukele's NI won 56 seats and 152 out of 262 mayors. Opposition parties Our Time (NT) and Vamos both secured one lawmaker and Vamos one mayor. FMLN and ARENA experience extreme pressure from the government and are seemingly incapable of mounting any viable electoral alternative for the presidential, legislative, and municipal elections scheduled for February and March 2024.

NI has also used state resources, including illegal surveillance technology, to undermine opposition members.

B3. Are the people's political choices free from domination by forces that are external to the political sphere, or by political forces that employ extrapolitical means? 2 / 4

Gangs have threatened political candidates and elected officials, but their influence drastically diminished under the state of exception that began in March 2022.

Top-level politicians from all major parties have at different times been accused of links to organized crime. Journalists have regularly uncovered evidence of covert engagement between the Bukele government and gang leaders, chiefly to rein in gang-related crimes—especially homicides—in exchange for various concessions. A criminal investigation into the government's negotiations was shut down after the government-controlled legislature replaced the attorney general.

B4. Do various segments of the population (including ethnic, racial, religious, gender, LGBT+, and other relevant groups) have full political rights and electoral opportunities? 3 / 4

All citizens have full political rights and electoral opportunities under the law, regardless of gender, ethnicity, religion, or sexual orientation, but women and minority groups are underrepresented in the legislature and in high-level government positions. A 2013 statute requires that 30 percent of legislative and municipal candidates be women, but the proportion of women in the Legislative Assembly dipped under this threshold following the 2021 elections, and only 11 percent of mayors are women. Furthermore, women's, LGBT+, and Indigenous peoples' interests are poorly represented in practice.

C. FUNCTIONING OF GOVERNMENT: 3 / 12 (−1)

C1. Do the freely elected head of government and national legislative representatives determine the policies of the government? 2 / 4

The Bukele administration repeatedly interfered with the legislature's ability to determine policy until it gained a supermajority in the legislative session that commenced in May 2021, which enabled it to swiftly rubberstamp new laws and policies. The NI government has routinely denied opposition legislators access to key information, including draft legislation, inhibiting substantial deliberation of proposed laws. The government also makes record use of legislative process waivers, which expedites proposals for a vote within hours of submission to the legislature. Bukele has also harassed and bullied allied lawmakers from other parties who criticize NI policies or officials.

C2. Are safeguards against official corruption strong and effective? 0 / 4 (−1)

Corruption including embezzlement, money laundering, and other forms of self-enrichment remains a problem in government, and anticorruption bodies and prosecutions are increasingly susceptible to politicization.

In November 2020, prosecutors launched a criminal investigation into the suspected misuse of COVID-19-related funds, including the awarding of public contracts to businesses linked to politicians. However, in May 2021, the NI-controlled legislature passed a law retroactively granting public officials and contractors immunity from any civil or criminal liability stemming from pandemic-related state expenditures. Since then, more cases of suspected graft involving COVID-related funds have emerged.

In 2021, the government shut down the International Commission against Impunity in El Salvador (CICIES), an OAS-supported anticorruption agency that assisted Salvadoran prosecutors.

Under the guise of the state of exception that began in March 2022, the NI government removed legal administrative regulations on the use of public funds and state contracts. Further, authorities restricted the right to access public information, impeding civil society's ability to expose corrupt actors, and passed a law that enables authority to manage public funds without adhering to the relevant law.

Score Change: The score declined from 1 to 0 because elected authorities suspended anticorruption laws that allowed scrutiny of government spending and contracts.

C3. Does the government operate with openness and transparency? 1 / 4

The 2011 Access to Public Information Law instituted strong mechanisms for transparency and oversight of public institutions. While there have always been issues with compliance, government bodies have been more resistant and less transparent since the beginning of the Bukele administration. Bukele has issued executive decrees impinging on the independence of the oversight and enforcement body, the Access to Public Information Agency (IAIP), and has named partisan commissioners.

Government officials continue to withhold information on expenditures, even amid widespread allegations and indications of related corruption. No government minister has submitted their asset disclosures, as required by law to detect potential corruption.

NI has used its parliamentary supermajority to routinely pass laws with minimal information provided to opposition lawmakers, much less the public. Government plans are generally withheld from public access.

CIVIL LIBERTIES: 31 / 60 (−2)

D. FREEDOM OF EXPRESSION AND BELIEF: 11 / 16

D1. Are there free and independent media? 2 / 4

Despite a vibrant media space and constitutional protections, journalists have reported self-censoring in the face of harassment and violence in response to critical coverage of corruption and public policy. Access to the internet is not restricted, and online outlets are critical sources of independent reporting. However, most Salvadorans rely on social media and privately owned television and radio networks for news, and ownership in the broadcast sector is highly concentrated. Fake news and disinformation campaigns are widespread and fomented by key government officials, including through surrogate online media outlets.

A January 2022 report published by multiple human rights and research groups found that at least 35 Salvadoran journalists had been targeted with Pegasus spyware in 2020 and 2021, allegedly by the Salvadoran government, although the researchers could not

definitively prove this. In February 2021 and July 2022, the Inter-American Commission on Human Rights (IACHR) granted protection measures to dozens of journalists in the country, many of whom had owned devices that were compromised by Pegasus surveillance. In April 2022, the government passed a law threatening journalists who convey messages from gangs with 10 to 15 years in prison, and in August the Association of Journalists of El Salvador reported that nine Salvadoran journalists were living in exile due to government harassment.

D2. Are individuals free to practice and express their religious faith or nonbelief in public and private? 4 / 4 (+1)

Religious freedom is widely respected by state and nonstate actors. For several years, people in some communities have been unable to access their churches due to territorial disputes between gangs. Some religious leaders working with former gang members face harassment by gangs and police and the threat of violence. However, the mass arrests of people suspected of gang affiliation that began in March 2022 improved perceptions of security, and more individuals have attended religious services safely.

Score Change: The score increased from 3 to 4 because the government's severe crackdown on gang activity has resulted in a decline in violent territorial disputes between gangs, allowing people to more freely attend religious services.

D3. Is there academic freedom, and is the educational system free from extensive political indoctrination? 3 / 4

Academic freedom is respected, and the educational system is generally free from extensive political indoctrination.

D4. Are individuals free to express their personal views on political or other sensitive topics without fear of surveillance or retribution? 2 / 4 (−1)

While private discussion and personal expression are generally free, the prevalence of gang activity has led many Salvadorans to curtail speech about criminal activity and other sensitive topics outside of their homes. The government has used illegal surveillance mechanisms as part of its crackdown on gang activity that began in March 2022. In February 2022, reforms to the criminal code permitted "necessary undercover digital operations" to investigate alleged crimes without a court order. In May, the government and legislature massively boosted the Prosecutor General of the Republic's wiretap budget and in September removed legal restrictions on wiretapping.

On multiple occasions, authorities used these legal changes, which were allegedly passed to crack down on gang-related activity, to arrest private individuals who critiqued government figures or policy. In August, Luis Rivas was arrested and charged with contempt of the president for anonymously posting on Twitter stating that members of President Bukele's family were at the beach with a large number of bodyguards. In early September, Rivas was released on bail for $10,000, but immediately rearrested on new, undisclosed charges. Days earlier, police briefly and arbitrarily arrested citizen Mario Gómez after he criticized the Bukele government's implementation of Bitcoin as legal tender online. Two weeks later, another six people were arrested for criticizing government officials on social media.

Score Change: The score declined from 3 to 2 due to increasing state surveillance and the arrests of government critics under the guise of the ongoing crackdown on gang activity.

E. ASSOCIATIONAL AND ORGANIZATIONAL RIGHTS: 8 / 12 (−1)

E1. Is there freedom of assembly? 3 / 4

Freedom of assembly is generally upheld, and public protests and gatherings are permitted. However, the Bukele government has surveilled activists who organize such events, pushing some citizens to refrain from participating due to fear of potential repercussions. The 2022 state of exception has also limited freedom of assembly rights.

E2. Is there freedom for nongovernmental organizations, particularly those that are engaged in human rights– and governance-related work? 2 / 4 (−1)

NGOs have operated freely and played an important role in society and policymaking in the postwar era. However, they have largely been excluded from engagement with policymakers under the Bukele government and are frequently lambasted by the president and other officials over critical stances toward government policy.

In 2021, the Legislative Assembly set up a special commission to investigate NGOs, police and prosecutors raided the offices of seven NGOs on charges of embezzlement, and the government put forward a Foreign Agents Law requiring individuals and organizations to register as foreign agents if their activities "respond to the interests of, or are directly or indirectly funded by, a foreigner" and pay a 40 percent tax on foreign payments. Ruling-party legislators and government officials explicitly linked the law to funding given to investigative journalism that is critical of the government and recent protest marches. In the face of massive pressure, not least by the diplomatic corps and foreign donors, the government delayed voting on the law.

The government targeted several nongovernmental human rights organizations using Pegasus spyware in 2020 and 2021, according to a January 2022 report. Under the state of exception implemented in March 2022, authorities have clamped down on programs to support rehabilitation and reintegration of formerly incarcerated persons.

Score Change: The score declined from 3 to 2 because the government has investigated NGOs on dubious charges, surveilled activists and civil society groups.

E3. Is there freedom for trade unions and similar professional or labor organizations? 2 / 4

Labor unions have long faced obstacles in a legal environment that favors business interests, including by mandating only light penalties for employers who interfere with strikes. The law prohibits strikes in sectors deemed essential, and the designation is vaguely defined.

F. RULE OF LAW: 6 / 16 (−2)

F1. Is there an independent judiciary? 0 / 4 (−1)

Judicial independence has long been under pressure, and the judicial system is hampered by corruption. Elected officials do not always observe judicial rulings and powerful individuals can evade justice by exerting pressure on the judiciary.

The Bukele administration repeatedly defied court orders related to its COVID-19 response during 2020. In the first session of the new legislature in May 2021, the government-aligned legislators removed all members of the CSJ's Constitutional Chamber, as well as the prosecutor general. Though the Constitutional Chamber immediately ruled that these actions were unconstitutional and a violation of judicial independence, the legislature went forward naming new members of the Constitutional Chamber and a new attorney general. In the next days, the ousted judges submitted their resignations, allegedly under duress, amid reports that the homes of some of deposed magistrates were being monitored by the police.

In August 2021, President Bukele announced a "purge" of the judiciary, and the legislature days later passed measures to dismiss judges and prosecutors over 60 years old or who had more than 30 years of service, impacting one in three judges and numerous prosecutors. The reforms also changed the mechanism for appointing and reassigning judges to a seemingly arbitrary process, which was condemned by the UN Special Rapporteur on the Independence of Judges and Lawyers.

The government unconstitutionally instituted a state of exception in March 2022, and extended it on multiple occasions with parliamentary rubber-stamps. Yet the CSJ has failed to deliberate on the legality of the ongoing state of exception, resolve more than 1,300 petitions for habeas corpus, or address thousands of human rights violations linked to the near 60,000 arrests that authorities have carried out. Criminal courts have broadly failed to act independently from government pressure and defiant judges have been removed.

The Bukele administration continues to resist calls to cooperate in the ongoing El Mozote trial, in which 17 high-ranking military officers stand accused of massacring nearly 1,000 people in the northeastern town of El Mozote in 1981.

Score Change: The score declined from 1 to 0 because a generally pliant judiciary failed to address an unconstitutional state of exception and the accompanying mass arbitrary arrests that characterize the government's gang crackdown, and because the government has continued to remove any judges who challenge its policies.

F2. Does due process prevail in civil and criminal matters? 0 / 4 (−1)

Since the end of the war in 1992, due process rights are constitutionally guaranteed but systematically violated. Human rights advocates report that police routinely carry out arbitrary arrests and fabricate and plant evidence, and defendants have long been provided inadequate access to effective legal counsel.

These long-standing challenges escalated sharply in March 2022, when the government instituted an indefinite state of exception, which led to the arbitrary arrests of over 60,000 people suspected of gang activity. Authorities suspended constitutional guarantees of freedom of assembly and association, eliminated various rights of people accused of crimes, and routinely violated citizens' privacy by allowing law enforcement to access and surveil individuals' communications without a court order. Criminal courts have remanded virtually all detainees to indefinite custody, without individual scrutiny or respect for due process.

Furthermore, the government passed amendments in March 2022 to the criminal code to increase the maximum punishment for being a gang leader to 45 years' imprisonment and for being a gang member to 30 years' imprisonment. The criminal procedural code was also amended to mandate pretrial detention for charges of gang membership, homicide, and extortion, and to remove the limit on the duration of pretrial detention in these cases, effectively establishing unlimited incarceration without a conviction. The same loss of rights largely applies to minors.

Score Change: The score declined from 1 to 0 because the government's gang crackdown has featured the suspension of constitutional rights and the arbitrary arrest and incarceration of more than 60,000 individuals.

F3. Is there protection from the illegitimate use of physical force and freedom from war and insurgencies? 2 / 4

Crime and violence, much of which has long been linked to gangs, remain grave problems. Yet, homicides have declined sharply since mid-2019 under alleged secret agreements

and negotiations between the Bukele government and the country's gangs, which the president denies. Reportedly, agreements broke down in March 2022, after which the government immediately implemented a state of exception that has kept homicide rates under control: government statistics claim a 50 percent drop in the murder rate for 2022.

Under the state of exception, the number of incarcerated persons has more than doubled, leading to acute overcrowding with wholly insufficient infrastructure and resources to guarantee basic rights, including food, water, and healthcare. People imprisoned are not allowed family visits and have limited access to lawyers.

Civilians in El Salvador are vulnerable to forced disappearances. The University Observatory of Human Rights (OUDH) reported that between January 2020 and June 2022, there were 4,060 forced disappearances, while police figures for that period claim 692 people disappeared. Relatives of the disappeared often fear reprisals for discussing their cases publicly.

F4. Do laws, policies, and practices guarantee equal treatment of various segments of the population? 2 / 4

Men and women are granted equal rights under the law, but women are often subject to discrimination. Indigenous people disproportionately face poverty, unemployment, and labor discrimination. Certain other populations, particularly internally displaced persons and LGBT+ people, also have inadequate access to the justice system. Discrimination based on sexual orientation is prevalent, and LGBT+ people are often the targets of hate crimes and violence, including by state security agents.

The government restricted the rights of asylum seekers by signing an agreement with the United States in 2019, whereby El Salvador would accept asylum seekers trying to reach the United States and stop them from traveling north.

G. PERSONAL AUTONOMY AND INDIVIDUAL RIGHTS: 8 / 16 (+1)

G1. Do individuals enjoy freedom of movement, including the ability to change their place of residence, employment, or education? 3 / 4 (+1)

Freedom of movement within El Salvador has long been complicated by gang activity. People living in the turf of one gang may suffer threats or violence when entering the turf of another gang, making it dangerous to travel, work, and attend school, especially for young men. Internal displacement due to gang-related crime and violence is commonplace. However, the degree of gang territorial control dropped sharply after the government implemented a state of exception in March 2022. Conversely, certain population groups—and especially young men—limit their movements due to fear of police harassment or arbitrary arrest.

Score Change: The score improved from 2 to 3 because the government's severe crackdown on gang violence has improved individuals' ability to travel safely.

G2. Are individuals able to exercise the right to own property and establish private businesses without undue interference from state or nonstate actors? 2 / 4

The rights to property and to start and run a business enjoy legal and regulatory protections. Since the mid-2000s, many businesses and citizens have been subject to extortion, chiefly by gangs. However, the state of exception in effect since March 2022 vastly reduced the prevalence of extortion and gangs' broader impact on the operating environment of businesses.

Political favoritism, cronyism, and bribes affect the awarding of state contracts.

G3. Do individuals enjoy personal social freedoms, including choice of marriage partner and size of family, protection from domestic violence, and control over appearance? 2 / 4

Men and women have equal legal rights on matters such as marriage and divorce, and there are few formal restrictions on such decisions. However, same-sex marriage and adoption remain illegal in El Salvador. Abortion is punishable by imprisonment, including in cases where the pregnant person's life is at risk. Some women have been jailed despite credible claims that their pregnancies ended due to miscarriage.

The prevalence of adolescent pregnancy is a serious problem, accounting for approximately a third of all pregnancies, and many are the result of sexual assault. Female students with children often leave school, sometimes under pressure from their principals. Gender-based violence, including domestic violence, sexual violence, and femicide, is also common. El Salvador has one of Latin America's highest femicide rates.

G4. Do individuals enjoy equality of opportunity and freedom from economic exploitation? 2 / 4

El Salvador remains a source, transit, and destination country for the trafficking of women, children, and LGBT+ people. There are instances of forced labor in the construction and informal sectors. According to the 2022 edition of the US State Department's *Trafficking in Persons Report*, there has been an increase in convictions of traffickers and 2019 legislation granted temporary residency rights to trafficking survivors, although none received "residency benefits" during the reporting period. However, the government reduced resources allocated for the antitrafficking prosecution team, and shelter and public services for survivors remain insufficient.

Children are vulnerable to economic exploitation, and child labor is a serious problem. Children perform dangerous jobs in agriculture and are recruited by gangs and other criminal elements to carry out illegal activities.

Equatorial Guinea

Population: 1,700,000
Capital: Malabo
Freedom Status: Not Free
Electoral Democracy: No

Overview: Equatorial Guinea holds regular elections, but the voting is neither free nor fair. The current president, who took power in a military coup that deposed his uncle, has led a highly repressive authoritarian regime since 1979. Oil wealth and political power are concentrated in the hands of the president's family. The government frequently detains the few opposition politicians in the country, cracks down on civil society groups, and censors journalists. The judiciary is under presidential control, and security forces engage in torture and other violence with impunity.

KEY DEVELOPMENTS IN 2022

- In May, Vice President Teodoro Nguema Obiang Mangue, a son of the president who is widely known as Teodorín, launched a campaign aimed at combating gang violence. Authorities detained thousands of people over the course of several months, and at least four died in custody.

- In September, Gabriel Nsé Obiang, leader of the banned opposition party Citizens for Innovation (CI), was arrested along with as many as 275 party members in a police assault on the party's headquarters that caused the deaths of one officer and at least four opposition activists.
- In tightly controlled general elections in November, President Teodoro Obiang Nguema Mbasogo won a sixth term in office, and the ruling party's electoral bloc captured all of the parliamentary and municipal council seats at stake.

POLITICAL RIGHTS: 0 / 40

A. ELECTORAL PROCESS: 0 / 12

A1. Was the current head of government or other chief national authority elected through free and fair elections? 0 / 4

The president controls the executive branch, including the council of ministers. Teodoro Obiang Nguema Mbasogo, Africa's longest-serving head of state, has held the presidency since 1979. He was awarded a new seven-year term in the November 2022 presidential election, ostensibly winning 97 percent of the vote in an unfair contest against two nominal challengers from approved opposition parties.

A2. Were the current national legislative representatives elected through free and fair elections? 0 / 4

The bicameral parliament consists of a 70-seat Senate and a 100-seat Chamber of Deputies. Fifteen senators are appointed by the president, 55 are directly elected, and there can be several additional ex officio members. The Chamber of Deputies is directly elected, and all elected lawmakers serve five-year terms.

In the November 2022 legislative elections, the ruling Democratic Party of Equatorial Guinea (PDGE) and its allies won all 100 seats in the lower house, all 55 of the elected seats in the Senate, and all 588 municipal council positions. The two opposition parties that were permitted to participate received a tiny fraction of the vote, according to official results, and the campaign environment was tightly controlled by the authorities.

A3. Are the electoral laws and framework fair, and are they implemented impartially by the relevant election management bodies? 0 / 4

Equatorial Guinea does not have an independent electoral body; the head of the National Electoral Commission during the 2022 elections was also the country's interior minister and a member of the ruling PDGE. Elections are not fairly managed in practice.

B. POLITICAL PLURALISM AND PARTICIPATION: 0 / 16

B1. Do the people have the right to organize in different political parties or other competitive political groupings of their choice, and is the system free of undue obstacles to the rise and fall of these competing parties or groupings? 0 / 4

The PDGE is the dominant party, operating in conjunction with several subordinate parties in its coalition. The only other parties allowed to participate in the 2022 elections were the Convergence for Social Democracy (CPDS) and the Party of the Social Democratic Coalition (PCSD).

Opposition leaders and members are subject to arrest, abuse in detention, and heavy prison sentences after unfair trials. In September 2022, police attacked the headquarters of CI, an opposition party that was banned in 2018, and arrested as many as 275 people, including party leader Gabriel Nsé Obiang. One officer and at least four civilians were reportedly killed in the assault, and many others were injured.

B2. Is there a realistic opportunity for the opposition to increase its support or gain power through elections? 0 / 4

Equatorial Guinea has never experienced a peaceful transfer of power through elections. President Obiang took power after a coup in 1979, and in 2016 he appointed his son as vice president, paving the way for his succession.

The November 2022 elections featured extensive irregularities and no genuine competition. Opposition candidates lost every contest at the presidential, legislative, and municipal levels.

B3. Are the people's political choices free from domination by forces that are external to the political sphere, or by political forces that employ extrapolitical means? 0 / 4

The regime routinely uses the security forces to attack and intimidate opposition supporters, and political loyalty to the ruling party is treated as a condition for obtaining and keeping public-sector employment.

B4. Do various segments of the population (including ethnic, racial, religious, gender, LGBT+, and other relevant groups) have full political rights and electoral opportunities? 0 / 4

The ethnic Fang majority dominates political life, leaving minority ethnic groups with little influence; power is concentrated in the hands of the president's family and allies from their region of origin. Women formally enjoy equal political rights, but the repressive political system does not allow them to organize independently to advance their interests. Women hold few government positions, 31 percent of the seats in the Chamber of Deputies, and 22 percent of the seats in the Senate. While no law explicitly prevents LGBT+ individuals from exercising their political rights, societal discrimination discourages them from participating openly and advocating for their welfare.

C. FUNCTIONING OF GOVERNMENT: 0 / 12

C1. Do the freely elected head of government and national legislative representatives determine the policies of the government? 0 / 4

The executive branch—headed by the president, who is not freely elected—sets and implements government policy, leaving the legislature no meaningful role in the policymaking process.

C2. Are safeguards against official corruption strong and effective? 0 / 4

There are no independent anticorruption mechanisms, and the government is marred by nepotism and graft. Hiring and promotions within the government, army, and civil service favor those with ties to the president and his family. Two of the president's sons, the vice president and the minister of mines and hydrocarbons, have been the subjects of corruption cases in European courts. Although the government has taken some steps to address corruption, the efforts have been largely superficial.

In March 2022, the president appointed the first members of the Court of Auditors, a monitoring body called for in a 2012 constitutional amendment. Former treasury minister Melchor Esono Edjo, a nephew of the president, was sworn in as head of the court despite past international corruption allegations and a conflict of interest related to his shares in a partially state-owned bank. In May, the president also appointed the leaders of a new anticorruption commission in keeping with a 2020 law. The effectiveness of these institutions and the differentiation of their functions remained unclear at year's end.

C3. Does the government operate with openness and transparency? 0 / 4

The government's budget process and procurement system are opaque, as are the finances of state-owned companies. A significant percentage of revenue from the country's oil reserves is funneled to Obiang's allies through noncompetitive, nontransparent construction contracts. International financial organizations and human rights groups have criticized the government for pouring resources into wasteful infrastructure projects while neglecting public health and social spending.

In compliance with a 2021 anticorruption law, the government released a form for asset declarations in March 2022. Members of the government issued their respective declarations later that year, but the statements were apparently removed from the government website a few weeks later.

CIVIL LIBERTIES: 5 / 60

D. FREEDOM OF EXPRESSION AND BELIEF: 2 / 16

D1. Are there free and independent media? 0 / 4

Press freedom is severely limited, despite constitutional protections. Most journalists consistently exercise self-censorship, and those who do criticize the regime are subject to dismissal and other reprisals. The country's only private television and radio broadcaster, RTV-Asonga, is controlled by Teodorín. The handful of private newspapers and magazines in operation face intense financial and political pressure and are unable to publish regularly. The government has long sought to block access to the websites of opposition parties and exile groups, and online versions of some Spanish newspapers are regularly blocked. The government has obstructed access to the internet in times of political tension.

D2. Are individuals free to practice and express their religious faith or nonbelief in public and private? 1 / 4

Religious freedom is protected by the constitution, though in practice it is sometimes affected by the country's broader political repression and endemic corruption. The Roman Catholic Church is the dominant faith and is exempt from registration and permit requirements that apply to other groups. Government officials are regularly required to attend Catholic masses.

In 2020, the government disbanded two religious groups on the grounds that they did not comply with COVID-19-related restrictions. The decree took effect without due process and included deportation orders for foreign pastors associated with the groups.

In August 2022, pastor Rubén Mayé Nsue Mangue, a former minister of justice and ambassador to the United States, was arrested and banned from practicing his religion after he allegedly criticized the government in sermons and on social media. He was forcibly disappeared for days after his arrest and remained in detention at year's end.

D3. Is there academic freedom, and is the educational system free from extensive political indoctrination? 1 / 4

Academic freedom is politically constrained, and self-censorship among faculty is common. Some university professors and teachers have reportedly been hired or dismissed due to their political affiliations.

D4. Are individuals free to express their personal views on political or other sensitive topics without fear of surveillance or retribution? 0 / 4

Freedoms of personal expression and private discussion are restricted. The government uses informants and electronic surveillance to monitor dissent, and critics of the government are subject to arbitrary arrest, physical abuse, and trumped-up criminal charges.

In September 2022, ahead of the general elections in November, several alleged opponents of the government were arrested based in part on their social media activity and private communications. At least three detainees were accused of plotting a terrorist action and shown confessing on state television.

E. ASSOCIATIONAL AND ORGANIZATIONAL RIGHTS: 0 / 12

E1. Is there freedom of assembly? 0 / 4

Freedom of assembly is severely restricted. Opposition gatherings are typically blocked or dispersed by security forces, and citizens are sometimes pressured to attend progovernment events.

In June 2022, a rally organized by the CPDS was banned by the authorities. In September, Leoncio Prisco Eko Mba, a rapper also known as Adjoguening who had criticized the government in his lyrics, was arrested while staging a protest to demand that officials restore his confiscated passport. He was held for a month without charges.

E2. Is there freedom for nongovernmental organizations, particularly those that are engaged in human rights– and governance-related work? 0 / 4

All associations must register with the government through an onerous process, and independent nongovernmental organizations (NGOs) face state persecution. In 2019, the Center for Studies and Initiatives for the Development of Equatorial Guinea (CEID-GE) was dissolved by government decree.

Among those arrested in the broader preelection crackdown in September 2022 were human rights activists Luis Nzó Ondo and Anacleto Micha Nlang. Another civil society activist, Joaquin Elo Ayeto, was arrested in December.

E3. Is there freedom for trade unions and similar professional or labor organizations? 0 / 4

The constitution provides for the right to organize unions, but there are many legal and practical barriers to union formation, collective bargaining, and strikes. The government has refused to register several trade unions; a farmers' organization is the only legal union.

F. RULE OF LAW: 0 / 16

F1. Is there an independent judiciary? 0 / 4

The judiciary is not independent, and judges in sensitive cases often consult with the office of the president before issuing important rulings. Under the constitution, the president is the nation's first magistrate. He also oversees the body that nominates judges. The court system's impartiality is further undermined by corruption. Judges are regularly accused of taking bribes.

In July 2022, the president of the Supreme Court resigned in the face of allegations that he had received a bribe from a private company. Teodorín stated on social media that the judge had admitted to the crime. A new Supreme Court president was appointed by decree later that month.

F2. Does due process prevail in civil and criminal matters? 0 / 4

Security forces routinely detain people without charge, and defendants' due process rights are not respected. Military courts, which are empowered to try civilians for certain crimes, have even fewer due process protections than civilian courts and lack an avenue for appeal.

F3. Is there protection from the illegitimate use of physical force and freedom from war and insurgencies? 0 / 4

Beatings, torture, and forced disappearances by security forces are reportedly common. Prisons are overcrowded and feature harsh conditions, including physical abuse, poor sanitation, and denial of medical care.

In May 2022, Teodorín launched a law enforcement campaign to suppress violence by criminal gangs. Authorities detained thousands of people over the course of several months, and at least four died in custody.

A revised penal code that was enacted in September eliminated the death penalty, though capital punishment is still allowed under the code of military justice. The most recent execution was carried out in 2014.

F4. Do laws, policies, and practices guarantee equal treatment of various segments of the population? 0 / 4

There are few legal protections against discrimination. Women face discrimination in employment and other matters, particularly in rural areas. Ethnic minority groups such as the Bubi, Ndowe, and Annobonese suffer persistent societal discrimination in the form of harassment from law enforcement officials or difficulties accessing public services.

Immigrants, including irregular migrants, are subject to raids, physical abuse, and extortion by police. Same-sex sexual activity is not illegal, but LGBT+ people face social stigma and mistreatment including street harassment and discrimination in the workplace.

G. PERSONAL AUTONOMY AND INDIVIDUAL RIGHTS: 3 / 16

G1. Do individuals enjoy freedom of movement, including the ability to change their place of residence, employment, or education? 1 / 4

Freedom of movement is protected by law but restricted in practice through measures such as police checkpoints, which often require the payment of bribes. Authorities have denied opposition members and other dissidents' return from abroad, confiscated their passports, or restricted their movements within the country.

G2. Are individuals able to exercise the right to own property and establish private businesses without undue interference from state or nonstate actors? 1 / 4

Pervasive corruption and onerous bureaucratic procedures serve as major impediments to private business activity. Property rights are inconsistently respected by the government. Members of the Bubi minority have reported cases of land grabs by elites and the government in recent years.

Most women face disadvantages regarding inheritance and property rights under both the civil code and customary practices, though women enjoy greater customary rights among the Bubi.

G3. Do individuals enjoy personal social freedoms, including choice of marriage partner and size of family, protection from domestic violence, and control over appearance? 1 / 4

The civil code and customary law put women at a disadvantage with respect to personal status matters like marriage and child custody, with some exceptions among the Bubi. Laws against rape and domestic violence are not enforced effectively. The government does little to collect data or to support civil society efforts to combat such problems, which include sexual violence against minors and LGBT+ people. Child marriage is common; the minimum age for marriage is 14. The Education Ministry bars pregnant girls from attending school.

G4. Do individuals enjoy equality of opportunity and freedom from economic exploitation? 0 / 4

The country's oil wealth is concentrated among the ruling elite, leaving much of the population without access to basic services. Equatorial Guinea continues to score poorly on social and economic development indicators, and economic conditions have worsened when global oil prices are low.

Some foreign workers are subject to passport confiscation and forced labor. Corrupt officials are often complicit in human trafficking, according to the US State Department. In late 2021, security forces arrested hundreds of foreign nationals—particularly those from other African countries—regardless of their documentation or legal status. Some were expelled from the country without the required court procedure.

Eritrea

Population: 3,700,000
Capital: Asmara
Freedom Status: Not Free
Electoral Democracy: No

Overview: Eritrea is a militarized authoritarian state that has not held a national election since independence from Ethiopia in 1993. The People's Front for Democracy and Justice (PFDJ), headed by President Isaias Afwerki, is the sole political party. Arbitrary detention is commonplace, and citizens are required to perform national service, often for their entire working lives. The government shut down all independent media in 2001.

KEY DEVELOPMENTS IN 2022

- Eritrea continued to send military to support the Ethiopian government's campaign against the Tigrayan People's Liberation Front (TPLF), an armed group in the Tigray region. Eritrean forces were accused of committing human rights abuses during their deployment in Ethiopia, including the forcible repatriation of Eritrean refugees, killings, and rape.
- In September, Eritrean authorities began a nationwide forced conscription campaign in order to send more troops to Tigray. The mobilization campaign intensified in October, when security forces violently tracked down those who attempted to escape being drafted. Reports emerged that authorities had begun to coerce individuals in hiding by detaining their family members.

POLITICAL RIGHTS: 1 / 40

A. ELECTORAL PROCESS: 0 / 12

A1. Was the current head of government or other chief national authority elected through free and fair elections? 0 / 4

Following Eritrea's formal independence from Ethiopia in 1993, an unelected Transitional National Assembly chose Isaias Afwerki to serve as president until elections could be held under a new constitution. He has remained in office since then, without ever obtaining a mandate from voters.

A2. Were the current national legislative representatives elected through free and fair elections? 0 / 4

A constitution ratified in 1997, but never instituted, calls for an elected 150-seat National Assembly, which would choose the president from among its members by a majority vote. National elections have been postponed indefinitely, and the transitional assembly has not met since 2002. National elections have never been conducted. Periodic local and regional assembly elections are carefully orchestrated by the PFDJ and offer no meaningful choice to voters.

A3. Are the electoral laws and framework fair, and are they implemented impartially by the relevant election management bodies? 0 / 4

The 1997 constitution calls for an electoral commission whose head is appointed by the president and confirmed by the National Assembly, but it has never been established. Electoral laws have not been finalized.

B. POLITICAL PLURALISM AND PARTICIPATION: 0 / 16

B1. Do the people have the right to organize in different political parties or other competitive political groupings of their choice, and is the system free of undue obstacles to the rise and fall of these competing parties or groupings? 0 / 4

The PFDJ is the only legally recognized political party in Eritrea. Alternative groups must operate from abroad among the diaspora. Groups were hosted in Ethiopia in the past, but its government ordered many of them to cease operations after the two countries sought rapprochement in 2018.

The Eritrean government holds prominent dissidents and family members in detention; a group of 11 individuals has reportedly been held incommunicado since 2001. In September 2021, Amnesty International noted that nine may have died in detention. In addition, Ciham Ali Abdu, the daughter of former information minister Ali Abdu Ahmed, was detained in 2012 when she tried to flee to Sudan. Former finance minister Berhane Abrehe, meanwhile, was detained in 2018. Ciham and Berhane remained in custody in 2022.

B2. Is there a realistic opportunity for the opposition to increase its support or gain power through elections? 0 / 4

President Isaias and the PFDJ have been in power without interruption since independence. Since multiparty elections have never been allowed, opposition groups have had no opportunity to compete or enter government.

B3. Are the people's political choices free from domination by forces that are external to the political sphere, or by political forces that employ extrapolitical means? 0 / 4

Eritrean society is dominated by the military, with most citizens required to perform open-ended military or other national service. The authorities' intolerance of dissent and the absence of elections or opposition parties leave individuals with no political options other than loyalty to the PFDJ, imprisonment, or illegal emigration through often dangerous routes.

B4. Do various segments of the population (including ethnic, racial, religious, gender, LGBT+, and other relevant groups) have full political rights and electoral opportunities? 0 / 4

Women and various ethnic groups are nominally represented within the PFDJ but have no practical ability to organize independently or advocate for their interests through the political system.

C. FUNCTIONING OF GOVERNMENT: 1 / 12

C1. Do the freely elected head of government and national legislative representatives determine the policies of the government? 0 / 4

Power is concentrated in the hands of the unelected president, who reportedly determines policy with the help of an informal circle of advisers, leaving the cabinet and security officials to merely carry out his decisions. The United Nations Human Rights Council (UNHRC) has noted that military personnel were overrepresented among the president's closest associates.

C2. Are safeguards against official corruption strong and effective? 1 / 4

Petty bribery and influence peddling are thought to be endemic, and larger-scale corruption is a problem among some party officials and military leaders. Senior military officials have allegedly profited from smuggling Eritreans out of the country. There are no independent agencies or mechanisms in place to prevent or punish corruption. Special anticorruption courts overseen by the military nominally exist but are mostly inactive.

C3. Does the government operate with openness and transparency? 0 / 4

The government operates without public scrutiny. Basic data about the state budget and its appropriations are not publicly disclosed, and officials are not required to disclose their assets.

CIVIL LIBERTIES: 2 / 60

D. FREEDOM OF EXPRESSION AND BELIEF: 1 / 16

D1. Are there free and independent media? 0 / 4

The government shut down all independent media outlets in 2001. Several outlets provide coverage to Eritreans from outside the country, including the British Broadcasting Corporation (BBC), Paris-based Radio Erena, and satellite station Asena TV. According to the Committee to Protect Journalists (CPJ), 16 journalists remain imprisoned as of 2022 for their work in Eritrea.

D2. Are individuals free to practice and express their religious faith or nonbelief in public and private? 1 / 4

The government places strict limits on the exercise of religion. Eritrea officially recognizes only four faiths: Sunni Islam, Orthodox Christianity, Roman Catholicism, and Evangelical Lutheranism. Religious practice is prohibited among members of the military.

Asmara interferes in the practice of recognized faiths. The patriarch of the Eritrean Orthodox Church (EOC), Abune Antonios, was deposed in 2006 and expelled from the EOC for "heresy" in 2019. He remained under house arrest until his death in February 2022. In May 2021, Asmara announced the election of Abune Qerlos as patriarch. Qerlos died in December 2022 and had not been replaced before the end of the year.

Followers of other denominations are subject to arrest, imprisonment, and the loss of property. Jehovah's Witnesses face severe persecution, including detention and denial of citizenship.

Although the government had released several religious prisoners in 2020 and 2021, in October 2022, authorities arrested a Catholic bishop and two priests for unknown reasons; church officials were not informed of bishop and priests' whereabouts. Church officials have routinely criticized the Eritrean government's involvement in the conflict in Tigray, as well as the government's antidemocratic behavior. The bishop and one of the priests were released in December.

D3. Is there academic freedom, and is the educational system free from extensive political indoctrination? 0 / 4

Academic freedom is greatly constrained. Students in their last year of secondary school must perform military service at the Sawa military training center. In 2019, Human Rights Watch (HRW) reported that widespread physical and sexual abuse took place at Sawa.

In August 2022, Eritrean authorities took over the Hagaz Agricultural and Technical Boarding School, a Catholic-run institution; another Catholic-run technical school was set to be taken over by the government in September.

D4. Are individuals free to express their personal views on political or other sensitive topics without fear of surveillance or retribution? 0 / 4

Freedoms of expression and private discussion are severely inhibited by fear of government informants and the likelihood of arrest and arbitrary detention for any airing of dissent. The authorities regularly block access to social media platforms and shutter internet cafés.

Members of the Eritrean diaspora are, by comparison, better able to express dissent online. However, members of the diaspora are also subject to government surveillance and harassment.

E. ASSOCIATIONAL AND ORGANIZATIONAL RIGHTS: 0 / 12

E1. Is there freedom of assembly? 0 / 4

Freedom of assembly is not recognized by the authorities. Public gatherings of more than seven people require a permit. Those who protest face the threat of deadly force at the hands of state security officers or arbitrary detention.

E2. Is there freedom for nongovernmental organizations, particularly those that are engaged in human rights– and governance-related work? 0 / 4

The law requires all nongovernmental organizations (NGOs) to undergo an onerous and arbitrary annual registration process and limits their activities to providing humanitarian relief. In reality, there are no independent NGOs based in Eritrea. The government continues to deny permission for external human rights organizations to enter the country.

E3. Is there freedom for trade unions and similar professional or labor organizations? 0 / 4

While the Eritrean government has ratified the International Labour Organization's eight fundamental conventions, no independent trade unions function in Eritrea. The only union umbrella group, the National Confederation of Eritrean Workers, is affiliated with the PFDJ. According to reports to the UNHRC, the government has prevented new unions from being formed.

F. RULE OF LAW: 0 / 16

F1. Is there an independent judiciary? 0 / 4

The judiciary has no independence from the executive branch. The Supreme Court called for in the constitution has never been established, nor has a Judicial Commission tasked with appointing judges. The president controls the appointment and dismissal of all judges; even nominally elected judges in local community courts are controlled by the Justice Ministry, according to UN investigators. Many judges are military officers.

F2. Does due process prevail in civil and criminal matters? 0 / 4

Basic principles of due process are systematically violated. Arbitrary arrests and detentions are common; targets include those who evade military service, try to flee the country,

or are suspected of practicing an unauthorized religion. Eritreans who offend high-ranking government or party officials are also reportedly subject to arbitrary arrest.

Prisoners, including children, former members of the government, and their family members, are routinely held incommunicado for indefinite periods without charge or trial, with the authorities refusing even to inform family members whether they are still alive. There is no operational system of public defense lawyers. Thousands of political prisoners and prisoners of conscience remain imprisoned.

F3. Is there protection from the illegitimate use of physical force and freedom from war and insurgencies? 0 / 4

UN investigators have described the routine and systematic use of physical and psychological torture in both civilian and military detention centers. Deaths in custody or in military service due to torture and other harsh conditions have been reported, though authorities do not investigate such incidents. Security forces employ lethal violence arbitrarily and with impunity. Individuals attempting to escape military service or flee the country have been fired on by soldiers.

Eritrean forces continued to operate in Ethiopia in support of Addis Ababa's military campaign against the TPLF during the year. In March 2021, Human Rights Concern–Eritrea reported that boys were being pressed into military service and sent to the Tigray region of Ethiopia.

Eritrean forces engaged in violence against civilians during their deployment. In 2022, Eritrean forces continued to occupy parts of Tigray with atrocities committed by Eritrean groups consistently documented by different rights groups. In September 2022, Eritrean authorities began a nationwide forced conscription campaign, in order to send more troops to Tigray. The mobilization campaign intensified in October, when security forces violently tracked down those who attempted to escape being drafted. Reports emerged that family members of individuals who were in hiding had been detained to coerce them out of hiding.

F4. Do laws, policies, and practices guarantee equal treatment of various segments of the population? 0 / 4

There are allegations that two of Eritrea's nine recognized ethnic groups, the Kunama and Afar, face severe discrimination, including exclusion from the government's poverty alleviation programs.

Laws mandate equal educational opportunity for women and equal pay for equal work. However, traditional societal discrimination against women persists in the countryside, and the deeply flawed legal system does not effectively uphold their formal rights.

Same-sex relations are criminalized, and LGBT+ people enjoy no legal protections from discrimination.

G. PERSONAL AUTONOMY AND INDIVIDUAL RIGHTS: 1 / 16

G1. Do individuals enjoy freedom of movement, including the ability to change their place of residence, employment, or education? 0 / 4

Freedom of movement is heavily restricted. Eritreans young enough for national service are rarely given permission to go abroad, and those who try to travel outside the country without obtaining an exit visa face imprisonment. Individuals also require permits to travel within the country. Eritrean refugees and asylum seekers who are repatriated from other countries are subject to detention under harsh conditions.

G2. Are individuals able to exercise the right to own property and establish private businesses without undue interference from state or nonstate actors? 0 / 4

The national conscription system denies much of the working-age population the opportunity to establish and run their own businesses. Both the authorities and private actors with the regime's support can confiscate property and evict occupants without due process.

G3. Do individuals enjoy personal social freedoms, including choice of marriage partner and size of family, protection from domestic violence, and control over appearance? 1 / 4

Men and women have equal rights under laws governing marriage, nationality, and other personal status matters. However, girls in rural areas remain vulnerable to early or forced marriage. Rape of women and sexualized forms of violence against men are common in detention and in military service. Sexual assault of female conscripts is endemic and has not been thoroughly investigated by the authorities.

The government has banned the practice of female genital mutilation (FGM). In 2020, the government formed a steering committee and adopted a national action plan to halt FGM and other forms of gender-based violence. FGM remains widespread in rural areas, though awareness campaigns have contributed to a decline in the practice.

G4. Do individuals enjoy equality of opportunity and freedom from economic exploitation? 0 / 4

Eritrea's conscription system ties most able-bodied men and women—including those under 18 who are completing secondary school—to obligatory military service, which can also entail compulsory, unpaid labor for enterprises controlled by the political elite. National service is supposed to last 18 months but is open-ended in practice. UN human rights experts have described this system as enslavement.

Estonia

Population: 1,300,000
Capital: Tallinn
Freedom Status: Free
Electoral Democracy: Yes

Overview: Estonia's democratic institutions are generally strong, and both political rights and civil liberties are widely respected. However, about 5 percent of the population remains stateless and cannot participate in national elections. Corruption is a persistent challenge, as is discrimination against ethnic Russians, Roma, LGBT+ people, and others. Far-right and Eurosceptic forces have become increasingly vocal in Estonian politics in recent years.

KEY DEVELOPMENTS IN 2022

- In June, the two-party Estonian ruling coalition collapsed, and Prime Minister Kaja Kallas of the center-right Reform Party dismissed all of the Center Party's ministers from the cabinet. A new ruling coalition was formed in July comprising the Reform Party, the conservative Isamaa party, and the center-left Social Democratic Party (SDE).
- Over 115,000 Ukrainian people fleeing the Russia military's full-scale invasion of their country entered Estonia during the year. By year's end, Estonia had accepted

more than 62,000 Ukrainian refugees, while others passed through to other European Union (EU) countries in the Schengen Area. In addition, some 300,000 Russian citizens crossed the border, in most cases for the purpose of Schengen transit. Estonian authorities in August legalized migrant pushbacks to be used in "emergencies caused by mass immigration" and in September closed the borders to most Russian citizens.

POLITICAL RIGHTS: 38 / 40

A. ELECTORAL PROCESS: 12 / 12

A1. Was the current head of government or other chief national authority elected through free and fair elections? 4 / 4

The prime minister, who serves as head of government, is nominated by the president and approved by the parliament. There have been three governments since the 2019 parliamentary elections. The first government, from 2019, was headed by Jüri Ratas of the Center Party in coalition with the far-right Conservative People's Party of Estonia (EKRE) and the conservative Isamaa party. It was replaced in January 2021 by a government led by the Reform Party leader Kaja Kallas in coalition with the Center Party. In June 2022, relations between the ruling parties deteriorated, and the coalition crumbled. A new goverment was formed in July, again headed by Kallas of the Reform Party, this time in coalition with Isamaa and the Social Democrats.

The president is elected by the parliament to a five-year term, filling a largely ceremonial role as head of state. In August 2021, Alar Karis was elected as a nonpartisan consensus candidate in a second round of voting, winning the support of all parliamentary parties except the EKRE.

A2. Were the current national legislative representatives elected through free and fair elections? 4 / 4

The constitution establishes a 101-seat unicameral parliament called the Riigikogu, whose members are elected for four-year terms using proportional representation in multimember constituencies.

The March 2019 parliamentary elections met democratic standards. As it had been in previous elections in 2015, voter turnout was about 64 percent. Five parties cleared the 5 percent vote threshold for representation, with the main opposition center-right Reform Party capturing a plurality with 34 seats. Electoral support for EKRE more than doubled, which translated into 19 seats. The incumbent Center Party won 26 seats, down one. The number of seats won by Isamaa and the Social Democrats dropped to 12 and 10, respectively.

A3. Are the electoral laws and framework fair, and are they implemented impartially by the relevant election management bodies? 4 / 4

The legal framework for conducting elections is clear and fairly administered. Online voting is common and has gained in popularity. The 2019 parliamentary and 2021 local elections featured record turnout online, demonstrating strong public confidence in the system.

B. POLITICAL PLURALISM AND PARTICIPATION: 15 / 16

B1. Do the people have the right to organize in different political parties or other competitive political groupings of their choice, and is the system free of undue obstacles to the rise and fall of these competing parties or groupings? 4 / 4

Estonia's political parties organize and operate freely, and the political landscape remains open and competitive.

B2. Is there a realistic opportunity for the opposition to increase its support or gain power through elections? 4 / 4

The country has undergone multiple democratic transfers of power between rival parties following elections over the past three decades, and opposition parties have a strong presence in the parliament.

B3. Are the people's political choices free from domination by forces that are external to the political sphere, or by political forces that employ extrapolitical means? 4 / 4

People's political choices are generally not subject to undue interference. However, there have been increasing concerns about the influence of online disinformation in recent years, particularly about election campaigns, the COVID-19 pandemic, and the war in Ukraine.

B4. Do various segments of the population (including ethnic, racial, religious, gender, LGBT+, and other relevant groups) have full political rights and electoral opportunities? 3 / 4

Around 5 percent of the country's population—mostly ethnic Russians—remain stateless and cannot participate in national elections. Resident noncitizens are permitted to vote in local and European Parliament elections but may not run as candidates or join political parties. The authorities have adopted policies to assist those seeking naturalization. Following the Russian government's full-scale invasion of Ukraine, draft legislation was submitted to the parliament to repeal the local-election voting rights of anyone who lacks EU citizenship. The measure, which appeared to be aimed at preventing Russians and Belarussians from electoral participation, was supported by many MPs from both the ruling and opposition parties.

Political representation of women is gradually increasing. Former president Kersti Kaljulaid became the first woman in the country's history to hold her office when she was elected in 2016. Moreover, a record total of 29 women were elected to the 101-seat Riigikogu in 2019. After taking office in 2021, Prime Minister Kallas—the first woman to hold her post—appointed an almost equally gender-balanced cabinet. The principle was upheld in the second Kallas cabinet, named in July 2022, which includes seven women and eight men.

C. FUNCTIONING OF GOVERNMENT: 11 / 12

C1. Do the freely elected head of government and national legislative representatives determine the policies of the government? 4 / 4

Both the government and the parliament are freely elected and function without interference from external or nonstate actors.

C2. Are safeguards against official corruption strong and effective? 3 / 4

The legal framework and independent law enforcement institutions provide important checks on corruption, and cases against high-profile defendants have been brought to court in recent years, though the results have been mixed.

There are still no comprehensive rules for the protection of whistleblowers, with proposed legislation stalled as of the end of 2022. The adoption of a bill that would tighten control of party financing is also being delayed. Regulations on lobbying are being strengthened, but implementation of the changes is still in progress.

C3. Does the government operate with openness and transparency? 4 / 4

Estonia is known for its high degree of government transparency and well-developed e-governance services.

Public access to government information and the asset declarations of officials is provided for both in law and in practice. Estonia generally performs well in ensuring a transparent and effective public procurement system, although according to the European Commission's 2021 figures, the latest available, 34 percent of Estonian public contracts that year had only a single bidder or no call for bids at all.

CIVIL LIBERTIES: 56 / 60

D. FREEDOM OF EXPRESSION AND BELIEF: 16 / 16

D1. Are there free and independent media? 4 / 4

The government generally respects freedom of the press. However, judges sometimes use the criminal procedure code to restrict media coverage in various cases of public interest, particularly those concerning corruption. Public and private television and radio stations broadcast freely, and there are a number of independent newspapers. In February 2022, Estonia amended its media law, increasing the media regulator's independence and requiring greater transparency around media ownership structures.

Observers have noted a trend toward ownership concentration, especially at the regional level. Some local media have struggled amid the COVID-19 pandemic and increasing digitalization in the media market.

The Russian military's full-scale invasion of Ukraine triggered Estonian regulatory institutions to block access to Russian media outlets beginning in February 2022.

D2. Are individuals free to practice and express their religious faith or nonbelief in public and private? 4 / 4

Religious freedom is respected in law and in practice.

D3.Is there academic freedom, and is the educational system free from extensive political indoctrination? 4 / 4

Academic freedom is generally respected. However, by law, public Russian-language high schools must teach 60 percent of their curriculum in the Estonian language, and a new education law adopted in December 2022 requires that the country's schools transition gradually to Estonian as the only language of instruction. The timeline set out by the law begins with the 2024–25 school year and ends with the 2032–33 school year. However, there are concerns that shortages of teachers and material resources might interfere with the transition timeline. Following the switch, children from Russian-speaking families will be given the opportunity to learn Russian language and culture in separate classes.

D4. Are individuals free to express their personal views on political or other sensitive topics without fear of surveillance or retribution? 4 / 4

There are no significant constraints on the freedoms of personal expression and private discussion.

E. ASSOCIATIONAL AND ORGANIZATIONAL RIGHTS: 12 / 12

E1. Is there freedom of assembly? 4 / 4

The constitution guarantees freedom of assembly, and the government upholds this right in practice.

E2. Is there freedom for nongovernmental organizations, particularly those that are engaged in human rights– and governance-related work? 4 / 4

The government upholds freedom of association and does not restrict or control the activities of nongovernmental organizations (NGOs).

E3. Is there freedom for trade unions and similar professional or labor organizations? 4 / 4

The law recognizes workers' rights to organize, strike, and bargain collectively, although public servants at the municipal and state levels may not strike. While these rights are largely upheld in practice, union membership is low, and employers in some sectors have resisted bargaining efforts.

F. RULE OF LAW: 14 / 16

F1. Is there an independent judiciary? 4 / 4

The judiciary is independent and generally free from government or other interference.

F2. Does due process prevail in civil and criminal matters? 4 / 4

Legal processes in civil and criminal matters are generally free and fair. Laws prohibiting arbitrary arrest and detention and ensuring the right to a fair trial are largely observed. Court fees were raised significantly in January 2022, but there are many exemptions built into the fee structures.

F3. Is there protection from the illegitimate use of physical force and freedom from war and insurgencies? 3 / 4

While Estonians generally enjoy physical security, the country's steadily declining intentional homicide rate remains one of the highest in the EU. Prison conditions do not fully meet international standards, and some inmates reportedly have inadequate access to health care. Estonia has a relatively high incarceration rate, with 165 people incarcerated per 100,000 residents in 2021, according to Eurostat data.

F4. Do laws, policies, and practices guarantee equal treatment of various segments of the population? 3 / 4

The constitution and laws provide broad safeguards against discrimination based on race, gender, language, sexual orientation, and other such categories. However, Russian-speaking residents continue to face societal discrimination, and some statutes lack robust protections against such bias. Gender discrimination is also a problem, particularly in employment, and the gender pay gap is among the highest in the EU, though it has decreased in recent years. Roma face employment discrimination and disparities in educational outcomes.

The rhetoric and ideological beliefs of many active EKRE members have increased the prevalence of hostile and extremist views toward Jewish, Muslim, and LGBT+ people, as well as other marginalized groups. In 2020, the European Commission began infringement proceedings against Estonia for failing to match EU regulations for prosecuting hate crimes and criminalizing hate speech in domestic laws; legislation resolving the discrepancies had not been passed as of the end of 2022.

In August 2022, Estonia legalized the pushback of migrants during "emergencies caused by mass immigration." Although the measures were not applied systematically during the year, not all Ukrainian refugees attempting to cross the eastern border of the country were permitted to enter. In September, along with other Baltic states and Poland, Estonia effectively closed its borders to Russian citizens.

G. PERSONAL AUTONOMY AND INDIVIDUAL RIGHTS: 14 / 16

G1. Do individuals enjoy freedom of movement, including the ability to change their place of residence, employment, or education? 4 / 4

Citizens and residents enjoy free movement inside Estonia, and there are no significant restrictions on international travel. All remaining movement and travel restrictions related to the COVID-19 pandemic were lifted in spring 2022.

G2. Are individuals able to exercise the right to own property and establish private businesses without undue interference from state or nonstate actors? 4 / 4

The legal and regulatory framework is generally supportive of property rights and entrepreneurship, and residents can freely engage in private business activity in practice.

G3. Do individuals enjoy personal social freedoms, including choice of marriage partner and size of family, protection from domestic violence, and control over appearance? 3 / 4

While individual freedom on personal status issues such as marriage and divorce is generally upheld, same-sex marriage is not recognized. At the end of 2022, the parliament had yet to adopt necessary amendments for the implementation of a 2014 law permitting same-sex civil unions. In September 2021, the Supreme Court ruled that constitutional protections against state interference in family life apply to same-sex couples that live together just as they do for opposite-sex partners. Gender-based violence, including domestic violence, remains a serious problem.

G4. Do individuals enjoy equality of opportunity and freedom from economic exploitation? 3 / 4

There are legal safeguards against exploitative working conditions, and they are generally enforced in practice. The government makes serious and sustained efforts to prosecute those responsible for human trafficking and provide services to victims, though it has encountered difficulties in adequately punishing convicted traffickers and identifying victims, according to the US State Department.

Estonia's unemployment rate, which had reached 8.7 percent by the end of March 2021 due to the effects of the COVID-19 pandemic, fell to 5.2 percent by the end of that year. It then started to rise again, ending 2022 at 5.4 percent. Nearly a fifth of the population remains at risk of poverty or social exclusion.

Eswatini

Population: 1,200,000
Capital: Mbabane (administrative), Lobamba (legislative, royal)
Freedom Status: Not Free
Electoral Democracy: No

Overview: Eswatini (known internationally as Swaziland until 2018) is a monarchy currently ruled by King Mswati III. The king exercises ultimate authority over all branches of the national government and effectively controls local governance through his influence over traditional chiefs. Political dissent and civic and labor activism are subject to harsh punishment under sedition and other laws. Additional human rights problems include impunity for security forces and discrimination against women and LGBT+ people.

KEY DEVELOPMENTS IN 2022

- A special summit of the security organ of the Southern African Development Community (SADC), intended to discuss the political situation in Eswatini following the government's 2021 crackdown on dissent, was scheduled for July, but the talks collapsed days before the planned meeting. Though the Eswatini government

stated that the SADC canceled the talks, opposition figures alleged that the government collapsed the talks due to fear of protests.

- The government's crackdown on dissent continued during the year, and security forces continued to respond to prodemocracy protests with violence, often using disproportionate force to disperse demonstrations. Protesters and activists faced arbitrary arrest, and some detainees reported being tortured while in custody.
- In an April ruling, the High Court upheld the government's 2020 decision to deny official registration to an LGBT+ advocacy organization, finding that although the constitution guarantees fundamental rights irrespective of gender or sex, those rights are subject to Eswatini's laws, which do not permit same-sex relations. One judge dissented, saying that the rejection was executed in a "grossly irregular manner."

POLITICAL RIGHTS: 1 / 40

A. ELECTORAL PROCESS: 0 / 12

A1. Was the current head of government or other chief national authority elected through free and fair elections? 0 / 4

The king is the chief executive authority and is empowered to appoint and dismiss the prime minister and members of the cabinet. Mswati III took the throne in 1986, four years after the death of his father, King Sobhuza II.

The prime minister is ostensibly the head of government but has little practical power. Cleopas Sipho Dlamini was appointed prime minister in July 2021, succeeding acting prime minister Themba Masuku, who temporarily held the position after former prime minister Ambrose Mandvulo Dlamini died of COVID-19 in 2020.

Traditional chiefs govern their respective localities and typically report directly to the king. While some chiefs inherit their positions according to custom, others are appointed through royal interventions, as allowed by the constitution.

A2. Were the current national legislative representatives elected through free and fair elections? 0 / 4

The 73-member House of Assembly, the lower chamber of the bicameral Parliament, includes 59 members elected by popular vote within the *tinkhundla* system, which allows local chiefs to vet candidates and influence outcomes in practice; the king appoints 10 members. If female representation does not exceed 30 percent of the lower house, an additional four women may be elected by the body; parliamentarians did so in 2018.

The king appoints 20 members of the 30-seat Senate, the upper chamber, with the remainder selected by the House of Assembly. All members of Parliament serve five-year terms. After the 2018 parliamentary elections, the king appointed six members of the royal family to the House of Assembly and eight to the Senate. The elections, which were tightly controlled and featured a slate of candidates almost entirely loyal to the king, did not offer voters a genuine choice.

A3. Are the electoral laws and framework fair, and are they implemented impartially by the relevant election management bodies? 0 / 4

The Elections and Boundaries Commission (EBC) is not considered impartial. It is financially and administratively dependent on the executive, and its members are appointed by the king on the advice of the Judicial Service Commission (JSC), whose members are also royal appointees. Details of the results of September 2018 parliamentary elections were only made public in March 2019.

Traditional chiefs also play an important role in elections, as candidates effectively need their approval to run for office.

B. POLITICAL PLURALISM AND PARTICIPATION: 1 / 16

B1. Do the people have the right to organize in different political parties or other competitive political groupings of their choice, and is the system free of undue obstacles to the rise and fall of these competing parties or groupings? 0 / 4

Election to public office is based on "individual merit," according to the constitution. There is no legal avenue for parties to register and participate in elections, though some political associations exist without legal recognition. Over the years, political parties seeking legal recognition have suffered court defeats.

A number of prodemocracy organizations and trade unions have continued to lobby for political reforms and have publicly challenged Mswati's grip on power, even given the serious risks involved. The government has used increasingly repressive tactics to stifle rising prodemocracy activism in recent years; those calling for political reform often face arbitrary arrest, harassment, and assault at the hands of security forces, who regularly use excessive force. In July 2021, two prodemocracy members of Parliament, Mduduzi Bacede Mabuza and Mthandeni Dube, were arrested on specious terrorism charges amid a government crackdown on political dissent following the widespread antigovernment protests that began that May. Both parliamentarians remained in detention through year-end 2022.

B2. Is there a realistic opportunity for the opposition to increase its support or gain power through elections? 0 / 4

The king has tight control over the political system in law and in practice, leaving no room for the emergence of an organized opposition with the potential to enter government. The vast majority of candidates who contested the 2018 general elections were supporters of the king. Parliamentarians often self-censor in fear of retaliation.

The king called for Sibaya—a meeting of the nation traditionally held once a year—to be held in July 2021, claiming the meeting would serve as a platform for a national dialogue. Nearly all of Eswatini's political opposition rejected the Sibaya, calling the process one-sided. At the meeting, only Mswati, who openly ridiculed calls for democratic reforms, was given the opportunity to speak. Opposition groups were also excluded from discussions between the government and the SADC delegation sent to Eswatini that July to assess the political situation in the country.

A special summit of the SADC's security organ, at which the leaders of South Africa, Namibia, and Botswana were slated to meet with Mswati to discuss the political situation in Eswatini, was scheduled for July 2022, but was postponed days before the planned meeting. While Eswatini's government stated that the SADC unexpectedly canceled the summit—reportedly because Mswati would not attend in person—opposition figures alleged that the government collapsed the talks for fear of opposition protests.

B3. Are the people's political choices free from domination by forces that are external to the political sphere, or by political forces that employ extrapolitical means? 0 / 4

Traditional chiefs, as the king's representatives, wield enormous influence over their subjects. In addition to vetting prospective candidates for office, they have been accused of ordering residents to vote or not vote for certain candidates.

B4. Do various segments of the population (including ethnic, racial, religious, gender, LGBT+, and other relevant groups) have full political rights and electoral opportunities? 1 / 4

There are virtually no members of minority groups in the government, as most officials have some connection to the royal family or its broader clan. Women are politically marginalized, with the lower house of Parliament falling well short of a 30 percent gender quota after the 2018 elections. Women hold 40 percent of seats in the Senate, which is not directly elected.

Customary restrictions on widows in mourning—a period that can last from one to three years—effectively bar women from participating in public affairs during that time. LGBT+ people and people with disabilities are also politically marginalized.

C. FUNCTIONING OF GOVERNMENT: 0 / 12

C1. Do the freely elected head of government and national legislative representatives determine the policies of the government? 0 / 4

The king and his government determine policy and legislation; members of Parliament hold no real power and effectively act as a rubber stamp in approving the king's legislative priorities. Parliament cannot initiate legislation and has little oversight or influence on budgetary matters. The king is also constitutionally empowered to veto any legislation. The absolute authority of the king was demonstrated by his decision to rename the country in 2018 without any constitutional process or parliamentary approval.

C2. Are safeguards against official corruption strong and effective? 0 / 4

Corruption is a major problem, and implicated officials generally enjoy impunity. The Anti-Corruption Commission (ACC) is perceived to be ineffective, with civil society groups accusing it of pursuing politically motivated cases and serving the interests of the prime minister. The ACC, which reports to the Justice Ministry, lacks adequate financial and human resources and must consult with the minister on hiring. In 2018, a cabinet committee was established to develop a zero-tolerance policy on corruption in government, but its ability to create an effective anticorruption framework remains unclear. The Tibiyo Taka Ngwane (Wealth of the Nation) investment fund, managed by Mswati, has reportedly been used for the king's personal gain, with opposition figures accusing him of using it to bolster his personal income as far back as 2011.

C3. Does the government operate with openness and transparency? 0 / 4

Eswatini lacks access-to-information laws, and there is no culture of proactive disclosure of government information. Public requests for information are largely ignored in practice, and the budgeting process lacks transparency. The authorities tightly restrict access to data on spending by the royal family and the security forces. Transparency was further reduced by the Public Service Act, passed in 2018, which broadly prevents officials from providing public information to the media unless given express permission by the secretary of the cabinet.

CIVIL LIBERTIES: 16 / 60

D. FREEDOM OF EXPRESSION AND BELIEF: 5 / 16

D1. Are there free and independent media? 1 / 4

A variety of laws, including the Sedition and Subversive Activities Act (SSAA) and defamation laws, can be used to restrict media coverage by criminalizing publications that are alleged to be seditious, as well as the use of words that are alleged to be seditious, for example, those that "may excite disaffection" against the king. Journalists often face harassment, assault, and intimidation, and self-censorship is reportedly common. The state broadcaster is tightly controlled by the government, and the *Swazi Observer*, a major newspaper, is effectively owned by the king.

Journalists have faced questioning, detention, or other forms of scrutiny for their reporting or their own political activity in recent years. Numerous journalists fled the country in 2020 after being detained and physically assaulted by police for their work. In 2021, two South African journalists covering antigovernment protests were arrested and reportedly tortured by Eswatini security forces. In July 2022, the prime minister declared journalist Zweli Martin Dlamini and his online publication Swaziland News to be "terrorist entities"; Dlamini, whose reporting focused on antigovernment protests and prodemocracy movements in Eswatini, called the decision an attempt to suppress the voice of the people.

In response to the use of social media to promote the widespread protests that took place throughout the year, the government twice blocked internet access in the country in 2021. That June, the Eswatini Communications Commission (ESCCOM) ordered a countrywide internet shutdown that lasted more than a week. A second internet blackout was briefly imposed that October.

D2. Are individuals free to practice and express their religious faith or nonbelief in public and private? 2 / 4

The constitution guarantees religious freedom and bars discrimination based on religion. Rules requiring registration of religious organizations are not strictly enforced. However, members of the Muslim minority allege discrimination by officials and Christian residents, and police reportedly monitor mosques. Non-Christian groups are also denied airtime on state broadcasters. Construction of religious buildings must be approved by the government or local chiefs. Christian education is compulsory in public schools, and in 2017, the government banned the teaching of other religions in the public-school curriculum.

D3. Is there academic freedom, and is the educational system free from extensive political indoctrination? 1 / 4

Academic freedom is limited by restrictive laws such as the Suppression of Terrorism Act (STA) and the SSAA. Student activists face potential violence, arrest, and suspension. In January 2022, student activist Colani Maseko was reportedly brutally assaulted and arbitrarily detained by members of the security forces while on his way to university, prompting a wave of protests. He was accused of destroying photographs of the king and charged with "sedition and malicious damage to property"; Maseko was released on bail the following month.

D4. Are individuals free to express their personal views on political or other sensitive topics without fear of surveillance or retribution? 1 / 4

Constitutional rights to free expression are severely restricted in practice. Security agencies reportedly monitor personal communications, social media, and public gatherings, and criticism of the king or other elements of the regime can be punished under laws such as the SSAA, the STA, and the Public Order Act. Any criticism of Swazi culture and traditions or defacement of national symbols—including the king's image—can draw fines and up to two years in prison.

The government's crackdown on dissent in response to the widespread prodemocracy protests in 2021 led to a further deterioration of free expression within the country. That June, the king issued a decree banning citizens from delivering petitions to the government, though officials denied that the ban was intended to prevent citizens from "raising grievances." Prodemocracy activists continued to face harassment and arbitrary detentions throughout 2022.

E. ASSOCIATIONAL AND ORGANIZATIONAL RIGHTS: 2 / 12

E1. Is there freedom of assembly? 0 / 4

Freedom of assembly is restricted. Surveillance of protests is common, and the information collected is reportedly used to deny protesters access to government jobs and services. Demonstrations are often violently dispersed by police, and protesters risk arrest and detention. Nevertheless, labor and prodemocracy protests have taken place in spite of these risks. Demonstrations that are not perceived as a direct challenge to the king have been allowed to go forward.

Widespread prodemocracy protests continued into 2022 despite an official ban on protests issued in October 2021. The protests began in May 2021 and escalated that June after Mswati banned citizens from petitioning the government. Security forces attempted to suppress the demonstrations, subjecting peaceful protesters to arbitrary arrests and using indiscriminate force to disperse gatherings, resulting in the deaths of more than 80 people; hundreds more were hospitalized for their injuries.

This crackdown on dissent continued in 2022. During the year, security forces attempted to forcibly disperse protesters by shooting tear gas, rubber bullets, and live ammunition into crowds. Protesters also faced arbitrary arrest and physical assaults by security forces. Student activist Colani Maseko, whose January arrest had prompted a wave of demonstrations, was arrested again in May while participating in a protest; he was allegedly tortured following his arrest. Maseko was later hospitalized from injuries sustained while he was detained.

E2. Is there freedom for nongovernmental organizations, particularly those that are engaged in human rights– and governance-related work? 1 / 4

The operation of nongovernmental organizations (NGOs) has been inhibited by broadly written sedition and terrorism laws as well as police monitoring and interference. Organizations that advocate for democracy remain banned.

Despite such restrictions, it appears there is limited tolerance of some forms of human rights–based legal activism. For example, Women and Law Southern Africa–Swaziland was allowed to bring a case on gender equality in divorce settlements, with the court deciding in its favor in 2019. In 2020, an LGBT+ advocacy organization that had been denied official registration challenged the rejection in court. The High Court ultimately upheld the rejection when it ruled against the organization, Eswatini Sexual and Gender Minorities (ESGM), in April 2022, stating that although the constitution guarantees fundamental rights "irrespective of gender or sex," those rights are subject to Eswatini's laws, which do not permit same-sex relations. One judge dissented, saying that the rejection was executed in a "grossly irregular manner."

E3. Is there freedom for trade unions and similar professional or labor organizations? 1 / 4

Eswatini has active, vocal labor unions, but workers' rights are poorly upheld in practice. Although workers in most sectors, with the exception of essential services defined by the labor minister, can join unions, strikes and other labor activism routinely trigger crackdowns and arrests by the police. A number of prodemocracy activists and former trade unions are exiled in South Africa.

F. RULE OF LAW: 4 / 16

F1. Is there an independent judiciary? 2 / 4

Although the judiciary displays a degree of independence in some cases, the king holds ultimate authority over the appointment and removal of judges, acting on advice from the Judicial Service Commission (JSC) made up of royal appointees.

In a rare instance of judicial review that sought to change gender power relations, in 2019 the High Court of Eswatini ruled in favor of gender equality in civil marriages regarding property rights in the event of divorce.

F2. Does due process prevail in civil and criminal matters? 1 / 4

Safeguards against arbitrary arrest and detention, such as time limits on detention without charge, are not always respected in practice. Detainees are generally granted access to lawyers, though only those facing life imprisonment or capital punishment can obtain counsel at public expense. Lengthy pretrial detention is common.

Two prodemocracy members of Parliament, Mduduzi Bacede Mabuza and Mthandeni Dube, have been repeatedly denied bail and access to their lawyer since they were arrested on specious terrorism charges in July 2021; both parliamentarians remained in detention through year-end 2022.

F3. Is there protection from the illegitimate use of physical force and freedom from war and insurgencies? 0 / 4

Despite the 2018 passage of the Police Service Act, which prescribes disciplinary measures for police officers who use illegitimate force, physical abuse of suspects and inmates by law enforcement officials is an ongoing problem, and investigations into such abuse lack independence and transparency. Mduduzi Bacede Mabuza and Mthandeni Dube, two prodemocracy parliamentarians arrested during the 2021 crackdown on dissent, were reportedly brutally assaulted by prison security forces in September 2022.

The 2021 death of Thabani Nkomonye, a student allegedly killed by police using excessive force, sparked a series of protests against police brutality that evolved into widespread antigovernment demonstrations. Security forces responded to the protests with disproportionate force; at least 200 people were hospitalized and more than 80 were reportedly killed by security forces during the protests. The government's crackdown on dissent continued in 2022; numerous reports indicate that during the year, security officials shot tear gas, rubber bullets, and live ammunition into crowds of protesters, performed arbitrary arrests, and physically assaulted demonstrators during protests.

F4. Do laws, policies, and practices guarantee equal treatment of various segments of the population? 1 / 4

Women's rights remain restricted in law and in practice. Both civil and customary law treat women as dependents of their fathers or husbands, and societal discrimination further impairs their access to education and employment. Residents who are not ethnic Swazis also face de facto discrimination. People with disabilities experience social stigma as well as discrimination in education and employment. In 2018, King Mswati signed the Persons with Disabilities Act, intended to address many of the inequities experienced by disabled residents.

Discrimination against LGBT+ people is not prohibited by law and is widespread in practice. A criminal ban on same-sex sexual activity is not regularly enforced.

G. PERSONAL AUTONOMY AND INDIVIDUAL RIGHTS: 5 / 16

G1. Do individuals enjoy freedom of movement, including the ability to change their place of residence, employment, or education? 2 / 4

The constitution guarantees freedom of movement. However, minority ethnic groups and political activists have faced delays in obtaining passports and other citizenship documents. Traditional chiefs regulate movement and residence within their communities and generally

deny access to groups advocating for human rights or democracy. Individuals who violate customary rules can face eviction from their localities. Widows in mourning are barred from approaching chiefs or the king and excluded from certain public places and activities.

G2. Are individuals able to exercise the right to own property and establish private businesses without undue interference from state or nonstate actors? 1 / 4

The constitution provides legal protections for property rights, but women generally face limitations under customary rules that subordinate them to male relatives. Widows in particular face displacement by the deceased husband's family. Chiefs have broad authority to allocate and withdraw rights to communal land. However, in 2019, the High Court ruled in favor of gender equality in civil marriages, granting women property rights in the event of divorce.

Individuals sometimes face expropriation due to land claims by state-owned companies and powerful private interests. Constitutional guarantees of fair compensation are not upheld in practice.

G3. Do individuals enjoy personal social freedoms, including choice of marriage partner and size of family, protection from domestic violence, and control over appearance? 1 / 4

Women's social freedoms are restricted by both civil and customary law, which puts them at a disadvantage regarding marriage, divorce, and child custody. Customary law allowed girls as young as 13 to marry. Sexual and domestic violence remains extremely common; in 2020, the UN resident coordinator for Eswatini reported that 48 percent of Swazi women and girls experience sexual violence in their lifetimes. Punishment for perpetrators is often lenient.

The Eswatini government made progress on women's rights in 2019 by amending the 1964 Marriage Act to prohibit marriages of persons under the age of 18 and passing the Sexual Offences and Domestic Violence Act, which criminalizes nonconsensual sex between spouses.

G4. Do individuals enjoy equality of opportunity and freedom from economic exploitation? 1 / 4

Residents have some access to formal employment and economic opportunity, but the majority of the population lives in poverty. Forced labor remains a problem, with some chiefs compelling Swazis, including children, to work in their communities or the king's fields. Among other forms of child labor, girls are particularly vulnerable to domestic servitude and commercial sexual exploitation. The royal family has extensive privileges compared to ordinary citizens.

Ethiopia

Population: 123,400,000
Capital: Addis Ababa
Freedom Status: Not Free
Electoral Democracy: No

Overview: The appointment of Prime Minister Abiy Ahmed, who came to power after Prime Minister Hailemariam Desalegn resigned in the face of mass protests, set off a transitional period in Ethiopia. Abiy pledged to reform Ethiopia's authoritarian state and has held elections and implemented some liberalization policies. However, Ethiopia remains beset by civil war and intercommunal violence, abuses by security forces and violations of due

process are still common, and many restrictive laws remain in force. Since late 2020 and until November 2022, fighting between the Federal Government and the Tigray Defense Force (TDF) has led to the displacement of millions and credible allegations of atrocity crimes, and violence has spilled over into neighboring regions.

KEY DEVELOPMENTS IN 2022

- In March, the federal government and the Tigray regional government declared a humanitarian truce in the Tigray region, though fighting resumed again in August. In November, the federal government and Tigrayan People's Liberation Front (TPLF) signed a Permanent Cessation of Hostilities Agreement, through peace talks mediated by the African Union. The conflict in Tigray over the course of two years caused the deaths of an estimated 600,000 people, and there remains a high risk of further mass atrocities being committed.
- In September, the UN International Commission of Human Rights Experts on Ethiopia (ICHREE) released their investigative report into the nature of the violence committed in the Tigray and Amhara regions by armed forces. They concluded that all of the warring parties had committed war crimes or crimes against humanity over the course of the conflict.
- Throughout the year in Oromia, Amhara militants were implicated in numerous killings of Oromo civilians and the displacement of tens of thousands of people in areas bordering the Amhara region, which Amhara authorities attempted to annex. The Amhara government did not comment on the attacks and at times tried to justify them. Oromo militants also targeted Amhara civilians in Oromia.
- In May, government forces arrested over 4,500 individuals, including journalists and activists, in what was a widespread crackdown in the Amhara region. The crackdown was allegedly intended to disarm and demilitarize the Amhara militia known as the Fano, which had been recruited by the federal government to fight in the Tigray conflict and had likely committed war crimes. The government provided no justification for the arrests, and whether the people arrested in May remained in custody at the end of the year was unclear.

POLITICAL RIGHTS: 10 / 40 (−2)

A. ELECTORAL PROCESS: 4 / 12

A1. Was the current head of government or other chief national authority elected through free and fair elections? 1 / 4

The president is the head of state and is indirectly elected to a six-year term by both chambers of Parliament. The prime minister is head of government and is selected by the largest party in Parliament after elections, or in the case of a resignation.

Following general elections in June and September 2021, Prime Minister Abiy's Prosperity Party formed a new cabinet that included three opposition party members. In October, Abiy was sworn in for a new five-year mandate. Despite their landslide victory, the results were contested by political actors who were excluded or who did not participate in the process due to perceived unfairness.

A2. Were the current national legislative representatives elected through free and fair elections? 1 / 4

The bicameral Parliament includes the 153-seat House of Federation, whose members are elected by state assemblies to five-year terms, and the House of People's Representatives, with 547 members directly elected to five-year terms.

The June and September 2021 parliamentary and regional elections were seen as an opportunity for the country to break from its past of undemocratic elections. Changes in electoral laws and reform of the NEBE improved the body's operations and encouraged far more opposition parties to participate than ever before. A total of 46 political parties participated in the elections, fielding 9,505 candidates. An estimated 37 million people registered to vote, and some 90 percent of registered voters cast a ballot. Final results from the National Electoral Board of Ethiopia (NEBE) confirmed a majority for the Prosperity Party, which won over 410 of 436 constituencies contested. Polls were indefinitely postponed in Tigray.

Despite improvements, the elections were fraught with insecurity, registration problems, and other challenges that limited widespread acceptance of the outcomes as free and fair. Numerous political parties raised concerns about the closure of their offices by security agents, harassment, imprisonment, and killings of their members. In this context, key opposition groups boycotted the election, resulting in many uncontested seats. While more competitive than previous elections, the 2021 polls still fell short of conferring broad-based legitimacy to the elected government among significant political factions in the country.

A3. Are the electoral laws and framework fair, and are they implemented impartially by the relevant election management bodies? 2 / 4

Several reforms to the electoral system and its oversight have taken shape under Prime Minister Abiy. Parliament unanimously passed the 2019 Ethiopian Election, Political Parties Registration, and Election Ethics law. The new legal framework reduced restrictions that had limited the participation of opposition groups and failed to recognize voting rights of marginalized sections of the population, such as international displaced persons (IDPs) and prisoners.

Challenges that arose during the 2021 polls tested the impartiality and credibility of the NEBE and the broader electoral framework, including regarding the participation of imprisoned political candidates. One party, the Balderas for True Democracy, sought legal recourse to ensure imprisoned candidates were registered and succeeded when the Federal High Court directed the NEBE to allow the jailed candidates to participate. Electoral authorities initially resisted the court order, saying ballots had already been printed, but ultimately reprinted ballots to include the Balderas candidates. Similarly, several Oromo political parties filed their case to the court after being denied accreditation by the NEBE and the court ruled for them, though they did not participate in the election due to the lengthy court proceedings.

The lack of a complete census, which was scheduled to be completed in 2017 but was repeatedly delayed due to security concerns, remains a major impediment to the demarcation of constituencies that ensure fair representation based on accurate population estimates. With the exception of the newly established Sidama regional state, the distribution of electoral constituencies has not changed from the original distribution established in 1995.

B. POLITICAL PLURALISM AND PARTICIPATION: 4 / 16

B1. Do the people have the right to organize in different political parties or other competitive political groupings of their choice, and is the system free of undue obstacles to the rise and fall of these competing parties or groupings? 1 / 4

The transition beginning in 2018 initially brought progressive political reforms, but crackdowns in 2020—first after the assassination of Oromo musician Hachalu Hundessa and its aftermath in June, and then after the beginning of the conflict in Tigray in November of that year—harmed political pluralism. In May 2021, the House of Peoples' Representatives designated the Tigrayan People's Liberation Front (TPLF) and "OLF-Shene"—the

government term for Oromo Liberation Army (OLA)—as terrorist organizations, accusing them (with credible evidence) of carrying out acts of politically motivated violence against government officials and civilian targets based on their ethnic identity. Consequently, thousands of Tigrayans and Oromos accused of being affiliated with the TPLF or OLA have faced arrest and other pressure. Oromo political leaders, including top officials of the Oromo Liberation Front (OLF) party, have also faced pressure and are subjected to abuses in prison, having been arrested after the assassination of Hundessa without due process.

B2. Is there a realistic opportunity for the opposition to increase its support or gain power through elections? 1 / 4

The Prosperity Party won a landslide victory in 2021 polls, taking almost 95 percent of the 436 constituency seats contested in June, and numerous opposition candidates entered the new parliament. The party has accused opposition officials and government critics of having links with rebel groups and hindered their participation in the country's politics. Key opposition groups including the Oromo Federalist Congress (OFC), the Ogaden National Liberation Front (ONLF), and the OLF boycotted the 2021 elections, citing electoral mismanagement and harassment by the ruling party.

B3. Are the people's political choices free from domination by forces that are external to the political sphere, or by political forces that employ extrapolitical means? 1 / 4

The designation in 2021 of the TPLF and the OLA as terrorist organizations has been detrimental to the political support bases of the parties. The TPLF had dominated national and regional politics in Tigray for the past three decades. The military conflict against the OLA and the government's crackdown on opposition members and supporters following the 2020 Hundessa assassination further limited Oromo people's political rights.

Similarly, the government has used the 2021 designation of the OLA as a terrorist organization to crack down on nonviolent opposition supporters and members under the pretext of affiliation with terrorists.

The Tigray conflict with the TPLF also led Prime Minister Abiy to seek external military and political support from President Isaias Afwerki of Eritrea. The presence within Tigray of the Eritrean Defense Forces (EDF)—who have been accused of widespread atrocities and sexual violence—exacerbated the conflict and were an impediment to its resolution throughout 2022.

B4. Do various segments of the population (including ethnic, racial, religious, gender, LGBT+, and other relevant groups) have full political rights and electoral opportunities? 1 / 4

Women hold around 41 percent of seats in the House of People's Representatives and around 30 percent in the House of Federation, but the percentage of women candidates for the lower house in the 2021 elections was just below 16 percent. Women remain significantly underrepresented across both elected and appointed positions. Currently, only 8 of the 22 cabinet members are women. Ethiopia criminalizes LGBT+ activity, and LGBT+ people do not identify themselves openly.

Since 1991, political parties in Ethiopia have primarily been based on ethnicity. However, upon coming to office, Prime Minister Abiy has advocated a message of national unity and expressed disagreement with the enduring legacies of ethnic politics. In recent years, political alliances between major political factions within the country have realigned, with Tigrayan and Oromo parties urging for more decentralized power to ethnically defined regions, and other political parties generally in favor of nonethnically defined federalism and a greater unifying role played by the central government. Ethnic groups like the Gurage

and Wolaita have been denied their demand for regional statehood, despite the constitution allowing for such a designation.

C. FUNCTIONING OF GOVERNMENT: 4 / 12

C1. Do the freely elected head of government and national legislative representatives determine the policies of the government? 1 / 4

The shortcomings of the 2021 elections, including a climate of insecurity and growing repression of some opposition groups, suggest that gains in political reform have stalled and, in the absence of stability, may eventually be reversed.

The escalation of violence in Tigray, which was further worsened by the deployment of Eritrean troops, prevented the 2021 elections from occurring in the region, leaving people there without elected representatives. In November 2022, the federal government and the TPLF signed a peace treaty through talks mediated by the African Union, following a humanitarian truce that was signed in March but had broken down in August.

Some areas plagued by insecurity remain out of the control of the government—such as parts of Oromia—while others have been under prolonged states of emergency, with heightened military presence and control, including parts of Oromia, Amhara, and Benishangul Gumuz.

C2. Are safeguards against official corruption strong and effective? 2 / 4

Corruption and unequal resource distribution are significant problems that have contributed to the recent civil unrest throughout Ethiopia. However, the ruling party has accused public servants or opposition politicians of corruption as a political weapon to punish dissent. Petty bribery and corruption, often involving local officials and police, are widespread. Corruption within the justice system remains a significant challenge, and judges caught accepting bribes are rarely punished.

In July 2022, federal police arrested the commissioner of the National Disaster Risk Management Commission, Mitiku Kassa, on suspicion of corruption. Kassa was accused of colluding with the leader of a humanitarian organization called the Elshadai Relief and Development Association, embezzling money by selling food and clothing that were ostensibly designated for internally displaced persons (IDPs) camps. The camps that the supplies were allegedly intended for do not exist.

The government established a national committee to coordinate an anticorruption campaign in November 2022. The committee announced it had received over 250 tips within a week of its creation and testified to the widespread presence of corruption, labeling it as a major threat to national security. Several current officials were implicated in land embezzlement cases. In December, several officials suspected of corruption were arrested, including Tewodros Bekele, director general of the Ethiopian Financial Security Services (EFSS).

Despite these seemingly positive steps, the 2022 anticorruption campaign only focuses on malfeasance within institutions at the federal level. Whether the government intends to carry out new anticorruption investigations with integrity, without using it to repress political opposition members, is unclear.

C3. Does the government operate with openness and transparency? 1 / 4

At the start of the war in Tigray internet and telephone lines were cut and journalists were denied access to the region. The involvement of Eritrean soldiers, the status of refugee camps, and the humanitarian situation in Tigray all remain shrouded in uncertainty.

Very little information is available about counter-insurgency operations and ethnic conflicts in Oromia, Benishangul Gumuz, and Amhara. The extent of the human rights

abuses and war crimes committed in these areas remain difficult to verify. While state media and the government's official communications throughout 2022 emphasized the limited nature of what it has termed a "law enforcement operation," media and other reports of alleged atrocities, sexual violence, and the expanding conflict have contradicted the government's narrative.

Amid widespread impunity for security forces, the government's efforts to ensure accountability for the human rights abuses committed by its forces lacks transparency.

ADDITIONAL DISCRETIONARY POLITICAL RIGHTS QUESTION

Is the government or occupying power deliberately changing the ethnic composition of a country or territory so as to destroy a culture or tip the political balance in favor of another group? −2 / 0 (−2)

Since the war in northern Ethiopia began in late 2020, Amhara regional forces have taken control of and attempted to annex areas in Western Tigray, with the support of Ethiopian National Defense Forces (ENDF) and the EDF. Human Rights Watch (HRW) and Amnesty International also reported in April 2022 that newly-appointed officials in Western Tigray and Amhara security forces, with the acquiescence and possible involvement of Ethiopian federal forces, had ordered the removal of hundreds of thousands of Tigrayans from their homes "using threats, unlawful killings, sexual violence, mass arbitrary detention, pillage, forcible transfer, and the denial of humanitarian assistance." Amhara forces were implicated in assaulting ethnic Tigrayans in a campaign of ethnic cleansing, with the intent of changing the ethnic composition of the region.

Authorities been complicit in the frequent ethnic-based attacks on civilians by militants. In Oromia, Amhara militants were implicated in numerous 2022 killings of Oromo civilians and displacement of tens of thousands of people in areas bordering the Amhara region, which Amhara authorities attempted to annex. The Amhara government did not comment on the attacks and at times tried to justify them. Oromo militants have also targeted Amhara civilians in Oromia.

Several credible reports, including from the ICHREE, have implicated Ethiopian and Eritrean forces in the mass arrest, forced disappearance, and killings of ethnic Tigrayans in western and southeastern parts of Tigray.

Score Change: The score declined from 0 to −2 because state and nonstate actors, including regional officials, security forces, and militias, have targeted ethnic Tigrayans and Oromo people in Oromia, Tigray, and other parts of Ethiopia.

CIVIL LIBERTIES: 11 / 60

D. FREEDOM OF EXPRESSION AND BELIEF: 4 / 16

D1. Are there free and independent media? 1 / 4

Independent journalists remain constrained by security imperatives that limit their ability to work and travel. While a 2021 media law adopted by the Abiy government seemed to offer a more liberal framework and protective legal environment for journalists, in practice this has not been the case. In April 2022, the parliament broke the terms of the media law and approved the appointment of members of the Prosperity Party to the board of the Ethiopian Media Authority (EMA). Under the law, EMA board members were supposed to be chosen in an open and transparent process.

International and Ethiopian journalists and media networks repeatedly come under government pressure over their coverage of the internal conflicts in Tigray and Oromo, as well as other political dynamics. In 2022, journalists in some cases were detained, expelled from

the country, or had their licenses revoked. The EMA and security institutions warned and threatened media outlets reporting on the violent conflicts and pressured them to adhere to the government narrative. Journalists also faced pressure, arrests, threats, and harassment—both online and offline—from the government to disclose the identities of their sources.

Numerous Ethiopian journalists have been imprisoned without charges. In August 2022, the federal police announced that charges had been filed against 111 owners of "illegal" digital media outlets, accusing them of working to incite violence. Many self-censor or use pseudonyms to attempt to avoid persecution.

Most private media outlets are established with a goal of satisfying distinct political or ethnic group's interests. Reports from state media agencies must follow the narrative of the ruling party; content that is contrary to the government's narrative is removed.

D2. Are individuals free to practice and express their religious faith or nonbelief in public and private? 1 / 4

The Ethiopian constitution guarantees religious freedom, and different faith groups have coexisted in the country for centuries. However, religion has increasingly become a divisive factor in Ethiopian politics, and local conflicts have featured violence along religious lines. In April 2022, Muslim individuals were attacked in Gondar in the Amhara region by heavily armed assailants, resulting in the death of at least 20 civilians, over 150 people were injured, Muslim-owned properties were looted, and religious buildings were destroyed. In what was deemed a retaliatory attack, two Christians were killed and five Orthodox churches were burned in the Silte zone of Southern Nations, Nationalities, and People's Regions (SNNPR).

In November 2022, Amharic speaking militants raided a protestant church in a village in the East Wollega Zone of Oromia and killed 15 participants of the church service, including church leaders.

D3. Is there academic freedom, and is the educational system free from extensive political indoctrination? 1 / 4

Academic freedom remains restricted in Ethiopia, though academics have become more vocal on political and economic matters in lectures, at conferences, in media columns, and online since the lifting of the state of emergency in 2018. However, self-censorship remains common in the context of ongoing conflicts and political tensions.

With few exceptions, institutions of higher education are funded and administered by the federal government, which also sets admission standards and student quotas. The Ministry of Education still monitors and regulates official curriculums. According to a September 2022 report from the Ethiopian Ethics and Anti-Corruption Commission, corruption is a widespread issue throughout higher education institutions.

University leadership has spread hate speech about ethnic Tigrayans and Oromo people. In June 2022, police attacked students at Addis Ababa University protesting ongoing ethnic violence against Amhara communities in the Wollega region. In August, Bonga University dismissed 54 Oromo students, following students' demands for an investigation into the killing of an Oromo student on campus.

D4. Are individuals free to express their personal views on political or other sensitive topics without fear of surveillance or retribution? 1 / 4

The government silences critical voices and the voices of its political opponents to control the narratives around the civil war in Tigray and conflicts in other regions, especially Oromia. Its crackdown on individuals and political institutions with opposing views has pushed individuals to refrain from commenting on sensitive topics, including political issues.

Nationwide sweeps, raids, and arrests, as well as a rising tolerance for hate speech and incitement to violence by authorities and other public figures—particularly against Tigrayans and Oromo people—have intensified a climate of fear around expressing personal views. Government forces arrested over 4,500 individuals, including journalists and activists, during a May 2022 crackdown in the Amhara region. The crackdown was allegedly intended to disarm and demilitarize the Amhara militia known as the Fano, which had been recruited by the federal government to fight in the Tigray conflict and had likely committed war crimes. In August, authorities in the SNNPR arrested several Gurage Zone officials accusing them of favoring the Gurage regional government's statehood demand.

Government security agencies surveil individuals and politicians through wire-tapping. Digital surveillance and the use of individual informants to spy on people is widespread. Ethiopian authorities purchased an Israeli surveillance system from the company Cellebrite, which they have used to hack into the mobile phones of detainees since 2021.

E. ASSOCIATIONAL AND ORGANIZATIONAL RIGHTS: 3 / 12

E1. Is there freedom of assembly? 1 / 4

Free assembly is restricted by insecurity in several regions and associated declarations of states of emergency or martial law. The nationwide state of emergency enacted in November 2021 that lasted until February 2022 further curtailed freedom of assembly and other civil liberties throughout the country.

Government forces continued to violently disperse protests throughout 2022. In May, federal police used tear gas and gunfire to disperse rioters after clashes between police and Muslim worshippers occurred at Meskel Square in Addis Ababa during the Eid al-Fitr prayer.

E2. Is there freedom for nongovernmental organizations, particularly those that are engaged in human rights– and governance-related work? 1 / 4

Under a civil society law passed in 2019, the federal Authority for Civil Society Organizations (ACSO) retains broad powers. Moreover, while nongovernmental organizations (NGOs) are more able to legally operate in the human rights and governance spheres, practically many of these organizations are unable to access large parts of Ethiopia either due to security challenges or a lack of official approval, as was the case in Tigray. While the discourse around NGOs is more open, many of the practical realities for these groups have not improved.

Local civil society organizations (CSOs) face threats and warnings for advocating for issues contrary to the government's position, especially in relation to internal conflicts. In September 2022, government security agents prevented a group of 35 CSOs from hosting a press event with media representatives, in which they were to call for warring parties in Ethiopia to end the violence and come to the negotiate a peace deal. The organizations instead independently issued a statement calling for the cessation of violence in Tigray. Days later, the government threatened to revoke the licenses of the organizations involved, claiming they had acted against the "sovereignty of the country and the public interest."

E3. Is there freedom for trade unions and similar professional or labor organizations? 1 / 4

The Ethiopian Constitution recognizes the right of workers to join trade unions, and more than 500,000 workers are organized under the umbrella of the Confederation of Ethiopian Trade Unions (CETU). However, independent unions have faced harassment in the past, and there has not been a legal strike in Ethiopia since 1993.

On the employer side, a large number of chambers of commerce and business associations exist for different industries and locations. The largest and oldest among them, the

Addis Ababa Chamber of Commerce, is a regular critic of government economic policy. The federally organized Ethiopian Chamber of Commerce, of which the Addis chamber is a member, has been more aligned with official policy.

F. RULE OF LAW: 1 / 16

F1. Is there an independent judiciary? 1 / 4

The judiciary is officially independent, but in practice it is subject to political interference, and judgments rarely deviate from government policy. Ethiopia's security forces have maintained significant influence over the judicial process, especially in cases against opposition leaders and other political adversaries. Judges who attempt to exercise independence have faced arrests by authorities. Courts remain complicit in ensuring impunity for security forces, especially in relation to the political prisoners.

F2. Does due process prevail in civil and criminal matters? 0 / 4

Due process rights are generally not respected. The right to a fair trial is often not respected, particularly for government critics. In civil matters, due process is hampered by the limited capacity of the Ethiopian courts system, especially in the peripheral regions where access to government services is weak. As a result, routine matters regularly take years to be resolved.

Human rights abuses and extrajudicial punishments by security forces occur widely throughout the country, and most security forces who commit the abuses go unpunished.

In May 2022, Ethiopian security forces arbitrarily arrested more than 4,500 people in the Amhara region, including journalists and activists, in an attempt to crack down on the Fano militia group that bases its operations there. The government provided no justification for the arrests, and whether the people arrested in May remained in custody at the end of the year was unclear.

F3. Is there protection from the illegitimate use of physical force and freedom from war and insurgencies? 0 / 4

Several conflicts have intensified in 2022—most notably in Oromia—but there has also been growing instability in Amhara, Afar, Tigray, and other regions. According to UN figures, as of July 2022, there were 2.72 million internally displaced people across Ethiopia, mostly due to the conflicts. Security forces have been accused of war crimes, including the rape and massacring of civilians. Despite the November peace deal ending the Tigray conflict, which had caused the deaths of an estimated 600,000 people, high risk of mass atrocities in the region remains.

Extrajudicial executions and human rights abuses by security forces remain widespread. A report released in September 2022 by the ICHREE implicated the government and its allied forces in crimes against humanity, and claimed the other warring parties in the Tigray conflict had committed war crimes.

An ongoing government campaign to suppress armed opposition forces in western Oromia has led to repeated clashes and widespread displacement. According to the ICHREE, in 2022 incidents of large-scale killings targeting ethnic groups increased in Oromia, perpetrated by Amhara militias, the OLA, Oromia Special Forces, and the ENDF. In June and July, hundreds of civilians, mainly ethnic Amhara, were killed in the West Wollega and Kellem Wollega zones of Oromia by armed assailants. Between August and early December, dozens of ethnic Oromo were killed in Horo Guduru and East Wollega zones by militants from the Amhara region, allegedly the Fano.

In March 2022, government forces burned a civilian alive in Benishangul Gumuz. In June, at least 50 civilians were extrajudicially executed in Gambella following the offensive against security forces by joint forces from the Gambella Liberation Front (GLF) and OLA.

F4. Do laws, policies, and practices guarantee equal treatment of various segments of the population? 0 / 4

The ongoing conflict in Oromia, the two years of civil war in Tigray, and political tensions throughout the country have inflamed ethnic divisions, contributing to discriminatory policies and actions against certain groups. Tigrayan, Amhara, and Oromo groups and activists have spoken out about the increasing number of targeted attacks and discrimination they have experienced.

The number of IDPs in Ethiopia surpassed 2.72 million as of July 2022, and humanitarian groups have struggled to meet the growing need.

Same-sex sexual activity is prohibited by law and punishable by up to 15 years' imprisonment. Women face discrimination in education. A gender gap persists in many aspects of economic life, including women's wages relative to men in similar positions; according to the World Bank's Gender Innovation Lab, women have far lower wage incomes (44 percent lower) and business sales (79 percent lower) than men.

Despite near-universal primary school enrollment, access to quality education and other social services varies widely across regions and is particularly poor in the "emerging" lowland states.

G. PERSONAL AUTONOMY AND INDIVIDUAL RIGHTS: 3 / 16

G1. Do individuals enjoy freedom of movement, including the ability to change their place of residence, employment, or education? 0 / 4

While the constitution establishes freedom of movement, local conflicts impede people's ability to travel freely. Travel to Tigray, several parts of Oromia, and other parts of Ethiopia have been severely impeded due to the violent conflicts. The intentional destruction of infrastructure such as roads and bridges by armed actors has also undermined civilian and humanitarian movement.

Though the government and the Tigray administration agreed to end hostilities in November 2022, the conflict impeded people's movement in the region throughout the year.

Violent conflict and security clampdowns in Amhara, Afar, Oromia, and Benishangul Gumuz have also significantly reduced internal travel, with most Ethiopians feeling safer in their home region than in other states.

G2. Are individuals able to exercise the right to own property and establish private businesses without undue interference from state or nonstate actors? 1 / 4

Private business opportunities are limited by heavy government regulation of key industries and the dominance of state-owned enterprises in many sectors. State monopolies have persisted in the telecommunication, shipping, and aviation industries, while the financial sector is closed to foreign competition and effectively controlled by state-owned banks.

All land must be leased from the state. A gender gap persists in many aspects of economic life including land ownership and access to finance.

The conflicts have hindered people's ability to exercise their right to own property and private businesses. The ICHREE's 2022 report documented widespread looting and destruction of properties by government forces, its allied forces—including Eritrean forces—and Tigrayan forces in Tigray, Amhara, and Afar, as a result of the war in Tigray. The rising number of attacks targeting ethnic groups committed by armed militants

resulted in the destruction and looting of properties in Benishangul Gumuz, Amhara, SNNP, Oromia, and other regions.

G3. Do individuals enjoy personal social freedoms, including choice of marriage partner and size of family, protection from domestic violence, and control over appearance? 1 / 4

Legislation protects women's rights, but these rights are routinely violated in practice. Enforcement of laws against rape and domestic abuse is inconsistent, and cases routinely stall in the courts. Particularly in conflict-affected areas, people have barely any legal protections in practice. The government and its allied forces have been implicated in committing widespread acts of rape and sexual violence against Tigrayan women and girls, with the particular goal of rendering them infertile.

Forced child marriage is illegal but common in Ethiopia, and prosecutions for the crime are rare. Female genital mutilation (FGM) is also illegal, but the law is inconsistently enforced. In Tigray, the conflict and the humanitarian crisis have resulted in an increase of instances of child marriage, child labor, human trafficking, and coerced sex. Civilians in Tigray have been sex trafficked by the ENDF, its regional allied forces, and Eritrean forces.

LGBT+ people do not have social freedoms and do not publicly identify themselves, for fear of violent retaliation. Same-sex sexual relations are illegal.

G4. Do individuals enjoy equality of opportunity and freedom from economic exploitation? 1 / 4

Ethiopia's 2019 labor law extended paid maternity leave and raised the working age to 15 years. However, reports from Ethiopia's industrial parks suggest that working conditions can be precarious, and child labor is prevalent in many agricultural households.

Ethiopia has an antitrafficking law that stipulates strict punishments for crimes such as sexual exploitation and human trafficking. People in Ethiopia, particularly women and girls, continue to experience forced labor, debt bondage, and other forms of exploitative labor practices.

Fiji

Population: 900,000
Capital: Suva
Freedom Status: Partly Free
Electoral Democracy: Yes

Overview: The repressive climate that followed a 2006 coup has eased, with democratic elections held in 2014 and 2018, and a peaceful transfer of power following 2022 elections. However, the ruling party frequently interferes with opposition activities, the judiciary is subject to political influence, and military and police brutality is a significant problem.

KEY DEVELOPMENTS IN 2022

- In December, a general election resulted in a coalition of three opposition parties forming a government. Sitiveni Rabuka of the People's Alliance Party (PAP) was elected prime minister, taking over from Frank Bainimarama, who had held the post since 2006. Bainimarama, of the FijiFirst Party, became leader of the opposition.

- In September, Parliament passed a controversial Electoral (Amendment) Bill, which increased the powers of the Supervisor of Elections (SoE) and established binding rules for the conduct of opinion polls.

POLITICAL RIGHTS: 24 / 40 (+1)

A. ELECTORAL PROCESS: 7 / 12

A1. Was the current head of government or other chief national authority elected through free and fair elections? 3 / 4

The prime minister is the head of government. The party that wins the most seats in parliamentary elections selects the prime minister, who is then appointed by the president. In December 2022 parliamentary elections, the ruling FijiFirst Party and a coalition of two opposition parties, the PAP and the National Federation Party (NFP), each won 26 seats. The balance, 3 seats in the 55-member parliament, was won by the Social Democratic Liberal Party (SODELPA). After some equivocation, SODELPA decided to join the opposition coalition to form a government, the first that would not be led by Frank Bainimarama since he had taken power in a 2006 coup. Sitiveni Rabuka, head of the PAP, was elected by a secret ballot of members of parliament days later, 28 votes to 27.

In an interim press statement before the conclusion of the count, the Multinational Observer Group reported that they "did not observe any significant irregularities or issues during pre-polling, postal voting or Election Day voting." Opposition leaders had raised allegations of irregularities after a glitch in the official elections office app forced a pause in vote counting.

The president is elected by Parliament for a three-year term and holds a largely ceremonial role. In October 2021, Ratu Wiliame Katonivere was elected president, replacing former president George Konrote.

A2. Were the current national legislative representatives elected through free and fair elections? 2 / 4

Parliament is Fiji's unicameral legislative body, with 55 members elected to serve four-year terms. International observers of the 2018 and 2022 parliamentary elections found polling largely credible, although civil society participation was limited. The country uses an open list proportional representation system with a single, nationwide constituency; candidates are represented only by numbers on ballot papers.

Municipal elections have not been held since 2005. Municipal councils were dissolved in 2009 and have since been run by government-appointed administrators.

A3. Are the electoral laws and framework fair, and are they implemented impartially by the relevant election management bodies? 2 / 4

The legal framework for Fijian elections is considered fair. However, the structure of the electoral administration has raised concerns about potential political interference. Until December 2022, FijiFirst's secretary general, Aiyaz Sayed-Khaiyum, served as minister of elections as well as attorney general.

A July 2021 decision by the Supervisor of Elections, Mohammed Saneem, removed opposition parliamentarian Niko Nawaikula from the voter registry on the grounds that he had not registered under his birth name. Nawaikula was forced to vacate his seat, but was reinstated in August by Fiji's chief justice, who criticized Saneem for overextending his authority.

Following Nawaikula's reinstatement, the FijiFirst majority in Parliament passed an amendment to the Electoral Act in September 2021 requiring citizens to use the name

"specified on the applicant's birth certificate" on the voter registry. The opposition has expressed concern that the rule will disproportionately affect women voters whose birth names differ from their marital names. In December 2021, seven women brought a case before the High Court alleging discrimination against women occasioned by the amendment. The government that came to power in December 2022 promised to reverse this requirement.

Other 2021 and 2022 amendments to the electoral law increase the powers of the Supervisor of Elections (SoE) significantly. The Law Council of Australia warned that the 2022 amendment gives the SoE "extraordinarily broad information gathering powers without adequate safeguards or oversight mechanisms."

B. POLITICAL PLURALISM AND PARTICIPATION: 10 / 16 (+1)

B1. Do the people have the right to organize in different political parties or other competitive political groupings of their choice, and is the system free of undue obstacles to the rise and fall of these competing parties or groupings? 3 / 4

The right to form political parties is constitutionally guaranteed, but the government has eligibility requirements that discourage the formation of smaller parties: prospective parties must submit 5,000 signatures to become registered. The 5 percent nationwide threshold for representation in Parliament further disincentivizes the formation of smaller parties. In September 2021, Rabuka, who had formerly led the SODELPA, successfully registered a new party, the PAP, that would become part of the ruling coalition in December 2022.

In July 2021, nine leading opposition figures were detained and questioned by police after voicing opposition to Bill 17, a controversial draft law that would alter how native land leases are administered by the iTaukei Land Trust Board; the bill was passed into law in August 2021.

B2. Is there a realistic opportunity for the opposition to increase its support or gain power through elections? 2 / 4 (+1)

For many years, the dominance of FijiFirst in Parliament left little space for opposition forces to assert themselves politically. The victory of the opposition in the December 2022 polls demonstrates that, despite all the advantages of incumbency, the electoral framework allowed the rise of an opposition that could defeat the FijiFirst government. Bainimarama stepped aside and became the leader of the opposition, despite having said in the past that he would not allow opposition parties to assume office in the event that FijiFirst was defeated. The military commander, Major General Jone Logavatu Kalouniwai, has promised to abide by the election result.

In the lead-up to the December 2022 election, the government targeted many opposition figures with accusations of corruption, breach of election law, and other wrongdoing. In one case, in September 2022, the SoE referred a "Rock the Vote" organization affiliated with Member of Parliament Lynda Tabuya of the PAP to the Fiji Independent Commission Against Corruption (FICAC) for an alleged breach of the Political Parties Registration Act.

In 2022, three former SODELPA members of Parliament were given prison sentences of two to three years for obtaining parliamentary allowances by stating that their permanent place of residence was in their home village when they in fact resided in the capital, Suva.

Score Change: The score improved from 1 to 2 because an opposition party successfully formed a coalition government after the December elections, displacing a long-serving incumbent prime minister.

B3. Are the people's political choices free from domination by forces that are external to the political sphere, or by political forces that employ extrapolitical means? 2 / 4

The 2013 constitution provides that "it shall be the overall responsibility of the Republic of Fiji Military Forces (RFMF) to ensure at all times the security, defence and well-being of Fiji and all Fijians," but the military has a history of interference in Fijian politics. Several prominent political leaders, including both Bainimarama and Rabuka, are former military commanders, which contributes to the perception that the military has undue political influence.

In the immediate aftermath of the December 2022 election, the commissioner of police, Brigadier-General Sitiveni Qiliho, citing claims of impending ethnic unrest and tension, called for a deployment of the RFMF in Suva. The RFMF accepted the call, but the military commander repeatedly promised to abide by the election result.

B4. Do various segments of the population (including ethnic, racial, religious, gender, LGBT+, and other relevant groups) have full political rights and electoral opportunities? 3 / 4

The law does not restrict the participation of minorities and women in politics. However, both Indigenous and Indo-Fijian women are underrepresented by political parties. Only 6 out of the 55 members of Parliament are women following the 2022 elections. A law passed under Bainimarama requiring voters to register using the name on their birth certificates disproportionately affects women. The Rabuka government has promised to reverse that law.

Small minority groups, including Banabans, members of the Chinese ethnic minority, and the descendants of people from the Solomon Islands, lack significant political representation.

C. FUNCTIONING OF GOVERNMENT: 7 / 12

C1. Do the freely elected head of government and national legislative representatives determine the policies of the government? 3 / 4

The executive branch under the prime minister determines the policies of government. With the 2022 elections resulting in a transfer of power and a relatively evenly divided Parliament, legislators may have a greater role in consulting on legislation than they did when FijiFirst held a strong parliamentary majority.

C2. Are safeguards against official corruption strong and effective? 2 / 4

Corruption remains a serious problem, and existing safeguards are limited in their effectiveness. FICAC has had limited success combatting institutional corruption. FICAC has allegedly been used to pursue politically motivated cases, such as against opposition politicians or their supporters. The PAP made a campaign pledge to abolish FICAC, but the commission is stipulated in the 2013 constitution.

C3. Does the government operate with openness and transparency? 2 / 4

Since the restoration of elective democracy in 2014, government transparency and openness has improved. Parliamentary sessions are broadcast live, and the Hansard (an official report of parliamentary proceedings) is updated regularly. Although candidates for elections are required to declare their assets, there is no law requiring public asset disclosures by members of Parliament. Fiji lacks an access to information law, and requests for information from the media and the public are sometimes denied. In recent years, FijiFirst has used its parliamentary majority to rewrite parliamentary standing orders in a manner that limits debate on legislation and scrutiny of official statements. A review of standing orders by the incoming government is set to begin in January 2023.

The 2013 Constitution was decreed into law prior to the first post–2006 coup elections in 2014, and after minimal public consultation. It cannot be changed without the support of 75 percent of all registered voters in a referendum and 75 percent of Parliament, though the method of its adoption without public consent could be subjected to judicial review.

The head of Fiji's Bureau of Statistics, Kemueli Naiqama, was dismissed in September 2021 for publishing data on ethnicity in the 2019–2020 Household Income and Expenditure Survey. The Attorney General questioned the reliability of the data, which showed that the majority of people experiencing poverty in the country are Indigenous Fijians. Local human rights organizations have expressed concern that Naiqama was fired "for telling the truth."

CIVIL LIBERTIES: 35 / 60

D. FREEDOM OF EXPRESSION AND BELIEF: 11 / 16

D1. Are there free and independent media? 2 / 4

Fiji has an active media sector, with several private television stations, radio stations, and newspapers. The political opposition and other critics of the FijiFirst government accused the state of using its power to silence critics. The vaguely worded Media Industry Development Decree bans reporting that is critical of the government or harmful to "national interest public order." Restrictive press laws are sometimes enforced by the government, and the risk of fines and jail time encourages self-censorship.

In August 2021, a former government advisor reported that the attorney general regularly tells the openly progovernment newspaper the *Fiji Sun* which stories to cover. Nevertheless, there has been a notable increase in articles critical of government in the national media in recent years.

The Electoral (Amendment) Bill passed in September 2022 established rules for the publication of opinion polls and steep penalties for not complying with those rules that media and civil society organizations described as onerous and chilling.

The Rabuka government has promised to ease restraints on the media.

D2. Are individuals free to practice and express their religious faith or nonbelief in public and private? 4 / 4

Freedom of religion is generally respected, though in the past there have been many cases of vandalism of Hindu temples. In July 2021, there were reports of arson attacks on mosques and Muslim-owned shops on the island of Taveuni and in Labasa.

D3. Is there academic freedom, and is the educational system free from extensive political indoctrination? 2 / 4

Academic freedom is not directly constrained, but government control over funding has been used to exert influence over tertiary institutions. The FijiFirst government continued in 2022 to withhold funding for the Fiji-based University of the South Pacific (USP) on the grounds that the university's leadership had engaged in misconduct. Vice Chancellor Pal Ahluwalia had launched an investigation into irregularities under his predecessor, who was known to be close to the Fiji government. Though the government deported Ahluwalia, a Canadian citizen, in February 2021, he now runs the university from neighboring Samoa while living in exile. In December 2022, days after Rabuka was sworn in as prime minister, he invited Ahluwalia to return to Fiji and promised to restore the funds owed to USP by the government.

D4. Are individuals free to express their personal views on political or other sensitive topics without fear of surveillance or retribution? 3 / 4

The government places some constraints on free speech, such as a law banning the burning of the national flag. In July 2021, the acting police commissioner warned the public to be cautious when expressing opposition to Bill 17 on social media.

In September 2022, lawyer and prospective opposition candidate Richard Naidu, a vociferous critic of the government, was found guilty of contempt and "scandalizing the court" after he pointed out on Facebook that a High Court judge misspelled the word "injunction" as "injection." The sentencing is scheduled for January 2023.

E. ASSOCIATIONAL AND ORGANIZATIONAL RIGHTS: 7 / 12

E1. Is there freedom of assembly? 2 / 4

The constitution gives the government wide latitude to prohibit protests, including on the basis of public safety and morality. Fiji has refused entry into the country for the United Nations Special Rapporteur on the rights to freedom of assembly since 2014.

E2. Is there freedom for nongovernmental organizations, particularly those that are engaged in human rights– and governance-related work? 3 / 4

Fiji has an extensive nongovernmental organization (NGO) network, which largely operates without government interference. However, strict sedition laws, which criminalize criticism of the government, place constraints on the range of initiatives that NGOs can undertake. In May 2022, Bainimarama criticized two of Fiji's longstanding NGOs—the Fiji Women's Crisis Centre and the Foundation for Rural Integrated Enterprises and Development (FRIEND)—calling them political opposition groups rather than NGOs after the organizations voiced support for a nonpartisan caretaker government to see the country through the December elections.

E3. Is there freedom for trade unions and similar professional or labor organizations? 2 / 4

Restrictions on trade union protests remain. The Fiji Trades Union Congress (FTUC) has been denied permits for marches numerous times in recent years.

Union members' political activities are also restricted: they are prohibited from becoming members of Parliament and face obstacles to joining political parties. General secretary of the National Workers Union and the FTUC, Felix Anthony, appeared in court in April and November 2021 over his activities during a 2019 protest by water authority workers. Amnesty International reported a rise in harassment of trade unionists in the leadup to these protests and other important union meetings.

F. RULE OF LAW: 7 / 16

F1. Is there an independent judiciary? 2 / 4

While the constitution guarantees an independent judiciary, there have been credible allegations of political interference among judges. The prime minister has substantial appointment powers, with the authority to both appoint and dismiss judges on the Supreme Court and other high courts. These powers leave the judiciary vulnerable to interference and abuse by the executive. Fiji has refused entry into the country for the United Nations Special Rapporteur on the independence of judges since 2014.

The Criminal Procedure (Amendment) Act, passed by Parliament in February 2021, removed assessors—lay judicial advisors—from trials, leaving verdicts in criminal cases

solely to judges. Though the attorney general at the time claimed the assessor system had contributed to discrimination based on ethnicity in court decisions, opposition leaders criticized the amendments, saying that removing assessors eliminates public participation and reduces transparency in the criminal justice system.

F2. Does due process prevail in civil and criminal matters? 1 / 4

Due process rights are often not respected in practice. Corruption is a major problem in the police force. Due to resource shortages, lengthy pretrial detentions are common. The law allows suspects to be arrested without a warrant for violating the Crimes Decree. Politically motivated criminal charges are not uncommon.

F3. Is there protection from the illegitimate use of physical force and freedom from war and insurgencies? 2 / 4

Torture and beatings by police remain a serious issue. Police officers and military officials who commit abuses are rarely brought to justice, and those who are convicted of crimes are frequently pardoned or have their convictions overturned on appeal. In May 2022, there was widespread criticism after a video circulated on social media showing a police officer apparently assaulting a bus driver during an arrest.

Prisons are often overcrowded, lack sanitation, and provide inadequate health services. Fiji refuses entry into the country for the United Nations Special Rapporteur on torture.

Crime is a major problem, exacerbated by a significant methamphetamine trade.

F4. Do laws, policies, and practices guarantee equal treatment of various segments of the population? 2 / 4

LGBT+ people face discrimination in employment and access to healthcare. Bainimarama was criticized for making prejudiced remarks against LGBT+ people.

Women experience discrimination in employment as well, and a gender pay gap persists.

Relations between Indigenous Fijians and Indo-Fijians remain strained. Indigenous Fijians previously enjoyed legal advantages in education and political representation. However, the interim government installed after the 2006 coup removed many of these privileges in a bid to foster a sense of national unity.

G. PERSONAL AUTONOMY AND INDIVIDUAL RIGHTS: 10 / 16

G1. Do individuals enjoy freedom of movement, including the ability to change their place of residence, employment, or education? 3 / 4

Citizens enjoy the freedom to travel, live, work, and seek education inside and outside the country. However, the law gives the government broad powers to restrict both internal and foreign travel. Substantial restrictions on movement were imposed in 2021 in response to the COVID-19 pandemic.

G2. Are individuals able to exercise the right to own property and establish private businesses without undue interference from state or nonstate actors? 3 / 4

Property rights are generally respected. However, it is difficult to obtain land titles. The government amended the Land Sales Act in 2014 to require foreign nationals who fail to build a dwelling on their land within two years of acquisition to pay a fine equivalent to 10 percent of the land value every six months. Under the law, urban residential freehold land cannot be sold to foreigners.

G3. Do individuals enjoy personal social freedoms, including choice of marriage partner and size of family, protection from domestic violence, and control over appearance? 2 / 4

Domestic violence remains a problem in Fiji, and perpetrators who are convicted of the crime often receive light sentences. According to the Fiji Women's Crisis Center, there was a spike in domestic violence cases during the government's lockdown in 2020, implemented to prevent the spread of COVID-19.

There is a growing movement in support of marriage equality in Fiji. A transgender woman, Divina Loloma, contested the December 2022 general election for the NFP.

G4. Do individuals enjoy equality of opportunity and freedom from economic exploitation? 2 / 4

Human trafficking, including sex trafficking of children, remained a problem in 2022. The US State Department's *2022 Trafficking in Persons Report* reported that Fiji "does not fully meet the minimum standards for the elimination of trafficking but is making significant efforts to do so." However, trafficking convictions remain rare, with only two recorded in the country since 2014. Safety standards at workplaces are not always adequately enforced. Long work hours are common in some jobs, including transportation and shipping.

Finland

Population: 5,600,000
Capital: Helsinki
Freedom Status: Free
Electoral Democracy: Yes

Overview: Finland's parliamentary system features free and fair elections and robust multiparty competition. Corruption is not a significant problem, and freedoms of speech, religion, and association are respected. The judiciary is independent under the constitution and in practice. Women and ethnic minority groups enjoy equal rights, though harassment, hate speech, and discrimination aimed at religious, racial, and ethnic minority groups does occur.

KEY DEVELOPMENTS IN 2022

- Following significant pressure both in Finland and internationally, in September the government presented proposed legislation that would allow transgender and intersex people to more easily amend their legally recognized gender.
- In June, Finland's parliament passed a bill, which will take effect in the beginning of 2023, that redefines rape as any nonconsensual sexual act. The previous definition required violence or the threat of violence for a sexual act to be considered rape.

POLITICAL RIGHTS: 40 / 40

A. ELECTORAL PROCESS: 12 / 12

A1. Was the current head of government or other chief national authority elected through free and fair elections? 4 / 4

The president, whose role is mainly ceremonial, is directly elected for up to two six-year terms. In 2018, former finance minister and incumbent president Sauli Niinistö,

originally of the center-right National Coalition Party (KOK), won a second presidential term with 62.6 percent of the vote, defeating several challengers. The election was considered broadly free and fair.

The prime minister, the head of government, is selected by Finland's freely elected parliament. Following parliamentary elections in April 2019, Antti Rinne of the Social Democratic Party became prime minister in June. However, he resigned due to criticism within the governing coalition over his handling of a postal workers' strike in November 2019, and Sanna Marin was chosen by the party to replace him in December 2019.

A2. Were the current national legislative representatives elected through free and fair elections? 4 / 4

Representatives in the 200-seat, unicameral parliament, the Eduskunta, are elected to serve four-year terms. Prior to the 2019 elections, the Organization for Security and Co-operation in Europe (OSCE) expressed "a high level of confidence in all the aspects of the electoral process" and concluded that it was not necessary to send an election observation mission.

The Social Democratic Party won the largest share of the vote, taking 40 seats. The right-wing Finns Party placed second with 39 seats. The new government formed in June 2019 comprised the Social Democratic Party, the Center Party with 31 seats, the Green League with 20 seats, the Left Alliance with 16 seats, and the Swedish People's Party of Finland with 9 seats. The remainder of seats went to KOK, which took 38, the Christian Democrats with 5, the new Movement Now with 1, and the Åland Coalition, also with 1.

A3. Are the electoral laws and framework fair, and are they implemented impartially by the relevant election management bodies? 4 / 4

Finland's electoral laws are robust and generally well implemented by the relevant authorities.

B. POLITICAL PLURALISM AND PARTICIPATION: 16 / 16

B1. Do the people have the right to organize in different political parties or other competitive political groupings of their choice, and is the system free of undue obstacles to the rise and fall of these competing parties or groupings? 4 / 4

There are no significant constraints on political parties' ability to organize and operate, and they compete freely in practice.

B2. Is there a realistic opportunity for the opposition to increase its support or gain power through elections? 4 / 4

Finland regularly experiences peaceful transfers of power between rival political parties through elections, with governments typically consisting of multiparty coalitions.

B3. Are the people's political choices free from domination by forces that are external to the political sphere, or by political forces that employ extrapolitical means? 4 / 4

People's political choices are generally free from undue interference by forces that are not democratically accountable.

B4. Do various segments of the population (including ethnic, racial, religious, gender, LGBT+, and other relevant groups) have full political rights and electoral opportunities? 4 / 4

Citizens from the Finnish majority and all ethnic minorities enjoy full political rights. The Åland Islands—an autonomous region located off the southwestern coast whose inhabitants speak Swedish—have their own 30-seat parliament, as well as one seat in the national

legislature. The Sámi of northern Finland, an Indigenous people who number about 10,000, have a legislature with limited powers, but they do not have guaranteed representation in the parliament. Members of the Sámi community continue to call for greater inclusion in political decision-making processes.

Women and women's interests are reasonably well represented in politics, as are LGBT+ people and their respective interests. Prime Minister Marin is the third woman to serve as Finland's head of government. Her installation also marked the first time that all parties in a Finnish governing coalition were headed by women.

C. FUNCTIONING OF GOVERNMENT: 12 / 12

C1. Do the freely elected head of government and national legislative representatives determine the policies of the government? 4 / 4

Finland's freely elected government and lawmakers are generally able to develop and implement policy without undue interference from unelected entities.

C2. Are safeguards against official corruption strong and effective? 4 / 4

Corruption is not a significant problem in Finland and is generally punished under relevant laws when discovered. In December 2020, the Council of Europe's Group of States against Corruption (GRECO) reported that Finland had only fully implemented 1 of its 14 recommended anticorruption efforts.

C3. Does the government operate with openness and transparency? 4 / 4

Laws permitting access to public information are generally well enforced, though there are some limits on the disclosure of information related to national security, foreign affairs, trade secrets, and criminal investigations. All citizens, including government officials, are required by law to make public asset declarations, though there are no penalties for noncompliance. While companies perceive corruption risks and favoritism within public procurement as low, informal networks and personal associations, notably at the local level, are still believed to hold influence over procurement decisions.

CIVIL LIBERTIES: 60 / 60

D. FREEDOM OF EXPRESSION AND BELIEF: 16 / 16

D1. Are there free and independent media? 4 / 4

Freedom of expression is protected by Article 12 of the constitution and the 2003 Act on the Exercise of Freedom of Expression in Mass Media. Media outlets in Finland are typically independent and free from political pressure or censorship, and the media environment is strong.

In March 2022, parliament approved an amendment to the Finnish Broadcasting Company (YLE) law requiring the public service broadcaster to include video or audio with text-only news articles, reducing public access to free, quality journalism. A citizen petition against the law was not considered.

Journalists sometimes face harassment for their work, notably those who cover topics related to immigrants and immigration. Journalists also face the risk of defamation charges. In April 2019, investigative reporter Johanna Vehkoo was convicted of defaming a far-right politician and ordered to pay more than $7,000 in fines and compensation. The Finnish Supreme Court acquitted Vehkoo of the charges in January 2022, further strengthening Finland's support of freedom of expression.

D2. Are individuals free to practice and express their religious faith or nonbelief in public and private? 4 / 4

Religious freedom is guaranteed in the constitution and generally respected in practice.

However, far-right hate speech and incidents of vandalism directed at the Jewish and Muslim communities are ongoing concerns. Police note that religious discrimination remains a motivating factor for hate crimes.

In March 2022, the Helsinki District Court ruled in favor of Päivi Räsänen, a Finnish parliamentarian who was charged with spreading hate speech about the LGBT+ community. The court stated that her religiously based comments did not violate freedom of speech laws.

D3. Is there academic freedom, and is the educational system free from extensive political indoctrination? 4 / 4

Academic freedom is generally respected.

D4. Are individuals free to express their personal views on political or other sensitive topics without fear of surveillance or retribution? 4 / 4

There are few impediments to personal expression, and the authorities are not known to engage in improper surveillance of personal communications.

E. ASSOCIATIONAL AND ORGANIZATIONAL RIGHTS: 12 / 12

E1. Is there freedom of assembly? 4 / 4

Freedom of assembly is protected by law and upheld in practice.

In October 2020, police used pepper spray against protesters obstructing traffic, who were associated with the environmental activist group Extinction Rebellion and calling on the government to take more significant measures to combat the climate crisis. Seven police officers were charged in connection with the incident in June 2022.

As of early 2022, 48 protesters were being investigated for invasion of public premises.

E2. Is there freedom for nongovernmental organizations, particularly those that are engaged in human rights– and governance-related work? 4 / 4

Nongovernmental organizations (NGOs) operate without restriction.

E3. Is there freedom for trade unions and similar professional or labor organizations? 4 / 4

Workers have the right to organize and bargain collectively, though public-sector workers who provide services deemed essential may not strike. Approximately 75 percent of workers belong to trade unions, which actively advocate for members' interests. In September, parliament passed the Patient Safety Act, which restricts nurses' right to strike. It nearly led to mass resignations within the nursing sector, and suggests attempts to restrict the right to organize within some sectors.

F. RULE OF LAW: 16 / 16

F1. Is there an independent judiciary? 4 / 4

The constitution provides for an independent judiciary, and the courts operate without political interference in practice.

F2. Does due process prevail in civil and criminal matters? 4 / 4

Due process is generally respected in Finland. Authorities largely uphold safeguards against arbitrary arrest and detention and provide the conditions for fair trials.

F3. Is there protection from the illegitimate use of physical force and freedom from war and insurgencies? 4 / 4

There are few significant threats to physical security, and violent crime is uncommon, although it has increased in recent years.

F4. Do laws, policies, and practices guarantee equal treatment of various segments of the population? 4 / 4

The constitution guarantees the Sámi people cultural autonomy and the right to pursue their culturally significant livelihoods, which include fishing and reindeer herding. However, representatives of the community have said that they cannot fully exercise their rights in practice and face restrictions on land use. In April 2022, the Finnish Supreme Court dismissed two ongoing cases against the Finnish Sámi people that claimed they were violating Finnish fishing rules. The court ruled in favor of the Sámi people's constitutional right to practice their traditional fishing culture.

Women enjoy equal legal rights but suffer from pay discrimination.

A June 2019 report by the European Commission against Racism and Intolerance (ECRI) noted an increase in racist and intolerant hate speech in Finland, especially toward Muslims and refugees. Hate speech on the internet was also a concern, with targets including immigrants, people of African descent, LGBT+ people, the Jewish community, and Roma. ECRI's recommendations had not been implemented as of March 2022. From mid-2021 to mid-2022, Finnish authorities appointed a working group to assess the need for reforms to the Non-Discrimination Act. A proposal for strengthening the Non-Discrimination Act was presented to Finland's parliament in September 2022 and a partial amendment was approved in November.

A 2020 report by Finland's nondiscrimination ombudsman highlighted racism against people of African descent. In September 2021, the Finnish Ministry of Justice and the Equality Commissioner launched a campaign encouraging people to take action against racism.

A July 2022 report on equality by the nondiscrimination ombudsman highlighted that many people still experience discrimination in Finland, most notably based on disability and ethnic origin.

G. PERSONAL AUTONOMY AND INDIVIDUAL RIGHTS: 16 / 16

G1. Do individuals enjoy freedom of movement, including the ability to change their place of residence, employment, or education? 4 / 4

Individuals in Finland are free to travel abroad and domestically. The country has one of the most expansive "freedom to roam" policies in the world, allowing people to use any public or private land for recreational purposes so long as the privacy of a private residence is not violated, and no environmental damage is incurred. There are no undue restrictions on people's ability to change their place of residence, education, or employment.

G2. Are individuals able to exercise the right to own property and establish private businesses without undue interference from state or nonstate actors? 4 / 4

Intellectual and property rights are upheld. There are no major obstacles to establishing a business, and the country boasts a well-regulated, transparent, and open economy.

G3. Do individuals enjoy personal social freedoms, including choice of marriage partner and size of family, protection from domestic violence, and control over appearance? 4 / 4

People's choices on personal status matters are for the most part unrestricted. Same-sex marriage has been allowed since 2017. However, legislation requires that transgender

people be sterilized and have a mental health diagnosis in order to obtain legal recognition of their gender. In 2017, the UN Human Rights Council (UNHRC) called for Finland to eliminate these impediments to legal gender recognition. The ECRI echoed this call in 2019. In early 2022, Prime Minister Marin said that the government would vote on a bill to overturn these requirements later in the year, and in September the government submitted a proposal for an act addressing the legal recognition of gender.

Legislation permitting in vitro fertilization and artificial insemination was enacted in 2007, but surrogacy remains illegal for both opposite and same-sex couples.

The government submitted a proposal to reform the section of the criminal code that addresses sexual offenses to define rape as a nonconsensual act and it was adopted by the parliament in June 2022. However, there are complaints that sexual offenses are not properly investigated by the police. Rates of violence against women remain high. There are not substantial frameworks or procedures to address domestic violence, nor long-term support for survivors. A March 2022 Amnesty International report found that less than half of all municipalities have gender-based violence prevention programs.

G4. Do individuals enjoy equality of opportunity and freedom from economic exploitation? 4 / 4

The authorities generally uphold protections against exploitative working conditions. Asylum seekers and migrants are most vulnerable to sex and labor trafficking. The government actively prosecutes trafficking offenses, and survivors have access to protection and assistance. However, alleged perpetrators often receive lighter charges and penalties due to lack of specialized training for investigators. The US State Department's 2022 *Trafficking in Persons Report* assigned Finland Tier 1 status, its highest ranking, noting that Finland continued to investigate and convict more traffickers.

France

Population: 65,800,000
Capital: Paris
Freedom Status: Free
Electoral Democracy: Yes

Overview: The French political system features vibrant democratic processes and generally strong protections for civil liberties and political rights. However, successive governments have responded to terrorist attacks and the COVID-19 pandemic by curtailing constitutional protections and empowering law enforcement to infringe upon personal freedoms. The government has also imposed states of emergency in recent years, enabling it to infringe on rights to privacy, assembly, and movement.

KEY DEVELOPMENTS IN 2022

- In April, President Emmanuel Macron won reelection, defeating far-right candidate Marine Le Pen. The second round of the election saw an abstention rate of 28 percent, a figure not seen since 1969.
- In the June parliamentary elections, the pro-Macron Ensemble! (Together!) coalition won the most seats but fell short of a majority. A left-wing alliance won 131 seats, while the Le Pen–led National Front (FN) won 89.

- A bill enshrining the constitutional right to an abortion passed the parliament's lower house in November and awaited senatorial approval at year's end.
- In December, the government revealed legislation that would restrict rejected asylum seekers' ability to appeal denials of their claims, among other things. Parliament is expected to debate the bill in 2023.

POLITICAL RIGHTS: 38 / 40

A. ELECTORAL PROCESS: 12 / 12

A1. Was the current head of government or other chief national authority elected through free and fair elections? 4 / 4

The president is chief of state, and is elected to five-year terms by direct, universal suffrage in a two-round system. Executive elections are considered free and fair. Incumbent Emmanuel Macron won 27.9 percent of the first-round vote in April 2022, while Marine Le Pen of the far-right FN won 23.2 percent. Macron won 58.6 percent and a second term in the second round in late April. The 28 percent second-round abstention rate was the highest seen for such a contest since 1969.

The prime minister is head of government and is appointed by the president. Labor Minister Élisabeth Borne was named premier in May 2022 and remained in office at year's end.

A2. Were the current national legislative representatives elected through free and fair elections? 4 / 4

Members of the lower house of Parliament, the 577-seat National Assembly, are elected to five-year terms in a two-round system. The upper house, the 348-seat Senate, is an indirectly elected body whose members serve six-year terms.

In the June 2022 parliamentary elections, Ensemble! won 245 lower-house seats, falling short of an absolute majority. The New Ecological and Social People's Union (NUPES), a four-party left-wing coalition, won 131. The far-right FN won 89, a major improvement over the 8 seats it won in 2017.

A3. Are the electoral laws and framework fair, and are they implemented impartially by the relevant election management bodies? 4 / 4

France's electoral laws and framework are fair and implemented impartially.

B. POLITICAL PLURALISM AND PARTICIPATION: 15 / 16

B1. Do the people have the right to organize in different political parties or other competitive political groupings of their choice, and is the system free of undue obstacles to the rise and fall of these competing parties or groupings? 4 / 4

Parties are generally able to organize and operate freely.

B2. Is there a realistic opportunity for the opposition to increase its support or gain power through elections? 4 / 4

The Republican and Socialist parties dominated French politics in the early 2010s. Other parties and new alliances like Ensemble! and NUPES, which includes the Socialist Party in its coalition, have since gained more visibility.

B3. Are the people's political choices free from domination by forces that are external to the political sphere, or by political forces that employ extrapolitical means? 4 / 4

People's political choices are generally free from domination. However, some media outlets have drawn outsized attention to controversial political personalities, potentially skewing public perception for economic gain.

B4. Do various segments of the population (including ethnic, racial, religious, gender, LGBT+, and other relevant groups) have full political rights and electoral opportunities? 3 / 4

No laws restrict the political participation of women, LGBT+ people, and other marginalized groups. However, far-right parties and nationalist ideologies have become more mainstream and emboldened racist commentary in public discourse.

C. FUNCTIONING OF GOVERNMENT: 11 / 12

C1. Do the freely elected head of government and national legislative representatives determine the policies of the government? 4 / 4

The elected head of government and national legislative representatives determine the policies of the government. However, the government has consistently used Article 49.3 of the constitution to enact legislation that is defeated in Parliament; under Article 49.3, a government can force passage of a bill and must withstand a no-confidence vote within 24 hours of employing that maneuver. The article's use is restricted for some legislation but not for certain financial proposals; governments during the Macron presidency have used Article 49.3 on a regular basis.

C2. Are safeguards against official corruption strong and effective? 3 / 4

A 2017 law aims to reduce conflicts of interest. Despite this, corruption cases increased by 28 percent between 2016 and 2021 according to government data. In most cases, officials have resigned or been dismissed from office.

In a March 2022 report, the Senate criticized the presidency and other public agencies for signing lucrative contracts with consulting firms. Senators specifically accused one firm, McKinsey, of paying no corporate taxes within France despite staff members testifying otherwise.

C3. Does the government operate with openness and transparency? 4 / 4

The government generally operates with openness and transparency, though it has increasingly used Article 49.3 of the constitution to enact policy with limited debate or scrutiny.

In July 2022, a former executive at ride-hailing service Uber leaked exchanges between Uber staff and Macron, then the economy minister, between 2014 and 2016. In those exchanges, Macron offered to reform French law to assist its operations despite the then ruling Socialist government's opposition to some of Uber's activity.

CIVIL LIBERTIES: 51 / 60

D. FREEDOM OF EXPRESSION AND BELIEF: 14 / 16

D1. Are there free and independent media? 4 / 4

The media generally operate freely and represent a wide range of political opinions, though journalists have faced violence in the course of their work.

Under the 2021 Global Security Law (LGS), journalists do not enjoy exceptions in circumstances where police officers order the dispersal of protests.

In 2019, Paris prosecutors ordered a raid of Mediapart's offices after the outlet published remarks made by a former Macron aide. In July 2022, a court ruled that the raid was "neither necessary in a democratic society, nor proportionate to the objective sought" and ordered the government to pay Mediapart one euro along with a separate fine.

D2. Are individuals free to practice and express their religious faith or nonbelief in public and private? 3 / 4

The constitution protects freedom of religion. Antidefamation laws penalize religiously motivated abuse, and Holocaust denial is illegal. The government maintains the policy of

laïcité (secularism), whereby religion and state affairs are strictly separated. However, senior officials and politicians have engaged in antisemitic and Islamophobic rhetoric in the public sphere.

The state has placed Muslim organizations under greater scrutiny. The 2021 Law Reinforcing the Republican Principles (LRPR) allows the government to dissolve religious organizations, increases the surveillance of mosques and Muslim associations, and requires the latter to sign a contract of "respect for Republican values" when applying for state subsidies.

Muslim women are subject to several laws preventing them from wearing clothing related to their religious practice or identity. In February 2022, authorities in Paris banned a march of female football players wearing the hijab.

D3. Is there academic freedom, and is the educational system free from extensive political indoctrination? 4 / 4

There are no formal restrictions on academic freedom in France.

D4. Are individuals free to express their personal views on political or other sensitive topics without fear of surveillance or retribution? 3 / 4

Though citizens are free to express their views publicly, the government's surveillance and tracking of individuals based on their political views has raised concerns in recent years.

The use of facial recognition is largely banned in public spaces with some exceptions. In May 2022, Nice mayor Christian Estrosi called on the National Commission for Information and Freedoms, a government body, to allow greater use of recognition technology, citing public safety concerns.

E. ASSOCIATIONAL AND ORGANIZATIONAL RIGHTS: 10 / 12

E1. Is there freedom of assembly? 3 / 4

Freedom of assembly is normally respected, though authorities have used excessive force when dealing with political protests in recent years.

E2. Is there freedom for nongovernmental organizations, particularly those that are engaged in human rights– and governance-related work? 3 / 4

Nongovernmental organizations (NGOs) generally operate freely. However, the LGS and LRPR have complicated and obstructed NGO reports around protests and police actions.

The LRPR eased authorities' ability to disband associations that allegedly disrespect so-called "values of the Republic." The law has been used to target organizations that seek to combat Islamophobia.

In March 2022, the interior minister ordered the dissolution of the Antifacist Group of Lyon and Surroundings (GALE), saying that it meant to incite violence. In May, however, the Council of State suspended that decision, citing a lack of evidence that GALE intended to disturb public order. In September, the prefect of Vienne cited the LRPR when calling on authorities in the city of Poitiers to withdraw public funding from Alternatiba, an environmental NGO; Alternatiba planned to hold workshops on civil disobedience. The mayor declined, prompting the prefect to sue over the legality of the funding in October.

E3. Is there freedom for trade unions and similar professional or labor organizations? 4 / 4

Trade unions are generally free to operate without undue restrictions. Social movements like the Yellow Vests of the late 2010s—despite rejecting affiliations with trade unions or political parties—and the formation of NUPES have provided momentum for trade union

activism. In October 2022, oil workers, rail workers, and civil servants held strikes over pay, disrupting domestic travel.

F. RULE OF LAW: 13 / 16

F1. Is there an independent judiciary? 4 / 4

France has an independent judiciary. The rule of law generally prevails in court proceedings.

F2. Does due process prevail in civil and criminal matters? 3 / 4

Due process generally prevails in civil and criminal matters.

F3. Is there protection from the illegitimate use of physical force and freedom from war and insurgencies? 3 / 4

The number of complaints of police violence sent to the police's internal disciplinary body has sharply increased since 2018, as have suspicions that the body is too lenient. Since the passage of a 2017 law governing police officers' use of firearms, police have increasingly shot and killed individuals over reported noncompliance with their instructions. Police officers reportedly killed 13 people in traffic stops after such reported noncompliance in 2022.

In late December 2022, three people were killed in a racist attack against a Kurdish community center in Paris. Authorities said there was no immediate indication of a "terrorist motive," prompting Kurdish community leaders to call on the government to call the attack a terrorist incident.

F4. Do laws, policies, and practices guarantee equal treatment of various segments of the population? 3 / 4

Both Islamophobia and antisemitism have increased in recent years. The far-right has become increasingly successful in using racist language to shape French public discourse.

Women face a notable pay gap, with European Union data showing that men earn 15.8 percent more than women on average in France. Sexual harassment of and violence against women are prominent issues.

Migrants and refugees continue to face societal discrimination and abuse from authorities, though Ukrainians fleeing the Russian regime's invasion of their country have received support. Migrants and aid workers in Calais have faced mistreatment by police; while the Office for Immigration and Integration vowed to better address the needs of people living in informal camps, NGOs reported little improvement in Calais in 2022.

In December 2022, the government revealed draft immigration legislation that would, among other things, limit the number of appeals available to rejected asylum seekers and allow authorities to more easily deport foreign-born individuals convicted of crimes. Parliament is expected to debate the bill in 2023.

In September 2022, the European Court of Human Rights ruled that the government's decision not to repatriate French women and children held in Syria violated their rights; the women and children had been affiliated with the Islamic State militant group and were subsequently held in camps in Syria.

G. PERSONAL AUTONOMY AND INDIVIDUAL RIGHTS: 14 / 16

G1. Do individuals enjoy freedom of movement, including the ability to change their place of residence, employment, or education? 4 / 4

There are normally no restrictions on freedom of travel or choice of residence or employment. COVID-19-related restrictions, criticized for their discriminatory enforcement, came to an end in August 2022.

G2. Are individuals able to exercise the right to own property and establish private businesses without undue interference from state or nonstate actors? 4 / 4

Private businesses are free to operate.

G3. Do individuals enjoy personal social freedoms, including choice of marriage partner and size of family, protection from domestic violence, and control over appearance? 3 / 4

Individuals generally enjoy personal social freedoms, including choice of marriage partner and size of family. A bill enshrining the constitutional right to an abortion passed the lower house in November 2022 and awaited senatorial approval at year's end. Fertility treatments are available for single women and lesbian couples; however, transgender individuals are not included, and surrogacy remains illegal.

During the 2020 and 2021 COVID-19 lockdowns, reports of domestic violence rose sharply, despite government measures to prevent this. Authorities implemented mechanisms to report violence and create safe zones, but their effectiveness is unclear.

Muslim women's freedom to control their appearance is affected by several laws. While so-called "burkinis" are largely banned in public pools, the city council of Grenoble allowed their use in a contentious May 2022 vote.

G4. Do individuals enjoy equality of opportunity and freedom from economic exploitation? 3 / 4

Employment discrimination against women, French Muslims, immigrants of North African descent, and other marginalized groups hinders equality of opportunity. While the government acts against human trafficking, the problem persists in the commercial sex trade; some victims are also forced into domestic labor.

Gabon

Population: 2,400,000
Capital: Libreville
Freedom Status: Not Free
Electoral Democracy: No

Overview: Although Gabon holds multiparty elections, President Ali Bongo Ondimba maintains political dominance through a combination of patronage and repression, having succeeded his father, Omar, upon his death in 2009 after more than 40 years in power. President Bongo's fitness to exercise power has been the subject of considerable doubt since he suffered a stroke in 2018. The executive branch effectively controls the judiciary. Other significant problems include discrimination against immigrants, marginalization of minority groups, and legal and de facto inequality for women.

KEY DEVELOPMENTS IN 2022

- In March, President Bongo announced his intention to run for reelection in 2023.
- Between late March and early April, French authorities charged four of the late Omar Bongo's children were charged with embezzlement, while another five were charged in July. French authorities suspect the Bongo family of securing real estate in that country using ill-gotten gains.

- In September, opposition leader Guy Nzouba-Ndama, who is considered a potential presidential candidate, was arrested at Gabon's border with the Republic of the Congo after allegedly carrying 1.2 billion Central African francs ($1.9 million) in undeclared money. Gabonese authorities accused Nzouba-Ndama of money laundering later that month.

POLITICAL RIGHTS: 2 / 40 (−1)

A. ELECTORAL PROCESS: 0 / 12

A1. Was the current head of government or other chief national authority elected through free and fair elections? 0 / 4

The president is elected by popular vote for seven-year terms. Presidential term limits were abolished in 2003.

The August 2016 presidential election pitted incumbent Ali Bongo Ondimba of the Gabonese Democratic Party (PDG) against Jean Ping of the opposition Union of Forces for Change (UFC). The electoral commission declared Bongo the winner with 49.8 percent of the vote. In Haut-Ogooué Province, a Bongo family stronghold, the commission claimed a turnout rate of 99.9 percent, with 95 percent for Bongo, even though turnout in the rest of Gabon was 54 percent. Both Ping and observers from the European Union called for a recount.

Meanwhile, violent protests erupted, and security forces stormed Ping's headquarters. Although the government claimed the death toll from the unrest was under 10 people, journalists and opposition leaders estimated that more than 50 had died; hundreds were arrested.

The Constitutional Court, headed by a longtime Bongo family ally, rebuffed an observation mission from the African Union during the recount. Following the recount, the president was credited with 50.7 percent of the vote, which Ping rejected.

Bongo suffered a stroke in 2018 and was not seen publicly for nearly a year. Since then, his capacity to serve has been repeatedly questioned.

The president nominates and can dismiss the prime minister at will. Then defense minister Rose Christiane Ossouka Raponda was named prime minister in July 2020.

A2. Were the current national legislative representatives elected through free and fair elections? 0 / 4

Gabon's Parliament consists of the 143-seat National Assembly, whose members are elected by popular vote for five-year terms, and the 67-seat Senate. Some 52 senators are directly elected, while 15 are appointed by the president. The Senate was reformed by 2020 constitutional amendments as part of the PDG's efforts to consolidate control should Bongo be further incapacitated. Bongo appointed his share of senators in February 2021, days after the PDG claimed 45 of the body's elected seats.

National Assembly elections were originally due in 2016 but were repeatedly postponed. The incumbent lower house was finally dissolved in 2018, leaving the Senate as the only legislative body for most of that year. The PDG claimed 98 seats in the October 2018 National Assembly elections, which were boycotted by opposition parties due to the government's failure to create an independent electoral commission. PDG allies won roughly 10 more seats, and no other party took more than 11. The elections were marked by credible allegations of fraud and repression.

A3. Are the electoral laws and framework fair, and are they implemented impartially by the relevant election management bodies? 0 / 4

Gabon's electoral laws and framework do not ensure credible elections. The electoral commission, the Interior Ministry, and the Constitutional Court all play important roles in managing elections, and all are loyal to Bongo.

In 2018, Parliament gave its final approval to constitutional amendments that were developed without meaningful input from opposition parties or civil society. Those amendments introduced a runoff system for presidential elections if no candidate secures a first-round majority. Lawmakers rejected the imposition of presidential term limits. Under the 2020 constitutional amendments, the Senate's size was reduced and the president was allowed to appoint 15 of its members. The amendments were regarded as a means of consolidating PDG control.

The mandate of the members of the Gabonese Election Center (CGE), a body that organizes elections, was affected by the COVID-19 pandemic, with the Constitutional Court extending those mandates in June 2020. Nongovernmental organizations (NGOs) and political parties later argued that the CGE was functioning illegally, however. In an October 2022 ruling, the Constitutional Court called for the body's renewal.

Opposition parties unsuccessfully sought to trigger a reform of the electoral code, which they believe favors the government, in 2022.

B. POLITICAL PLURALISM AND PARTICIPATION: 2 / 16

B1. Do the people have the right to organize in different political parties or other competitive political groupings of their choice, and is the system free of undue obstacles to the rise and fall of these competing parties or groupings? 1 / 4

The PDG dominates the nominally multiparty system. Opposition parties remain fragmented, and the government has disrupted their activities by denying them permits for public gatherings, arresting participants in their largely peaceful protests, and incarcerating their leaders.

In 2019, a Libreville court handed Bertrand Zibi Abeghe, a former ally turned opposition leader arrested during the 2016 election, a six-year prison sentence; he was released in September 2022.

In 2021, the government proposed a new law that would require presidential candidates to have lived in Gabon for at least six months in each of the two years preceding an election. The law reportedly targets members of the Bongo family who might contest the 2023 election against the president.

B2. Is there a realistic opportunity for the opposition to increase its support or gain power through elections? 0 / 4

The PDG has monopolized the executive branch since the 1960s, and there is no realistic opportunity for the opposition to gain power through elections. Ping, who called for a civil disobedience campaign over the 2016 presidential election, boycotted the 2018 National Assembly elections along with other opposition leaders.

B3. Are the people's political choices free from domination by forces that are external to the political sphere, or by political forces that employ extrapolitical means? 0 / 4

The Bongo family and associates have acquired enormous wealth after decades in power, which has led to judicial investigations in France. The 2021 release of the Pandora Papers, an investigation that focused on corruption in the global financial system, revealed that the Bongo family used substantial resources to sustain patronage networks and fund vote-buying during elections. The leadership relies on security forces to intimidate the opposition.

B4. Do various segments of the population (including ethnic, racial, religious, gender, LGBT+, and other relevant groups) have full political rights and electoral opportunities? 1 / 4

Ethnic minorities have little ability to gain political representation, given the PDG's dominance. Key government and military posts are held by loyalists from major ethnic

groups. Though Parliament decriminalized homosexuality in 2020, LGBT+ people are not openly represented politically.

Women are also underrepresented, holding only 14.7 percent of National Assembly seats as of December 2022. Ossouka Raponda, who remained in post at year's end, is Gabon's first female premier.

C. FUNCTIONING OF GOVERNMENT: 0 / 12 (−1)

C1. Do the freely elected head of government and national legislative representatives determine the policies of the government? 0 / 4

Government policy is set by the president and senior aides, and Parliament is dominated by the PDG. In November 2018, a month after Bongo suffered a stroke, the Constitutional Court unilaterally altered the constitution to allow the vice president to assume some of the president's functions if he is "temporarily unavailable." In 2020, Parliament passed further constitutional amendments stipulating that the president of the Senate, the president of the National Assembly, and the defense minister would share interim executive powers should the president become incapacitated.

C2. Are safeguards against official corruption strong and effective? 0 / 4 (−1)

Corruption and impunity remain major problems. Authorities have repeatedly used anticorruption efforts to target regime opponents. A special criminal court for cases involving the theft of public funds was established in 2018, but prosecutions remain selective.

Members of the Bongo family have been accused of corrupt behavior, which was also uncovered by the Pandora Papers. In 2020, NGOs filed a lawsuit in Libreville accusing Noureddin Bongo, the president's son, of corruption and money laundering. The public prosecutor dismissed the complaint. Noureddin is directing his father's 2023 reelection campaign.

French prosecutors suspect that Elf Aquitaine—a French energy firm that has since been absorbed into the present-day Total SA—had provided "undue commissions" to the Bongo family to access the country's oil reserves; family members allegedly used those proceeds to acquire real estate in France. Between March and April 2022, four of Omar Bongo's children were charged with embezzlement in France. Another five were charged in July.

In 2022, NGOs accused the government of embezzling donor-provided COVID-19 relief funds. In June, a group of civil society leaders said that the government was blocking the publication of an audit on coronavirus-related spending.

Score Change: The score declined from 1 to 0 because French authorities charged multiple members of the Bongo family with embezzlement.

C3. Does the government operate with openness and transparency? 0 / 4

The government operates with minimal transparency. The presidency's budget is not subject to the same oversight as those for other institutions. High-level civil servants are required to disclose their assets, but the declarations are not made public. The government has not been transparent about President Bongo's health.

CIVIL LIBERTIES: 18 / 60

D. FREEDOM OF EXPRESSION AND BELIEF: 7 / 16

D1. Are there free and independent media? 1 / 4

Press freedom is guaranteed by law but is restricted in practice. Reporters self-censor to avoid legal repercussions.

D2. Are individuals free to practice and express their religious faith or nonbelief in public and private? 3 / 4

Although religious freedom is constitutionally enshrined and generally respected, some heterodox religious groups reportedly have difficulty obtaining registration from the government.

D3. Is there academic freedom, and is the educational system free from extensive political indoctrination? 1 / 4

Omar Bongo University, Gabon's main center for tertiary education, is state-run, and academic freedom is tenuous. Professors self-censor to avoid conflicts with the authorities.

D4. Are individuals free to express their personal views on political or other sensitive topics without fear of surveillance or retribution? 2 / 4

Ordinary individuals' freedom to express criticism of the government is limited by restrictive laws and deterred by state surveillance. Individuals who criticize the government are routinely detained or attacked by security forces.

E. ASSOCIATIONAL AND ORGANIZATIONAL RIGHTS: 3 / 12

E1. Is there freedom of assembly? 1 / 4

Freedom of assembly is limited. The government has repeatedly denied permits for meetings, used tear gas, and arrested demonstrators to disperse unauthorized gatherings. A 2017 law further limited the freedom to assemble by making organizers responsible for offenses committed during gatherings. In May 2022, authorities stopped protesters from rallying against the presence of French troops in the country.

E2. Is there freedom for nongovernmental organizations, particularly those that are engaged in human rights– and governance-related work? 1 / 4

Relatively few NGOs operate in Gabon. Freedom of association is guaranteed by the constitution, but the process for formally registering NGOs is onerous and implemented inconsistently, leaving groups vulnerable to accusations that they are not in compliance with the law.

E3. Is there freedom for trade unions and similar professional or labor organizations? 1 / 4

Workers are legally permitted to join unions, engage in collective bargaining, and strike, but the government has disrupted sit-ins and other labor activism in recent years, and has arrested participants.

In February 2022, civil-service union leader Jean-Rémy Yama was blocked from leaving the country and was detained by the Gabonese intelligence service. In early March, Yama was handed politically motivated corruption charges. Yama, who was forced out of the civil service in late March, remained in detention at year's end.

F. RULE OF LAW: 3 / 16

F1. Is there an independent judiciary? 0 / 4

The courts are subordinate to the president. The judiciary is accountable to the Justice Ministry, through which the president has the power to appoint and dismiss judges. Gabon's highest judicial body, the Constitutional Court, is composed of three members appointed by the president, two by the National Assembly, one by the Senate, and three by the Superior Council of the Judiciary (CSM), which itself is headed by the president and justice minister.

The 2018 constitution created a new special court, the Court of Justice of the Republic, which alone has the authority to place a check on top executive and judicial officials. It consists of seven members appointed by the CSM and six members of Parliament. The Constitutional Court is headed by a longtime Bongo ally.

F2. Does due process prevail in civil and criminal matters? 1 / 4

Legal safeguards against arbitrary arrest and detention are not upheld by police, and detainees are often denied access to lawyers. Lengthy pretrial detention is common. Arbitrary arrests linked to opposition activism have increased since the 2016 election crisis. Several detained opposition figures have been denied due process, and prisoners have occasionally died in custody. Civil society leaders are routinely denied access to political prisoners.

F3. Is there protection from the illegitimate use of physical force and freedom from war and insurgencies? 1 / 4

Prisons are overcrowded, with limited access to proper medical care. Torture is outlawed by the constitution, but detainees and inmates face physical abuse.

F4. Do laws, policies, and practices guarantee equal treatment of various segments of the population? 1 / 4

The country's large population of African immigrants is subject to harassment and extortion, including by police. Members of some minority groups experience workplace discrimination and live in extreme poverty.

Women have equal legal rights on some issues but face significant de facto discrimination in employment and other economic matters. Sexual harassment in the workplace, which is not prohibited by law, is common.

While homosexuality was decriminalized in 2020, same-sex marriage remains illegal and LGBT+ individuals still face widespread social stigma, discrimination, and the threat of physical violence.

G. PERSONAL AUTONOMY AND INDIVIDUAL RIGHTS: 5 / 16

G1. Do individuals enjoy freedom of movement, including the ability to change their place of residence, employment, or education? 2 / 4

There are no laws restricting internal travel, but police often monitor travelers at checkpoints and demand bribes. Married women seeking to obtain a passport or travel abroad must have permission from their husbands. The government has imposed travel bans on opposition leaders in recent years.

In February 2022, union leader Jean-Rémy Yama was blocked from leaving Gabon before being accused of corruption. In September, opposition leader Guy Nzouba-Ndama was arrested at Gabon's border with the Republic of the Congo after gendarmes allegedly found 1.2 billion Central African francs ($1.9 million) in undeclared money in his luggage. Gabonese authorities accused Nzouba-Ndama of money laundering later that month.

G2. Are individuals able to exercise the right to own property and establish private businesses without undue interference from state or nonstate actors? 1 / 4

Bureaucratic and judicial delays can pose difficulties for businesses. Enforcement of contracts and property rights is weak, and the process for property registration is lengthy. Bongo and his associates play a dominant role in the economy, impairing fair competition and favoring those with connections to the leadership.

G3. Do individuals enjoy personal social freedoms, including choice of marriage partner and size of family, protection from domestic violence, and control over appearance? 1 / 4

Personalized forms of violence are believed to be widespread, and perpetrators generally enjoy impunity. Rape and domestic abuse are rarely reported to authorities or prosecuted. Spousal rape is not specifically prohibited. Abortion is a punishable crime under most circumstances. The minimum age for marriage is 15 for women and 18 for men. The civil code states that a wife must obey her husband as the head of household.

In 2021, Parliament amended the civil code to enhance legal equality for married women, including by recognizing gender-based violence as legitimate grounds for divorce.

G4. Do individuals enjoy equality of opportunity and freedom from economic exploitation? 1 / 4

Wage standards and laws against forced labor are poorly enforced, particularly in the informal sector and with respect to foreign workers. Both adults and children are exploited in a number of different occupations, and foreign women are trafficked to Gabon for prostitution or domestic servitude.

Georgia

Population: 3,700,000
Capital: Tbilisi
Freedom Status: Partly Free
Electoral Democracy: Yes

Note: The numerical scores and status listed above do not reflect conditions in Abkhazia and South Ossetia, which are examined in separate reports. *Freedom in the World* reports assess the level of political rights and civil liberties in a given geographical area, regardless of whether they are affected by the state, nonstate actors, or foreign powers. Disputed territories are sometimes assessed separately if they meet certain criteria, including boundaries that are sufficiently stable to allow year-on-year comparisons. For more information, see the report methodology.

Overview: Georgia holds regular competitive elections and hosts lively media and civil society sectors. However, oligarchic influence affects the country's political affairs. Corruption in government persists and media freedom is undermined by intimidation and pressure against journalists. Executive and legislative interference in the courts remains a substantial problem, as does a lack of transparency and professionalism surrounding judicial proceedings.

KEY DEVELOPMENTS IN 2022

- The full-scale Russian military invasion of Ukraine dominated political discourse during the year. Georgian leaders offered mixed messages about support for Ukraine; for example, the prime minister announced that Georgia would not join sanctions against Russia, even as the National Bank enforced the sanctions. A significant influx of Russian migrants crossed the border into Georgia during the year.
- Together with Ukraine and Moldova, Georgia applied for European Union (EU) membership. The government established parliamentary committees to work on

qualifications needed for candidate status; civil society representatives were excluded from the process.

- In July, former deputy director of the State Security Service of Georgia Ioseb Gogashvili publicly accused the ruling Georgian Dream (GD) party of interfering with past elections by illegally offering pardons, lighter sentences, and opportunities to skip military service in exchange for votes. The country's top watchdog groups said documents Gogashvili had provided to them supported the claims. Police raided Gogashvili's home and arrested him soon after he went public with the allegations, and charged him with leaking state secrets and illegal possession of firearms.

POLITICAL RIGHTS: 22 / 40

A. ELECTORAL PROCESS: 7 / 12

A1. Was the current head of government or other chief national authority elected through free and fair elections? 2 / 4

The prime minister serves as head of government and the president serves as head of state. Under constitutional changes approved in 2017, the president elected in 2018 is to serve a six-year term, after which a 300-member electoral college comprising national lawmakers and regional and local officials will choose presidents.

In 2018, Salome Zourabichvili, a former foreign minister supported by the Georgian Dream (GD) party, won about 60 percent of the vote in the second round of the presidential election, defeating Grigol Vashadze, a former foreign minister running for the opposition United National Movement (UNM). While the electoral environment was largely peaceful, significant preelectoral issues and voter intimidation on election day marred the quality of the runoff. Abuse of administrative resources and limited instances of vote buying and ballot-box stuffing were reported. GD activists created an intimidating atmosphere outside many voting stations. Just days before the runoff, a charitable foundation controlled by former prime minister Bidzina Ivanishvili, then the GD chairman, promised to write off the debts of about one in six eligible voters.

In 2022, the International Society for Fair Elections And Democracy (ISFED) and the Georgian branch of Transparency International (TI), citing documents provided by the former deputy director of the State Security Service of Georgia, accused GD of illegal offering pardons and improperly pressuring state employees to the degree that it may have influenced the outcome of the 2018 presidential election and the 2020 parliamentary elections.

The president formally appoints the prime minister, whom Parliament nominates. Giorgi Gakharia, the prime minister since late 2019, resigned in February 2021, objecting to the arrest of UNM leader Nika Melia. Gakharia was succeeded by defense minister and former prime minister Irakli Gharibashvili.

A2. Were the current national legislative representatives elected through free and fair elections? 2 / 4

The unicameral Parliament is composed of 150 members, with 120 selected through nationwide proportional representation and 30 directly elected in single-member districts. This system was introduced in 2020; previously, nearly half of lawmakers were elected in single-member districts. All members serve four-year terms.

In the October 2020 parliamentary elections and November runoffs, GD won 90 seats, including all 30 single-member district seats. The UNM-led coalition won 36 seats, all via proportional representation, and 7 smaller groups won the remaining seats. Opposition parties boycotted the runoff, and voter turnout for that election round stood at 26 percent, the lowest recorded since independence. Opposition members who were elected declined to take their

seats until an agreement between the government and opposition was brokered with the support of European Council (EC) president Charles Michel in April 2021. GD withdrew from the agreement in July 2021, however. By the end of 2022 most politicians had taken their seats.

Election observers including the Organization for Security and Co-operation in Europe (OSCE) considered the October 2020 vote competitive but noted numerous shortcomings, including ruling-party dominance in election commissions; voting stations crowded by party-affiliated observer groups, mostly linked to GD; campaign-finance rules that disadvantaged new and small parties; and highly polarized and nonanalytic media coverage. Additional claims of electoral malpractice benefitting the GD in the 2020 elections emerged in 2022 via a leak of documents from the former deputy director of the State Security Service.

A3. Are the electoral laws and framework fair, and are they implemented impartially by the relevant election management bodies? 3 / 4

The country's electoral laws are generally fair, and the bodies that implement them have typically done so impartially. However, GD's dominance in precinct-level commissions has complicated complaints procedures, and short timelines for filing complaints impair election quality.

New candidates for the Central Election Commission (CEC) were presented to parliament in August 2022, but at year's end lawmakers had failed to vote on their candidacy, in violation of legally defined timeframes.

B. POLITICAL PLURALISM AND PARTICIPATION: 8 / 16

B1. Do the people have the right to organize in different political parties or other competitive political groupings of their choice, and is the system free of undue obstacles to the rise and fall of these competing parties or groupings? 2 / 4

While Georgia hosts a dynamic multiparty system, opposition parties can face barriers to political competition, including legal and other harassment.

In 2019, the bankers Mamuka Khazaradze and Badri Japaridze were charged with money laundering two weeks after Khazaradze stated his intention to form a political party. (The party won four seats in the 2020 parliamentary elections.) The pair were convicted of fraud in January 2022 and handed seven-year prison sentences. However, a court commuted the sentences, saying the statute of limitations for fraud had expired.

B2. Is there a realistic opportunity for the opposition to increase its support or gain power through elections? 2 / 4

Georgia last underwent a transfer of power between rival groups in 2012–13, when GD defeated the UNM in parliamentary and presidential elections. A faction of the UNM split off in 2017, leaving smaller parties that are less capable of mounting a credible challenge.

Voter intimidation and vote-buying activities inhibit the ability of opposition parties to gain power via elections. Opposition parties and members experienced significant intimidation and harassment in 2021. UNM leader Melia was arrested in February 2021 on charges related to antigovernment protests held in 2019, though he was released from pretrial detention in May. In September 2022, the television channel Pirveli, which is critical of the government, leaked documents its journalists said showed surveillance activity by the State Security Service of Georgia (SSG) against the UNM and other opposition parties.

B3. Are the people's political choices free from domination by forces that are external to the political sphere, or by political forces that employ extrapolitical means? 2 / 4

Recent elections have featured allegations of various forms of vote buying and intimidation, including pressure on public employees and recipients of social benefits to support the ruling party. Wealthy unelected figures such as GD founder Bidzina Ivanishvili exert significant political influence.

B4. Do various segments of the population (including ethnic, racial, religious, gender, LGBT+, and other relevant groups) have full political rights and electoral opportunities? 2 / 4

No laws prevent women or members of ethnic and religious minority groups from participating in politics. Electoral reforms introduced in 2020 included a gender quota for the proportional-representation component of parliamentary elections; at least one in every four candidates on a party's list must be a woman. Nevertheless, women remain underrepresented at all levels of government. Although a woman became president in 2018, women won only 31 seats in the 2020 parliamentary elections.

Ethnic minority groups make up an estimated 13 percent of the population, with ethnic Armenians and Azerbaijanis forming the largest communities. However, few parliamentarians are members of ethnic minority groups.

C. FUNCTIONING OF GOVERNMENT: 7 / 12

C1. Do the freely elected head of government and national legislative representatives determine the policies of the government? 2 / 4

The ability of elected officials to determine and implement government policy has been impaired by the informal role of so-called oligarchs, including Ivanishvili, who has exerted significant influence over decision-making since leaving office.

C2. Are safeguards against official corruption strong and effective? 2 / 4

Corruption persists in form of nepotism and cronyism in government hiring and procurement. The lack of independence among law enforcement bodies and the judiciary impedes the effective application of anticorruption laws. Successful cases against high-ranking officials and those close to them remain rare. The State Inspector's Service, a key body responsible for investigating official corruption, was disbanded in late 2021, with the initiative launched in the parliament as its outspoken leader was on maternity leave. An anticorruption body proposed in parliament in 2022 by GD was criticized by the opposition and good-governance groups over appointment procedures that failed to guarantee independence from the ruling party.

C3. Does the government operate with openness and transparency? 3 / 4

Government operations are generally subject to scrutiny by auditing bodies, the media, nongovernmental organizations (NGOs), and the public. However, access to public information remains uneven. While public officials declare assets, the Georgia chapter of Transparency International warned in 2020 that the monitoring of such declarations is inconsistent and does not focus on conflicts of interest or potential corruption.

CIVIL LIBERTIES: 36 / 60

D. FREEDOM OF EXPRESSION AND BELIEF: 9 / 16

D1. Are there free and independent media? 2 / 4

The media environment is pluralistic but highly partisan. Although free expression is broadly allowed, the government is often aggressive toward critical journalists, and has pressured unfriendly media outlets.

Formula TV faces a potential government takeover, as its partial owner and former defense minister Davit Kezerashvili has been sued for reparations to the Ministry of Defense over alleged corruption. In May 2022, Nika Gvaramia, head of the opposition television channel Mtavari Arkhi (Main Channel), was imprisoned on charges of abusing his position while working at Rustavi 2 TV station. The charges were widely viewed as politically motivated. Earlier, in January, the father of the founder of Pirveli TV was convicted of money laundering, in a case generally viewed as motivated by material on his son's television station. There continue to be reports of officials denying access to journalists critical of government.

The Ministry of Culture has increasingly been involved in efforts to suppress cultural expression. In 2022, the culture minister was accused of purging cultural institutions of employees for their views, with courts finding in favor of employees in wrongful dismissal lawsuits. The Georgian Film Academy decided not to show a film critical of Ivanishvili, a decision widely believed to be the result of pressure from the ministry.

D2. Are individuals free to practice and express their religious faith or nonbelief in public and private? 2 / 4

The constitution guarantees freedom of religion but grants unique privileges to the Georgian Orthodox Church. Georgia's religious minorities—among them Jehovah's Witnesses and Muslims—have reported discrimination and hostility, including from Georgian Orthodox priests and adherents.

The State Security Service of Georgia surveilled members of the clergy, according to August 2021 press reports, with agents reportedly tracking their communications with journalists and diplomats as well as their personal activities.

D3. Is there academic freedom, and is the educational system free from extensive political indoctrination? 3 / 4

Academic freedom is generally respected. However, school principals and teachers regularly face pressure to campaign for the ruling party during elections. Several institutions associated with the Turkish Islamic preacher Fethullah Gülen have faced official pressure or even closure in recent years. (The Turkish government blames Gülen's movement for a 2016 coup attempt in Turkey.)

D4. Are individuals free to express their personal views on political or other sensitive topics without fear of surveillance or retribution? 2 / 4

Georgians generally enjoy freedom of expression, including in their online communications. However, watchdog groups have expressed concerns that state agencies can conduct surveillance and data collection without adequate oversight. In 2022, the powers of security services to engage in surveillance expanded, while checks on surveillance weakened under provisions of a controversial surveillance law.

In August 2021, the State Security Service was revealed to have engaged in widespread surveillance of public figures, including journalists, activists, clergy members, and politicians. Multiple individuals confirmed the authenticity of their conversations after they were leaked.

E. ASSOCIATIONAL AND ORGANIZATIONAL RIGHTS: 7 / 12

E1. Is there freedom of assembly? 2 / 4

Freedom of assembly is upheld unevenly, with police sometimes responding to demonstrations with excessive force. In 2022, there were large-scale rallies in favor of Georgia's EU membership bid, and against the authorities for their failure to secure EU candidate status.

LGBT+ groups' right to assembly is rarely protected. In July 2021, anti-LGBT+ rioters met little resistance from police when they broke into the offices of Tbilisi Pride, destroying property and attacking journalists. The Pride rally did not take place in 2022.

E2. Is there freedom for nongovernmental organizations, particularly those that are engaged in human rights– and governance-related work? 3 / 4

Civil society is fairly robust. Some groups are included in policy discussions, though others face political pressure including criticism and exclusion from policy dialogue. In December 2022, several parliamentarians proposed a "foreign agents" law that would place extra scrutiny on some civil society groups. In 2021, civil society advocates were revealed to be targets of state surveillance.

In 2022, the Georgian government established parliamentary groups to work on reforms necessary for EU candidacy status, but civil society groups were excluded from these processes.

E3. Is there freedom for trade unions and similar professional or labor organizations? 2 / 4

Workers are legally allowed to organize, bargain collectively, and strike, though there are some restrictions on the right to strike, including a ban on strikes by certain categories of workers. Legal protections against antiunion discrimination by employers are weak and poorly enforced in practice.

F. RULE OF LAW: 8 / 16

F1. Is there an independent judiciary? 2 / 4

Despite ongoing judicial reforms, executive and legislative interference in the courts remains a substantial problem, as does a lack of transparency and professionalism surrounding judicial proceedings.

The High Council of Justice nominates Supreme Court judges; whom Parliament then approves. A judicial self-governing body elects most council members. Over the past five years, Supreme Court nominations have featured criticism of opaque processes and allegations of unqualified nominees, and consequent boycotts of confirmation votes by opposition lawmakers. In 2022, two judges considered close to the ruling party were elected to the High Council of Justice, following the sudden resignations of two other members. Their election was criticized by opposition parties as reflecting further capture of the judiciary by a small number of influential judges.

F2. Does due process prevail in civil and criminal matters? 2 / 4

The law guarantees due process, but associated safeguards are not always respected. The ombudsman's office has reported a failure to fully implement Constitutional Court rulings on due process matters, administrative delays in court proceedings, the violation of the accused's right to a presumption of innocence, failure to observe rules surrounding detention and interrogation, and the denial of access to a lawyer upon arrest. Multiple government opponents have faced prosecutions in recent years that were widely seen as selective or politically motivated.

Former president Mikheil Saakashvili, who had been convicted of abuse of power in absentia in 2018, was arrested by Georgian authorities upon his return to Georgia in October 2021. Saakashvili was prohibited from attending several hearings related to new charges in 2021 and 2022.

F3. Is there protection from the illegitimate use of physical force and freedom from war and insurgencies? 2 / 4

Human rights watchdogs and the ombudsman have expressed concern about the physical abuse of detainees during arrest and in police custody, and have noted the lack of an independent system for supervising police conduct and addressing claims of mistreatment. Violence and harsh conditions in prisons remain problems.

A 2018 law established the State Inspector's Service (SIS), which was tasked with investigating police abuses. In December 2021, the government passed legislation to replace the SIS with two entities, which the state inspector described as "punishment of the service for its independence."

Former president Saakashvili faced apparent mistreatment after his October 2021 arrest. Not long after he was detained, the State Penitentiary Service (SPS) released footage of Saakashvili being physically dragged into a prison hospital, apparently against his will.

F4. Do laws, policies, and practices guarantee equal treatment of various segments of the population? 2 / 4

A 2014 law provides protection against discrimination based on various factors, including race, gender, age, sexual orientation, and gender identity, but it is enforced unevenly. Women and people with disabilities frequently experience employment discrimination.

LGBT+ people face societal discrimination and have been targets of serious violence. Transgender people receive little protection, and prosecutors rarely designate crimes against transgender people or other minorities as hate crimes, despite evidence supporting such designations.

G. PERSONAL AUTONOMY AND INDIVIDUAL RIGHTS: 12 / 16

G1. Do individuals enjoy freedom of movement, including the ability to change their place of residence, employment, or education? 4 / 4

There are ongoing restrictions on travel to and from the separatist territories of Abkhazia and South Ossetia, and individuals who approach their de facto borders can face detention, generally for short periods. Georgians are otherwise free to travel and change their place of residence, employment, and education without undue interference.

G2. Are individuals able to exercise the right to own property and establish private businesses without undue interference from state or nonstate actors? 3 / 4

The legal framework and government policies are generally supportive of private business activity. However, protection for property rights remains weak, and deficiencies in judicial independence and government transparency hamper economic freedom.

G3. Do individuals enjoy personal social freedoms, including choice of marriage partner and size of family, protection from domestic violence, and control over appearance? 3 / 4

Personal social freedoms are generally respected. However, constitutional changes approved in 2017 define marriage as "a union between a man and a woman for the purpose of creating a family." There is no law allowing civil unions for same-sex couples.

Domestic violence remains a problem in Georgia, and the response from police is often inadequate, though changing societal attitudes have contributed to more frequent

reporting and some improvements in enforcement in recent years. Spousal rape is not specifically criminalized.

G4. Do individuals enjoy equality of opportunity and freedom from economic exploitation? 2 / 4

Unsafe conditions and inadequate legal protections for workers continue to contribute to a high rate of workplace deaths and injuries. In 2020, Parliament passed a labor reform law that introduced new rules for overtime, shift breaks, and other working conditions, while strengthening the labor inspector's office.

Georgia is a source, destination, and transit country for human trafficking linked to sexual exploitation and forced labor. Displaced people from Abkhazia and South Ossetia are among the populations most vulnerable to trafficking. However, according to the US State Department's *Trafficking in Persons Report 2022*, the government has continued its enforcement efforts and improved its performance on victim assistance.

Germany

Population: 83,300,000
Capital: Berlin
Freedom Status: Free
Electoral Democracy: Yes

Overview: Germany is a representative democracy with a vibrant political culture and civil society. Political rights and civil liberties are largely assured in law and practice. The political system is influenced by the country's totalitarian past, with constitutional safeguards designed to prevent authoritarian rule. Although Germany has generally been stable since the mid-20th century, political tensions have grown in recent years following a sharp increase in the number of asylum seekers in the country, and the growing popularity of right-wing populist movements.

KEY DEVELOPMENTS IN 2022

- Following the Russian military invasion of Ukraine in February, more than one million Ukrainian refugees and asylum seekers entered Germany.
- In December, German security services conducted raids in more than 150 locations across the country and arrested 25 people affiliated with the so-called Reichsbürger (Citizens of the Reich) movement, a far-right terrorist group accused of plotting to violently overthrow the government. Investigations into the movement remained ongoing at year's end.
- Investigations into the so-called Cum-Ex tax fraud scandal—a years-long scheme in which participants fraudulently obtained tax rebates, resulting in the theft of at least 10 billion euros ($10.7 billion) from the state—continued throughout the year. In August, Chancellor Olaf Scholz was questioned by members of Hamburg's state parliament over allegations that he was involved in the scandal while mayor of Hamburg in 2016–17; Scholz has denied any wrongdoing.

POLITICAL RIGHTS: 39 / 40

A. ELECTORAL PROCESS: 12 / 12

A1. Was the current head of government or other chief national authority elected through free and fair elections? 4 / 4

Germany's head of state is a largely ceremonial president, elected by the Federal Convention, a body formed jointly by the Bundestag (Federal Parliament) and state representatives. The president can serve up to two five-year terms. Former foreign minister Frank-Walter Steinmeier was reelected for a second term in February 2022.

The federal chancellor—the head of government—is elected by the Bundestag and serves for the duration of a legislative term, unless the Bundestag votes to elect a replacement in a "constructive vote of no confidence." Incumbent chancellor Olaf Scholz was elected by the Bundestag following free and fair federal elections in 2021. Scholz, of the center-left Social Democratic Party (SPD), leads a coalition government composed of three parties: the SPD, the Green Party, and the liberal Free Democratic Party (FDP).

A2. Were the current national legislative representatives elected through free and fair elections? 4 / 4

The parliament includes a lower house (Bundestag), and an upper house, the 69-seat Federal Council (Bundesrat), which represents the country's 16 federal states. The Bundestag is elected at least every four years through a mixture of proportional representation and single-member districts. The 2021 elections were competitive and deemed free and fair by local and international election monitors.

In the 2021 elections, the SPD won 206 seats, gaining a narrow majority over the center-right Christian Democratic Union (CDU) and its Bavarian sister party, the Christian Social Union (CSU). The CDU–CSU won 196 seats—a nearly 9 percent decline from the 2017 elections, and the party's worst result since 1949. The Greens won a record 118 seats, and the FDP won 92; following the elections, both parties entered a coalition government with the SPD. The right-wing populist Alternative for Germany (AfD) took 83 seats, and the far-left party the Left, widely viewed as a successor to the East German communists, took 39. One representative from the Danish minority party South Schleswig Voters' Committee (SSW) also entered the Bundestag.

In Germany's federal system, state governments have authority over matters such as education, policing, taxation, and spending. State governments appoint Bundesrat members, and in this manner can influence national policies.

A3. Are the electoral laws and framework fair, and are they implemented impartially by the relevant election management bodies? 4 / 4

Germany's electoral laws and framework are fair and impartial. German voters cast two ballots—one for a candidate in their constituency and another for a party, with the latter vote determining the seat share a party receives in the Bundestag. If a party wins more seats in the first vote than are permitted by results of the second, it gets to keep these "overhang seats"—yet to avoid distorting the results of the second vote, all other parties receive "balance seats." With 736 lower-house members, Germany has the world's second-largest national parliament, after China.

To curtail the increasing size of the Bundestag, its members voted to adopt a two-step electoral reform in October 2020. The first step took effect ahead of the 2021 elections and includes a requirement that one party must gain more than three overhang seats for balance seats to be allocated to the other parties. The second step will reduce the number of constituencies, lowering the number of candidates able to win overhang seats in future elections.

B. POLITICAL PLURALISM AND PARTICIPATION: 15 / 16

B1. Do the people have the right to organize in different political parties or other competitive political groupings of their choice, and is the system free of undue obstacles to the rise and fall of these competing parties or groupings? 4 / 4

While the CDU–CSU and SPD have historically dominated German politics, other parties have increased their support in recent years. Parties do not face undue restrictions on registration or operation. 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 vote or win at least three constituency seats directly to gain representation in the parliament. The constitution makes it possible to ban political parties, although a party must be judged to pose a threat to democracy for a ban to be legal, and no party has been successfully banned since 1956.

Support for the AfD has risen in recent years as the party has moved further to the radical right. In 2022, the AfD held seats in the European Parliament, Bundestag, and all state parliaments with the exception of Schleswig-Holstein. While its popularity has shaken the German political system, most parties oppose the AfD and eschew coalitions that include it.

B2. Is there a realistic opportunity for the opposition to increase its support or gain power through elections? 4 / 4

Opposition parties in Germany have a realistic opportunity to increase their support and gain power through elections.

B3. Are the people's political choices free from domination by forces that are external to the political sphere, or by political forces that employ extrapolitical means? 4 / 4

The German government is democratically accountable to the voters, who are free to throw their support behind their preferred candidates and parties without undue influence.

B4. Do various segments of the population (including ethnic, racial, religious, gender, LGBT+, and other relevant groups) have full political rights and electoral opportunities? 3 / 4

The constitution gives all citizens age 18 or older the right to vote, to stand for election, and to hold public office. However, some groups are politically underrepresented. Women hold only 34 percent of Bundestag seats. Some 11 percent of Bundestag members are from immigrant backgrounds, having at least one parent born without German citizenship.

Naturalization rates are low, leading to large numbers of long-term residents who cannot vote in federal elections. About 8.7 million foreign-born permanent residents were unable to vote in the 2021 federal elections, due in part to restrictive citizenship and voting laws.

C. FUNCTIONING OF GOVERNMENT: 12 / 12

C1. Do the freely elected head of government and national legislative representatives determine the policies of the government? 4 / 4

Democratically elected representatives decide and implement policy without undue interference.

C2. Are safeguards against official corruption strong and effective? 4 / 4

While Germany generally maintains strong and effective corruption safeguards, the Council of Europe's Group of States against Corruption (GRECO) has criticized the country for its opaque party-financing regime and for a lack of lobbying regulations. To increase transparency, the former SPD and CDU–CSU coalition government introduced a lobby registry in 2021; the registry entered into effect in January 2022, requiring individuals representing interest groups to register before contacting officials in the federal government.

The June 2020 collapse of payment processing firm Wirecard brought scrutiny on the German financial regulatory system. Wirecard filed for bankruptcy after its accounting firm refused to sign off on financial statements over evidence of fraud. Wirecard chief executive Markus Braun was arrested on fraud and embezzlement charges in 2020; Braun's trial began in December, and was ongoing at year's end.

Investigations into the so-called Cum-Ex scandal—a share-lending scheme in which participants fraudulently obtained tax rebates, resulting in the theft of at least 10 billion euros ($10.7 billion) from the state between 2001 and 2016—continued in 2022. In December, Hanno Berger, a former tax official considered one of the leading figures in the scandal, was convicted on three counts of tax evasion and sentenced to eight years in prison by a state court in Bonn. Chancellor Scholz has also been accused of having ties to the scandal. In August, Scholz appeared before a parliamentary committee in Hamburg to answer questions about allegations that, while mayor of Hamburg in 2016–17, he colluded with the owners of a large bank in the city to help them avoid paying back approximately 47 million euros ($48 million) in refunded taxes. Scholz has denied any wrongdoing.

Germany is obligated to enhance legal protections for whistleblowers under an EU directive issued in 2019. The Bundestag passed the German Whistleblower Protection Act in December 2022; the bill remained awaiting consideration by the Bundesrat at year's end.

In August, the government announced a range of new initiatives intended to combat the relatively high levels of financial crime in Germany, including the creation of a new federal financial crime agency.

C3. Does the government operate with openness and transparency? 4 / 4

The government is held accountable for its performance through open parliamentary debates. In 2018, the government introduced question time, in which the chancellor answers questions from the parliament three times per year. However, transparency is limited by an overburdened bureaucracy and inconsistent state-level standards.

CIVIL LIBERTIES: 55 / 60

D. FREEDOM OF EXPRESSION AND BELIEF: 14 / 16

D1. Are there free and independent media? 4 / 4

Freedom of expression is enshrined in the constitution, and the media are largely free and independent. Hate speech, such as racist agitation or antisemitism, is punishable by law. It is illegal to advocate for Nazism, deny the Holocaust, or glorify the ideology of Hitler.

Journalists sometimes face harassment and abuse, especially via social media, as well as physical attacks when reporting on right-wing demonstrations. Such attacks were common in 2021 and 2022, especially against journalists reporting on far-right *Querdenken* (Lateral Thinking) demonstrations against COVID-19 restrictions.

While press freedom in Germany remains robust, it has faced obstacles in recent years, including decreasing media pluralism. The privacy of communications between journalists and their sources has been affected by surveillance provisions in the Federal Intelligence Service (BND) Act, ruled unconstitutional in 2020. Though a revised bill was passed by the Bundestag and Bundesrat in March 2021, Reporters Without Borders (RSF) says the bill still offers insufficient protections for journalists.

D2. Are individuals free to practice and express their religious faith or nonbelief in public and private? 3 / 4

Freedom of belief is legally protected. However, eight states have passed laws prohibiting schoolteachers from wearing headscarves, while Berlin and the state of Hesse have adopted legislation banning headscarves for civil servants.

Antisemitism in Germany has been on the rise in recent years. The federal Ministry of the Interior recorded more than 3,000 criminal offenses against Jewish individuals and organizations in 2021, though the number of unreported cases was likely many times higher. Querdenken protesters regularly invoke antisemitic conspiracy theories.

Islamophobia also remains a concern. German police recorded at least 662 politically motivated attacks against Muslim individuals and institutions in 2021.

D3. Is there academic freedom, and is the educational system free from extensive political indoctrination? 4 / 4

Academic freedom is generally respected, though legal prohibitions on extremist speech are enforceable in educational settings.

In late 2020, university employees—disadvantaged by a newly adopted 12-year time limit on fixed-term contracts—launched a grassroots initiative (#IchBinHanna) seeking a solution to precarious working conditions in academia. In 2021, the topic was taken up for discussion in the Bundestag, and in late 2022, the Bundestag's Committee on Education, Research, and Technology announced that reforms to the 2007 Science Time Contract Act, which regulates fixed-term employment in academia, were being drafted; the law had not been amended as of year's end.

D4. Are individuals free to express their personal views on political or other sensitive topics without fear of surveillance or retribution? 3 / 4

Private discussion and internet access are generally unrestricted, but recent developments have prompted concern about government surveillance.

In June 2021, the government passed new legislation allowing the federal police and intelligence services to use spyware to surveil encrypted online messaging services like WhatsApp. Critics have called the legislation unconstitutional, and several German media rights organizations have filed lawsuits asking the courts to prevent the intelligence services from secretly surveilling the private communications of individuals who are not suspected of criminal activity. The Federal Constitutional Court (BVerfG) has repeatedly rejected such lawsuits. In April 2022, the BVerfG ruled that parts of a Bavarian law granting extensive surveillance powers to the domestic intelligence services in that state were unconstitutional in their scope. Though no changes had been enacted by year's end, the ruling will require the government to undertake reforms of similar laws nationwide.

Watchdogs continue to express concern about a controversial 2015 data-retention law that requires telecommunication companies to store users' telephone and internet data for 10 weeks. Critics view the law as a threat to general privacy and to whistleblowers, who could be punished under a section detailing illegal data handling. The law was later suspended and found to be incompatible with EU law by German courts; the European Court of Justice (ECJ) also found the law to be in violation of EU law in September 2022. Following the ECJ ruling, the government pledged to abolish the current data-retention law, though no action had been taken by year's end.

E. ASSOCIATIONAL AND ORGANIZATIONAL RIGHTS: 12 / 12

E1. Is there freedom of assembly? 4 / 4

The right to peaceful assembly is enshrined in the constitution and is generally respected in practice, except in the case of outlawed groups, such as those advocating Nazism or opposing democratic order.

Several large protests took place in Germany during 2022, including widespread demonstrations against rising energy prices, growing inflation, and cost of living increases.

Additionally, large demonstrations against COVID-19 measures, which have been held regularly since 2020, continued in 2022. Some of these demonstrations have turned violent; since mid-2020, far-right Querdenken protesters have assaulted several journalists and repeatedly clashed with police and counterprotesters.

E2. Is there freedom for nongovernmental organizations, particularly those that are engaged in human rights– and governance-related work? 4 / 4

Germany has a vibrant sphere of nongovernmental organizations (NGOs), which operate freely. In December 2020, the parliament passed a revised tax law that explicitly allowed more NGOs operating in areas including climate change and LGBT+ issues to claim tax-exempt status.

E3. Is there freedom for trade unions and similar professional or labor organizations? 4 / 4

Trade unions, farmers' groups, and business confederations are generally free to organize, and play an important role in shaping Germany's economic model.

F. RULE OF LAW: 14 / 16

F1. Is there an independent judiciary? 4 / 4

The judiciary is independent, and generally enforces the rights provided by Germany's laws and constitution.

F2. Does due process prevail in civil and criminal matters? 4 / 4

The rule of law prevails in Germany. Civil and criminal matters are treated according to legal provisions and with due process. However, under "preventive detention" practices, those convicted of certain violent crimes can be detained after serving their full sentence if they are deemed to pose a danger to the public.

In 2019, the ECJ ruled that German prosecutors were not allowed to issue European arrest warrants because of their dependence on state-level justice ministers. In 2021, the Federal Ministry of Justice and Consumer Protection (BMJV) proposed a draft law that would strengthen the independence of public prosecutors; as of late 2022, the law had not been passed.

The professionalism of law-enforcement officers has come into question following the 2018 discovery of a neo-Nazi network within the Frankfurt police. Since then, police in several cities and states have been accused of espousing extremist and discriminatory sentiments. An investigation into the issue was launched by the federal Ministry of the Interior in October 2020; a May 2022 report noted that investigators uncovered more than 325 cases of far-right extremist activity within Germany's security forces between July 2018 and July 2021.

F3. Is there protection from the illegitimate use of physical force and freedom from war and insurgencies? 3 / 4

Politically motivated crimes against public officials and politicians have increased in recent years. The political establishment was notably shaken by the 2019 murder of Hesse politician Walter Lübcke at the hands of a far-right extremist. In 2021, the Federal Criminal Police Office (BKA) registered 3,889 politically motivated violent crimes, compared to 3,365 in 2020.

Attacks on refugees and refugee housing continued to decline from a peak of 3,500 in 2016. According to the Ministry of the Interior, authorities recorded a total of 711 such crimes between January and September 2022, compared to 965 attacks during the same period in 2021.

In December 2022, German security services conducted raids in more than 150 locations across the country and arrested 25 people affiliated with the so-called Reichsbürger (Citizens of the Reich) movement, a far-right terrorist group accused of plotting to violently overthrow the government. Investigations into the movement remained ongoing at year's end.

F4. Do laws, policies, and practices guarantee equal treatment of various segments of the population? 3 / 4

The constitution guarantees equality and prohibits discrimination based on origin, gender, religion or belief, disability, age, or sexual orientation. However, several obstacles stand in the way of equal treatment of all segments of the population. Race-based discrimination is commonplace, including continued discrimination against Roma and Sinti people.

Women's rights are protected under antidiscrimination laws. However, women face a gender-based pay gap—earning on average 18 percent less per hour than men as of 2021—while men are likelier to hold full-time employment. The differences were significantly higher in West Germany than in East Germany. A law requiring large German companies to reserve at least 30 percent of nonexecutive-board seats for women took effect in 2016, but this law affects a limited number of companies. A similar law went into effect in August 2021, requiring the executive boards of stock market–listed companies to include at least one woman; additionally, if the federal government holds majority ownership of a company, 30 percent of that company's board seats must be reserved for women.

More than one million Ukrainian refugees entered Germany following the Russian military invasion of Ukraine in February 2022. Refugees and asylum seekers are eligible to receive government services, though in practice such services, including housing and employment support, can be difficult to access. Societal discrimination against migrants, refugees, and asylum seekers is common.

New legal guidelines governing blood donation were enacted in 2021, lifting some of the regulations that had previously prevented gay and bisexual men from donating blood. However, LGBT+ activists say that the law still contains discriminatory restrictions. In June 2022, the government announced plans to introduce a new "self-determination law" that would ease regulations restricting the ability of individuals to change their legal name and gender; however, the reforms had not been passed by year's end.

In September 2022, a transgender man died after being violently assaulted during an LGBT+ event in Münster.

G. PERSONAL AUTONOMY AND INDIVIDUAL RIGHTS: 15 / 16

G1. Do individuals enjoy freedom of movement, including the ability to change their place of residence, employment, or education? 4 / 4

Freedom of movement is legally protected and generally respected, although the refugee crisis and security concerns related to activity by the Islamic State (IS) militant group have led to some restrictions on travel. In 2015, the government introduced legislation allowing the confiscation of identity documents from German citizens suspected of terrorism to prevent them from traveling abroad, particularly to Iraq and Syria.

COVID-19-related restrictions on movement, including the imposition of lockdowns and curfews and restrictions on entry into Germany, were periodically introduced in several states throughout 2020 and 2021; nearly all such restrictions were lifted by June 2022.

G2. Are individuals able to exercise the right to own property and establish private businesses without undue interference from state or nonstate actors? 4 / 4

The rights to own property and engage in commercial activity are respected.

G3. Do individuals enjoy personal social freedoms, including choice of marriage partner and size of family, protection from domestic violence, and control over appearance? 4 / 4

The government generally does not restrict social freedoms.

Adoption and tax legislation passed in 2014 gave equal rights to same-sex couples in these areas. The government legalized same-sex marriage in 2017.

In June 2022, the Bundestag voted to abolish a Nazi-era law banning doctors from providing information on abortion services.

G4. Do individuals enjoy equality of opportunity and freedom from economic exploitation? 3 / 4

According to both the BKA and the US State Department's 2022 *Trafficking in Persons Report*, migrants from Eastern Europe, Africa, and Asia are persistently targeted for sex trafficking and forced labor, and ethnic Roma are notably vulnerable to sex trafficking and to other forms of sex work. Germany has seen an increase in prosecutions and convictions of suspected traffickers in recent years.

Ghana

Population: 33,500,000
Capital: Accra
Freedom Status: Free
Electoral Democracy: Yes

Overview: Since 1992, Ghana has held competitive multiparty elections and undergone peaceful transfers of power between the two main political parties, the National Democratic Congress (NDC) and the New Patriotic Party (NPP). Although the country has a relatively strong record of upholding political rights and civil liberties, discrimination against women and LGBT+ people persists. There are some weaknesses in judicial independence and the rule of law, corruption and public service delivery present challenges to government performance, political violence as well as illegal mining causing destruction to water bodies is a growing concern.

KEY DEVELOPMENTS IN 2022

- Throughout the year, youth groups and trade unions continued to stage series of peaceful demonstrations to protest the rising cost of living and the government's poor economic management. The police responded to violence that occurred during the protests with fatal force: in May the police shot a 19-year-old student bystander to protests in the Bono East Region. In June, police used tear gas and water cannon to disperse crowds at a protest and arrested 29 participants.
- In October, a group of governing NPP lawmakers openly demanded that the minister of finance and the minister of state be dismissed in order to restore public faith in the economy after several months of poor economic performance. The opposition NDC brought forward a vote to remove the finance minister from office, which ultimately failed.
- Throughout the year, there was a surge off physical attacks and death threats made against journalists, and the government was increasingly intolerant of dissent from reporters. A radio show host commonly known as "Captain Smart" was arrested

and detained by security forces for alleging that the president was involved in an illegal mining operation. In May, three individuals assaulted Eric Blessing Eshun and Emmanuel Egyirfah during their live radio broadcast, allegedly in retaliation for their coverage of the government's management of issues related to the country's fishing industry. Eshun was knocked unconscious during the attack, and the radio station was unable to broadcast for four days.

- The government continued to pursue its repression of LGBT+ rights advocates and people. In June, a billboard that promoted tolerance of the LGBT+ people was pulled down by Ghanian security after members of Parliament, who sponsored a 2021 bill that would further criminalize queer identities and the support of equal rights for LGBT+, demanded they do so.

POLITICAL RIGHTS: 35 / 40

A. ELECTORAL PROCESS: 12 / 12

A1. Was the current head of government or other chief national authority elected through free and fair elections? 4 / 4

The president, who serves as head of state and head of government, is directly elected for up to two four-year terms. President Nana Akufo-Addo of the New Patriotic Party (NPP) won a second term in the December 2020 presidential election with 51.3 percent of the vote, while his predecessor, John Mahama of the National Democratic Congress (NDC), took 47.3 percent. African Union (AU) and European Union (EU) observers called the contest well-organized and generally peaceful, though EU monitors criticized a lack of campaign finance regulation and a misuse of state resources. Mahama rejected the results, alleging fraud, and issued a legal challenge. In March 2021, the Supreme Court dismissed Mahama's petition, stating that it lacked merit.

The immediate postelection period was marred by violence, with the national police reporting at least five deaths in the days following the vote. NDC supporters protested in parts of Ghana after the vote, notably marching on the Electoral Commission (EC) headquarters in Accra.

A2. Were the current national legislative representatives elected through free and fair elections? 4 / 4

Members of the unicameral, 275-seat Parliament are elected directly in single-member constituencies to serve four-year terms.

The NPP, which held a majority in the previous parliament, and the NDC each won 137 seats in elections held concurrently with the 2020 presidential contest. One seat was won by an independent who agreed to support the NPP, giving that party a bare de facto majority. Monitors lauded the elections' overall conduct. Despite the NPP's majority, an NDC member was selected as speaker in January 2021.

A3. Are the electoral laws and framework fair, and are they implemented impartially by the relevant election management bodies? 4 / 4

Domestic and international observers consider the EC a capable manager of the electoral process. However, its composition has been the subject of political disagreement in the past; the NDC criticized what they claimed was the partisan appointment of Jean Mensa as its chairwoman in 2018, though civil society largely lauded the selection.

In general, electoral laws are enacted through broad consultations with parties and the legislature and are implemented fairly by the EC. While AU electoral observers lauded the registration process and the EC's overall performance during the 2020 elections, the EC

agreed to enact reforms, including the introduction of continuous voter registration. In August 2022, the EC announced that voters will be required to present a National Identification Card (GhanaCard) to register to vote in the upcoming 2024 elections, in order to prevent ineligible people from being able to vote. The change drew criticism from the NDC for potentially discouraging eligible voters.

B. POLITICAL PLURALISM AND PARTICIPATION: 13 / 16

B1. Do the people have the right to organize in different political parties or other competitive political groupings of their choice, and is the system free of undue obstacles to the rise and fall of these competing parties or groupings? 3 / 4

The constitution guarantees the right to form political parties, and this right is generally respected. However, in November 2022, the EC cancelled the registration certificates of 17 political parties for noncompliance with the Political Parties Act of 2000—the parties did not have national or regional offices, as required by law. Despite the guaranteed formation of political groupings, civil society groups have expressed concern about the rising involvement of partisan vigilante groups in inter- and intraparty disputes. In addition, candidates from smaller parties have expressed frustration with how difficult it is to compete with bigger parties due to increasing registration and filing fees.

In 2020, Mensa announced that presidential candidates' filing fees would double. Further, an NPP lawmaker introduced a bill that would allow Ghanaians with dual citizenship to hold public offices.

B2. Is there a realistic opportunity for the opposition to increase its support or gain power through elections? 4 / 4

There have been multiple peaceful transfers of power between the NPP and NDC, and parties in opposition have meaningful opportunities to increase their public support and win office. Mahama's defeat in the 2016 presidential race marked the first time since the 1992 reintroduction of multiparty politics that an incumbent stood for reelection and lost. Mahama's NDC maintains strong support as an opposition party.

B3. Are the people's political choices free from domination by forces that are external to the political sphere, or by political forces that employ extrapolitical means? 3 / 4

Ghanaians are generally free from undue interference with their political choices by powerful groups that are not democratically accountable. However, voters and candidates are threatened by vigilantism and politically motivated violence, despite the 2019 promulgation of the Vigilantism and Related Offences Act, which banned all political and other vigilante groups.

NPP and NDC supporters clashed at several voter registration sites in 2020—despite an agreement between the two parties to refrain from such activity—resulting in one death. Of the 12 violent incidents recorded during the December 2020 elections, including those that resulted in five deaths, in only 2 cases had perpetrators been held accountable by the end of 2022.

B4. Do various segments of the population (including ethnic, racial, religious, gender, LGBT+, and other relevant groups) have full political rights and electoral opportunities? 3 / 4

Ghanaian laws provide for equal participation in political life by the country's various cultural, religious, and ethnic groups. Women formally enjoy political equality but hold comparatively few leadership positions in practice. Women won 40 parliamentary seats in the December 2020 elections, a slight increase over the 2016 results and the largest share since the reintroduction of multiparty politics.

C. FUNCTIONING OF GOVERNMENT: 10 / 12

C1. Do the freely elected head of government and national legislative representatives determine the policies of the government? 4 / 4

Elected officials are generally free to set and implement government policy without improper influence from unelected entities. However, the Imposition of Restrictions Act (IRA), which was passed by Parliament and signed by Akufo-Addo in 2020 as the COVID-19 pandemic became a global crisis, limited Parliament's ability to revoke presidentially declared states of emergency. In March 2022, the president lifted many of the COVID-19 pandemic measures, easing border restrictions, face-mask regulations, and limits to public gatherings; requirements for coronavirus testing were also reduced.

In October 2022, a group of governing NPP lawmakers openly demanded that the minister of finance and the minister of state be dismissed to restore public faith in the economy after several months of poor economic performance. The opposition NDC brought forward a vote to remove the finance minister from office, which ultimately failed.

C2. Are safeguards against official corruption strong and effective? 3 / 4

Political corruption remains a problem despite active media coverage, fairly robust laws and institutions, and both government and nongovernmental antigraft initiatives. Legislation adopted in 2017 established the Office of the Special Prosecutor (OSP) as an additional institution to investigate political corruption.

Former attorney general Martin Amidu was appointed the first special prosecutor in 2018 but resigned in 2020, citing in part a lack of resources. In August 2021, Kissi Agyebeng, a lawyer and academic, was appointed as Amidu's successor, and nearly nine months later a governing board of the OSP was inaugurated. The OSP published information on the status of 75 cases (five of them high-profile) that it was investigating for potential corruption, including Eunice Jacqueline Buah Asomah-Hinneh, a member of the presidential advisory body, the Council of State. However, the office of the OSP has expressed doubts as to the integrity of the government's commitments to fighting corruption.

In October 2022, the Commission for Human Rights and Administrative Justice (CHRAJ) indicated that it was investigating 428 cases of public officials' failure to declare their assets as required by law between 2020 and 2022.

C3. Does the government operate with openness and transparency? 3 / 4

The government operates with relative transparency, though there are weaknesses in the legal framework. The Right to Information Act, which grants citizens the right to seek, access, and receive information from public as well as some private institutions, came into effect in 2020. In 2022, several media actors and stakeholders complained about barriers and impediments to accessing information in practice, including arbitrary fees that public bodies charged groups that had requested information.

CIVIL LIBERTIES: 45 / 60

D. FREEDOM OF EXPRESSION AND BELIEF: 14 / 16

D1. Are there free and independent media? 3 / 4

Freedom of the press is constitutionally guaranteed and generally respected in practice. Ghana has a diverse and vibrant media landscape that includes state-owned and privately owned television and radio stations as well as a number of independent newspapers and magazines. Online news media operate without government restrictions. Government agencies occasionally limit press freedom by harassing and arresting journalists, especially those reporting on politically sensitive issues.

However, in 2022 there was a surge of physical attacks and death threats against journalists, and the government was increasingly intolerant of dissent from reporters. A radio journalist, Oheneba Boamah Bennie, was sentenced by an Accra High Court for contempt of court and sentenced to 14 days in prison and a fine of approximately $400; another radio host, Kwabena Bobie Ansah, was arrested for publishing allegedly false news and for offensive conduct toward the first and second ladies of Ghana; another journalist, Sacut Amenga-Etego, was arrested and detained for illegally filming the premises of a High Court. A radio show host commonly known as "Captain Smart" was arrested and detained by the NIB for alleging that President Akufo-Addo was involved in an illegal mining operation.

Violence against journalists included several reported cases of reporters being attacked by supporters of the NPP. In May 2022, three individuals assaulted Eric Blessing Eshun and Emmanuel Egyirfah during their live radio broadcast allegedly in retaliation for their coverage of the government's management of issues related to the country's fishing industry. Eshun was knocked unconscious during the attack, and the radio station was unable to broadcast for four days.

D2. Are individuals free to practice and express their religious faith or nonbelief in public and private? 3 / 4

Religious freedom is constitutionally and legally protected, and the government largely upholds these protections in practice. However, public schools feature mandatory religious education courses drawing on Christianity and Islam, and Muslim students have allegedly been required to participate in Christian prayer sessions and church services in some publicly funded Christian schools.

D3. Is there academic freedom, and is the educational system free from extensive political indoctrination? 4 / 4

Academic freedom is legally guaranteed and generally upheld in practice.

D4. Are individuals free to express their personal views on political or other sensitive topics without fear of surveillance or retribution? 4 / 4

Private discussion is both free and vibrant. The government does not restrict individual expression on social media.

E. ASSOCIATIONAL AND ORGANIZATIONAL RIGHTS: 10 / 12

E1. Is there freedom of assembly? 3 / 4

The right to peaceful assembly is constitutionally guaranteed and generally respected. Permits are not required for meetings or demonstrations. Assemblies were temporarily restricted under the COVID-19 state of emergency and related regulations, which were eased in 2022.

Ghanaians sought to organize protests over economic and social concerns under the #FixTheCountry banner during 2021 but were impeded by the authorities. In May 2021, the Accra High Court granted an injunction against a proposed #FixTheCountry rally, though the Supreme Court overturned that decision in June. Later in June, 11 organizers protesting in front of the Accra High Court were arrested. Supporters of the #FixTheCountry movement faced violence throughout the year; in late June unidentified assailants killed protester Ibrahim Muhammed in the town of Ejura. Demonstrations the day after his death saw police and military personnel use live ammunition when people clashed with security forces, killing 2 people and injuring at least four others.

Throughout 2022, youth groups and trade unions continued to stage series of peaceful demonstrations to protest the rising cost of living and the government's poor economic management. The police responded to violence that occurred during the protests with fatal force: in May the police shot a 19-year-old student bystander to protests in the Bono East Region. In June, police used tear gas and water cannon to disperse crowds at a protest and arrested 29 protesters.

E2. Is there freedom for nongovernmental organizations, particularly those that are engaged in human rights– and governance-related work? 4 / 4

Nongovernmental organizations (NGOs) are generally able to operate freely and play an important role in ensuring government accountability and transparency.

E3. Is there freedom for trade unions and similar professional or labor organizations? 3 / 4

Under the constitution and 2003 labor laws, workers have the right to form and join trade unions. However, the government forbids or restricts organized labor action in several sectors, including fuel distribution and utilities, public transportation, and ports and harbor services.

F. RULE OF LAW: 10 / 16

F1. Is there an independent judiciary? 2 / 4

Judicial independence is constitutionally and legally enshrined. While the judiciary has demonstrated greater levels of impartiality in recent years, perception of corruption and bribery as well as delays in dispensing justice continue to pose challenges.

F2. Does due process prevail in civil and criminal matters? 3 / 4

Constitutional protections for due process and defendants' rights are mostly upheld. However, police have been known to accept bribes, make arbitrary arrests, and hold people without charge for longer than the legally permitted limit of 48 hours. The government is not obliged to provide the accused with legal counsel, and many people unable to afford lawyers are forced to represent themselves in court. In July 2022, President Akufo-Addo signed a bill to formally introduce plea bargaining for most criminal offences.

F3. Is there protection from the illegitimate use of physical force and freedom from war and insurgencies? 3 / 4

Prisons are overcrowded and conditions can be life threatening, though the prison service has attempted to reduce congestion and improve the treatment of inmates in recent years. While death penalty remains in the statutes, it has rarely been applied and no one has been executed or sentenced to death since 1993.

Communal and ethnic violence is known to occur in parts of Ghana. A protracted chieftaincy dispute in Bawku's upper east region was reignited in September 2022, which resulted in the death of at least three people.

F4. Do laws, policies, and practices guarantee equal treatment of various segments of the population? 2 / 4

Despite equal rights under the law, women face societal discrimination, especially in rural areas, where their opportunities for education and employment are limited. However, women's enrollment in universities has been increasing in recent years. People with disabilities face societal discrimination.

LGBT+ people face significant discrimination. Same-sex sexual activity remains criminalized, encouraging impunity for violence against and harassment of LGBT+ people. The NGO LGBT+ Rights Ghana, which opened the country's first LGBT+ community center in January 2021, faced significant opposition from political and religious figures as well as violent threats. The center was raided by security officers in February 2021 and was closed by police later that month.

A bill that would limit the rights of LGBT+ people was also considered by Parliament in 2021. In early August, Parliament held its first reading of the Promotion of Proper Human Sexual Rights and Ghanaian Family Values Bill, which would criminalize displays of affection and cross-dressing; also as a result of the law, those engaging in certain forms of LGBT+ advocacy could face prison sentences as long as 10 years. In June 2022, a billboard that promoted tolerance of the LGBT+ people was pulled down by Ghanian security forces who were ordered to do so by members of Parliament that sponsored the 2021 bill. The speaker of Parliament stated at a media briefing in November 2022 that a bill criminalizing open expressions of queer identity, as well as for supporting equal rights for LGBT+ people, would pass before the next general elections in 2024.

G. PERSONAL AUTONOMY AND INDIVIDUAL RIGHTS: 11 / 16

G1. Do individuals enjoy freedom of movement, including the ability to change their place of residence, employment, or education? 3 / 4

Freedom of movement is guaranteed by the constitution and is generally respected by the government. However, poorly developed road networks and banditry can make travel outside the capital and tourist areas difficult. Police have been known to set up illegal checkpoints to demand bribes from travelers. Bribery is also rife in the education sector. Authorities instituted movement restrictions during the COVID-19 pandemic, which were eased in 2022.

G2. Are individuals able to exercise the right to own property and establish private businesses without undue interference from state or nonstate actors? 3 / 4

Although the legal framework generally supports property ownership and private business activity, weaknesses in the rule of law, corruption, and an underregulated property rights system remain impediments. Bribery is a common practice when starting a business and registering property. More and more frequently in recent years, political elites and government officials have appropriated public land for themselves while in office. Reports from May 2022 found that a former general secretary of the ruling NPP and head of Ghana's Forestry Commission had appropriated forest reserve lands in his will to his family after his death.

G3. Do individuals enjoy personal social freedoms, including choice of marriage partner and size of family, protection from domestic violence, and control over appearance? 3 / 4

While personal social freedoms are upheld in many respects and among large segments of the population, domestic violence and rape are serious problems, and harmful traditional practices including female genital mutilation (FGM) and early or forced marriage persist in certain regions.

The government has worked to combat gender-based violence (GBV), including by expanding the police's domestic violence and victim support units and creating special GBV courts, though such services are reportedly under resourced.

G4. Do individuals enjoy equality of opportunity and freedom from economic exploitation? 2 / 4

Most workers are employed in the informal sector, limiting the effectiveness of legal and regulatory safeguards for working conditions. The exploitation of children in the

agricultural and mining sectors remains a problem. Similar abuses in the fishing industry have also been reported, especially in the region surrounding Lake Volta.

In its *Trafficking in Persons Report 2022*, the US State Department noted that the Ghanaian government increased the number of trafficking victims that had been identified and referred between 2021 (727) and 2020 (391). However, law enforcement efforts remained under resourced.

Greece

Population: 10,600,000
Capital: Athens
Freedom Status: Free
Electoral Democracy: Yes

Overview: Greece's parliamentary democracy features vigorous competition between political parties. Ongoing concerns include corruption, discrimination against immigrants and religious and ethnic minority groups, and poor conditions for irregular migrants and asylum seekers.

KEY DEVELOPMENTS IN 2022

- In July, the Supreme Court's Judicial Council unanimously decided to refer Dimitris Papangelopoulos, the former minister of justice of the SYRIZA-ANEL coalition government, to a special court for abuse of power and breach of duty. The Special Court convened in September to try Papangelopoulos for the charges, which are related to two interventions he made in the judiciary.
- The media reported that National Intelligence Service (EYP) officials were surveilling the phones of politicians, journalists, and military and police officials. Among those targeted was an opposition leader. The chief of EYP and the secretary general to the prime minister resigned over the scandal.

POLITICAL RIGHTS: 35 / 40 (−2)

A. ELECTORAL PROCESS: 12 / 12

A1. Was the current head of government or other chief national authority elected through free and fair elections? 4 / 4

The largely ceremonial president is elected by a parliamentary supermajority for a five-year term. The prime minister is chosen by the president and is usually the leader of the largest party in the parliament. Kyriakos Mitsotakis, head of the center-right party New Democracy (ND), took office as prime minister after the 2019 elections, replacing incumbent Alexis Tsipras of the Coalition of the Radical Left (SYRIZA). Katerina Sakellaropoulou, a longtime judicial official who had been nominated by ND but was also supported by SYRIZA and the center-left Movement for Change (PASOK–KINALI), was elected president in 2020.

A2. Were the current national legislative representatives elected through free and fair elections? 4 / 4

The 300 members of the unicameral Hellenic Parliament are elected to serve four-year terms through a mixture of 8 single-member constituencies, 48 multimember constituencies,

and a national constituency with 12 seats. Under the electoral law in effect for the 2019 elections, the party with the most votes received a 50-seat bonus, making it easier to form a governing majority.

In the 2019 elections, ND won a single-party majority of 158 seats. SYRIZA lost its leading position, falling to 86 seats, while KINAL won 22. Among smaller parties, the Communist Party of Greece (KKE) took 15, the right-wing Greek Solution took 10, and the left-wing European Realistic Disobedience Front (MeRA25) secured 9. The far-right Golden Dawn party failed to win representation.

A3. Are the electoral laws and framework fair, and are they implemented impartially by the relevant election management bodies? 4 / 4

The country generally has fair electoral laws and equal campaigning opportunities. A compulsory-voting system is not strongly enforced. If passed with a two-thirds supermajority, changes to electoral law are implemented for the following elections. If passed with a simple majority, they go into effect after the following elections. An electoral law passed by the SYRIZA-led government with a simple majority in 2016 abolished the 50-seat bonus awarded to the winning party and was set to take effect after the 2019 elections. In January 2020, the ND government secured passage of legislation that would restore a bonus system, awarding between 20 and 50 bonus seats to the leading party depending on its share of the national vote. The new law also passed with a simple majority, meaning it would take effect only after the next elections.

In 2019, the ND government passed a law expanding the voting rights of diaspora and overseas Greek citizens. Citizens living abroad can participate in elections by proving residency in Greece for a two-year period within the last 35 years.

B. POLITICAL PLURALISM AND PARTICIPATION: 15 / 16

B1. Do the people have the right to organize in different political parties or other competitive political groupings of their choice, and is the system free of undue obstacles to the rise and fall of these competing parties or groupings? 4 / 4

The political system features vigorous competition among a variety of parties. Six parties were represented in Parliament as of 2021, and many others competed in the 2019 elections but did not pass the 3 percent threshold for representation.

B2. Is there a realistic opportunity for the opposition to increase its support or gain power through elections? 4 / 4

Greece has established a strong pattern of democratic transfers of power between rival parties, with the Panhellenic Socialist Movement (PASOK) and ND alternating in government for most of the past four decades. In 2012, the Democratic Left (DIMAR) split off from the Synaspismós party and joined a coalition government with PASOK and ND. In 2015, the radical left party SYRIZA, which saw its power increase during the financial crisis, won the parliamentary election. Together with the far-right party Independent Greeks (ANEL), a splinter party of ND, SYRIZA created a coalition that regained power and formed a government in September 2015.

B3. Are the people's political choices free from domination by forces that are external to the political sphere, or by political forces that employ extrapolitical means? 4 / 4

No group or institution from outside the political system exerts undue influence over the choices of voters and candidates.

B4. Do various segments of the population (including ethnic, racial, religious, gender, LGBT+, and other relevant groups) have full political rights and electoral opportunities? 3 / 4

Greece's largest recognized minority population, the Muslim community of Thrace, has full political rights, and three members of the community won seats in the 2019 parliamentary elections. The authorities have rejected some ethnic groups' attempts to secure official recognition or to register associations with names referring to their ethnic identity, affecting their ability to organize and advocate for their political interests, though such associations are generally able to operate without legal recognition. Since 2010, documented immigrants have been allowed to vote in municipal elections.

Though there are no significant legal or practical barriers to women's political participation, women only hold a little more than a fifth of the seats in parliament and sexist and patriarchal attitudes dissuade their active participation. In January 2020, Katerina Sakellaropoulou became the first woman to be elected as president of Greece.

C. FUNCTIONING OF GOVERNMENT: 8 / 12 (−2)

C1. Do the freely elected head of government and national legislative representatives determine the policies of the government? 4 / 4

Greek elected officials generally set and implement government policies without undue interference, and the influence of international creditor institutions has receded over the past decade.

C2. Are safeguards against official corruption strong and effective? 2 / 4 (−1)

Corruption remains a problem in Greece, and institutions tasked with combating it have inadequate resources. Tax officials in past years have been implicated in tax evasion schemes, which seriously complicate the government's fiscal reform efforts. A new criminal code and a new code of criminal procedure, adopted in 2019, allow prison time for the bribery of politicians and are more broadly aligned with relevant international conventions. However, the Organization for Economic Co-operation and Development (OECD) expressed serious concerns that the main active bribery offense was converted from a felony to a misdemeanor.

In March 2021, a special committee was created to investigate accusations that former digital governance minister Nikos Pappas had received bribes and rigged a television licensing competition. That July, Parliament voted in favor of prosecuting Pappas through a special court in collaboration with the Judicial Council and the prosecutorial authority. After no clear evidence of bribery emerged in the pre-investigative committee, Pappas was only referred to the Supreme Court for breach of duty. In June 2022, the Supreme Court's Judicial Council referred Pappas to a special court for his handling of the television-license tender. The Special Court, which will examine the charges of dereliction of duty, is comprised of judges from the Supreme Court and the Council of State.

In mid-June 2022, former minister of justice of the SYRIZA-ANEL coalition government, Dimitris Papangelopoulos, was referred to the Supreme Court for a series of interventions he made in the judiciary while he was in office, but was only examined by the Supreme Court for two of them. In July 2022, the Supreme Court's Judicial Council unanimously decided to refer him to the Special Court for abuse of power and subsequent breach of duty. It is the fourth time since Greece's transition to democracy in 1974 that this Special Court has been activated. Papangelopoulos's trial started in September 2022.

The same special court also examined the former head of the corruption prosecutor's office, Eleni Touloupaki, for abuse of power related to her failure to send a report to Parliament for further investigation. The report was filed by PASOK members of parliament against the SYRIZA-ANEL government's health minister and his deputy, and pertained to

the Novartis case, in which 10 politicians were accused of receiving donations from the pharmaceutical company Novartis.

Score Change: The score declined from 3 to 2 because anticorruption laws have not been enforced and authorities have failed to fully prosecute several corrupt officials.

C3. Does the government operate with openness and transparency? 2 / 4 (−1)

Several laws and government programs are designed to ensure the transparency of official decisions and provide public access to information. Officials are required to make public declarations of their assets and income. Nonetheless, implementation of these transparency regulations is problematic.

The transparency of state procurement contracts remains a concern. Extraordinary conditions related to the COVID-19 pandemic paved the way for direct procurement of public works without a call for tenders. Despite these conditions no longer existing, procurement practices have not gone back to normal.

Gaps in transparency also exist with respect to public debtors. Though the state is obliged to publicize the names of debtors who owe the public sector over €150,000 ($163,000), the archive of tax and social security debtors has not been updated since 2019. In July 2022, its publication was postponed for another year.

Issues with surveillance also undermine transparency. In 2022, investigative news outlets reported that the National Intelligence Service (EYP) had wiretapped the mobile phones of journalists Stavros Malihoudis, Anastasios Telloglou, and Thanasis Koukakis, and that Koukakis's phone had also been infected by Predator spyware. In July, the National Transparency Authority (EAD)—created to tackle abuses of power—claimed it found no incriminating evidence against the government in its investigation. In August, EYP's director admitted to a closed session of the parliamentary Committee on Institutions and Transparency that the intelligence agency had carried out surveillance of Koukakis as a matter of national security.

Also in August, the Hellenic Authority for Communication Security and Privacy (ADAE) revealed that the mobile phone of Nikos Androulakis, leader of Greece's third largest political party and a member of the European Parliament, was wiretapped in 2021. While the government claimed that spying on Androulakis's phone was wrong but legal, the chief of EYP and the general secretary to the prime minister subsequently resigned. Despite pressure from opposition politicians and journalists to reveal the rationale for spying on Androulakis, the government did not offer a justification and argued that it was a matter of national security. In September, a parliamentary inquiry was opened, but only examined a small number of witnesses, despite the disagreement of opposition parties.

In November, a newspaper published the names of over 30 politicians, journalists, entrepreneurs, chief defense and police officials, along with their partners, who were targeted by surveillance.

Though the government introduced the Act of Legislative Content in August, it did not repeal a 2021 provision that prevents ADAE from retroactively informing targets about surveillance measures taken against them for reasons of National Security. In December 2022, parliament began considering a draft surveillance law that academics and human rights organizations argued lacks effective privacy and human rights safeguards.

Score Change: The score declined from 3 to 2 because authorities obscured information about improper government surveillance against politicians and journalists, destroyed material evidence, and blocked witnesses from testifying in a parliamentary inquiry.

CIVIL LIBERTIES: 50 / 60 (+1)

D. FREEDOM OF EXPRESSION AND BELIEF: 14 / 16

D1. Are there free and independent media? 3 / 4

The constitution includes provisions guaranteeing freedom of the press, and these are generally upheld in practice, though the law imposes some limits related to defamation, hate speech, and other such content. While citizens continue to enjoy access to a broad array of print, broadcast, and online news outlets, ownership concentration and editorial interference from owners remain concerns, and the government has been accused of directing public funds toward friendly private media.

Journalists have been subject to assaults or other mistreatment, particularly while attempting to cover issues related to corruption and immigration. In 2022, reporter Thanasis Koukakis's mobile phone was wiretapped and journalist Nektaria Stamouli's reporting on surveillance and wiretapping incidents led to attempts to discredit her by a government spokesperson. The general secretary to the prime minister, Grigoris Dimitriadis, filed defamation lawsuits against investigative media and journalists following his resignation in August, asking them to retract all publications associating him with the wiretapping scandal and seeking more than half a million euros in compensation from defendants.

Despite these incidents, the media environment remains highly free and plural, as demonstrated by robust investigative journalism that has shed light on surveillance and wiretapping incidents, including by Inside Story and Reporters United.

D2. Are individuals free to practice and express their religious faith or nonbelief in public and private? 3 / 4

The constitution guarantees freedom of religion, and this is generally respected in practice. However, the Orthodox Church of Greece—which has a special constitutional status as the "prevailing religion" of the country—receives government subsidies, and its clergy's salaries and pensions are paid for by the state. The constitution prohibits proselytizing, but this restriction is rarely enforced. Members of some minority religions face discrimination and legal barriers, such as permit requirements to open houses of worship.

D3. Is there academic freedom, and is the educational system free from extensive political indoctrination? 4 / 4

There are no significant constraints on academic freedom in Greece, and the educational system is free of political indoctrination. A law passed in February 2021 introduced police forces to some university campuses in an effort to fight crime, a longstanding problem in some institutions. Delays in the implementation of the policy echo the government's ambivalence in light of opposition, protest, and violence.

D4. Are individuals free to express their personal views on political or other sensitive topics without fear of surveillance or retribution? 4 / 4

The government does not engage in improper monitoring of personal expression. Individuals are generally free to discuss their views in practice.

E. ASSOCIATIONAL AND ORGANIZATIONAL RIGHTS: 12 / 12 (+1)

E1. Is there freedom of assembly? 4 / 4 (+1)

Freedom of assembly is guaranteed by the constitution, and the government generally protects this right. While the government passed a bill regulating public assemblies following the COVID-19 pandemic, protests continue to take place normally following the ease of pandemic-related restrictions.

Score Change: The score improved from 3 to 4 because the COVID-19-related assembly restrictions were lifted, increasing the opportunities for public assemblies.

E2. Is there freedom for nongovernmental organizations, particularly those that are engaged in human rights– and governance-related work? 4 / 4

Nongovernmental organizations (NGOs) generally operate without interference from the authorities. However, during 2020 the government made a series of changes to the registration requirements for organizations working on asylum and migration issues, generally increasing the regulatory burden on NGOs.

E3. Is there freedom for trade unions and similar professional or labor organizations? 4 / 4

Most workers have the right to form and join unions, bargain collectively, and strike. The law provides protections against discrimination toward union members, and the government generally upholds union rights.

F. RULE OF LAW: 10 / 16

F1. Is there an independent judiciary? 3 / 4

The judiciary is largely independent, though its autonomy is undermined somewhat by corruption. Judges are appointed by the president on the advice of the Supreme Judicial Council, which is mostly composed of other judges. They serve until retirement age and cannot be removed arbitrarily.

F2. Does due process prevail in civil and criminal matters? 3 / 4

The law provides safeguards against arbitrary arrest and detention, ensures access to defense counsel, and provides for fair trial conditions. Persistent problems include court backlogs that lead to prolonged pretrial detention as well as improper detention of asylum seekers.

In September 2022, the Criminal Court of Appeal acquitted 20 defendants who were accused of money laundering during the signing of a contract with Siemens to digitize the Organization for Telecommunications (OTE). The Criminal Court of Appeal's verdict overturned a lower court decision from 2019, which had given multiyear sentences to all defendants. The majority of the defendants were being prosecuted for activities committed before 2002, and charges were dropped due to the expiration of the statute of limitations. The prosecutor of the Supreme Court ordered a preliminary investigation into individuals who participated in the procedural handling of the case.

F3. Is there protection from the illegitimate use of physical force and freedom from war and insurgencies? 3 / 4

While overall rates of violent crime are low, there are occasional acts of politically motivated violence and vandalism by left- or right-wing extremist groups. Some prisons and detention centers suffer from substandard conditions, and law enforcement personnel have been accused of physical abuse, particularly against vulnerable groups such as migrants and asylum seekers.

F4. Do laws, policies, and practices guarantee equal treatment of various segments of the population? 2 / 4

Women generally enjoy equality before the law, though they continue to face workplace discrimination in practice.

Violence targeting immigrants, refugees, and LGBT+ people remains a problem. Romani individuals are also subject to discrimination and excessive policing despite legal protections.

Greek authorities have been accused of forcibly returning migrants and asylum seekers who attempt to enter irregularly from Turkey by land and sea, and multiple cases of such pushbacks were documented in 2022. The European Anti-Fraud Office (OLAF) found that the European Border and Coast Guard Agency (FRONTEX) routinely covered up illegal pushbacks of migrants and asylum seekers by the Greek coastguard. The Greek government has denied these allegations.

G. PERSONAL AUTONOMY AND INDIVIDUAL RIGHTS: 14 / 16

G1. Do individuals enjoy freedom of movement, including the ability to change their place of residence, employment, or education? 4 / 4

Freedom of movement is generally unrestricted for most residents. Most restrictions aimed at limiting the spread of COVID-19 were lifted in 2022. Some rules about wearing masks indoors, such as on public transport, remained in place at the end of the year, and any visitor who tested positive for COVID-19 while in the country faced a five-day mandatory quarantine.

G2. Are individuals able to exercise the right to own property and establish private businesses without undue interference from state or nonstate actors? 3 / 4

The government and legal framework are generally supportive of property rights and entrepreneurship, but bureaucratic obstacles can inhibit business activity. Those who have political connections or are willing to pay bribes can sometimes expedite official procedures. To pressure tax-evading property owners who misrepresent the value of their assets, the Independent Authority for Public Revenue announced significant fines for this offense in 2019.

G3. Do individuals enjoy personal social freedoms, including choice of marriage partner and size of family, protection from domestic violence, and control over appearance? 4 / 4

There are no major constraints on personal social freedoms, though domestic violence remains an important problem. From the beginning of 2022 to September, 17 women were murdered by current or former male partners.

The government and civil society have taken initiatives to acknowledge and raise awareness of violence against women. The prime minister introduced the term femicide into public debate, and as of 2022, 44 counseling centers had assisted 44,200 women with problems at home. Also as of 2022, 12 domestic violence departments had been established in police stations, each with 15 police officers trained to deal with complaints of domestic violence, and more than 1,200 police officers took part in special seminars on femicides. In the first seven months of 2022, over 5,000 domestic violence cases were brought to court.

G4. Do individuals enjoy equality of opportunity and freedom from economic exploitation? 3 / 4

Most residents enjoy legal protections against exploitative working conditions, but labor laws are not always adequately enforced. Migrants and asylum seekers are especially vulnerable to trafficking for forced labor or sexual exploitation, and government efforts to combat the problem, while increasing, remain insufficient, according to the US State Department.

Grenada

Population: 100,000
Capital: St. George's
Freedom Status: Free
Electoral Democracy: Yes

Overview: Grenada is a parliamentary democracy that regularly holds credible elections. Ongoing concerns include corruption, discrimination against LGBT+ people, and violence against women and children.

KEY DEVELOPMENTS IN 2022

- In the June elections, the opposition National Democratic Congress (NDC) defeated the New National Party (NNP). Dickon Mitchell of the NDC succeeded Keith Mitchell of the NNP as prime minister.
- In late October, the NDC government accused its predecessor of accepting funds for the issuance of a diplomatic passport and diverting some of those funds to a party-linked constituency account just before the June elections. In November, a former minister in the NNP government admitted that it accepted funds for passports as a policy but denied wrongdoing on its part.

POLITICAL RIGHTS: 37 / 40

A. ELECTORAL PROCESS: 11 / 12

A1. Was the current head of government or other chief national authority elected through free and fair elections? 4 / 4

The prime minister, usually the leader of the largest party in Parliament, is head of government. Following the June 2022 elections, NDC leader Dickon Mitchell was sworn in as prime minister.

The prime minister is appointed by the governor general, who represents the British monarch as head of state. Cécile La Grenade became Grenada's first woman governor general in 2013.

A2. Were the current national legislative representatives elected through free and fair elections? 4 / 4

The bicameral Parliament consists of the directly elected, 15-seat House of Representatives, whose members serve five-year terms, and the 13-seat Senate, which is appointed by the governor general. Ten Senate seats are appointed on the advice of the prime minister and the remaining three on the advice of the opposition leader; senators also serve five-year terms.

The NDC won the June 2022 elections, winning 9 of lower house's 15 seats and defeating the NNP government. Organization of American States (OAS) observers expressed concern over a lack of campaign finance regulations and other issues but deemed the polls credible.

A3. Are the electoral laws and framework fair, and are they implemented impartially by the relevant election management bodies? 3 / 4

Electoral laws are generally fair, and they are usually implemented impartially by the supervisor of elections, who heads the Parliamentary Elections Office.

The unbalanced size of constituencies has resulted in unequal voting power among citizens. Grenada has not updated their boundaries since gaining independence in 1974.

B. POLITICAL PLURALISM AND PARTICIPATION: 16 / 16

B1. Do the people have the right to organize in different political parties or other competitive political groupings of their choice, and is the system free of undue obstacles to the rise and fall of these competing parties or groupings? 4 / 4

Political parties can organize freely. While a number of small parties have competed in elections, the first-past-the-post system encourages two-party politics, and since 1999 only the NNP and NDC have won seats in Parliament. Weak campaign finance laws potentially create an unfair advantage for certain parties.

B2. Is there a realistic opportunity for the opposition to increase its support or gain power through elections? 4 / 4

There are realistic opportunities for opposition parties to increase their support or gain power through elections, and power has rotated on several occasions since democracy was restored to Grenada in 1984. The NNP has won a majority of the elections since then, and the NDC failed to win any seats in the House of Representatives in the 2013 and 2018 elections.

B3. Are the people's political choices free from domination by forces that are external to the political sphere, or by political forces that employ extrapolitical means? 4 / 4

People are generally able to express their political choices without encountering pressure from outside actors. However, the OAS has expressed concern about a lack of transparency and regulation of campaign finance procedures, which could create avenues for undue influence over candidates and voters by business or other special interest groups.

B4. Do various segments of the population (including ethnic, racial, religious, gender, LGBT+, and other relevant groups) have full political rights and electoral opportunities? 4 / 4

Grenada's constitution guarantees universal suffrage for adult citizens. Political representation largely reflects a population that is over 90 percent of African or mixed descent. However, other ethnic groups have a voice in politics and are represented in Parliament.

Women remain underrepresented in politics, with women winning only 5 of the lower house's 15 seats in the June 2022 polls. OAS observers reporting on those polls noted that "a high level of violence against women, fear of victimization, societal backlash for entering politics, and unpaid care-work" inhibit female participation. Women's advocacy groups do exert political influence, however.

The marginalization of LGBT+ people impacts their ability to engage fully in political and electoral processes.

C. FUNCTIONING OF GOVERNMENT: 10 / 12

C1. Do the freely elected head of government and national legislative representatives determine the policies of the government? 4 / 4

The appointed prime minister and cabinet and freely elected representatives are able to determine the policies of the government.

C2. Are safeguards against official corruption strong and effective? 3 / 4

Corruption remains a prominent issue in Grenada, despite safeguards enshrined in the Prevention of Corruption Act and the Integrity in Public Life Act. Several suggested

amendments in a 2016 constitutional reform package would have strengthened anticorruption safeguards, but all were voted down by significant margins.

Grenada's Citizenship by Investment program, which allows foreigners to gain citizenship through an economic investment in the country, continues to trouble some analysts due to the potential for fraud and abuse, despite the tightening of rules governing it.

Since taking power, the NDC government accused the former NNP government of corruption. In September 2022, Tevin Andrew, the minister for Carriacou and Petite Martinique affairs, said that his ministry had been seriously affected by corruption. In late October, Prime Minister Dickon Mitchell alleged that the former NNP government accepted funds in return for a diplomatic passport and diverted some of that money into an NNP-linked constituency account days before the June polls. In November, former foreign minister Oliver Joseph disclosed that the NNP government accepted funds for diplomatic passports as a policy, but denied wrongdoing on the former government's part.

Other government bodies and civil society groups faced scrutiny over their conduct in 2022. In September, the Integrity Commission reported significant failings at the state-owned Marketing and National Importing Board (MNIB) and called for a forensic audit. The Integrity Commission had launched its investigation after a former MNIB chief executive was accused of misusing funds. Also in September, the NDC government launched an investigation into the FAITH Organization for People's Development, a nongovernmental organization (NGO) with ties to the NNP, after documents revealed that the NGO had received considerably more government funding than other groups.

C3. Does the government operate with openness and transparency? 3 / 4

The government of Grenada generally operates with transparency. All public officials are required to declare their assets. An appointed commission monitors and verifies declarations but does not disclose them publicly except in court. Grenadian laws permit authorities to request financial information about its citizens residing abroad in an effort to prevent tax avoidance. The Fiscal Responsibility Oversight Committee has noted that the opacity of data involving state-run entities and other financial liabilities has impeded it from fulfilling its role.

There is no law to ensure public access to information.

CIVIL LIBERTIES: 52 / 60

D. FREEDOM OF EXPRESSION AND BELIEF: 15 / 16

D1. Are there free and independent media? 3 / 4

In 2012, Grenada became the first Caribbean country to decriminalize defamation, but seditious libel remains a criminal offense. Politicians have initiated lawsuits against the media, contributing to self-censorship among journalists.

Press freedom advocates have criticized censorship at the country's largest broadcaster, the Grenada Broadcasting Network, which is partly owned by the government.

D2. Are individuals free to practice and express their religious faith or nonbelief in public and private? 4 / 4

Freedom of religion is constitutionally protected and generally respected in practice.

D3. Is there academic freedom, and is the educational system free from extensive political indoctrination? 4 / 4

The government generally respects academic freedom.

D4. Are individuals free to express their personal views on political or other sensitive topics without fear of surveillance or retribution? 4 / 4

Individuals are free to express their personal views on political or other sensitive topics.

E. ASSOCIATIONAL AND ORGANIZATIONAL RIGHTS: 11 / 12

E1. Is there freedom of assembly? 4 / 4

Freedom of assembly is constitutionally guaranteed, and that right is generally respected. Multiple COVID-19-related states of emergency limited social gatherings in 2020 and 2021, though coronavirus-related restrictions were largely lifted by the end of 2021. The state of emergency was lifted in April 2022.

E2. Is there freedom for nongovernmental organizations, particularly those that are engaged in human rights– and governance-related work? 4 / 4

NGOs are generally free to operate.

E3. Is there freedom for trade unions and similar professional or labor organizations? 3 / 4

The right of workers to form and join labor unions is constitutionally protected, though unions and labor activists face some obstacles. Workers have the right to strike, organize, and bargain collectively, though employers are not legally bound to recognize a union if a majority of workers do not join.

Essential services workers may strike, but compulsory arbitration can be used to resolve disputes. The list of essential services is extensive and includes services that should not be considered as such according to International Labour Organization (ILO) standards.

F. RULE OF LAW: 13 / 16

F1. Is there an independent judiciary? 4 / 4

An independent judiciary is constitutionally guaranteed and courts commonly demonstrate their independence. There has not been tangible evidence of political interference in the judiciary in recent years. However, there are concerns that the judiciary is not properly resourced, thus impacting its efficacy.

Grenada is a member of the Organization of Eastern Caribbean States court system and is a charter member of the Caribbean Court of Justice, but the judiciary relies on the Judicial Committee of the Privy Council in London as its final court of appeal.

F2. Does due process prevail in civil and criminal matters? 3 / 4

Detainees and defendants are guaranteed a range of legal rights, including the presumption of innocence and the right to trial without delay, which are mostly respected in practice. However, case backlogs have rendered trial delays common in practice. Additionally, staffing shortages prevent the state from providing legal counsel to some indigent defendants.

F3. Is there protection from the illegitimate use of physical force and freedom from war and insurgencies? 3 / 4

Grenada is free from war and insurgencies. Flogging remains a punishment for petty crimes. Prison conditions are poor. As of October 2022, the prison occupancy rate was 191.4 percent of official capacity, very high by regional standards. While Grenada is considered one of the safer Caribbean islands, there has been a rise in reports of sexual assault in recent years.

F4. Do laws, policies, and practices guarantee equal treatment of various segments of the population? 3 / 4

Same-sex sexual activity between men is a criminal offense, although the law is rarely enforced. In 2020, the director of public prosecutions declined to pursue charges against two men who were engaged in sex in a video that was circulated online, labeling the provision of the criminal code "obsolete." Nonetheless, LGBT+ people face significant societal discrimination, including threats of violence and public hostility.

The law does not prohibit discrimination in employment or occupation regarding sexual orientation, HIV-positive status, or gender identity.

In a letter published by the New Today news outlet in April 2022, a female Royal Grenada Police Force officer claimed that sexual harassment and abuse was pervasive within the force, and that high-ranking officers had engaged in such behavior.

G. PERSONAL AUTONOMY AND INDIVIDUAL RIGHTS: 13 / 16

G1. Do individuals enjoy freedom of movement, including the ability to change their place of residence, employment, or education? 4 / 4

Freedom of movement is constitutionally guaranteed, and this right is generally respected in practice. The right to change employment is also generally respected.

G2. Are individuals able to exercise the right to own property and establish private businesses without undue interference from state or nonstate actors? 3 / 4

The government of Grenada has encouraged both national and foreign investors to operate businesses in the country, but procedures involved in establishing a new business are onerous.

In 2021, the International Centre for Settlement of Investment Disputes agreed to hear a case brought by a development firm against the Grenadian government. The company, which planned to build a resort, claimed that the government's arbitrary and unlawful conduct amounted to "indirect expropriation," and had stopped the successful completion of the project. The proceedings were ongoing as of the end of 2022.

G3. Do individuals enjoy personal social freedoms, including choice of marriage partner and size of family, protection from domestic violence, and control over appearance? 3 / 4

Violence against women and children is a widespread issue in Grenada. According to a 2018 survey released in 2020, 29 percent of Grenadian women reported experiencing physical or sexual violence in their lifetime. Domestic violence legislation came into effect in 2011, but enforcement has been limited.

G4. Do individuals enjoy equality of opportunity and freedom from economic exploitation? 3 / 4

Poverty and unemployment are pervasive and hamper the social mobility of many Grenadians. In 2018, Grenada ratified the ILO's Domestic Workers Convention, to improve work conditions of domestic workers, who are mainly women. It came into effect in 2019. Children are not explicitly prohibited from doing hazardous work.

A 2015 law punishes human trafficking with up to 25 years' imprisonment and large fines. However, reports of human trafficking are rare.

Guatemala

Population: 17,800,000
Capital: Guatemala City
Freedom Status: Partly Free
Electoral Democracy: Yes

Overview: While Guatemala holds regular elections that are generally free, organized crime and corruption severely impact the functioning of government. Violence and criminal extortion schemes are serious problems, and victims have little recourse to justice. Journalists, activists, and public officials who confront crime, corruption, and other sensitive issues risk attack.

KEY DEVELOPMENTS IN 2022

- During the year, Attorney General María Consuelo Porras—who was reappointed for another four-year term in May—continued to use her mandate to block high-profile corruption investigations and weaponize the justice system against independent anticorruption prosecutors. Judges and prosecutors working on corruption cases were removed, transferred, or prevented from taking their posts, and many faced threats, spurious criminal prosecutions, and were forced to leave the country.
- Judges and prosecutors engaged in efforts to bring past human rights abusers to justice also faced intimidation, harassment, and attacks during the year. In November, the judge in a high-profile case related to forced disappearances between 1983–85 was forced to resign and leave the country to avoid imprisonment on frivolous charges.
- The year saw a worsening climate of intimidation and attacks against civil society and members of the media, forcing several journalists and prominent human rights defenders to leave the country. Others were jailed on spurious charges, including prominent independent journalist José Rubén Zamora, who was arrested in July for alleged financial crimes; he remained in detention at year's end.

POLITICAL RIGHTS: 20 / 40 (−1)

A. ELECTORAL PROCESS: 7 / 12

A1. Was the current head of government or other chief national authority elected through free and fair elections? 2 / 4

The constitution stipulates a four-year presidential term and prohibits reelection. In the August 2019 runoff, Alejandro Giammattei of the Vamos party won 58 percent of the vote, defeating former first lady Sandra Torres of the center-left National Unity for Hope party (UNE). While the results were judged as credible, Organization of American States (OAS) electoral observers noted irregularities including disturbances, ballot burning, voter intimidation, and acts of violence. Giammattei took office in January 2020.

The preelection period was marked by successful efforts to disqualify presidential candidates. In one instance, presidential candidate and former attorney general Thelma Aldana, who pursued a high-profile corruption case against former president Otto Peréz Molina, was barred and fled the country after receiving threats, allegedly issued by the targets of her investigations. In February 2022, international media outlets reported that Giammattei had received illicit funds for his presidential campaign; the president denied the accusations.

A2. Were the current national legislative representatives elected through free and fair elections? 3 / 4

Members of the unicameral, 160-seat Congress are elected to four-year terms. Legislators were elected in June 2019, concurrently with the first round of the presidential election and mayoral races. The UNE won 53 seats while Giammattei's Vamos party won 16 seats. The Union of National Change (UCN) won 12, and the remaining 79 seats were split between 16 parties, none of which won more than 10 seats.

The 2019 election results were deemed credible, but observers noted irregularities, disturbances, and threats of violence. A number of local races were nullified or rescheduled by electoral authorities due to death threats against electoral officials and violent incidents. Election monitors received reports of discrimination against women officeholders and candidates.

A3. Are the electoral laws and framework fair, and are they implemented impartially by the relevant election management bodies? 2 / 4

In March 2020, after months of delay, Congress elected new Supreme Electoral Tribunal (TSE) magistrates in a session featuring little transparency. Several of those elected are reportedly associated with officials accused of corruption and drug trafficking, and have been accused of falsifying their academic credentials.

Though campaigning ahead of the scheduled 2023 general elections is prohibited until January of that year, electoral authorities did not restrict campaign activities by the ruling party and other conservative parties in 2022. However, the TSE sanctioned the leader of the left-wing People's Liberation Movement party (MLP) in August for "expressing an opinion" on national issues by retweeting the words "plurinational state."

B. POLITICAL PLURALISM AND PARTICIPATION: 10 / 16

B1. Do the people have the right to organize in different political parties or other competitive political groupings of their choice, and is the system free of undue obstacles to the rise and fall of these competing parties or groupings? 3 / 4

Political groups and organizations generally operate without encountering legal restrictions. However, new groups sometimes face bureaucratic delays from the TSE when attempting to register.

Elections take place within an inchoate multiparty system in which new parties are frequently created, often without sufficient resources and infrastructure to gain broad support. Poor enforcement of party finance regulations has allowed some candidates and parties access to vast resources.

B2. Is there a realistic opportunity for the opposition to increase its support or gain power through elections? 3 / 4

Elections at the national and local levels are competitive, and new parties routinely gain significant quotas of power. Guatemalan politics are unstable, and power rotates between parties frequently, which can discourage a traditional opposition from coalescing. At least 10 candidates were killed during the 2019 election period.

B3. Are the people's political choices free from domination by forces that are external to the political sphere, or by political forces that employ extrapolitical means? 2 / 4

Verbal harassment and physical violence against voters are common during elections and can deter political participation. Weak enforcement of campaign finance regulations has permitted lopsided resource advantages, as well as financing of candidates by special

interests and organized criminal groups, distorting the political choices of citizens. Direct vote buying and use of public funds to influence the outcome of elections is also common. Observers reported that armed groups and criminal organizations have attempted to sway the results of local races.

B4. Do various segments of the population (including ethnic, racial, religious, gender, LGBT+, and other relevant groups) have full political rights and electoral opportunities? 2 / 4

Members of ethnic and other minority groups struggle to fully exercise their political rights. There are no affirmative measures in place to promote the election of representatives of Indigenous peoples, who are underrepresented despite accounting for as much as 60 percent of the population. There are 16 Indigenous members of Congress, 4 of whom are women; approximately 25 percent of mayors elected in 2019 were Indigenous. No Indigenous persons or Afro-Guatemalans currently hold cabinet-level positions.

Women are underrepresented in politics, though small women's rights groups have some visibility in the political sphere. Giammattei appointed three women ministers to his cabinet but two left their posts. Women hold only 31 seats in Congress, and only 11 mayorships out of 340.

The first openly gay man to enter Congress was elected in 2019; since then, he has been the target of attacks and homophobic messages, including from the president and fellow legislators. Political opportunities remain rare for LGBT+ people.

C. FUNCTIONING OF GOVERNMENT: 3 / 12 (−1)

C1. Do the freely elected head of government and national legislative representatives determine the policies of the government? 2 / 4

The elected government and legislature determine government policies, but they are frequently subject to influence by outside interests. President Giammattei came to the presidency backed by a group of former military officials; such networks possess significant economic power and frequently oppose the peace process that Guatemala has been fitfully implementing since 1996.

Business groups continue to hold significant sway over all branches of government, and serve on the governing bodies of various public institutions. Organized crime groups have penetrated state institutions.

C2. Are safeguards against official corruption strong and effective? 0 / 4 (−1)

Corruption, which is often related to organized crime, remains a serious problem. Since the 2019 closure of the International Commission against Impunity in Guatemala (CICIG), authorities and lawmakers have obstructed the fight against corruption; prosecutions have stalled; and many high-profile cases have lost momentum or are being taken apart. Judges, prosecutors, and civil society actors committed to tackling corruption have increasingly been the targets of physical attacks, threats, malicious lawsuits, and defamation campaigns. As of October 2022, at least 25 judges and prosecutors have been forced into exile.

Since assuming office in 2018, Attorney General María Consuelo Porras has fired, transferred, or initiated frivolous cases against numerous anticorruption prosecutors and independent judges. In 2021, Porras conducted the unlawful and arbitrary removal of the head of the Special Prosecutor's Office against Impunity (FECI). In June and July 2022 alone, Porras removed 8 prosecutors and 11 administrative officials.

Recent investigations of electoral and party finance corruption have shed light on the influence of unelected and illicit groups over the government. Serious allegations link drug trafficking to political elites.

In 2021 and 2022, the US government sanctioned several former and current Guatemalan government officials, including Attorney General Porras and at least 10 judges and prosecutors, for corruption-related offenses.

Score Change: The score declined from 1 to 0 because the Giammattei administration has effectively dismantled anticorruption safeguards by aggressively prosecuting judges and anticorruption officials on frivolous charges.

C3. Does the government operate with openness and transparency? 1 / 4

Public information offices frequently fail to publish data about public expenditures as required. The Law on Access to Information is poorly enforced; nongovernmental organizations (NGOs) continue to file grievances over this lack of enforcement and, together with the Human Rights Ombudsperson's Office (PDH), work to encourage the government to adhere to the law's provisions.

Contracting and budgeting processes are opaque and racked with corruption, which worsened during the COVID-19 pandemic due to the easing of procurement requirements.

In May 2022, the police suspended the publication of official data documenting homicides in the country, claiming that the information was confidential.

CIVIL LIBERTIES: 29 / 60 (−1)

D. FREEDOM OF EXPRESSION AND BELIEF: 10 / 16 (−1)

D1. Are there free and independent media? 1 / 4 (−1)

While the constitution protects freedom of speech, journalists self-censor when covering sensitive topics including drug trafficking, corruption, organized crime, and human rights violations. Public officials, illicit actors, the police, and individuals aligned with companies operating on Indigenous lands routinely threaten media workers.

Attacks, threats and spurious legal cases against journalists increased during 2022. According to the Guatemalan Association of Journalists, as of August 2022, there had been 350 attacks on the press during the Giammattei administration. In March, criminal proceedings were filed against journalist Juan Luis Font alleging unlawful association with former anticorruption judge Erika Aifán. Font left the country for fear of harassment. In July 2022, leading independent journalist José Rubén Zamora, the founder and president of prominent newspaper *elPeriódico*, was arrested on financial crimes charges, and authorities raided his home and *elPeriódico*'s offices. In December, a judge ruled that Zamora must stand trial; he remained in detention at year's end. Financial problems forced the paper to cease its print publication at the beginning of December. Zamora's arrest has been widely condemned as an attempt by the government to stifle political dissent.

The government made no progress in implementing the 2012 protection program for journalists. The Special Prosecutor's Office for Crimes against Journalists is under-resourced and has been the target of surveillance.

Rural, Indigenous, and women journalists are afforded little protection from discrimination, threats, and frivolous legal action, and reporters covering regional news suffered attacks and detentions on several occasions in 2022. Women journalists have been the target of sexual harassment on social media.

Media ownership is highly concentrated, and independent media outlets face financial constraints due to decreasing advertisement revenue. The government has failed to act on a December 2021 ruling by the Inter-American Court of Human Rights (IACHR) mandating that Indigenous communities be provided equitable access to radio frequencies. The

country's cybercrime laws have failed to protect outlets and reporters from harassment by trolls for hire, while public officials abuse unrelated laws to censor media outlets.

Score Change: The score declined from 2 to 1 because the government has intensified its crackdown on journalists and media organizations, including by arresting the founder and president of one of the country's most prominent newspapers, elPeriódico.

D2. Are individuals free to practice and express their religious faith or nonbelief in public and private? 4 / 4

The constitution guarantees religious freedom, and individuals are free to practice and express their religious faith or nonbelief.

D3. Is there academic freedom, and is the educational system free from extensive political indoctrination? 3 / 4

Although the government does not interfere with academic freedom, scholars have received death threats for questioning past human rights abuses or continuing injustices.

D4. Are individuals free to express their personal views on political or other sensitive topics without fear of surveillance or retribution? 2 / 4

Many Guatemalans take precautions when speaking about social and political issues outside of their homes due to a high level of insecurity in the country. Journalists and human rights defenders have reported incidents of harassment and surveillance, which, along with increased intimidation and harassment of perceived opponents of the government, has encouraged greater self-censorship among ordinary citizens.

E. ASSOCIATIONAL AND ORGANIZATIONAL RIGHTS: 6 / 12

E1. Is there freedom of assembly? 2 / 4

The constitution guarantees freedom of assembly, but this right is not always protected. Police frequently threaten and at times use violence against protesters. Protests related to environmental or Indigenous rights have been met with harsh resistance from the police and armed groups.

The Giammattei administration has declared states of prevention and siege, emergency measures that enable the government to restrict constitutional guarantees, in response to protests.

E2. Is there freedom for nongovernmental organizations, particularly those that are engaged in human rights– and governance-related work? 2 / 4

The constitution guarantees freedom of association, and a variety of NGOs operate. However, groups associated with Indigenous, environmental, and human rights face increasing violence and criminalization of their work. Several defenders have been forced to leave the country for fear of persecution, while lawyers defending human rights activists have been attacked and threatened. Between January and July 2022, 589 attacks against human rights defenders were registered by the Unit for the Protection of Human Rights Defenders in Guatemala (UDEFEGUA), a local NGO, marking an increase from previous years. Three activists were murdered during the year.

In November 2022, UDEFEGUA stated that the government has failed to fulfill the obligations of a 2014 ruling by the IACHR requiring the development of a comprehensive public policy to protect human rights defenders.

In July 2021, controversial and restrictive legislation targeting NGOs went into effect, giving such organizations until February 2022 to register or face dissolution. Implementation of the law has been slow, and according to the agency overseeing the process, only around 11 percent of NGOs complied with the deadline.

E3. Is there freedom for trade unions and similar professional or labor organizations? 2 / 4

Guatemala is home to a vigorous labor movement, but workers are frequently denied the right to organize and face mass firings and blacklisting. Trade union members are also subject to intimidation, violence, and murder, particularly in rural areas. Labor laws obstruct union membership and impede strikes.

F. RULE OF LAW: 5 / 16

F1. Is there an independent judiciary? 1 / 4

The judiciary is hobbled by corruption, inefficiency, incapacity, and the intimidation of judges, prosecutors, and witnesses by outside actors and influential judicial figures. Those overseeing high-profile corruption and human rights cases have been removed, transferred or prevented from taking their posts; some have been subjected to threats, faced criminal prosecution, or forced to leave the country. In February 2022, the Supreme Court stripped prominent anticorruption judge Pablo Xitumul of his judicial immunity. Xitumul was subsequently suspended from his post.

In May, María Consuelo Porras was reappointed to another four-year term as attorney general in a controversial process. Porras has repeatedly blocked high-profile corruption investigations and weaponized the justice system against prosecutors, lawyers, and judges involved in the fight against corruption. In February, former FECI anticorruption prosecutor Virginia Laparra was arrested on specious charges of "continuous abuse of authority" and placed in preventive detention; Laparra was convicted of the charges in December and given a four-year prison sentence.

Corruption has also affected the process to select new Supreme Court and appellate court judges, which has remained stalled since 2019.

F2. Does due process prevail in civil and criminal matters? 1 / 4

Due process rights are guaranteed in the constitution, but those rights are inconsistently upheld, due in part to corruption in the judiciary and an ineffective police force in which many officers routinely violate the law and the rights of citizens. Access to justice remains difficult, especially for Indigenous people. Conviction rates are low.

Judges and prosecutors have reported an increase in threats and harassment, smear campaigns, and malicious criminal and disciplinary complaints in apparent retaliation for their work on sensitive cases related to corruption and human rights abuses.

F3. Is there protection from the illegitimate use of physical force and freedom from war and insurgencies? 2 / 4

High levels of violence, kidnappings, and extortion at the hands of the police, drug traffickers, and street gangs continue, with related fears and violence routinely affecting the lives of ordinary people. Links between the state, politicians, the military, and illicit actors complicate a cohesive response to the country's security challenges. In 2022, the country's homicide rate increased for the second year in a row. The police recorded 3,043 homicides during the year, compared to 2,843 in 2021, marking a 7 percent increase. Prison facilities are grossly overcrowded and rife with gang- and drug-related violence and corruption. Prison riots are common and are frequently deadly.

Efforts to bring perpetrators of past human rights abuses to justice have been significantly hampered by intimidation campaigns against those involved in the process. In January 2022, five former paramilitary members were convicted of sexual violence offenses committed during the war, and in February, a former military commissioner was found guilty of the 1983 forced disappearances of three social leaders and sentenced to 45 years in prison. In May, nine retired military and police officers were sent to trial in connection to the Death Squad Dossier, a record of forced disappearances between 1983–85. However, the judge and others working on the case have been subjected to numerous threats and attacks; the judge resigned and left Guatemala in November.

F4. Do laws, policies, and practices guarantee equal treatment of various segments of the population? 1 / 4

Equal rights are guaranteed in the constitution, but minorities continue to face unequal treatment. Indigenous communities suffer from high rates of poverty, illiteracy, and infant mortality. Indigenous women are particularly marginalized. Discrimination against the Mayan community is a major concern.

LGBT+ people face discrimination, violence, and police abuse and are unprotected by legislation. The PDH has stated that people living with HIV/AIDS also face discrimination.

The constitution prohibits discrimination based on gender, but women continue to face gender-based inequality; women are usually paid less for their labor than men, and sexual harassment in the workplace is not penalized.

G. PERSONAL AUTONOMY AND INDIVIDUAL RIGHTS: 8 / 16

G1. Do individuals enjoy freedom of movement, including the ability to change their place of residence, employment, or education? 3 / 4

While there are no permanent restrictions on free movement, violence and the threat of violence by gangs and organized criminal groups inhibits this right in practice and has prompted the displacement of thousands of people. Movement is regularly restricted due to government-imposed states of siege and prevention. In 2022, a state of siege was imposed in two Indigenous communities due to violent land disputes.

G2. Are individuals able to exercise the right to own property and establish private businesses without undue interference from state or nonstate actors? 2 / 4

Protections for property rights and economic freedom rarely extend beyond those with wealth and political connections. Land protections are especially limited for Indigenous people, particularly Indigenous women, despite a series of Constitutional Court rulings in 2020 that reinforced communal landholding rights in Indigenous communities. The 2020 closing of the Secretariat for Agrarian Affairs has stalled dialogues to resolve land conflicts and led to more evictions of Indigenous communities. At least four violent evictions of Indigenous communities took place during 2022.

In January, the Ministry of Energy and Mines granted the El Estor mine permission to resume operations after consultations with the community; however, those who engaged in the 2021 protests over the mine were excluded.

Business activity is hampered by criminal activity, including extortion and fraud. An inefficient state bureaucracy, rife with unclear and complicated regulations, also contributes to difficulties in establishing and operating a business.

G3. Do individuals enjoy personal social freedoms, including choice of marriage partner and size of family, protection from domestic violence, and control over appearance? 2 / 4

Physical and sexual violence against women and children remains high, with perpetrators rarely facing prosecution. Femicides nearly doubled during the first five months of 2022 compared to the same period in 2021. According to the attorney general's office, 469 women were victims of femicide in 2022.

The law permits abortion only when a pregnancy threatens the life of the woman. However, legal abortion care is difficult to access in practice. In March, Congress passed a bill that would have increased restrictions on legal abortion and imposed up to 10 years' imprisonment for women who illegally obtained abortions. Days later, partly in response to widespread backlash, Giammattei said he would veto the bill, and Congress shelved it.

Teen pregnancy rates remain high; in 2017, underage marriages were outlawed, though the law is not effectively enforced.

G4. Do individuals enjoy equality of opportunity and freedom from economic exploitation? 1 / 4

Indigenous peoples' access to economic opportunities and socioeconomic mobility remains limited, with more than 70 percent of the population living in poverty. Income distribution across the entirety of the Guatemalan population is among the most unequal worldwide, with the wealthiest 10 percent of the population receiving nearly 50 percent of the total income nationally. Significant barriers to accessing education persist, particularly for girls, Indigenous children, and rural residents. Hurricanes Eta and Iota, which struck in 2020, caused widespread damage largely in majority-Indigenous areas and further deepened these challenges.

Child labor persists, especially among Indigenous children. Sexual exploitation particularly affects vulnerable groups including children, LGBT+ people, and Indigenous people. Gangs often force children and young men to join their organizations or perform work for them.

Guinea

Population: 13,900,000
Capital: Conakry
Freedom Status: Not Free
Electoral Democracy: No

Overview: Guinea experienced a transition to civilian rule in 2010, following a 2008 military coup and decades of authoritarian governance. Ethnic division, corruption, a crackdown on dissent, and the abuse of civilians by security forces marked the subsequent decade. A section of the armed forces, the Special Forces (GFS), staged another coup in September 2021, and coup leaders have since delayed a return to civilian rule, incarcerated critics, and brutally repressed protesters.

KEY DEVELOPMENTS IN 2022

- In January, transition president Mamady Doumbouya named the 81-member National Transitional Council (CNT). The interim legislative body's responsibilities include drafting a new constitution and facilitating a transition to constitutional rule. However, no new electoral framework has been established, and elections have not been scheduled.

- In May, the junta-led government effectively banned public demonstrations. Nevertheless, the National Front for the Defense of the Constitution (FNDC) continued organizing mass demonstrations calling for the immediate return of civilian rule, even after violent crackdowns by security forces against demonstrators.
- In August, the government formally dissolved the FNDC. Several FNDC leaders and functionaries were arrested and at year's end were awaiting trial.

POLITICAL RIGHTS: 7 / 40 (−3)

A. ELECTORAL PROCESS: 0 / 12 (−1)

A1. Was the current head of government or other chief national authority elected through free and fair elections? 0 / 4

In September 2021, military commanders led by Lieutenant Colonel Mamady Doumbouya overthrew the government. Doumbouya was sworn in as interim president in October 2021, serving a term with no specified end date. The junta introduced a transitional charter that established the National Committee of Reconciliation and Development (CNRD), headed by Doumbouya, as a transitional governing body. CNRD members are prohibited from contesting future elections, but the junta has not specified which individuals are in the CNRD.

In August 2022, Doumbouya appointed Bernard Goumou as prime minister because his predecessor, Mohamed Béavogui, was absent due to ill health.

Under the 2020 constitution, the president is elected by popular vote for up to two six-year terms. That constitution included language that was interpreted as a reset of the term count for then president Alpha Condé, who had already served two five-year terms under the previous constitution. Condé won a highly controversial third term in October 2020.

A2. Were the current national legislative representatives elected through free and fair elections? 0 / 4

The junta's transitional charter specifies the establishment of the 81-member National Transitional Council (CNT), which is responsible for drafting a new constitution. Members of the Condé administration were barred from participating in the CNT. President Doumbouya appointed CNT members from political parties, the security forces, the trade union movement, the business sector, and civil society. The CNT is led by Dansa Kourouma, a relative of Doumbouya, a long-term civil society functionary, and former supporter of President Condé.

The major opposition parties have no representation in the CNT, as they boycotted the 2020 legislative elections. Numerous civil society organizations and political parties have refused to participate in the CNT.

A3. Are the electoral laws and framework fair, and are they implemented impartially by the relevant election management bodies? 0 / 4 (−1)

Guinea's previous electoral framework and administrative bodies facilitated credible elections, though there were sometimes disputes over the composition of the electoral bodies and electoral outcomes.

The 2020 constitution, which was approved in a referendum held concurrently with that year's parliamentary elections, instituted six-year terms for the president, up from five years under the previous charter. The junta that seized power in September 2021 suspended the constitution and the Independent National Electoral Commission. The transitional charter does not specify when new elections will be held.

In the wake of the coup, Guinea's ambassador to the United Nations stated that the junta would revise the voter roll ahead of elections. A decree from the interim president transferred responsibility for managing elections and referendums to the Ministry of Territorial Administration and Decentralization. In October 2022, the government agreed to limit the transition period to two years beginning in January 2023. The CNT has yet to start deliberating on a new electoral framework or to decide whether to maintain the previous framework.

Score Change: The score declined from 1 to 0 because no new electoral framework has been created since the junta took power last year, and elections have not been scheduled.

B. POLITICAL PLURALISM AND PARTICIPATION: 5 / 16 (−2)

B1. Do the people have the right to organize in different political parties or other competitive political groupings of their choice, and is the system free of undue obstacles to the rise and fall of these competing parties or groupings? 1 / 4 (−1)

More than 150 political parties were officially recognized as of December 2021, with most having clear ethnic or regional bases of support. Article 6 of the transitional charter establishes the right for political parties to freely form. In practice, the operations of political parties are increasingly restricted under the junta, which in 2022 dismantled the country's largest opposition group.

In May 2022, the junta banned all political demonstrations "as long as public order cannot be guaranteed." This announcement effectively targeted the activities of the National Front for the Defense of the Constitution (FNDC), a coalition of civil society groups, political parties, and labor unions, which accuse the junta of authoritarian practices. In July, the government initiated legal proceedings against three FNDC leaders, who subsequently were arrested. In August the government formally dissolved the FNDC. The FNDC and other organizations such as the National Alliance for Alteration and Democracy (ANAD) and the formerly ruling Rally for the Guinean People (RPG) no longer participate in the dialogue with the junta.

In October, security forces used live ammunition against protesters calling for the return of civilian rule, and detained numerous FNDC sympathizers.

Score Change: The score declined from 2 to 1 because the junta formally dissolved the country's main opposition movement and cracked down on political demonstrations.

B2. Is there a realistic opportunity for the opposition to increase its support or gain power through elections? 1 / 4 (−1)

The interim government rules through violence and intimidation. Because the political reconstruction process is controlled by President Doumbouya and his junta, the opposition appears to stand only a very limited chance to increase support or gain through elections. The date of the next elections has yet to be determined.

In 2022, security forces frequently attacked rallies and protests organized by the opposition, making it more difficult for opposition parties to mobilize their supporters. The government formally dissolved the main opposition movement in August.

Score Change: The score declined from 2 to 1 because the junta dissolved the country's main opposition movement and has overseen significant impediments to other groups' ability to contest future elections.

B3. Are the people's political choices free from domination by forces that are external to the political sphere, or by political forces that employ extrapolitical means? 1 / 4

Previously, Condé's administration had reduced the influence of the military in politics, but the Special Forces (GFS), claimed power in 2021 and Doumbouya, the officer who led the GFS and the coup, became the interim president.

Ethnic loyalty played an outsized role in the political choices of voters and party leaders under Condé. Rather than organizing around policy platforms or political ideologies and trying to attract new supporters, each party tacitly pledged allegiance to its respective ethnic group, contributing to the threat of mutual hostility and violence.

There is widespread speculation that foreign-owned mining interests in Guinea, including Russian and Turkish operations, backed Condé and now back Doumbouya because they view him as best positioned to protect their interests.

B4. Do various segments of the population (including ethnic, racial, religious, gender, LGBT+, and other relevant groups) have full political rights and electoral opportunities? 2 / 4

Women and members of ethnic and religious minority groups have full political rights under the law, but ethnic divisions and gender bias limit their participation in practice. Under a law passed in 2019, women must constitute 50 percent of electoral lists. Female representation in the National Assembly stood at only 16.7 percent prior to the 2021 coup.

The transitional charter included a 30 percent gender quota for the CNT, which is implemented in practice. Members of the LGBT+ community are poorly represented in political life.

C. FUNCTIONING OF GOVERNMENT: 2 / 12

C1. Do the freely elected head of government and national legislative representatives determine the policies of the government? 0 / 4

An unelected junta-led government has ruled the country since the military coup of September 2021.

C2. Are safeguards against official corruption strong and effective? 1 / 4

The country's underfunded and understaffed National Anti-Corruption Agency was further undermined by instability that accompanied the coup.

Junta leader and transition president Doumbouya announced the creation of a special anticorruption court (CRIEF) in December 2021. At the close of 2022, it was still difficult to judge the court's effectiveness or ascertain the true motives behind its formation. It has summoned the former prime minister and several former ministers of the Condé era, and placed them under arrest for embezzlement, but has refused to examine corrupt activities within the armed forces and the mining sector. In October, the court ordered the arrest of Cellou Baldé, a supporter of the junta and leader of the Union of Democratic Forces.

C3. Does the government operate with openness and transparency? 1 / 4

Government operations are generally opaque although the Condé administration had made some progress regarding budget transparency. A 2010 access to information law was never implemented, and the National Assembly voted in favor of a new version in 2020.

In July 2022, the CNT debated a three-year budget proposal (2023–25) from the junta-led government. There has otherwise been very little effort by the interim government to facilitate or permit transparent debate about the budget.

CIVIL LIBERTIES: 23 / 60 (−1)

D. FREEDOM OF EXPRESSION AND BELIEF: 9 / 16 (−1)

D1. Are there free and independent media? 1 / 4 (−1)

The transitional charter commits to freedom and independence of the media, but in practice media freedom remains restricted. In 2022, several critical journalists reportedly faced arbitrary arrests, intimidation, questioning, and censorship by the security forces. Conakry's new rulers have frequently called on the national communication authority (HAC) to issue suspensions against outlets that provided critical coverage. In addition, individual units of the military have visited the offices of newspapers and radio stations that produced critical reports, and intimidated journalists. The junta has further managed to skew media coverage in favor of the transitional authorities by selectively offering financial support. Separately, there were reports in 2022 that journalists covering demonstrations against the junta were attacked by protesters armed with rocks and knives.

Previous laws permitting criminal defamation and prosecutions under broad cybersecurity measures remain on the books.

Score Change: The score declined from 2 to 1 due to increased harassment of journalists by junta authorities.

D2. Are individuals free to practice and express their religious faith or nonbelief in public and private? 3 / 4

Religious rights are generally respected in practice. Some non-Muslim government workers have reported occasional discrimination. People who convert from Islam to Christianity sometimes encounter pressure from their community.

D3. Is there academic freedom, and is the educational system free from extensive political indoctrination? 3 / 4

Academic freedom has historically been subject to political restrictions under authoritarian regimes. The problem was less severe under the 2010–21 civilian government, though self-censorship still reduced the vibrancy of academic discourse. The coup of September 2021 has neither worsened nor improved the relationship between academic freedom and executive power.

D4. Are individuals free to express their personal views on political or other sensitive topics without fear of surveillance or retribution? 2 / 4

Ethnic tensions and laws restricting freedom of expression may deter open debate in some circumstances. The junta does not officially restrict private discussions. However, state-led repression against dissenting voices and attempts to sideline critical media outlets have triggered widespread hesitation to express personal views for fears of surveillance or retribution.

E. ASSOCIATIONAL AND ORGANIZATIONAL RIGHTS: 4 / 12

E1. Is there freedom of assembly? 1 / 4

Article 34 establishes the freedom of assembly in the transitional charter, but in May 2022 a decree by the military junta banned demonstrations that have the potential to disturb public order. The junta used the decree to outlaw any demonstration that is critical of the government. In October the security forces used live ammunition against protesters and detained numerous FNDC sympathizers. Nevertheless, despite the risk of injury and persecution, protest marches against the government continued to take place throughout 2022.

E2. Is there freedom for nongovernmental organizations, particularly those that are engaged in human rights– and governance-related work? 1 / 4

Civil society is weak and subject to periodic interference and intimidation. Nongovernmental organization (NGO) workers and activists have faced threats, harassment, and imprisonment. Guinean NGOs also suffer from poor access to funding, leadership struggles, the restriction of civic space, and security concerns.

Civil society representatives are represented in the CNT under the September 2021 transitional charter. Many such organizations in the CNT are said to be supportive of President Doumbouya.

E3. Is there freedom for trade unions and similar professional or labor organizations? 2 / 4

Although workers are allowed to form trade unions, strike, and bargain collectively, they must provide 10 days' notice before striking, and strikes are banned in broadly defined essential services. In practice, unions are relatively active and constitute the core of civil society. The Condé (2010–21) and the Doumbouya (since 2021) administrations have attempted to divide unions seen as posing a potential threat to the authority of the government.

Several unions are represented in the CNT.

F. RULE OF LAW: 4 / 16

F1. Is there an independent judiciary? 1 / 4

The judicial system remains subject to political influence and corruption and is generally understaffed and lacks transparency. The judiciary suffers from a lack of resources and personnel.

Shortly after overthrowing Condé, junta leader Doumbouya ordered the return of cars and properties from judges who approved Conde's third term. Apart from the creation of a new anticorruption court there has been no substantial reform of the judiciary since the 2021 coup.

F2. Does due process prevail in civil and criminal matters? 1 / 4

The junta released political detainees imprisoned by Condé. However, in 2022 security forces under the junta carried out their own arbitrary arrests and detentions. Due process is upheld unevenly in the state justice system, and many disputes are settled informally through traditional justice systems.

Security personnel implicated in abuses during the 2020 electoral periods did not face significant judicial scrutiny, due in part to limited institutional capacity and the unwillingness of witnesses to participate in subsequent proceedings.

Most of the incarcerated population consists of people in prolonged pretrial detention.

In September 2022, the trial against former junta leader Moussa Dadis Camara and other alleged perpetrators of the 2009 Conakry stadium massacre started; interim President Doumbouya had ordered the trial. The victims were not guaranteed protection for testimony against the accused perpetrators. The proceedings are being monitored by the International Criminal Court (ICC), which signed a memorandum of understanding with the Doumbouya administration. Media coverage of the trial was shown on television without restriction.

F3. Is there protection from the illegitimate use of physical force and freedom from war and insurgencies? 1 / 4

Security forces have engaged in torture and other forms of physical violence with apparent impunity.

F4. Do laws, policies, and practices guarantee equal treatment of various segments of the population? 1 / 4

Women face pervasive societal discrimination and disadvantages in both the formal and traditional justice systems. Various ethnic groups engage in mutual discrimination with respect to hiring and other matters. Antidiscrimination laws do not protect LGBT+ people. Same-sex sexual activity is a criminal offense that can be punished with up to three years in prison. Although this law is rarely enforced, LGBT+ people have been arrested on lesser charges in connection with their identity.

G. PERSONAL AUTONOMY AND INDIVIDUAL RIGHTS: 6 / 16

G1. Do individuals enjoy freedom of movement, including the ability to change their place of residence, employment, or education? 2 / 4

Rampant crime and the lack of employment opportunities remain important informal impediments to freedom of movement and ability to seek new employment. Temporary restrictions on movement implemented in 2020 in response to the COVID-19 pandemic were no longer in place at the end of 2022.

G2. Are individuals able to exercise the right to own property and establish private businesses without undue interference from state or nonstate actors? 2 / 4

In principle there are avenues to document property rights and ownership, and following recent reforms, property registration processes have become faster and less expensive. However, the legal and administrative system responsible for enforcing ownership rights is ineffective and corrupt. In 2022, the junta expropriated a number of properties in the capital.

Women face gender-based disadvantages in laws and practices governing inheritance and property rights.

G3. Do individuals enjoy personal social freedoms, including choice of marriage partner and size of family, protection from domestic violence, and control over appearance? 1 / 4

Rape and domestic violence are common but underreported due to fears of stigmatization, and there no specific legislation addresses domestic abuse. Female genital mutilation (FGM) is common despite a legal ban; in 2016, the Office of the UN High Commissioner for Human Rights reported that 69 percent of 20- to 24-year-old women were subjected to FGM before their 10th birthday. The 2016 criminal code set the legal age for marriage at 18, but early and forced marriages have remained common. A civil marriage is required by the civil code prior to a traditional or religious marriage ceremony, but enforcement of this requirement is rare.

In 2019, the parliament amended the civil code to make monogamy the general regime of marriage, except when there is "explicit agreement" on polygamy from the first wife.

G4. Do individuals enjoy equality of opportunity and freedom from economic exploitation? 1 / 4

Workers in the informal sectors do not enjoy work-related protections. Income generated from the exploitation of the mining sector benefit those in power. In some mining areas, child labor is a major problem.

The 2016 criminal code specifically criminalized trafficking in persons and debt bondage, but reduced the minimum penalties for such crimes, and enforcement has been weak. Women and children are sometimes trafficked for sexual exploitation to other parts of West Africa, Europe, the Middle East, and the United States. The military coup of September 2021 diverted attention and administrative capacity away from existing programs to combat child labor and human trafficking.

Guinea-Bissau

Population: 2,100,000
Capital: Bissau
Freedom Status: Partly Free
Electoral Democracy: No

Overview: Guinea-Bissau's political system has been hampered in recent years by divisions between the president and the parliament, and within the main political party. Conditions for civil liberties have gradually improved as the country has recovered from the aftermath of a military coup in 2012, though police continue to disrupt some demonstrations. Corruption is a major problem that has been exacerbated by organized criminal activity, including drug trafficking.

KEY DEVELOPMENTS IN 2022

- In February, a group of armed men attacked the government palace, where President Umaro Sissoco Embaló was leading a cabinet meeting; Embaló was unhurt, but officials reported that 11 people were killed during the alleged coup attempt. Embaló described the attack as an assassination attempt, and claimed it was connected to the government's fight against drug trafficking.
- In response to the February attack, the Economic Community of West African States (ECOWAS) deployed a "stabilization force" to Guinea-Bissau in June to help protect government institutions and prevent further violence. Several of Embaló's opponents expressed doubts that the attack represented a genuine coup attempt; some suggested that Embaló may have orchestrated the coup himself, possibly in the hope that ECOWAS would send troops to help his government keep power.
- President Embaló dissolved the parliament in May, accusing its members of corruption, and appointed an interim government in June; the country's largest opposition party, the African Party for the Independence of Guinea-Bissau and Cabo Verde (PAIGC), was excluded from the transitional government after failing to reach an agreement with Embaló on the party's participation. New parliamentary elections were initially planned for December, but were later postponed until 2023.

POLITICAL RIGHTS: 17 / 40

A. ELECTORAL PROCESS: 7 / 12

A1. Was the current head of government or other chief national authority elected through free and fair elections? 2 / 4

The president is elected through a two-round voting system for up to two consecutive terms of five years. The prime minister is appointed by the president "in accordance with the election results" after consulting with the parliamentary parties, and the government must be dissolved if the parliament rejects its proposed budget.

Umaro Sissoco Embaló of the Movement for Democratic Alternation (Madem G15) party and a coalition of opposition parties, won the December 2019 presidential election's runoff with 53.6 percent of the vote, defeating Domingos Simões Pereira of the African Party for the Independence of Guinea-Bissau and Cabo Verde (PAIGC), who won 46.4 percent of the vote. According to the National Election Commission (CNE), voter turnout was 72.7 percent. The African Union's (AU) election observation mission found that the

administration of the runoff vote was free and transparent, despite challenges with the first round of voting. International bodies such as the Economic Community of West African States (ECOWAS) acknowledged Embaló's victory in April 2020. The Supreme Court ultimately rejected an appeal by Pereira that September.

In February 2022, a group of armed men opened fire on the government palace, where the president was holding a cabinet meeting. The president was unharmed by the assailants, and remained in power following the incident, which has been labeled an attempted coup. Embaló has called the attack an assassination attempt, and claimed it was planned by drug traffickers. Several people arrested in connection with the attack remained awaiting trial at year's end.

A2. Were the current national legislative representatives elected through free and fair elections? 3 / 4

Members of the 102-seat National People's Assembly are elected by popular vote for four-year terms. In the March 2019 elections, the PAIGC remained the largest single party with 47 seats, though it lost its outright majority. Madem G15 won 27, the Party of Social Renewal (PRS) took 21, the United People's Assembly–Democratic Party of Guinea-Bissau (APU-PDGB) took 5, and the Union for Change (UM) and the Party for a New Democracy (PND) each secured a single seat.

In May 2022, President Embaló dissolved the parliament, accusing its members of corruption and citing "insurmountable differences" between the body and other branches of government. An interim government was appointed in June; the PAIGC, which could not reach an agreement with Embaló on taking part in a national unity executive, was excluded from the transitional government. New parliamentary elections were initially planned for December, but were later postponed until June 2023.

A3. Are the electoral laws and framework fair, and are they implemented impartially by the relevant election management bodies? 2 / 4

There are some problems with the country's electoral laws and framework, including weak controls on campaign spending, vote buying, and a lack of legal provisions for domestic poll observers. Elections have been subject to delays in recent years, due in part to lack of funding and stalled voter registration processes.

B. POLITICAL PLURALISM AND PARTICIPATION: 8 / 16

B1. Do the people have the right to organize in different political parties or other competitive political groupings of their choice, and is the system free of undue obstacles to the rise and fall of these competing parties or groupings? 3 / 4

There are no major constraints on party formation. Dozens of political parties are active in Guinea-Bissau, and 21 competed in the 2019 parliamentary elections, up from 15 in 2014. However, the political crisis since 2015—when former president Vaz dismissed then prime minister Pereira—has led to some instances of violence and intimidation among partisan groups.

PAIGC leader and former presidential candidate Pereira was repeatedly prevented from leaving Guinea-Bissau on dubious grounds during 2022. The government initially claimed that Pereira was barred from leaving the country because he was the subject of an ongoing judicial investigation. However, authorities continued to prevent Pereira from leaving the country in September, even after a court order revoked earlier restraining measures that had required him to stay in Guinea-Bissau. Pereira was ultimately allowed to leave the country later that month.

During 2022, the PAIGC was repeatedly blocked from holding a party conference, which was initially scheduled to be held in February. In February, PAIGC militant Bolom Conté legally challenged Pereira's right to organize the congress, saying that his mandate as party leader had ended; the court sided with Conté, and issued an order forbidding the party to hold its congress. The court order was enforced in March when police violently raided PAIGC headquarters to prevent the congress from occurring, wounding at least seven people and arresting several others. Pereira accused President Embaló of pressuring the judiciary to block the congress, which was ultimately held in November and saw Pereira reelected as party leader.

In May 2022, UM party leader Agnelo Regala was shot at outside his home by unknown individuals. The Attorney General's Office (PGR) announced that the matter would be investigated.

B2. Is there a realistic opportunity for the opposition to increase its support or gain power through elections? 2 / 4

Guinea-Bissau has a limited record of democratic power transfers between rival political parties, as the PAIGC or military rulers have governed for most of the period since independence. In 2014, Vaz succeeded an independent who had served as acting president in the wake of the 2012 coup. Nevertheless, opposition forces increased their representation in the 2019 legislative elections. President Embaló of the new party Madem G15 succeeded former president Vaz of the PAIGC following the 2019 presidential election. However, Embaló's use of the military to complete his installation in office raised concerns.

B3. Are the people's political choices free from domination by forces that are external to the political sphere, or by political forces that employ extrapolitical means? 1 / 4

The military has apparently refrained from interfering in politics since 2014, though it was used by President Embaló to complete his installment in office. The choices of voters and politicians continue to be influenced by corruption and patronage networks. Organized crime linked to drug trafficking and money laundering has contributed to the country's political instability in recent decades.

In February 2022, while President Embaló was leading a cabinet meeting at the government palace, a group of armed men surrounded the building and opened fire. Officials reported that 11 people—mostly government security personnel—were killed during the alleged coup attempt. Several people were arrested in connection with the attack, which Embaló claimed was planned by drug traffickers. The trial of 25 people allegedly involved in the attack was initially scheduled to take place in December, but had been postponed as of year's end.

Several of Embaló's opponents—including PAIGC leader Pereira and Luís Vaz Martins, the former president of the Guinean League of Human Rights (LGDH)—have expressed doubts that the attack represented a genuine coup attempt. Some analysts believe Embaló may have orchestrated the coup himself, possibly in the hope that ECOWAS would send troops to help keep his government in power. In response to the February attack, an ECOWAS "stabilization force" was deployed to Guinea-Bissau in June to help local law enforcement protect public officials and government institutions and prevent further violence.

B4. Do various segments of the population (including ethnic, racial, religious, gender, LGBT+, and other relevant groups) have full political rights and electoral opportunities? 2 / 4

Women enjoy equal political rights, but cultural obstacles limit their participation in practice, and they are underrepresented in leadership positions. Just 14 women won seats in

the March 2019 parliamentary elections. A 2018 law requires 36 percent of candidates on party lists to be women.

Ethnicity plays a role in politics, reducing the extent to which all groups' interests are represented. For example, one of the country's larger ethnic groups, the Balanta, has traditionally dominated the military and cast votes for the PRS.

C. FUNCTIONING OF GOVERNMENT: 2 / 12

C1. Do the freely elected head of government and national legislative representatives determine the policies of the government? 1 / 4

Governance has been impaired by the political crisis that began in 2015, and election delays have undermined the democratic legitimacy of incumbent officials. The original term of the parliament that was replaced by the March 2019 elections had expired nearly a year earlier. The full legislature has convened only sporadically in recent years.

In early 2020, a constitutional crisis emerged when Embaló organized his inauguration unconstitutionally. The PAIGC, which had a slim parliamentary majority but lost the presidential election, ignored Embaló's inauguration and appointed an interim president, Cipriano Cassamá. However, Cassamá resigned after one day in office, saying he feared for his safety. Embaló was eventually recognized by the parliament.

C2. Are safeguards against official corruption strong and effective? 1 / 4

Corruption is pervasive, including among senior government figures. Both military and civilian officials have been accused of involvement in the illegal drug trade. Critics of past corruption investigations targeting former high-ranking officials have argued that they were politically motivated.

C3. Does the government operate with openness and transparency? 0 / 4

There are no effective legal provisions to facilitate public access to government information, and government officials do not disclose their personal financial information as required by law. The political impasse and related parliamentary dysfunction have further obstructed oversight of government spending in recent years. The lack of transparency contributes to chronic budget shortfalls, frequent delays in public-sector wages, and doubts about the management of foreign assistance.

CIVIL LIBERTIES: 26 / 60

D. FREEDOM OF EXPRESSION AND BELIEF: 10 / 16

D1. Are there free and independent media? 1 / 4

The constitution provides for freedom of the press, and there is some media diversity. However, journalists regularly face harassment and intimidation, including pressure regarding their coverage from political figures and government officials. Journalists and media facilities have been the target of violence.

In recent years, armed men—some dressed in military clothing—have repeatedly attacked the privately owned Radio Capital FM station, which is allied to the opposition PAIGC, vandalizing its offices and destroying broadcasting equipment. In one such attack in February 2022, several people were injured while fleeing from the assailants, who were firing weapons in the broadcaster's office.

Privately owned radio stations are subject to steep annual licensing fees; nonpayment of fees can incur harsh criminal penalties, including up to three years' imprisonment for the station's owner. In April 2022, the government ordered the closure of 79 radio stations

for nonpayment of broadcast licensing fees. The country's journalists' union denounced the closures as an attack on press freedom. All but two of the stations resumed broadcasting later that month after civil society organizations helped them negotiate staggered payments to the government.

D2. Are individuals free to practice and express their religious faith or nonbelief in public and private? 3 / 4

Religious freedom is legally protected and usually respected in practice. Government licensing requirements are not onerous and are often disregarded. Some Muslims have reportedly raised concerns about the influence of foreign imams who preach a more rigorous or austere form of Islam, threatening religious tolerance.

In July 2022, a Catholic church in the city of Gabú was vandalized by a group of unknown individuals. Though both Christian and Islamic groups in Guinea-Bissau condemned the attack, President Embaló controversially dismissed the crime as inconsequential. Police opened an investigation into the incident, but the perpetrators had not been held accountable as of December.

D3. Is there academic freedom, and is the educational system free from extensive political indoctrination? 3 / 4

Academic freedom is guaranteed and generally upheld, though the education system is poor in terms of access, quality, and basic resources. Public schools were closed for much of 2018 and 2019 due to ongoing teachers' strikes, and in 2020 and 2021 as a consequence of COVID-19 restrictions.

D4. Are individuals free to express their personal views on political or other sensitive topics without fear of surveillance or retribution? 3 / 4

Individuals are relatively free to express their views on political topics in the private and social sphere, though some more public figures have faced the threat of arrest or charges in retaliation for their remarks in recent years.

E. ASSOCIATIONAL AND ORGANIZATIONAL RIGHTS: 6 / 12

E1. Is there freedom of assembly? 1 / 4

Freedom of assembly is frequently restricted. The authorities repeatedly interfere with demonstrations linked to the political tensions between the presidency and the legislature. The state of emergency enforced due to the COVID-19 pandemic banned assemblies of more than 25 people during 2020. The restrictions were prolonged by President Embaló for most of 2021 and prevented protesters from gathering during a period of high political tension.

E2. Is there freedom for nongovernmental organizations, particularly those that are engaged in human rights– and governance-related work? 2 / 4

Nongovernmental organizations (NGOs) are generally able to operate. Some groups have faced intimidation and other obstacles, particularly those that are associated with street demonstrations.

Several activists who criticized the government reported facing harassment, arbitrary detentions, and physical assaults throughout 2021, including Luís Vaz Martins—a lawyer and the former president of the LGDH—who was the target of an assassination attempt that August. Martins accused the president of ordering the attack.

E3. Is there freedom for trade unions and similar professional or labor organizations? 3 / 4

Workers are allowed to form and join independent trade unions, but few work in the wage-earning formal sector. Private employers sometimes engage in improper interference with union organizing and other activities. The right to strike is protected, and government workers frequently exercise it.

Several strikes took place during 2022, with workers protesting against unpaid wages and poor working conditions.

F. RULE OF LAW: 5 / 16

F1. Is there an independent judiciary? 1 / 4

Judges are highly susceptible to corruption and political pressure, and the court system as a whole lacks the resources and capacity to function effectively.

F2. Does due process prevail in civil and criminal matters? 0 / 4

Corruption is common among police, and officers often fail to observe legal safeguards against arbitrary arrest and detention. Very few criminal cases are brought to trial or successfully prosecuted, partly due to the limited material and human resources available to investigators. Most of the population lacks access to the justice system in practice.

In November 2022, government critic Marcelino Ntupé, acting legal representative for 18 people accused of taking part in the alleged coup attempt in February, was kidnapped from his home and severely beaten by a group of armed men. The president condemned the attack, which the LGDH attributed to "institutional violence" in the country.

F3. Is there protection from the illegitimate use of physical force and freedom from war and insurgencies? 2 / 4

Conditions in prisons and detention centers are often extremely poor, and law enforcement personnel generally enjoy impunity for abuses. Because of its weak institutions and porous borders, Guinea-Bissau has become a transit point for criminal organizations trafficking various types of contraband. The armed forces and other state entities have been linked to drug trafficking. In recent years, authorities have made some progress in combating the drug trade and organized crime.

A low-intensity conflict in Senegal's Casamance region occasionally affects security across the border in Guinea-Bissau, where Senegalese rebels sometimes operate.

F4. Do laws, policies, and practices guarantee equal treatment of various segments of the population? 2 / 4

Women face significant societal discrimination and traditional biases, despite some legal protections. They generally do not receive equal pay for similar work and have fewer opportunities for education and employment.

There are virtually no effective legal protections against discrimination on other grounds, including ethnicity, sexual orientation, and gender identity, though same-sex relations are not specifically criminalized.

G. PERSONAL AUTONOMY AND INDIVIDUAL RIGHTS: 5 / 16

G1. Do individuals enjoy freedom of movement, including the ability to change their place of residence, employment, or education? 2 / 4

There are few formal restrictions on freedom of movement, but widespread corruption among police and other public officials can limit this right in practice, as can criminal activity. At times, Senegalese rebel activity may restrict movement in the border area.

G2. Are individuals able to exercise the right to own property and establish private businesses without undue interference from state or nonstate actors? 1 / 4

Illegal economic activity, including logging, by organized groups remains a problem. The quality of enforcement of property rights is generally poor, and the formal procedures for establishing a business are relatively onerous.

Women, particularly those from certain ethnic groups in rural areas, face restrictions on their ability to own and inherit property.

G3. Do individuals enjoy personal social freedoms, including choice of marriage partner and size of family, protection from domestic violence, and control over appearance? 1 / 4

There are multiple constraints on personal social freedoms. Early and forced marriages remain common, especially in rural areas. The government, international organizations, and community leaders have worked to eliminate female genital mutilation (FGM), though nearly half of the country's women have suffered from such violence. Despite the existence of legislation to address gender-based violence, the problem is reportedly widespread; victims of rape and domestic abuse rarely report the crimes to authorities.

G4. Do individuals enjoy equality of opportunity and freedom from economic exploitation? 1 / 4

Guinea-Bissau is one of the world's poorest countries, with most families relying on unstable employment in the informal economy or remittances from migrant workers abroad. Public services have deteriorated in recent years amid irregular payment of public-sector workers.

Boys are vulnerable to organized exploitation through forced begging and to forced labor in sectors including mining and agriculture. A rising number of Muslim children from Guinea-Bissau are trafficked by money-making schemes disguised as religious Quranic schools, particularly into Senegal.

Girls are frequently victims of sexual exploitation or domestic servitude. Government officials have been accused of complicity in trafficking activity, including sex tourism schemes in the Bijagós islands.

Guyana

Population: 800,000
Capital: Georgetown
Freedom Status: Free
Electoral Democracy: Yes

Overview: Guyana is a parliamentary democracy with a lively press and a robust civil society. However, elections held in 2020 were marred by attempted fraud. Crime, police violence and corruption, and discrimination against Indigenous and LGBT+ people remain significant problems. The exploitation of offshore oil and natural gas reserves has raised the stakes of anticorruption reforms and stoked ethnopolitical divisions.

KEY DEVELOPMENTS IN 2022

- In November, the National Assembly passed a bill to establish a Constitutional Reform Commission to boost minority rights and improve the electoral framework.
- A presidential commission of inquiry into the 2020 elections began proceedings in November.

POLITICAL RIGHTS: 30 / 40

A. ELECTORAL PROCESS: 9 / 12

A1. Was the current head of government or other chief national authority elected through free and fair elections? 3 / 4

The president, who serves as both chief of state and head of government, appoints the cabinet, though ministers are collectively responsible to the National Assembly. Parties designate a presidential candidate ahead of National Assembly elections, with the winning party's candidate assuming the presidency for a maximum of two five-year terms.

Long-delayed elections held in March 2020 were marred by serious attempted fraud. The High Court ordered a recount, but political and courtroom maneuvering continued for months until the government of then president David Granger ultimately accepted the results of a recount showing that Irfaan Ali of the People's Progressive Party/Civic (PPP/C) had won the presidency. Ali took his post that August.

A2. Were the current national legislative representatives elected through free and fair elections? 3 / 4

Members of the unicameral, 65-seat National Assembly are elected to five-year terms; 25 representatives are elected in 10 geographical constituencies, while 40 are elected by proportional representation nationally. Up to seven unelected cabinet ministers and parliamentary officials may also hold ex officio seats.

In the 2020 elections, the PPP/C won 33 seats, Granger's coalition of A Partnership for National Unity (APNU) and the Alliance for Change (AFC) won 31, and a coalition of opposition parties was allocated 1 seat. European Union (EU) observers said the campaign was competitive and generally free, although polarization, unregulated campaign finance, and a lack of transparency characterized the preelectoral period. The EU observers said the poll's integrity was "seriously compromised" by the manipulation of results by senior Guyana Elections Commission (GECOM) officials. The eventual allocation of seats was based on a recount approved by Caribbean Community observers.

A3. Are the electoral laws and framework fair, and are they implemented impartially by the relevant election management bodies? 3 / 4

Although observers characterized the 2020 polls as generally free, EU observers described GECOM as dysfunctional, polarized, opaque, and derelict in its duty to stop its officials from interfering with the results. In August 2021, GECOM dismissed Chief Elections Officer Keith Lowenfield—who had been accused of abetting the fraudulent vote tabulation in 2020—along with his deputy and a regional officer.

A presidential COI into the 2020 elections began proceedings in November 2022.

The same month, the National Assembly passed a bill proposed by the government in August 2022 to establish a Constitutional Reform Commission (CRC) to make recommendations about several major constitutional issues including electoral reforms.

B. POLITICAL PLURALISM AND PARTICIPATION: 13 / 16

B1. Do the people have the right to organize in different political parties or other competitive political groupings of their choice, and is the system free of undue obstacles to the rise and fall of these competing parties or groupings? 4 / 4

Political parties may form freely and they generally operate without interference. The APNU is predominantly Afro-Guyanese while the PPP/C is mainly Indo-Guyanese. Ethnopolitical divisions have sharpened amid the influx of oil and gas revenue. New parties

emerged to contest the 2020 elections, gaining one shared seat. Independent candidates cannot legally stand for the presidency.

B2. Is there a realistic opportunity for the opposition to increase its support or gain power through elections? 4 / 4

The PPP/C ruled from 1992 to 2015, and the APNU-AFC coalition from 2015 to 2020. The PPP/C took power through elections in 2020, but significant pressure from the international community was required to ensure a declaration of the PPP/C as the winner based on the results of a recount.

B3. Are the people's political choices free from domination by forces that are external to the political sphere, or by political forces that employ extrapolitical means? 3 / 4

Voters are largely free to make their own political choices. However, there is concern that politics may be improperly influenced by the largely Indo-Guyanese economic elite.

B4. Do various segments of the population (including ethnic, racial, religious, gender, LGBT+, and other relevant groups) have full political rights and electoral opportunities? 2 / 4

Women and ethnic minorities have equal political rights under the law. At least a third of each party's candidate list must consist of women. Women gained 25 of the National Assembly's 65 elected and 5 ex officio seats in 2020.

Indigenous people, who make up about 10 percent of the population, are politically marginalized. In 2020, Indigenous activist and Liberty and Justice Party (LJP) founder Lenox Shuman ran for president. Later that year, Shuman became the first Indigenous deputy speaker of the National Assembly.

C. FUNCTIONING OF GOVERNMENT: 8 / 12

C1. Do the freely elected head of government and national legislative representatives determine the policies of the government? 4 / 4

The president and the legislative majority are generally able to create and implement policy without improper interference. There are signs that the post-2020 political impasse is thawing. In May 2022, President Ali met officially with opposition leader Aubrey Norton of the APNU-AFC for the first time, to discuss several long-vacant judicial and official appointments.

C2. Are safeguards against official corruption strong and effective? 2 / 4

In recent years, successive governments have introduced safeguards against corruption, notably by strengthening money-laundering controls and empowering a new agency to audit state-owned companies. However, graft remains widespread, and the exploitation of offshore oil and natural gas reserves is adding urgency to the need for effective anticorruption reforms.

In July, Transparency Institute Guyana Inc. (TIGI) called on the government to officially investigate allegations of corruption concerning Vice President Bharrat Jagdeo that surfaced in a report by US-based Vice News.

C3. Does the government operate with openness and transparency? 2 / 4

Laws designed to ensure government transparency are inconsistently upheld. A 2013 Access to Information Act allows the government to refuse requests with little or no justification.

In May 2022, a board was appointed to the government integrity commission tasked with reviewing officials' asset disclosures after its posts had remained vacant for over a year.

Also in May 2022, the government released its third report for the Extractive Industries Transparency Initiative, covering fiscal year 2019.

Critics have suggested that the government's initial set of oil contracts, negotiated privately with individual companies, are unfavorable to Guyana. A Natural Resource Fund (NRF) bill was passed in December 2021, restructuring systems put in place in 2019 to manage oil revenue. The bill establishes an oversight committee independent from the Ministry of Finance to boost transparency. It also requires that all reports of petroleum revenues be published in the Official Gazette within three months, with failure to do so punishable by stiff fines and lengthy prison terms. Critics have nevertheless suggested that the process for appointments to the NRF board and openings for Ministry of Finance influence over the fund could dent its independence.

CIVIL LIBERTIES: 43 / 60

D. FREEDOM OF EXPRESSION AND BELIEF: 15 / 16

D1. Are there free and independent media? 3 / 4

Although freedom of the press is generally respected, government officials have filed defamation cases against journalists. Criminal defamation charges can be punishable by up to two years in prison.

The Guyana National Broadcasting Authority, whose board is appointed by the president, has been accused of partisan bias in regulatory and licensing decisions. The state-owned *Guyana Chronicle* has also been accused of progovernment bias, including in December 2022 by the Guyana Public Service Union (GPSU).

D2. Are individuals free to practice and express their religious faith or nonbelief in public and private? 4 / 4

Religious freedom is constitutionally guaranteed and generally respected in practice. Rules limiting visas for foreign missionaries and barring blasphemous libel are not actively enforced.

The Ali administration has indicated that faith groups will have representation on the CRC.

D3. Is there academic freedom, and is the educational system free from extensive political indoctrination? 4 / 4

Academic freedom is largely upheld.

D4. Are individuals free to express their personal views on political or other sensitive topics without fear of surveillance or retribution? 4 / 4

People are generally free to express their views without fear of retaliation, surveillance, or other repercussions. During June 2022 protests in the East Coast Demerara Region, President Ali claimed a demonstrator had been filmed threatening his life and indicated he would seek a parliamentary resolution "decrying political violence and threats of assassination."

E. ASSOCIATIONAL AND ORGANIZATIONAL RIGHTS: 11 / 12

E1. Is there freedom of assembly? 4 / 4

The authorities generally uphold the right to peaceful assembly. A protest against police violence in the East Coast Demerara Region in June 2022 proceeded without interference or subsequent arrests, despite some protesters allegedly attacking street vendors and looting.

E2. Is there freedom for nongovernmental organizations, particularly those that are engaged in human rights– and governance-related work? 4 / 4

Nongovernmental organizations (NGOs) operate freely. The government has consulted with NGOs on various policy initiatives, including measures designed to combat human trafficking.

E3. Is there freedom for trade unions and similar professional or labor organizations? 3 / 4

The rights to form labor unions, bargain collectively, and strike are generally upheld, and unions are well organized. However, laws against antiunion discrimination are poorly enforced.

In April 2022, union members protested low wages and the high cost of living, and criticized the Ali administration for failing to restore a collective bargaining agreement removed by a previous government. The GPSU criticized the government for failing to engage in collective bargaining with public sector workers.

F. RULE OF LAW: 8 / 16

F1. Is there an independent judiciary? 2 / 4

The courts are impaired by political disputes, staff shortages, and lack of resources. The president must obtain the agreement of the opposition leader to appoint the chancellor of the judiciary and the chief justice. Both positions were held by acting placeholders in 2022; Guyana has gone without a confirmed chancellor and chief justice for 17 and 21 years, respectively.

Other judges are appointed by the president on the advice of a Judicial Service Commission (JSC), which is also selected with opposition input. The JSC has remained unstaffed since 2017.

Guyanese courts played a mixed role during the 2020 election crisis. The APNU-AFC continues to challenge the legality of the elections; a petition was admitted by the Court of Appeal in October 2022.

F2. Does due process prevail in civil and criminal matters? 2 / 4

Observance of due process safeguards is uneven. Defendants are often held in pretrial detention beyond their maximum possible sentence; about 27 percent of the prison population were awaiting trial as of September 2022. Prisons are also overcrowded.

Police officers do not always operate with professionalism; some have reportedly accepted bribes and committed a variety of other crimes.

F3. Is there protection from the illegitimate use of physical force and freedom from war and insurgencies? 2 / 4

Reports of police violence, abuse of detainees, and harsh prison conditions persist. An undercover police officer in Region 4 allegedly shot and killed Quindon Bacchus, a young man and resident of Haslington, in June 2022, sparking protests and a riot; three police officers were arrested in July in connection with the case. The rate of violent crime has fallen somewhat in recent years but remains stubbornly high.

F4. Do laws, policies, and practices guarantee equal treatment of various segments of the population? 2 / 4

Indo-Guyanese people, who make up 40 percent of the population, predominate in business. The organization of politics along ethnic lines makes communal violence a perennial concern.

Laws barring discrimination based on race, gender, and other categories are not effectively enforced. Women continue to suffer from workplace bias and significantly lower pay.

Guyana's nine principal Indigenous groups still face disparities in health care, education, and justice.

Guyana's Prevention of Discrimination Act of 1997 does not mention sexual orientation or gender identity. Same-sex sexual activity is punishable with harsh jail terms, and the LGBT+ community faces discrimination and police harassment.

G. PERSONAL AUTONOMY AND INDIVIDUAL RIGHTS: 9 / 16

G1. Do individuals enjoy freedom of movement, including the ability to change their place of residence, employment, or education? 3 / 4

There are no undue legal restrictions on freedom of movement, including with respect to residency, employment, and education. However, factors including bribery, racial polarization, and neglected infrastructure in some regions limit this right in practice.

G2. Are individuals able to exercise the right to own property and establish private businesses without undue interference from state or nonstate actors? 2 / 4

The legal framework generally supports the rights to own property and operate private businesses, but complex regulations are unevenly enforced, and corruption and organized crime sometimes inhibit business activity.

Indigenous peoples face unauthorized encroachment and resource exploitation by outsiders. In September 2021, President Ali announced that the Amerindian Act of 2006 would be revised with a view to bolstering Indigenous land rights, and the government allocated funding for the project in July 2022.

G3. Do individuals enjoy personal social freedoms, including choice of marriage partner and size of family, protection from domestic violence, and control over appearance? 2 / 4

Individual freedom on matters such as marriage and divorce is generally respected, though same-sex marriage and civil unions are prohibited. Marriage before age 18 is allowed with judicial or parental permission and is common. Domestic abuse is widespread, and conviction rates are low.

An 1893 law prohibiting cross-dressing was overturned in August 2021 following a 2018 Caribbean Court of Justice ruling.

G4. Do individuals enjoy equality of opportunity and freedom from economic exploitation? 2 / 4

Legal protections against exploitative working conditions are not enforced consistently. Those working in the informal sector and extractive industries in the country's interior are particularly vulnerable to abuses.

Haiti

Population: 11,600,000
Capital: Port-au-Prince
Freedom Status: Not Free
Electoral Democracy: No

Overview: Worsening breakdowns of the Haitian electoral system in recent years have led to a series of expired mandates and constitutional impasses, leaving citizens without proper political representation. The government's ability to function was further impacted by the 2021 assassination of President Jovenel Moïse; Prime Minister Ariel Henry, whom Moïse

appointed before his death, rules by decree. Rampant corruption and violence by armed criminal groups undermine basic services and contribute to pervasive physical insecurity. The judiciary and law enforcement agencies lack the resources, independence, and integrity to uphold due process and the rule of law and are additionally targeted by criminal groups. Antigovernment protests often result in excessive use of force by police.

KEY DEVELOPMENTS IN 2022

- In July, an alliance of criminal gangs fought other groups for control of Nan Brooklyn, an area that sits within the Cité Soleil section of Port-au-Prince. By late July, some 300 people were killed.
- In September, that same alliance blocked access to the country's main fuel terminal after the government of Ariel Henry announced that it would reduce fuel subsidies. The government reclaimed control of the terminal in November after reportedly negotiating with the occupying group.
- In October, Henry called on the international community to send troops into Haiti to address the country's security situation. While some governments considered the request and UN officials called on member states to provide assistance, no such force was deployed by year's end.
- In late December, Henry signed an agreement with a group of business and civil society actors that called for elections in 2023 and the installation of an elected government in 2024. A copy of that agreement was not published in *Le Moniteur*, the government's official newspaper, by year's end.

POLITICAL RIGHTS: 11 / 40

A. ELECTORAL PROCESS: 3 / 12

A1. Was the current head of government or other chief national authority elected through free and fair elections? 1 / 4

In Haiti's semipresidential system, the president is directly elected for a five-year term. The prime minister is appointed by the president and confirmed by Parliament. Jovenel Moïse of the Haitian Tèt Kale Party (PHTK), the handpicked successor of then president Michel Martelly, won the 2015 presidential election, but the results were nullified due to extensive fraud. Moïse went on to win a repeat election in 2016, taking 55.6 percent of the vote. The events surrounding the repeat election later resulted in a political and legal dispute over whether Moïse's term expired in February 2021, five years after the end of Martelly's term, or February 2022, five years after Moïse was inaugurated.

Moïse frequently replaced the prime minister during his tenure, but after the terms of most lawmakers expired in early 2020, his appointees were unable to obtain parliamentary approval in keeping with the constitution. After Prime Minister Claude Joseph submitted his resignation in early July 2021, Moïse appointed Ariel Henry as Joseph's successor through a decree published in the official state newspaper *Le Moniteur*.

Henry had not yet been installed when, days later, Moïse was assassinated at his residence. The assassination set off a dispute among local political, civic, and economic actors as to who should head the executive branch, but key diplomatic representatives in the country—known as the Core Group—called on Henry to lead the government, and Joseph stepped down. That September, Henry dismissed the Provisional Electoral Council (CEP) and postponed already-overdue general elections.

Although his role as head of government is contested due to his suspected involvement in Moïse's assassination, Henry rules with support from the international community; the UN Security Council accepted Henry's decision to postpone elections and dismiss the CEP

in 2021. Polls may take place in 2023 under an agreement reached between Henry and civil society actors in December 2022.

A2. Were the current national legislative representatives elected through free and fair elections? 0 / 4

The directly elected, bicameral Parliament is composed of a Senate, with 30 members who serve six-year terms, and a Chamber of Deputies, with 119 members who serve four-year terms. The 2015 legislative elections were plagued by disorder, fraud, and violence; runoff polls held in 2016 were marred by fraud and low turnout. The PHTK emerged as the single largest party in both chambers, followed by Vérité (Truth).

Parliament was dissolved in 2020 after parliamentary and local elections were cancelled in late 2019. The 10 senators who still had mandates supported Senate president Joseph Lambert's short-lived bid to serve as acting president after Moïse's assassination. The remaining senators' mandates will expire in January 2023. Local government officials also operate without a mandate, with mayors being reappointed or leaving office in 2020.

A3. Are the electoral laws and framework fair, and are they implemented impartially by the relevant election management bodies? 2 / 4

The CEP was established in the late 1980s as a temporary body but remains responsible for managing the electoral process. Despite constitutional safeguards against executive dominance of the CEP, the executive has asserted significant control in practice. In 2020, Moïse appointed a new CEP by presidential decree in a move that human rights observers called unconstitutional. Plans to hold a constitutional referendum and elections in 2021 were scuttled that September; Henry dismissed the CEP and pledged to assemble a new council with broader legitimacy. A new CEP was not formed in 2022, however.

In 2021, political and civil society leaders produced the Montana Accord, under which a transitional government would preside over new polls. The accord did not win the immediate support of the PHTK and other stakeholders, however. In late December 2022, Henry signed on to a document with a different group of civil society and business actors. That agreement envisioned a 14-month transition period, 2023 polls, and the 2024 installation of a democratically elected government. A copy of that agreement was not published in *Le Moniteur* by year's end.

B. POLITICAL PLURALISM AND PARTICIPATION: 5 / 16

B1. Do the people have the right to organize in different political parties or other competitive political groupings of their choice, and is the system free of undue obstacles to the rise and fall of these competing parties or groupings? 1 / 4

Legal and administrative barriers that prevented some parties from registering or running in past elections have largely been eliminated. The number of members required to form a political party was reduced from 500 to 20 in 2014, leading to the creation of dozens of parties. However, pervasive insecurity and criminal violence impair political activity. Opposition leaders are subject to threats and abductions, and protests organized by opposition parties are regularly met with repressive force by authorities. Political actors have long employed criminal gangs to impede their opponents, further restricting competition.

Criminal violence is pervasive. In December 2022, the UN Integrated Office in Haiti (BINUH) reported that over 1,200 kidnappings took place during the year, over twice as many as in 2021. Gangs continue to control neighborhoods and strategic roads connecting Port-au-Prince to the rest of the country.

B2. Is there a realistic opportunity for the opposition to increase its support or gain power through elections? 1 / 4

Haiti has a poor record of peaceful democratic transfers of power. It remains difficult for the opposition to increase its support or gain power through elections, which are regularly disrupted by violence, marred by accusations of fraud, and postponed. The PHTK consolidated power in the legislature and at the local level, in part through alliances with smaller parties, before national and local mandates expired.

B3. Are the people's political choices free from domination by forces that are external to the political sphere, or by political forces that employ extrapolitical means? 1 / 4

Haitians' political choices are marginalized by corrupt patronage networks, organized crime, and foreign actors. Many politicians have relied on money linked to drug trafficking, gang activity, and other illegal sources to finance their campaigns. The PHTK and opposition parties have enlisted armed criminal groups to either incite or halt residents' involvement in protests and other political activities, according to local human rights activists.

Citizens' democratic autonomy was further harmed by the assassination of President Moïse and its aftermath. In addition to the violence and criminality associated with the murder itself, many observers decried the role of the Core Group—comprising ambassadors or representatives from Brazil, Canada, France, Germany, Spain, the United States, the European Union, the Organization of American States, and the United Nations—in accepting Henry as prime minister.

B4. Do various segments of the population (including ethnic, racial, religious, gender, LGBT+, and other relevant groups) have full political rights and electoral opportunities? 2 / 4

Haitian women are underrepresented in political life, with only four out of 149 parliamentary seats held by women from 2017 to 2019. The constitution mandates that 30 percent of public officials be women, but there are no penalties for noncompliance. Election-related violence and social and cultural norms discourage women from participating in politics. Due to societal discrimination, the interests of LGBT+ people are not represented in the political system, and there are no openly LGBT+ politicians.

C. FUNCTIONING OF GOVERNMENT: 3 / 12

C1. Do the freely elected head of government and national legislative representatives determine the policies of the government? 1 / 4

Few national leaders who held office in 2022 were freely elected or appointed according to the constitution. Henry was selected by Moïse to become prime minister in 2021, but that appointment was not approved by Parliament, which was dissolved in 2020 as most of its members lost their electoral mandates. Before his assassination, Moïse attempted to rule by decree; the legitimacy of his actions was questioned, since only members of Parliament have the constitutional authority to pass laws. Henry has ruled by decree after Moïse's murder.

Corruption, instability, and security threats hinder the government's ability to carry out its own policies and provide basic services. In September, the G9 an Fanmi e Alye (Family and Allies) alliance of gangs blockaded the country's main fuel terminal after the Henry government announced a reduction in fuel subsidies. In October, Henry called for other countries to send troops into the country. While some governments publicly considered Henry's request and UN officials called on member states to provide assistance, no such force was deployed by year's end. The government reclaimed control of the terminal in November, after reportedly negotiating with the gang.

C2. Are safeguards against official corruption strong and effective? 1 / 4

Corruption is widespread in Haiti, as are allegations of impunity for government officials. The country's anticorruption framework, meanwhile, has been weakened in recent years. A 2017 law reduced the independence and powers of the Central Financial Intelligence Unit (UCREF), which investigated money-laundering cases. Also in 2017, Moïse replaced the heads of the Anticorruption Unit (ULCC) and the UCREF with political allies and former members of the Michel Martelly administration. Under a 2020 decree, procurement-related opinions issued by the Superior Court of Audits and Administrative Disputes (CSCCA) were made advisory and nonbinding; earlier that year, that court released a report on official corruption involving a development-loan program operated by Venezuela.

In a report released in August 2022, the ULCC warned that corruption remained widespread in national and local government bodies.

C3. Does the government operate with openness and transparency? 1 / 4

Haitians' general distrust of the government stems in large part from the absence of transparency and accountability measures that are needed to reduce corruption. There are no access-to-information laws, and it is reportedly very difficult to obtain government documents and data in practice. All government officials must file financial disclosure forms within 90 days of taking office and within 90 days of leaving office, though these requirements are not well enforced and the reports are not made public. A 2020 presidential decree that created the National Intelligence Agency (ANI) granted it total secrecy and the ability to conduct surveillance on individuals and businesses at any time, even if there is no relevant ongoing investigation.

In 2021, Henry dismissed the justice minister and a chief prosecutor after investigators under their supervision uncovered evidence that appeared to link Henry to a top suspect in the Moïse assassination, prompting accusations that he was obstructing justice. The investigation remained stalled at year's end.

CIVIL LIBERTIES: 20 / 60 (−2)

D. FREEDOM OF EXPRESSION AND BELIEF: 8 / 16 (−1)

D1. Are there free and independent media? 1 / 4 (−1)

The constitution includes protections for press freedom, and the media sector is pluralistic, but the work of journalists is constrained by threats and violence, government interference, and a lack of financial resources. Attacks on journalists occur frequently, and impunity for perpetrators is the norm.

According to the Committee to Protect Journalists (CPJ), seven journalists or media workers were murdered, died conducting a dangerous assignment, or died in other circumstances in 2022. In early January, for example, Wilguens Louis-Saint and John Wesley Amady were killed in Port-au-Prince, likely by gang members, while reporting on criminal activity. In September, a group of journalists reporting on gang violence in Port-au-Prince were ambushed, reportedly by members of the G9 an Fanmi e Alye; Frantzen Charles and Tayson Lartigue were killed and their bodies reportedly burned.

Journalists also died when security forces tried to disperse protests. In February 2022, journalist Maximilien Lazard was shot as police used live ammunition on protesters in Port-au-Prince and later died at a hospital. Police in Port-au-Prince used tear gas to disperse a group of journalists who protested the detention of another journalist in October; Romelson Vilcin of Radio Génération 80 was struck by a tear-gas canister and killed, while police beat several protesters.

Score Change: The score declined from 2 to 1 because journalists have faced mistreatment and violence at the hands of Haitian authorities and criminal actors throughout the year.

D2. Are individuals free to practice and express their religious faith or nonbelief in public and private? 3 / 4

Freedom of religion is constitutionally guaranteed, and religious groups generally practice freely. However, the traditionally dominant Roman Catholic and Protestant churches and schools receive certain privileges from the state, while Vodou religious leaders have experienced social stigmatization and violence for their beliefs and practices. The government has denied registration to the country's small Muslim communities.

D3. Is there academic freedom, and is the educational system free from extensive political indoctrination? 2 / 4

Educational institutions and academics choose their curriculum freely, but university associations and student groups that protest government actions are often met with police violence. Academic freedom is also negatively affected by the general climate of insecurity, and some scholars may self-censor to avoid conflicts with powerful groups or individuals.

D4. Are individuals free to express their personal views on political or other sensitive topics without fear of surveillance or retribution? 2 / 4

There are some formal constraints on the expression of personal views, including criminal defamation laws. The risk of violent reprisal also serves as a deterrent to unfettered discussion of sensitive issues such as corruption, gangs, and organized crime. The government has been accused of using criminal gangs to help suppress dissent. Private discussion is also constrained by the risk of kidnapping, which is a common occurrence in Haiti.

E. ASSOCIATIONAL AND ORGANIZATIONAL RIGHTS: 4 / 12

E1. Is there freedom of assembly? 2 / 4

Freedom of assembly is constitutionally enshrined but often violated in practice. Police have used excessive force including live rounds of ammunition to disperse protesters. Despite the risk of violence, politicians, civil society groups, and ordinary citizens continued to mount demonstrations in 2022, calling for Henry to step down and condemning criminal activity.

Police regularly responded with force during the year. In October 2022, for example, protesters in the capital assembled to object to the Henry government's call for foreign intervention; police used tear gas in response. At least one person died, with other participants saying the police were responsible.

E2. Is there freedom for nongovernmental organizations, particularly those that are engaged in human rights– and governance-related work? 1 / 4

Numerous domestic and international nongovernmental organizations (NGOs) operate in Haiti, but human rights defenders and activists who address sensitive topics are subject to threats and violence, which creates a climate of fear. The National Human Rights Defense Network (RNDDH) claimed that a gang leader and a politician plotted to kill its director in a March 2022 meeting.

Violence against activists is rarely investigated or prosecuted. Among other high-profile cases, the 2020 assassination of Port-au-Prince Bar Association head Monferrier Dorval remained unsolved in 2022.

E3. Is there freedom for trade unions and similar professional or labor organizations? 1 / 4

The right to unionize is legally protected and strikes are not uncommon. However, the union movement in Haiti is weak and lacks collective bargaining power in practice. Most citizens are informally employed. Workers who engage in union activity frequently face harassment, suspension, termination, and other repercussions from employers. In February 2022, factory workers protested over pay in Port-au-Prince. Garment workers protested that same month.

F. RULE OF LAW: 4 / 16

F1. Is there an independent judiciary? 1 / 4

The Haitian judiciary faces a multitude of challenges including corruption, safety concerns, a lack of accountability, political interference, and arbitrariness in operations, rendering the justice system ineffective by any standard. As president, Jovenel Moïse made judicial appointments beyond the authority of his office and interfered with judges who investigated politically sensitive matters. In February 2022, the Ministry of Justice attempted to illegally nominate judges to the Supreme Court. Under the constitution, judges sitting on that court must be named by the president from a list provided by the Senate. The Supreme Court last met in February, though Henry appointed a new president for that court in November.

After Moïse's 2021 assassination, a number of judges assigned to the case resigned for security-related reasons. Other officials who were involved in the investigation received death threats. A fifth judge was assigned to the case in May 2022. In its October report to the UN Security Council, the BINUH reported that a legal deadline in the case had nevertheless been missed.

Security concerns affected other courts in 2022. In June, gangs took control of the Court of First Instance in Port-au-Prince. Judges and lawyers who fled reported that files were lost during that incident. Lawyers had sought to avoid that court, which is near gang-controlled territory, and called on the government to move it for safety reasons. In its October report, the BINUH noted that police had to patrol the CSCCA after that court received threats.

F2. Does due process prevail in civil and criminal matters? 1 / 4

Constitutionally protected due process rights are regularly violated in practice. Arbitrary arrest is common, as are extortion attempts by police and at all levels of the legal system. Most suspects do not have legal representation, and even those who do suffer from long delays and case mismanagement. In 2021, the BINUH said 82 percent of all detainees were held on a pretrial basis. Many have never appeared before a judge despite the legal requirement of a court hearing within 48 hours of arrest; in some cases, detainees have waited years for a trial.

In 2020, President Moïse published two decrees that expanded the definition of terrorism and created the ANI to gather information on and prevent terrorist acts that ostensibly threaten national security. Human rights groups criticized the vague new definition of "terrorist act," which included robbery, extortion, arson, and the destruction of public and private goods. According to the decrees, the ANI would have broad discretion to conduct searches and surveillance, and its staff cannot be held legally accountable for abuses without prior authorization from the president.

F3. Is there protection from the illegitimate use of physical force and freedom from war and insurgencies? 1 / 4

A culture of impunity in law enforcement leaves civilians in Haiti with little protection from the illegitimate use of force, and police themselves are subject to lethal attacks by heavily armed criminal groups.

Criminal groups fight one another for territory and prey on residents in areas under their control, earning revenue from kidnappings, extortion, and other illegal activities. In July, the G9 an Fanmi e Alye fought other groups for control of Nan Brooklyn, an area that sits within the Cité Soleil section of Port-au-Prince. In late July, Human Rights Watch (HRW) reported that some 300 people were killed in the fight for control of that area. In its October report, the BINUH documented 1,377 deaths, injuries, and disappearances between June and September that it blamed on gang activity. It also reported that gang members subjected women, girls, and LGBT+ people to sexual violence; some victims were mutilated or murdered by their assailants.

Police are regularly accused of abusing suspects and detainees. Police have also been known to use extreme force to repress protests. Police are rarely held accountable for their use of physical force.

Prison conditions are especially poor. Facilities are overcrowded and understaffed. Prisons also ran out of food during 2022, with eight inmates held in a Les Cayes prison dying due to conditions or of starvation by June. Authorities released prisoners in Cap-Haïtien and Les Cayes in July due to a lack of food. In October, Health through Walls, an NGO that provides medical support for prisoners, reported that at least 21 people held in the National Penitentiary had died earlier that month as cholera spread through the prison system.

F4. Do laws, policies, and practices guarantee equal treatment of various segments of the population? 1 / 4

Discrimination against women, the LGBT+ community, and people with disabilities is pervasive. Among other problems, women face bias in employment and disparities in access to financial services.

A reformed yet highly contested penal code was published in 2020 by executive decree and was set to take effect in June 2022, but its implementation was delayed to 2024. It prohibits gender-based violence, sexual harassment, and discrimination on the basis of sexual orientation, which occur regularly in practice. Conservative cultural and religious groups objected to the new code in part because it lowered the age of consent.

G. PERSONAL AUTONOMY AND INDIVIDUAL RIGHTS: 4 / 16 (−1)

G1. Do individuals enjoy freedom of movement, including the ability to change their place of residence, employment, or education? 1 / 4

The government generally does not restrict travel or place limits on the ability to change one's place of employment or education. However, insecurity has prevented free movement, particularly in Port-au-Prince, as roads are frequently blockaded by criminal groups, police, or protesters, and many residents avoid unnecessary travel due to widespread gang violence. Movement was further restricted by roadblocks, protests, and the occupation of the country's main fuel terminal after the government announced a fuel-subsidy reduction in September 2022.

The International Organization of Migration counted 113,000 internally displaced people as of August 2022, most of whom fled the capital due to gang violence. Many displaced Haitians live in especially poor conditions.

G2. Are individuals able to exercise the right to own property and establish private businesses without undue interference from state or nonstate actors? 1 / 4 (−1)

Although the legal framework protects property rights and private business activity, it is difficult in practice to register property, enforce contracts, and obtain credit. Poor record-keeping and corruption contribute to inconsistent enforcement of property rights.

Business owners faced more intensive extortion efforts on the part of criminal gangs in 2022. Criminal gangs are also known to demand bribes or other support from officials. NGOs, meanwhile, have had to negotiate with criminal groups for access to territory; criminal groups have additionally pressured NGOs into providing financial assistance or hiring their members.

Score Change: The score declined from 2 to 1 because criminal actors interfere with business activity in areas they control, in part by demanding payment from business owners and other actors.

G3. Do individuals enjoy personal social freedoms, including choice of marriage partner and size of family, protection from domestic violence, and control over appearance? 2 / 4

Basic freedoms related to marriage, divorce, and custody are generally respected. However, there are no laws specifically addressing domestic violence, which is a widespread problem. Both domestic violence and rape are underreported and rarely result in successful prosecutions, with justice officials often favoring reconciliation or other forms of settlement. Spousal rape is not recognized as a criminal offense. Sexual violence has also become more common due to gang activity. According to an August 2022 report, the RNDDH learned of at least 52 women and girls who were raped as gangs fought for control of Nan Brooklyn in July. In its October report, the BINUH said that gangs were engaging in sexual violence as a means of subjugation.

The reformed penal code that was set to take effect in June 2022 would decriminalize abortion in the first 12 weeks of pregnancy, in cases of rape or incest, or when there is a threat to the physical or mental health of the pregnant woman. Abortion was prohibited entirely under existing law. The reformed code would also lower the age of consent to 15. The government postponed the implementation of the code in June, largely due to negative public reaction but also due to a lack of follow-through on its own part.

G4. Do individuals enjoy equality of opportunity and freedom from economic exploitation? 0 / 4

Socioeconomic mobility is obstructed by entrenched poverty and inequality. Legal protections against exploitative working conditions in formal employment are weakly enforced, and most workers are informally employed. After workers protested for better pay, the government introduced new minimum wages for three wage classes in February 2022.

As many as 300,000 children work as domestic servants, often without pay or access to education; they are especially vulnerable to physical or sexual abuse. Other forms of child labor are common.

To escape dire social and economic conditions at home, many Haitians have risked human trafficking and dangerous land and sea journeys to reach countries including The Bahamas, Brazil, Chile, the Dominican Republic, Mexico, and the United States.

Honduras

Population: 9,600,000
Capital: Tegucigalpa
Freedom Status: Partly Free
Electoral Democracy: No

Overview: Institutional weakness, corruption, violence, and impunity undermine the overall stability of Honduras. Journalists, political activists, and women are often the victims of

violence, and perpetrators are rarely brought to justice. Honduras holds regular elections; while the 2017 presidential poll prompted concerns over irregularities, the 2021 elections—which ushered in Honduras's first female president—were more transparent. However, that year's executive and legislative elections were marred by unprecedented violence.

KEY DEVELOPMENTS IN 2022

- In January, Xiomara Castro of the Liberty and Refoundation Party (Libre) was inaugurated as president, ending National Party (PN) control of that office and becoming the country's first female chief executive.
- Former president Juan Orlando Hernández, Castro's immediate predecessor, was arrested by police in Honduras in February, with the Castro administration accusing him of collaborating with drug cartels. Hernández was extradited to the United States in April.
- In July, the National Congress passed a law reforming the Nominating Board, which names nominees to fill Supreme Court seats. The law establishes guidelines for board members and limits some of the discretionary power they enjoy. Critics warned the new law would still allow political influence in the selection process.
- In December, the government enacted a state of exception, allowing authorities to restrict the freedom of assembly and movement in response to gang-related violence. The state of exception affected parts of Tegucigalpa and San Pedro Sula and remained in effect at year's end.

POLITICAL RIGHTS: 22 / 40 (+1)

A. ELECTORAL PROCESS: 8 / 12

A1. Was the current head of government or other chief national authority elected through free and fair elections? 3 / 4

The president is the chief of state and head of government and is elected by popular vote to four-year terms. The leading candidate need only win a plurality; there is no runoff.

Following severe irregularities in the 2017 presidential election, the National Congress created two new electoral bodies in 2019: the Electoral Court of Justice (TJE) and National Electoral Council (CNE).

In November 2021—and in the first presidential contest administered by the TJE and CNE—Xiomara Castro of Libre was elected with 51.1 percent of the vote, ending 12 years of PN executive control. Castro defeated then Tegucigalpa mayor Nasry Asfura of the PN. European Union election monitors lauded that year's electoral reforms, which allowed for increased transparency and confidence, but noted that severe problems remained. Castro, the nation's first female chief executive, was elected amid high voter turnout and was inaugurated in January 2022.

A2. Were the current national legislative representatives elected through free and fair elections? 2 / 4

Members of the 128-seat unicameral National Congress are elected for four-year terms using proportional representation by department. All seats are renewed in each election.

In the November 2021 polls, Libre won 50 seats, the PN won 44, the Liberal Party (PL) won 22, and the Savior Party of Honduras won 10. The Christian Democratic Party and the Anticorruption Party (PAC) each won 1. The legislative and municipal contests were competitive but were also marred by severe political violence; at least 68 candidates were murdered in the run-up to the elections. Voter intimidation and the abuse of state resources were also reported.

A3. Are the electoral laws and framework fair, and are they implemented impartially by the relevant election management bodies? 3 / 4

The Supreme Electoral Tribunal (TSE) came under heavy criticism for its administration of the 2017 presidential poll, which prompted protests and allegations of TSE incompetence and pro-PN bias. In 2019, the National Congress created the TJE and the CNE to replace it.

In May 2021, legislators passed a new electoral law, incorporating several reforms to improve public trust and encourage stability and transparency in the electoral process; reforms included voter-registration management improvements, the modernization of the National Identification Document program, and the involvement of multiple parties in the management of electoral institutions. As a result, the November 2021 elections enjoyed a heightened level of legitimacy and did not suffer the irregularities seen in 2017.

B. POLITICAL PLURALISM AND PARTICIPATION: 9 / 16

B1. Do the people have the right to organize in different political parties or other competitive political groupings of their choice, and is the system free of undue obstacles to the rise and fall of these competing parties or groupings? 3 / 4

Political parties are free to operate. While power has mostly been concentrated in the hands of the PL and the PN since democratization in the early 1980s, party politics in Honduras shifted in the 2010s. In 2013, Libre and the PAC participated in elections for the first time. Six parties won National Congress seats in 2021.

B2. Is there a realistic opportunity for the opposition to increase its support or gain power through elections? 3 / 4

Although opposition parties were affected by acts of political violence and electoral irregularities favoring the PN, they remained competitive. In 2021, the PN was ousted from the presidency for the first time in 12 years by Xiomara Castro of Libre. The PN also lost its congressional majority and mayoral races in Tegucigalpa and San Pedro Sula that year.

B3. Are the people's political choices free from domination by forces that are external to the political sphere, or by political forces that employ extrapolitical means? 1 / 4

Elites have traditionally exerted significant influence over political parties, limiting people's political choices. The military remains politically powerful. Gangs, many with ties to drug trafficking, also sway decisions at the subnational level.

Political violence is widespread and includes harassment, threats, and intimidation directed at candidates, politicians, and voters, especially women. In 2021, the University Institute for Democracy, Peace, and Security reported more than 30 deaths related to political and electoral violence.

B4. Do various segments of the population (including ethnic, racial, religious, gender, LGBT+, and other relevant groups) have full political rights and electoral opportunities? 2 / 4

Adult citizens have the right to vote. Ethnic minorities, the LGBT+ population, and women, however, remain politically underrepresented, though political parties must abide by a 40 percent gender quota for their slates of congressional candidates. Some 27.3 percent of the National Congress's seats are held by women, the highest figure seen in the 21st century.

C. FUNCTIONING OF GOVERNMENT: 5 / 12 (+1)

C1. Do the freely elected head of government and national legislative representatives determine the policies of the government? 2 / 4

Power was consolidated in the executive branch under measures adopted since 2014. The military, which has traditionally maintained substantial autonomy from civilian oversight, has played an increasing role in both internal security and programs unrelated to security.

There are growing concerns over the influence that President Castro's husband, former president José Manuel Zelaya Rosales (2006–09), and other members of the Zelaya family have over political affairs.

C2. Are safeguards against official corruption strong and effective? 1 / 4

Corruption was rampant under the PN. The Mission to Support the Fight against Corruption and Impunity in Honduras, established in 2016, was shut down in 2020 despite public support for that body.

President Castro's immediate predecessor, Juan Orlando Hernández, was directly implicated in corruption in 2019 when US prosecutors identified him and former president Porfirio Lobo as coconspirators in a drug-smuggling operation run by Hernández's brother. Former president Hernández was arrested by police in Honduras in February 2022—with the Castro administration accusing him of collaborating with drug cartels—and was extradited to face drug-trafficking and arms charges in the United States in April.

President Castro has a mixed anticorruption record. In February 2022, the National Congress passed a law providing amnesty to officials serving during the Zelaya administration, including those targeted or prosecuted for opposing the 2009 coup d'état against Zelaya. Critics objected to the law's breadth, saying it would pardon those engaged in corruption. Ángel Edmundo Orellana Mercado, who served as transparency minister in 2022, called the law an "impunity pact." In July, the US State Department released a list of corrupt and undemocratic actors in Guatemala, Honduras, and El Salvador; two Libre congresspeople and an advisor to President Castro were included. Since the Castro administration took office, Libre activists have also targeted public-sector employees and demanded employment based on their party affiliation.

However, the Castro administration facilitated the extradition of former president Hernández. In December, the government signed a memorandum of understanding with the United Nations to create a UN-backed International Mission against Impunity in Honduras.

C3. Does the government operate with openness and transparency? 2 / 4 (+1)

Government operations are generally opaque. Journalists and interest groups have difficulty obtaining information from the government. A secrecy law passed in 2014 allowed authorities to withhold information on security and national defense for up to 25 years. Civil society representatives criticized the 2020 creation of a Ministry of Transparency as an effort to undermine the efficacy of existing transparency mechanisms.

The Castro administration has taken some steps to foster greater openness and transparency. The Hernández-era secrecy law, which was perceived as a vehicle for official corruption, was repealed in March 2022. In April, legislators repealed a law that created Areas of Employment and Economic Development (ZEDEs), which were meant to attract investment but prompted fears that they would facilitate corrupt activities. Human Rights Watch (HRW) reported that some ZEDEs, which allowed private firms operating there considerable autonomy, were still active as of October. In July, legislators passed a law to improve transparency in the nomination of Supreme Court justices, although it was criticized for favoring the interests of political parties, particularly Libre.

Score Change: The score improved from 1 to 2 because legislators repealed a secrecy law that allowed authorities to withhold information on security-related matters and was viewed as a vehicle for official corruption.

CIVIL LIBERTIES: 26 / 60

D. FREEDOM OF EXPRESSION AND BELIEF: 9 / 16

D1. Are there free and independent media? 1 / 4

Authorities systematically violate the constitution's press freedom guarantees. Reporters and outlets covering sensitive topics or who are perceived as critical of the authorities risk assaults, threats, blocked transmissions, and harassment.

In May 2022, the National Commissioner for Human Rights in Honduras (CONADEH) reported that 92 individuals linked to journalism were killed since 2001. Five journalists were killed in 2022 through October according to the Committee for Free Expression (C-Libre). A special prosecutor's office for the protection of journalists and other civil society workers has limited resources and few prosecutors, undermining its mission.

D2. Are individuals free to practice and express their religious faith or nonbelief in public and private? 4 / 4

Religious freedom is generally respected in Honduras.

D3. Is there academic freedom, and is the educational system free from extensive political indoctrination? 2 / 4

Criminal groups undermine academic freedom, as they control all or parts of schools in some areas and subject staff to extortion schemes. Authorities sometimes move to suppress student demonstrations by arresting participants and dispersing the events, and violent clashes between police and student protesters sometimes occur.

D4. Are individuals free to express their personal views on political or other sensitive topics without fear of surveillance or retribution? 2 / 4

Under the 2011 Special Law on Interception of Private Communications, the government can intercept online and telephone messages. Violence, threats, and intimidation by state and nonstate actors curtail open and free private discussion among the general population.

E. ASSOCIATIONAL AND ORGANIZATIONAL RIGHTS: 5 / 12

E1. Is there freedom of assembly? 2 / 4

Freedom of assembly is constitutionally protected. In the past, PN governments used force to disperse rallies. Amnesty International reported that authorities regularly employed tear gas and live ammunition during protests or government reprisals.

Protests were held in 2022 but the right to assemble was restricted in parts of Tegucigalpa and San Pedro Sula in December, when the Castro administration enacted a state of exception in response to gang-related violence. Freedom of assembly and free movement were restricted in affected areas. Those measures remained in force at year's end.

E2. Is there freedom for nongovernmental organizations, particularly those that are engaged in human rights– and governance-related work? 1 / 4

Nongovernmental organizations (NGOs) and their staff, especially in the human rights and environmental fields, often faced significant threats, including harassment, surveillance, smear campaigns aimed at undermining their work, and violence under PN governments. The Office of the UN High Commissioner for Human Rights documented the murders of 10 human rights defenders in 2021. Activists from the Garifuna community have been especially targeted with violence. While the Castro administration committed to implementing a policy to protect human rights activists, they are still threatened; in November 2022, the

Committee of Relatives of the Detained and Disappeared in Honduras (COFADEH) criticized local PN officeholders for threatening land and environmental campaigners.

LGBT+ campaigners also face violence in Honduras. In January 2022, authorities arrested a member of the MS-13 criminal gang for murdering transgender activist Thalía Rodríguez, though the suspect was later released for lack of evidence.

In 2018, seven suspects were convicted for the prominent 2016 killing of environmental and Indigenous-rights activist Berta Cáceres; they received multidecade sentences in 2019. In 2021, Roberto David Castillo, former president of the Energy Developments power company, was convicted of murder for his role in planning Cáceres's assassination. In June 2022, Castillo received a 22-and-a-half-year prison sentence.

E3. Is there freedom for trade unions and similar professional or labor organizations? 2 / 4

Labor unions are well organized and can strike. In the past, labor actions have resulted in clashes with security forces. The government does not always honor formal agreements entered with public-sector unions. Union leaders and labor activists in public and private sectors have faced harassment, dismissal, and violence for their activities. The change in government temporarily decreased tensions with unions since many have ties with the ruling Libre.

F. RULE OF LAW: 4 / 16

F1. Is there an independent judiciary? 1 / 4

Political and business elites exert excessive influence over the judiciary, including the Supreme Court. Judicial appointments are made with little transparency, judges have been removed from their posts for political motivations, and several lawyers have been killed in recent years.

In 2021, legislators passed reforms limiting the public prosecutor's access to financial information in cases of corruption, curtailing the ability of the office to operate effectively. In July 2022, legislators passed a law regarding the Nominating Board for the Supreme Court; some of its provisions established new guidelines for board members and limited some of the discretionary power they enjoy. Critics of the law warned that it still allowed for political influence in judicial selection. In October, the Inter-American Commission on Human Rights (IACHR) called on the government to ensure a transparent selection process. The board, which was sworn in in September, is due to submit a list of Supreme Court candidates to legislators in January 2023.

F2. Does due process prevail in civil and criminal matters? 1 / 4

The lack of due process is a serious issue in Honduras. The judiciary and law enforcement agencies are often compromised and underfunded. As such, they are corrupt, targets of influence peddling and undue influence, and often engage in criminal activities.

PN governments utilized the armed forces to combat crime and violence. Arbitrary arrests and detentions were common, as was lengthy pretrial detention. Many people remained in pretrial detention in 2022.

The Castro administration has taken some steps to address due process and law enforcement problems. Ramón Sabillón, a former national police chief who was dismissed by former president Hernández and spent years in exile after arresting drug-trafficking suspects, was named security minister in January 2022. In August, the administration transferred control of prisons from the military to the national police for a one-year period. However, the government's announcement of a "war against extortion" in November and the resulting

state of exception in December led to a suspension of constitutionally protected rights and raised due process concerns.

F3. Is there protection from the illegitimate use of physical force and freedom from war and insurgencies? 1 / 4

The homicide rate has declined in recent years, but violent crime and gang violence remain serious problems and have prompted large-scale internal displacement and migration. In response to widespread violence, the government of Juan Orlando Hernández empowered the Military Police of Public Order and other security forces to combat security threats, and that policy has continued under President Castro. However, these units often employ excessive force when conducting operations.

In 2022, authorities reported a 12.7 percent drop in homicides compared to 2021, but Honduras remained the most dangerous country in Central America based on that figure. Prisons remain overcrowded and underequipped, and prison violence remains rampant due primarily to gang activity.

F4. Do laws, policies, and practices guarantee equal treatment of various segments of the population? 1 / 4

Violence and discrimination against LGBT+ people and Indigenous and Garifuna populations persist at high levels. The Cattrachas Lesbian Response Network, a local NGO, recorded 194 murders and 3 disappearances of LGBT+ people between 2017 and 2022. The same NGO found only 22 percent of such murders committed between 2009 and 2022 have been prosecuted.

In 2021, the IACHR ruled that the government was responsible for failing to prevent, investigate, and prosecute the 2009 murder of Vicky Hernández, a transgender woman. In May 2022, President Castro publicly accepted the government's responsibility for Hernández's death. The IACHR ruling also mandated that the government must allow transgender people to change their gender identity on personal documents and in public records. The administration committed to complying with this requirement but had not done so as of October.

Lands inhabited by Indigenous and Afro-Honduran people are particularly vulnerable to expropriation for development projects without adequate prior consultation. Communities that contest such projects are unable to effectively assert their rights. In 2021, the UN Working Group on Arbitrary Detention called on the government to release eight human rights activists known as the Guapinol defenders, who had been detained for opposing a mine in a protected national park. Two were acquitted and released in early February 2022, while the Supreme Court ordered the release of the remaining six later that month.

In August 2022, the CONADEH reported that over 100 people experienced or were at risk of forced displacement based on complaints it addressed between 2016 and the first half of 2022.

G. PERSONAL AUTONOMY AND INDIVIDUAL RIGHTS: 8 / 16

G1. Do individuals enjoy freedom of movement, including the ability to change their place of residence, employment, or education? 2 / 4

Ongoing violence and impunity have reduced personal autonomy and freedom of movement in Honduras. Those living in gang-controlled territories face extortion, and dangerous conditions limit free movement and options for education and employment. The Office of the UN High Commissioner for Refugees calculated that over 247,000 people

were internally displaced at the end of 2021, while 23,100 Hondurans requested asylum in Mexico in the first nine months of 2022.

The December 2022 state of exception curtailed constitutional rights, allowing authorities to restrict movement in parts of Tegucigalpa and San Pedro Sula.

G2. Are individuals able to exercise the right to own property and establish private businesses without undue interference from state or nonstate actors? 2 / 4

Corruption, crime, and gang activity inhibit the ability to conduct business activities freely and dissuade entrepreneurs from establishing new businesses. Taxi and bus drivers are notable targets of gangs.

G3. Do individuals enjoy personal social freedoms, including choice of marriage partner and size of family, protection from domestic violence, and control over appearance? 2 / 4

Same-sex marriage remains illegal in Honduras, despite ongoing calls for reform from LGBT+ activists. A 2019 law banned same-sex couples from adopting children despite the objection of activists, who called the bill excessive and discriminatory.

Abortion is illegal in Honduras, including in cases of rape or incest, with criminal sanctions including imprisonment for those accused of terminating their pregnancies. Emergency contraception is also illegal.

Domestic violence remains widespread and largely goes unpunished. Honduras has one of the world's highest femicide rates, and these murders are rarely investigated. According to the Center for Women's Rights, a local NGO, 297 women died by femicide in 2022.

G4. Do individuals enjoy equality of opportunity and freedom from economic exploitation? 2 / 4

Lack of socioeconomic opportunities combined with high levels of crime and violence limit social mobility for most Hondurans and exacerbate income inequality. Human trafficking remains a significant issue. Honduras serves as a source country for women and children forced into prostitution. Adults and children are also vulnerable to forced labor in agriculture, mining, and other sectors, and as domestic servants.

Hungary

Population: 9,700,000
Capital: Budapest
Freedom Status: Partly Free
Electoral Democracy: Yes

Overview: Since taking power in the 2010 elections, Prime Minister Viktor Orbán's Alliance of Young Democrats–Hungarian Civic Union (Fidesz) party pushed through constitutional and legal changes that have allowed it to consolidate control over the country's independent institutions, including the judiciary. The Fidesz government has since passed antimigrant and anti-LGBT+ policies, as well as laws that hamper the operations of opposition groups, journalists, universities, and nongovernmental organizations (NGOs) that are critical of the ruling party or whose perspectives Fidesz otherwise finds unfavorable.

KEY DEVELOPMENTS IN 2022

- The coalition of Fidesz and the Christian Democratic People's Party (KDNP) won the April parliamentary elections with 54.13 percent of the vote, securing a fourth consecutive term and a two-thirds parliamentary majority with 135 seats. Election observer missions noted the polls were severely marred by misuse of government resources, an unlevel playing field for opposition parties, and extensive electoral reforms that favored the ruling party.
- In January, teachers' unions organized strikes across the country demanding higher salaries and lightened workloads. The government in February responded by curtailing the right to strike through COVID-19-related emergency powers. The restrictions, entrenched into ordinary legislation in May, made the right to strike in schools only nominal.
- In May, the government amended the law that defines the necessary conditions to declare a state of emergency or danger to include "armed conflict, war, or humanitarian catastrophe" in a neighboring country. Authorities subsequently declared a state of danger in November, referencing the Russia-Ukraine war, extending the executive's emergency powers.

POLITICAL RIGHTS: 24 / 40 (−2)

A. ELECTORAL PROCESS: 7 / 12 (−2)

A1. Was the current head of government or other chief national authority elected through free and fair elections? 2 / 4 (−1)

The National Assembly elects both the president and the prime minister, meaning the democratic legitimacy of these votes rests largely on the fairness of parliamentary elections. The president's duties are mainly ceremonial, but they may influence appointments and return legislation for further consideration before signing it into law. The president is limited to a maximum of two terms.

The April 2022 parliamentary elections were deemed severely flawed by observer missions, which noted that the rules were administered to advantage the Fidesz-KDNP ruling coalition. Fidesz elected Katalin Novák, a former minister and parliamentarian, as the first woman to be president of Hungary.

The prime minister holds most executive power. Viktor Orbán has been prime minister since 2010, winning reelection for a third time in the flawed 2022 elections.

Score Change: The score declined from 3 to 2 because parliamentary elections were administered under rules that disproportionately advantaged the ruling party, negatively affecting the freeness and fairness of the election of the prime minister and president.

A2. Were the current national legislative representatives elected through free and fair elections? 2 / 4 (−1)

Voters elect representatives every four years to a 199-seat, unicameral National Assembly under a mixed system of proportional and direct representation (106 from single-member districts and 93 from compensatory party lists). The Fidesz-KDNP coalition won the April 2022 parliamentary elections with 54.13 percent of the vote, securing a fourth consecutive term and a two-thirds majority with 135 seats. The coalition of opposition parties, United for Hungary, took 57 seats, and the far-right Our Homeland (Mi Hazánk) won 6 seats.

An election observation mission performed by the Organization for Security and Cooperation in Europe (OSCE) Office for Democratic Institutions and Human Rights (ODIHR) found that the elections were well organized and professionally managed, but they failed to

provide a level playing field and equality of opportunities among candidates. Significant media bias towards ruling parties and the misuse of state resources hindered voters' ability to make informed choices. Public media allowed only five minutes for the opposition coalition, formed by six parties, to present its program. The OSCE/ODIHR report emphasized the lack of effective legal remedy against irregularities and possible electoral fraud, as electoral authorities ruled mostly in favor of the Fidesz-KDNP, and noted several legal changes passed in recent years that may have impacted the election's outcome. For example, November 2021 electoral reforms enabled voters to register in districts they do not live, paving the way for possible voter tourism. Electoral authorities denied investigation into partially burned ballots found in Romania by referring to their lack of extraterritorial jurisdiction.

Human Rights Watch (HRW) found that the government misused personal data in several ways to disseminate Fidesz campaign messages. Warning of foreign intervention, the government also invited government-friendly election observers to legitimize the polls. Civil society organizations (CSOs) documented a series of attempts at electoral fraud, and independent media revealed evidence that postal ballots in Romania and Serbia were potentially tampered with by Fidesz allies.

Score Change: The score declined from 3 to 2 due to the disproportionate advantages the ruling party received, both in line with and against electoral rules, during parliamentary elections.

A3. Are the electoral laws and framework fair, and are they implemented impartially by the relevant election management bodies? 3 / 4

The electoral framework that was established by the Fidesz-KDNP majority has been amended regularly based on the political interest of the ruling coalition, and since 2010 Fidesz has redrawn constituency boundaries in its favor.

Electoral authorities are not independent. Members of the National Election Commission (NVB) are nominated by the president and confirmed to nine-year terms by the parliament. There is no formal parliamentary debate or public consultation process to inform the selection of NVB members, and observers have raised concerns about the body's impartiality. However, because of the OSCE mission and more than 27,000 volunteers mobilized by civil society organizations, there was likely no fraud on election day in April 2022.

In recent years, Orbán's government has been largely successful in superseding impartiality requirements. Voters living outside Hungary are not guaranteed the ability to vote, and national minority voters have long faced systemic challenges in exercising their right to vote.

B. POLITICAL PLURALISM AND PARTICIPATION: 11 / 16

B1. Do the people have the right to organize in different political parties or other competitive political groupings of their choice, and is the system free of undue obstacles to the rise and fall of these competing parties or groupings? 3 / 4

Political parties can organize legally, but they face some practical impediments to garnering popular support. Opposition parties are disadvantaged by the politicized distortion of the advertising market, including the market for the country's many billboards.

Individual politicians face smear campaigns in progovernment media outlets, and the government has taken steps to split the opposition vote in recent elections. Authorities have also interfered with opposition figures' peaceful political activities.

Parliament further amended the electoral framework in 2020, requiring political parties field candidates in 71 (instead of 27) single-member constituencies on a single list, forcing

opposition parties to combine and field one consolidated list of candidates in the 2022 general elections. The government also maintains effective control of the State Audit Office (ÁSZ), which monitors campaign activities and party spending. In recent years, the ÁSZ has imposed sanctions on opposition parties for financial irregularities, while condoning or overlooking problematic spending of state subsidies by Fidesz.

B2. Is there a realistic opportunity for the opposition to increase its support or gain power through elections? 2 / 4

Fidesz has dominated the political landscape since the 2010 election. Opposition parties contended with even more obstacles and restrictions that detracted from their ability to gain power in the 2022 elections, despite banding together to present one unified slate of candidates. These included unequal access to media, smear campaigns, politicized audits, and a campaign environment skewed by the ruling coalition's mobilization of state resources.

The OSCE found a pervasive overlap between ruling coalition resources and government resources. The government used email addresses collected for pandemic-related communications to disseminate campaign messages and distorted information about the opposition's position regarding the Russia-Ukraine war. Third-party spending, especially in social media, also strongly benefitted the ruling coalition. Fidesz-KDNP candidates were not willing to engage in televised debates with their opponents.

B3. Are the people's political choices free from domination by forces that are external to the political sphere, or by political forces that employ extrapolitical means? 3 / 4

Individuals are largely able to participate in public affairs without encountering undue influence over their political choices. However, Fidesz has increasingly harnessed its members' political and economic power to sideline opposition groups and prevent them from presenting a meaningful challenge to its dominant position. The 2022 OSCE observation mission stressed recurring concerns of illegal practices that Roma are typically affected by: vote buying, pressure from mayors in relation to public employment programs, and stigmatizing campaign rhetoric.

B4. Do various segments of the population (including ethnic, racial, religious, gender, LGBT+, and other relevant groups) have full political rights and electoral opportunities? 3 / 4

Women are underrepresented in political life, and the share of women in the parliament remains low. Only 26 of 199 National Assembly members and 1 out of 14 cabinet ministers are women following the 2022 elections. Ruling party ministers and progovernment media occasionally make derogatory and sexist remarks toward women parliamentarians.

Hungary's constitution guarantees the right of ethnic minority populations to form self-governing bodies, and all 13 recognized minorities have done so. Minorities can also register to vote for special minority lists—with a preferential vote threshold—in parliamentary elections. Minorities without a parliamentary mandate can send a "national minority advocate" to the parliament without voting rights. Only 1 of the 13 recognized minorities managed to elect a representative with voting rights to the National Assembly in 2022.

Roma have long been underrepresented in politics and government and have been the target of derogatory rhetoric from Fidesz members in recent years.

Though individual opposition politicians have openly supported equal rights for LGBT+ people, and the party Momentum has done so explicitly, LGBT+ people's interests are not successfully represented in the parliament. The April 2022 polls included a referendum on a "child protection" law, a euphemism for provisions of another recently passed anti-LGBT+

law that bans any portrayal of LGBT+ people in materials meant for children. The referendum was made invalid after some 1.7 million voters cast invalid ballots in protest.

C. FUNCTIONING OF GOVERNMENT: 6 / 12

C1. Do the freely elected head of government and national legislative representatives determine the policies of the government? 2 / 4

The governing coalition is effectively able to draft and implement laws and policies at will. Fidesz continues to dominate governance through a parliamentary supermajority acquired by means of elections that were not fully competitive. Prime Minister Orbán, the party's leader, exerts considerable influence over the legislature. The ability of the opposition to check government activities remains limited.

Lawmakers have had their behavior in the National Assembly restricted in several ways. The speaker of the National Assembly has disciplined and fined opposition lawmakers for occupying the lectern and bringing signs onto the floor.

In March 2020, in response to the COVID-19 pandemic, the government declared a "state of danger" and passed the widely denounced Authorization Act, conferring sweeping emergency powers to the executive, which it has used without accountability to restrict civil liberties unrelated to public health or safety. This COVID-19 emergency legal regime enabled the government to rule by decree and was prolonged several times until November 2022, when the government declared another state of danger related to the Russia-Ukraine war. Before this, in May, the government had amended the law defining the necessary conditions for a state of danger to include "armed conflict, war, or humanitarian catastrophe" in a neighboring country.

C2. Are safeguards against official corruption strong and effective? 2 / 4

Corruption remains a problem in Hungary, and instances of high-level government corruption have not been properly investigated. Fidesz has established control over auditing and investigative bodies, including the ÁSZ.

Prosecutors have also been reluctant to investigate long-standing allegations of the misuse of public development funds disbursed by the European Union (EU), despite the severity of the problem. In December 2022, the European Commission withdrew €22 billion under the EU Cohesion Fund from Hungary in response to repeated violations of EU law, the Hungarian courts' lack of judicial independence, corruption allegations regarding the use of EU funds, and more.

Throughout 2022, the government adopted a series of anticorruption measures for the proper handling of EU funds. In November, a new Integrity Authority was established, though with limited power to conduct investigations and suspend ongoing public procurement processes. According to Hungarian and international watchdog organizations, the measures were broadly insufficient.

C3. Does the government operate with openness and transparency? 2 / 4

Hungary's Freedom of Information Act contains numerous exemptions, permits agencies to charge fees for the release of information, and is inconsistently enforced. In many cases, information is only made available because of litigation. In November 2020, the parliament narrowed the legal definition of what constitutes public funds, hampering oversight of large amounts of public money.

Major legislation is frequently rushed through the parliament, leaving citizens and interest groups little time to provide feedback or criticism. Important proposals are hidden

in long omnibus bills, and the government tends to submit substantial bills overnight. In October 2022, the government amended public consultation rules to strengthen public participation in lawmaking, which Hungarian NGOs denounced the law as superficial. Journalists have been curtailed from performing their duties while covering parliamentary events; the speaker prohibited audio and video recording in corridors surrounding the plenary chamber, entrances, and on-site cafeterias in October 2019.

When emergency laws were introduced in April 2020 due to the COVID-19 pandemic, the government extended the deadline for fulfilling freedom of information requests until November 2022. Critics have since complained that authorities have abused this deadline exemption.

CIVIL LIBERTIES: 42 / 60 (−1)

D. FREEDOM OF EXPRESSION AND BELIEF: 10 / 16

D1. Are there free and independent media? 2 / 4

The constitution protects freedom of the press, but Fidesz has undermined this guarantee. While privately owned opposition-aligned media outlets exist, national, regional, and local media are increasingly dominated by progovernment outlets, which are frequently used to smear political opponents and highlight false accusations. Government advertising and sponsorships favor progovernment outlets, leaving independent and critical news sources in a financially precarious position. Public service media controlled by the government has disseminated disinformation and Russian war propaganda since the February 2022 invasion of Ukraine.

The Fidesz governing coalition and their allies have worked to close or acquire critical media outlets. The 2016 closure of Hungary's largest independent daily, *Népszabadság*, represented a particularly serious blow to media diversity. In 2018, around 470 progovernment media outlets were merged under the Central European Press and Media Foundation (KESMA). *Index*, the country's largest independent news outlet, was also taken over by progovernment forces in 2020. That year, the Media Council also revoked the broadcasting license of Klubrádió, the country's largest independent radio station, forcing it off the air in February 2021.

Changes to the "scaremongering" law in 2020, ostensibly to fight false or distorted information about the COVID-19 pandemic, ultimately challenged journalists' ability to secure reliable information, as many individuals, especially health care workers, feared retaliation if they provided information publicly.

In July 2021, an investigation by a team of international journalists, including the Hungarian outlet Direkt36, revealed that independent journalists were surveilled by the Hungarian authorities using the Israeli-made spyware, Pegasus.

Since 2010, Fidesz has gradually taken over artistic and cultural institutions and film and publishing industries and redirected funding for projects and artworks openly promoting nationalistic and Christian values.

D2. Are individuals free to practice and express their religious faith or nonbelief in public and private? 3 / 4

The constitution guarantees religious freedom and provides for the separation of church and state, though these guarantees were weakened in the 2011 version of the constitution, the preamble of which makes direct references to Christianity. Constitutional amendments enacted in 2018 and 2020 reinforced those references, obliging all state organs to protect "Christian culture" and guaranteeing children's right to education based on Christian values.

The government has led xenophobic campaigns in recent years, which has anti-Muslim sentiment.

D3. Is there academic freedom, and is the educational system free from extensive political indoctrination? 2 / 4

The Fidesz-led government has maintained its efforts to bring schools and universities under close supervision. A gradual overhaul of the public education system raised concerns about excessive government influence on school curriculums, and Parliament has restructured institutions and their finances to increase government-appointed chancellors' powers. Authorities have increasingly threatened the academic autonomy of well-established institutions, pulling support, interfering in their affairs, and landing progovernment supporters in leading positions. The government has revoked accreditation from all gender studies programs.

Progovernment media outlets commonly target activists, academics, programs, and institutions, often by calling them "Soros agents," referring to Hungarian-born financier and philanthropist George Soros. Fidesz has targeted the Central European University (CEU), a graduate school founded by Soros, by changing the requirements for foreign universities to operate in Hungary. The government also targeted the Hungarian Academy of Sciences (MTA), stripping the 200-year-old academy of its network of research institutions in 2019 and handing it over to a new governing body.

A July 2022 ÁSZ report on "pink education" made the unfounded claim that the overrepresentation of women in higher education might cause demographic challenges and economic harm.

D4. Are individuals free to express their personal views on political or other sensitive topics without fear of surveillance or retribution? 3 / 4

While freedom of expression is constitutionally protected, ongoing efforts to sideline voices and perspectives that authorities find unfavorable, including many found at the MTA, CEU, NGOs, and media outlets, have discouraged open criticism of the government and other politically sensitive speech.

In July 2021, an investigation by a team of international journalists revealed that journalists, businessmen, lawyers, and politicians were the targets of secret surveillance conducted with the Israeli-made spyware, Pegasus. A Fidesz parliamentarian in November of that year admitted the purchase of the spyware but denied allegations that it had been used on Hungarians. In January and June 2022, Hungarian authorities closed investigations into the allegations, claiming they had no evidence that any law had been broken in purchasing Pegasus. Hungary has failed to fully execute a 2016 European Court of Human Rights ruling to incorporate effective institutional guarantees against improper surveillance, which was reiterated by the court in another case in September 2022.

E. ASSOCIATIONAL AND ORGANIZATIONAL RIGHTS: 9 / 12 (−1)

E1. Is there freedom of assembly? 4 / 4

The constitution provides for freedom of assembly, and the government generally respects this right in practice. Fidesz's electoral victory in 2018 prompted large crowds to turn out for peaceful antigovernment demonstrations.

The government continued for months into 2021 the total ban on demonstrations introduced in 2020 to prevent the spread of COVID-19, despite permitting other forms of public events and gatherings. In July 2022, masses rallied on streets across the country to protest against the overhaul of a small-business tax scheme.

E2. Is there freedom for nongovernmental organizations, particularly those that are engaged in human rights– and governance-related work? 2 / 4

NGOs whose activities conflict with government priorities have come under continued pressure since Fidesz took power. Fidesz has instituted burdensome registration and reporting requirements for NGOs, and police have illegally raided NGO offices. Organizations assisting asylum seekers have also been subject to Hungary's "Stop Soros" laws, which heavily restricted the right to asylum and criminalized activities supporting asylum seekers. The CJEU ruled in November 2021 that the "Stop Soros" laws violated EU law.

The government continues to stigmatize NGOs as "foreign agents" or "Soros agents," and frequently scapegoats them for developments unfavorable to the government or deemed unpopular in the eyes of the public. Civil activists won a lawsuit in September 2022 against progovernment weekly *Figyelő* for being listed in 2018 as Soros "mercenaries."

In 2020, the CJEU ruled that the 2017 Act on the Transparency of Organizations was incompatible with EU jurisprudence. In May 2021, in response to this judgment, a new law on the transparency of NGOs was adopted, requiring civil society organizations to submit to yearly financial audits by the ÁSZ should they report donations of more than €55,000. ÁSZ started in May 2022 extensive audits of NGOs labeled "organizations capable of influencing public life."

Hungarian NGOs encouraging individuals to invalidate their ballots in the April 2022 anti-LGBT+ referendum, thus invalidating the vote, were fined in by electoral authorities. Some, but not all, of the fines were remedied by courts.

E3. Is there freedom for trade unions and similar professional or labor organizations? 3 / 4 (−1)

Workers' rights to form associations and bargain collectively are generally recognized, but the 2012 Labor Code weakened the position of trade unions by curtailing their rights. There are significant limitations on what can be considered a lawful strike, and the government has successfully blocked efforts to organize strikes in recent years. Union membership is low, trade unions are present in less than 25 percent of workplaces, and only 7 percent of workers belong to one.

In January 2022, teachers' unions organized strikes across the country demanding higher salaries and lightened workloads in public education. The government in February responded by seriously curtailing the right to strike through COVID-19-related emergency powers. The restrictions, entrenched into ordinary legislation in May, made the right to strike in schools only nominal. Striking teachers were threatened with sanctions by their employers, and many of them were dismissed.

Score Change: The score declined from 4 to 3 because the government curtailed the right to strike in response to strike actions by teachers' unions.

F. RULE OF LAW: 10 / 16

F1. Is there an independent judiciary? 2 / 4

Judicial independence remains a matter of concern. Eleven judges appointed to the Constitutional Court were named by the Fidesz government, and in 2016 a small opposition party was included in the nomination process for four other judges. Rulings in recent years on politically sensitive cases have favored government interests. High-ranking government officials and progovernment media berate judgments that are detrimental to Fidesz's interests and regularly launch attacks against judges who publicly speak up against measures threatening judicial independence.

The government has also interfered with the administration of the judicial branch in recent years. Significant powers are vested in the president of National Judicial Office (NJO), while the powers of the judicial self-governing body, the National Judicial Council (NJC), which supervises the president of the NJO, are relatively weak. Tünde Handó, former NJO president, was appointed to the Constitutional Court in 2020 and was replaced by György Barna Senyei, another Fidesz ally.

In 2019, the government passed an omnibus bill that restricted judicial interpretation of existing case law and allowed members of the Constitutional Court to assume a seat on the Supreme Court without nomination. In October 2020, Constitutional Court justice Zsolt András Varga, who had written several decisions favorable to the government, was elected president of the Supreme Court, despite the NJC's overwhelming opposition. In addition, administrative authorities were also given the chance to challenge unfavorable rulings directly before the Constitutional Court. In July 2022, the NJC discovered several irregularities in appointments made by the Supreme Court chief justice.

In July 2021, a junior judge who had been removed from her position challenged her dismissal through the European Commission, claiming it was politically motivated; she had challenged Hungarian asylum legislation before the CJEU. In November 2021, the CJEU ruled that exposing judges to disciplinary proceedings for referring questions to the EU court is incompatible with EU law and judicial independence.

Leaked evidence from a 2022 corruption scandal suggests that high-ranking justice officials have interfered in criminal investigations.

F2. Does due process prevail in civil and criminal matters? 3 / 4

Due process rights are enshrined in the constitution and are generally respected. Litigation costs are relatively high, while access to legal aid is limited. There have been concerns about the quality of lawyers appointed for defendants who are unable or unwilling to retain legal counsel on their own.

Hungarian courts have shown some resistance to European judicial oversight on due process matters. In November 2021, the CJEU found that Hungary's Supreme Court had broken EU law when Prosecutor General Péter Polt in 2019 attempted to limit the oversight of the European Court of Justice (ECJ) over a domestic criminal proceeding, in which a lower-level judge sought the ECJ's opinion on its compliance with EU regulations.

In June 2021, the National Assembly passed a measure enabling defendants to claim a compensatory remedy for the excessive length of civil proceedings.

F3. Is there protection from the illegitimate use of physical force and freedom from war and insurgencies? 3 / 4

Inadequate medical care and poor sanitation in the country's prisons and detention centers remain problems. The coronavirus presented further challenges to the safety of prisoners and prison staff. In 2020, the government created new facilities that added significantly more space in prisons and detention centers, bringing prison capacities under 100 percent. However, the prison population has continuously risen due to penal populism and the "tough on crime" stance of the government.

Physical abuse by police is a problem, and there are systematic deficiencies in reporting, indicting, investigating, and sanctioning such conduct.

F4. Do laws, policies, and practices guarantee equal treatment of various segments of the population? 2 / 4

The rights of refugees and asylum seekers are routinely violated in Hungary, where frequent changes to asylum policy—including the uncontestable declaration, by law, of

Serbia as a safe third country—and the construction of barriers along the country's southern border made it nearly impossible for individuals to apply for asylum and receive protection. In the past, asylum seekers were frequently detained in poorly equipped transit zones, and few were recognized by Hungarian authorities as refugees. In 2020, the CJEU ruled that Hungarian asylum procedures were incompatible with EU law and placing asylum seekers in the transit zones constituted unlawful detention. The government subsequently closed the transit zones but passed legislation requiring asylum seekers to present their documentation at diplomatic missions in other countries.

Despite EU court rulings, the government has maintained its stance; it continues to train special police units with wide powers to remove migrants from the country. The government has failed to discontinue the practice of "pushbacks," or the removal of asylum seekers to Serbia, in breach of EU law and in violation of the 2020 CJEU ruling. Consequently, in January 2021, the EU border control agency Frontex suspended its operations in Hungary. While the number of pushbacks peaked in November 2022 at more than 138,000, Prime Minister Orbán encouraged "border hunters," newly inaugurated in September 2022, to commit mass human right violations, calling for the removal of all migrants from Hungary.

While the southern borders are completely shut down to asylum seekers, Hungary has opened its eastern borders for those fleeing Ukraine, reflecting its discriminatory migration policies. Hungary has provided temporary protection status for Ukrainian citizens and their family members fleeing the war; this protection, however, did not cover non-Ukrainians who had legally resided in Ukraine. Human rights NGOs and volunteer groups, not the government, were primarily those who provided aid in the form of accommodation, food, and information for those fleeing their home. While the government described their efforts as the largest ever humanitarian action by the government, only a small percentage of those who arrived in Hungary in 2022 applied for temporary protection.

Roma are Hungary's largest ethnic minority and face widespread discrimination, societal exclusion, violence, and poverty. Roma students continue to be illegally segregated or improperly placed in schools for children with mental disabilities. In early 2020, Prime Minister Orbán launched an anti-Roma campaign in response to a court awarding pecuniary damages to Roma pupils for school segregation in the town of Gyöngyöspata. That year, the National Assembly amended public education laws to prevent courts from awarding pecuniary damages for similar future claims.

Women in Hungary are subject to employment discrimination and tend to be underrepresented in high-level business positions.

The Fidesz government has been increasingly and openly discriminatory toward many groups, but particularly LGBT+ people. In 2020, the parliament voted to end the legal recognition of gender identity, passed a law that severely restricts same-sex couples' ability to adopt children, and declared that the legal parents of a child are a woman and a man. Senior Fidesz politicians have made homophobic statements in public, and the government uses anti-LGBT+ rhetoric extensively. A June 2021 law banned the discussion of gender and sexual diversity in schools, the media, advertising, and other public places. The legislation, which conflates pedophilia with homosexuality and expressions of gender identity, was challenged by a European Commission infringement procedure in July. Media and NGOs reported a rise in verbal and physical assaults against LGBT+ people since the 2021 law entered into force.

Antisemitism persists in Hungary, and the government's anti-Soros campaigns pander to individuals with those sentiments. In January 2021, the Equal Treatment Authority—one of Hungary's most effective institutional mechanisms to fight discrimination—was abolished. Its powers were transferred to the Commissioner for Fundamental Rights, whose independence and effectiveness is highly questionable.

G. PERSONAL AUTONOMY AND INDIVIDUAL RIGHTS: 13 / 16

G1. Do individuals enjoy freedom of movement, including the ability to change their place of residence, employment, or education? 4 / 4

There are no significant restrictions on Hungarians' freedom of travel or their ability to change their place of residence or employment. Movement restrictions and curfews related to the COVID-19 pandemic were instituted based on epidemiological data.

G2. Are individuals able to exercise the right to own property and establish private businesses without undue interference from state or nonstate actors? 3 / 4

Individuals have the right to own property and establish private businesses. However, the success of a business is somewhat dependent upon its owner's government connections. Businesspeople whose activities are not in line with the financial or political interest of the government are likely to face harassment and intimidation, and subject to increasing administrative pressure for a possible takeover. In August 2022, the minister of justice announced that the airline Ryanair was to be fined for unfair trade practices. The company's chief executive had publicly criticized the government's May 2022 small-business tax.

Changes in 2022 to the small-business tax scheme were adopted overnight without public consultation and negatively affected hundreds of thousands of entrepreneurs.

G3. Do individuals enjoy personal social freedoms, including choice of marriage partner and size of family, protection from domestic violence, and control over appearance? 3 / 4

The constitution defines marriage as a union between a man and a woman. LGBT+ Hungarians are allowed to pursue civil unions.

In 2020, the National Assembly ended the legal recognition of gender identity for transgender people. As a result of the Ninth Amendment of the Fundamental Law, the constitution now stipulates that "the mother is a woman, the father is a man," and "Hungary protects the right of children to self-identify in line with their birth sex." Furthermore, the law effectively limits the right to adoption only to married couples, excluding single people and non-married partners—among them same-sex couples—from this right.

Domestic violence and spousal rape are illegal, but the definition of rape hinges on the use of force or coercion, not on lack of consent. NGOs describe government responses to violence against women as inadequate. In 2020, the parliament rejected the ratification of the Istanbul Convention over what parliamentarians considered to be the destructive nature of the convention's gender ideology and the document's preferential treatment for asylum seekers based on gender. While the government has opened victim support centers in recent years, there have been numerous media reports about domestic violence cases having fatal consequences.

Though the constitution defines life as beginning from conception, the statutory regime makes abortion broadly available. However, in September 2022, the government unexpectedly restricted access to abortion by ministerial degree, dubbed a "heartbeat law," requiring the presentation of the fetus's vital functions to the pregnant person before the termination of the pregnancy.

G4. Do individuals enjoy equality of opportunity and freedom from economic exploitation? 3 / 4

Hungary is a transit point, source, and to a lesser extent, destination for trafficked persons, including women trafficked for prostitution. Prevention, coordination efforts, and processes to identify and support victims remain inadequate, while trafficking investigations and enforcement of relevant laws are unreliable. In 2020, the government adopted a

National Strategy against Human Trafficking for 2020–23, which included harsher sanctions for traffickers. The parliament also amended the relevant laws primarily to protect children against sexual exploitation.

A 2018 labor code amendment significantly raised the maximum hours of overtime employers are allowed to ask for per year.

Iceland

Population: 400,000
Capital: Reykjavík
Freedom Status: Free
Electoral Democracy: Yes

Overview: Iceland is a parliamentary democracy with a long history of upholding political rights and civil liberties. However, links between elected representatives and business interests remain a concern, as does the concentration of private media ownership.

KEY DEVELOPMENTS IN 2022

A record number of refugees—numbering nearly 4,000 people—reportedly arrived in Iceland during the year. The government sometimes struggled to provide services for new refugees due to the unprecedented number of arrivals.

In December, the Minister of Justice announced that police would be authorized to carry stun guns. The announcement came amid reports of a "slight increase" in violent crime during the year.

POLITICAL RIGHTS: 37 / 40

A. ELECTORAL PROCESS: 12 / 12

A1. Was the current head of government or other chief national authority elected through free and fair elections? 4 / 4

The president serves as a largely ceremonial chief of state, is directly elected to a four-year term, and is not subject to term limits. President Guðni Thorlacius Jóhannesson was reelected in June 2020 with 92.2 percent of the vote.

The prime minister is the head of government. The leader of the ruling party or coalition usually becomes prime minister; the legitimacy of the prime minister rests primarily on the conduct of the parliamentary polls. The current prime minister, Katrín Jakobsdóttir of the Left-Green Movement (LGM), first took office in 2017. The governing coalition—composed of the Independence Party (IP), the LGM, and the Progressive Party—kept its majority following parliamentary elections in September 2021, with Jakobsdóttir retaining her leadership position.

A2. Were the current national legislative representatives elected through free and fair elections? 4 / 4

The 63-member unicameral Parliament is elected for four-year terms.

Parliamentary elections were held in September 2021, and saw the governing coalition keep its majority, with the IP winning 16 seats, the Progressive Party winning 13, and the LGM winning 8. After several weeks of negotiations, the parties agreed to renew their coalition.

The elections were generally considered free and fair, but were marked by procedural irregularities. In the country's northwest electoral district, extremely close results led to a recount the day after the election, resulting in five candidates—whose electoral victories had been announced earlier that day—losing their seats to other candidates from the same parties. The legality of the recount came into question after flaws in the district's vote counting process were discovered, including the officials' failure to seal the ballots following the initial count. Parliament confirmed the validity of the recount in November.

Municipal elections were held in May 2022 and saw a voter turnout of 63 percent nationwide.

A3. Are the electoral laws and framework fair, and are they implemented impartially by the relevant election management bodies? 4 / 4

The constitution, the election law of 2000, and related legislation establish a clear and detailed framework for conducting elections. Electoral laws are implemented impartially by a variety of national and regional authorities. However, the division of responsibilities between the relevant bodies is not always well defined.

A candidate who lost his parliamentary seat following the recount of the September 2021 parliamentary election results has submitted a complaint to the European Court of Human Rights (ECtHR) regarding alleged flaws in the counting process.

B. POLITICAL PLURALISM AND PARTICIPATION: 15 / 16

B1. Do the people have the right to organize in different political parties or other competitive political groupings of their choice, and is the system free of undue obstacles to the rise and fall of these competing parties or groupings? 4 / 4

Political parties form and operate freely, rising and falling according to political developments and the will of the public. Several new parties contested the 2021 parliamentary election, though no representatives from those parties were elected.

B2. Is there a realistic opportunity for the opposition to increase its support or gain power through elections? 4 / 4

Opposition parties can gain power through free elections. However, the IP has only rarely lost its status as the largest party in Parliament and has been included in all but one governing coalition since 1991.

B3. Are the people's political choices free from domination by forces that are external to the political sphere, or by political forces that employ extrapolitical means? 3 / 4

No military, foreign, or religious entities exert undemocratic influence over voters' choices. However, some politicians and parties are closely linked with businesses, which in turn exert significant political influence. In one example, former fisheries minister Kristján Þór Júlíusson was closely affiliated with Samherji, an Icelandic fishing company that was implicated in a scheme to bribe Namibian officials in 2019. In 2022, some high-profile politicians drew criticism for supporting a criminal investigation into four journalists related to their work reporting on the Samherji scandal.

B4. Do various segments of the population (including ethnic, racial, religious, gender, LGBT+, and other relevant groups) have full political rights and electoral opportunities? 4 / 4

All adult Icelandic citizens may vote in local and national elections. Electoral law amendments enacted in January 2022 allow foreigners to vote in municipal elections if they have been residents for at least three years and removed the waiting period for citizens of Nordic countries residing in Iceland.

The interests of women and LGBT+ people are well represented in politics. Following the 2021 parliamentary election, women make up nearly 48 percent of Parliament.

C. FUNCTIONING OF GOVERNMENT: 10 / 12

C1. Do the freely elected head of government and national legislative representatives determine the policies of the government? 4 / 4

The freely elected head of government and national legislative representatives determine the policies of the government.

C2. Are safeguards against official corruption strong and effective? 3 / 4

While Iceland maintains robust anticorruption laws, public officials and major companies have engaged in corrupt behavior. Some officials implicated in corrupt or unsavory behavior have continued to serve in government.

In 2018, the Council of Europe's Group of States against Corruption (GRECO) published a report urging the government to strengthen regulations on accepting third-party gifts and criticizing the inadequate enforcement of conflict-of-interest rules. New conflict-of-interest legislation for ministers, their advisers, and permanent secretaries entered into force in January 2021, as did a new law protecting whistleblowers. However, according to a GRECO report published in December 2022, the government has not sufficiently addressed the recommendations made in the 2018 report.

C3. Does the government operate with openness and transparency? 3 / 4

Iceland made changes to its Information Act in 2013 to strengthen existing legislation on transparency and freedom of information. However, the act has been criticized by press freedom advocates as having weak provisions. In the past, public officials have sought to conceal information that may be embarrassing or implicate them in wrongdoing.

CIVIL LIBERTIES: 57 / 60

D. FREEDOM OF EXPRESSION AND BELIEF: 15 / 16

D1. Are there free and independent media? 3 / 4

The constitution guarantees freedom of speech and of the press. The autonomous Icelandic National Broadcasting Service (RÚV) competes with private radio and television stations. Private media ownership is highly concentrated, with the media company 365 controlling most major private television and radio outlets.

Reports emerged in May 2021 claiming that Samherji, a large Icelandic fishing company implicated in a 2019 corruption scandal, had tried to undermine and control public debate by spying on, intimidating, and attacking the credibility of journalists and civil society organizations that had reported on the corruption allegations. In February 2022, police in Akureyri, where Samherji is headquartered, announced that four journalists who had reported on the Samherji scandal were "official suspects" in a breach-of-privacy investigation. The police allege that, while investigating the corruption scandal, the journalists violated the privacy of a Samherji employee; the journalists have denied the allegations. Press freedom groups have expressed concern that the investigation represents an attempt to suppress investigative journalism. The investigation remained ongoing at year's end.

D2. Are individuals free to practice and express their religious faith or nonbelief in public and private? 4 / 4

The constitution provides for freedom of religion, which is generally upheld in practice. Around 60 percent of Icelanders belong to the Evangelical Lutheran Church.

D3. Is there academic freedom, and is the educational system free from extensive political indoctrination? 4 /4

Academic freedom is respected, and the education system is free of excessive political involvement.

D4. Are individuals free to express their personal views on political or other sensitive topics without fear of surveillance or retribution? 4 / 4

People in Iceland may freely discuss personal views on sensitive topics without fear of surveillance or retribution.

E. ASSOCIATIONAL AND ORGANIZATIONAL RIGHTS: 12 / 12

E1. Is there freedom of assembly? 4 / 4

Freedom of assembly is generally upheld. In recent years, however, police have faced criticism for arresting or forcefully dispersing peaceful protesters under a broadly worded provision of the Police Law of 1996.

E2. Is there freedom for nongovernmental organizations, particularly those that are engaged in human rights– and governance-related work? 4 / 4

Nongovernmental organizations (NGOs) may form, operate, and fundraise freely, and frequently inform policy discussions.

E3. Is there freedom for trade unions and similar professional or labor organizations? 4 / 4

The labor movement is robust, with more than 80 percent of all eligible workers belonging to unions. Most unions have the right to strike, except for the National Police Federation.

F. RULE OF LAW: 15 / 16

F1. Is there an independent judiciary? 4 / 4

The judiciary is generally independent. Judges are proposed by an Interior Ministry selection committee, are formally appointed by the president, and are not subject to term limits. However, in 2017, former justice minister Sigríður Andersen interfered in the selection process for the Court of Appeals when she selected nominees who were considered unqualified. In 2020, the ECtHR ruled that the government violated the European Convention on Human Rights (ECHR) when a defendant was judged by one of Andersen's nominees.

F2. Does due process prevail in civil and criminal matters? 4 / 4

The law does not provide for trial by jury, but many trials and appeals use panels of several judges. Prison conditions generally meet international standards.

F3. Is there protection from the illegitimate use of physical force and freedom from war and insurgencies? 4 / 4

Police are generally responsive to incidents of violence. War and insurgencies are not a concern. Violent crime is rare, though a slight increase in both gun- and knife-related violence was recorded in 2022. The Minister of Justice announced in December that, for protection from the "growing threat" of weapons-related crime, police would be authorized to carry stun guns.

In September 2022, police announced that four men had been arrested for allegedly planning to commit a domestic terrorist attack; two remained in custody until December, when they were released after being indicted on terrorism-related charges.

F4. Do laws, policies, and practices guarantee equal treatment of various segments of the population? 3 / 4

The constitution states that all people shall be treated equally before the law, regardless of sex, religion, ethnic origin, race, or other status.

The Directorate of Immigration has repeatedly been accused of using excessive force in carrying out deportations. In 2019, authorities deported an Albanian family—including a heavily pregnant woman who had received medical certification that she was unfit to fly—even though an appeal against their deportation was still under consideration. In 2022, the decision to deport the woman despite her medical status was deemed illegal, and the state agreed to provide her with financial compensation. In November, an Iraqi family seeking asylum in Iceland was deported to Greece; video footage of the deportation showed one member of the family, who is disabled, being forcibly removed from his wheelchair. The family returned to Iceland in December after a court ruled that their deportation had been illegal.

The rate of refugee recognition in Iceland is low compared to other northern European countries. A record number of refugees—totaling approximately 4,000 people—arrived in Iceland during 2022. Although refugees are eligible to receive government services, including housing and employment support, the government sometimes struggled to provide such services in 2022.

Immigrants who do not fluently speak Icelandic often face barriers to employment. Until 2019, noncitizens were prohibited from employment in the public sector.

G. PERSONAL AUTONOMY AND INDIVIDUAL RIGHTS: 15 / 16

G1. Do individuals enjoy freedom of movement, including the ability to change their place of residence, employment, or education? 4 / 4

Freedom of movement is constitutionally protected and respected in practice. Although travel to and from Iceland was affected by COVID-19-related regulations, a total lockdown was never imposed. All COVID-19-related restrictions were lifted by February 2022.

G2. Are individuals able to exercise the right to own property and establish private businesses without undue interference from state or nonstate actors? 4 / 4

There is generally no undue government interference in business or private property ownership.

G3. Do individuals enjoy personal social freedoms, including choice of marriage partner and size of family, protection from domestic violence, and control over appearance? 4 / 4

Parliament unanimously passed a law legalizing same-sex marriage in 2010, and a 2006 law established full and equal rights for same-sex couples in matters of adoption and assisted pregnancy. Comprehensive legislation on transgender issues ensures full and equal rights for transgender people and guarantees relevant healthcare, among other provisions.

Abortions through the 22nd week of pregnancy are permitted without requiring special approval.

G4. Do individuals enjoy equality of opportunity and freedom from economic exploitation? 3 / 4

Citizens generally enjoy fair access to economic opportunity. However, the systematic exploitation of migrant workers has become a significant problem in recent years, especially in the tourism industry. Employers who exploit workers have largely acted with impunity due to an inadequate government response. Wage theft is not punishable by law. There are

reports of forced labor, primarily involving migrants, in the construction and service industries, and of forced sex work in nightclubs.

Iceland criminalized human trafficking in 2009. In the 2022 edition of its *Trafficking in Persons Report*, the US State Department reported that one person had been prosecuted and convicted of trafficking in Iceland during the year, the first such case since 2010.

India

Population: 1,417,200,000
Capital: New Delhi
Freedom Status: Partly Free
Electoral Democracy: Yes

Note: The numerical scores and status listed above do not reflect conditions in Indian Kashmir, which is examined in a separate report. *Freedom in the World* reports assess the level of political rights and civil liberties in a given geographical area, regardless of whether they are affected by the state, nonstate actors, or foreign powers. Disputed territories are sometimes assessed separately if they meet certain criteria, including boundaries that are sufficiently stable to allow year-on-year comparisons. For more information, see the report methodology.

Overview: While India is a multiparty democracy, the government led by Prime Minister Narendra Modi and the Hindu nationalist Bharatiya Janata Party (BJP) has presided over discriminatory policies and a rise in persecution affecting the Muslim population. The constitution guarantees civil liberties including freedom of expression and freedom of religion, but harassment of journalists, nongovernmental organizations (NGOs), and other government critics has increased significantly under Modi. The BJP has increasingly used government institutions to target political opponents. Muslims, scheduled castes (Dalits), and scheduled tribes (Adivasis) remain economically and socially marginalized.

KEY DEVELOPMENTS IN 2022

- In July, state and national lawmakers elected Droupadi Murmu, the BJP candidate and former governor of Jharkhand, president. Murmu is the first member of India's tribal communities to serve as head of state.
- The ruling BJP maintained control in five states in elections held in March and December. The Aam Aadmi Party (AAP) won in Punjab in March. The opposition Indian National Congress (INC) won in Himachal Pradesh in December, while the AAP dislodged the BJP in Metropolitan Corporation of Delhi (MCD) elections that month.
- In June, thousands of people protested in several states over a BJP spokesperson's remarks that were considered insults of the prophet Muhammad. Authorities responded forcefully; two protesters were killed in the city of Ranchi, where police reportedly attacked bystanders.
- Authorities in several regions demolished Muslim-owned properties during the year. In April, authorities in Delhi, Gujarat, and Madhya Pradesh responded to unrest by demolishing Muslim-owned buildings. Authorities in Uttar Pradesh destroyed Muslim-owned homes in June after protests held that month.

POLITICAL RIGHTS: 33 / 40

A. ELECTORAL PROCESS: 12 / 12

A1. Was the current head of government or other chief national authority elected through free and fair elections? 4 / 4

Executive elections and selection procedures are generally regarded as free and fair. Executive power is vested in a prime minister, typically the leader of the majority party in the Lok Sabha (House of the People), and a cabinet of ministers nominated by the prime minister. They are appointed by the president and responsible to the Lok Sabha. Narendra Modi was sworn in for a second term as prime minister after the BJP's victory in the 2019 Lok Sabha elections.

The president, who plays a largely symbolic role, is chosen for a five-year term by state and national lawmakers. In July 2022, lawmakers elected Droupadi Murmu, the BJP-backed candidate and former governor of Jharkhand, president. Murmu, who took office later that month, is the first member of one of India's marginalized tribal communities to hold the position.

A2. Were the current national legislative representatives elected through free and fair elections? 4 / 4

All but 2 members of the 545-seat Lok Sabha, the lower house of Parliament, are directly elected in single-member constituencies for five-year terms; the president appoints the remaining 2 from the country's Anglo Indian community. Most members of the less powerful 245-seat upper house, the Rajya Sabha (Council of States), are elected by state legislatures using a proportional-representation system to serve staggered six-year terms; up to 12 members are appointed by the president.

The most recent Lok Sabha elections were held in seven phases in April and May 2019. The ruling BJP won 303 seats, giving its National Democratic Alliance coalition a stable majority of 353 seats. The opposition INC placed a distant second with 52 seats, for a total of 92 seats with its partners in the United Progressive Alliance. Smaller parties and independents took the remainder. Voter turnout was 67 percent. The elections were considered generally free and fair, though some campaign-rule violations were reported.

Several state elections were held in 2022. In March, the BJP retained control of the state assemblies in Goa, Manipur, Uttarakhand, and Uttar Pradesh, while the AAP won in Punjab. In December, the INC won in Himachal Pradesh, defeating the BJP. The BJP maintained control of Gujarat that same month. Also in December, the BJP lost control of the MCD, which it held for 15 years; the AAP won 134 of its 250 seats, while the BJP won 104.

A3. Are the electoral laws and framework fair, and are they implemented impartially by the relevant election management bodies? 4 / 4

Elections for the central and state governments are overseen by the independent Election Commission of India, whose head is appointed by the president and serves a fixed six-year term. The commission is generally respected and had been thought to function without undue political interference. In recent years, however, its impartiality and competence have been called into question.

In late 2021, the Lok Sabha passed the Election Laws (Amendment) Act 2021, which creates a framework for linking election-roll data with Aadhaar, India's biometric database. The Internet Freedom Foundation (IFF) objected to the bill, saying it would allow voter profiling, impact voters' privacy, and lead to disenfranchisement. In August 2022, the *Hindu* reported that electoral officers threatened to remove voters from the roll unless they provided their Aadhaar identification numbers, citing the IFF.

B. POLITICAL PLURALISM AND PARTICIPATION: 12 / 16

B1. Do the people have the right to organize in different political parties or other competitive political groupings of their choice, and is the system free of undue obstacles to the rise and fall of these competing parties or groupings? 3 / 4

Political parties are generally able to form without interference, and a wide variety of parties representing a range of views and interests compete in practice. However, the ruling BJP has used various tools to limit campaigning by opposition parties.

The opaque financing of political parties is a serious source of concern. A system of electoral bonds, introduced in 2017, allows donor identities to be known to the State Bank of India but obscured from the public. It has contributed to major fundraising advantages for the BJP. In addition, the government, through the Central Bureau of Investigation (CBI), has selectively pursued anticorruption investigations against opposition politicians while overlooking allegations against political allies. In September 2022, the *Indian Express* reported that the CBI investigated opposition politicians since the BJP came to power far more often, while fewer members of the ruling party were targeted.

B2. Is there a realistic opportunity for the opposition to increase its support or gain power through elections? 4 / 4

Different parties regularly succeed one another in government at the state and national levels. Modi and the BJP took power after the 2014 elections, ending 10 years of INC-led government, and were reelected by a wide margin in 2019. In 2022, the BJP scored victories—either alone or at the head of a coalition—in five states, while the AAP won in Punjab and in the MCD.

B3. Are the people's political choices free from domination by forces that are external to the political sphere, or by political forces that employ extrapolitical means? 3 / 4

Political participation, while generally free, is hampered by insurgent violence in certain areas. Separately, some political actors have sought to inflame communal tensions with the goal of energizing their own supporters while potentially intimidating opponents.

B4. Do various segments of the population (including ethnic, racial, religious, gender, LGBT+, and other relevant groups) have full political rights and electoral opportunities? 2 / 4

Women and members of religious and ethnic minorities vote in large numbers and have opportunities to gain political representation. In 2019, for the first time, the rate of women's voting in national elections equaled that of men. Indian lawmakers selected the country's second-ever woman president when voting for Droupadi Murmu in July 2022. Female representation in the Lok Sabha, however, is low. Women held 15.1 percent of its seats as of December.

Quotas ensure that 84 and 47 Lok Sabha seats are reserved for the so-called scheduled castes and scheduled tribes, respectively. State assemblies and local bodies feature similar quotas for these historically disadvantaged groups, as well as for women representatives.

However, marginalized segments of the population continue to face practical obstacles to full political representation. Muslim candidates notably won 27 of 545 seats in the 2019 Lok Sabha elections, up from 22 previously. However, this amounted to just 5 percent of the seats in the chamber, whereas Muslims made up some 14.2 percent of the population according to the 2011 census. By the end of 2022, no national legislator belonging to the BJP identified as Muslim.

The political rights of India's Muslims continue to be threatened. The Citizenship (Amendment) Act (CAA) of 2019 grants special access to Indian citizenship to non-Muslim

immigrants and refugees from neighboring Muslim-majority states. At the same time, the government moved forward with plans for the creation of a national register of citizens. Many observers believe that the register's purpose is to disenfranchise Muslim voters by effectively classifying them as illegal immigrants. Importantly, Muslims disproportionately lack documentation attesting to their place of birth. Undocumented non-Muslims, meanwhile, are eligible for citizenship through a fast-track process under the CAA.

The citizenship status of 1.9 million residents of Assam, which is home to a significant Muslim population, remains in doubt after a citizens' register was finalized in the northeastern state in 2019.

C. FUNCTIONING OF GOVERNMENT: 9 / 12

C1. Do the freely elected head of government and national legislative representatives determine the policies of the government? 4 / 4

India's elected leaders have the authority to set government policies, draft and enact legislation, and govern the country's territory in practice.

C2. Are safeguards against official corruption strong and effective? 2 / 4

Large-scale political corruption scandals have repeatedly exposed bribery and other malfeasance, but a great deal of corruption is thought to go unreported and unpunished, and the authorities have been accused of selective, partisan enforcement.

The Lokpal and Lokayuktas Act of 2013 created independent national and state bodies tasked with receiving complaints of corruption against public servants or politicians, investigating such claims, and pursuing convictions through the courts. However, these agencies have been slow to begin operations. Only 7 of the country's 29 state-level Lokayuktas had publicly accessible annual reports as of October 2022. Few complaints were submitted through these bodies.

C3. Does the government operate with openness and transparency? 3 / 4

The public generally has some access to information about government activity, but the legal framework meant to ensure transparency has been eroded in recent years. The 2014 Whistleblowers Protection Act was regarded as limited in scope, and subsequent amendments have drawn criticism for further undermining it.

Millions of requests are made annually under the 2005 Right to Information (RTI) Act, and responses have been used to improve transparency and expose corrupt activities. However, most requesters do not receive the information sought, including those seeking information about core government policies, and noncompliant officials generally go unpunished. Dozens of right-to-information users and activists have been murdered since the RTI Act's introduction, and hundreds have been assaulted or harassed. In 2019, Parliament adopted amendments to the RTI Act that placed the salaries and tenures of the central and state-level information commissioners under the control of the central government, potentially exposing the commissioners to political pressure. National and state-level information commissions are hampered by staff vacancies.

CIVIL LIBERTIES: 33 / 60

D. FREEDOM OF EXPRESSION AND BELIEF: 9 / 16

D1. Are there free and independent media? 2 / 4

The private media are somewhat vigorous and diverse, and investigations and scrutiny of politicians do occur. However, attacks on press freedom have escalated dramatically under the Modi government, and reporting has become significantly less ambitious in recent

years. Authorities have used security, defamation, sedition, and hate speech laws, as well as contempt-of-court charges, to quiet critical voices in the media. Hindu nationalist campaigns aimed at discouraging forms of expression deemed "antinational" have exacerbated self-censorship. Online disinformation from inauthentic sources is ubiquitous ahead of elections. Separately, revelations of close relationships between politicians, business executives, and lobbyists, on one hand, and leading media personalities and owners of media outlets, on the other, have dented public confidence in the press.

In addition to criminal charges, journalists risk harassment, death threats, and physical violence in the course of their work. Such attacks are rarely punished, and some have taken place with the complicity or active participation of police. In April 2022, the Article 14 news site said five of its journalists were escorted from a Hindu nationalist event in Delhi by police; demonstrators had attacked them when learning that most of them were Muslim. Police in Delhi later launched a case against Article 14 and journalist Meer Faisal for commenting on the incident on Twitter.

Raids on independent outlets have become common. In October 2022, for example, police raided the New Delhi office of the Wire along with the homes of four of its editors. Police acted in response to a complaint lodged by BJP official Amit Malviya, who accused the Wire of defamation over retracted articles suggesting that he had the ability to remove Instagram posts.

In June 2022, Mohammed Zubair, a cofounder of the Alt News fact-checking site, was arrested for allegedly inflaming religious sentiments via a Twitter post. A complainant accused Zubair, a Muslim, of showing disrespect to a Hindu deity. Zubair was later accused of using "offensive" language to describe Hindu religious leaders by the Uttar Pradesh police before receiving bail in July.

D2. Are individuals free to practice and express their religious faith or nonbelief in public and private? 2 / 4

While Hindus make up about 80 percent of the population, the Indian state is formally secular, and freedom of religion is constitutionally guaranteed. However, a number of Hindu nationalist organizations and some media outlets promote anti-Muslim views, a practice that the Modi government has been accused of encouraging. Attacks against Muslims and others in connection with the alleged slaughter or mistreatment of cows, which are held to be sacred by Hindus, continued in 2022. The BJP has faced criticism for failing to mount an adequate response to cow-related violence.

Legislation in several states criminalizes religious conversions that take place as a result of "force" or "allurement," which can be broadly interpreted to prosecute proselytizers. Some states require government permission for conversion.

Communal rioting occurred in multiple states in April 2022, sparked by encounters between Muslims and those celebrating Hindu festivals.

D3. Is there academic freedom, and is the educational system free from extensive political indoctrination? 2 / 4

Academic freedom has significantly weakened in recent years, as professors, students, and institutions have faced intimidation over political and religious issues. Members of the student wing of the Hindu nationalist organization Rashtriya Swayamsevak Sangh (National Volunteer Association)—from which the ruling BJP is widely regarded to have grown—have engaged in violence on campuses across the country, including attacks on students and professors. University administrators and faculty have been investigated, disciplined, or compelled to step down owing to their perceived political views. Academics face pressure

not to discuss topics deemed sensitive by the BJP government, particularly India's relations with Pakistan and conditions in Indian Kashmir. The heads of prestigious academic institutions are increasingly selected for their loyalty to the ruling party.

In February 2022, the Karnataka state government banned Muslim students from wearing the hijab in several public institutions. In October, the Supreme Court delivered a split verdict on the issue, with judges calling on the chief justice to send the case to a larger bench.

D4. Are individuals free to express their personal views on political or other sensitive topics without fear of surveillance or retribution? 3 / 4

Personal expression and private discussion in India had long been open and free. However, colonial-era and other laws are often invoked in order to penalize perceived criticism of the government by ordinary citizens. Activists, Muslims, and members of other marginalized communities are routinely charged with sedition for criticizing the government and its policies. In 2021, Article 14 reported a 28 percent annual increase in sedition charges from 2014, when the BJP came to power, to 2020. In May 2022, the Supreme Court put the colonial-era sedition law under review, stayed ongoing related cases, and asked the central and state governments to refrain from filing new cases. The court extended its order in October.

Online "troll armies" associated with the BJP routinely harass individuals—notably Muslims—and organizations for voicing criticism of the government and for engaging in behavior that supposedly deviates from Hindu orthodoxy.

The government has imposed rules that increase social media companies' liability for material posted on their platforms and effectively encourage aggressive content restrictions. In July 2022, Twitter sued the government in the Karnataka High Court to contest orders to remove content critical of the government from its platform.

A nationwide Central Monitoring System is meant to enable authorities to intercept digital communications in real time without judicial oversight. In 2021, a collaborative investigation by news organizations revealed that the government had likely planted Pegasus spyware on the mobile devices of more than 300 prominent individuals, including opposition members, journalists, judges, businesspeople, and minority-rights advocates. In August 2022, a committee of experts formed by the Supreme Court concluded that 5 of the 29 phones it examined were infected with malware but did not conclude if Pegasus was used; the Modi government did not cooperate with the committee.

Also in August 2022, the government withdrew the Personal Data Protection Bill 2019 from parliamentary consideration; among other provisions, it would have imposed restrictions on social media companies' ability to use personal data, though it was criticized for proposing relatively few restrictions on the government itself. The BJP vowed to introduce a new bill to replace it.

E. ASSOCIATIONAL AND ORGANIZATIONAL RIGHTS: 7 / 12

E1. Is there freedom of assembly? 2 / 4

There are legal restrictions on freedom of assembly, including a provision of the criminal procedure code that empowers authorities to restrict public gatherings and impose curfews whenever "immediate prevention or speedy remedy" is required. State and central governments often suspend mobile and internet service to curb protests.

While peaceful demonstrations regularly take place, the national government and some state governments are known to employ assembly bans, internet disruptions, and force to quell protests, while protesters have faced harsh treatment and have been denied access to legal counsel.

Thousands of people in several states, including Gujarat and Uttar Pradesh, held protests in June 2022, objecting to a BJP spokesperson's May remarks that were considered insulting to the prophet Muhammad. Authorities responded with force and police in Jharkhand attacked bystanders. Police killed two people in the city Ranchi, the state capital of Jharkhand, on June 10, with their relatives accusing the authorities of applying disproportionate force. A senior police officer in the city sustained severe injuries. Authorities in several towns applied emergency laws to restrict gatherings. Over 300 people were arrested in Uttar Pradesh alone by June 14.

E2. Is there freedom for nongovernmental organizations, particularly those that are engaged in human rights– and governance-related work? 2 / 4

A wide variety of NGOs operate, but some, particularly those involved in the investigation of human rights abuses, continue to face threats, legal harassment, excessive police force, and occasionally lethal violence.

Under certain circumstances, the Foreign Contribution (Regulation) Act (FCRA) of 2010 permits the federal government to deny NGOs access to foreign funding, and authorities have been accused of using this power selectively against perceived political opponents. The government cancelled the FCRA registrations of 6,677 NGOs between 2017 and 2021. In October 2022, the government canceled the registrations of two NGOs led by former INC leader Sonia Gandhi. In December, the government said one of the organizations lost its license because it received funding from the Chinese embassy.

E3. Is there freedom for trade unions and similar professional or labor organizations? 3 / 4

Although workers in the formal economy regularly exercise their rights to bargain collectively and strike, laws including the Essential Services Maintenance Act have enabled the government to ban certain strikes. Public employees have more limited organizing rights, and private employers are not legally obliged to recognize unions or engage in bargaining.

F. RULE OF LAW: 8 / 16

F1. Is there an independent judiciary? 2 / 4

The judiciary is formally independent of the political branches of government. Judges, particularly in the Supreme Court, have traditionally displayed autonomy and activism in response to public-interest litigation. However, lower levels of the judiciary suffer from corruption, and the courts have shown signs of increasing politicization. The government has also made judicial appointments that observers consider political in nature.

Several key Supreme Court rulings in recent years have been favorable to the BJP, including the 2019 decision allowing the construction of a Hindu temple on the site of a historic mosque and a 2020 decision to deny bail to a scholar and prominent critic of Prime Minister Modi who was charged with supporting a banned Maoist group. In 2022, courts continued to issue rulings favoring the BJP, including in highly controversial cases.

F2. Does due process prevail in civil and criminal matters? 2 / 4

Due process rights are not consistently upheld. Citizens face substantial obstacles in the pursuit of justice, including demands for bribes and difficulty getting the police to file a First Information Report, which is necessary to trigger an investigation of an alleged crime. Corruption within the police force remains a problem. The justice system is severely backlogged and understaffed, leading to lengthy pretrial detention for suspects, many of whom remain in jail longer than the duration of any sentence they might receive if convicted.

A number of security laws allow detention without charge or based on vaguely defined offenses. The Unlawful Activities Prevention Act has been used extensively in recent years to hold individuals for long periods without trial or specific evidence of guilt.

In August 2022, 11 men convicted of crimes against a Muslim family during communal violence in Gujarat in 2002—including gang rape and murder—were released from prison in what was widely regarded as a bid to secure the support of hard-line Hindu voters ahead of the December 2022 state elections.

F3. Is there protection from the illegitimate use of physical force and freedom from war and insurgencies? 2 / 4

Torture, abuse, and rape by law enforcement and security officials have been reported. A bill intended to prevent torture remains pending. Abuses by prison staff against people in custody, particularly those belonging to marginalized groups, are common. In July 2022, the Home Affairs Ministry reported that 4,484 people died in judicial or police custody in 2020 and 2021.

Security forces battling regional insurgencies continue to be implicated in extrajudicial killings, rape, torture, kidnappings, and destruction of homes. While the criminal procedure code requires that the government approve the prosecution of security personnel, approval is rarely granted, leading to impunity.

The Maoist insurgency in the east-central hills region of India continues, though the annual number of casualties linked with it has decreased significantly since peaking in 2010. Among other abuses, the rebels have allegedly imposed illegal taxes, seized food and places of shelter, and engaged in abduction and forced recruitment of children and adults. Local civilians and journalists who are perceived to be progovernment have been attacked. Tens of thousands of civilians have been displaced by the violence and live in government-run camps.

Separately, in India's seven northeastern states, more than 40 insurgent factions—seeking either greater autonomy or complete independence for their ethnic or tribal groups—continue to attack security forces and engage in intertribal violence. Such fighters have been implicated in bombings, killings, abductions, and rapes of civilians, and they operate extensive extortion networks.

F4. Do laws, policies, and practices guarantee equal treatment of various segments of the population? 2 / 4

The constitution bars discrimination based on caste, and laws set aside quotas in education and government jobs for historically underprivileged scheduled tribes, Dalits, and groups categorized by the government as "other backward classes" and "Economically Weaker Sections." However, members of these populations face routine discrimination and violence, and the criminal justice system fails to provide equal protection to marginalized groups.

In parts of the country, particularly in rural areas, informal community councils issue edicts concerning social customs. Their decisions sometimes result in violence or persecution aimed at those perceived to have transgressed social norms, especially women and members of scheduled castes. Other forms of discrimination faced by women include workplace bias and sexual harassment. Indian participation in the international #MeToo movement against sexual harassment and assault has raised awareness of the problem, but women have also endured reprisals after reporting cases, and the movement's reach has largely been limited to the country's urban middle class.

In 2018, the Supreme Court ruled that the use of Section 377 of the penal code to ban same-sex intercourse was unconstitutional, and courts have since pressed state and national

authorities to combat discrimination against LGBT+ people. Such discrimination continues, however, sometimes including violence and harassment.

G. PERSONAL AUTONOMY AND INDIVIDUAL RIGHTS: 9 / 16

G1. Do individuals enjoy freedom of movement, including the ability to change their place of residence, employment, or education? 3 / 4 (+1)

The constitution grants citizens the right to reside and settle in any part of the territory of India. However, freedom of movement is hampered in some parts of the country by insurgent violence or communal tensions. Several states require companies to reserve jobs for locals, limiting opportunities for interstate migration, although enforcement of the quotas is reportedly limited.

India's large internal migrant population suffered significant hardships during the COVID-19 pandemic, as the government imposed an excessively harsh lockdown that offered little assistance or security to low-paid workers. Millions were consequently compelled to travel from cities to their native villages for lack of employment and essential supplies. In 2021, a government think tank published a policy framework that aimed to ease interstate movement among other goals. This situation abated in January 2022 when the national government directed states to shorten coronavirus-related isolation periods.

Score Change: The score improved from 2 to 3 because the government eased COVID-19-related restrictions.

G2. Are individuals able to exercise the right to own property and establish private businesses without undue interference from state or nonstate actors? 2 / 4 (−1)

Although the legal framework generally supports the right to own property and engage in private business activity, property rights are somewhat tenuous for tribal groups and other marginalized communities. Members of these groups are often denied adequate resettlement opportunities and compensation when their lands are seized for development projects. While many states have laws to prevent transfers of tribal land to nontribal groups, the practice is reportedly widespread, particularly with respect to the mining and timber industries. Muslim personal status laws and traditional Hindu practices discriminate against women in terms of property rights and inheritance.

Muslim-owned properties were demolished by authorities in several areas in 2022. In April, authorities in Delhi, Gujarat, and Madhya Pradesh responded to communal unrest by demolishing Muslim-owned structures. In June, authorities in Uttar Pradesh destroyed three Muslim-owned houses in an apparent act of reprisal against protests; authorities claimed the homes were illegally constructed. In October, authorities in Madhya Pradesh destroyed three men's homes after they were accused of throwing stones during a Hindu ceremony. In June, three UN special rapporteurs wrote a letter objecting to the practice.

Score Change: The score declined from 3 to 2 because officials in several areas demolished property owned by Muslims.

G3. Do individuals enjoy personal social freedoms, including choice of marriage partner and size of family, protection from domestic violence, and control over appearance? 2 / 4

Rape and other sexual abuse are serious problems, and scheduled-caste and tribal women are especially vulnerable. Mass demonstrations after the fatal gang rape of a woman on a Delhi bus in 2012 prompted the government to enact significant legal reforms, but egregious rape cases continue to surface. The criminal justice system as well as prominent politicians have been repeatedly faulted for their poor handling of such matters.

Despite criminalization and hundreds of convictions each year, dowry demands surrounding marriage persist, sometimes resulting in violence. A 2006 law banned dowry-related harassment, widened the definition of domestic violence to include emotional or verbal abuse, and criminalized spousal sexual violence, but enforcement is reportedly poor.

In August 2022, the Supreme Court expanded the official definition of the family to include same-sex parents and other households that had been deemed "atypical."

Several BJP-led states have passed or proposed laws meant to stem the alleged practice of "love jihad"—a baseless conspiracy theory according to which Muslims marry Hindu women with the goal of converting them to Islam. The legislation effectively created obstacles to interfaith marriages and raised the risk of legal penalties, harassment, and violence for interfaith couples. In February 2022, the BJP argued for toughening penalties on interfaith marriages ahead of the Uttar Pradesh state elections.

Muslim personal status laws and traditional Hindu practices feature gender discrimination on matters such as marriage, divorce, and child custody. A Muslim divorce custom allowing a man to unilaterally divorce his wife was criminalized in 2019. The malign neglect of female children after birth remains a concern, as does the banned use of prenatal sex-determination tests to selectively abort female fetuses.

G4. Do individuals enjoy equality of opportunity and freedom from economic exploitation? 2 / 4

The constitution bans human trafficking, and bonded labor is illegal, but estimates of the number of workers still affected by the practice range from 20 to 50 million. A 2016 law allows children below the age of 14 to engage in "home-based work," as well as other occupations between the ages of 14 and 18. Children are not permitted to work in potentially hazardous industries, though the rule is routinely flouted. The use of child labor reportedly surged during COVID-19 lockdowns, as schools were closed and families faced severe economic hardships. There have been reports of complicity by law enforcement officials in human trafficking.

Indonesia

Population: 275,500,000
Capital: Jakarta
Freedom Status: Partly Free
Electoral Democracy: No

Overview: Indonesia has made impressive democratic gains since the fall of an authoritarian regime in 1998, enjoying significant political and media pluralism and undergoing multiple, peaceful transfers of power. Significant challenges persist, including systemic corruption, discrimination and violence against minority groups, conflict in Papua, and the politicized use of defamation and blasphemy laws.

KEY DEVELOPMENTS IN 2022

- In April, the parliament passed a bill meant to combat sexual violence; it criminalizes sexual harassment, forced contraception and sterilization, forced marriage, sexual torture, slavery and exploitation, and online sexual violence.

- In a June vote, the parliament approved the creation of three new provinces in the Papua region, making for a total of five; the new borders were inaugurated in November. Papuans criticized the change, saying it would further marginalize the region's Indigenous residents.
- The Corruption Eradication Commission (KPK) arrested two Supreme Court judges for allegedly accepting bribes over a case being heard at that court. Sudrajad Dimyati was arrested in September and Gazalba Saleh was arrested in December.
- In December, the parliament approved a new criminal code, which restricts insults directed at government institutions, expands restrictions on blasphemy, and criminalizes cohabitation of unmarried people, among other things. It will take effect after receiving the president's signature and a subsequent three-year transition period.

POLITICAL RIGHTS: 30 / 40

A. ELECTORAL PROCESS: 11 / 12

A1. Was the current head of government or other chief national authority elected through free and fair elections? 4 / 4

The directly elected president serves as both head of state and head of government. Presidents and vice presidents can serve up to two five-year terms. Joko Widodo (known as "Jokowi"), the Indonesian Democratic Party of Struggle (PDI-P) candidate, won a second term as president in the April 2019 election with 55.5 percent of the vote, defeating former general Prabowo Subianto, the Great Indonesia Movement Party (Gerindra) candidate.

Limited voting irregularities were reported, but the contest was largely considered free and fair by international election monitors. Prabowo's campaign claimed the election was marred by widespread fraud and vote rigging, but this claim was rejected by the Constitutional Court that June. Jokowi appointed Prabowo as his defense minister.

A2. Were the current national legislative representatives elected through free and fair elections? 4 / 4

The House of Representatives (DPR), the main parliamentary chamber, consists of 575 members elected in 34 multimember districts. The 136-member House of Regional Representatives (DPD) is responsible for monitoring laws related to regional autonomy and may propose bills on the topic. All legislators serve five-year terms with no term limits.

Legislative elections were held concurrently with the presidential and local contests in April 2019. The PDI-P, led by former president Megawati Sukarnoputri, won 19.3 percent of the vote and 128 seats. Golkar, the party of former authoritarian president Suharto, won 85 seats on 12.3 percent, followed by Gerindra with 78 seats and 12.6 percent. Partai NasDem won 59 seats, while the Democratic Party (PD) of former president Susilo Bambang Yudhoyono won 54.

Two Islamic parties—the National Mandate Party (PAN) and the United Development Party (PPP)—lost seats from the last parliament, returning with 44 and 19 seats, respectively. Two other Islamic parties, the National Awakening Party (PKB) and the Prosperous Justice Party (PKS), increased their representation, respectively winning 58 and 50 seats.

A3. Are the electoral laws and framework fair, and are they implemented impartially by the relevant election management bodies? 3 / 4

The legal framework for elections is largely democratic, and electoral authorities are mostly seen as impartial. Under a 2012 law, the hereditary sultan of Yogyakarta is that province's unelected governor.

A 2016 revision to the law governing local elections requires the Election Oversight Agency and the General Elections Commission to conduct a binding consultation with the parliament and the government before issuing any new regulations or decisions. Activists expressed concerns that the rules would reduce electoral authorities' independence.

B. POLITICAL PLURALISM AND PARTICIPATION: 13 / 16

B1. Do the people have the right to organize in different political parties or other competitive political groupings of their choice, and is the system free of undue obstacles to the rise and fall of these competing parties or groupings? 4 / 4

The right to organize political parties is respected, and several major parties compete for power. Four new parties contested the 2019 elections.

Eligibility requirements favor large parties. The 2017 General Elections Law (UU PU) requires new parties to undergo a "factual verification" process confirming the accuracy of submitted documents on parties' management, membership, and operations.

Communist parties are banned. The promotion of communism is banned under the criminal code passed in December 2022.

B2. Is there a realistic opportunity for the opposition to increase its support or gain power through elections? 4 / 4

Indonesia has established a pattern of democratic power transfers between rival parties since 1999. The most recent handover occurred in 2014, when the PDI-P returned to power after losing the previous two presidential elections. The UU PU requires parties or coalitions fielding presidential candidates to hold 20 percent of the seats in the parliament or 25 percent of the national vote in the most recent parliamentary election. The provision effectively bars new or smaller parties from fielding candidates in the presidential race.

B3. Are the people's political choices free from domination by forces that are external to the political sphere, or by political forces that employ extrapolitical means? 3 / 4

While voters and candidates are generally free from undue interference, the military remains influential, with former commanders playing prominent roles in politics. Intimidation by nonstate actors—including Islamist groups—remains a problem, as is the growing use of online propaganda in political campaigns.

B4. Do various segments of the population (including ethnic, racial, religious, gender, LGBT+, and other relevant groups) have full political rights and electoral opportunities? 2 / 4

Women enjoy full political rights, and political parties are subject to 30 percent gender quotas for steering committees and candidates. However, women remain underrepresented in electoral politics, holding 21.6 percent of the DPR's seats, though they do sometimes win leadership positions. Puan Maharani, daughter of former president Megawati and granddaughter of former president Sukarno, became the first female DPR speaker in 2019.

Ethnic Chinese are poorly represented in politics and often abstain from voting. Two parties with ethnic Chinese leaders, the Indonesian Solidarity Party (PSI) and United Indonesian Party (Perindo), contested the April 2019 elections; neither exceeded the 4-percent parliamentary threshold for seats.

Some local governments have discriminated against religious minorities by restricting access to identification cards, birth certificates, marriage licenses, and other bureaucratic necessities, limiting their political rights and electoral opportunities.

LGBT+ people are poorly represented in electoral politics.

C. FUNCTIONING OF GOVERNMENT: 6 / 12

C1. Do the freely elected head of government and national legislative representatives determine the policies of the government? 3 / 4

Elected officials generally determine government policies, though national authorities have faced difficulties in implementing their decisions due to local-level resistance. Observers have warned that the military is regaining its influence over civilian governance and economic affairs. These concerns increased following the COVID-19 pandemic, as generals headed both the National Task Force for COVID-19 Management and the Ministry of Health.

C2. Are safeguards against official corruption strong and effective? 1 / 4

Corruption remains endemic in the national and local legislatures, civil service, judiciary, and police. The most common offenses are embezzlement, bribery, and extortion. Acrimony between rival agencies—particularly the KPK and the National Police—has hindered anticorruption efforts, and civilian investigators have no jurisdiction over the military. In 2019, the parliament passed legislation weakening the KPK, requiring all employees to join the civil service and investigators to be from the National Police.

In September 2022, the Law and Human Rights Ministry paroled 23 people convicted of graft in a decision criticized by activists and the KPK.

Also in September, the KPK arrested Supreme Court justice Sudrajad Dimyati—who allegedly accepted bribes over a case being heard by that court—along with a clerk and eight other individuals. In December, the KPK arrested Supreme Court justice Gazalba Saleh for his alleged involvement in the affair.

C3. Does the government operate with openness and transparency? 2 / 4

Although civil society groups comment on and influence pending policies or legislation, government transparency is limited by broad exemptions in the freedom of information law and obstacles such as a 2011 law criminalizing leaking vaguely defined "state secrets" to the public.

CIVIL LIBERTIES: 28 / 60 (−1)

D. FREEDOM OF EXPRESSION AND BELIEF: 9 / 16

D1. Are there free and independent media? 3 / 4

Indonesia hosts a vibrant and diverse media environment, though legal and regulatory restrictions hamper press freedom. The 2008 Law on Electronic Information and Transactions (UU ITE) extended libel to online media. It also criminalized distribution or accessibility of information or documents "contrary to the moral norms of Indonesia," or involving gambling, blackmail, or defamation. Journalists carrying out legitimate reporting have been arrested under the UU ITE.

Foreign journalists visiting the Papua region face bureaucratic obstacles and deportation. Internet blackouts during protests as well as self-censorship have inhibited press activity. Journalists covering sensitive subjects, including LGBT+ issues, organized crime, sexual assault, and corruption, face harassment, violence, and threats. In March 2022, a student-run publication was shuttered by the State Islamic Institute in Ambon after it reported on sexual violence on campus. Two student journalists were physically assaulted on campus by men claiming to be relatives of an accused perpetrator.

A 2020 directive allowed for up to 18 months' imprisonment for "hostile information about the president and government" or coronavirus-related disinformation. In a 2022

report, Amnesty International Indonesia found that attacks against journalists where police officers were the alleged perpetrators increased in subsequent years.

Journalists regularly face physical and digital attack. Amnesty International Indonesia documented 133 such incidents against 225 journalists and outlets between January 2019 and May 2022.

D2. Are individuals free to practice and express their religious faith or nonbelief in public and private? 1 / 4

Indonesia officially recognizes Islam, Protestantism, Roman Catholicism, Hinduism, Buddhism, and Confucianism. Individuals may leave the "religion" section on their identity cards blank, but those who do—including adherents of unrecognized faiths—often face discrimination. Atheism is not accepted legally. The criminal code passed in December 2022 prohibits blasphemy; those who "incite" someone to convert or refrain from religious adherence would face imprisonment.

National and local governments often fail to protect religious minorities and exhibit bias in investigations and prosecutions. Building a new house of worship requires signatures of 90 congregation members and 60 local residents of different faiths. As of 2022, the government was still reconsidering the 2006 Joint Ministerial Decision on houses of worship, which has been cited as a driver of religious conflict.

Violence and intimidation against Ahmadi and Shiite communities persists. In 2021, an Ahmadiyya mosque in West Kalimantan was destroyed by a mob. In January 2022, 21 people received four-and-a-half-month prison sentences over its destruction, leaving prison two weeks after sentencing for time served.

D3. Is there academic freedom, and is the educational system free from extensive political indoctrination? 2 / 4

Threats to academic freedom have increased in recent years. Hard-line groups and others are known to threaten discussions on LGBT+ matters, interfaith issues, Papua, police violence, and the 1965–66 anticommunist massacres. Academics have been charged with defamation and removed from their posts for criticism of public officials.

Public academic discussions regarding Papua have been canceled and organizers surveilled and threatened. Students, student union leaders, and others involved in Papua-related campus protests continue to face intimidation, arrest, and treason charges, with authorities linking protests to secessionist movements.

University rectors have reported pressure from the Education Ministry to curb student protests. The education minister's vote accounts for 35 percent of the total vote share in the election of university rectors, making selection dependent upon their relationship with the ministry.

A 2021 presidential regulation declared that Indonesia's national philosophical ideology, *Pancasila*, would guide research and innovation policy. Academics fear authorities could use this decree to prohibit research deemed incompatible with Pancasila.

D4. Are individuals free to express their personal views on political or other sensitive topics without fear of surveillance or retribution? 3 / 4

Laws against blasphemy, defamation, and certain other forms of speech sometimes inhibit expression of personal views on sensitive topics, especially online. Amnesty International Indonesia reported that the UU ITE was used against at least 332 people between January 2019 and May 2022. Under the criminal code passed in December 2022, those who insult government institutions verbally or in writing would face imprisonment or fines. The

new code would also prohibit public attacks on the "honor or dignity" of the president or vice president, including through technological means.

In 2020, the National Police issued instructions to surveil activists online and engage in creating progovernment counternarratives. The 2021 creation of the Virtual Police unit within the National Police has reportedly led to self-censorship.

Ministerial Regulation 5 (MR5) requires private digital services and platforms to register with the Ministry of Communication and Information Technology or risk being blocked. Critics allege that MR5 poses privacy and freedom-of-speech risks and provides a tool for government to censor legitimate speech by placing undue burdens on platforms and services.

Civil servants are subject to restrictions on online activity. A government task force reviews "radical" social media comments from civil servants, including perceived insults or criticisms of Pancasila, the state motto, the constitution, or the government. Civil servants cannot join organizations deemed to insult the country's governing principles.

The government is known to surveil and detain individuals who discuss separatism in Maluku or Papua or fly the Papuan Morning Star or the Republic of South Maluku flag. In August 2022, seven people were convicted of treason for raising the Morning Star and received 10-month prison terms.

E. ASSOCIATIONAL AND ORGANIZATIONAL RIGHTS: 6 / 12

E1. Is there freedom of assembly? 2 / 4

Protests are common and freedom of assembly is generally upheld, but recent years have seen increasing use of protest-related internet disruptions. Assemblies addressing sensitive political topics—such as the 1965–66 massacres or regional separatism—are regularly dispersed, with participants facing intimidation or violence from vigilantes or police.

Freedom of assembly in Papua is increasingly restricted. Authorities used sometimes-deadly violence in response to protesters objecting to the creation of new provinces in the region in 2022.

E2. Is there freedom for nongovernmental organizations, particularly those that are engaged in human rights– and governance-related work? 2 / 4

A 2013 law requires nongovernmental organizations (NGOs) to register with the government and submit to regular reviews of their activities. The law targets NGOs that commit blasphemy or espouse ideas conflicting with Pancasila, such as atheism and communism. The government can dissolve noncompliant organizations without judicial oversight.

Authorities and influential Muslim organizations continue to intimidate and harass LGBT+ communities, organizations, and activists, hampering groups seeking to provide services to LGBT+ people.

Activists working to address human rights violations in Papua and expose endemic corruption are often targeted by authorities or progovernment supporters. In March 2022, human rights activists Haris Azhar and Fatia Maulidiyanti were formally charged with defaming government minister Luhut Pandjaitan under the UU ITE. The charges stemmed from a 2021 YouTube video in which Azhar and Maulidiyanti discussed the military's involvement in mining activity in Papua.

E3. Is there freedom for trade unions and similar professional or labor organizations? 2 / 4

Workers can join unions, bargain collectively, and, with the exception of civil servants, stage strikes. Strikes can be unduly delayed by obligatory arbitration processes, and laws against antiunion discrimination and retaliation are poorly enforced. Under a

memorandum of understanding signed in 2018, the military can assist police in dealing with strikes and demonstrations.

The 2020 omnibus law abolished sectoral minimum wages and limits unions' negotiating power, with wages set by geography. The law, which was formulated without union consultation, extends outsourcing and reduced the number of statutory days off.

F. RULE OF LAW: 5 / 16

F1. Is there an independent judiciary? 2 / 4

The judiciary has demonstrated its independence in some cases, particularly in the Constitutional Court and the Supreme Court. However, the court system remains plagued by corruption and other weaknesses. Judicial decisions can be influenced by religious considerations.

Indonesia's Human Rights Court heard its first case since 2004 in 2022, in which a retired military officer was accused of unlawfully killing Papuan protesters in 2014. The defendant was acquitted in December 2022. Some observers considered the judges' performance promising, though the lawyer representing victims' families voiced distrust over the trial.

F2. Does due process prevail in civil and criminal matters? 1 / 4

Police reportedly engage in arbitrary arrests and detentions, particularly of protesters or activists suspected of separatism. Existing safeguards against coerced confessions are ineffective, and defendants are sometimes denied proper access to legal counsel, including in death penalty cases.

In 2021, the government began designating Papuan separatists as terrorists under the 2018 antiterrorism law; such individuals had previously faced treason charges under the criminal code. Activists criticized the move, warning it would allow the authorities to hold people without charge for long periods.

Aceh Province uses Sharia (Islamic law) to guide punishments and regulations. A number of districts and provinces additionally have unconstitutional Sharia-based ordinances that contradict Indonesia's international human rights commitments.

F3. Is there protection from the illegitimate use of physical force and freedom from war and insurgencies? 1 / 4

Deadly confrontations involving security forces remain common in the Papua region, and have increased in geographic scope, intensity, and frequency since 2018. In 2021, the government designated "armed criminal groups" as terrorist organizations, granting law enforcement greater detention powers and more resources. Military operations intensified that year, after the death of a brigadier general in Papua's Central Highlands. Security forces have been implicated in torture and extrajudicial killings; six soldiers were accused of killing and mutilating four Indigenous residents of the Papua region in August 2022. Separatists have also targeted security forces and civilians at higher rates.

Military personnel accused of crimes against civilians are tried in military courts, which lack impartiality and often impose light punishments, even for serious human rights violations. Torture by law enforcement agencies is not explicitly criminalized.

Prisons are overcrowded and corrupt, leading to riots, protests, fires, and jailbreaks. Violence related to natural resource extraction remains a problem.

In Aceh, regulations under Sharia permit provincial authorities to use caning as punishment for offenses related to gambling, alcohol consumption, and illicit sexual activity.

F4. Do laws, policies, and practices guarantee equal treatment of various segments of the population? 1 / 4

Papuans face racial discrimination, including from authorities and political parties.

Some national laws and numerous local ordinances discriminate against women either explicitly or in effect. LGBT+ people suffer from widespread discrimination, inflammatory and discriminatory rhetoric from authorities, and attacks by hard-line Islamist groups. Ethnic Chinese, who make up approximately 1 percent of the population, are vulnerable to harassment.

Indonesia grants temporary protection to refugees and migrants but is not party to the 1951 Convention Relating to the Status of Refugees and does not accept refugees for asylum and resettlement. However, 13,700 registered refugees and asylum seekers resided there as of 2022, most of them seeking to travel to their ultimate destination. Those in transit have limited access to health-care services and none for the formal labor market. While the Indonesian government recognizes the principle of nonrefoulement, these individuals are at risk of deportation in practice.

G. PERSONAL AUTONOMY AND INDIVIDUAL RIGHTS: 8 / 16 (−1)

G1. Do individuals enjoy freedom of movement, including the ability to change their place of residence, employment, or education? 2 / 4 (−1)

Freedoms to travel and change one's place of residence, employment, or higher education are generally respected. However, Indonesians engaging in these administrative processes are sometimes vulnerable to bribery. Papuans have additionally faced restrictions on movement from security forces; residents in Intan Jaya Regency reported that they must ask security officers' permission to move about, are questioned about their movements, and are subjected to checks.

In March 2022, UN experts expressed concern over ongoing violence and internal displacement in the Papua region. Some 5,000 Indigenous Papuans were displaced between April and November 2021 according to the Office of the UN High Commissioner for Human Rights (OHCHR). The OHCHR also counted at least 60,000 internally displaced persons (IDPs) since December 2018. IDPs often flee without their identity cards, leaving them without access to services.

Score Change: The score declined from 3 to 2 due to increases in the forced displacement of Indigenous Papuans, as well as restrictions on movement for civilians in the Papua region related to escalating armed conflict.

G2. Are individuals able to exercise the right to own property and establish private businesses without undue interference from state or nonstate actors? 2 / 4

Despite a robust private sector, corruption hampers business activity. Property rights are threatened by state appropriation and licensing of communally owned land to companies, particularly impacting Indigenous communities and others with unregistered or customary land rights. Women have relatively poor rights to marital property. Ethnic Chinese in Yogyakarta face restrictions on private property ownership under a 1975 decree contravening national laws.

G3. Do individuals enjoy personal social freedoms, including choice of marriage partner and size of family, protection from domestic violence, and control over appearance? 2 / 4

Abortion is illegal except as life-saving treatment or in instances of rape. Adults over the age of 15 must have corroboration and witnesses to bring rape charges.

In April 2022, the parliament passed a sexual violence bill, which criminalizes sexual harassment, forced contraception and sterilization, forced marriage, sexual torture, slavery and exploitation, and online sexual violence.

The criminal code approved by the parliament in December 2022 prohibits cohabitation of unmarried people as well as consensual extramarital sex; Human Rights Watch (HRW) warned that millions of couples who lack marriage certificates would run afoul of the new code. The criminal code also prohibits the dissemination of information on contraception to minors.

The minimum age for marriage is set at 19. Marriages must be conducted under the supervision of a recognized religion, which obstructs interfaith marriages.

Local Sharia-based ordinances in many districts impose restrictions on dress, gambling, alcohol use, and sexual activity; these ordinances are disproportionately enforced against women and LGBT+ people. Public displays of affection are banned in Aceh Province under Sharia-based regulations.

G4. Do individuals enjoy equality of opportunity and freedom from economic exploitation? 2 / 4

Authorities set standards for working conditions and compensation, but enforcement is inconsistent. Indonesian workers are trafficked domestically and abroad, including women in domestic service and men in the fishing industry. In January 2022, authorities in North Sumatra discovered a cage used to detain workers on a plantation operated by a local regent.

Iran

Population: 88,600,000
Capital: Tehran
Freedom Status: Not Free
Electoral Democracy: No

Overview: The Islamic Republic of Iran holds elections regularly, but they fall short of democratic standards due in part to the influence of the hard-line Guardian Council, an unelected body that disqualifies all candidates it deems insufficiently loyal to the clerical establishment. Ultimate power rests in the hands of the country's supreme leader, Ayatollah Ali Khamenei, and the unelected institutions under his control. These institutions, including the security forces and the judiciary, play a major role in the suppression of dissent and other restrictions on civil liberties.

KEY DEVELOPMENTS IN 2022

- Protesters mounted mass demonstrations in more than 100 cities across the country beginning in September. They called for freedom and denounced state violence against women in response to the death of Mahsa Amini, a 22-year-old Kurdish woman who had been arrested and beaten by the so-called morality police in Tehran for allegedly not wearing her hijab properly.
- Security forces responded to the protests with a violent crackdown, reportedly using live ammunition, water cannons, tear gas, and beatings against demonstrators. The deaths of nearly 500 people had been confirmed by year's end, and an estimated 14,000 people were arrested, including protesters as well as journalists, lawyers, activists, artists, and athletes who voiced support for the movement. The crackdown was particularly harsh among ethnic and religious minority populations in Iran's Kurdish region and the province of Sistan and Baluchistan.

- Torture and rape of detained protesters was reported, and in December two men were executed in connection with the protests following summary trials without due process. At least 40 others had received death sentences and remained at risk of imminent execution at year's end.
- The regime continued a recent trend of sharp increases in the overall number of executions, reportedly putting more than 500 people to death over the course of the year—the highest such figure since 2017. The surge was driven in part by a rise in the number of executions for drug-related offenses.
- In September, the country's Supreme Council for Cyberspace quietly implemented parts of a highly controversial bill that had yet to win parliamentary approval, appointing representatives from the security forces to a new commission with broad powers to regulate online content and internet access. After the outbreak of protests later that month, the authorities severely disrupted internet service and blocked access to the social media platforms Instagram and WhatsApp.

POLITICAL RIGHTS: 4 / 40

A. ELECTORAL PROCESS: 2 / 12

A1. Was the current head of government or other chief national authority elected through free and fair elections? 0 / 4

The supreme leader, who has no fixed term, is the highest authority in the country. He is the commander in chief of the armed forces and appoints the head of the judiciary, the heads of state broadcast media, and the Expediency Council—a body tasked with mediating disputes between the Guardian Council and the parliament. He also appoints six members of the Guardian Council; the other six are jurists nominated by the head of the judiciary and confirmed by the parliament, all for six-year terms. The supreme leader is appointed by the Assembly of Experts, which monitors his work. However, in practice his decisions appear to go unchallenged by the assembly, whose proceedings are kept confidential. The current supreme leader, Ali Khamenei, succeeded Islamic Republic founder Ruhollah Khomeini in 1989.

The president, the second-highest-ranking official in the Islamic Republic, appoints a cabinet that must be confirmed by the parliament. He is elected by popular vote for up to two consecutive four-year terms. Ebrahim Raisi, then head of the judiciary, won the presidency in June 2021 with 62 percent of the vote in a heavily manipulated contest. The Guardian Council had rejected most of the nearly 600 aspiring candidates—including 40 women—in May 2021, approving only seven applicants. Among those rejected were outgoing first vice president Eshaq Jahangiri, a reformist, and former parliament speaker Ali Larijani, a conservative. Three approved candidates dropped out several days before the poll.

The election was also affected by official pressure on the media, with journalists told to refrain from issuing reports that were critical of the balloting or Raisi. Voter turnout, at just 48.8 percent, was the lowest for a presidential election in the Islamic Republic's history.

A2. Were the current national legislative representatives elected through free and fair elections? 1 / 4

Members of the 290-seat parliament are elected to four-year terms. Elections for the body were held in 2020, with most seats going to hard-liners and conservatives loyal to the supreme leader. Ahead of the vote, the Guardian Council disqualified more than 9,000 of the 16,000 people who had registered to run, including large numbers of reformist and moderate candidates. Voter turnout, the lowest for parliamentary elections in the history of the Islamic Republic at 42.6 percent, was likely depressed by factors including the mass

disqualifications and the announcement of the first COVID-19 cases just two days before the balloting. The outbreak was believed to have begun weeks earlier, raising suspicions that the authorities delayed disclosing it for political reasons; Khamenei denounced foreign "propaganda" for supposedly exaggerating the health threat to frighten voters.

Elections for the Assembly of Experts, a group of 86 clerics chosen by popular vote to serve eight-year terms, were last held in 2016. Only 20 percent of the would-be candidates were approved to run, a record low. A majority of the new assembly ultimately chose hard-line cleric Ahmad Jannati, head of the Guardian Council, as the body's chairman. Jannati was reelected to the Assembly of Experts' chairmanship in 2021. In July 2022, the 95-year-old Jannati was also retained as the head of the Guardian Council following an order by Khamenei.

A3. Are the electoral laws and framework fair, and are they implemented impartially by the relevant election management bodies? 1 / 4

The electoral system in Iran does not meet international democratic standards. The Guardian Council, controlled by hard-line conservatives and ultimately by the supreme leader, vets all candidates for the parliament, the presidency, and the Assembly of Experts. The council typically rejects candidates who are not considered insiders or deemed fully loyal to the clerical establishment, as well as women seeking to run in the presidential election. As a result, Iranian voters are given a strictly limited choice of candidates.

B. POLITICAL PLURALISM AND PARTICIPATION: 2 / 16

B1. Do the people have the right to organize in different political parties or other competitive political groupings of their choice, and is the system free of undue obstacles to the rise and fall of these competing parties or groupings? 0 / 4

Only political parties and factions loyal to the establishment and to the state ideology are permitted to operate. Reformist groups have come under increased state repression, especially since 2009, and affiliated politicians are subject to arbitrary detention and imprisonment on vague criminal charges.

B2. Is there a realistic opportunity for the opposition to increase its support or gain power through elections? 1 / 4

While some space for shifts in power between approved factions within the establishment has existed in the past, the unelected components of the constitutional system represent a permanent barrier to opposition electoral victories and genuine rotations of power. In May 2021, for example, then outgoing first vice president Jahangiri, who is considered a reformist, was disqualified from running for president.

Top opposition figures face restrictions on their movement. Mir Hossein Mousavi, Zahra Rahnavard, and Mehdi Karroubi—leaders of the reformist Green Movement, whose protests were violently suppressed following the disputed 2009 presidential election—have been under house arrest without formal charges since 2011. Restrictions on Mousavi and Karroubi have sometimes been loosened in recent years. Reformist former president Mohammad Khatami is the subject of a media ban that prohibits the press from mentioning him and publishing his photos. Former hard-line president Mahmoud Ahmadinejad, who fell out of favor for challenging Khamenei, was barred from running in the 2017 and 2021 presidential elections.

B3. Are the people's political choices free from domination by forces that are external to the political sphere, or by political forces that employ extrapolitical means? 0 / 4

The choices of both voters and politicians are heavily influenced and ultimately circumscribed by Iran's unelected state institutions and ruling clerical establishment.

B4. Do various segments of the population (including ethnic, racial, religious, gender, LGBT+, and other relevant groups) have full political rights and electoral opportunities? 1 / 4

Men from the Shiite Muslim majority population dominate the political system. Women remain significantly underrepresented in politics and government. While President Raisi appointed Ensieh Khazali as vice president for women and family affairs in September 2021, he nominated no women to serve in the cabinet the month before. No women candidates have ever been allowed to run for president.

Five seats in the parliament are reserved for recognized non-Muslim minority groups: Jews, Armenian Christians, Assyrian and Chaldean Christians, and Zoroastrians. However, members of non-Persian ethnic minorities and especially non-Shiite religious minorities are rarely awarded senior government posts, and their political representation remains weak.

C. FUNCTIONING OF GOVERNMENT: 0 / 12

C1. Do the freely elected head of government and national legislative representatives determine the policies of the government? 0 / 4

The elected president's powers are limited by the supreme leader and other unelected authorities. The June 2021 presidential election was tightly controlled by the regime, further reducing the democratic legitimacy of the executive.

The powers of the elected parliament are similarly restricted by the supreme leader and the unelected Guardian Council, which must approve all bills before they can become law. The council often rejects bills it deems un-Islamic. Nevertheless, the parliament has been a platform for heated political debate and criticism of the government, and legislators have frequently challenged presidents and their policies.

C2. Are safeguards against official corruption strong and effective? 0 / 4

Corruption remains endemic at all levels of the bureaucracy, despite regular calls by authorities to tackle the problem. Powerful actors involved in the economy, including the Islamic Revolutionary Guard Corps (IRGC) and bonyads (endowed foundations), are above scrutiny in practice, and restrictions on the media and civil society activists prevent them from serving as independent watchdogs to ensure transparency and accountability.

Authorities have resisted recent attempts to uncover official corruption. In July 2021, four journalists working for state-run news sites were convicted of defamation and disseminating false news after they reported on suspected corruption in the Oil Ministry, though they reportedly received no prison terms. In July 2022, activist Vahid Ashtari received a two-year prison sentence and was banned from media-related activities after he revealed information about a controversial shopping trip taken earlier in the year by the family of parliament speaker Mohammad Baqer Qalibaf.

C3. Does the government operate with openness and transparency? 0 / 4

The transparency of Iran's governing system is extremely limited in practice, and powerful elements of the state and society are not accountable to the public. A 2009 access to information law, for which implementing regulations were finally adopted in 2015, grants broadly worded exemptions allowing the protection of information whose disclosure would conflict with state interests, cause financial loss, or harm public security, among other stipulations.

The ruling establishment has actively suppressed or manipulated information on important topics. For example, officials are known to promote COVID-19-related disinformation;

in January 2021, the supreme leader banned the use of vaccines produced in the United States and Britain, calling them "completely untrustworthy." Nevertheless, the country accepted US- and British-developed vaccines that were manufactured in other countries.

In response to the protests triggered by the death of Mahsa Amini in September 2022, authorities tightly restricted access to related information, including the number, status, and treatment of arrested demonstrators and other political prisoners.

CIVIL LIBERTIES: 8 / 60 (−2)

D. FREEDOM OF EXPRESSION AND BELIEF: 1 / 16 (−1)

D1. Are there free and independent media? 0 / 4

Media freedom is severely limited both online and offline. The state broadcasting company is tightly controlled by hard-liners and influenced by the security apparatus. News and analysis are heavily censored, while critics and opposition members are rarely, if ever, given a platform on state-controlled television, which remains a major source of information for many Iranians. State television has a record of airing confessions extracted from political prisoners under duress, and it routinely carries reports aimed at discrediting dissidents and opposition activists.

Newspapers and magazines face censorship and warnings from authorities about which topics to cover and how. Tens of thousands of foreign-based websites are filtered, including news sites and major social media services. Satellite dishes are banned, and Persian-language broadcasts from outside the country are regularly jammed. Police periodically raid private homes and confiscate satellite dishes. Iranian authorities have intimidated journalists working for Persian-language media outside the country, in part by summoning and threatening their families in Iran.

Amid the nationwide protests that began in September 2022, authorities arrested dozens of journalists, and at least 62 were behind bars of as of early December, according to the Committee to Protect Journalists (CPJ). *Shargh* newspaper reporter Niloofar Hamedi, who was among the first to report about Amini's hospitalization, and *Hammihan* reporter Elahe Mohammadi, who was attempting to cover Amini's funeral, were among those arrested. Authorities also attempted to suppress coverage of the protest movement by imposing severe restrictions on internet services, including curbs on access to the social media platforms Instagram and WhatsApp.

D2. Are individuals free to practice and express their religious faith or nonbelief in public and private? 0 / 4

Iran is home to a majority Shiite Muslim population and Sunni Muslim, Baha'i, Christian, and Zoroastrian minorities. The constitution recognizes only Zoroastrians, Jews, and certain Christian communities as non-Muslim religious minorities, and these small groups are relatively free to worship. The regime cracks down on Muslims who are deemed to be at variance with the state ideology and interpretation of Islam.

Sunni Muslims complain that they have been prevented from building mosques in major cities and face difficulty obtaining government jobs. In recent years, there has been increased pressure on the Sufi Muslim order Nematollahi Gonabadi, including destruction of its places of worship and the jailing of some of its members. In September 2022, new charges were brought against jailed journalist Kasra Nouri, a member of the Gonabadi dervish community, who had been arrested in 2018 following violent clashes between dervishes and security forces. The new charges accused Nouri of signing a statement with other political prisoners.

The government also subjects some non-Muslim minority groups to repressive policies and discrimination, including Baha'is and unrecognized Christian groups. Baha'is are systematically persecuted, sentenced to prison, and banned from access to higher education. Beginning in July 2022, the clerical establishment intensified its crackdown on the Baha'i faith, arresting or imprisoning dozens of people, demolishing homes, and confiscating property, especially in the northern province of Mazandaran.

D3. Is there academic freedom, and is the educational system free from extensive political indoctrination? 1 / 4

Academic freedom remains limited in Iran. Khamenei has warned that universities should not be turned into centers for political activities. Students have been prevented from continuing their studies for political reasons or because they belong to the Baha'i community. Foreign scholars visiting Iran are vulnerable to detention on trumped-up charges.

Since Raisi became president, students have reported tighter restrictions, including stricter hijab rules, which prompted protests in April 2022. Separately, in January it was reported that three university professors who were widely praised for their work had been dismissed, allegedly for political reasons. In June, an appeals court upheld 16-year prison sentences for two elite university students who had been convicted in April of endangering national security, destroying public facilities, cooperating with opposition groups, and other charges that were rejected by their families. Amnesty International said the two, Ali Younesi and Amirhossein Moradi, had been tortured in detention and held in prolonged solitary confinement.

As part of their efforts to suppress the nationwide protests that began in September, authorities raided university campuses and arrested several hundred students.

D4. Are individuals free to express their personal views on political or other sensitive topics without fear of surveillance or retribution? 0 / 4 (−1)

Iran's vaguely defined restrictions on speech, harsh criminal penalties, and state monitoring of online communications are among several factors that deter citizens from engaging in open and free private discussion. Despite the risks and limitations, many do express dissent on social media, in some cases circumventing official blocks on certain platforms.

In September 2022, the Supreme Council for Cyberspace quietly implemented three articles of a draft bill under consideration by the parliament, establishing a reorganized regulatory commission that included representatives of the security forces and had extensive authority over online content and services.

After mass protests began later in September, authorities arrested thousands of people, including celebrities, human rights defenders, and others who had expressed support for the movement through posts on social media or by publicly disobeying the hijab requirements that had led to Mahsa Amini's arrest and death. The IRGC called on the judiciary to prosecute anyone spreading "false news and rumors."

Score Change: The score declined from 1 to 0 due to the regime's expansive efforts to punish anyone who expressed support for a nationwide protest movement, including through social media posts or refusal to obey dress codes in public places.

E. ASSOCIATIONAL AND ORGANIZATIONAL RIGHTS: 1 / 12

E1. Is there freedom of assembly? 0 / 4

The constitution states that public demonstrations may be held if they are not "detrimental to the fundamental principles of Islam." In practice, only state-sanctioned demonstrations

are typically permitted, while other gatherings have in recent years been forcibly dispersed by security personnel, who detain and use lethal violence against participants.

In 2022, authorities responded harshly to nationwide protests triggered by the September death of Mahsa Amini after her arrest and beating by enforcers of official hijab requirements. Nearly 500 people had been killed in the ensuing violence by year's end. Security forces used water cannons and tear gas against protesters, but fired birdshot and live rounds as well, according to Amnesty International and other sources. Videos posted online showed security personnel violently beating demonstrators, including women. Authorities were also accused of using rape and other sexual violence to suppress protests.

E2. Is there freedom for nongovernmental organizations, particularly those that are engaged in human rights– and governance-related work? 0 / 4

Nongovernmental organizations (NGOs) that seek to address human rights violations are generally suppressed by the state. For example, the Center for Human Rights Defenders (CHRD) remains banned, with several of its members imprisoned. In 2021, CHRD vice president Narges Mohammadi was sentenced in absentia to two-and-a-half years' imprisonment and 80 lashes. She was taken into custody by intelligence agents that November, after which she was sent to Tehran's Evin prison to serve her sentence. She received multiple additional prison sentences in 2022.

Groups that focus on apolitical issues also face crackdowns. In May 2022, an appeals court upheld a 2021 ruling to dissolve the Imam Ali Popular Students Relief Society, a prominent NGO that supported the poor and survivors of natural disasters. In the 2021 decision, the court sustained an Interior Ministry assertion that the NGO had deviated from its mission and "questioned Islamic rulings."

E3. Is there freedom for trade unions and similar professional or labor organizations? 1 / 4

Iran does not permit the creation of labor unions; only state-sponsored labor councils are allowed. Labor rights groups have come under pressure in recent years, with key leaders and activists sentenced to prison on national security charges. Workers who engage in strikes are vulnerable to dismissal and arrest. Despite such reprisals, labor protests have increased in recent years due to growing economic hardship. In June 2022, the Iranian Teachers' Union's Coordination Council reported that more than 100 teachers had been arrested the previous day for participating in a nationwide protest calling for improved working conditions and the release of previously imprisoned teachers.

F. RULE OF LAW: 2 / 16 (−1)

F1. Is there an independent judiciary? 1 / 4

While the courts have a degree of autonomy within the ruling establishment, the judicial system is regularly used as a tool to silence regime critics and opposition members. The head of the judiciary is appointed by the supreme leader for renewable five-year terms. Deputy head Gholamhossein Mohseni Ejei was named to the judiciary's top post in July 2021, succeeding Raisi after he won election as president. Ejei had previously served as an intelligence minister and prosecutor general.

Political dissidents and advocates of human and labor rights have continued to face arbitrary judgments, and the security apparatus's influence over the courts has reportedly grown in recent years.

F2. Does due process prevail in civil and criminal matters? 0 / 4 (−1)

The authorities routinely violate basic due process standards, particularly in politically sensitive cases. Activists are arrested without warrants, held indefinitely without formal

charges, and denied access to legal counsel or any contact with the outside world. Many are later convicted on vague security charges in trials that sometimes last only a few minutes.

An estimated 14,000 people were arrested in connection with the antiestablishment protests that began in September 2022, and due process violations were reportedly widespread. More than 40 of the detainees were sentenced to death, and many were reportedly denied access to legal counsel of their choice and were forced to accept state-appointed lawyers who took little action to defend them. Their trials were extremely brief and relied on confessions obtained under duress. At least two of the convicted defendants were known to have been executed by year's end, and many others awaiting trial faced charges that carried the death penalty.

Lawyers who take up the cases of dissidents have been jailed and banned from practicing, and a number have been forced to leave the country to escape prosecution. In 2019, prominent human rights lawyer Nasrin Sotoudeh was reportedly sentenced to an additional 33 years in prison and 148 lashes for her activities; she had been in prison serving a five-year sentence since mid-2018. In 2020, Sotoudeh was temporarily released amid concerns about her health following a hunger strike; she remained on leave as of late 2022. During the 2022 protests, authorities arrested at least 44 lawyers, including defense attorneys who represented demonstrators. Some of the detained attorneys were also targeted after taking part in protests led by lawyers in Tehran and Shiraz.

Earlier in the year, in June 2022, the authorities sentenced five individuals—three lawyers, an activist, and a human rights defender—to prison terms ranging from 95 days to four years on charges of colluding to commit crimes against national security. When they were arrested in 2021, the five had been preparing to file a lawsuit alleging that state officials had mismanaged the COVID-19 pandemic. An appeals court upheld the sentences in August.

Dual nationals and those with connections abroad have also faced arbitrary detention, trumped-up charges, and denial of due process rights in recent years. In July 2022, reports emerged that Iranian authorities had been detaining Belgian aid worker Olivier Vandecasteele in isolation for several months, and that his health was deteriorating. In December, it was reported that Vandecasteele had been sentenced to 28 years in prison on dubious espionage and money-laundering charges.

Score Change: The score declined from 1 to 0 because the authorities, in response to nationwide protests, carried out thousands of arrests and detentions, as well as a number of summary trials and executions, without observing basic due process safeguards.

F3. Is there protection from the illegitimate use of physical force and freedom from war and insurgencies? 0 / 4

Former detainees have reported being beaten during arrest and subjected to torture until they confess to crimes dictated by their interrogators. Some crimes can be formally punished with lashes in addition to imprisonment or fines. Political prisoners have repeatedly engaged in hunger strikes in recent years to protest mistreatment in custody. In 2021, Amnesty International reported that at least 72 prisoners had died in custody since 2010; most of these deaths were caused by torture, the use of firearms or tear gas, or other ill-treatment.

Prisons are overcrowded, and prisoners often complain of poor detention conditions, including denial of medical care. Video recordings taken in Evin prison and distributed in 2021 captured incidents in which prisoners were assaulted or mistreated, along with evidence of overcrowding. Criminal cases against six prison guards were opened as a result of the leaked videos. In October 2022, a series of fires destroyed parts of Evin prison under

unclear circumstances, killing at least eight people. Security forces reportedly attacked prisoners who attempted to flee the blazes.

Iran has generally been second only to China in the number of executions it carries out, putting hundreds of people to death each year. Convicts can be executed for offenses other than murder, such as drug trafficking, and for crimes they committed when they were younger than 18 years old. Legislation enacted in 2017 significantly increased the quantity of illegal drugs required for a drug-related crime to incur the death penalty, prompting sentence reviews for thousands of death-row inmates. However, the number of executions has increased since Raisi took office as president. According to the Norway-based group Iran Human Rights, more than 500 people were executed during 2022, compared with 333 in 2021 and 267 in 2020.

In addition to the violence stemming directly from state repression, the country faces a long-term security threat from terrorist and insurgent groups that recruit among disadvantaged Kurdish, Arab, and Sunni Muslim minority populations.

F4. Do laws, policies, and practices guarantee equal treatment of various segments of the population? 1 / 4

Women do not receive equal treatment under the law and face widespread discrimination in practice. For example, a woman's testimony in court is given half the weight of a man's, and the monetary compensation awarded to a female victim's family upon her death is half that owed to the family of a male victim.

A majority of the population is of Persian ethnicity, and members of ethnic minorities experience various forms of discrimination, including restrictions on the use of their languages. Some provinces with large non-Persian populations remain underdeveloped. Activists campaigning for the rights of ethnic minority groups and greater autonomy for their respective regions have come under pressure from the authorities, and some have been jailed. The Kurdish population played an important role in the 2022 protests triggered by the death of Mahsa Amini, who was Kurdish, and the state crackdown was especially heavy in Kurdish areas. Disproportionate numbers of protest-related deaths were also reported in Sistan and Baluchistan Province, where Sunni Muslim, ethnic Baluch residents form a majority.

Members of the LGBT+ community face harassment and discrimination, though the problem is underreported due to the criminalized and hidden nature of these groups in Iran. The penal code criminalizes all sexual relations outside of traditional marriage, and Iran is among the few countries where individuals can be put to death for consensual same-sex conduct. In September 2022, a rights group reported that two LGBT+ activists had been sentenced to death for supposedly promoting homosexuality. The judiciary confirmed the sentence but said the case was connected to human trafficking.

G. PERSONAL AUTONOMY AND INDIVIDUAL RIGHTS: 4 / 16

G1. Do individuals enjoy freedom of movement, including the ability to change their place of residence, employment, or education? 1 / 4

Freedom of movement is restricted, particularly for women and perceived opponents of the regime. Many journalists and activists have been prevented from leaving the country. Women are banned from certain public places and can generally obtain a passport to travel abroad only with the permission of their fathers or husbands. In August 2022, authorities allowed women to attend a professional domestic soccer game. Women had been barred from attending soccer matches in stadiums since the 1979 revolution, but in recent years a limited number of women have been allowed into stadiums for international matches amid increased pressure on Iran to remove the ban.

G2. Are individuals able to exercise the right to own property and establish private businesses without undue interference from state or nonstate actors? 1 / 4

Iranians have the legal right to own property and establish private businesses. However, powerful institutions like the IRGC play a dominant role in the economy, limiting fair competition and opportunities for entrepreneurs, and bribery is said to be widespread in the business environment, including for registration and obtaining licenses. Women are denied equal rights in inheritance matters.

G3. Do individuals enjoy personal social freedoms, including choice of marriage partner and size of family, protection from domestic violence, and control over appearance? 1 / 4

Social freedoms are restricted in Iran. All residents, but particularly women, are subject to obligatory rules on dress and personal appearance, and those who are deemed to have violated the rules face state harassment, fines, and arrest. It was reported in July 2022 that officials in Qom had closed three cafés due the presence of female customers who were not wearing headscarves. In early September 2022, the secretary of the regime's Headquarters for Promoting Virtue and Preventing Vice said that authorities were planning to use facial recognition technology in public places to identify women who were not obeying official hijab requirements.

Following Mahsa Amini's death in September 2022, an increasing number of women appeared in public without their headscarves as an act of civil disobedience. Dozens were arrested, including a number of prominent actresses. The police unit that enforces the hijab rules reportedly disappeared from the streets of major cities, however, and in December 2022 an official stated that morality patrols had been abolished.

Police have long conducted raids on private gatherings that breach rules against alcohol consumption and the mixing of unrelated men and women. Those attending can be detained and fined or sentenced to corporal punishment in the form of lashes.

Women do not enjoy equal rights in divorce and child custody disputes. In 2019, the Guardian Council approved a legal amendment that would enable Iranian women married to foreign men to request Iranian citizenship for their children. The first identification cards for such children were issued in 2021.

Iranians can receive an abortion within the first four months of a pregnancy if three doctors decide that the mother's life is at risk or if the fetus shows signs of severe disability. In 2021 the Guardian Council ratified the Youthful Population and Protection of the Family Law, which strengthened enforcement of abortion restrictions and established a committee that includes judicial representatives, Islamic jurists, doctors, and legislators to develop new regulations. The law also bans voluntary sterilization and the distribution of free contraceptives.

G4. Do individuals enjoy equality of opportunity and freedom from economic exploitation? 1 / 4

The government provides no protection to women and children forced into sex trafficking, and both Iranians and migrant workers from countries like Afghanistan are subject to forced labor and debt bondage. The IRGC has allegedly used coercive tactics to recruit thousands of Afghan migrants living in Iran to fight in Syria. Human Rights Watch has reported that children as young as 14 are among those recruited.

The population faces widespread economic hardship driven by a combination of US-led trade sanctions and mismanagement by the regime. The crisis has resulted in the rapid devaluation of the national currency and soaring prices for basic goods. In September 2022, Alena Douhan, the UN special rapporteur on the negative impact of the unilateral coercive measures, said in a report that sanctions on Iran affected most aspects of life in the country, and she called for them to be lifted.

Iraq

Population: 40,220,000
Capital: Baghdad
Freedom Status: Not Free
Electoral Democracy: No

Overview: Iraq holds regular, competitive elections, and the country's various partisan, religious, and ethnic groups generally enjoy representation in the political system. However, democratic governance is impeded in practice by corruption, militias operating outside the bounds of the law, and the weakness of formal institutions. In the Kurdistan region, democratic institutions lack the strength to contain the influence of the two ruling parties, each maintaining its own internal security forces, ready to repress dissidents and peaceful protesters. Increasingly, Iran has been able to influence politics in Baghdad. State officials and powerful militias routinely infringe upon the rights of citizens through legal and extrajudicial means.

KEY DEVELOPMENTS IN 2022

- In June, 73 legislators from the Sadrist Movement, who were all followers of Shiite cleric Muqtada al-Sadr, resigned in protest of opposition parties' failure to join them in creating a coalition government. The parliament swore in 64 new members, all of whom were runners-up in their districts in the 2021 elections, leaving 9 seats vacant. The new parliamentarians' presence significantly increased the share of pro-Iran lawmakers.
- In August, protests in Baghdad led by supporters of al-Sadr turned into violent clashes with pro-Iran militias that resulted in the deaths of 22 people. Al-Sadr called for his supporters to disperse, which paved the way for the formation of a government in October. The resignation of the 73 lawmakers allowed for Prime Minister Muhammad Shia al-Sudani and his government, supported by the pro-Iranian Coordination Framework, to be approved by Parliament in October. The Kurdistan Democratic Party (KDP)–aligned candidate, Abdul Latif Rashid, was elected president the same month.
- Starting in late September, the Iranian regime began carrying out and officially claiming responsibility for a repeated waves of drone and missile strikes that killed dozens of people, including many civilians, across the Iraqi Kurdistan region. Tensions between Iran and the United States continued to play out on Iraqi soil, endangering Iraqi citizens and Iranian exiles, particularly in Kurdistan.

POLITICAL RIGHTS: 16 / 40

A. ELECTORAL PROCESS: 8 / 12

A1. Was the current head of government or other chief national authority elected through free and fair elections? 2 / 4

After national elections, the Council of Representatives (CoR) chooses the largely ceremonial president, traditionally Kurdish, who in turn appoints a prime minister, traditionally Shia, nominated by the largest bloc in the parliament. The prime minister, who holds most executive power and forms the government, serves up to two four-year terms.

In October 2022, after a year-long political paralysis, Prime Minister Muhammad Shia al-Sudani and his government, supported by the pro-Iran Coordination Framework, were approved by the parliament. Earlier that month, the KDP–aligned candidate, Abdul Latif Rashid, was elected as president.

The Kurdistan Regional Government (KRG), composed of Iraq's northernmost provinces, is ostensibly led by a president with extensive executive powers, but former long-term KRG president, Masoud Barzani, maintains significant political influence. In 2019, Nechirvan Barzani, Masoud's brother, was elected president by the Iraqi Kurdish parliament after the position had been vacant for nearly two years. Masrour Barzani, Masoud's son, was appointed and sworn in as prime minister the same month. Both Barzanis, the current president and prime minister, are members of the KDP.

A2. Were the current national legislative representatives elected through free and fair elections? 3 / 4

The 329 members of the CoR are elected every four years from multimember open lists in each province. The October 2021 parliamentary elections were generally viewed as credible by international observers, despite documented cases of voter and candidate intimidation, bribing of voters, journalists being prevented from covering the voting, arrests of activists calling for an election boycott, and the lowest voter turnout since the end of the Saddam Hussein regime.

In June 2022, following the resignation of the 73 Sadrist parliamentarians at the order of al-Sadr, the CoR swore in 64 new parliamentarians, leaving nine seats vacant. The new parliamentarians were the runners-up in their districts in the 2021 elections and gave the pro-Iranian bloc, the Coordination Framework, 40 more seats, for a total of 130. The opposition parties affiliated with the 2019 protest movement, Imtidad and Ishraqat Kanoon, gained 7 and 1 seats respectively.

In August 2022, protests in Baghdad led by Sadrists in response to the 10-month political crisis turned into violent clashes with pro-Iran militias that resulted in the deaths of 22 people. Thereafter, al-Sadr called for his supporters to disperse, which paved the way for the formation of a government in October.

In Iraqi Kurdistan, the 111-seat Kurdish parliament is elected through closed party-list proportional representation in a single district, with members serving four-year terms. Since the 2018 elections, the governing KDP has maintained a plurality of seats, followed by the Patriotic Union of Kurdistan (PUK) and the Gorran movement. The elections were plagued by fraud allegations and other irregularities, and Gorran and other smaller parties rejected the results. Political disputes between the KDP and PUK concerning the formation of the electoral committee led to the cancelation of the October 2022 Kurdish parliamentary elections; no subsequent date had been set as of year-end.

A3. Are the electoral laws and framework fair, and are they implemented impartially by the relevant election management bodies? 3 / 4

The Independent High Electoral Commission (IHEC) is responsible for managing elections. The IHEC generally enjoys the confidence of the international community and, according to some polls, the Iraqi public.

The October 2021 elections were the first held under a new system dividing Iraq into 83 multimember electoral districts, created to appease Tishreen movement protesters and facilitate the entry of independent candidates into Parliament.

B. POLITICAL PLURALISM AND PARTICIPATION: 7 / 16

B1. Do the people have the right to organize in different political parties or other competitive political groupings of their choice, and is the system free of undue obstacles to the rise and fall of these competing parties or groupings? 3 / 4

The constitution guarantees the freedom to form and join political parties, with the exception of the pre-2003 dictatorship's Baath Party, whose participation, ideas, and protest activity are banned and criminalized. Further, any groups that support racism, terrorism, sectarianism, sectarian cleansing, and other ideas contrary to democracy or the peaceful transfer of power are also banned. Individual Iraqis' freedom to run for office is also limited by a vague "good conduct" requirement in the electoral law.

In practice, Iraqis can generally form parties and operate without government interference, and parties explicitly opposing the current sectarian apportionment political system are allowed to operate, although prominent members face intimidation from militias. Women politicians have also faced threats from conservative elements in society. Party membership and multiparty alliances shift frequently.

B2. Is there a realistic opportunity for the opposition to increase its support or gain power through elections? 2 / 4

Elections are competitive, but all major parties are dominated by one sectarian or ethnic group. Sectarian parties are expected to continue leading the formation of a new government.

However, several new more secular and nationalist parties participated in the 2021 elections, and two parties linked to the 2019 Tishreen protest movement won 14 seats, even as its candidates and activists faced threats. Despite its military force and loyal personnel, the Coordination Framework lost significant representation in 2021, demonstrating the ability of Iraqi voters to affect Parliament's makeup, even if they cannot shift the balance of armed power in the country. However, the resignation of Sadrist lawmakers in June 2022 again shifted the balance of power in Parliament in favor of the Coordination Framework.

In 2022, KRG authorities continued their repression of the activities of the New Generation party and its affiliated media outlet, Nalia Radio and Television (NRT), owned by New Generation party leader Shaswar Abdulwahid.

B3. Are the people's political choices free from domination by forces that are external to the political sphere, or by political forces that employ extrapolitical means? 1 / 4

Iraq's political system remains distorted by interference from foreign powers, most notably Iran; Iranian authorities physically and politically threaten or buy the support of Iraqi policymakers. The governing Coordination Framework represents Iran-backed militias that do not follow the official command structure of Iraq's armed forces and, alongside Saraya al-Salam, engage in violent intimidation of political opponents, at times resorting to kidnapping and murder.

In July 2022, following the resignation of 73 Sadrist lawmakers, Sadrist supporters prevented the functioning of the Iraqi Parliament in Baghdad for several months by staging prolonged protests. After the protests turned into violent clashes with pro-Iran militias that resulted in the deaths of 22 people in August, the standoff ended, clearing the way for the October formation of a Coordination Framework–backed government.

B4. Do various segments of the population (including ethnic, racial, religious, gender, LGBT+, and other relevant groups) have full political rights and electoral opportunities? 1 / 4

Despite legal and constitutional measures designed to protect the political rights of various religious and ethnic groups, the dominant role of ethno-sectarian parties and the

allocation of key offices according to informal religious or ethnic criteria reduce the likelihood that politicians will act in the interests of the whole population.

A system of reserved seats ensures a minimum representation in the CoR for some of Iraq's smaller religious and ethnic minorities. There are five seats reserved for Christians and one each for Fayli Kurds, Yazidis, Sabean Mandaeans, and Shabaks. The Kurdish parliament reserves five seats for Turkmen, five for Christians, and one for Armenians. The political rights of minority groups have been severely impeded by widespread displacement from areas formerly occupied by the Islamic State (IS) militant group.

The CoR and the Kurdish parliament reserve 25 percent and 30 percent of their seats for women, respectively, though such formal representation has had little obvious effect on state policies toward women, who are typically excluded from political debates and leadership positions. LGBT+ people are unable to enjoy equal political rights in practice due to harsh societal discrimination. Prominent politicians and clerics, including al-Sadr, have incited violence against LGBT+ people, contributing to their persecution by security services and militias.

C. FUNCTIONING OF GOVERNMENT: 2 / 12

C1. Do the freely elected head of government and national legislative representatives determine the policies of the government? 1 / 4

Low institutional capacity, widespread corruption, and extensive Iranian influence, among other issues, have hindered elected officials' ability to independently set and implement laws. The turn to street politics and violence by contending Shia blocs has paralyzed the functioning of the Iraqi parliament and prolonged the reign of the unelected caretaker government following the 2021 elections; a government formed in October 2022.

Iran-backed militias, incorporated under the Popular Mobilization Forces (PMF), are officially part of Iraqi state institutions but in practice set their own policies and undermine the government's ability to set its own agendas. They planned the assassination attempt of then prime minister Mustafa al-Kadhimi in November 2021, repressed political protests, kidnapped and assassinated activists, and attacked US targets in Iraq. The United States and its allies also exert some policy influence through their support for Iraqi Security Forces and other state institutions.

In the Kurdistan region, although elected KRG representatives have jurisdiction, in practice, the region is split between the Erbil and Dohuk governorates, under KDP control, and Sulaymaniyah, controlled by the PUK. Each region has its own politically affiliated internal security (Asayish) and military forces (Peshmerga).

C2. Are safeguards against official corruption strong and effective? 0 / 4

Corruption remains a major problem in Iraq and was a key contributor to the 2019 Tishreen protest movement. Political parties siphon funds from the ministries they control, take kickbacks for government contracts, monopolize specific sectors of the economy, and resist anticorruption efforts. The judicial system, itself hampered by politicization and corruption, acts on only a fraction of the cases investigated by the Integrity Commission, one of three anticorruption bodies.

Under both the federal government and the KRG, whistleblowers, investigators, journalists, and private individuals raising corruption concerns have faced arrests, charges of defamation, violence, intimidation, and slander.

C3. Does the government operate with openness and transparency? 1 / 4

The government does not operate with transparency, despite a few official policies promoting openness, including an asset disclosure requirement. The CoR debates the budget,

and interest groups are often able to access draft legislation. Government spending, in both Baghdad and the KRG, is not transparent. The PMF's large budget is particularly opaque. The number of fighters drawing salaries is unknown and likely significantly larger than the actual number of active soldiers. The public procurement system is not transparent and is corrupt, with no legal recourse available for unsuccessful bidders. The oil and gas industry also lacks transparency, and the government has failed to make adequate progress in meeting its commitments to the Extractive Industries Transparency Initiative. There is no comprehensive law on public access to information.

ADDITIONAL DISCRETIONARY POLITICAL RIGHTS QUESTION

Is the government or occupying power deliberately changing the ethnic composition of a country or territory so as to destroy a culture or tip the political balance in favor of another group? −1 / 0

IS's loss of territorial control in 2017 largely halted its campaign to alter religious demography. However, as of October 2022, nearly 1.2 million people displaced by IS remain unable to return to their homes, either for security and economic reasons, or because their original communities reject their return or authorities prohibit it. Kurdish authorities encouraged local and substate forces to prevent Arab families displaced by the IS conflict from returning to villages near the Syria-Iraq border and in disputed areas under de facto KRG control, in an apparent attempt to change the region's demography. Displaced families with perceived links to IS who continue to reside in and outside of camps are particularly vulnerable to assault and sexual abuse.

CIVIL LIBERTIES: 13 / 60

D. FREEDOM OF EXPRESSION AND BELIEF: 4 / 16

D1. Are there free and independent media? 1 / 4

Iraq's media environment appears lively and diverse, but there are few politically independent news sources. In recent years, social media has been utilized to spread fake news and explicit threats against activists, particularly by Iran-backed militias. Media outlets face restrictions and obstruction in response to their coverage.

The Iraqi authorities have assaulted, detained, or arrested journalists for their work, at times charging them with defamation and insulting public institutions. Militias shoot, kidnap, torture, and assassinate reporters for their work, and supporters of political parties and militias occasionally attack journalists. In May 2022, Iraqi journalist Ali al-Dhabhawi was arrested in Baghdad, after he criticized Iraqi militias on his television program Studio 9.

As of April 2022, three journalists were serving prison sentences for conducting their work, convicted by the KRG authorities. KRG authorities routinely beat, harass, and arbitrarily arrest, detain, and sentence journalists without due process. While local journalists bear most of the brunt of repression by Iraqi and Kurdish authorities, occasionally foreign journalists are hindered from doing their work as well. Throughout 2022, several journalists and news websites that have published on corruption in Iraqi Kurdistan were targeted by cyberattacks.

D2. Are individuals free to practice and express their religious faith or nonbelief in public and private? 1 / 4

The constitution guarantees freedom of belief, but in practice many Iraqis experience violence and displacement due to their religious identity. The Baha'i community continues to suffer from legal discrimination, as its religious activity continues to be banned, and Baha'is are not recognized as members of a minority religion, preventing them from

registering themselves. Since Baha'i marriages are unregistered, children born to such marriages effectively become stateless.

Blasphemy laws remain in the legal code, although enforcement is rare. Children with one Muslim parent, including converts, are automatically designated as Muslim. Conversion from Islam to another religion is banned by law. Atheists largely hide their lack of religious belief due to societal stigma and persecution.

D3. Is there academic freedom, and is the educational system free from extensive political indoctrination? 1 / 4

Educators have long faced the threat of violence or other repercussions for teaching subjects or discussing topics that powerful state or nonstate actors find objectionable. The country's official curriculum is often augmented in the classroom by religious or sectarian viewpoints. Political activism by university students can result in harassment or intimidation.

D4. Are individuals free to express their personal views on political or other sensitive topics without fear of surveillance or retribution? 1 / 4

Commentary on controversial topics, including on social media, are considered to be off limits and at times prompt arrest, docking of salaries, torture, and criminal lawsuits. Social media users and bloggers have faced defamation suits from government officials for criticizing corruption and misgovernance. Authorities have released video footage of detainees to humiliate and intimidate them.

Activists across Iraq and Iraqi Kurdistan describe a climate of fear that has led them to self-censor. Authorities arrest individuals, some of them ordinary citizens with no background in activism, shortly after they post messages critical of authorities on social media, including the app Clubhouse, indicating that Iraqi and Kurdish authorities are constantly monitoring online platforms. In December 2022, in a landmark case, a Baghdad court sentenced Haidar al-Zaidi to three years in prison for a post on Twitter criticizing the former head of PMF. "Electronic armies" working on behalf of powerful actors across Iraq have also abused systems of reporting on platforms such as Facebook and Twitter to remove the pages or suspend private profiles of critics.

However, surveillance is not restricted to social media. Over the past year, Kurdish authorities have arrested and dismissed mosque preachers for their criticism of the ruling regime and absence of basic services. Over 30 private citizens involved in the 2019 Tishreen protest movement, including at least one minor, were abducted between 2019 to 2021; their whereabouts remained unknown as of December 2022.

In May 2022, the Iraqi parliament passed a law prohibiting normalization with Israel, which also criminalized any speech, including on social media, advocating such normalization.

E. ASSOCIATIONAL AND ORGANIZATIONAL RIGHTS: 4 / 12

E1. Is there freedom of assembly? 0 / 4

The constitution guarantees freedom of assembly, but protesters are frequently at risk of violence or arrest. These dangers have become acute during the ongoing Tishreen protest movement against corruption, poor infrastructure and government services, and high unemployment. Security forces have used curfews, tear gas, and live ammunition to suppress demonstrations in Baghdad and other southern cities. Hundreds of people had been killed in retaliation for their protest activities during 2022; of them, dozens were killed in targeted assassinations outside of protest squares. Iraqi security forces routinely beat, shot, arrested, and tortured protesters.

Militiamen kidnap activists, torture them for several days, and then release them to coerce them to cease their antiregime activity. Iranian media and media outlets linked to Iran-backed militias spread false reports about activists to justify their targeting and issued explicit threats to activists and critics set to be targeted next.

Following 2020, the number of protests in the Kurdistan region dropped significantly, which local activists claim was the result of security forces' use of unprecedented levels of violence against protesters. In 2022, Kurdish authorities linked both to the KDP and the PUK continued to prevent protesters from gathering and attacked and arrested peaceful protesters and journalists covering the protests, regardless of the demonstration's message.

E2. Is there freedom for nongovernmental organizations, particularly those that are engaged in human rights– and governance-related work? 2 / 4

Nongovernmental organizations (NGOs) enjoy societal support and a relatively hospitable regulatory environment, though they must register with the government and obtain approval from the commission responsible for suppressing Baathism. For international NGOs, registration is cumbersome and often requires payment of bribes. In Kurdistan, registration of NGOs is straightforward, but NGOs must renew their registration annually.

Militias have threatened, assaulted, kidnapped, tortured, raped in captivity, assassinated, and planted explosive devices at the homes of multiple critics and activists (and their family members), particularly those involved in the Tishreen protest movement. Ali Akram al-Bayati, a prominent human rights defender and former member of Iraq's national human rights body the Iraqi High Commission for Human Rights (IHCHR), was abducted in February 2022 for supposedly defaming the Anti-Corruption Committee during an interview in late 2020. The targeting of a former IHCHR member, who enjoyed immunity for the duration of his term, may intimidate current and future members from investigating human rights abuses.

E3. Is there freedom for trade unions and similar professional or labor organizations? 2 / 4

Labor laws allow for collective bargaining (even by nonunionized workers), protect the rights of subcontractors and migrant workers, and permit workers to strike, among other rights. However, public sector workers are not allowed to unionize, there is no legal prohibition against antiunion discrimination, and workers do not have access to legal remedies if fired for union activity. Some state officials and private employers discourage union activity with threats, demotions, and other deterrents.

F. RULE OF LAW: 1 / 16

F1. Is there an independent judiciary? 0 / 4

The judiciary in Arab-majority Iraq and Iraqi Kurdistan is influenced by corruption, political pressure, violent intimidation and occasional killings, tribal forces, and religious interests. The lines between the executive, legislative, and judicial branches are frequently blurred, and executive interference in the judiciary is widespread. Many Iraqis turn to tribal bodies to settle disputes, even those involving major crimes.

F2. Does due process prevail in civil and criminal matters? 0 / 4

Criminal proceedings in Iraq are deeply flawed. Arbitrary arrests, including arrests without a warrant, are common. Detainees are frequently denied access to lawyers, who when available are often prevented access to crucial public documents. Terrorism cases have been prone to fundamental violations of due process, with human rights groups describing systematic denial of access to counsel and short, summary trials with little evidence that the defendants, who are often allegedly associated with IS, have committed specific crimes.

Repeated promises to investigate and prosecute members of Iran-backed militias responsible for a wave of assassinations, assassination attempts, and kidnappings of activists across southern Iraq have largely not been upheld by political leaders. Several named suspects are protected by political parties, and the overwhelming majority of cases remain unsolved. Efforts to locate victims of kidnappings have not successfully obtained the release of those who have disappeared.

F3. Is there protection from the illegitimate use of physical force and freedom from war and insurgencies? 1 / 4

The end of large-scale combat with IS significantly improved the security environment in Iraq. Though the organization remained active as a clandestine terrorist group in 2020, it no longer controlled Iraqi territory or civilian populations, and its ability to operate was diminished. Throughout 2021, IS waged an insurgency in rural areas of western and northern Iraq, targeting both civilians and military personnel. The insurgency and the collective punishment policies adopted by the Iraqi Security Forces in response have threatened the physical safety of residents.

Militias have recaptured large swaths of Iraqi territory from IS, but they have also engaged in war crimes such as pillaging, forcible displacement of Sunnis, kidnappings, and torture. Over 600 Sunni men and boys who were kidnapped by the PMF during the recapture of western provinces of Iraq in 2016 have not been heard from since.

Turkish military forces have carried out drone strikes, artillery shelling and ground incursions into Iraqi Kurdistan to combat the Kurdistan Workers' Union (PKK) guerilla group. Data released in 2022 shows that since 2015, the Turkish military has killed at least 98 civilians. Others, including Yazidi civilians, have been displaced en masse in the Kurdistan-Turkey border region.

Tensions between Iran and the United States continued to play out on Iraqi soil in 2022, endangering Iraqi citizens and Iranian exiles, particularly in Kurdistan. Starting in late September 2022, the Iranian regime began carrying out and officially claiming responsibility for repeated waves of drone and missile strikes that killed dozens of people, including many civilians, across the Iraqi Kurdistan region.

The use of torture to obtain confessions is widespread across Iraq and Iraqi Kurdistan, including that of children, and even in death penalty cases. Detainees are often held in harsh, overcrowded conditions, and forced disappearances, particularly of suspected IS fighters, have been reported.

F4. Do laws, policies, and practices guarantee equal treatment of various segments of the population? 0 / 4

Women face widespread societal bias and discriminatory legal treatment under the law. Sexual harassment in the workplace is prohibited, but victims rarely pursue formal complaints. Same-sex relations are not explicitly prohibited, but people risk violence if they are perceived as members of the LGBT+ community. Police forces, militias, and the family members of LGBT+ people have murdered, kidnapped, tortured, raped, confined, and abused LGBT+ Iraqis in recent years. The state and nonstate perpetrators of such violence have enjoyed impunity, which has rendered reporting such abuse to the authorities futile or even dangerous.

Members of a given ethnic or religious group tend to suffer discrimination or persecution in areas where they represent a minority, leading many to seek safety in other neighborhoods or provinces. People of African descent suffer from high rates of extreme poverty and discrimination.

G. PERSONAL AUTONOMY AND INDIVIDUAL RIGHTS: 4 / 16

G1. Do individuals enjoy freedom of movement, including the ability to change their place of residence, employment, or education? 1 / 4

Freedom of movement has improved somewhat as areas formerly controlled by IS were brought back under government control. However, large-scale destruction of housing and infrastructure, the presence of sectarian or partisan militias, and the ongoing threat of violence has made it difficult for many displaced people to return home. The renewed IS insurgency and the Iraqi Security Forces' corresponding response, as well as fighting between the Turkish military and the PKK in northern Iraq have constrained the freedom of movement of residents in rural western and northern Iraq.

The KRG also continues to prevent Arab families from returning to villages on the border with Syria, from which they fled during fighting between the Peshmerga and IS in 2014.

The movement of women is limited by legal restrictions. Women require the consent of a male guardian to obtain a passport and the Civil Status Identification Document, which is needed to access employment, education, and many social services.

G2. Are individuals able to exercise the right to own property and establish private businesses without undue interference from state or nonstate actors? 1 / 4

Iraqis are legally free to own property and establish businesses, but observance of property rights has been limited by corruption and conflict. Families perceived to be affiliated with IS living in displacement are particularly vulnerable to confiscation or takeover of their property. Business owners face demands for bribes, threats, and violent attempts to seize their enterprises. Contracts are difficult to enforce. Women are legally disadvantaged with respect to inheritance rights and may face pressure to yield their rights to male relatives.

In Baghdad's middle- and upper-class neighborhoods, such as Jadriya and Karrada, pro-Iranian militias have used threats and violent intimidation to force owners of large homes to give up their property, expanding a practice previously employed against Sunnis and Christians in the capital. In Iraqi Kurdistan, the recent construction boom has sometimes come at the expense of local landowners and farmers, whose fields are confiscated without notice or compensation.

G3. Do individuals enjoy personal social freedoms, including choice of marriage partner and size of family, protection from domestic violence, and control over appearance? 1 / 4

Forced and early marriages are common, especially in the context of displacement and poverty. Over one in four Iraqi women aged 20 to 24 were married by age 18, and marriage for those aged 15 is legal with parental approval. Laws on marriage and divorce favor men over women. No law banning domestic violence exists, and Iraqi husbands are allowed to "punish" their wives and children. Iraqi women's rights organizations' efforts to compel Parliament to pass a law banning gender-based violence have been unsuccessful.

Rapists can avoid prosecution if they marry their victims; spousal rape is not prohibited. The law also allows reduced sentences for those convicted of so-called honor killings, which are seldom punished in practice. These types of crimes typically involve a male relative targeting a woman (sister or wife) or an LGBT+ person.

Both men and women face pressure to conform to conservative standards on personal appearance and face harassment, detention, and abuse by state actors and relatives for diverging from traditional appearance or mannerisms that match their biological sex.

G4. Do individuals enjoy equality of opportunity and freedom from economic exploitation? 1 / 4

As of 2022, over 2,700 Yazidi women and children who had been kidnapped by IS during the 2014 genocide of Yazidi people remain missing. Many of them were likely forced into sexual slavery or forced labor. Exploitation of children, including through forced begging and the recruitment of child soldiers by militias, is an ongoing problem. Foreign migrant workers frequently work long hours for low pay and are vulnerable to forced labor. According to the US State Department's 2022 *Trafficking in Persons* report, human trafficking continues unabated throughout Iraq—at times with the protection of corrupt officials—and internally displaced persons, refugees, migrant workers, and LGBT+ people are particularly vulnerable.

A study published in 2022 by the International Labor Organization shows that almost 55 percent of total employment in Iraq is in the informal sector, where employees have limited protections, benefits, and work stability.

Ireland

Population: 5,100,000
Capital: Dublin
Freedom Status: Free
Electoral Democracy: Yes

Overview: Ireland is a stable democracy in which political rights and civil liberties are respected and defended. There is some limited societal discrimination, especially against the traditionally nomadic Irish Travellers. Corruption scandals have plagued the police force, and domestic violence remains a problem.

KEY DEVELOPMENTS IN 2022

- The Electoral Reform Bill, which will establish Ireland's first independent Electoral Commission, became law in July.
- A government action plan to tackle corruption within Ireland's police force, An Garda Síochána, was published in September.
- The January murder of Ashling Murphy led to urgent calls to address violence against women.

POLITICAL RIGHTS: 39 / 40

A. ELECTORAL PROCESS: 12 / 12

A1. Was the current head of government or other chief national authority elected through free and fair elections? 4 / 4

The Taoiseach, or prime minister, is nominated by the House of Representatives (Dáil Éireann) and formally appointed by the president. Thus, the legitimacy of the prime minister is largely dependent on the conduct of Dáil elections, which historically have been free and fair. As agreed in the 2020 Programme for Government by the parties in the governing coalition—Fianna Fáil, Fine Gael, and the Green Party—Leo Varadkar of Fine Gael took over as Taoiseach from Micheál Martin of Fianna Fáil in December 2022.

The president is elected to up to two seven-year terms, and as chief of state has mostly ceremonial duties. Michael D. Higgins was reelected in 2018. Voting in presidential elections has historically been free and fair.

A2. Were the current national legislative representatives elected through free and fair elections? 4 / 4

The Dáil's 160 members are elected in multimember districts through a proportional representation system, and their terms last five years. The Senate (Seanad Éireann) contains 60 seats; 43 members are indirectly chosen through an electoral college, while 11 are selected by the Taoiseach and 6 are selected from constituencies that represent some higher education institutions.

The February 2020 Dáil election saw no major irregularities or unequal campaigning. Sinn Féin won 37 seats (24.5 percent), its best result ever, and Fianna Fáil won 38 seats (22.2 percent). Fine Gael won 35 seats (20.9 percent), and the Green Party 12 (7.1 percent).

A3. Are the electoral laws and framework fair, and are they implemented impartially by the relevant election management bodies? 4 / 4

Ireland's electoral framework is strong and government bodies hold credible polls. In July 2022, the government enacted the Electoral Reform Bill 2022, which establishes an independent Electoral Commission. The law also contains new measures to improve voter registration mechanisms, regulate online political advertising, and strengthen regulations around political donations.

Ireland frequently holds referendums, especially on European Union (EU) treaties.

B. POLITICAL PLURALISM AND PARTICIPATION: 16 / 16

B1. Do the people have the right to organize in different political parties or other competitive political groupings of their choice, and is the system free of undue obstacles to the rise and fall of these competing parties or groupings? 4 / 4

Political parties in Ireland are free to form and compete. Among the main parties, Fianna Fáil and Fine Gael do not differ widely in ideology, despite their long history as rivals; they represent the successors of opposing sides in the nation's 1922–23 civil war. Other key parties include Sinn Féin—a left-wing republican party that leads the opposition—the Labour Party, and the Green Party.

B2. Is there a realistic opportunity for the opposition to increase its support or gain power through elections? 4 / 4

Opposition parties generally do not encounter restrictions or harassment that affects their ability to gain power through elections, and most of the main parties have been part of government at some point in the history of the state.

B3. Are the people's political choices free from domination by forces that are external to the political sphere, or by political forces that employ extrapolitical means? 4 / 4

People's political choices are generally free from domination by the military, foreign powers, religious hierarchies, and other powerful groups.

B4. Do various segments of the population (including ethnic, racial, religious, gender, LGBT+, and other relevant groups) have full political rights and electoral opportunities? 4 / 4

Women are underrepresented, holding 23.1 percent of the Dáil's seats. Women are visible in electoral politics, however, with Sinn Féin and the Social Democrats both having female leaders.

Taoiseach Varadkar is gay and the son of an Indian immigrant.

While ethnic minority and marginalized groups are generally free to participate in politics, Irish Travellers and Roma have little representation. Travellers were formally

recognized as an Indigenous ethnic group in 2017, the same year a National Traveller and Roma Inclusion Strategy (NTRIS) was launched. A review of the NTRIS was due in 2021 but remained uncompleted at the end of 2022.

C. FUNCTIONING OF GOVERNMENT: 11 / 12

C1. Do the freely elected head of government and national legislative representatives determine the policies of the government? 4 / 4

Elected officials freely determine government policy.

C2. Are safeguards against official corruption strong and effective? 3 / 4

Ireland has a recent history of problems with political corruption but has introduced anticorruption legislation in recent years. The Criminal Justice (Corruption Offences) Act 2018 modernized and consolidated existing anticorruption laws, though critics claimed that the legislation did not adequately address bribery.

Scandals involving An Garda Síochána have raised concerns about a lack of safeguards against police corruption. In September 2022, in conjunction with the Justice Department, An Garda Síochána published an action plan to tackle corruption in the police force, building on work done by the Garda Anti-Corruption Unit.

A new law protecting whistleblowers, the Protected Disclosures (Amendment) Act 2022 was enacted in July 2022.

A multiagency review group examining anticorruption and antifraud structures was established after the government completed a 2017 study of white-collar crime. In April 2021, the Justice Department published an implementation plan based on the group's recommendations, which included the establishment of an anticorruption advisory council.

C3. Does the government operate with openness and transparency? 4 / 4

The public has broad access to official information under the 2014 Freedom of Information (FOI) Act, though partial exemptions remain for the police and some other agencies. A Transparency Code requires open records on the groups and individuals that advise public officials on policy. A comprehensive review of FOI legislation is ongoing.

In June 2022, the government enacted the Birth Information and Tracing Act 2022, which provides survivors and their relatives with access to birth and other records of people who lived in abusive, Church-run "Mother and Baby Homes" during the 20th century.

The government has been criticized for failing to consult meaningfully with civil society groups and relevant stakeholders in policy formulation, particularly regarding the Roma, Travellers, and people living with disabilities.

CIVIL LIBERTIES: 58 / 60

D. FREEDOM OF EXPRESSION AND BELIEF: 16 / 16

D1. Are there free and independent media? 4 / 4

Irish media are free and independent, and present a variety of viewpoints. However, the media sector is highly concentrated, with one company—Independent News and Media—controlling much of the newspaper market.

Ireland's restrictive defamation laws continue to receive criticism. In March 2022, the Justice Minister received government approval to reform the Defamation Act 2009; an amendment bill was in preparation late in the year. Sinn Féin has been accused by rival parties of the strategic use of defamation cases against broadcast outlets to quash negative press, and in May 2022, the Index on Censorship issued a media freedom alert with the Council of Europe (CoE) regarding one such case.

D2. Are individuals free to practice and express their religious faith or nonbelief in public and private? 4 / 4

Freedom of religion is constitutionally guaranteed. Although religious oaths are still required from senior public officials, there is no state religion, and adherents of other faiths face few impediments to religious expression. In recent years, the Roman Catholic Church has notably declined in the public eye, following a series of sexual abuse and other scandals involving the Church and its clergy.

D3. Is there academic freedom, and is the educational system free from extensive political indoctrination? 4 / 4

Academic freedom is respected. The Roman Catholic Church operates approximately 90 percent of Ireland's schools, most of which include religious education from which parents may exempt their children. The constitution requires equal funding for schools run by different denominations.

D4. Are individuals free to express their personal views on political or other sensitive topics without fear of surveillance or retribution? 4 / 4

There are no significant impediments to open and free private discussion, including in personal online communications. However, Ireland's national identity card, the Public Services Card (PSC), has elicited controversy due to data storage and privacy concerns. In December 2021, the government acceded to a finding by the Irish Data Protection Commission that the PSC could not be made a mandatory requirement for accessing services. The government also agreed to make changes to the way it processes card data.

E. ASSOCIATIONAL AND ORGANIZATIONAL RIGHTS: 12 / 12

E1. Is there freedom of assembly? 4 / 4

The right to assemble freely is respected, and peaceful demonstrations are held each year.

E2. Is there freedom for nongovernmental organizations, particularly those that are engaged in human rights– and governance-related work? 4 / 4

Freedom of association is upheld, and nongovernmental organizations (NGOs) can operate freely.

E3. Is there freedom for trade unions and similar professional or labor organizations? 4 / 4

Labor unions operate without hindrance, and collective bargaining is legal and unrestricted.

F. RULE OF LAW: 14 / 16

F1. Is there an independent judiciary? 4 / 4

Ireland has a generally independent judiciary and a legal system based on common law. The Judicial Council, a body which promotes judicial excellence, good conduct, and judicial independence, began operating in 2020 and adopted judicial conduct and ethics guidelines in February 2022.

F2. Does due process prevail in civil and criminal matters? 4 / 4

Due process generally prevails in civil and criminal matters. However, the police force has been affected by repeated corruption scandals in recent years.

A Special Criminal Court (SCC) has functioned since 1972 to hear cases related to paramilitary violence committed during the period of sectarian conflict in Northern Ireland known as the Troubles. The Irish Council for Civil Liberties (ICCL) has called for the SCC's

abolition, noting that it does not employ a jury and can consider secret evidence, as has the Irish Human Rights and Equality Commission (IHREC).

F3. Is there protection from the illegitimate use of physical force and freedom from war and insurgencies? 3 / 4

Irish prisons and detention facilities are frequently dangerous, unsanitary, overcrowded, and ill-equipped for prisoners with mental illness. In its most recent annual report, published in September 2022, the Office of the Inspector of Prisons reported that COVID-19-related periods of isolation negatively affected prisoners via a lack of family contact and limited access to rehabilitation and educational services. A prisoner died in August 2022 following an attack by a group of inmates at Dublin's Mountjoy Prison. The killing was investigated by the Irish Prison Service and An Garda Síochána, and in November four prisoners were arrested in the case.

A series of official inquiries in recent years have detailed decades of past physical, sexual, and emotional abuse—including forced labor—of women and children in state institutions and by Catholic priests and nuns from the early 20th century until 1996, as well as collusion to hide the abuse. The Commission of Investigation into Mother and Baby Homes reported "appalling level[s] of infant mortality" and discrimination against residents when it published its final report in January 2021. Then Taoiseach Martin offered an official apology that month. An €800-million ($950-million) redress scheme for survivors was announced in November 2021, but 24,000 survivors who spent less than six months in homes or were "boarded out" were excluded. In 2022, both the Children's Committee of the Oireachtas (Irish parliament) and the UN Human Rights Committee called on the government to remove this exemption.

F4. Do laws, policies, and practices guarantee equal treatment of various segments of the population? 3 / 4

While existing legislation bans hate speech, Ireland lacks comprehensive hate-crime laws, and NGOs have criticized existing laws as dated and ineffective. The government proposed much-anticipated legislation in April 2021, which was working its way through parliament at the end of 2022.

Supranational bodies have criticized ethnic discrimination within Ireland. In 2020, the EU Agency for Fundamental Rights reported that two-thirds of Irish Travellers and Roma face discrimination. The CoE called a 2017–21 inclusion strategy for both groups ineffective in a 2019 report. A 2020 survey of Gardaí (police officers) revealed that not a single respondent had a favorable view of the Traveller community. Another study released in June 2022 alleged institutional racism against Travellers within the force.

A new action plan to widen Traveller and Roma participation in higher education was announced in 2022, with the detailed plan published in August. In July 2022, the UN Human Rights Committee urged the government to develop further specific action plans on Traveller and Roma mental health, employment, and enterprise.

People with disabilities face housing issues, are persistently institutionalized, and have suffered a severe reduction of social benefits in recent years. The 2021 Annual Report from the IHREC, released in July 2022, showed that the most common reason that people contacted the commission related to services and employment was to raise concerns about disability discrimination.

Irish law prohibits discrimination based on sexual orientation, but some social stigma against LGBT+ people persists. Several alleged hate crimes against members of the LGBT+ community took place in 2022. They included the murders of two men in their Sligo homes

in separate incidents in April 2022, and an apparent homophobic assault on a man in Dublin the same month.

The asylum application process is complex, and asylum seekers can be housed for lengthy periods in poor living conditions in a system known as Direct Provision. In February 2021, the government published a white paper on replacing Direct Provision with a new model by the end of 2023.

The 2015 International Protection Law expedites asylum procedures but focuses on enabling deportations rather than identifying and processing cases. In a July 2021 report, the Irish Refugee Council highlighted extensive delays for protection-process applicants.

Discrimination in the workplace on the basis of gender is illegal, though there is still a substantial gender pay gap.

G. PERSONAL AUTONOMY AND INDIVIDUAL RIGHTS: 16 / 16

G1. Do individuals enjoy freedom of movement, including the ability to change their place of residence, employment, or education? 4 / 4

There are ordinarily no restrictions on travel or the ability to change one's place of residence, employment, or education.

G2. Are individuals able to exercise the right to own property and establish private businesses without undue interference from state or nonstate actors? 4 / 4

Private businesses are free to operate, and property rights are generally respected.

G3. Do individuals enjoy personal social freedoms, including choice of marriage partner and size of family, protection from domestic violence, and control over appearance? 4 / 4

Individuals in Ireland have gained expanded social freedoms in recent years. In a 2015 referendum, voters extended marriage rights to same-sex couples. That same year, the Children and Family Relationships Act extended adoption rights to same-sex and cohabiting heterosexual couples, and the Gender Recognition Act allowed transgender individuals to obtain legal recognition without medical or state intervention, and—for married transgender people—without divorcing. In a 2018 referendum, voters abolished a constitutional amendment that made nearly all abortions illegal, and health providers began performing abortions in 2019.

In 2019, Ireland enacted the Domestic Violence Act 2018, which criminalized forms of emotional and psychological abuse. However, domestic and sexual violence against women remain serious problems, and marginalized and immigrant women have particular difficulty accessing support. In January 2022, the killing of 23-year-old teacher and musician Ashling Murphy while she was jogging outside in Tullamore led to widespread condemnation of violence against women in Ireland. According to Safe Ireland, a women and children's advocacy group, 11 more women were murdered in Ireland over the course of the year. Justice Minister Helen McEntee in August 2022 announced that new antistalking legislation as well as other measures addressing gender-based violence would be introduced and enacted before the end of the year, but they were still before the Dáil at year's end.

G4. Do individuals enjoy equality of opportunity and freedom from economic exploitation? 4 / 4

People generally enjoy equality of opportunity. Workers have rights and protections under employment legislation. Although the government works to combat human trafficking and protect victims, undocumented migrant workers remain at risk of trafficking and labor exploitation.

Israel

Population: 9,500,000
Capital: Jerusalem
Freedom Status: Free
Electoral Democracy: Yes

Note: The numerical scores and status listed above do not reflect conditions in the Gaza Strip or the West Bank, which are examined in separate reports. Although the international community generally considers East Jerusalem to be part of the occupied West Bank, it may be mentioned in this report when specific conditions there directly affect or overlap with conditions in Israel proper. *Freedom in the World* reports assess the level of political rights and civil liberties in a given geographical area, regardless of whether they are affected by the state, nonstate actors, or foreign powers. Disputed or occupied territories are sometimes assessed separately if they meet certain criteria, including boundaries that are sufficiently stable to allow year-on-year comparisons. For more information, see the report methodology.

Overview: Israel is a parliamentary democracy with a multiparty system and independent institutions that guarantee political rights and civil liberties for most of the population. Although the judiciary is comparatively active in protecting minority rights, the political leadership and many in society have discriminated against Arab and other ethnic or religious minority populations, resulting in systemic disparities in areas including infrastructure, criminal justice, education, and economic opportunity.

KEY DEVELOPMENTS IN 2022

- In June, one year after forming a government, the coalition led by then prime minister Naftali Bennett and Yair Lapid collapsed. Bennett stepped down and the Knesset was dissolved later the same month.
- Snap legislative elections were held in November, marking Israel's fifth parliamentary elections since 2019. The right-wing nationalist electoral bloc headed by former prime minister Benjamin Netanyahu took a plurality of seats in the elections, allowing Netanyahu to form a coalition government in December composed of his Likud party, the far-right Religious Zionist party, and two ultra-Orthodox parties, Shas and United Torah Judaism.
- The new coalition government presented its platform to the Knesset in December, which included a declaration that "the Jewish people have an exclusive and indisputable right to all parts of the Land of Israel." This designation was commonly understood to include the occupied West Bank.
- The trial against Netanyahu, who faces numerous corruption charges, including bribery and fraud, continued throughout the year. Netanyahu's new government, formed in December, is expected to pursue legislative approval of an immunity bill that would shield him and other lawmakers from prosecution while in office.

POLITICAL RIGHTS: 34 / 40

A. ELECTORAL PROCESS: 12 / 12

A1. Was the current head of government or other chief national authority elected through free and fair elections? 4 / 4

A largely ceremonial president is elected by the Knesset (parliament) for one seven-year term. In June 2021, Isaac Herzog, formerly the head of the Labor Party, was elected to replace outgoing president Reuven Rivlin.

The prime minister must have the support of a majority in the Knesset. In 2014, in a bid to create more stable governing coalitions, the electoral threshold for parties to win representation was raised from 2 percent to 3.25 percent, and the no-confidence procedure was revised so that opponents hoping to oust a sitting government must simultaneously vote in a new one. Despite this change, there are still many small parties in the political system, making it difficult to form majorities.

After the March 2021 elections, parties from across the political spectrum formed a new coalition government, ending the premiership of Likud's Benjamin Netanyahu. According to the coalition agreement, Naftali Bennett of the right-wing Yamina Party would serve as prime minister for about two years, after which Yair Lapid of the centrist Yesh Atid would replace him until the next elections. In June 2022, Bennett and Lapid announced that their governing coalition had collapsed and the Knesset would be dissolved; Lapid was appointed interim prime minister until a new government could be formed following snap elections in November. Netanyahu returned as prime minster in December as head of the most right-wing government in Israeli history after successfully forming a new governing coalition. Observers have described the new coalition government as "ultranationalist."

A2. Were the current national legislative representatives elected through free and fair elections? 4 / 4

Members of the 120-seat Knesset are elected to serve four-year terms through closed-list proportional representation using a single nationwide district, and elections are typically free and fair.

The November 2022 elections saw the weakest performance of the Israeli left in the country's history. The right-wing nationalist bloc headed by Netanyahu was able to secure a plurality of seats following the elections: Netanyahu's Likud took 32 seats, while the far-right Religious Zionist party took 14 seats, and ultra-Orthodox parties Shas and United Torah Judaism took 11 and 7 seats, respectively. Yesh Atid took 24 seats, the centrist National Unity won 12, Israel is our Home won 6, the Islamist Ra'am and the Arab-led Joint List won 5 seats each, and the center-left Labor Party won 4. The left-wing Meretz failed to cross the electoral threshold for the first time in Israel's history.

A3. Are the electoral laws and framework fair, and are they implemented impartially by the relevant election management bodies? 4 / 4

The Central Elections Committee (CEC), is responsible for ensuring the fairness of elections. It is composed of delegations representing the various political groups in the Knesset, supported by a professional staff, and chaired by a Supreme Court judge. Elections are generally conducted in a peaceful and orderly manner, and all parties usually accept the results. The conduct of the 2022 elections was generally perceived as fair and successful.

B. POLITICAL PLURALISM AND PARTICIPATION: 13 / 16

B1. Do the people have the right to organize in different political parties or other competitive political groupings of their choice, and is the system free of undue obstacles to the rise and fall of these competing parties or groupings? 3 / 4

Israel hosts a diverse and competitive multiparty system. However, parties or candidates that deny Israel's Jewish character, oppose democracy, or incite racism are prohibited. This has occasionally been invoked against both far-right Jewish candidates and Arab candidates. After agreeing to join the coalition government in December 2022, the far-right Religious Zionist party announced plans to pursue legal amendments that would remove the prohibition on "racial incitement" in the Knesset.

B2. Is there a realistic opportunity for the opposition to increase its support or gain power through elections? 4 / 4

Israel has undergone multiple, peaceful rotations of power among rival political groups during its history, and the 2022 elections resulted in the replacement of the incumbent prime minister. Opposition parties have typically controlled many local governments, and Arab-majority towns are mostly run by independents or mayors from the Joint List.

B3. Are the people's political choices free from domination by forces that are external to the political sphere, or by political forces that employ extrapolitical means? 4 / 4

Israeli voters are generally free from coercion or undue influence by interest groups outside the political sphere. Political parties rely mostly on public subsidies for their financing.

B4. Do various segments of the population (including ethnic, racial, religious, gender, LGBT+, and other relevant groups) have full political rights and electoral opportunities? 2 / 4

Political rights are unevenly upheld.

Women generally enjoy full political rights in law and in practice, though they remain underrepresented in leadership positions and can encounter additional obstacles in parties and communities—both Jewish and Arab—that are associated with religious or cultural conservatism. Shas and United Torah Judaism continued to exclude women from their candidate lists in 2022, while Ra'am elected its first woman Knesset member in 2020.

Political power in Israel is held disproportionately by Jewish men; while Ashkenazim (Jews of European descent) have historically enjoyed particular advantages, Mizrahim (Jews of Middle Eastern descent) have gained representation in recent decades.

In 2018, the Knesset adopted a new "basic law" known as the nation-state law, which introduced the principle that the right to exercise self-determination in the State of Israel belongs uniquely to the Jewish people, among other discriminatory provisions. The basic laws of Israel are considered equivalent to a constitution, and critics of the nation-state law said it created a framework for the erosion of non-Jewish citizens' political and civil rights, though any such effects have been limited to date.

Arab citizens of Israel, who often identify as Palestinian, already faced some discrimination in practice, both legal and informal. Until 2021, no Arab party had ever been formally included in a governing coalition, and Arabs generally do not serve in senior positions in government. Members of other ethnic and religious minority populations, as well as LGBT+ Israelis, enjoy some representation in the Knesset and the political system more broadly.

The roughly 670,000 Jewish settlers in the West Bank and East Jerusalem are Israeli citizens and can participate in Israeli elections. Arab residents of East Jerusalem have the option of obtaining Israeli citizenship, though most decline for political reasons. According to official government figures, those who have attempted to obtain citizenship face significant delays and are rejected in 66 percent of cases. While these noncitizens are entitled to vote in municipal as well as Palestinian Authority (PA) elections, most have traditionally boycotted Israeli municipal balloting, and Israel has restricted PA election activity in the city. A Palestinian Jerusalem resident who is not a citizen cannot become mayor under current Israeli

law. Israeli law strips noncitizens of their Jerusalem residency if they are away for extended periods, and a law adopted in 2018 empowers the interior minister to revoke such residency for those deemed to be involved in terrorism or treason-related offenses. Citizenship and residency status are overwhelmingly denied to Palestinian residents of the West Bank or Gaza Strip who are married to Israeli citizens.

Courts can revoke the citizenship of any Israeli convicted of spying, treason, or aiding the enemy. Separately, it was reported during 2017 that the Interior Ministry had revoked the citizenship of dozens and possibly thousands of Bedouins over several years, citing decades-old registration errors. Lawmakers have since raised questions about the legality of this ongoing practice.

Jewish immigrants and their immediate families are granted Israeli citizenship and residence rights. It is extremely difficult in practice for non-Jewish immigrants to obtain citizenship.

C. FUNCTIONING OF GOVERNMENT: 9 / 12

C1. Do the freely elected head of government and national legislative representatives determine the policies of the government? 4 / 4

The government and parliament are free to set and implement policies and laws without undue interference from unelected entities.

Starting in 2019, Israel entered a period of political instability, due to the inability of any single bloc to form a stable government. The Netanyahu government formed in 2022 enjoys a clear majority and internal homogeneity and is generally expected to remain stable.

C2. Are safeguards against official corruption strong and effective? 2 / 4

Corruption scandals are common in all levels of government, and high-level corruption investigations are relatively frequent, with senior officials implicated in several scandals and criminal cases in recent years. In 2019, then prime minister Netanyahu was indicted on charges of fraud, bribery, and breach of trust for allegedly accepting expensive gifts, his apparent attempt to collude with the owner of the newspaper *Yedioth Ahronoth* to secure positive coverage, and the granting of regulatory favors to telecommunications operator and media conglomerate Bezeq in return for positive coverage. Netanyahu denied the charges against him and accused law enforcement bodies of perpetrating "an attempted coup," a sentiment amplified by right-wing media outlets.

Netanyahu refused to step down as prime minister after the indictment and held office through the first half of 2021, after which he became leader of the opposition. Netanyahu was reelected as prime minister following the November 2022 elections and is expected to pursue legislative approval of an immunity bill that would shield him and other lawmakers from prosecution while in office. Netanyahu's trial has been ongoing since April 2021. Netanyahu's supporters, including his son Yair Netanyahu, have been accused of attempting to intimidate prosecution witnesses.

Netanyahu and his supporters have also accused the Israeli police, the Ministry of Justice, and the attorney general's office of conspiring to "silence" Netanyahu and to carry out a coup against his right-wing government. Sources within Israeli law enforcement institutions told reporters during 2021 and 2022 that Israeli police chief Kobi Shabtai has discouraged investigations into corruption and cut the resources available for such complex investigations, due to fears of government backlash.

C3. Does the government operate with openness and transparency? 3 / 4

Israel's laws, political practices, civil society groups, and independent media generally ensure a substantial level of governmental transparency, though recent corruption cases have

illustrated persistent shortcomings. The Freedom of Information Law grants every citizen and resident of Israel the right to receive information from a public authority. However, the law includes blanket exemptions that allow officials to withhold information on the armed forces, intelligence services, the Atomic Energy Agency, and the prison system, potentially enabling the concealment of abuses. Additionally, authorities often fail to respond to freedom of information requests in a timely manner, leading individuals and civil society organizations to turn to the courts to compel the government to respond.

CIVIL LIBERTIES: 43 / 60 (+1)

D. FREEDOM OF EXPRESSION AND BELIEF: 12 / 16

D1. Are there free and independent media? 3 / 4

The Israeli media sector is vibrant and free to criticize government policy. While the scope of permissible reporting is generally broad, print articles on security matters are subject to a military censor. According to official statistics released in June 2022, the military partially redacted a total of 1,313 news items and fully barred publication of 129 others in 2021, out of 7,413 stories submitted for review; the figures represented an 11-year low. The Government Press Office has occasionally withheld press cards from journalists to restrict them from entering Israel, citing security considerations.

Despite the existence of robust legal protections for journalists, Netanyahu's tenure as prime minister negatively affected the public's trust in the media, which Netanyahu and his allies portrayed as traitors seeking to unseat him. As a result, journalists describe being discouraged from reporting on topics that were perceived to be sympathetic to Palestinians, or frame reporting in a way that would not seem "leftist." Netanyahu's efforts to undermine the independence of Israel's national broadcaster Kan and financially weaken commercial television channels have had a chilling effect on the desire of these media outlets to investigate misconduct or corruption allegations implicating influential politicians.

Most Israeli media outlets are not financially independent, and are affected by the commercial interest of their owners, sometimes resulting in coverage biased toward the owners' business and political interests. In one recent example, the editor in chief of *Yedioth Ahronoth* and Ynet, businessman Nochi Dankner, and the owner of the Walla! News websites, Shaul Alowitz, attempted to secure regulatory favors from then prime minister Netanyahu in exchange for favorable coverage. Legal cases against the three, who were indicted on several corruption charges, were ongoing at the end of 2022.

D2. Are individuals free to practice and express their religious faith or nonbelief in public and private? 3 / 4

While Israel defines itself as a Jewish state, freedom of religion is largely respected. Christian, Muslim, Druze, 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 Israelis. Orthodox parties have enough political power to block government decisions relating to religion and the state; for example, despite majority support from the Israeli public, no civil or gay marriage exists in Israel, and public transportation is largely unavailable on the Sabbath or religious holidays.

Although the law protects the religious sites of non-Jewish groups, they face discrimination in the allocation of state resources as well as persistent cases of vandalism or harassment, which usually go unsolved.

Citing security concerns, Israeli authorities have set varying limits on access to the Temple Mount/Haram al-Sharif in East Jerusalem in recent years, affecting worshippers

across the broader area. During 2021 and 2022, Israeli authorities had increasingly allowed Jewish prayer at the site without openly announcing a change in policy, and the number of Jewish worshippers ascending to the Mount has increased. At the Western Wall of the compound, long a site of Jewish prayer, rival advocacy groups have been engaged in an ongoing dispute over access for women and non-Orthodox Jewish worshippers.

D3. Is there academic freedom, and is the educational system free from extensive political indoctrination? 3 / 4

Primary and secondary education is universal, though divided into multiple public school systems (state, state-religious, independent religious, Arabic-Christian, Arabic-Druze, and Arabic-Muslim) as well as private schools. School quality and resources are generally lower in mostly non-Jewish communities. A 2018 law bans groups that are in favor of legal action abroad against Israeli soldiers, or that otherwise undermine state educational goals by criticizing the military, from entering Israeli schools or interacting with students. Attempts to influence or restrict academic freedom at universities are generally blocked.

D4. Are individuals free to express their personal views on political or other sensitive topics without fear of surveillance or retribution? 3 / 4

While private discussion in Israel is generally open and free, there are some restrictions on political expression. For example, the 2011 Boycott Law exposes Israeli individuals and groups to civil lawsuits if they advocate an economic, cultural, or academic boycott of the state of Israel or West Bank settlements.

The *Haaretz* newspaper has reported that police have targeted current and former government officials, businesspeople, and others with the Pegasus spyware, which was developed by an Israeli company.

E. ASSOCIATIONAL AND ORGANIZATIONAL RIGHTS: 9 / 12 (+1)

E1. Is there freedom of assembly? 3 / 4 (+1)

Protests and demonstrations are widely permitted and typically peaceful. However, some protest activities—such as desecration of the flag of Israel—can draw criminal penalties, and police have sometimes attempted to restrict peaceful demonstrations.

In May 2021, the possible eviction of Palestinian families in East Jerusalem sparked widespread protests, excessive police violence, and intercommunal clashes involving Arab and Jewish civilians in mixed towns within Israel. The unrest included destruction of property and vigilante attacks against unarmed residents. More than 2,000 people were arrested; while some Jews were among those detained, the vast majority were Arabs, suggesting likely police discrimination.

Antigovernment protests largely subsided after Netanyahu lost his premiership in June 2021, though some demonstrations did take place in front of the prime minister's residence while Naftali Bennett was in office. In December 2022, thousands of protesters rallied against Netanyahu's return as prime minister; unlike in 2021, police generally did not respond with force.

Score Change: The score improved from 2 to 3 because there was no repetition of the widespread violence by both police and civilians that had accompanied the 2021 protests against planned evictions of Palestinian families in East Jerusalem.

E2. Is there freedom for nongovernmental organizations, particularly those that are engaged in human rights– and governance-related work? 2 / 4

The environment for nongovernmental organizations (NGOs) has deteriorated in recent years. A law enacted in 2012 requires NGOs to submit financial reports four times a year on support received from foreign government sources. Under a 2016 law, NGOs that receive more than half of their funding from foreign governments must disclose this fact publicly and in any written or oral communications with elected officials. The measure mainly affects groups associated with the political left that oppose Israel's policies toward Palestinians; foreign funding for right-leaning groups that support Jewish settlements in the West Bank, for example, more often comes from private sources.

A 2017 law bars access to the country for any foreign individuals or groups that publicly support a boycott of Israel or its West Bank settlements. The measure was criticized by civil society organizations as an obstacle to the activities of many pro-Palestinian and human rights groups.

E3. Is there freedom for trade unions and similar professional or labor organizations? 4 / 4

Workers may join unions and have the right to strike and bargain collectively, although employers often attempt to prevent such moves. Most of the workforce either belongs to Histadrut, the national labor federation, or is covered by its social programs and bargaining agreements. Histadrut also competes with independent union organizations.

F. RULE OF LAW: 11 / 16

F1. Is there an independent judiciary? 4 / 4

The judiciary is independent and regularly rules against the government. The Supreme Court has historically played a crucial role in protecting minority groups and overturning decisions by the government and the parliament when they threaten human rights. The court hears direct petitions from citizens and other individuals in Israel as well as Palestinian residents of the West Bank and Gaza Strip, and the state generally adheres to court rulings.

Some right-wing politicians have advocated reforms that would allow the Knesset to override the Supreme Court when it strikes down legislation. Lawmakers overwhelmingly rejected such a bill in 2020.

F2. Does due process prevail in civil and criminal matters? 3 / 4

Although due process is largely guaranteed in ordinary cases, those suspected of security-related offenses are subject to special legal provisions. Individuals can be held in administrative detention without trial for renewable six-month terms. According to human rights groups, at the end of 2022, more than 4,600 Palestinians from the occupied territories were being held in Israeli facilities on security grounds, including over 860 in administrative detention—the greatest number of administrative detainees since 2008. As of August 2022, all administrative detainees were Palestinians, 11 of whom held Israeli citizenship. The Supreme Court almost never grants attorneys' requests to void administrative detention orders. Under criminal law, individuals suspected of security offenses can be held for up to 96 hours without judicial review under certain circumstances, and be denied access to an attorney for up to 21 days.

Scores of Palestinian children (aged 12–17) from the occupied territories are held in Israeli military detention. Although Israeli law prohibits the detention of children younger than 12, some are occasionally held. Most Palestinian child detainees are serving sentences—handed down by a special military court for minors created in 2009—for throwing stones or other projectiles at Israeli troops in the West Bank; acquittals on such charges are very rare, and the military courts have been criticized for a lack of due process protections. East Jerusalem Palestinian minors are tried in Israeli civilian juvenile courts.

F3. Is there protection from the illegitimate use of physical force and freedom from war and insurgencies? 2 / 4

Israeli border communities receive occasional rocket and artillery fire from militant groups in the Gaza Strip, and more rarely from Lebanon and Syria. In August 2022, several Israeli communities were targeted with rockets fired from Gaza by the militant group Palestinian Islamic Jihad (PIJ), which is designated as a terrorist group by the United States, after Israeli forces assassinated a number of the group's top commanders. Most rockets in recent conflicts have been intercepted by the Israeli military due to the use of air defense systems, preventing harm to civilians. Israeli security forces and civilians also face the ongoing threat of small-scale terrorist attacks, most often involving stabbings or vehicular assaults. In 2022, 31 Israeli citizens were killed in Palestinian militant attacks in Israel and the West Bank, according to Israeli NGO Rescue Without Borders. Human rights groups have sometimes accused police of using deadly force against stone throwers or perpetrators of stabbing and vehicular attacks.

According to the Abraham Initiatives, an Israeli interfaith NGO, roughly 120 murders were recorded in Arab communities in Israel during 2022. Arabs account for the vast majority of murder victims each year despite representing about a fifth of the population, and police are far less likely to solve murders with Arab as opposed to Jewish victims. As part of a coordinated government response to the problem, 2021 budget legislation included new spending on socioeconomic development and law enforcement in Arab communities, and the domestic intelligence service was deployed to help combat criminal activity, drawing mixed reactions from Arab politicians and activists.

The Supreme Court banned torture in a 1999 ruling, but said physical coercion might be permissible during interrogations in cases involving an imminent threat. Human rights organizations accuse the authorities of continuing to use some forms of physical abuse and other measures such as isolation, sleep deprivation, psychological threats and pressure, painful binding, and humiliation.

F4. Do laws, policies, and practices guarantee equal treatment of various segments of the population? 2 / 4

Jewish citizens of Israel, particularly those of Ashkenazi descent, typically enjoy practical advantages relative to the rest of the population on matters including legal treatment and socioeconomic conditions.

Arab or Palestinian citizens of Israel face *de facto* discrimination in education, social services, personal security, and access to housing and related permits. The 2018 nation-state law downgraded Arabic from an official language of the country to a language with "special status," while another clause states that the change would not "affect the status given to the Arabic language before this law came into force," suggesting that it would be a largely symbolic demotion.

The 2018 nation-state law also declared that the state "views the development of Jewish settlement as a national value, and shall act to encourage and promote its establishment and strengthening." The Jewish National Fund (JNF-KKL), which owns about 13 percent of the land in Israel, has effectively maintained a Jewish-only land-leasing policy. In December 2022, the newly formed coalition government presented its platform to the Knesset, which included a declaration that "the Jewish people have an exclusive and indisputable right to all parts of the Land of Israel," a designation that is commonly understood to refer to territory outside of the official Israeli state, including the West Bank.

Many of Israel's Bedouin citizens live in towns and villages that are not recognized by the state. Those in unrecognized villages cannot claim social services, are in some cases off

the electricity and water grids, and have no official land rights. The government routinely demolishes their structures build without a license.

Israelis of Ethiopian origin suffer from discrimination—including in the criminal justice system—and lag behind the general population economically despite government integration efforts.

Women are treated equally in criminal and civil courts and have achieved substantial parity within Israeli society, though economic and other forms of discrimination persist, particularly among Arab and religious Jewish communities. Religious courts that rule on family law cases systematically discriminate against women. Arab women are far less likely to be employed than either Arab men or Jewish women.

Discrimination based on sexual orientation is illegal, though LGBT+ people continue to face bias in some communities. Gay and transgender Israelis are permitted to serve openly in the military.

Individuals who enter the country irregularly, including asylum seekers, can be detained for up to a year without charges. Asylum applications, when fully processed, are rejected in over 99 percent of cases. Appeals of these decisions are handled by the Appeals Tribunal, a specialized immigration court that overwhelmingly issues rulings in line with the government's position. In recent years, authorities have pressured thousands of African asylum seekers who entered the country irregularly—mostly from Eritrea and Sudan—to agree to be deported to a third country, such as Rwanda or Uganda. There have been few new irregular entries since a barrier along the border with Egypt was completed in 2012, though there were more than 26,000 asylum seekers in the country as of 2022.

G. PERSONAL AUTONOMY AND INDIVIDUAL RIGHTS: 11 / 16

G1. Do individuals enjoy freedom of movement, including the ability to change their place of residence, employment, or education? 3 / 4

Security measures can sometimes present obstacles to freedom of movement, though military checkpoints are restricted to the West Bank. Informal local rules that prevent driving on the Sabbath and Jewish holidays can also hamper free movement.

In June 2022, the Ministry of Interior issued a new regulation that prohibits asylum seekers from working outside of construction, agriculture, institution-based caregiving, hotels, and restaurants. The regulation, which came into effect in October and applies to 17 municipalities with large numbers of asylum seekers, was made possible by an October 2021 Supreme Court ruling that determined that limiting the employment of asylum seekers is permitted by Israeli law. A number of asylum seekers filed an appeal against the regulation in September 2022.

Migrant workers in the caregiving sector are only allowed to work within a specific geographical area assigned to them, and can only switch employers three times in the span of their time in Israel, which is generally capped at five years.

G2. Are individuals able to exercise the right to own property and establish private businesses without undue interference from state or nonstate actors? 3 / 4

Property rights within Israel are effectively protected, and business activity is generally free of undue interference. Businesses face a low risk of expropriation or criminal activity, and corruption is not a major obstacle for private investors. Migrant workers and asylum seekers are barred from owning businesses, forcing them to hire Israeli partners to be able to run their business. However, the authorities' general commitment to property rights has been called into question given their handling of unrecognized Bedouin villages and their settlement policies in the occupied territories.

G3. Do individuals enjoy personal social freedoms, including choice of marriage partner and size of family, protection from domestic violence, and control over appearance? 3 / 4

Personal social freedoms are generally guaranteed. However, since religious courts oversee personal status issues, women face some disadvantages in divorce and other matters. Many ultra-Orthodox Jewish communities attempt to enforce unofficial rules on gender separation and personal attire in the public sphere. Marriages between Jews and non-Jews are not recognized by the state unless conducted abroad, nor are marriages involving a Muslim woman and a non-Muslim man. Israel recognizes same-sex marriages conducted abroad. Nonbiological parents in same-sex partnerships are eligible for guardianship rights. A 2018 law extended surrogacy rights to women without a male partner but not to men without a female partner, effectively excluding gay men. In June 2022, a parliamentary committee approved loosening restrictions on Israel's abortion law; among other things, access to abortion pills will be provided through Israel's health care system.

G4. Do individuals enjoy equality of opportunity and freedom from economic exploitation? 2 / 4

Israel remains a destination for human-trafficking victims, and African students, migrant workers, and asylum seekers residing in the country are especially vulnerable to forced labor and other forms of exploitation. In 2021, the US State Department's *Trafficking in Persons Report* demoted Israel to Tier 2, citing the government's insufficient efforts to combat human trafficking. Roughly 30 percent of Palestinian laborers working in Israel have been forced to pay illegal fees to brokers to obtain Israeli work permits; those forced to pay the fee thus enter Israel in debt, making them less likely to quit due to abusive employment conditions. Some migrant workers in the caregiving sector who left their employers due to abuse have had their visas voided by Israeli authorities without a hearing.

Italy

Population: 58,900,000
Capital: Rome
Freedom Status: Free
Electoral Democracy: Yes

Overview: Italy's parliamentary system features competitive multiparty elections. Civil liberties are generally respected, but concerns about the rights of migrants and LGBT+ people persist, and regional inequalities are persistent and substantial. Endemic problems with corruption and organized crime pose an enduring challenge to the rule of law and economic growth.

KEY DEVELOPMENTS IN 2022

- In July, Prime Minister Mario Draghi resigned following the collapse of his national unity government. Draghi's coalition fell apart when three of his main partners boycotted a confidence vote he had called.
- In September snap elections, a right-wing coalition led by Giorgia Meloni of the far-right Brothers of Italy party won the largest share of the vote and Meloni became Italy's first female prime minister.

- In January, Sergio Mattarella was reelected Italian president after eight rounds of voting.

POLITICAL RIGHTS: 36 / 40

A. ELECTORAL PROCESS: 12 / 12

A1. Was the current head of government or other chief national authority elected through free and fair elections? 4 / 4

Parliament and regional representatives elect the president, whose role is largely ceremonial but sometimes politically influential, for a seven-year term. The legitimacy of the presidential vote rests largely on the fairness of legislative elections. Sergio Mattarella, a former constitutional judge, was reelected president with strong backing in January 2022 after support failed to coalesce around a successor in the seven previous rounds of voting.

The president appoints the prime minister, who serves as head of government and is often, but not always, the leader of the largest party in the Chamber of Deputies, Italy's lower house. The prime minister proposes a Council of Ministers that requires confirmation by parliament.

In July 2022, the national unity government formed in January 2021 and led by Draghi—the third government formed following the 2018 elections—collapsed after three of Draghi's main coalition partners boycotted a confidence vote he had called. Draghi resigned following the boycotted vote, and Mattarella dissolved parliament and called for snap national elections, which were held in September. Georgia Meloni of the far-right Brothers of Italy party was sworn in as prime minister in October, after her right-wing alliance took control of both the Senate and the Chamber of Deputies in the September elections. The coalition government includes Matteo Salvini's far-right League and former prime minister Silvio Berlusconi's center-right Forward Italy (Forza Italia) in addition to the Brothers of Italy.

A2. Were the current national legislative representatives elected through free and fair elections? 4 / 4

The bicameral parliament consists of the 400-member Chamber of Deputies and the 200-member Senate. The September 2022 snap elections were the first that incorporated a drastic reduction in the number of parliamentary seats—down from 630 in the Chamber of Deputies and 315 in the Senate—that voters had approved in a 2020 referendum. Members of both houses are popularly elected for five-year terms, though the president can appoint five additional senators, and former presidents are also entitled to Senate seats.

The September 2022 elections were considered free and fair by international observers. The right-wing coalition led by Meloni won the largest share of the vote for both houses.

A3. Are the electoral laws and framework fair, and are they implemented impartially by the relevant election management bodies? 4 / 4

While Italy's electoral framework and campaign finance regulations are complex, the elections they enable have consistently been deemed fair and credible.

The current electoral law, adopted by parliament in 2017, introduced a mixed system in both houses, with 36 percent of seats allocated using the first-past-the-post method, and 64 percent using a proportional, party-list method. The law encouraged coalition governments, as demonstrated by the 2018 and 2022 election results. In the 2022 elections, 18-year-old voters were able to take part in the election of senators as well as members of the Chamber of Deputies for the first time, in accord with a 2021 constitutional amendment reducing the legal voting age for Senate elections, which had previously been 25.

B. POLITICAL PLURALISM AND PARTICIPATION: 14 / 16

B1. Do the people have the right to organize in different political parties or other competitive political groupings of their choice, and is the system free of undue obstacles to the rise and fall of these competing parties or groupings? 4 / 4

Political parties are generally able to form and operate freely, and the political landscape features a high level of pluralism and competition. Since the beginning of the 1990s, politics have been characterized by unstable coalitions and the frequent emergence of new parties.

Following violent protests against COVID-19 vaccinations that took place in October 2021, some parties called on the government to ban neofascist movements that participated in the protests, but it did not do so.

B2. Is there a realistic opportunity for the opposition to increase its support or gain power through elections? 4 / 4

Italy has a long record of frequent changes in the governing coalition, with multiple transfers of power since the early 1990s. In the 2022 elections, center-left and centrist parties, who were unable to form large coalitions on the order of the right-wing alliance, collectively won more votes than Meloni's bloc, but the electoral law awards a third of seats on a first-past-the-post system, which favors broad coalitions, thus granting a solid majority in both houses of parliament to the right.

B3. Are the people's political choices free from domination by forces that are external to the political sphere, or by political forces that employ extrapolitical means? 3 / 4

The public is generally free to make political choices without undue interference. However, organized crime groups retain some ability to intimidate and influence politicians, especially at the local level, and to establish corruption networks abetted by public administrators. In 2022, the government dissolved several town councils over ties to local mafia-like groups, and some cases of mafia-related vote-buying were discovered in 2022 local elections.

B4. Do various segments of the population (including ethnic, racial, religious, gender, LGBT+, and other relevant groups) have full political rights and electoral opportunities? 3 / 4

Electoral laws contain provisions designed to encourage political participation by linguistic minorities, and to promote gender parity, though progress toward full political representation for women and LGBT+ people remains slow. Although Meloni is Italy's first-ever female prime minister, women's representation in parliament decreased following the 2022 elections, against the positive trend recorded in the past two decades. After the election, women made up 32 percent of the Chamber of Deputies and 34 percent of the Senate.

During the 2022 vote, transgender and gender-nonconforming voters complained of discrimination at many polling stations, where voters were forced into gender-segregated queues to vote.

The political participation rights accorded to migrants, and even to their descendants born in Italy, are extremely limited in national and local politics, a dynamic exacerbated by the emergence of a xenophobic and nationalist discourse in recent years and by the failure of citizenship reforms. In March 2022, a draft reform of the citizenship law to grant Italian citizenship to those born in Italy to foreign parents, those who entered Italy before the age of 12, and those who regularly attended school in the country, was adopted by the Chamber of Deputies but did not progress. According to survey data collected by the organization ActionAid, between 1.8 million and 2.5 million people are excluded from citizenship in Italy despite being born or raised there.

European Union (EU) citizens are entitled to vote in local elections.

C. FUNCTIONING OF GOVERNMENT: 10 / 12

C1. Do the freely elected head of government and national legislative representatives determine the policies of the government? 4 / 4

Elected officials are able to craft and implement policy without improper interference from unelected entities. However, Italy has not yet adopted comprehensive lobbying regulations at the national level.

In the lead-up to the September 2022 elections, there was intense speculation that Italian right-wing parties could be among those implicated in a US intelligence dossier describing covert Russian government funding of some right-wing parties in other countries.

C2. Are safeguards against official corruption strong and effective? 3 / 4

Corruption remains a serious problem despite long-term efforts to combat it, and its impact is exacerbated when officials and members of organized crime networks jointly carry out graft schemes. The perception among experts and business executives is that the level of public-sector corruption is relatively high. An anticorruption law adopted in 2019 tightened sanctions for corruption, reformed statutes of limitation to limit stalling tactics, and extended existing antimafia investigative tools to include corruption offenses. Despite this increased capacity, many sectors, including public procurement, require additional reforms to limit graft.

C3. Does the government operate with openness and transparency? 3 / 4

The legal framework mandates administrative transparency and access to public information through the Freedom of Information Act (FOIA) adopted in 2016. Although the legislation designates access to information as a fundamental right, efforts to ensure compliance with FOIA requests by public administrators remain incomplete.

CIVIL LIBERTIES: 54 / 60

D. FREEDOM OF EXPRESSION AND BELIEF: 15 / 16

D1. Are there free and independent media? 3 / 4

Freedom of the press is constitutionally guaranteed. Despite the rapid growth of the online news industry, traditional media still play a large role in news consumption. There are more than 100 daily newspapers, most of them locally or regionally based, as well as political party papers, free papers, and weekly publications. Concentration of ownership remains a major concern. Internet access is generally unrestricted.

The frequency of strategic lawsuits against public participation (SLAPPs)—lawsuits used to intimidate or silence journalists and others who publicize matters of public interest—poses a threat to investigative journalism.

D2. Are individuals free to practice and express their religious faith or nonbelief in public and private? 4 / 4

Religious freedom is constitutionally guaranteed and respected in practice. There is no official religion; while the Roman Catholic Church receives certain benefits under a treaty with the state, other groups have access to similar benefits through their own accords.

Some local governments have raised obstacles to the construction and recognition of mosques, and right-wing political parties have stoked anti-Muslim attitudes. Antisemitic acts have also trended upward in recent years.

D3. Is there academic freedom, and is the educational system free from extensive political indoctrination? 4 / 4

Academic freedom is generally respected.

D4. Are individuals free to express their personal views on political or other sensitive topics without fear of surveillance or retribution? 4 / 4

People are typically able to freely discuss controversial or sensitive topics in public without fear of surveillance or retribution.

E. ASSOCIATIONAL AND ORGANIZATIONAL RIGHTS: 12 / 12

E1. Is there freedom of assembly? 4 / 4

The freedom to assemble peacefully is guaranteed in the constitution and typically upheld in practice. In December 2022, parliament approved a law proposed by the government criminalizing large, unlicensed musical gatherings, with punishments of up to six years in prison for those who organize them. When the bill was introduced in October, it banned any gatherings over 50 people that could be perceived as threatening public safety, but its provisions were narrowed following public outcry. However, free assembly advocates continue to express concerns over the vagueness of the law's provisions, even in its narrower form.

E2. Is there freedom for nongovernmental organizations, particularly those that are engaged in human rights– and governance-related work? 4 / 4

Nongovernmental organizations (NGOs) are generally free to organize and operate. In recent years, Italian authorities have engaged in repeated standoffs with NGO-operated ships involved in rescue operations of trafficked and smuggled migrants and refugees in the Mediterranean Sea. NGOs rescued more than 11,000 migrants in 2022. After taking office, the Meloni government announced its intention to pass a new code of conduct targeting and obstructing search-and-rescue NGOs; the measure had not been passed by year's end.

E3. Is there freedom for trade unions and similar professional or labor organizations? 4 / 4

Trade unions are generally free to organize and operate. The constitution recognizes the right to strike but places restrictions on strikes by employees in essential sectors like transportation, sanitation, and health, as well as by some self-employed individuals, including lawyers, doctors, and truck drivers.

F. RULE OF LAW: 13 / 16

F1. Is there an independent judiciary? 4 / 4

The judiciary is generally independent and autonomous. Allegations of abuse of power and corruption involving members of the High Council of the Judiciary, which controls internal governance of the judiciary, have led to reform. In June 2022, a new law was adopted aimed at reforming aspects of the judicial system such as the "revolving door" between judgeships and other elected public offices. The law also introduced stricter performance evaluation of judges and prosecutors and new rules for the composition of the High Council.

Organized crime networks continue to threaten judges and prosecutors involved in antimafia processes, particularly in Calabria, but state protection measures function adequately.

F2. Does due process prevail in civil and criminal matters? 3 / 4

Due process rights are largely upheld. However, judicial procedures are often characterized by lengthy delays; Italy has one of the lowest numbers of judges per capita in the EU. The government has been criticized for denying detained migrants access to lawyers. Recent criminal justice reforms include a requirement that initial appeals be resolved within two years, measures to accelerate the digitalization of the justice system, incentives for the use of restorative justice measures, and time limits for the preliminary hearing stage of cases.

F3. Is there protection from the illegitimate use of physical force and freedom from war and insurgencies? 3 / 4

While the population is generally free from major threats to physical security, there have been reports of excessive use of force by police and prison guards, particularly against undocumented migrants. Asylum seekers and undocumented migrants have been held in overcrowded and unhygienic conditions.

F4. Do laws, policies, and practices guarantee equal treatment of various segments of the population? 3 / 4

The law prohibits discrimination based on gender, race, and sexual orientation, among other categories, and these protections are generally enforced. However, members of the Romany minority have unequal access to housing, and many live in segregated settlements that lack adequate infrastructure. LGBT+ people face societal discrimination and occasional acts of violence, and there are not effective measures protecting them from hate speech and hate crimes.

Italy's treatment of migrants, refugees, and asylum seekers has been subject to significant criticism in recent years. In late 2018, parliament approved legal changes that tightened conditions for granting asylum and humanitarian protection, reduced access to services, and eased deportation conditions. A decree enacted in October 2020 allows migrants and refugees to apply for residency on humanitarian protection grounds if they "risk being subjected to torture or inhumane treatment" at home and expands access to public services, but does not offer regularized status to those who lost legal residency under the 2018 decrees.

G. PERSONAL AUTONOMY AND INDIVIDUAL RIGHTS: 14 / 16

G1. Do individuals enjoy freedom of movement, including the ability to change their place of residence, employment, or education? 4 / 4

Individuals are generally free to travel and to change their place of residence, employment, and education.

G2. Are individuals able to exercise the right to own property and establish private businesses without undue interference from state or nonstate actors? 3 / 4

The legal and regulatory framework supports property rights and the operation of private businesses, but corruption and organized crime can hinder normal business activity, as can onerous bureaucratic obstacles. Delays in court proceedings often undermine enforcement of protections for property rights.

According to experts on organized crime, mafia groups exploited the social and economic crises provoked by the COVID-19 pandemic, expanding control of cash-starved local businesses via loan-sharking and money-laundering operations.

G3. Do individuals enjoy personal social freedoms, including choice of marriage partner and size of family, protection from domestic violence, and control over appearance? 4 / 4

The law protects individual freedom on personal status issues such as marriage and divorce. Same-sex civil unions with nearly all the benefits of marriage are permitted, and courts have begun to recognize second-parent adoption rights for same-sex couples. Though public awareness of the problem of domestic violence is increasing due to advocacy campaigns, it remains a persistent issue, and calls to the national domestic violence hotline rose significantly during the COVID-19 lockdown.

G4. Do individuals enjoy equality of opportunity and freedom from economic exploitation? 3 / 4

In the last few years, Italy has adopted measures to combat human trafficking and labor exploitation, but both phenomena remain concerns, especially with respect to asylum seekers, refugees, and migrants from Eastern Europe. The COVID-19 pandemic and the energy crisis following the Russian government's full-scale invasion of Ukraine in February 2022 increased migrants' vulnerability to exploitation and worsened labor and living conditions. The trafficking of women and girls for sexual exploitation remains a concern.

Jamaica

Population: 2,800,000
Capital: Kingston
Freedom Status: Free
Electoral Democracy: Yes

Overview: Jamaica's political system is democratic and features competitive elections and orderly rotations of power. However, corruption remains a serious problem, and long-standing relationships between officials and organized crime figures are thought to persist. Violent crime remains a concern, as does harassment and violence against LGBT+ people.

KEY DEVELOPMENTS IN 2022

- In June, the government announced the creation of a constitutional review commission (CRC) to assist Jamaica's envisioned transition into a republic. The CRC, which was not seated by year's end, will also consider preexisting recommendations for constitutional reform.
- In October, the country's Broadcasting Commission (BC) banned radio stations from playing songs deemed to glorify some illegal activity, including the use of some substances. The Media Association of Jamaica (MAJ) criticized the decision, saying the BC was curtailing expression.
- In December, the government introduced National Identification System (NIDS) cards on a pilot basis. The NIDS was originally approved by lawmakers in 2017, but the Supreme Court struck the original scheme down over privacy concerns in 2019.

POLITICAL RIGHTS: 34 / 40

A. ELECTORAL PROCESS: 12 / 12

A1. Was the current head of government or other chief national authority elected through free and fair elections? 4 / 4

The British monarch is the ceremonial head of state and is represented by a governor general.

The prime minister is the head of government; the position is appointed after elections by the governor general and goes to the leader of the majority party. The prime minister's legitimacy rests largely on the conduct of legislative elections, which are generally free and fair. Jamaica Labour Party (JLP) leader Andrew Holness became prime minister after the party narrowly won the 2016 election; he retained and strengthened his position in the 2020 election.

A2. Were the current national legislative representatives elected through free and fair elections? 4 / 4

Jamaica's bicameral Parliament consists of a 63-member House of Representatives, elected for five years, and a 21-member Senate. Senators, who are appointed, also serve five-year terms.

In the free and fair September 2020 polls, the governing JLP took 57 percent of the vote and 49 seats. Turnout, at 37.9 percent, was the second-lowest figure on record, with the polls being affected by voter apathy and COVID-19.

A3. Are the electoral laws and framework fair, and are they implemented impartially by the relevant election management bodies? 4 / 4

Electoral laws are generally fair, and they are implemented impartially by the Electoral Commission.

In June 2022, the government announced the creation of a CRC to assist the country's envisioned transition into a republic. The CRC, which was not seated by year's end, will also consider preexisting recommendations for constitutional reform.

B. POLITICAL PLURALISM AND PARTICIPATION: 13 / 16

B1. Do the people have the right to organize in different political parties or other competitive political groupings of their choice, and is the system free of undue obstacles to the rise and fall of these competing parties or groupings? 4 / 4

Political parties form and operate without restriction. Although various smaller parties are active, the social democratic People's National Party (PNP) and the more conservative JLP dominate at the national level.

B2. Is there a realistic opportunity for the opposition to increase its support or gain power through elections? 4 / 4

Opposition parties operate freely, and political power has alternated between the PNP and JLP.

B3. Are the people's political choices free from domination by forces that are external to the political sphere, or by political forces that employ extrapolitical means? 2 / 4

Powerful criminal organizations can influence voters who live in areas they control. They have used tactics including intimidation to ensure high voter turnout for particular candidates or parties in exchange for political favors; there were scattered reports of such activity in the 2020 election.

B4. Do various segments of the population (including ethnic, racial, religious, gender, LGBT+, and other relevant groups) have full political rights and electoral opportunities? 3 / 4

Women are underrepresented in politics. Women hold 28.6 percent of the lower house's seats, although this is a record.

LGBT+ people face harassment and violence, limiting their ability to engage in political and electoral processes. Political attacks are often couched in anti-LGBT+ rhetoric.

C. FUNCTIONING OF GOVERNMENT: 9 / 12

C1. Do the freely elected head of government and national legislative representatives determine the policies of the government? 4 / 4

The elected prime minister and national legislative representatives determine the policies of the government. However, powerful criminal groups, as well as corruption in politics, can affect democratic policymaking.

C2. Are safeguards against official corruption strong and effective? 3 / 4

Long-standing links between officials and organized crime figures are thought to persist. Government bodies continue to pursue corruption investigations, and cases often end in convictions. Media and nongovernmental organizations (NGOs) have criticized authorities for their reluctance to pursue some cases, however. Cases have also faced delays. Government whistleblowers are poorly protected.

New anticorruption efforts have been mounted in recent years, supported by an Integrity Commission (IC). However, the IC's effectiveness has been limited by high-profile resignations, delays in issuing reports, and a lack of prosecutions resulting from its work. The IC is also affected by a "gag clause" which prevents it from providing updates on investigations.

Accusations of graft at oil-refining firm Petrojam surfaced in 2019. A trial against its former chairman and general manager, who were both charged over the misuse of Petrojam funds in 2021, continued in 2022.

Former education minister Ruel Reid and Fritz Pinnock, the former president of Caribbean Maritime University, were arrested in 2019 over allegations that they misused public funds. In October 2022, the London-based Privy Council denied their bid to have the charges against them dropped.

C3. Does the government operate with openness and transparency? 2 / 4

An access-to-information law has been in effect since 2004 but contains a number of exemptions. Legislative processes are often opaque.

In 2020, the JLP government rescinded an informal convention that placed six pivotal parliamentary oversight committees under opposition leadership.

The government was not transparent regarding Foreign Minister Kamina Johnson Smith's unsuccessful run for Commonwealth secretary general. A US-based public relations firm had disclosed its involvement in a legal filing in the United States. Jamaican backers agreed to disclose their participation, but government minister Robert Morgan expressed his disappointment at that decision in a September 2022 comment.

CIVIL LIBERTIES: 46 / 60

D. FREEDOM OF EXPRESSION AND BELIEF: 15 / 16

D1. Are there free and independent media? 4 / 4

The constitutional right to free expression is generally respected. Most newspapers are privately owned and express a variety of views. Broadcast media are largely publicly owned but are similarly vibrant.

In October 2022, the BC banned radio stations from playing music deemed to glorify lottery scamming, illegally owned firearms, or the use of illicit drugs. The MAJ strongly criticized the ban, saying the BC did not consult the music industry and was curtailing expression.

D2. Are individuals free to practice and express their religious faith or nonbelief in public and private? 4 / 4

Freedom of religion is constitutionally protected and generally respected in practice. Laws banning Obeah, an Afro-Caribbean shamanistic religion, remain on the books but are not actively enforced.

D3. Is there academic freedom, and is the educational system free from extensive political indoctrination? 4 / 4

The government does not restrict academic freedom.

D4. Are individuals free to express their personal views on political or other sensitive topics without fear of surveillance or retribution? 3 / 4

Individuals are generally free to express their personal views on political or other sensitive topics. However, the presence of powerful criminal groups in some urban neighborhoods can discourage people from openly discussing criminal activities.

The government has worked to introduce the NIDS for several years. Revised legislation, which made enrollment voluntary, was passed in 2021; in 2019, the Supreme Court struck a previous NIDS-related law for violating Jamaicans' privacy. The government implemented NIDS on a pilot basis in December 2022, with Prime Minister Holness promising that user information would be secure.

E. ASSOCIATIONAL AND ORGANIZATIONAL RIGHTS: 11 / 12

E1. Is there freedom of assembly? 4 / 4

Freedom of assembly is provided for by the constitution and is largely respected in practice. Protests are occasionally marred by violence or otherwise unsafe conditions.

E2. Is there freedom for nongovernmental organizations, particularly those that are engaged in human rights– and governance-related work? 4 / 4

Jamaica has a robust and vibrant civil society with many active community groups. However, some struggle financially or have difficulty attracting volunteers. Others are funded by the central government but largely act autonomously. NGOs are well represented in the education, health, and environment sectors.

E3. Is there freedom for trade unions and similar professional or labor organizations? 3 / 4

Around 20 percent of the workforce is unionized, and antiunion discrimination is illegal. Labor unions are politically influential and have the right to strike. However, workers in essential services must undergo an arbitration process with the Ministry of Labor and Social Security before they may legally strike, and the definition of the work constituting "essential services" is broad. There are reports of private employers laying off unionized workers and then rehiring them as contract workers.

The Industrial Disputes Tribunal (IDT) is allowed to reinstate workers whose dismissals are found to be unjustified, although cases before the IDT often take some time to be heard.

F. RULE OF LAW: 9 / 16

F1. Is there an independent judiciary? 4 / 4

Judicial independence is constitutionally guaranteed. While the judiciary is widely considered independent, corruption remains a problem in some lower courts.

F2. Does due process prevail in civil and criminal matters? 2 / 4

A large backlog of cases and a shortage of court staff continue to undermine the justice system. The vast majority of arrests are made without a warrant, detainees frequently lack access to legal counsel, and trials are often delayed for many years or dismissed due to systemic failures. A 2017 law increased avenues for the resolution of cases outside trial; some defendants have reportedly been unwilling to consider plea deals since its passage.

In October 2022, a new Bail Act, which would reduce the number of individuals on remand through the use of electronic tracking, was tabled in Parliament. A parliamentary committee was reviewing the bill as of December.

F3. Is there protection from the illegitimate use of physical force and freedom from war and insurgencies? 2 / 4

Killings by police remain a serious problem in Jamaica. According to the government's Independent Commission of Investigations, 164 people died in incidents involving security personnel in 2022. Prosecutions for illegal killings by security officers are rare. In September, Jamaica's security minister was criticized for saying police officers should shoot to kill if defending themselves.

Jamaica has one of the highest homicide rates in the Americas. The police reported 1,498 murders in 2022, a slight increase over the 1,474 reported in 2021. The country is a transit point for cocaine; much of the country's violence, particularly in Kingston, is the result of warfare between drug-trafficking gangs. Vigilantism is also a major concern. Many initiatives to address the problem have been undertaken, but crime and violence are deeply entrenched.

States of emergency, which provide expanded authority to security forces, are frequently imposed in response to localized spikes in violence. A new Firearms Act, which took effect in November 2022, increased penalties for the illegal possession of firearms and reformed the regime on their use, handling, sale, and management. That same month, the government offered a brief amnesty for those surrendering illegal or unregistered weapons or ammunition.

F4. Do laws, policies, and practices guarantee equal treatment of various segments of the population? 1 / 4

Harassment and violence targeting LGBT+ people remain major concerns, and such instances are frequently ignored by the police. Anti-LGBT+ discrimination is pervasive, though some politicians have spoken out in support of LGBT+ rights.

Article 76 of the colonial-era Offences against the Person Act (OPA) criminalizes the act of buggery; men engaging in same-sex acts could be punished with hard labor lasting as long as 10 years. In 2014, the government expanded the OPA to criminalize the promotion of violence against any category of persons, including LGBT+ individuals, via audio or visual materials. In a nonbinding 2021 ruling, the Inter-American Commission on Human Rights called on Kingston to repeal parts of the OPA that criminalize same-sex relations, but the justice minister rejected that ruling.

In 2020, the government accepted several proposals made by the UN Human Rights Council, including new antidiscrimination policies and improving investigations into cases of violence against LGBT+ people.

Women enjoy the same legal rights as men but suffer employment discrimination and are often paid less for the same work. Acceptance of Rastafarians is increasing, but discrimination persists, particularly in schools.

G. PERSONAL AUTONOMY AND INDIVIDUAL RIGHTS: 11 / 16

G1. Do individuals enjoy freedom of movement, including the ability to change their place of residence, employment, or education? 3 / 4

Constitutional freedom-of-movement guarantees are impacted by political and communal violence in practice. States of emergency are regularly enacted, with affected residents facing roadblocks, random searches, and identity checks. Several of these were implemented in 2022. There are no formal restrictions on people's ability to change their place of employment or education.

G2. Are individuals able to exercise the right to own property and establish private businesses without undue interference from state or nonstate actors? 3 / 4

Jamaica has an active private sector and a powerful probusiness lobby. Individuals are free to establish businesses subject to legal requirements, which are not onerous. Recent reforms have included expediting the incorporation process, making electricity in Kingston more consistent, and easing the import process. Corruption and crime can still hamper normal business activity.

G3. Do individuals enjoy personal social freedoms, including choice of marriage partner and size of family, protection from domestic violence, and control over appearance? 2 / 4

Legal protections for women and girls are poorly enforced, and violence and discrimination remain widespread. There is no blanket ban on spousal rape, nor are there laws against sexual harassment. Child abuse, including sexual abuse, is widespread. Abortion is illegal under the OPA, though pregnant Jamaicans are known to pursue the procedure.

G4. Do individuals enjoy equality of opportunity and freedom from economic exploitation? 3 / 4

Residents of neighborhoods where criminal groups are influential risk becoming victims of human traffickers.

Child sex tourism occurs in some resort areas according to local NGOs. In the 2022 edition of its *Trafficking in Persons Report*, the US State Department noted that the authorities reported no investigations, prosecutions, or convictions for such activity.

Japan

Population: 124,900,000
Capital: Tokyo
Freedom Status: Free
Electoral Democracy: Yes

Overview: Japan is a multiparty parliamentary democracy. The ruling Liberal Democratic Party (LDP) has governed almost continuously since 1955, with stints in opposition from 1993 to 1994 and 2009 to 2012. Political rights and civil liberties are generally well respected. Outstanding challenges include ethnic and gender-based discrimination and claims of improperly close relations between government and the business sector.

KEY DEVELOPMENTS IN 2022

- In a rare instance of public violence, former prime minister Shinzō Abe was assassinated during a July campaign rally. The gunman reportedly blamed the Unification Church for bankrupting his family and targeted Abe due to his close political relationship with the organization. It later emerged that many LDP politicians had links to the church, raising concerns about their tacit endorsement or protection of its controversial practices, including its financial demands on adherents. In a cabinet reshuffle in August, seven ministers with connections to the church were replaced.
- The LDP and its coalition partner were able to maintain their majority in the July upper house elections, securing 146 of the chamber's 248 seats.
- Separately in July, the government announced that it would review a program in which hundreds of thousands of foreign workers are employed in Japan as "trainees," amid growing evidence of exploitative conditions within the program.

POLITICAL RIGHTS: 40 / 40

A. ELECTORAL PROCESS: 12 / 12

A1. Was the current head of government or other chief national authority elected through free and fair elections? 4 / 4

The prime minister is the head of government and is chosen by the freely elected parliament. The prime minister selects the cabinet, which can include a limited number of ministers who are not members of the parliament. Japan's emperor serves as head of state in a ceremonial capacity.

In September 2021, following the resignation of Yoshihide Suga, the LDP chose Fumio Kishida as its new leader, and the parliament voted to confirm him as prime minister a few days later. Kishida won a fresh mandate from lawmakers in November of that year, following the October parliamentary elections.

A2. Were the current national legislative representatives elected through free and fair elections? 4 / 4

The parliament, or Diet, has two chambers. The more powerful lower house, the House of Representatives, has 465 members elected to maximum four-year terms through a mixture of single-member districts and proportional representation. The upper house, the House of Councillors, has 248 members serving fixed six-year terms, with half elected every three years using a mixture of nationwide proportional representation and prefecture-based voting. The prime minister and his cabinet can dissolve the lower house, but not the upper house. The lower house can also pass a no-confidence resolution that forces the cabinet to either resign or dissolve the lower house.

Legislative elections in Japan are free and fair. In the October 2021 lower house elections, the LDP won 259 seats, and its coalition partner, Komeito, took 32. Some independents later joined the LDP, adding to its majority. The largest opposition group, the Constitutional Democratic Party (CDP), won 96 seats, and smaller parties and independents captured the remainder.

In the July 2022 upper house elections, the LDP and Komeito won 76 seats out of the 125 contested, giving them a majority of 146 seats in the chamber. The CDP won 17 seats, while smaller parties and independents again accounted for the remainder.

A3. Are the electoral laws and framework fair, and are they implemented impartially by the relevant election management bodies? 4 / 4

Japan's electoral laws are generally fair and well enforced. Campaigning is heavily regulated, which typically benefits incumbents, although the rules are applied equally to all candidates.

Malapportionment in favor of the rural districts from which the LDP draws significant support has been a persistent problem, despite a series of reforms to reduce the disparity with urban districts. Three members were added to the upper house in 2022 as part of the reform effort. After courts ruled that the level of malapportionment in the 2021 lower house elections had been "in a state of unconstitutionality," the Diet adopted legislation in November 2022 to revise boundaries for as many as 140 districts, with the aim of keeping the disparity between the most and least populated districts below a two-to-one ratio.

B. POLITICAL PLURALISM AND PARTICIPATION: 16 / 16

B1. Do the people have the right to organize in different political parties or other competitive political groupings of their choice, and is the system free of undue obstacles to the rise and fall of these competing parties or groupings? 4 / 4

Parties generally do not face undue restrictions on registration or operation. Ten parties were represented in the Diet as of 2022, and independents also held a number of seats in each chamber. Splits and mergers among existing parties are not uncommon.

B2. Is there a realistic opportunity for the opposition to increase its support or gain power through elections? 4 / 4

While the LDP has governed for most of Japan's postwar history, there have been democratic transfers of power to and from alternative parties. Opposition parties are represented in the parliament and govern at the subnational level.

B3. Are the people's political choices free from domination by forces that are external to the political sphere, or by political forces that employ extrapolitical means? 4 / 4

People's political choices are generally free from improper interference by powerful interests that are not democratically accountable.

B4. Do various segments of the population (including ethnic, racial, religious, gender, LGBT+, and other relevant groups) have full political rights and electoral opportunities? 4 / 4

Citizens enjoy equal rights to vote and run in elections regardless of gender, ethnicity, religion, sexual orientation, or gender identity.

Women remain underrepresented in government. While a nonbinding 2018 gender parity law urges parties to nominate equal numbers of male and female candidates, 33.2 percent of all candidates and 28.0 percent of winning candidates in the 2022 upper house elections were women, for a total of 64 women in the chamber. Women held 46 seats, or less than 10 percent of the total, in the lower house of the Diet as of 2022.

About 600,000 ethnic Koreans born in Japan hold special residency privileges but not Japanese citizenship, meaning they are ineligible to participate in any elections at the national and local levels. Most but not all are South Korean nationals, and they have the option of applying for Japanese citizenship.

The Ainu, an Indigenous people numbering at least 20,000, live mostly on the northern island of Hokkaido. The Ainu Party was launched in 2012 to increase their political representation, though it has yet to win seats in the Diet.

C. FUNCTIONING OF GOVERNMENT: 12 / 12

C1. Do the freely elected head of government and national legislative representatives determine the policies of the government? 4 / 4

Elected officials are free to govern without undue interference, though senior civil servants have some influence over policy.

C2. Are safeguards against official corruption strong and effective? 4 / 4

The prevalence of corruption in government is relatively low, media coverage of political corruption scandals is widespread and vigorous, and officials who are implicated face criminal prosecution. In the second half of 2022, prosecutors arrested officials at several companies for allegedly bribing a former member of the 2020 Tokyo Olympic Games organizing committee to win official sponsorships.

Some government officials have close relations with business leaders that could raise concerns about conflicts of interest. Retiring bureaucrats often quickly secure high-paying positions with companies that receive significant government contracts.

C3. Does the government operate with openness and transparency? 4 / 4

The government generally operates with openness and transparency. Access to information legislation allows individuals to request information from government agencies, though in practice the law has not always been implemented effectively. Government officials have at times withheld information from lawmakers and the public in connection with political scandals. In January 2022, the Ministry of Land, Infrastructure, Transport, and Tourism punished 10 officials who were found to have been involved in overstating government data on monthly construction orders, which are used to calculate Japan's gross domestic product.

CIVIL LIBERTIES: 56 / 60

D. FREEDOM OF EXPRESSION AND BELIEF: 15 / 16

D1. Are there free and independent media? 3 / 4

Freedom of the press is guaranteed in the constitution, and Japan has a highly competitive media sector. However, press freedom advocates have criticized a 2014 law that allows journalists to be prosecuted for revealing state secrets, even if the information was unknowingly obtained. A 2017 report by the UN special rapporteur on freedom of expression noted concern about pressure on the media from the government, and recommended the repeal of Article 4 of the Broadcast Act, which gives the government the power to determine what information is "fair" and thus acceptable for public broadcast.

Under the traditional *kisha kurabu* (press club) system, institutions such as government ministries and corporate organizations have restricted the release of news to journalists and media outlets with membership in their clubs. While the club system has been criticized for privileging the major dailies and other established outlets that belong to it and potentially encouraging self-censorship, in recent years online media and weekly newsmagazines have challenged the daily papers' dominance of political news with more aggressive reporting.

D2. Are individuals free to practice and express their religious faith or nonbelief in public and private? 4 / 4

Freedom of religion is guaranteed by the constitution, and there are no substantial barriers to religious practice or the expression of nonbelief. The constitution also stipulates that no religious organization shall receive any privileges from the state.

In July 2022, during a campaign rally for a candidate in the upper house elections, former prime minister Shinzō Abe was assassinated. The gunman, who was quickly detained, reportedly blamed the Unification Church for bankrupting his family through its controversial extraction of donations and other revenue from adherents, and he targeted Abe because the former leader had a close political relationship with the church. Subsequent news reports revealed links between many LDP politicians and the Unification Church, raising concerns about their tacit endorsement or protection of the religious group's practices. In a cabinet reshuffle in August, Kishida dismissed seven ministers who had disclosed connections to the church. The LDP conducted its own investigation, stating in September that 179 of its 379 members of parliament had disclosed links to the church and related organizations.

D3. Is there academic freedom, and is the educational system free from extensive political indoctrination? 4 / 4

Academic freedom is constitutionally guaranteed and mostly respected in practice, but education and textbooks have long been a focus of public and political debate. While there is not a national curriculum or single official history text, the Ministry of Education's screening process has approved textbooks that downplay Japan's history of imperialism and war atrocities.

D4. Are individuals free to express their personal views on political or other sensitive topics without fear of surveillance or retribution? 4 / 4

The government generally does not restrict personal expression or private discussion. Some observers have raised concerns that antiterrorism and anticonspiracy legislation that went into effect in 2017 could permit undue surveillance.

E. ASSOCIATIONAL AND ORGANIZATIONAL RIGHTS: 12 / 12

E1. Is there freedom of assembly? 4 / 4

Freedom of assembly is protected under the constitution, and peaceful demonstrations take place frequently. In 2022, protests were held on topics including nuclear disarmament, the 2021 military coup in Myanmar, and the Russian invasion of Ukraine.

E2. Is there freedom for nongovernmental organizations, particularly those that are engaged in human rights– and governance-related work? 4 / 4

Nongovernmental organizations (NGOs) are generally free from undue restrictions and remained diverse and active in 2022.

E3. Is there freedom for trade unions and similar professional or labor organizations? 4 / 4

Most workers have the legal right to organize, bargain collectively, and strike. However, public-sector workers are barred from striking, and some, such as firefighters and prison staff, cannot form unions. Labor unions are active and exert political influence through the Japanese Trade Union Confederation and other groupings.

F. RULE OF LAW: 15 / 16

F1. Is there an independent judiciary? 4 / 4

Japan's judiciary is independent, and judges cannot be removed arbitrarily. Japanese citizens may remove individual Supreme Court judges through a majority vote in periodic reviews that coincide with parliamentary elections. In November 2022, in compliance with a Supreme Court ruling that May, the Diet adopted legislation that allows Japanese citizens living abroad to participate in these national votes.

For serious criminal cases, a judicial panel composed of professional judges and *saiban-in* (lay judges), selected from the general public, render verdicts.

F2. Does due process prevail in civil and criminal matters? 4 / 4

Constitutional guarantees of due process are generally upheld. However, observers have argued that trials often favor the prosecution. There are reports that suspects have been detained on flimsy evidence, arrested multiple times for the same alleged crime, or subjected to lengthy interrogations that yield what amount to forced confessions. Police can detain suspects for up to 23 days without charge. Access to those in pretrial detention is sometimes limited.

F3. Is there protection from the illegitimate use of physical force and freedom from war and insurgencies? 4 / 4

People in Japan are generally protected from the illegitimate use of physical force and the threat of war and insurgencies. Violent crime rates are low. However, organized crime is fairly prominent, particularly in the construction and nightlife sectors; crime groups also run drug-trafficking and loan-sharking operations.

Prisoners who face death sentences or are accused of crimes that could carry the death penalty are held in solitary confinement, sometimes for years at a time. There are frequent

reports of substandard medical care in prisons. One person was executed in 2022, having been convicted of multiple murders.

F4. Do laws, policies, and practices guarantee equal treatment of various segments of the population? 3 / 4

Societal discrimination against foreigners and various minority groups has generally declined over time, but it can affect access to housing and employment.

A law adopted in 2016 was intended to eliminate discrimination against Japan's estimated three million *burakumin*—descendants of feudal-era outcasts. The law obliges national and local governments to provide advice, support, and education on the issue, but it does not assign penalties for acts of discrimination.

A 2019 law officially recognized the Ainu as an Indigenous people of Japan, though critics noted that it failed to offer an apology for past mistreatment.

Japan-born descendants of colonial subjects (particularly ethnic Koreans and Chinese) also experience discrimination. A 2016 hate speech law calls on the government to take steps to eliminate discriminatory speech against ethnic minorities, but it does not carry any penalties for perpetrators.

LGBT+ people face social stigma and in some cases harassment. There is no national law barring discrimination based on sexual orientation or gender identity. In 2016, sexual harassment regulations for national public officials were modified to prohibit harassment on the basis of sexual orientation or gender identity. Employment discrimination and sexual harassment against women are common.

Asylum is granted to less than 1 percent of those who apply each year under Japan's strict screening process, and very few refugees are accepted for third-country resettlement in Japan. Soon after Moscow's full-scale invasion of Ukraine in February 2022, the Japanese government agreed to accept friends and relatives of the 1,900 Ukrainians already residing in Japan, designating the newcomers as "evacuees" with temporary residency and work permits. There were more than 2,000 such individuals in the country by year's end.

G. PERSONAL AUTONOMY AND INDIVIDUAL RIGHTS: 14 / 16

G1. Do individuals enjoy freedom of movement, including the ability to change their place of residence, employment, or education? 4 / 4

There are few significant restrictions on internal or international travel, or on individuals' ability to change their place of residence, employment, and education.

G2. Are individuals able to exercise the right to own property and establish private businesses without undue interference from state or nonstate actors? 4 / 4

Property rights are generally respected, and individuals are free to establish and operate private businesses.

G3. Do individuals enjoy personal social freedoms, including choice of marriage partner and size of family, protection from domestic violence, and control over appearance? 3 / 4

While personal social freedoms are mostly protected, there are some limitations. The country's system of family registration, *koseki*, recognizes people as members of a family unit and requires married couples to share a surname, which usually defaults to the husband's surname. This can create legal complications for women as well as children born out of wedlock or to divorced parents, among others.

There is no legal recognition of same-sex marriage in Japan, though some municipal and prefectural governments, including the Tokyo metropolitan government, have passed legislation allowing the registration of same-sex partnerships.

Domestic violence is punishable by law, and protective orders and other services are available for victims, but such abuse often goes unreported.

G4. Do individuals enjoy equality of opportunity and freedom from economic exploitation? 3 / 4

Individuals generally enjoy equality of opportunity, and the legal framework provides safeguards against exploitative working conditions. However, long workdays are common in practice and have been criticized as harmful to workers' health. Many workers are temporary or contract employees with substantially lower wages, fewer benefits, and less job security than regular employees.

The government announced in July 2022 that it would review the foreign technology trainee program, in which about 328,000 trainees were participating at that time. According to investigations in some prefectures, roughly 60 to 70 percent of the companies employing foreign trainees violated labor laws, suggesting that abuse and exploitation may be common throughout the program.

Commercial sexual exploitation remains a problem. Traffickers frequently bring foreign women into the country for forced sex work by arranging fraudulent marriages with Japanese men.

Jordan

Population: 11,200,000
Capital: Amman
Freedom Status: Not Free
Electoral Democracy: No

Overview: Jordan is a monarchy in which the king plays a dominant role in politics and governance. The parliament's lower house is elected, but the electoral system and limits on civil liberties put the opposition at a disadvantage; the chamber wields little power in practice. The media and civil society groups are hampered by restrictive laws and government pressure. The judicial system lacks independence and often fails to ensure due process.

KEY DEVELOPMENTS IN 2022

- In March and April, hundreds of journalists, politicians, and activists involved in the country's *Hirak*, a broad social and political reform movement, were arrested under vague stipulations in the penal code and the Crime Prevention Law. Authorities carried out the arrests to prevent widespread antigovernment demonstrations and sit-ins planned to protest government corruption and the dissolution of the Teachers' Syndicate, as well as to commemorate the 2011 protest movement.
- In December, truckers and transportation workers in the south of the country went on strike to pressure the government to end price hikes on fuel and address the cost-of-living crisis. Authorities have deployed security forces with heavy weaponry and have arrested dozens of people. The strike actions continued through the end of the year.

POLITICAL RIGHTS: 11 / 40

A. ELECTORAL PROCESS: 2 / 12

A1. Was the current head of government or other chief national authority elected through free and fair elections? 0 / 4

Jordan's hereditary monarch, King Abdullah II, holds broad executive powers. He appoints and dismisses the prime minister and cabinet, as well as a several other positions such as the crown prince and a regent and may dissolve the bicameral National Assembly at his discretion.

Abdullah II dissolved the parliament in 2020. Bisher al-Khasawneh, a veteran diplomat and royal adviser, was appointed as prime minister.

A2. Were the current national legislative representatives elected through free and fair elections? 1 / 4

The king appoints the 65 members of the upper house of the parliament, the Senate. The lower house, the 130-seat House of Representatives, is elected for four-year terms. Its members win office through races in 23 multimember districts, with 15 seats reserved for the leading women candidates who failed to capture district seats. Twelve seats are reserved for religious and ethnic minorities.

The royal court announced its intention to trigger an election in a July 2020 statement, and Abdullah II dissolved the parliament in late September. However, uncertainty over the early-November polling date amid the ongoing COVID-19 pandemic prompted some candidates to delay campaign efforts. International observers, who regularly monitor parliamentary elections, were largely absent.

Independents, many of whom were tribal figures and businesspeople considered loyal to the monarchy, won most seats. The main opposition group, the Islamic Action Front (IAF), the Islah Alliance, and the Muslim Center Party each won 5 seats. Voter turnout stood at 30 percent. Vote buying became more common during the 2020 contest, partially due to the dire economic situation caused by the pandemic.

Elections for mayors, local and municipal councils, and 12 new governorate councils were held in March 2022. Voter turnout was just under 30 percent and the IAF boycotted the polls. The elections were dominated by local tribal politics; only 74 candidates formally announced affiliations to political parties. Al-Hayat Centre for Civil Society Development, a local nongovernmental organization (NGO), reported that a heavy security presence throughout the kingdom on election day compromised the secrecy of ballots. Violence broke out at 10 municipalities after the polling centers closed.

A3. Are the electoral laws and framework fair, and are they implemented impartially by the relevant election management bodies? 1 / 4

Elections are administered by the Independent Election Commission (IEC), which generally receives positive reviews from international monitors in terms of technical management, though irregularities continue to be reported. However, IEC members are appointed by royal decree.

The 2016 electoral-law reform introduced multiple-vote proportional representation for parliamentary elections, replacing a single nontransferable vote system that favored progovernment businesspeople and tribal elites over opposition-oriented political parties. The new law also redrew district lines to mitigate acute malapportionment that has long placed urban voters at a severe disadvantage. However even after these changes, rural and tribal voters making up the regime's support base, remain heavily overrepresented.

The legal framework for elections is unstable. Major changes are often introduced weeks before polling day, hindering campaign efforts. Candidate registration is reportedly

easier in some progovernment areas. A new national electoral law passed in April 2022 lowered the eligibility age for candidates to 25 years old and increased the required proportion of women on party lists.

B. POLITICAL PLURALISM AND PARTICIPATION: 6 / 16

B1. Do the people have the right to organize in different political parties or other competitive political groupings of their choice, and is the system free of undue obstacles to the rise and fall of these competing parties or groupings? 2 / 4

Political parties based on ethnicity, race, gender, or religion are banned in Jordan. Parties must receive approval from the Ministry of Political and Parliamentary Affairs and the IEC. Authorities have reportedly intimidated individuals attempting to form political parties and there is a long-standing fear of creating or joining political parties due to the regime's historically harsh repression of them.

While the IAF has been tolerated, it suffers from the electoral system's malapportionment, which weakens its urban support base. Its parent organization, the Muslim Brotherhood, was deregistered in 2015 and was closed in 2016. The government licensed its offshoot group, the Muslim Brotherhood Society (MBS), all of which exacerbated preexisting divisions and weakened it politically. In 2020, the organization lost an appeal against the transfer of its offices to the MBS, with the Court of Cassation ordering its dissolution. The IAF participated in the November 2020 polls despite the ruling.

The electoral system favors tribally affiliated independents over political parties with specific ideologies and platforms, as does the patronage-based political culture. The al-Hayat Center reported that only 12 percent of candidates relied on party-lists to earn votes. New electoral law enacted in March 2022 transferred oversight of candidates' partisan affiliations to the IEC, but it has been criticized for maintaining vague language that allows for arbitrary restrictions on the parties overall. Some party leaders and members are subject to harassment by officials including travel bans, summons by the security officials, and denials of legal document renewals.

B2. Is there a realistic opportunity for the opposition to increase its support or gain power through elections? 1 / 4

The political system—including the overrepresentation of rural voters—limits the ability of any party-based opposition to make significant gains. The IAF and its allies in the Islah Alliance, won a combined 8.7 percent of lower-house seats in the 2020 election. Moreover, the constitutional authority of the monarchy means that no opposition force can win control of the executive branch by democratic means alone.

B3. Are the people's political choices free from domination by forces that are external to the political sphere, or by political forces that employ extrapolitical means? 1 / 4

While voters and candidates are generally free from overt threats or violence, they remain heavily influenced by tribal affiliations and the state-sponsored patronage networks that accompany them. The Jordanian intelligence service is widely believed to influence the electoral process. Citizens' political participation is also constrained by the fact that many important positions are appointed rather than elected.

B4. Do various segments of the population (including ethnic, racial, religious, gender, LGBT+, and other relevant groups) have full political rights and electoral opportunities? 2 / 4

Women have equal political rights, and women candidates have seats beyond the legal quotas set for the parliament and subnational councils, but cultural prejudices remain an

obstacle to their full participation in practice. No women won parliamentary seats beyond the 15-seat quota in the 2020 poll. Women won 27 percent of all municipal, governorate, and Amman municipality council seats in the 2022 local elections.

Nine lower-house seats are reserved for Christians, and three are reserved for ethnic Circassians and Chechens together. Christians are not permitted to contest unreserved seats. Citizens of Palestinian origin, who tend to live in urban areas, make up most of the overall population but remain politically underrepresented.

C. FUNCTIONING OF GOVERNMENT: 3 / 12

C1. Do the freely elected head of government and national legislative representatives determine the policies of the government? 0 / 4

The king dominates policymaking and the legislative process. Though the appointed government or groups of 10 or more lawmakers can propose legislation to the House of Representatives—which may approve, reject, or amend bills—every law requires approval from the appointed Senate and the king to become law. Among other royal prerogatives, the king unilaterally appoints the heads of the armed forces, the intelligence service, and the gendarmerie.

C2. Are safeguards against official corruption strong and effective? 2 / 4

The government has undertaken some efforts to combat widespread corruption, and the Integrity and Anti-Corruption Commission (IACC) is tasked with investigating allegations. However, successful prosecutions—particularly of high-ranking officials—are historically rare. Anticorruption efforts are undermined by a lack of genuinely independent enforcement institutions and restrictions on investigative journalism and civil society activism.

In June 2020, the government cracked down on businesspeople and politicians suspected of tax evasion, money laundering, and customs evasion after expanding the IACC's powers. By July of that year, authorities had raided 650 firms and were reportedly examining the tax records of 70 individuals. While Jordanians cautiously welcomed the crackdown, observers warned that political opponents were also being targeted by the government. January 2022 constitutional amendments prohibit parliamentarians from obtaining state contracts through companies they own, directly or indirectly.

C3. Does the government operate with openness and transparency? 1 / 4

Access-to-information laws are vague, lack procedural detail, and contain sweeping exceptions. Officials are not required to make public declarations of their income and assets. The National Assembly does not exercise effective or independent oversight of the government's budget proposals. Activists and journalists who attempt to investigate state or royal finances are subject to arrest on defamation and other charges.

CIVIL LIBERTIES: 22 / 60 (−1)

D. FREEDOM OF EXPRESSION AND BELIEF: 7 / 16

D1. Are there free and independent media? 1 / 4

Jordanian media laws are restrictive, vague, and arbitrarily enforced. Various statutes penalize defamation, criticism of the king or state institutions, harming Jordan's relations with foreign states, blasphemy, and any content considered to lack objectivity. Authorities appoint the editors and control the finances of several media outlets. Government gag orders and informal instructions to editors regarding news coverage are common, and journalists are routinely arrested for violating such orders. News sites face onerous registration

requirements that, if not met, can serve as a justification for blocking. Journalists rarely face serious violence or significant jail time for their work, but they often practice self-censorship.

In 2022, journalists were harassed or arrested repeatedly for reporting on a variety of topics that the regime deems taboo. Family members and friends of reporters who challenge the regime have been reportedly threatened with loss of employment and difficulties renewing work visas or other official documents.

D2. Are individuals free to practice and express their religious faith or nonbelief in public and private? 2 / 4

Islam is the state religion. The government monitors sermons at mosques for political, sectarian, or extremist content and issues prescribed texts and themes. Muslim clerics require government authorization to preach or dispense religious guidance. Many Christian groups are recognized as religious denominations or associations and can worship freely, though they cannot proselytize among Muslims. While converts from Islam are not prosecuted for apostasy, they face bureaucratic obstacles and harassment in practice. Unrecognized religious groups are allowed to practice their faiths but face disadvantages stemming from their lack of legal status. Atheists and agnostics are required to list a religious affiliation on government documents. The king appoints the country's Grand Mufti.

D3. Is there academic freedom, and is the educational system free from extensive political indoctrination? 2 / 4

Intelligence services reportedly monitor academic events and campus life, and administrators work with state officials to scrutinize scholarly material for politically sensitive content.

D4. Are individuals free to express their personal views on political or other sensitive topics without fear of surveillance or retribution? 2 / 4

Open discussion of politics, the monarchy, religious affairs, and security issues is inhibited by the threat of punishment under various laws governing expression. The telecommunications law requires companies to enable the tracking of private communications upon the issuance of a court order, and authorities are allowed to order surveillance of people suspected of terrorism. Many Jordanians believe that government agents routinely listen to their phone calls and monitor their online activities. Jordan's Cybercrime Law, the Crime Prevention Law, and the penal code allow officials to detain citizens at will.

Under cybercrime legislation, internet users can face fines or prison terms of up to three months if they are convicted of defamation for online comments. Human Right Watch investigated 30 cases between 2019 and 2022 in which activists and protesters were arrested and charged with defamation related to social media posts or views expressed in public gatherings. Pegasus spyware, created by the Israeli company NSO Group, was reportedly used to hack the phones of four human rights activists, lawyers, and journalists from 2019 through 2021; Jordanian government agencies are suspected of being behind these attacks.

Restrictions on other social media apps, some permanent, are common. Following violence at protests in December 2022, authorities suspended the social media platform TikTok.

E. ASSOCIATIONAL AND ORGANIZATIONAL RIGHTS: 1 / 12

E1. Is there freedom of assembly? 0 / 4

Jordanian law limits free assembly. Authorities require prior notification for any demonstration or event and have broad discretion to disperse public gatherings. The Ministry of the Interior has canceled planned public events without advance notice or explanation.

Violations of the law on assembly can draw fines and jail time. Security forces are known to engage in violent confrontations with protesters.

In March and April 2022, hundreds of journalists, politicians, and activists involved in the country's Hirak were arrested under vague stipulations in the penal code and the Cybercrime Prevention Law. Authorities carried out the arrests to prevent widespread antigovernment demonstrations and sit-ins planned to protest government corruption and the dissolution of the Teachers' Syndicate, as well as to commemorate the 2011 protest movement. Widespread protests against rising fuel prices and the cost-of-living crisis also occurred in December. Rioters and other violent actors were present during the demonstrations, and their actions resulted in the death of a police officer.

E2. Is there freedom for nongovernmental organizations, particularly those that are engaged in human rights– and governance-related work? 1 / 4

While many local and international NGOs can operate in the country, there are significant restrictions on civil society. The Ministry of Social Development has broad supervisory powers over NGO operations, has the authority to deny registration and requests for foreign funding, and can disband organizations it finds objectionable. Board members of NGOs must be vetted by state security officials. In practice, these regulations are applied in an opaque and arbitrary manner.

E3. Is there freedom for trade unions and similar professional or labor organizations? 0 / 4

Workers have the right to form unions, but only in 17 designated industries; no new union has formed since 1976. Groups must obtain government approval and join the country's semiofficial union federation, the General Federation of Jordanian Trade Unions (GFJTU). The right to strike is limited by requirements for advance notice and mediation, and participants in an illegal strike are subject to dismissal.

In 2013, a dozen unofficial trade unions formed the Jordanian Federation of Independent Trade Unions (JFITU). Lacking official status, they are not allowed to establish headquarters, collect fees from their members, or engage in collective bargaining. They also face heavy pressure from the GFJTU and government bodies to cease their activities and shut down.

The Teachers' Syndicate began the longest public-sector strike in Jordanian history in 2019, which ended after a deal was struck a month later. However, in July 2020, the union claimed the government reneged on the deal, after which the government ordered a two-year closure of the syndicate, arresting its governing board. Over 250 people were subsequently detained during protests. In June 2022, the courts approved an appeal to cease the prosecution of the Teacher's Syndicate leadership council and convert their one-year prison sentences to three months, but it upheld a later decision to dissolve the association.

In December, truckers and transportation workers in the south of the country went on strike to pressure the government into ending price hikes on fuel and the cost-of-living crisis. Authorities deployed security forces with heavy weaponry and arrested dozens of people. The strike actions continued through year-end.

F. RULE OF LAW: 7 / 16

F1. Is there an independent judiciary? 2 / 4

The judiciary's independence is limited. The king unilaterally appoints the entire Constitutional Court and the chair of the Judicial Council, which nominates civil court judges and is mostly comprised of senior judiciary members. Judges of both the civil and the Sharia (Islamic law) courts—which handle personal status matters for Muslims—are formally appointed by royal decree. Constitutional amendments in 2022 gave the king sole authority

over appointing the chief judge of the religious courts and the president of the council that administers them. The Ministry of Justice monitors judges, promotes them, and determines their salaries, further weakening the branch's autonomy. However, de facto instances of judicial independence and citizens successfully pushing back against state actors in court cases are not uncommon.

F2. Does due process prevail in civil and criminal matters? 1 / 4

Police can hold suspects for up to six months without filing formal charges, and governors are empowered to impose administrative detention for up to one year. In practice, authorities often ignore procedural safeguards against arbitrary arrest and detention, holding individuals incommunicado or beyond legal time limits. Criminal defendants generally lack access to counsel before trial, impairing their ability to mount a defense. Despite a constitutional prohibition, courts allegedly accept confessions extracted under torture.

F3. Is there protection from the illegitimate use of physical force and freedom from war and insurgencies? 2 / 4

Torture and other mistreatment in custody are common and rarely draw serious penalties. Prison conditions are generally poor, and inmates reportedly suffer from beatings and other abuse by guards. Terrorist attacks remain a threat to physical security.

F4. Do laws, policies, and practices guarantee equal treatment of various segments of the population? 2 / 4

Women face discrimination in law and practice. Discrimination against LGBT+ people is prevalent and includes the threat of violence. Authorities have denied registration to NGOs that support equal rights for LGBT+ people.

Refugees and asylum seekers do not routinely receive permanent settlement in Jordan, though individuals residing in the country are usually allowed to remain while UN agencies seek their placement in third countries. Refugees often lack access to work permits and work informally. Syrian refugees have at times been forcibly transferred to areas where they are at risk of refoulement, which would place them at risk of torture, rape, and physical violence.

The Office of the UN High Commissioner for Refugees (UNHCR) counted 762,687 refugees and asylum seekers in Jordan representing the second highest refugee per capita share in the world as of October 2022. Syrians make up 676,621 of these. The government, which claims to host nearly double that number, agreed to issue 200,000 work permits in return for a loan-and-investment package in a 2016 compact. In 2018, it prohibited refugees from accessing subsidized health care. Only one in four Syrian refugee children is enrolled in school by the secondary level and many non-Syrian refugees and asylum seeker children are prevented from enrolling in school altogether.

Jordanians of Palestinian origin who are citizens risk the arbitrary revocation of citizenship or documentation and are often excluded from jobs in the public sector and security forces, which are dominated by East Bank tribes.

G. PERSONAL AUTONOMY AND INDIVIDUAL RIGHTS: 7 / 16 (−1)

G1. Do individuals enjoy freedom of movement, including the ability to change their place of residence, employment, or education? 2 / 4

Jordanians generally enjoy freedom of domestic movement and international travel. Refugees and migrant workers face impediments to travel and are often unable to change employers. Employers reportedly confiscate migrant workers' passports. Children of Jordanian mothers and non-Jordanian fathers, who lack citizenship themselves, have difficulty accessing jobs, education, and health care without a special identity card that is difficult

to obtain. Women can be prevented from traveling abroad with their children without the approval of the child's father, a male guardian, or a judge. The male guardians of unmarried women may interrupt their travel with approval of the authorities.

G2. Are individuals able to exercise the right to own property and establish private businesses without undue interference from state or nonstate actors? 2 / 4

The legal framework generally supports property rights for citizens, but women do not have equal access to property under Sharia-based inheritance rules. Private business activity is hampered by obstacles such as corruption and the abuse of political or other connections.

G3. Do individuals enjoy personal social freedoms, including choice of marriage partner and size of family, protection from domestic violence, and control over appearance? 2 / 4

Personal social freedoms are limited by the country's conservative culture and specific laws. The government does not recognize marriages between Muslim women and non-Muslim men. Matters such as marriage and divorce are handled by religious courts, which place women and converts from Islam at a disadvantage and restrict some interfaith marriages.

In recent years, the parliament has adopted laws that better regulate the processing of domestic violence complaints and abolish a penal code provision allowing rapists to avoid punishment by marrying their victims. However, reduced sentences are still possible for those who murder a spouse caught committing adultery, and spousal rape is not a crime. Women marrying for the first time must obtain approval of a male guardian.

G4. Do individuals enjoy equality of opportunity and freedom from economic exploitation? 1 / 4

Migrant workers, who are the majority of the Jordanian garment industry's workforce, are especially vulnerable to exploitative labor practices. Labor rights organizations have raised concerns about poor working conditions, forced labor, and sexual abuse in Qualifying Industrial Zones, where mostly women and foreign factory workers process goods for export. Rules governing minimum wage, working hours, and safety standards are not well enforced. Syrian refugees are particularly vulnerable to exploitation and, as many are without work permits, often work in the informal sector for low wages.

Economic hardships brought on by the COVID-19 pandemic increased the prevalence of child labor dramatically, according to local NGOs. Refugee children are particularly vulnerable, and the government and civil society groups have failed or are unable to provide adequate aid.

As of April 2022, 148,269 Jordanians were wanted to serve prison terms for unpaid debt, a practice that is widespread in Jordan and is in violation of international human rights law. The weak evidentiary basis required for decisions favor debt collectors.

Kazakhstan

Population: 19,200,000
Capital: Astana
Freedom Status: Not Free
Electoral Democracy: No

Overview: President Nursultan Nazarbaev ruled Kazakhstan from 1990 to 2019, when he stepped down while maintaining significant powers. His hand-picked successor, Qasym-Jomart Toqaev, began a program of ostensible reform after peaceful nationwide

protests turned violent in January 2022; the violence was alleged to have been instigated by supporters of Nazarbaev, a number of whom were arrested and imprisoned. Parliamentary and presidential elections are neither free nor fair, and authorities have consistently marginalized or imprisoned genuine opposition figures. The dominant media outlets are either in state hands or owned by government-friendly businessmen. Freedoms of speech and assembly remain restricted and punished, and corruption is endemic.

KEY DEVELOPMENTS IN 2022

- In January, nationwide peaceful protests that started as a response to a substantial rise in gas prices became violent, with violence allegedly instigated by supporters of former president Nazarbaev. President Toqaev requested assistance from Russian troops in restoring order, which was granted, and approved a shoot-to-kill order for security forces. Hundreds of people were killed and hundreds more were detained, many of whom had been protesting peacefully. Detainees were reportedly imprisoned and tortured.
- Following the violent protests in January, President Toqaev ordered the arrest and detention of Nazarbaev allies, security officials, and members of Nazarbaev's family on charges including treason, corruption, and embezzlement. Toqaev also announced a special commission tasked with reclaiming some of the country's wealth from Nazarbaev's relatives. In July, the commission claimed it had already recovered $478 million.
- President Toqaev was reelected in a November snap election, with the election commission reporting that he won 81.3 percent of the vote. An Organization for Security and Co-operation in Europe (OSCE) election observation mission found the poll neither free nor fair. Critics claimed Toqaev used the same election manipulation tactics as his predecessor to secure victory.

POLITICAL RIGHTS: 5 / 40

A. ELECTORAL PROCESS: 1 / 12

A1. Was the current head of government or other chief national authority elected through free and fair elections? 0 / 4

According to the constitution, the president, who holds most executive power, is directly elected for up to two five-year terms. Former president Nazarbaev maintained special constitutional powers through his status as Kazakhstan's "first president," which exempted him from term limits and made him chairman of the Security Council for life. In January 2022, following widespread violence alleged to have been instigated by supporters of Nazarbaev, President Toqaev removed Nazarbaev's constitutional privileges and position. In June, a successful nationwide referendum removed the law giving Nazarbaev special status.

President Toqaev was reelected in November 2022, in a snap vote before the end of his term, taking 81.3 percent of the vote according to the election commission. He faced five other candidates, none of whom were considered serious contenders. The OSCE election observation mission found that the election was neither free nor fair and was "not fully consistent with international standards and OSCE commitments for democratic elections." Critics also claimed Toqaev was using the same election manipulation tactics as his predecessor.

A2. Were the current national legislative representatives elected through free and fair elections? 0 / 4

The upper house of the bicameral Parliament is the Senate. Under new constitutional rules passed in the June 2022 referendum, which expanded the Senate to 54 seats, 44

senators are chosen by the Assembly of the People of Kazakhstan and 10 are appointed by the president. The senators, who are officially nonpartisan, serve six-year terms, with half of the elected members up for reelection every three years. The lower house, the Majilis, under the new constitutional rules features 98 members, 30 percent of which are elected according to a majoritarian system and the rest elected by proportional representation on party lists. Members serve five-year terms.

Recent legislative elections have not met democratic standards. Irregularities including ballot-box stuffing, group and proxy voting, and manipulation of voter lists have been reported, and the ruling party benefits from a blurred distinction between the party and the state. Parliamentary elections held in January 2021 largely replicated the results of the previous election in 2016, with President Toqaev's party, Amanat, taking 76 of the 98 elected seats. Though official data showed Amanat winning 71.09 percent of the popular vote, a local nongovernmental organization (NGO) reported that they party had actually only won 48.30 percent of the vote. Aq Jol and the Communist People's Party, which are both considered loyal to the government, secured 12 and 10 seats, respectively. The only genuine opposition party, the National Social Democratic Party (OSDP), boycotted the elections.

A3. Are the electoral laws and framework fair, and are they implemented impartially by the relevant election management bodies? 1 / 4

Kazakhstan's legal framework is not sufficient to ensure free and fair elections, and safeguards that do exist are not properly enforced. Electoral laws make it difficult for opposition parties to obtain parliamentary representation. Parties must clear a 5 percent vote threshold to enter the Majilis and are barred from forming electoral blocs, preventing them from pooling votes and campaign resources. Presidential candidates must also pass a Kazakh language test with unclear evaluation criteria, have at least five years of experience of public service, and submit their medical records. Independent candidates are not allowed to run for president, and the eligibility requirements, including those concerning education and residency, are onerous and out of line with OSCE standards.

B. POLITICAL PLURALISM AND PARTICIPATION: 3 / 16

B1. Do the people have the right to organize in different political parties or other competitive political groupings of their choice, and is the system free of undue obstacles to the rise and fall of these competing parties or groupings? 1 / 4

June 2022 changes to the constitution reduced the number of members required to register a party with the Ministry of Justice from 20,000 to 5,000. Despite this, the registration process remains onerous, and officials have broad discretion to delay or deny party registration in practice. Several new parties being considered for registration are led by figures close to the Nazarbaev regime. The law still prohibits parties based on ethnic origin, religion, or gender. Opposition parties have been banned or marginalized through laws against extremism; their leaders have faced criminal charges, and their followers have had their activities restricted. The leader of the unregistered opposition Democratic Party of Kazakhstan, Janbolat Mamai, was arrested in the aftermath of the January 2022 violence on grounds of organizing mass riots. Mamai's supporters and Human Rights Watch (HRW) claim the case against him is without merit and politically motivated.

B2. Is there a realistic opportunity for the opposition to increase its support or gain power through elections? 0 / 4

Kazakhstan experienced its first peaceful transfer of power in 2019 when Nazarbaev stood down as president, though he gave no reasoning for his decision and his preferred

successor was elected in a poll that lacked credible opposition. Opposition parties are locked out of gaining power or influence through legislative elections. The ruling party Amanat holds a supermajority of seats in the Majilis, and the second- and third-largest parties in the body are considered loyal to Amanat. However, in an ostensible attempt to disengage the party from the executive, Toqaev stood down as the leader of Amanat in April 2022.

The opposition Democratic Party remains unregistered and its leader Janbolat Mamai was released from prison but placed under house arrest in November 2022. Mamai's wife, Inga Imanbai, was also fined and detained briefly for breaking the law on public gatherings.

B3. Are the people's political choices free from domination by forces that are external to the political sphere, or by political forces that employ extrapolitical means? 1 / 4

While voters and candidates are not subject to undue influence by the military, the political system is dominated by a small group of elites. The extent of the Russian government's influence over politics in Kazakhstan is unknown, which is shaped largely by competition among elites for resources and positions.

B4. Do various segments of the population (including ethnic, racial, religious, gender, LGBT+, and other relevant groups) have full political rights and electoral opportunities? 1 / 4

The legal ban on parties with an ethnic, religious, or gender focus—combined with the dominance of Amanat—limits the ability of women and minority groups to organize independently and advocate for their interests through the political system. Women currently hold 27 percent of the seats in the Majilis and less than 19 percent of the seats in the Senate. The Kazakh language test for presidential candidates also presents an obstacle for non-Kazakh ethnic minorities, as well as many Russian-speaking Kazakhs.

C. FUNCTIONING OF GOVERNMENT: 1 / 12

C1. Do the freely elected head of government and national legislative representatives determine the policies of the government? 0 / 4

Government policies are determined by the executive branch irrespective of the constitutionally defined roles of the executive, judiciary, and legislature. Parliament does not serve as an effective check on the executive, and instead largely provides formal approval for the government's legislative initiatives.

Constitutional changes to 33 articles approved by referendum in June 2022 ostensibly sought to shift powers from the president to the Majilis. The changes extended the presidential term from five to seven years, but limited presidential tenure to one term of office. It also introduced a mixed electoral system, reduced the members of the Majilis to 98, and extended parliamentary powers. Critics argued the reforms were a way for Toqaev to legitimize his rule. The president retained the powers to appoint the prime minister, the prosecutor general, the security chief, local Akims (governors), and other senior officials in government.

C2. Are safeguards against official corruption strong and effective? 1 / 4

Corruption is widespread at all levels of government. Corruption cases are often prosecuted at the local and regional levels, but charges against high-ranking political and business elites are rare, typically emerging only after an individual has fallen out of favor with the leadership. Journalists, activists, and opposition figures are often prosecuted for supposed financial crimes. Law enforcement agencies also reported a 33 percent rise in bribe-taking cases in 2022.

In restoring order following the January 2022 violence allegedly instigated by sections of Kazakhstan's security services close to former president Nazarbaev, President

Toqaev ordered the arrest and detention of former Nazarbaev allies, security officials, and members of Nazarbaev's family, on various charges of treason, corruption, and embezzlement. Toqaev also created a special commission tasked with reclaiming some of the country's wealth from Nazarbaev's relatives. In July, the commission claimed it had already recovered $478 million.

C3. Does the government operate with openness and transparency? 0 / 4

The government and legislature offer little transparency on their decision-making processes, budgetary matters, and other operations. The media and civil society do not have a meaningful opportunity to provide independent commentary and input on pending laws and policies. A law on public access to government information was adopted in 2015 but is poorly implemented in practice. Officials' asset and income declarations are not publicly available.

The government has failed to release information about the extent of its crackdown on individuals involved in the protests and violence that took place in January 2022.

CIVIL LIBERTIES: 18 / 60

D. FREEDOM OF EXPRESSION AND BELIEF: 4 / 16

D1. Are there free and independent media? 0 / 4

Media independence is severely limited in Kazakhstan. While the constitution provides for freedom of the press, most of the media sector is controlled by the state or government-friendly owners. Independent outlets and journalists are routinely shut down or harassed, and self-censorship is common. Defamation was decriminalized in 2020, but libel remains a criminal offense, and the criminal code prohibits insulting the president and other officials.

The authorities also use internet blackouts to restrict access to media outlets. Following the January 2022 violence, the government shut down internet access across the country for five days.

Journalists are required to confirm the accuracy of information prior to publication by consulting with relevant government bodies or officials, obtain consent for the publication of personal or otherwise confidential information, and acquire accreditation as foreign journalists if they work for foreign outlets. They are also required to work with a "host" when reporting on government events.

In November 2022, just after the presidential election, the offices of independent media outlet Elmedia in Almaty were attacked twice in two weeks by unknown assailants. The offices had also been vandalized in October.

D2. Are individuals free to practice and express their religious faith or nonbelief in public and private? 1 / 4

The constitution guarantees freedom of worship, and some religious communities practice without state interference. However, activities by unregistered religious groups are banned, and registered groups are subject to close government supervision. The government has broad authority to outlaw organizations it designates as "extremist."

The 2011 Law on Religious Activities and Religious Associations prohibited the distribution of religious literature outside places of worship, required the state approval of all religious literature, and prohibited unregistered missionary activity, among other provisions. In January 2022, amendments to the law came into force, placing further bureaucratic restrictions on holding religious meetings in unregistered places of worship.

Local officials continue to harass groups defined as "nontraditional," including Protestant Christians, Jehovah's Witnesses, and Muslims who do not adhere to the

government-approved version of Islam. According to Forum 18, an NGO that tracks religious freedom in Eurasia, authorities have arrested and imprisoned 75 alleged members of Sunni Muslim group Tablighi Jamaat since 2015, destroying all their books and religious materials.

D3. Is there academic freedom, and is the educational system free from extensive political indoctrination? 2 / 4

Academic freedom remains constrained by political sensitivities surrounding certain topics, including former president Nazarbaev and his inner circle, as well as relations with Russia. Self-censorship on such topics is reportedly common among scholars and educators. Past reports claimed that approximately 130 higher education institutions are owned by high-level elites or their family members.

D4. Are individuals free to express their personal views on political or other sensitive topics without fear of surveillance or retribution? 1 / 4

Authorities are known to monitor social media, and users are regularly prosecuted on charges such as inciting social and ethnic hatred, insulting government officials, and promoting separatism or terrorism. The media law makes it impossible for internet users to leave anonymous comments online, further limiting free expression.

The authorities surveil and block access to material deemed inappropriate. Mobile service providers instruct customers to install encryption software on mobile phones that allows security services to intercept data traffic and circumvent email and messaging applications' encryption. Those who do not install the software face difficulties in accessing the internet, particularly social media platforms. Spyware has also been used to monitor the activity of journalists and activists in Kazakhstan, including Inga Imambai, activist and wife of the Democratic Party leader, who claimed she found Hermit spyware on her phone in June 2022.

In May 2022, President Toqaev approved amendments to the law on the protection of children's rights, requiring social media companies with over 100,000 daily visitors to register and open offices in Kazakhstan within six months, ostensibly to prevent cyberbullying Critics claim the revisions to the law are a way for the regime to further silence dissidents by shutting down social media companies which fail to meet the new registration requirements.

E. ASSOCIATIONAL AND ORGANIZATIONAL RIGHTS: 2 / 12

E1. Is there freedom of assembly? 1 / 4

Despite constitutional guarantees, the government imposes tight restrictions on freedom of assembly. President Toqaev revised the public assembly law in 2020, forcing groups to give notification three to seven days in advance of a protest and then wait for approval by the local administration. Critics say that the state continues to restrict who can protest and where, as only officially registered groups are allowed to give notification, and gatherings are only allowed in state-approved sites, which are often located far from the center of cities.

Organizers and protest participants who do not follow the new law continue to be subject to fines and jail terms. For example, on the day of the presidential election in November 2022, members of the youth opposition movement Oyan Kazakhstan were temporarily detained by police.

In January 2022, unsanctioned protests broke out in western regions of the country in response to rising gas prices. The protests grew nationally until violence broke out in Almaty, in response to which a state of emergency was declared. Kazakh troops, supported by the Russian-backed forces from the Collective Security Treaty Organization (CSTO), quelled the violence after President Toqaev approved a shoot-to-kill order. Thousands of

people were detained, and many peaceful protestors were arbitrarily arrested, tortured, and denied legal representation. Hundreds of people were killed. Relatives of protestors were also detained for publicly gathering and requesting that charges be dropped against their family members, some posthumously as their relatives had died in custody.

E2. Is there freedom for nongovernmental organizations, particularly those that are engaged in human rights– and governance-related work? 1 / 4

NGOs continue to operate but face government harassment when they attempt to address politically sensitive issues. There are extensive legal restrictions on the formation and operation of NGOs, including onerous financial rules and harsh penalties for noncompliance. Organizations can incur fines and other punishments for vaguely defined offenses like interfering with government activities or engaging in work outside the scope of their charters.

E3. Is there freedom for trade unions and similar professional or labor organizations? 0 / 4

Workers have limited rights to form and join trade unions or participate in collective bargaining. The government is closely affiliated with the largest union federation and major employers, while genuinely independent unions face repressive actions by the authorities. The country's major independent trade union body, the Confederation of Independent Trade Unions (KNPRK), was dissolved in 2017, and key leaders were later sentenced to prison for protesting the group's termination.

While the government has ostensibly sought to reform and extend democratic and human rights, trade unions have not been included in a government-created working group on labor reform.

F. RULE OF LAW: 4 / 16

F1. Is there an independent judiciary? 1 / 4

The judiciary is effectively subservient to the executive branch, with the president nominating or directly appointing judges based on the recommendation of the Supreme Judicial Council, which is itself appointed by the president. Judges are subject to political influence, and corruption is a problem throughout the judicial system.

Attorneys are required to become members of a state chamber and to register with a government-controlled digital information system. Local and international lawyers' associations have criticized the law, saying it imposes undue state control over legal professionals and threatens their independence.

F2. Does due process prevail in civil and criminal matters? 1 / 4

Police reportedly engage in arbitrary arrests and detentions and violate detained suspects' right to assistance from a defense lawyer. Prosecutors, as opposed to judges, are empowered to authorize searches and seizures. Defendants are often held in pretrial detention for long periods. Politically motivated prosecutions and prison sentences against activists, journalists, and opposition figures are common.

Security forces illegally detained, tortured, and denied legal representation to hundreds of peaceful protesters in January 2022.

F3. Is there protection from the illegitimate use of physical force and freedom from war and insurgencies? 1 / 4

Conditions in pretrial detention facilities and prisons are harsh. According to reports by Radio Free Europe/Radio Liberty (RFE/RL), the number of suicides among prisoners has

increased in recent years; at least one inmate died by suicide in 2021, and several others deliberately injured themselves in protest of prison conditions.

Police regularly use excessive force during arrests, and torture is widely employed to obtain confessions, with numerous allegations of physical abuse and other mistreatment documented each year. Many reports claimed that activists detained during the January 2022 protests were beaten and tortured, including famous Kyrgyz jazz pianist, Vikram Ruzakhunov, who was detained, beaten and tortured by law enforcement agents and forced to falsely claim on television that he had been recruited and paid by a criminal group to participate in the violence. There were also reports of detainees having been tortured to death while in custody.

Terrorist violence within the country is rare, though some Kazakhstanis have traveled abroad to support the Islamic State (IS) militant group.

F4. Do laws, policies, and practices guarantee equal treatment of various segments of the population? 1 / 4

While the constitution guarantees equality before the law and prohibits discrimination based on gender, race, and other categories, it does not explicitly prohibit discrimination based on sexual orientation or gender identity. Major segments of society face discrimination in practice, particularly ethnic minority groups and migrant workers, who are often working without documentation and are frequently exploited. Traditional cultural biases limit economic and professional opportunities for women, and the law offers no protection against sexual harassment in the workplace. Members of the sizable Russian-speaking minority have complained of discrimination in employment and education.

LGBT+ people continue to face societal discrimination, harassment, and violence, despite the decriminalization of same-sex relations in 1998. In June 2022, a petition appeared online appealing to the minister of information to ban materials depicting LGBT+ people. The Minister of Culture and Sport, Dauren Abayev, banned the Disney film Buzz Lightyear in July because it featured a kiss between two female characters.

Under pressure from Beijing, the Kazakhstan government at times detains ethnic Kazakhs fleeing neighboring China and threatens them with the prospect of deportation, even though they are subject to discrimination and torture upon return. Ahead of President Xi Jinping's visit to Kazakhstan, Kazakh authorities detained relatives of Kazakhs held in internment camps in Xinjiang protesting for the release of their family members.

Russians migrating to Kazakhstan to escape the conscription laws in Russia have experienced some pushback. Activists were detained for protesting against Russians entering the country, while others were arrested for protesting against Russian war atrocities in Bucha.

G. PERSONAL AUTONOMY AND INDIVIDUAL RIGHTS: 8 / 16

G1. Do individuals enjoy freedom of movement, including the ability to change their place of residence, employment, or education? 2 / 4

Kazakhstani citizens can travel freely but must register their permanent residence with local authorities. Citizens are also required to register temporary residences lasting more than a month with local authorities or face fines.

G2. Are individuals able to exercise the right to own property and establish private businesses without undue interference from state or nonstate actors? 2 / 4

While the rights of entrepreneurship and private property are formally protected, they are limited in practice by bureaucratic hurdles and the undue influence of politically connected elites, who control large segments of the economy.

G3. Do individuals enjoy personal social freedoms, including choice of marriage partner and size of family, protection from domestic violence, and control over appearance? 2 / 4

NGOs continue to report instances of early and forced marriage, particularly in rural areas. Women are also encouraged to support large families; those who raise at least six children receive a medal from the government, along with tax breaks and modest monthly benefits.

Domestic violence is a serious problem that often goes unpunished, as police are reluctant to intervene.

G4. Do individuals enjoy equality of opportunity and freedom from economic exploitation? 2 / 4

Migrant workers from neighboring countries often face poor working conditions and a lack of effective legal safeguards against exploitation. Both migrants and Kazakhstani workers from rural areas are vulnerable to trafficking for the purposes of forced labor and prostitution in large cities. According to official government data, 57 criminal cases of human trafficking were initiated in the first half of 2022, which was more than the first six months of the previous year. Some experts claim that official statistics do not fully depict the extent of trafficking in Kazakhstan, which serves as a source, destination, and transit country for human trafficking. The authorities reportedly make little effort to assist foreign victims of trafficking.

Kenya

Population: 54,000,000
Capital: Nairobi
Freedom Status: Partly Free
Electoral Democracy: No

Overview: Kenya holds regular multiparty elections. However, pervasive corruption and brutality by security forces remain serious problems. The country's media and civil society sectors are vibrant, even as journalists and human rights defenders remain vulnerable to restrictive laws and intimidation.

KEY DEVELOPMENTS IN 2022

- Presidential elections held in August saw then deputy president William Ruto defeat opposition candidate Raila Odinga to be elected president with 50.49 percent of the vote. Following the election, Odinga filed a petition with the Supreme Court to overturn the results, citing alleged problems with the digital voting system. The Supreme Court upheld the results of the election in September, and Ruto was inaugurated that month.
- In October and November, Director of Public Prosecutions Noordin Haji dropped corruption charges against a number of President Ruto's allies, including newly elected deputy president Rigathi Gachagua, drawing swift condemnation from legal advocates and opposition leaders.
- In January, police began an investigation following the discovery of at least 39 bodies in the River Yala in recent years. Though the police investigation was ongoing throughout the year, President Ruto publicly attributed the deaths to the Special Service Unit (SSU), a police unit implicated in numerous forced disappearances and extrajudicial killings; Ruto dissolved the SSU in October.

POLITICAL RIGHTS: 22 / 40 (+3)

A. ELECTORAL PROCESS: 8 / 12 (+2)

A1. Was the current head of government or other chief national authority elected through free and fair elections? 3 / 4 (+2)

The president and deputy president, who can serve up to two five-year terms, are directly elected by majority vote, and are required to win 25 percent of the votes in at least half of Kenya's 47 counties.

Despite weeks of polls predicting a win for longtime opposition leader Raila Odinga, who had been endorsed by incumbent president Uhuru Kenyatta, then deputy president William Ruto was elected president in August 2022 with 50.49 percent of the vote, narrowly avoiding a runoff. Though the results were supported by parallel vote tabulation, Odinga and his supporters filed a petition with the Supreme Court shortly after the election seeking to nullify the results, alleging that foreigners had obtained unauthorized access to the Independent Electoral and Boundaries Commission (IEBC)'s digital system, and results forms had been altered. In September, the Supreme Court rejected the petitioners' claims and unanimously upheld the election results.

The election was widely seen as Kenya's most transparent and technologically advanced to date. The IEBC employed biometric voter identification kits, and uploaded results forms to a public online portal, with more than 90 percent uploaded within a day of the election. Both candidates urged their supporters to remain peaceful and committed to respecting the outcome of the court challenge.

Nevertheless, there were reports of irregularities and instances of intimidation and violence, including the abduction and murder of an election official. Youth in some areas reported being hired to disrupt rival campaigns. Youth voter registration lagged behind previous years, and some polling stations reported problems with biometric voter identification kits and incorrect usage of the backup manual register.

Score Change: The score improved from 1 to 3 because the voting process and electoral period for the presidential election were more transparent and less violent than in the past.

A2. Were the current national legislative representatives elected through free and fair elections? 3 / 4

The bicameral Parliament consists of the 349-seat National Assembly and the 67-seat Senate. In the National Assembly, 290 members are directly elected from single-member constituencies. A further 47 special women representatives are elected from the counties, and political parties nominate 12 additional members according to their share of seats won. The Senate has 47 elected members representing the counties, 16 special women representatives nominated by political parties based on the share of seats won, and four nominated members representing youth and people with disabilities. Both houses have speakers who are ex-officio members.

In the August 2022 elections, Ruto's Kenya Kwanza coalition secured a one-seat advantage in the Senate, while Odinga's Azimio la Umoja coalition won a one-seat lead in the National Assembly. Voters elected a historic 29 women to Parliament; however, this still fell short of constitutionally-mandated two-thirds gender balance, which requires that no more than two-thirds of an elected body be of the same gender. Some irregularities were reported, including printing mistakes that rendered a number of ballots invalid, resulting in the IEBC having to delay voting for eight positions, including the gubernatorial race in Mombasa.

A3. Are the electoral laws and framework fair, and are they implemented impartially by the relevant election management bodies? 2 / 4

The IEBC is mandated with conducting free and fair elections and operates under a robust electoral framework. However, the August 2022 election exposed continued rifts and politicization within the IEBC. Days after the election, as the IEBC chairperson prepared to announce the results, fighting briefly erupted at the announcement location, and four of the seven commissioners—who were appointed by President Uhuru Kenyatta in 2021—held a separate press conference stating they could not uphold the forthcoming results, claiming opacity in the tabulation process. After calm was restored, the chairperson declared Ruto the winner, raising questions about whether the chairperson can act independently of the majority of the commission.

In September, the Supreme Court affirmed that the power to verify and tally presidential election results is vested in the IEBC itself and not the chairperson. Nevertheless, the court found that the IEBC had carried out its constitutional responsibilities to verify, tally, and announce the results of the election, and upheld Ruto's victory.

B. POLITICAL PLURALISM AND PARTICIPATION: 9 / 16 (+1)

B1. Do the people have the right to organize in different political parties or other competitive political groupings of their choice, and is the system free of undue obstacles to the rise and fall of these competing parties or groupings? 2 / 4

Citizens are free to organize into political parties. Kenyan parties represent a range of ideological, regional, and ethnic interests, but are notoriously weak, and are often amalgamated into coalitions designed only to contest elections. Under the Political Parties Act (PPA), parties that receive at least 5 percent of the votes cast in a national election are eligible for public funds.

In January 2022, then president Kenyatta signed into law amendments to the PPA that, among other things, allow for coalition parties, over Ruto's strong objections. However, significant disadvantages to youth and women aspirants—including indirect candidate nomination processes—remain.

Little has been done to bring to justice the perpetrators of political violence that took place in previous years. In September 2022, Paul Gicheru, a lawyer on trial at the International Criminal Court (ICC) on charges of witness tampering following electoral violence in 2007–08, was found dead. The ICC case against Gicheru was officially closed in October. International rights groups have since called on the Kenyan authorities to "thoroughly and transparently" investigate Gicheru's sudden death.

B2. Is there a realistic opportunity for the opposition to increase its support or gain power through elections? 3 / 4 (+1)

Opposition parties and candidates are competitive in Kenyan elections. In the August 2022 elections, then deputy president Ruto, who portrayed himself as standing outside Kenya's longstanding political dynasties, defeated five-time presidential candidate Odinga, who had been endorsed by incumbent president Kenyatta. The 2022 polls were highly competitive, and unlike the previous election, were not boycotted by opposition groups.

Score Change: The score improved from 2 to 3 because the polls were not marred by an opposition-led boycott, which had affected the previous election.

B3. Are the people's political choices free from domination by forces that are external to the political sphere, or by political forces that employ extrapolitical means? 2 / 4

While people's political choices are somewhat free from undue influence by powerful, democratically unaccountable actors, groups such as Mungiki, a Kikuyu-affiliated gang, exert control over daily services such as matatu (minibus) routes in some regions, and may use violence, intimidation, and other extrapolitical means to influence local and national electoral outcomes.

B4. Do various segments of the population (including ethnic, racial, religious, gender, LGBT+, and other relevant groups) have full political rights and electoral opportunities? 2 / 4

Ethnicity remains the most salient organizing principle in Kenyan politics, and two ethnic groups—the Kikuyu and Kalenjin—have dominated the presidency since independence. The 2010 constitution intended to reduce the role of ethnicity in elections, and fiscal and political devolution, implemented in 2013, has served to generate more intraethnic competition at the county level. Nevertheless, the politicization of ethnicity at the national level still hinders effective representation of different segments of Kenya's diverse population, limits voter choice, and impedes meaningful policy debates. While ethnicity played a less prominent role in the 2022 presidential election—with Ruto's campaign focused on economic issues, and voters in Kikuyu strongholds voting for the Kalenjin Ruto over the Kikuyu Kenyatta's endorsed candidate, Odinga—longstanding political mistrust between the Kikuyu and the Luo ethnic group, to which Odinga belongs, may have contributed to his loss.

The stipulation that all voters possess a National Identity Card hinders historically marginalized groups from obtaining greater access to the political process, particularly the nearly seven million pastoralists from the upper Rift Valley and North Eastern Province. There are significant implicit barriers to the participation of non-Christian and LGBT+ people in national politics. Somali Kenyans, especially in Nairobi's Eastleigh community and in the coastal and northeastern parts of the country, have been the target of government crackdowns ostensibly combating the Shabaab militant group, and are underrepresented politically.

C. FUNCTIONING OF GOVERNMENT: 5 / 12

C1. Do the freely elected head of government and national legislative representatives determine the policies of the government? 2 / 4

The ability of elected officials to set and implement policy is undermined by corruption and dysfunction. Although the 2010 constitution reduced the powers of the executive branch and improved the oversight role of Parliament, corruption limits the independence of the legislative branch, and in practice, Parliament is generally subordinate to the president. In 2021, Kenyatta, Odinga, and leaders of Kenyatta's Jubilee Coalition used threats and intimidation to secure support among party members, local officials, and judges for the Building Bridges Initiative (BBI), a bill to alter government structures ahead of the 2022 election, prior to the bill's defeat in the courts in March 2022.

C2. Are safeguards against official corruption strong and effective? 1 / 4

Corruption continues to plague national and county governments in Kenya, and state institutions tasked with combating corruption have been ineffective. The Ethics and Anti-Corruption Commission (EACC) lacks prosecutorial power and has been largely unsuccessful in pursuing corruption cases. The EACC's weakness is compounded by shortcomings at the Office of the Director of Public Prosecutions (ODPP) and within the judiciary.

Following the 2018 appointment of Noordin Haji as Director of Public Prosecutions, the ODPP stepped up anticorruption investigations, arresting and charging a number of high-profile officials. However, the August 2022 election of Rigathi Gachagua as Ruto's deputy president has been widely criticized as emblematic of continued impunity for

those accused of corruption. In 2021, Gachagua was charged with six counts relating to corruption; he was ordered to repay $1.7 million in July 2022, less than two weeks before the election. In October, Haji withdrew charges against a number of Ruto's allies, resulting in swift criticism by the Law Society of Kenya, as well as other advocates and opposition leaders. Haji withdrew charges against Gachagua in November, purportedly due to insufficient evidence.

C3. Does the government operate with openness and transparency? 2 / 4

Elaborate rules govern public finance in Kenya, but enforcement is often lacking. Parliament's Budget and Appropriations Committee effectively delegates the budget process to the Treasury, and the legislature has demonstrated limited willingness to ensure that the Treasury respects budget-making procedures. When budget information is made available, it is generally released long after the planning stages during which stakeholders could offer input.

Many of the central government's expenditures are not disclosed. At the county level, while budget transparency is gradually improving, the availability of financial information generally is insufficient to ensure adequate public participation in local governments' budgetary processes.

CIVIL LIBERTIES: 30 / 60 (+1)

D. FREEDOM OF EXPRESSION AND BELIEF: 10 / 16

D1. Are there free and independent media? 2 / 4

Kenya has one of the more vibrant media landscapes on the African continent, with journalists actively working to expose government corruption and wrongdoing. However, several laws restrict press freedom. The government and security forces regularly harass journalists, and such incidents are rarely investigated by police. The combination of restrictive laws on press freedom and the potential for harassment and violence leads to self-censorship in some cases. Women journalists generally face greater harassment and risk of attack.

Two journalists were assaulted in March 2022 while covering an event at Azimio headquarters. In October, Pakistani journalist Arshad Sharif was shot and killed by police in Nairobi at a roadblock; Pakistani authorities later claimed that Sharif's death had been a targeted killing. According to the Independent Policing Oversight Authority (IPOA), investigations into Sharif's death were ongoing as of December.

Media outlets have expressed concern about Ruto's relationship with local press: his team has repeatedly stated that Kenyan media is biased against him, and in March 2022, his United Democratic Alliance (UDA) party temporarily barred journalists from covering its national delegates convention. The Media Council of Kenya reported that in the months leading up to the election, Odinga received significantly more media attention than Ruto during the campaign, although the tone of political reporting was generally neutral.

D2. Are individuals free to practice and express their religious faith or nonbelief in public and private? 2 / 4

The government generally respects the constitutional guarantee of freedom of religion. However, counterterrorism operations against the Somalia-based Shabaab militant group have left Muslims exposed to state violence and intimidation. Shabaab militants have at times specifically targeted Christians in Kenya.

D3. Is there academic freedom, and is the educational system free from extensive political indoctrination? 3 / 4

Academic freedom in Kenya is traditionally robust. However, student union elections have led to allegations of fraud and violent protests. Police have also arrested and used tear gas on protesting students. There is evidence that ethnic considerations have influenced university hiring, leaving the staff of some institutions with significant ethnic imbalances.

D4. Are individuals free to express their personal views on political or other sensitive topics without fear of surveillance or retribution? 3 / 4

The relatively unfettered freedom of private discussion in Kenya has suffered somewhat from state counterterrorism operations, intimidation by security forces, and ethnically affiliated gangs. The government has used its broadly defined surveillance powers to monitor mobile phone and internet communications, including by deploying new digital surveillance tools during the COVID-19 pandemic.

Kenyan internet users are sometimes exposed to disinformation. Online disinformation campaigns accelerated during the 2022 presidential election.

E. ASSOCIATIONAL AND ORGANIZATIONAL RIGHTS: 7 / 12

E1. Is there freedom of assembly? 2 / 4

The constitution guarantees the freedom of assembly. However, the law requires organizers of public meetings to notify local police in advance. In practice, police have regularly prohibited gatherings on security or other grounds, and violently dispersed assemblies that they had not explicitly banned.

In June 2022, police fired live ammunition on demonstrators protesting wildlife incursions, killing four people. In August, police deployed tear gas against protesters in Kisumu, an Odinga stronghold, after Ruto was declared president. However, the IPOA broadly commended Kenya's police and security forces for displaying greater restraint in controlling crowds during the 2022 election period than in the past.

A coronavirus-related ban on large outdoor gatherings was lifted in March 2022.

E2. Is there freedom for nongovernmental organizations, particularly those that are engaged in human rights– and governance-related work? 2 / 4

Kenya has an active civil society, but nongovernmental organizations (NGOs) have faced growing obstacles in recent years, including repeated government attempts to deregister hundreds of NGOs for alleged financial violations.

Several environmental activists have been killed in Kenya in recent years. In March 2022, the body of missing Kenya Wildlife Service officer Francis Oyaro, who disappeared in August 2021, was identified among the numerous bodies retrieved from the River Yala in western Kenya. The deaths of those found in the River Yala have been unofficially attributed to extrajudicial killings by police forces.

E3. Is there freedom for trade unions and similar professional or labor organizations? 3 / 4

The 2010 constitution affirmed the rights of trade unions to establish their own agendas, bargain collectively, and strike. Unions are active in Kenya. However, labor leaders sometimes experience intimidation, notably in the wake of strike actions. In September 2022, nine public sector unions threatened to initiate legal action to disband the government's Salaries and Remuneration Commission (SRC), which oversees the salaries of public employees, and which the unions claim is an obstacle to labor negotiations.

A number of strikes have taken place in the past several years. In November, the Kenya Airline Pilots Association (KALPA) held a four-day strike, halting flights on Kenya's national airline until a court ordered them to return to work.

F. RULE OF LAW: 6 / 16 (+1)

F1. Is there an independent judiciary? 3 / 4 (+1)

While judicial procedures are inefficient, the Kenyan judiciary is generally considered to be independent, and the courts have demonstrated this independence through a series of high-profile rulings in recent years. In September 2022, the Supreme Court ruled against the incumbent government to unanimously uphold the results of the presidential election, bolstering its role as the independent final arbiter of electoral disputes. Likewise, the August 2021 Court of Appeals ruling on the BBI bill's constitutionality was widely considered a victory for judicial independence; the Supreme Court upheld the ruling in March 2022.

Nevertheless, the government has occasionally refused to comply with court orders and has ignored the recommendations of the Judicial Service Commission (JSC). In 2019, then president Kenyatta initially refused to appoint 41 judges recommended by the JSC, citing integrity concerns; he later appointed 34 of them, and in September 2022, newly elected president Ruto appointed another 6.

Score Change: The score improved from 2 to 3 because the Supreme Court upheld William Ruto's election victory and other courts ruled against government policies, demonstrating the judiciary's independence.

F2. Does due process prevail in civil and criminal matters? 1 / 4

Constitutional guarantees of due process are poorly upheld. There remains a significant backlog of court cases. Government figures released in late 2022 indicated that the number of cases pending before the courts had reached a six-year high. For the year ending June 2021, there were 649,112 pending cases, with 375,671 classified as backlogged.

The police service is thoroughly undermined by corruption, misconduct, and reports of extrajudicial killings. Although Parliament established the IPOA in 2011, the agency's work secured the conviction of only 17 officers through 2021, out of more than 20,000 complaints and nearly 3,500 investigations.

F3. Is there protection from the illegitimate use of physical force and freedom from war and insurgencies? 1 / 4

Following their 2019 terrorist attack on the DusitD2 complex in Nairobi, which killed over 20 people, Shabaab has continued to pose a security threat, with militants threatening to continue attacks until Kenyan troops withdraw from Somalia. According to the Kenya-based Centre for Human Rights and Policy Studies, Shabaab militants committed 77 attacks in 2022, injuring numerous people and killing 117.

Severe drought has exacerbated violent conflict in the north and east, with local NGOs calling for a stronger government response to alleviate hunger and reduce the pressures that drive conflict. Food shortages were further exacerbated following the Russian military invasion of Ukraine in February 2022, which resulted in a sharp decrease in food imports from the region.

Violence against suspects and detainees by security forces remains a serious concern, and abuses are rarely punished. Extrajudicial killings are more prevalent in low-income areas in Nairobi. In January 2022, police began an investigation following the discovery of at least 39 bodies in the River Yala in recent years; some of the deceased appeared to have been tortured. Though the investigation was ongoing throughout 2022, President Ruto publicly attributed the deaths to Kenya's Special Service Unit (SSU), an "elite" police unit implicated in numerous forced disappearances and extrajudicial killings. In October, Ruto

dissolved the SSU; the same month, several officers were charged in the disappearances of two Indian nationals who worked for Ruto's campaign.

F4. Do laws, policies, and practices guarantee equal treatment of various segments of the population? 1 / 4

Consensual same-sex sexual activity is criminalized, with a maximum penalty of 14 years in prison. LGBT+ people face discrimination, abuse, and violent attacks. In April 2022, six men raped and murdered Sheila Lumumba, a lesbian woman. At least one person was arrested and charged in relation to Lumumba's murder by year's end.

In July, the government enacted the Children Act 2022, which provides intersex children with legal recognition and equal access to services.

Reports of police abuses against refugees and asylum seekers continue. Somali Kenyans are often stereotyped as refugees and terrorists—a misconception exacerbated by Shabaab attacks in Kenya since the 2010s—and have been targeted by government crackdowns as a result. Coastal communities have long experienced government underinvestment and political marginalization, resulting in worse educational, health, and economic outcomes in the region.

G. PERSONAL AUTONOMY AND INDIVIDUAL RIGHTS: 7 / 16

G1. Do individuals enjoy freedom of movement, including the ability to change their place of residence, employment, or education? 2 / 4

While the constitution provides protections for freedom of movement and related rights, they are impeded in practice by security concerns and ethnic tensions that lead many residents to avoid certain parts of the country. The enforcement of COVID-19 lockdown measures was disproportionate and often excessively implemented. However, all COVID-19-related restrictions were lifted by May 2022.

G2. Are individuals able to exercise the right to own property and establish private businesses without undue interference from state or nonstate actors? 1 / 4

Organized crime continues to threaten legitimate business activity in Kenya. Political corruption and ethnic favoritism also affect the business sector and exacerbate existing imbalances in wealth and access to economic opportunities, including public sector jobs.

Forced evictions without compensation are prevalent in low-income areas, particularly in Nairobi. In 2021, Nairobi authorities evicted over 40,000 people in an informal settlement to make way for a highway.

G3. Do individuals enjoy personal social freedoms, including choice of marriage partner and size of family, protection from domestic violence, and control over appearance? 2 / 4

The constitution recognizes marriage as a union between two people of the opposite sex, but otherwise does not place explicit restrictions on social freedoms. Polygamy is legal, and approximately 10 percent of the married population are in polygamous marriages. Rape and domestic violence remain common and are rarely prosecuted. In a 2021 report, Human Rights Watch (HRW) warned that survivors of gender-based violence receive insufficient government support.

G4. Do individuals enjoy equality of opportunity and freedom from economic exploitation? 2 / 4

Kenya remains an unequal society, with wealth generally concentrated in towns and cities. The arid and semiarid north and northeastern parts of the country have particularly high poverty rates.

Refugees and asylum seekers from neighboring countries, particularly children, have been vulnerable to sex trafficking and forced labor in Kenya, though Kenyan children are also subject to such abuses. Kenyan workers are recruited for employment abroad in sometimes exploitative conditions, particularly in the Middle East and southeast Asia.

Kiribati

Population: 100,000
Capital: Tarawa
Freedom Status: Free
Electoral Democracy: Yes

Overview: Kiribati is a multiparty democracy that holds regular elections and has experienced peaceful transfers of power between competing groups. Civil liberties are generally upheld, though outstanding problems include a ban on same-sex sexual activity, some forms of gender discrimination, and recent pressure on judicial independence.

KEY DEVELOPMENTS IN 2022

- The government continued to grapple with the courts over its effort to deport David Lambourne, a High Court judge and the husband of the country's opposition leader. Kiribati was left without any judges above the magistrate level after the government responded to an unfavorable appellate ruling by suspending three Court of Appeal judges in September; chief justice William Hastings had been suspended in July. In late October, the government appointed its own attorney general as acting chief justice.
- In July, Kiribati announced its withdrawal from the Pacific Islands Forum, arguing that the group was not adequately addressing the concerns of Micronesian countries.
- In September, the parliamentary opposition sought unsuccessfully to advance a no-confidence motion against the government, citing its handling of the judicial crisis among other criticisms.

POLITICAL RIGHTS: 37 / 40

A. ELECTORAL PROCESS: 12 / 12

A1. Was the current head of government or other chief national authority elected through free and fair elections? 4 / 4

The president is elected through a nationwide popular vote and may serve up to three four-year terms. Three to four presidential candidates are nominated by the legislature from among its members, and cabinet members must also be members of the legislature. The president can be removed through a no-confidence vote, but this also triggers general elections.

Taneti Maamau of the Tobwaan Kiribati Party (TKP) was reelected president in June 2020, decisively defeating Banuera Berina of the Kiribati Moa Party (KMP) in a free and fair vote. The issue of diplomatic recognition of the Beijing-based Chinese government versus the government of Taiwan dominated the race, with Berina opposing the government's 2019 move to end diplomatic relations with Taiwan and switch recognition to China.

A2. Were the current national legislative representatives elected through free and fair elections? 4 / 4

The unicameral House of Assembly (Maneaba ni Maungatabu) has 46 members, 44 of whom are elected through a two-round runoff system from 26 constituencies. An appointed member is selected by representatives of people originally from the island of Banaba (Ocean Island) who now live on Fiji's Rabi Island, having been displaced by phosphate mining during the 20th century. The attorney general holds a seat ex officio.

Free and fair legislative elections were held in April 2020. The TKP took the most seats, with 13. Following the elections, Boutokaan te Koaua (BTK) and the KMP joined forces to create the new party Boutokaan Kiribati Moa (BKM). When the new parliament opened, TKP and BTK—counting their members and respective allies—each held 22 seats.

A3. Are the electoral laws and framework fair, and are they implemented impartially by the relevant election management bodies? 4 / 4

The constitution and legal framework provide for democratic elections, and balloting is well administered in practice. Losing candidates and parties typically accept the final outcome of elections, and rarely raise accusations of malfeasance.

B. POLITICAL PLURALISM AND PARTICIPATION: 15 / 16

B1. Do the people have the right to organize in different political parties or other competitive political groupings of their choice, and is the system free of undue obstacles to the rise and fall of these competing parties or groupings? 4 / 4

There are no constraints on the formation of or competition between political parties. The country's parties are relatively loose alliances that lack formal platforms and are subject to periodic mergers and reconfigurations. Geographic and ancestral ties continue to play an important role in political affiliation.

B2. Is there a realistic opportunity for the opposition to increase its support or gain power through elections? 4 / 4

Kiribati has a history of smooth and democratic transfers of power between government and opposition parties.

B3. Are the people's political choices free from domination by forces that are external to the political sphere, or by political forces that employ extrapolitical means? 4 / 4

No significant constraints are imposed on the choices of voters and candidates by forces that are not democratically accountable. However, a large number of I-Kiribati respondents to a 2021 Transparency International (TI) survey reported receiving offers of bribes in exchange for their votes.

B4. Do various segments of the population (including ethnic, racial, religious, gender, LGBT+, and other relevant groups) have full political rights and electoral opportunities? 3 / 4

While all citizens formally enjoy full political rights, women's political participation is somewhat inhibited in practice by traditional social norms. The number of women elected to the legislature increased from three to four in 2020. A woman, Tangariki Reete, was also elected speaker for the first time.

C. FUNCTIONING OF GOVERNMENT: 10 / 12

C1. Do the freely elected head of government and national legislative representatives determine the policies of the government? 4 / 4

The president and cabinet are able to both form and implement their policy agenda without undue interference, while the legislature provides oversight and a check on executive authority. The government's ability to enact policy depends on its ability to win legislative approval.

C2. Are safeguards against official corruption strong and effective? 3 / 4

While there is virtually no large-scale corruption in Kiribati, petty graft and nepotism in public appointments remain problems. Some 64 percent of I-Kiribati respondents to the 2021 TI survey said they paid a bribe within the last year.

C3. Does the government operate with openness and transparency? 3 / 4

Kiribati lacks comprehensive regulations on public asset disclosure for officials, access to government information, and other transparency matters. The 2017 Kiribati Audit Act strengthened the autonomy of the Audit Office and established an independent board to oversee its work; the office previously reported to the Finance Ministry. The law also laid out enforcement mechanisms and broadened the Audit Office's mandate, allowing more thorough assessments of budgets, expenditures, and government performance.

CIVIL LIBERTIES: 54 / 60 (−2)

D. FREEDOM OF EXPRESSION AND BELIEF: 16 / 16

D1. Are there free and independent media? 4 / 4

While the market does not support a large and diverse media sector, there are no significant restrictions on the flow of news and information, which is often disseminated informally. A small number of private news and media outlets operate freely. Wave TV, which launched in 2019, was reportedly the first television station to produce content locally. Foreign radio services are available.

Foreign journalists can perform their roles in Kiribati only after receiving a permit. In 2019, a group of Australian journalists was restricted to a Tarawa hotel after they allegedly arrived without the requisite permit. The journalists had visited Kiribati to report on the government's decision to end its recognition of Taiwan.

D2. Are individuals free to practice and express their religious faith or nonbelief in public and private? 4 / 4

The constitution guarantees freedom of religion. Religious organizations of a certain size are required to register with the government, but there are no penalties for failing to do so. Two islands in the southern part of the archipelago have overwhelmingly Protestant populations and maintain a "one religion" tradition. However, foreign missionaries may operate freely there upon requesting permission from local authorities.

D3. Is there academic freedom, and is the educational system free from extensive political indoctrination? 4 / 4

The school system is free of political indoctrination, and religious education by various denominations is available in public schools but not mandatory. There are no restrictions on academic freedom in the country, which hosts a campus of the Fiji-based University of the South Pacific as well as a teachers' college and technical training centers.

D4. Are individuals free to express their personal views on political or other sensitive topics without fear of surveillance or retribution? 4 / 4

The government does not impose constraints on freedom of speech or the expression of personal views.

E. ASSOCIATIONAL AND ORGANIZATIONAL RIGHTS: 12 / 12

E1. Is there freedom of assembly? 4 / 4

Freedom of assembly is constitutionally protected and generally upheld in practice.

E2. Is there freedom for nongovernmental organizations, particularly those that are engaged in human rights– and governance-related work? 4 / 4

There are no undue constraints on nongovernmental organizations (NGOs). The Kiribati Association of Non-Governmental Organisations (KANGO) serves as an umbrella group for a number of local NGOs, including church-based groups and health associations.

E3. Is there freedom for trade unions and similar professional or labor organizations? 4 / 4

Workers have the right to organize unions, strike, and bargain collectively. The Kiribati Trade Union Congress, an affiliate of the International Trade Union Confederation, includes unions and associations representing nurses, teachers, fishermen, and seafarers.

F. RULE OF LAW: 13 / 16 (−2)

F1. Is there an independent judiciary? 2 / 4 (−2)

The judicial system is modeled on English common law, and historically the courts have been independent. The chief justice is appointed by the president on the advice of the cabinet and the Public Service Commission (PSC); other High Court judges are appointed by the president on the advice of the chief justice and the PSC. Judges cannot be removed unless a special tribunal and the legislature find evidence of misbehavior, or an inability to perform their functions.

However, beginning in 2020, the government sought to prevent High Court judge David Lambourne—an Australian who was stranded in his home country for a time due to COVID-19-related travel restrictions—from returning to his post by refusing to issue him a work permit and declining to pay his wages. His wife, Tessie Lambourne, had become leader of the parliamentary opposition that year. Lambourne agreed to sign a contract that effectively shortened his appointment, but sued the attorney general in August 2021 after Tarawa again halted wage payments. In November 2021, High Court chief justice William Hastings, a New Zealander, ruled that the government's actions were unconstitutional, instructing the authorities to facilitate Lambourne's return and declaring that he held a life appointment to the court.

In May 2022, the president suspended Lambourne from the High Court over public comments that were critical of the government and appointed a tribunal to investigate his alleged misconduct. Lambourne filed an appeal of his suspension, to be heard by Hastings, but Hastings was himself suspended in July, also for public comments that were critical of the government. In August, after Lambourne had returned to Kiribati, the government attempted to forcibly deport him, but Fiji Airways refused to transport the judge against his will. After being briefly held in immigration detention, he was released on bail. In September, after three other New Zealander judges sitting as a Court of Appeal ruled against the attempted deportation, the government suspended them as well, leaving the country without any judges above the magistrate level. In October, Kiribati's attorney general, Tetiro Semilota, was appointed acting chief justice. Since Semilota had been an ex officio member of the cabinet, her appointment intensified concerns about judicial independence and the rule of law.

Score Change: The score declined from 4 to 2 because the government suspended several senior judges who resisted its persistent attempts to remove and deport a particular High Court judge, and because it appointed a member of the cabinet as acting chief justice.

F2. Does due process prevail in civil and criminal matters? 4 / 4

Due process guarantees are typically respected during arrests, initial detentions, and trials. Detainees have access to lawyers, and defendants are usually granted bail while awaiting trial.

F3. Is there protection from the illegitimate use of physical force and freedom from war and insurgencies? 4 / 4

Police brutality is uncommon, and procedures for punishing such abuse are effective. Prison conditions are not considered harsh or inhumane. Kiribati has no army, relying on Australia and New Zealand to provide defense assistance under bilateral agreements. The use of traditional communal justice systems, which can include corporal punishment, is increasingly rare.

F4. Do laws, policies, and practices guarantee equal treatment of various segments of the population? 3 / 4

Women face legal discrimination on some issues as well as societal bias that limits their access to employment in practice.

Same-sex sexual activity is a criminal offense, though the ban is rarely enforced; discrimination in employment based on sexual orientation is prohibited.

G. PERSONAL AUTONOMY AND INDIVIDUAL RIGHTS: 13 / 16

G1. Do individuals enjoy freedom of movement, including the ability to change their place of residence, employment, or education? 4 / 4

While there are no significant constraints on internal freedom of movement, the government did impose overnight curfews in South Tarawa and Betio in May 2021, after two crewmembers of a fishing vessel tested positive for COVID-19. In January 2022 the country entered another lockdown as the virus's Omicron variant spread through Tarawa; most travel restrictions had been lifted by early August.

G2. Are individuals able to exercise the right to own property and establish private businesses without undue interference from state or nonstate actors? 3 / 4

The government operates a system of land registration and generally upholds property rights. Land is owned on either an individual or a kinship basis, and inheritance laws pertaining to land favor sons over daughters.

G3. Do individuals enjoy personal social freedoms, including choice of marriage partner and size of family, protection from domestic violence, and control over appearance? 3 / 4

There are few legal restrictions on personal freedom regarding matters such as marriage and divorce, though same-sex marriage is not permitted, and citizenship laws allow fathers but not mothers to confer citizenship on children. Domestic violence is criminalized but remains a serious and widespread problem. A 2019 survey in South Tarawa found that 38 percent of women had experienced physical or sexual violence by a male partner. Cultural norms deter formal complaints and police interventions.

G4. Do individuals enjoy equality of opportunity and freedom from economic exploitation? 3 / 4

There are few economic opportunities in Kiribati, with most citizens engaged in subsistence agriculture, fishing, and other informal-sector activities that lack effective legal safeguards on issues like wages and working hours. According to the US State Department, the public sector accounts for some 80 percent of formal employment. Although forced labor and other exploitative working conditions are uncommon, local women and girls are vulnerable to commercial sexual exploitation, often involving the crews of visiting ships.

Under the Occupational Safety and Health Act of 2015, children and adolescents are restricted from professions considered dangerous. The Employment and Industrial Relations Act of 2015 sets the minimum employment age for most work at 14 years and the minimum age for "hazardous" work at 18. Enforcement of these laws, while active, is limited by financial constraints.

Kosovo

Population: 1,800,000
Capital: Pristina
Freedom Status: Partly Free
Electoral Democracy: Yes

Overview: Kosovo holds credible and relatively well-administered elections. Many public institutions are undermined by entrenched corruption, though there are signs that a new generation of politicians are moving to confront corrupt practices through judicial and administrative reforms. Journalists continue to face intimidation, particularly on social media. The rule of law is inhibited by interference and dysfunction in the judiciary.

KEY DEVELOPMENTS IN 2022

- In February, the initiative formerly led by President Vjosa Osmani and which is in coalition with Vetëvendosje (Self-Determination Movement, or LVV), was registered as a political party called Guxo (Albanian for "Dare").
- Rounds of talks took place between Kosovo's prime minister, Albin Kurti, and Serbian president Aleksandar Vučić, despite significant and long-standing mutual distrust. Progress was made on agreements for vehicle license plates and travel identification for citizens of both countries. However, the situation remained tense in the north of Kosovo, where criminal attempts to undermine the state have been tacitly supported by Belgrade.
- The government pursued vetting-procedure reforms for the judicial system and legislation on the confiscation of illegal assets.
- In March, a draft civil code with provisions for the registration of same-sex civil unions was rejected by parliament, triggering protests.

POLITICAL RIGHTS: 28 / 40 (+3)

A. ELECTORAL PROCESS: 9 / 12

A1. Was the current head of government or other chief national authority elected through free and fair elections? 3 / 4

Kosovo is a parliamentary republic, with the prime minister indirectly elected for a four-year term by a simple majority (61 votes) of the 120-member Assembly.

Following snap elections in February 2021, the Vetëvendosje party won a landslide victory with just over 50 percent of the vote. That March, the Assembly elected Vetëvendosje's Albin Kurti as prime minister. Kurti had previously served as prime minister between February and June 2020. He won the premiership despite having not run in elections himself; he was barred from doing so by a January 2021 Supreme Court ruling that declared him ineligible to run for parliament because he had been convicted of a crime less than three years previously.

The president is elected by the Assembly for a five-year term by a two-thirds majority, or simple majority if after two rounds no candidate has received a two-thirds majority. In April 2021, the Assembly elected Vjosa Osmani with a majority of 71 votes in the third round.

A2. Were the current national legislative representatives elected through free and fair elections? 3 / 4

The unicameral Assembly contains 120 seats and members are elected to four-year terms; 100 are directly elected by proportional representation, while 10 seats are reserved for ethnic Serbs and another 10 are reserved for members of other ethnic communities.

In the 2021 parliamentary elections, Vetëvendosje won 58 seats, the Democratic League of Kosovo (LDK) won 15 seats, the Democratic Party of Kosovo (PDK) won 19 seats, and the Alliance for the Future of Kosovo (AAK) took 8 seats. The Serb List won 10 seats; other minority parties filled the remaining 10 seats. The election was considered competitive by local and international observers. However, a European Union (EU) election monitoring mission noted a general lack of competition in the Kosovo Serb areas, including, in the race for seats reserved for nonmajority communities, apparently credible allegations that the dominant Kosovo Serb party orchestrated the electoral victories of two recently registered ethnic minority parties. The two new parties each lost a seat following an appeal of the results to the Election Complaints and Appeals Panel, which invalidated a number of votes. More broadly in Kosovo, the mission noted that long-standing problems with vote-counting and large numbers of recounts persisted.

A3. Are the electoral laws and framework fair, and are they implemented impartially by the relevant election management bodies? 3 / 4

The Central Election Commission (CEC), which administers elections, is generally transparent and fair, and it won praise from EU and other observers for its oversight of the 2021 local and national elections. However, Kosovo has faced long-standing criticism for failing to address inconsistencies and unclear provisions in the electoral code, including those for scheduling snap elections and challenging election results, as well as for declarations of campaign spending.

B. POLITICAL PLURALISM AND PARTICIPATION: 13 / 16 (+2)

B1. Do the people have the right to organize in different political parties or other competitive political groupings of their choice, and is the system free of undue obstacles to the rise and fall of these competing parties or groupings? 3 / 4

While parties can operate freely for the most part, intimidation and harassment of party representatives continues to be reported. The Serb List, the dominant Kosovo Serb party, has been accused of harassing rival parties and creating an environment where voters fear repercussions for supporting alternative groups.

In February 2022, the initiative previously led by President Vjosa Osmani and that is in a coalition with Vetëvendosje was registered as a new political party called Guxo (Albanian for "Dare").

B2. Is there a realistic opportunity for the opposition to increase its support or gain power through elections? 4 / 4

Opposition parties have a reasonable chance of gaining power through elections. In the 2021 snap elections, Vetëvendosje won more than 50 percent of parliamentary seats and was able to form a government without relying on the support of the country's old political guard. The current opposition parties—the LDK and PDK—have recently changed their leadership and brought in new members.

Candidates competing in Serb areas from parties other than the Serb List encounter intimidation and interference during election campaigns. All 10 parliamentary seats reserved for ethnic Serbs are filled by Serb List representatives.

B3. Are the people's political choices free from domination by forces that are external to the political sphere, or by political forces that employ extrapolitical means? 3 / 4 (+1)

Corruption and clientelism continue to impact voters' choices during elections, as does pressure from powerful business interests. Serbian authorities continue to exert influence on the platform of the Serb List, as well as the political choices of Kosovo's ethnic Serbs generally.

Major political figures in Kosovo have links to organized crime and high-level corruption, which play powerful roles in politics and have influenced the installation of key leaders. However, the 2021 election ushered in a major shift in Kosovo's political landscape, relegating to opposition a number of key figures who were implicated in illicit activities.

In December 2022, local elections were due to take place in the north of Kosovo, following the withdrawal of Serbian political and police personnel. However, they were postponed to April 2023 due to a fragile security situation.

Score Change: The score improved from 2 to 3 because clientelist patronage networks are less politically influential under the Vetëvendosje government.

B4. Do various segments of the population (including ethnic, racial, religious, gender, LGBT+, and other relevant groups) have full political rights and electoral opportunities? 3 / 4 (+1)

Members of ethnic, racial, and other groups are generally able to participate meaningfully in politics, though LGBT+ people remain notably marginalized. Twenty parliamentary seats are guaranteed for ethnic Serbs and other minority groups, and the current government includes ethnic Serb and other minority representatives. Six of 18 cabinet members are women.

Gender quotas are enshrined in the Constitution and more than 40 women were elected to the Assembly in the 2021 parliamentary elections, many of whom were elected without the quota. However, women have historically been underrepresented in politics. Though parties are legally required to achieve gender parity in their candidate lists, they often fail to do so.

In June 2022, the sixth Pride parade was held in Pristina without incident, and a few politicians from various parties were seen joining the crowd.

Score Change: The score improved from 2 to 3 due to increased representation of ethnic Serbs, women, and LGBT+ individuals in political life.

C. FUNCTIONING OF GOVERNMENT: 6 / 12 (+1)

C1. Do the freely elected head of government and national legislative representatives determine the policies of the government? 3 / 4 (+1)

Kosovo's political system has historically been characterized by dysfunction and instability. However, despite some struggles, Prime Minister Kurti and his government have worked to implement a reform-oriented platform.

Serbian authorities still maintain influence in northern Kosovo. In December 2022, criminal groups placed barricades on key roads to the Serbian border. Serbian president Aleksandar Vučić and his government at times indicated support for the roadblocks, and for other actions that aim to undermine the rule of law in Kosovo.

Score Change: The score improved from 2 to 3 due to improvements in the functioning of the executive and legislative branches under the Vetëvendosje government.

C2. Are safeguards against official corruption strong and effective? 1 / 4

The impact of long-term corruption is still evident in public institutions, despite the government's efforts to tackle it. The mandates of Kosovo's main anticorruption bodies overlap, and they have difficulty coordinating their efforts. Since independence authorities have shown little commitment to prosecuting high-level corruption, and when top officials are prosecuted, convictions are rare.

In 2022, the Kurti government pursued new reforms aimed at combatting corruption and organized crime. Among other efforts, the administration produced a draft law on confiscation of assets gained through corruption, and advanced reforms to judicial vetting processes.

C3. Does the government operate with openness and transparency? 2 / 4

The Kurti government made a number of key decisions throughout the year—including some related to the Kosovo-Serbia dialogue process—with limited transparency and without consulting the Assembly, prompting criticism from the opposition and civil society groups.

Government institutions frequently deny legal requests for public information with little or no justification. Courts have been very slow to respond to complaints from those denied information due to persistent backlogs in the judicial system.

CIVIL LIBERTIES: 32 / 60 (+1)

D. FREEDOM OF EXPRESSION AND BELIEF: 10 / 16

D1. Are there free and independent media? 2 / 4

The constitution guarantees press freedom, and a variety of media outlets operate in Kosovo. However, there are cases of undue influence on editorial lines, including at Radio Television Kosovo (RTK), the public broadcaster. Journalists report harassment and intimidation, particularly on social media.

D2. Are individuals free to practice and express their religious faith or nonbelief in public and private? 2 / 4

The constitution guarantees religious freedom. However, the Law on Freedom of Religion prevents some religious communities from registering as legal entities, a designation that would allow them to more easily buy and rent property, access burial sites, establish bank accounts, and carry out other administrative activities. Tensions between Muslims and Orthodox Christians occasionally flare up, though interreligious relations are generally peaceful.

D3. Is there academic freedom, and is the educational system free from extensive political indoctrination? 3 / 4 (+1)

Kosovo's higher education system is subject to political interference. However, there is relative freedom in academic circles to freely express opinions and be critical of the government. In November 2022, the University of Pristina elected a new rector who is widely considered to be professionally nonpartisan and capable.

Score Change: The score improved from 2 to 3 due to decreased political influence in university leadership appointments.

D4. Are individuals free to express their personal views on political or other sensitive topics without fear of surveillance or retribution? 3 / 4

Individuals are largely free to express their political views without fear of retribution. In recent years, discussion of politically sensitive topics such as ethnic relations and LGBT+ matters has become more common.

E. ASSOCIATIONAL AND ORGANIZATIONAL RIGHTS: 8 / 12

E1. Is there freedom of assembly? 3 / 4

Freedom of assembly is generally respected, though demonstrations are occasionally restricted for security reasons. In June 2022, police used pepper spray to deter hundreds of

war veterans attempting to enter the Kosovo Assembly in protest of a government plan to pass wage legislation that did not include veterans as a separate category.

E2. Is there freedom for nongovernmental organizations, particularly those that are engaged in human rights– and governance-related work? 3 / 4

Under the law on freedom of association, nongovernmental organizations (NGOs) function freely, though the courts can ban groups that infringe on the constitutional order or encourage ethnic hatred. NGOs occasionally experience pressure to curtail criticism of the government, though many continue to criticize the authorities and have largely been able to engage in advocacy work without interference. There is a relatively large and diverse donor community in Kosovo, which is able to support and collaborate with local NGOs without undue influence or interference from the government.

E3. Is there freedom for trade unions and similar professional or labor organizations? 2 / 4

The constitution protects the right to establish and join trade unions, but employers frequently fail to respect collective bargaining rights. Employers are known to employ severe intimidation efforts to prevent private-sector workers from organizing, and few private sector unions exist in Kosovo.

For most of 2022, relations between public-sector unions and the government were tense over worker demands for salary increases. The teachers' union launched a general strike at the end of August, which postponed the commencement of the academic year for one month. The government accused the unions of colluding with the opposition, while the opposition criticized the government for the failure to reach a deal. The unions ultimately decided to step back and reopen schools, pledging to continue the fight in 2023.

F. RULE OF LAW: 6 / 16

F1. Is there an independent judiciary? 1 / 4

Political interference in the judiciary remains a problem, and widespread judicial corruption negatively impacts the branch's independence. Resource constraints and a lack of qualified judges also hinder the performance of the judiciary. In 2021, the Kurti government established a working group to create a judicial vetting mechanism. During 2022, the Ministry of Justice prepared documentation to initiate vetting in the judiciary, including soliciting recommendations from the Venice Commission. At year's end, the Assembly was set to consider initiating constitutional amendments to allow vetting procedures to take place.

F2. Does due process prevail in civil and criminal matters? 1 / 4

Prosecutors and courts remain susceptible to political interference and corruption by powerful political and business elites, undermining due process.

Although the law states that defendants should not be detained before trial unless they are likely to flee or tamper with evidence, judges often order suspects to be detained without cause. Lengthy pretrial detentions are common due to judicial inefficiency and resource constraints.

F3. Is there protection from the illegitimate use of physical force and freedom from war and insurgencies? 2 / 4

Although the EU brokered an agreement in 2015 between Kosovo and Serbia to disband the Serb Civilna Zastita (Civil Protection) security force in the north of Kosovo, there have been reports that the force is still operating illegally. The Ministry of Internal Affairs

conducted several raids in 2022, however, that resulted in the arrests of members of criminal groups. Prison conditions have improved in recent years, but violence and poor medical care remain problems. The police sometimes abuse detainees in custody.

F4. Do laws, policies, and practices guarantee equal treatment of various segments of the population? 2 / 4

Kosovo's Roma, Ashkali, and Gorani populations continue to face discrimination in education, employment, and access to social services.

LGBT+ people face social pressure to hide their sexual orientation or gender identity and transgender individuals face obstacles in making legal changes to their identification cards. The Civil Code of Kosovo excludes same-sex partnerships from explicit legal recognition.

Women experience discrimination in employment, particularly in regard to hiring for high-level positions in government and the private sector. The Law on Gender Equality seeks to ensure that the governing boards of private companies have gender parity, but this has not been widely implemented.

G. PERSONAL AUTONOMY AND INDIVIDUAL RIGHTS: 8 / 16

G1. Do individuals enjoy freedom of movement, including the ability to change their place of residence, employment, or education? 3 / 4

Freedom of movement and residence is somewhat restricted in Kosovo, especially for those living in ethnic Serb areas. In August 2022 the governments of Kosovo and Serbia reached an agreement on travel identification that made cross-border movement easier. Tensions rose over Kosovo authorities' plan to issue fines for those with Serb-issued license plates, but a deal that deescalated the situation was reached in November.

G2. Are individuals able to exercise the right to own property and establish private businesses without undue interference from state or nonstate actors? 1 / 4

The legal framework on property rights is poorly outlined, and those rights are inadequately enforced in practice. While the law states that inheritance must be split equally between male and female heirs, strong patriarchal attitudes lead to pressure on women to relinquish their rights to male family members. A number of policies incentivize co-ownership, where couples who wish to register their properties jointly have their municipal taxes and fees waived. However, this has not significantly increased the percentage of properties owned by women. Property reclamation by displaced persons is hindered by threats of violence and local resistance to accepting returnees.

G3. Do individuals enjoy personal social freedoms, including choice of marriage partner and size of family, protection from domestic violence, and control over appearance? 2 / 4

Domestic violence remains a problem. When criminal cases are referred, prosecutions and convictions are rare. Rape is illegal, but spousal rape is not addressed by the law. Courts often give convicted rapists sentences that are lighter than the prescribed minimum.

Same-sex marriage is not legally recognized in Kosovo, though LGBT+ activists say that provisions in the constitution implicitly permit same-sex marriages. In March 2022, a draft civil code with provisions for the registration of same-sex civil unions was rejected by parliament, triggering protests.

G4. Do individuals enjoy equality of opportunity and freedom from economic exploitation? 2 / 4

Kosovo is a source, transit point, and destination for human trafficking. Children are at particular risk of exploitation by traffickers, who can force them to beg or engage in sex work. Labor laws intended to protect employees' rights exist, but are frequently violated in practice.

Kuwait

Population: 4,100,000
Capital: Kuwait City
Freedom Status: Partly Free
Electoral Democracy: No

Overview: Kuwait is a constitutional emirate ruled by the Sabah family. While the monarchy holds executive power and dominates most state institutions, the elected parliament plays an influential role, often challenging the government. State authorities impose some constraints on civil liberties, including speech and assembly, and the country's large population of non-citizen workers faces particular disadvantages.

KEY DEVELOPMENTS IN 2022

- In April, the cabinet resigned as the prime minister faced an imminent vote of no confidence from lawmakers. The parliament was then dissolved in June, setting the stage for early elections.
- Parliamentary elections were held in September, and 28 of the legislature's 50 elected seats went to opposition figures. Two women candidates won seats, up from zero in the 2020 elections.
- In November, seven people who had been convicted of murder were put to death, marking the first executions in the country since 2017.

POLITICAL RIGHTS: 14 / 40

A. ELECTORAL PROCESS: 3 / 12

A1. Was the current head of government or other chief national authority elected through free and fair elections? 0 / 4

The hereditary emir holds extensive executive powers. Sheikh Nawaf al-Ahmad al-Jaber al-Sabah, who succeeded his half-brother as emir in 2020, appointed another half-brother, Sheikh Meshaal al-Ahmad al-Jaber al-Sabah, as crown prince. The parliament, which must approve the choice of heir by majority vote, did so unanimously. The emir delegated many of his powers to Sheikh Meshaal in late 2021, and the crown prince continued to exercise them during 2022.

The emir chooses the prime minister and appoints cabinet ministers on the prime minister's recommendation. At least one minister must be an elected member of parliament. All prime ministers and most senior ministers have been members of the ruling family.

Prime Minister Sabah al-Khalid al-Sabah, first appointed in 2019, resigned along with his cabinet in April 2022 in advance of a no-confidence vote from the parliament. As the crown prince prepared to form a new cabinet, lawmakers mounted sit-ins to demand early elections, which were ultimately announced in June and held in September. In July, the crown prince named Sheikh Ahmad Nawaf al-Ahmad al-Sabah, the emir's eldest son, as prime minister. After a series of disagreements with lawmakers, a new cabinet was

appointed in October, featuring two women and two elected members, and it remained in place at year's end.

A2. Were the current national legislative representatives elected through free and fair elections? 2 / 4

The 50-member National Assembly is popularly elected on a formally nonpartisan basis, as political parties are illegal. As many as 15 appointed cabinet ministers may sit as additional ex officio members but cannot take part in confidence votes.

The parliament serves terms of up to four years. The emir and the Constitutional Court, which lacks full independence, have the power to dissolve the legislature, and the executive can thereby determine the timing of elections to suit its political priorities. This has occurred several times since 2011, usually after lawmakers clashed with senior ministers from the ruling family.

Elections were held in September 2022, more than two years ahead of schedule, with a reported voter turnout of about 50 percent. Opposition candidates won a total of 28 seats, and 20 incumbents, including three former ministers, lost their seats. Two candidates won seats while in detention on charges related to their participation in technically illegal tribal primary elections. Shiite candidates took nine seats, while Sunni Islamists, including figures associated with the Muslim Brotherhood and the Salafist movement, took at least eight. Ahmad al-Saadoun, a veteran politician from the secular opposition, was elected speaker in October 2022. In addition to the crackdown on informal primary voting, authorities attempted to combat vote-buying, for which seven people were arrested in mid-September.

A3. Are the electoral laws and framework fair, and are they implemented impartially by the relevant election management bodies? 1 / 4

Elections are administered by the Interior Ministry rather than an independent institution, and the electoral system lacks transparency. Elections are nevertheless competitive by regional standards. Corruption in campaigns remains a concern.

The emir has implemented changes to electoral laws in close proximity to elections. A decree issued two months ahead of elections in 2012 reduced the number of candidates a voter can choose in a given multimember district from four to one, a change which opposition movements have tried to challenge since its implementation. In advance of the 2022 elections, passive voter registration was introduced, meaning all eligible Kuwaiti citizens with civil identification cards were automatically registered to vote; voters were also required for the first time to present their civil identification cards as a means of ensuring election integrity.

B. POLITICAL PLURALISM AND PARTICIPATION: 7 / 16

B1. Do the people have the right to organize in different political parties or other competitive political groupings of their choice, and is the system free of undue obstacles to the rise and fall of these competing parties or groupings? 2 / 4

Formal political parties are banned, which significantly constrains political organization, although loose parliamentary blocs exist in practice. Politicians have some space to criticize the government, but those who seriously challenge the emir's authority have faced criminal charges.

B2. Is there a realistic opportunity for the opposition to increase its support or gain power through elections? 2 / 4

The constitutional system does not allow democratic transfers of power at the executive level. Candidates aligned with the opposition won 28 parliamentary seats in 2022. They

included several members of the local affiliate of the Muslim Brotherhood, a Sunni Islamist group that is banned in most other Persian Gulf monarchies.

B3. Are the people's political choices free from domination by forces that are external to the political sphere, or by political forces that employ extrapolitical means? 2 / 4

The hereditary emir and the ruling family frequently interfere in political processes, including through the harassment of political and media figures, and the government impedes the activities of opposition parliamentary blocs. Senior members of the ruling family allegedly provide economic resources to favored politicians and journalists to exert political influence.

In the absence of political parties, major tribes hold their own informal and technically illegal primary elections to unite members behind certain parliamentary candidates, who then typically use their public office to generate economic benefits for members of their tribe. The government has worked to stop such coordination on the grounds that it is unfair, and more than two dozen people were arrested on charges of participating in tribal primaries ahead of the 2022 elections. Of the two who won seats while in detention, one was released on bail and the other had his two-year prison sentence confirmed in October.

B4. Do various segments of the population (including ethnic, racial, religious, gender, LGBT+, and other relevant groups) have full political rights and electoral opportunities? 1 / 4

The electorate consists of men and women over age 21 who have been citizens for at least 20 years and have a Kuwaiti father. Most members of state security agencies are barred from voting.

Access to citizenship is tightly restricted. About 70 percent of the country's residents are noncitizens, primarily from South Asian or other Arab countries, who have no right to vote even if they are lifelong residents. Naturalization is extremely rare for people born abroad or without a Kuwaiti father, and it is not permitted for non-Muslims. Individuals have had their Kuwaiti citizenship revoked for political reasons.

More than 100,000 residents, known as bidoon, are stateless; many bidoon claim Kuwaiti nationality and descent, but official processes to verify their eligibility for citizenship are slow, opaque, and largely ineffective. In November 2022, the speaker of the newly elected parliament proposed a bill to reform Kuwait's nationality law and resolve the status of the bidoon.

The Shiite Muslim community makes up about a third of the citizen population but is not well represented in the political system. Shiite candidates won nine seats in the 2022 elections, compared with six in the 2016 and 2020 polls.

Women have had the right to vote and run for office since 2005, and some have been elected to the parliament. Two women won seats in 2022, up from zero in 2020, and two women were appointed as cabinet ministers in October. Entrenched societal attitudes hamper more active participation by women in the political process, although civil society groups like Mudhawi's List have emerged in recent years to support women running for elected positions.

Societal and legal discrimination against LGBT+ people prevents them from playing any open role in political affairs.

C. FUNCTIONING OF GOVERNMENT: 4 / 12

C1. Do the freely elected head of government and national legislative representatives determine the policies of the government? 1 / 4

While elected members of parliament can initiate legislation, policymaking authority is concentrated in the hands of the hereditary emir and his appointed government. The emir

has repeatedly used his power to dissolve the National Assembly when it imposes checks on the executive. He can also veto legislation and issue executive decrees when the assembly is not in session.

Cabinet ministers, including members of the ruling family, are subject to questioning by the parliament, often leading to tension between the two branches of government. In February 2022, the interior and defense ministers resigned in protest, accusing lawmakers of abusing their oversight powers. The impending vote of no confidence that triggered the cabinet's resignation in April 2022 was driven in part by the prime minister's repeated refusal to submit to questioning over the previous year, though he did appear in late March.

Interactions between the executive and legislature are affected by succession-related rivalries within the ruling family. Powerful members of the family are able to put pressure on rivals in ministerial roles by cultivating parliamentary allies who can question them and scrutinize their performance.

C2. Are safeguards against official corruption strong and effective? 1 / 4

Corruption is pervasive. While an Anti-Corruption Authority (Nazaha) has operated since 2015, its activities appear insufficient. Allegations of malfeasance lodged by lawmakers against ministers have been at the heart of the country's recurring political crises.

In March 2022, former prime minister Sheikh Jaber al-Mubarak al-Sabah and former minister Sheikh Khalid al-Jarrah al-Sabah were acquitted of the alleged embezzlement of over KD240 million ($780 million) in public funds.

C3. Does the government operate with openness and transparency? 2 / 4

Transparency on government spending is inadequate, and there are few mechanisms that encourage officials to disclose information about government operations. Kuwait does not have any legislation guaranteeing the right to access public information. The State Audit Bureau provides some oversight on revenue and expenditures, reporting to both the government and the National Assembly, though not necessarily to the public. Defense spending is particularly opaque, with no detailed breakdown available to the parliament.

CIVIL LIBERTIES: 23 / 60

D. FREEDOM OF EXPRESSION AND BELIEF: 6 / 16

D1. Are there free and independent media? 1 / 4

Kuwaiti law assigns penalties for the publication of material that insults Islam, criticizes the emir, discloses information considered secret or private, or calls for the regime's overthrow. Journalists also risk imprisonment under the restrictive 2016 Cyber Crimes Law, which criminalizes the dissemination of similar content online. In June 2022, the authorities withdrew the licenses of 90 news websites and referred 73 media outlets to state prosecutors for alleged legal violations, including the publication of false news.

Thousands of books have been banned in the country for political or moral reasons, though a 2020 legal amendment requires a judicial order—rather than a government decision—to enforce such a ban.

The media regulator, the Commission for Mass Communications and Information Technology, has sweeping powers to monitor, block, and censor online material. The government can seek the revocation of a media outlet's license via the judiciary. Foreign media outlets operate relatively freely in Kuwait. In September 2022, Kuwait's government joined the other five members of the Gulf Cooperation Council in demanding that Netflix remove "offensive content" from its video-streaming service, citing material that "violates Islamic and societal values and principles."

D2. Are individuals free to practice and express their religious faith or nonbelief in public and private? 2 / 4

Islam is the state religion, and blasphemy is a punishable offense. Defamation of Islam, Christianity, and Judaism is prohibited. The government appoints Sunni imams and oversees their sermons. Shiite Muslims have their own religious institutions, including Sharia (Islamic law) courts, though the government does not permit training of Shiite clerics in the country. Several Christian churches are officially registered. Members of other non-Muslim minority groups are generally permitted to practice their faiths in private but are effectively forbidden from proselytizing.

In April 2022, a Kuwaiti citizen accused of posting blasphemous comments on social media was convicted of atheism and sentenced to two months in prison and a fine of KD10,000 ($33,000).

D3. Is there academic freedom, and is the educational system free from extensive political indoctrination? 2 / 4

Academic freedom is impeded by self-censorship on politically sensitive topics, as well as by broader legal restrictions on freedom of expression, including the prohibitions on insulting the emir and defaming religion. The National Union of Kuwaiti Students is not officially registered as a nongovernmental organization (NGO) but is nevertheless considered influential.

D4. Are individuals free to express their personal views on political or other sensitive topics without fear of surveillance or retribution? 1 / 4

Freedom of personal expression is curtailed by state surveillance and the criminalization of some forms of critical speech. The Cyber Crimes Law imposes prison sentences of up to 10 years as well as fines for online speech that criticizes the emir, judicial officials, religious figures, or foreign leaders. Users who criticize the government on social media tend to be harassed by online trolls and automated "bot" accounts, some of which may be state sponsored.

Activists and other individuals are occasionally summoned for questioning over their online comments, and some have been prosecuted. In June 2022, Twitter user Salman al-Khalidi was sentenced to five years in prison for allegedly insulting Saudi Arabia and spreading false news. Also that month, a Kuwaiti singer was sentenced to three years in prison on charges that she had criticized the emir and spread false news through her Twitter account.

In November, the emir pardoned an unspecified number of political prisoners who had been arrested between 2011 and 2021 and jailed for alleged actions such as spreading false news, questioning the emir's rights and powers, and defaming him or the judiciary.

E. ASSOCIATIONAL AND ORGANIZATIONAL RIGHTS: 4 / 12

E1. Is there freedom of assembly? 1 / 4

Freedom of assembly is constrained by law and in practice. Organizers must notify officials of a public meeting or protest, and those who participate in unauthorized protests are subject to imprisonment or, for noncitizens, deportation. Peaceful protests are sometimes allowed without a permit.

In August 2022, several bidoon rights activists were arrested for participating in an unlawful assembly. Some gatherings linked to the parliamentary elections were allowed, but assemblies associated with tribal primaries were disrupted up by security forces.

E2. Is there freedom for nongovernmental organizations, particularly those that are engaged in human rights– and governance-related work? 2 / 4

The government restricts the registration and licensing of NGOs, forcing many groups to operate without legal standing. Representatives of licensed NGOs must obtain government permission to attend foreign conferences, and critical groups may be subject to harassment.

E3. Is there freedom for trade unions and similar professional or labor organizations? 1 / 4

Private-sector workers who are Kuwaiti citizens have the right to join labor unions and bargain collectively and have a limited right to strike. However, labor laws allow for only one national union federation. Noncitizen migrant workers do not enjoy these rights and can face dismissal and deportation for engaging in union or strike activity. In 2019, the Kuwait Trade Union Federation opened an office to provide migrant workers with advice on legal disputes. Civil servants and household workers are also denied union rights; most citizen workers are public employees and do not have the right to strike.

Migrant workers sometimes participate in risky illegal labor actions such as sit-ins and walkouts to protest nonpayment of wages and other abuses.

F. RULE OF LAW: 7 / 16

F1. Is there an independent judiciary? 1 / 4

Kuwait lacks an independent judiciary. The emir has the final say on judicial appointments, which are proposed by a Supreme Judicial Council that includes senior judges, the attorney general, and the deputy justice minister. The executive branch approves judicial promotions. Judges who are Kuwaiti citizens are appointed for life, while noncitizens receive contracts for up to three years, reflecting a wider tendency to keep noncitizens employed on precarious short-term contracts. The courts frequently rule in favor of the government in cases related to politics.

F2. Does due process prevail in civil and criminal matters? 2 / 4

Arbitrary arrests and detentions sometimes occur despite legal safeguards. Authorities may detain suspects for four days without charge. However, a group of individuals accused of providing financial support for the Lebanese Shiite militant group Hezbollah were held for weeks without charge after security forces detained them in November 2021; their closed-door trial began in May 2022. Noncitizens arrested for minor offenses are subject to detention and deportation without due process or access to the courts.

F3. Is there protection from the illegitimate use of physical force and freedom from war and insurgencies? 2 / 4

Kuwait is generally free from armed conflict, no major terrorist attacks have been reported since 2015, and there are relatively low levels of criminal violence. Constitutional protections against torture and other forms of cruel and unusual punishment are not always upheld. Detainees, especially bidoon, continue to experience torture and beatings in custody. Overcrowding and unsanitary conditions are significant problems at prisons and deportation centers.

Human Rights Watch has reported violations of due process in capital cases. In November 2022, authorities executed seven people who had been convicted of murder, marking the first use of capital punishment in the country since 2017.

F4. Do laws, policies, and practices guarantee equal treatment of various segments of the population? 2 / 4

Despite some legal protections from bias and abuse, women remain underrepresented in the workforce and face unequal treatment in several areas of law and society. Women, especially foreign women, face public harassment. Women account for a majority of university students, but the government enforces gender segregation in educational institutions. In January 2022, the government specified that women can join the military if they wear a hijab and have approval from their husband or other male guardian; they are apparently limited to medical and support roles.

LGBT+ people face societal discrimination, and the penal code prescribes prison sentences for sex between men.

Officials consider bidoon to be illegal residents, and they often live in poor conditions and have difficulty accessing public services and obtaining formal employment. Noncitizen migrant workers are also excluded from many of the legal protections granted to citizens.

G. PERSONAL AUTONOMY AND INDIVIDUAL RIGHTS: 6 / 16

G1. Do individuals enjoy freedom of movement, including the ability to change their place of residence, employment, or education? 2 / 4

Kuwait generally does not constrain citizens' movement, but migrant workers often face de facto restrictions on travel and place of residence. The labor sponsorship system limits migrant workers' freedom to change jobs without permission from their existing employer.

G2. Are individuals able to exercise the right to own property and establish private businesses without undue interference from state or nonstate actors? 1 / 4

Kuwaiti law allows citizens and foreign nationals, but not bidoon, to own private property. Although the law permits the establishment of businesses, bureaucratic obstacles sometimes slow the process, and fair competition can be impaired by nepotism or corruption. Companies are legally prohibited from conducting business with citizens of Israel.

Sharia-based inheritance rules, particularly those pertaining to Sunni families, put women at a disadvantage.

G3. Do individuals enjoy personal social freedoms, including choice of marriage partner and size of family, protection from domestic violence, and control over appearance? 2 / 4

Personal status laws favor men over women in matters of marriage, divorce, and child custody. For example, Sunni women must have the approval of a male guardian to marry and are only permitted to seek a divorce when deserted or subjected to domestic violence. Domestic abuse and spousal rape are not specifically prohibited by law, and rapists can avoid punishment if they marry their victims.

Article 153 of the penal code classifies crimes in which a man kills a close female relative whom he has caught in "an unsavory sexual act" as misdemeanors, punishable by at most three years in prison. Such incidents are rare but not entirely unknown; a local civil society campaign seeks to eliminate the penal code provision.

A 2020 law designed to combat domestic violence provides for shelters, restraining orders, and legal assistance for victims, among other components. However, it does not criminalize domestic violence or cover gender-based violence outside the immediate household.

In February 2022, the Constitutional Court found Article 198 of the penal code, which criminalizes "imitating the opposite sex," to be unconstitutional. Despite this positive step, transgender people still experience discrimination based on their appearance, and several Islamist members of parliament have called for a new law to replace Article 198.

G4. Do individuals enjoy equality of opportunity and freedom from economic exploitation? 1 / 4

Foreign household workers and other migrant workers are highly vulnerable to abuse and exploitation, often forced to live and work in poor or dangerous conditions for low pay. Despite some legal protections designed to prevent mistreatment, many employers reportedly confiscate their household workers' passports, subject them to excessive working hours, and restrict their movements outside the home. Recruiting agents are known to hold female migrant workers for ransom, demanding money from their families before they could return home. Other migrant workers have been repatriated by the state labor bureau after being refused payment or otherwise harassed or abused by their employers.

Kyrgyzstan

Population: 6,700,000
Capital: Bishkek
Freedom Status: Not Free
Electoral Democracy: No

Overview: After two revolutions that ousted authoritarian presidents in 2005 and 2010, Kyrgyzstan adopted a parliamentary form of government. Governing coalitions proved unstable, however, and corruption remains pervasive. Unrest surrounding the annulled 2020 parliamentary elections led to significant political upheaval and the violent repression of opponents of nationalist politician Sadyr Japarov. Major constitutional changes adopted in 2021 significantly increased presidential authority, concentrating political power in the presidency and reducing the size and role of the parliament. Both the judiciary and vigilante violence are increasingly used to suppress political opponents and civil society critics.

KEY DEVELOPMENTS IN 2022

- Cross-border violence began in January and continued sporadically throughout the year as Kyrgyzstani and Tajikistani border forces clashed and settlements were shelled, reportedly displacing more than 100,000 people in continuation of a crisis that began the previous year. Talks between the two states on the de-escalation of tensions prevented further deterioration, but normal diplomatic relations did not resume by year's end.
- Public discontent over border negotiations with Uzbekistan became a pretext for a broad crackdown on civil society in October, when the Japarov government arrested more than 20 prominent civil society activists on charges that they had planned "mass unrest."

POLITICAL RIGHTS: 4 / 40

A. ELECTORAL PROCESS: 2 / 12

A1. Was the current head of government or other chief national authority elected through free and fair elections? 0 / 4

The constitution, ratified in May 2021, returned Kyrgyzstan to a superpresidential system, in which the president is the chief national authority. The president is directly elected and

can serve up to two five-year terms. The head of government, the chairman of the cabinet of ministers, is appointed by the president, and effectively serves as the president's chief of staff.

Major protests over the administration of the October 2020 parliamentary elections took place in Bishkek the day after the polls were held and turned violent; demonstrators had clashed with police, forcibly freed prisoners held by the State Committee for National Security (GKNB), and set fire to the building housing the parliament and the president's office.

Within two weeks, then president Sooronbay Jeenbekov accepted the parliament's nomination of Sadyr Japarov of the Mekenchil (Patriotic) party—who days before had been freed from GKNB custody while serving a prison sentence for kidnapping—as prime minister. Jeenbekov resigned the following day as Japarov supporters, who had in previous days attacked attendees at other political rallies, threatened to march on his residence.

Parliament speaker Kanat Isayev was next in the line of succession but declined to assume the presidency, after Japarov supporters called for Isayev's resignation and arrest. The parliament formally made Japarov acting president the day after he had publicly declared himself acting in both executive positions. He served until November 2020, when he resigned to qualify for an early presidential election scheduled for January 2021.

Snap presidential elections were held as planned in January 2021; Japarov was elected to the presidency with 79.2 percent of the vote. The election was marked by historically low voter turnout at 39.2 percent and the massive misuse of administrative resources. The Organization for Security and Co-operation in Europe (OSCE) limited observation mission reported that the elections were not competitive, but had been dominated by Japarov, who had benefited from significant advantages, including "disproportionate financial means" and the use of state resources.

A2. Were the current national legislative representatives elected through free and fair elections? 1 / 4

The unicameral parliament consisted of 120 deputies elected by party list in a single national constituency to serve five-year terms before the ratification of the new constitution in May 2021. Constitutional changes and an electoral law signed in August 2021 cut the number of seats to 90, with 54 elected by party list and 36 representing single-member districts.

The Central Commission for Elections and Referenda (CEC) originally reported that four parties exceeded the threshold to secure seats in the October 2020 parliamentary elections, three of them affiliated with former president Jeenbekov. Opposition parties refused to accept the results, accusing the victors of vote buying and intimidation; vote-buying evidence was disseminated on social media. Journalists and civil society also accused the victors of misusing administrative resources.

The CEC annulled the results two days after the vote was held, selecting a December date for a rerun; in late October, parliamentarians decided to delay the poll indefinitely. Although the sixth session of the parliament was elected in 2015 and their mandate expired in 2020, parliamentarians voted to extend their own mandates after the October election results were annulled, and the deputies continued to serve through December 2021 with no electoral mandate.

In November 2021, over a year after the 2020 parliamentary election results had been annulled, new polls were held; voter turnout was recorded at 34 percent. Initial results published by the CEC showed several parties clearing the 5 percent threshold required to enter parliament; these results were later withdrawn, and nearly 10 percent of the ballots cast were discarded as spoiled. CEC officials cited technical errors to explain the changes in the vote count, which resulted in the exclusion of four opposition parties from the parliament. The

parties that entered the new parliament were Ata-Jurt Kyrgyzstan with 15 seats, followed by Ishenim with 12; Yntymak, 9; Alyans, 7; Butun Kyrgyzstan, 6; and Yiman Nuru with 5.

A3. Are the electoral laws and framework fair, and are they implemented impartially by the relevant election management bodies? 1 / 4

Though international observers have deemed Kyrgyzstani electoral laws to be "generally adequate," such laws are often selectively enforced. The November 2021 elections featured a number of administrative irregularities, including discrepancies in vote tallies; the exclusion of independent journalists from monitoring the polls; and the admission of Talant Mamytov, a close ally of Japarov, to the Yntymak party list despite his failure to comply with electoral rules.

B. POLITICAL PLURALISM AND PARTICIPATION: 3 / 16

B1. Do the people have the right to organize in different political parties or other competitive political groupings of their choice, and is the system free of undue obstacles to the rise and fall of these competing parties or groupings? 1 / 4

Citizens have the freedom to organize political parties and groupings, especially at the local level. Political parties are primarily vehicles for a handful of strong personalities, rather than mass organizations with clear ideologies and policy platforms.

Parties must pass a threshold to earn parliamentary seats, along with at least 0.5 percent of the vote in each of Kyrgyzstan's nine regional divisions. New legislation approved during the constitutional referendum in 2021 raised the national threshold to 5 percent; electoral amendments passed in 2020 had previously lowered the threshold from 7 percent to 3 percent.

Political parties were impeded by violence in the aftermath of the October 2020 parliamentary elections. Opposition parties excluded from the parliament attempted to collaborate in the formation of a transitional government but Japarov supporters, acting with groups believed to maintain criminal connections, engaged in a campaign of street violence to intimidate supporters, with security forces failing to intervene.

Throughout 2021, opposition candidates and activists were subjected to a mass targeted wiretapping campaign, which the Interior Ministry defended as a legitimate security measure. During the parliamentary campaign, Orozayim Narmotava, a member of Butun Kyrgyzstan, was arrested for her "excessive and unfair criticism" of the government, which the Interior Ministry claimed was designed to inflame protest that in turn could lead to a "violent seizure of power." Narmatova was elected to the parliament, but the CEC canceled her mandate in January 2022, alleging that she had falsified her academic credentials. In October, Narmatova was arrested in Moscow on behalf of the Kyrgyzstani government on charges of "preparing mass unrest." Narmatova was extradited to Kyrgyzstan later that month, where she remained in pretrial detention through the end of the year.

B2. Is there a realistic opportunity for the opposition to increase its support or gain power through elections? 1 / 4

A new constitution ratified in May 2021 reintroduced a superpresidential system while shrinking the size and role of parliament, undoing previous reforms that had been intended to promote political pluralism. The 2021 constitution also introduced the People's Kurultai, an unelected assembly, and granted it broad powers, including the ability to propose policies and legislation. Although opposition parties or individuals may gain power through elections, the new constitution weakens the role of political parties and of the parliament overall, transferring complete executive power—along with some legislative and judicial powers—back to the presidency.

B3. Are the people's political choices free from domination by forces that are external to the political sphere, or by political forces that employ extrapolitical means? 0 / 4

While largely free from military domination, Kyrgyzstani politics are subject to the influence of organized crime and economic oligarchies. Political affairs are generally controlled by a small group of elites who head competing patronage networks.

Criminal violence and intimidation marred the aftermath of the October 2020 parliamentary elections. Japarov supporters attacked an October 9 rally meant to bolster a potential transitional government, injuring its proposed prime minister and forcing several other politicians to flee. Then speaker Isayev was also threatened by Japarov supporters before declining to serve as interim president later that month.

Similar extrapolitical tactics were employed during the November 2021 parliamentary elections.

B4. Do various segments of the population (including ethnic, racial, religious, gender, LGBT+, and other relevant groups) have full political rights and electoral opportunities? 1 / 4

Ethnic minority groups face political marginalization. Politicians from the Kyrgyz majority have used ethnic Uzbeks as scapegoats on various issues in recent years, and minority populations remain underrepresented in elected offices, even in areas where they form a demographic majority.

Women enjoy equal political rights and have attained some notable leadership positions, but they are also underrepresented, having won only 18 of the of 90 seats in the 2021 parliamentary election despite a 30 percent gender quota for party candidate lists. Legislation enacted in 2019 extended the 30 percent gender quota to local municipal councils.

LGBT+ people are not legally excluded from pursuing political opportunities. However, discrimination and violence against pro-LGBT+ civic action groups are common, and typically go unaddressed by law enforcement.

C. FUNCTIONING OF GOVERNMENT: 0 / 12

C1. Do the freely elected head of government and national legislative representatives determine the policies of the government? 0 / 4

A new constitution, ratified in May 2021, significantly altered the structure of the government and resolved existing constitutional ambiguities regarding the division of power among the president, the prime minister, and the parliament, which had contributed to the instability of governments in recent years. The 2021 constitution eliminated the office of the prime minister and reduced the powers of the legislature, reintroducing a superpresidential system of government.

After former president Jeenbekov resigned amid protests in October 2020, neither his presidential successors nor their concurrently serving prime ministers were freely selected. A snap presidential election held in January 2021 elected Japarov to the presidency; however, the election was neither free nor fair, featuring significant procedural irregularities and a record low voter turnout. Though the results of the October 2020 parliamentary elections were annulled later that same month, the parliament continued to operate until new elections were held in November 2021—well beyond the expiration of its democratic mandate.

C2. Are safeguards against official corruption strong and effective? 0 / 4

Corruption is pervasive in politics and government. Political elites use government resources to reward clients—including organized crime figures—and punish opponents. An anticorruption office within the GKNB was formed in 2012, but has primarily been used by incumbent presidents to target their political enemies in the parliament and municipal governments.

Throughout 2022, a wide range of former officials, business leaders, and organized crime leaders were detained repeatedly on corruption charges. Critics have described this "catch-and-release" pattern of arrests as both a political tool and a way for the government to generate revenue.

C3. Does the government operate with openness and transparency? 0 / 4

Kyrgyzstani access-to-information laws are considered relatively strong, but implementation is poor in practice. Similarly, although public officials are obliged to disclose information on their personal finances, powerful figures are rarely held accountable for noncompliance or investigated for unexplained wealth. Oversight of public contracts is inadequate; corruption scandals in recent years have often centered on procurement deals or sales of state assets.

Kyrgyzstani officials were not transparent in disclosing COVID-19 infections or deaths; in January 2021, a government inquiry found that official data had been manipulated and pandemic-related deaths had been significantly underreported.

Government decisions were made and key posts were claimed in an opaque fashion in the aftermath of the annulled October 2020 elections. Japarov notably claimed the powers of the presidency immediately after Jeenbekov's resignation but before the parliament appointed him to the role. Meanwhile, the parliament eschewed a mandatory public comment period when deciding to amend the electoral code that month.

The government's pronounced lack of transparency around a proposed agreement that would demarcate Kyrgyzstan's border with Uzbekistan—segments of which have remained undefined since the collapse of the Soviet Union in 1991—led to protests in October 2022. The content of several border delineation agreements signed by the government, which involve the administration of the large Kempir-Abad dam, among other things, remained secret as of November.

ADDITIONAL DISCRETIONARY POLITICAL RIGHTS QUESTION

Is the government or occupying power deliberately changing the ethnic composition of a country or territory so as to destroy a culture or tip the political balance in favor of another group? −1 / 0

Southern Kyrgyzstan has yet to fully recover from the ethnic upheaval of 2010, which included numerous documented instances of government involvement or connivance in violence against ethnic Uzbeks in the region, with the aim of tipping the political and economic balance in favor of the Kyrgyz elite. Many Uzbek homes and businesses were destroyed or seized. While intimidation has continued and little has been done to reverse the outcomes of the violence, some steps have been taken to restore Uzbek-language media in the region, and fears of further unrest have eased over time.

CIVIL LIBERTIES: 23 / 60

D. FREEDOM OF EXPRESSION AND BELIEF: 10 / 16

D1. Are there free and independent media? 2 / 4

The media landscape is relatively diverse but divided along ethnic lines, and prosecutions for inciting ethnic hatred have tended to focus on minority writers despite the prevalence of openly racist and antisemitic articles in Kyrgyz-language media. A 2014 law criminalized the publication of "false information relating to a crime or offense" in the media, which international monitors saw as a contradiction of the country's 2011 decriminalization of defamation. The law assigns penalties of up to three years in prison, or five years if the claim serves the interests of organized crime or is linked to the fabrication of evidence.

Journalists and bloggers covering major events, including ongoing corruption cases, the COVID-19 response, and elections have regularly faced intimidation, detention, physical attack, and interference as they conducted their work. In January 2022, one of the country's leading anticorruption journalists, Bolot Temirov, was arrested on drug charges days after publishing a video accusing family members of Kamchybek Tashiev, the head of the GKNB, of corruption. In September, the charges against Temirov were thrown out by a Bishkek court; the presiding judge noted that the charges were clearly fabricated. Despite being cleared of the drug charges, Temirov was convicted of "illegal border crossing" for allegedly falsifying the documents he used to obtain his Kyrgyzstani passport; he was stripped of his Kyrgyzstani citizenship in November and forcibly deported to Russia, an action that his family compared to a forced abduction.

The parliament passed new legislation on "false information" in 2021 under the direct guidance of Japarov and in violation of parliamentary procedure. The controversial law grants an unspecified government body the power to order service providers to block information deemed "false" by authorities and to create a database of those associated with online activity—including alleged defamation—that officials have flagged. Human rights activists claim that the legislation provides for legal censorship outside the courts.

In 2022, the parliament began considering new legislation that would require all media organizations to reapply for registration and impose specific limitations on outlets that receive funding from abroad. In October, a petition to the president purportedly authored by a lawmaker and signed by a large group of journalists and cultural figures demanded the closure of Radio Free Europe/Radio Liberty's (RFE/RL) Kyrgyz service as well as two local independent outlets, Kloop and Kaktus.media. Though many of those who supposedly signed the petition later denied doing so, RFE/RL's local website was blocked and its accounts frozen in October; the website remained blocked through year's end after a judge extended the blocking order in December.

D2. Are individuals free to practice and express their religious faith or nonbelief in public and private? 2 / 4

All religious organizations must register with the authorities, a process that is often cumbersome and arbitrary. Groups outside the traditional Muslim and Orthodox Christian mainstream reportedly have difficulty obtaining registration, and the 2009 Law on Religion deems all unregistered groups illegal. Organizations such as the Jehovah's Witnesses often face police harassment. The government also monitors and restricts some Islamic groups, including the nonviolent Islamist movement Hizb ut-Tahrir and Yakyn Inkar, which practices strict asceticism.

Some unregistered religious communities have nevertheless been able to practice their faiths without state intervention, and authorities have investigated and punished relatively rare acts of violence against religious figures or minorities.

D3. Is there academic freedom, and is the educational system free from extensive political indoctrination? 3 / 4

The government does not formally restrict academic freedom, though teachers and students have reportedly faced pressure to participate in political campaigns and voting.

D4. Are individuals free to express their personal views on political or other sensitive topics without fear of surveillance or retribution? 3 / 4

Private discussion is generally free in the country, and prosecutions of individuals for the expression of personal views on social media are rare. However, state and local

authorities regularly raid homes where they believe members of banned groups like Hizb ut-Tahrir or certain religious minorities meet to discuss their beliefs.

E. ASSOCIATIONAL AND ORGANIZATIONAL RIGHTS: 4 / 12

E1. Is there freedom of assembly? 1 / 4

A 2012 law allows peaceful assembly, and small protests and civil disobedience actions, such as blocking roads, take place regularly. Nevertheless, domestic and international watchdogs have voiced concerns over violations of assembly rights, including arrests and other forms of interference. Far-right groups and criminal organizations are also known to intimidate and attack demonstrators.

Protests held after the October 2020 elections were marred by violence. Over 600 people were injured in clashes within two days of the poll, and one person was reportedly killed. The building housing the parliament and president's office was damaged.

Japarov supporters attacked and intimidated protesters and opposition groups after the annulled elections, notably disrupting a rally held to support a potential anti-Japarov transitional government. Ata-Meken parliamentary candidate Tilek Toktogaziyev was seriously injured during the rally, while a car carrying former president Atambayev, who was freed from GKNB custody earlier that month and attended the rally, was shot at.

Since the fall of 2020, protesters have frequently been subjected to violent assaults and arbitrary detention. In 2021, a group of "national-patriots" violently attacked a demonstration against gender-based violence as police looked on; the group accused the protesters of offending traditional Kyrgyzstani values.

In October 2022, protests erupted over a proposed border demarcation agreement between Kyrgyzstan and Uzbekistan, which demonstrators criticized as nontransparent. More than two dozen of the initial protesters, who included prominent civil society members and human rights defenders, were quickly arrested, sparking further protests.

E2. Is there freedom for nongovernmental organizations, particularly those that are engaged in human rights– and governance-related work? 1 / 4

Nongovernmental organizations (NGOs) are active in civic and political life. However, human rights workers, including those who support ethnic Uzbek victims, LGBT+ people, and women's groups, face threats, harassment, and physical attacks. Ultranationalists have harassed US and European NGOs as well as domestic counterparts that are perceived to be favored by foreign governments and donors.

In 2021, amid growing anti-Western sentiment within the country, Japarov signed a law imposing onerous financial reporting requirements on any civil society organizations that accept funding from abroad. Proponents of the legislation claim it protects against foreign interference, including the imposition of "Western ideology" and "LGBT+ propaganda." Human rights groups fear the law will be used to prevent independent NGOs from operating freely. A new draft bill on the registration of NGOs in development in late 2022 could subject currently approved organizations to re-registration and allow the state to shutter an organization and prosecute its members if the group's activities are deemed to contradict the "health and morals of the population."

Following public outcry over a proposed deal to demarcate Kyrgyzstan's border with Uzbekistan, the Japarov government launched a broad crackdown on civil society in October. More than 20 prominent civil society activists were detained on charges that they had planned "mass unrest."

E3. Is there freedom for trade unions and similar professional or labor organizations? 2 / 4

Kyrgyzstani law provides for the formation of trade unions, which are generally able to operate without obstruction. However, parliamentarians have considered legislative amendments that would limit their ability to organize and would force them to affiliate with the Federation of Trade Unions of Kyrgyzstan (FTUK), which would serve as the country's only national union. Japarov vetoed the amendments three times in 2021, returning the legislation to parliament for further review; the draft amendments remained under consideration at year's end.

Strikes are prohibited in many sectors. Legal enforcement of union rights is weak, and employers do not always respect collective-bargaining agreements.

F. RULE OF LAW: 2 / 16

F1. Is there an independent judiciary? 0 / 4

The judiciary is dominated by the executive branch. Corruption among judges is widespread. In 2019, the GKNB announced corruption charges against seven judges, including three sitting Supreme Court justices; the judges were accused of issuing rulings that favored organized criminal groups.

The judiciary provided little resistance to the opaque and procedurally questionable installation of Japarov as prime minister and president. The Supreme Court refused to consider a CEC appeal over the parliament's decision to delay a rerun election and the Constitutional Chamber ruled the parliament's decision to extend its own term constitutional.

F2. Does due process prevail in civil and criminal matters? 0 / 4

Defendants' rights, including the presumption of innocence, are not always respected, and evidence allegedly obtained through torture is regularly accepted in courts.

Due process was not consistently upheld for high-profile prisoners released from GKNB custody in 2020. While Japarov's convictions were overturned after his release, former president Atambayev, who received a corruption-related prison sentence in June and was released along with Japarov, was rearrested on charges of inciting unrest in October. Other politicians who escaped the GKNB during the protests were also sent back into custody.

In 2021, the Japarov government seized the Kumtor gold mine from the Canada-based firm Centerra Gold. The mine accounts for around 12.5 percent of Kyrgyzstan's GDP.

F3. Is there protection from the illegitimate use of physical force and freedom from war and insurgencies? 1 / 4

There are credible reports of torture during arrest and interrogation, in addition to physical abuse in prisons. Most such reports do not lead to investigations and convictions.

Uzbek human rights activist Azimjan Askarov, who was accused of organizing riots after acts of violence were perpetrated against ethnic Uzbeks in southern Kyrgyzstan in 2010, died of pneumonia while in custody in 2020. Askarov, who was tortured in detention, remained imprisoned despite his deteriorating health and repeated calls for his release. Meanwhile, few perpetrators of the 2010 violence have been brought to justice.

In April 2021, at least 34 people were killed during a border skirmish near the Vorukh exclave of Tajikistan grew into the most serious fighting between Kyrgyzstani and Tajikistani troops and border forces in recent years. Destruction of homes and property in both Kyrgyz and Tajik majority villages led to popular mobilization of ad-hoc citizen self-defense groups and intense ethnic tensions. The dispute between Tajikistan and Kyrgyzstan

continued in 2022, leading to several dozen more deaths and displacing more than 100,000 people in multiple outbreaks of violence. In September, another cease fire immediately collapsed; Kyrgyzstan claimed Tajikistan's military used missiles and artillery on civilian areas, killing more than 20 people and injuring nearly 100, with injuries and a death reported among Tajikistani civilians as well.

F4. Do laws, policies, and practices guarantee equal treatment of various segments of the population? 1 / 4

Legal bans on gender discrimination in the workplace are not effectively enforced. Traditional biases also put women at a disadvantage regarding education and access to services. Ethnic minorities—particularly Uzbeks, who make up nearly half of the population of the city of Osh—continue to face discrimination on economic, security, and other matters. Uzbeks are often targeted for harassment, arrest, and mistreatment by law enforcement agencies based on dubious terrorism or extremism charges. Same-sex sexual activity is not illegal, but discrimination against and abuse of LGBT+ people at the hands of police are pervasive. Ultranationalist groups have also engaged in intimidation of LGBT+ and feminist activists.

In 2021, the government returned 79 children born to Kyrgyzstanis in Iraq to their relatives in Kyrgyzstan; in 2022, the state announced its intention to repatriate several hundred Kyrgyzstani women and children who remain in detention camps in Syria.

G. PERSONAL AUTONOMY AND INDIVIDUAL RIGHTS: 7 / 16

G1. Do individuals enjoy freedom of movement, including the ability to change their place of residence, employment, or education? 2 / 4

The government generally respects the right of unrestricted travel to and from Kyrgyzstan, though journalists and human rights activists sometimes face bans and other obstacles. Barriers to internal migration include a requirement that citizens obtain permits to work and settle in particular areas of the country.

Since 2021, following the outbreak of armed conflict along the border between Kyrgyzstan and Tajikistan, the Tajikistani government has reportedly denied ethnic Kyrgyz residents of Tajikistan the ability to cross into Kyrgyzstan.

G2. Are individuals able to exercise the right to own property and establish private businesses without undue interference from state or nonstate actors? 2 / 4

The misuse of personal connections, corruption, and organized crime impair private business activity. The ethnic violence of 2010 has affected property rights in the south, as many businesses, mainly owned by ethnic Uzbeks, were destroyed or seized.

G3. Do individuals enjoy personal social freedoms, including choice of marriage partner and size of family, protection from domestic violence, and control over appearance? 2 / 4

Cultural constraints and inaction by law enforcement officials discourage victims of domestic violence and rape from contacting the authorities. Legislation enacted in 2017 aimed to broaden the definition of domestic abuse and improve both victim assistance and responses from law enforcement bodies, but the law is weakly enforced.

The practice of bride abduction persists despite the strengthening of legal penalties in 2013, and few perpetrators are prosecuted.

G4. Do individuals enjoy equality of opportunity and freedom from economic exploitation? 1 / 4

The government does not actively enforce workplace health and safety standards. Child labor is restricted by law but reportedly occurs, particularly in the agricultural sector. The

trafficking of women and girls into forced prostitution abroad is a serious problem. Police have been accused of complicity in the trafficking and exploitation of sex trafficking victims, and reportedly accept bribes from traffickers. Kyrgyzstani men are especially vulnerable to trafficking for forced labor abroad.

Laos

Population: 7,500,000
Capital: Vientiane
Freedom Status: Not Free
Electoral Democracy: No

Overview: Laos is a one-party state in which the ruling Lao People's Revolutionary Party (LPRP) dominates all aspects of politics and harshly restricts civil liberties. There is no organized opposition, independent civil society, or independent media sector. Economic development has stoked disputes over land and environmental problems, and an economic and debt crisis that erupted in 2022 has led to public anger toward both the government and China, the country's main creditor.

KEY DEVELOPMENTS IN 2022

- Laos suffered a major economic crisis during the year, driven by a combination of excessive debt, rising fuel prices, a broader global economic downturn, and the COVID-19 pandemic's lasting impact on tourism. Some analysts suggested that additional debts owed to Chinese entities had still not been publicly revealed.
- In June, as fuel and other basic supplies grew more scarce and inflation spiked, the prime minister shuffled the cabinet and replaced the head of the national bank. The risk of a default on public debt remained a concern at year's end, and the prime minister resigned in late December, citing health reasons.
- The dire economic circumstances led to somewhat more open dissent than in the past, with many Laotians expressing anger at the government on social media. While the authorities made little effort to censor the online criticism, public protests remained extremely rare, with a heavy security presence and repressive laws serving as deterrents.

POLITICAL RIGHTS: 2 / 40

A. ELECTORAL PROCESS: 0 / 12

A1. Was the current head of government or other chief national authority elected through free and fair elections? 0 / 4

Laos is a one-party communist state, and the LPRP's 61-member Central Committee, under the leadership of the 11-member Politburo, makes all major decisions. The LPRP vets all candidates for election to the National Assembly, whose members elect the president and prime minister.

In an opaque January 2021 party congress, former prime minister Thongloun Sisolith was named LPRP secretary-general. In March of that year, Thongloun was named state president by the National Assembly, while former vice president Phankham Viphavanh was named prime minister. In December 2022, Phankham resigned, citing health reasons; he was replaced by his deputy prime minister, Sonexay Siphandone.

A2. Were the current national legislative representatives elected through free and fair elections? 0 / 4

National Assembly elections are held every five years, but they are not free or fair, and international observers are not permitted to monitor them. The LPRP won 158 of the body's 164 seats in the February 2021 elections, with the remainder going to carefully vetted independents.

A3. Are the electoral laws and framework fair, and are they implemented impartially by the relevant election management bodies? 0 / 4

The electoral laws and framework are designed to ensure that the LPRP, the only legal party, dominates every election and controls the political system.

B. POLITICAL PLURALISM AND PARTICIPATION: 0 / 16

B1. Do the people have the right to organize in different political parties or other competitive political groupings of their choice, and is the system free of undue obstacles to the rise and fall of these competing parties or groupings? 0 / 4

The constitution makes the LPRP the sole legal political party and grants it a leading role at all levels of government.

B2. Is there a realistic opportunity for the opposition to increase its support or gain power through elections? 0 / 4

Although nominally independent candidates are allowed to seek National Assembly seats, all candidates must be approved by National Assembly–appointed committees, effectively barring genuine opposition figures from contesting elections and challenging the LPRP's dominance.

B3. Are the people's political choices free from domination by forces that are external to the political sphere, or by political forces that employ extrapolitical means? 0 / 4

Laos's authoritarian one-party system excludes the public from any genuine and autonomous political participation.

B4. Do various segments of the population (including ethnic, racial, religious, gender, LGBT+, and other relevant groups) have full political rights and electoral opportunities? 0 / 4

The rights to vote and run for office are constitutionally guaranteed, but due to the one-party system, no segment of the population can exercise full political rights and electoral opportunities. Some members of ethnic minority groups hold positions in LPRP leadership bodies and the National Assembly, but they have little ability to advocate independently for policies that benefit their communities.

Women's interests are not addressed in the political system, and women are poorly represented in the legislature; female candidates won 22 percent of the National Assembly's seats in the February 2021 elections, a decrease from 27.5 percent in the 2016 polls.

C. FUNCTIONING OF GOVERNMENT: 2 / 12

C1. Do the freely elected head of government and national legislative representatives determine the policies of the government? 0 / 4

None of the country's nominally elected officials are chosen through free and fair contests, and major policy decisions are reserved for the LPRP and particularly a small cadre of its top leaders.

C2. Are safeguards against official corruption strong and effective? 1 / 4

Corruption by government officials is widespread. Laws aimed at curbing graft are poorly enforced, and government regulation of virtually every facet of life provides many opportunities for bribery. Punishments for corruption are often administered through LPRP disciplinary mechanisms rather than the judicial system.

President Thongloun initiated an anticorruption drive while serving as prime minister from 2016 to 2021. The State Audit Organization, which gained the power to conduct financial and budget investigations during his premiership, uncovered instances of misappropriated state funds and unreported expenditures. Yet there have been persistent rumors that the country's large-scale borrowing from China in recent years was inflated in part by corruption in the associated infrastructure projects.

Phankham, Thongloun's successor as prime minister, also vowed to combat official corruption, but this goal appeared to be overshadowed during 2022 by the need to manage the broader economic crisis.

C3. Does the government operate with openness and transparency? 1 / 4

There is no law guaranteeing access to official information in Laos. The 2012 Law on Making Legislation increased legislative transparency by requiring bills proposed at the central and provincial levels to be published for a 60-day comment period and, once passed, to be posted for 15 days before coming into force.

In June 2022, responding to growing public anger about the economic crisis, Prime Minister Phankham reshuffled his cabinet and fired the head of the central bank. He also offered a rare admission that the government had made mistakes. Phankham's resignation in December 2022, ostensibly for health reasons, came amid ongoing concerns about unreported debts to Chinese entities and reports that many Chinese mining enterprises in the country had failed to pay taxes.

CIVIL LIBERTIES: 11 / 60

D. FREEDOM OF EXPRESSION AND BELIEF: 3 / 16

D1. Are there free and independent media? 0 / 4

Authorities use restrictive laws and intimidation tactics against critics of the government, and as a result, self-censorship is the norm among journalists. The state owns nearly all media, though some independent outlets, primarily entertainment magazines, have emerged in recent years. In 2019, the government required news outlets that disseminate material through social media to register themselves, threatening fines and prison sentences for noncompliance. The move was ostensibly intended to halt the spread of "fake news."

Amid the economic crisis in 2022, the normally obedient state media were at times obliged to acknowledge fuel shortages and other hardships, but there was no consistent trend of more critical reporting.

D2. Are individuals free to practice and express their religious faith or nonbelief in public and private? 1 / 4

Religious freedom is constitutionally guaranteed but is constrained in practice, in part through the LPRP's control of clergy training and supervision of Buddhist temples. There have been multiple cases in recent years of Christians being briefly detained or sentenced to jail for unauthorized religious activities, or being pressured by authorities to renounce their faith.

D3. Is there academic freedom, and is the educational system free from extensive political indoctrination? 1 / 4

University professors cannot teach or write about politically sensitive topics, though select foreign academics have been invited to teach courses in the country.

D4. Are individuals free to express their personal views on political or other sensitive topics without fear of surveillance or retribution? 1 / 4

Security agencies and LPRP-backed mass organizations monitor for public dissent, which is punishable under a variety of laws. As a result, there is little space for open and free private discussion of sensitive issues. In 2021, the government formed a task force to scrutinize social media content. During the economic crisis in 2022, authorities appeared to allow some online expression of public anger about the situation, including the country's indebtedness to China, though this did not develop into a general expansion of freedom of speech.

E. ASSOCIATIONAL AND ORGANIZATIONAL RIGHTS: 0 / 12

E1. Is there freedom of assembly? 0 / 4

The government severely restricts freedom of assembly, and protests are extremely rare in practice. In 2022, small demonstrations by unpaid construction workers and farmers involved in a land dispute were disrupted by the military, with arbitrary detentions reported in some cases.

E2. Is there freedom for nongovernmental organizations, particularly those that are engaged in human rights– and governance-related work? 0 / 4

Alongside LPRP-affiliated mass organizations, there are some domestic nongovernmental welfare and professional groups, but they are prohibited from pursuing political agendas. Registration and regulatory mechanisms for nongovernmental organizations (NGOs) are onerous and allow for arbitrary state interference. A harsh decree on associations, which came into force in 2017, mandates that NGOs secure government approval for their initiatives and funding.

Human rights and prodemocracy activists are also at risk of unexplained disappearances. In 2019, Laotian prodemocracy activist Od Sayavong disappeared in Bangkok, where he resided. His whereabouts were unknown at the end of 2022. Also in 2019, Phetphouthon Philachane, a Laotian citizen who demonstrated in front of the Laotian embassy in Bangkok, disappeared after returning to Laos.

Multiple Thai dissidents have similarly disappeared, or turned up dead, in Laos and neighboring states in recent years.

E3. Is there freedom for trade unions and similar professional or labor organizations? 0 / 4

Most unions belong to the official Lao Federation of Trade Unions. Strikes are not expressly prohibited, but workers rarely stage walkouts. While collective bargaining is legally permitted, workers who try to engage in such activity are usually punished.

F. RULE OF LAW: 2 / 16

F1. Is there an independent judiciary? 0 / 4

Laotian courts are deeply penetrated by corruption and subject to systemic LPRP influence. Major decisions are often made secretly.

F2. Does due process prevail in civil and criminal matters? 0 / 4

Due process rights are outlined in law but routinely denied in practice. Defendants are often presumed guilty, and long procedural delays in the judicial system are common.

Appeals processes are often nonexistent or delayed, sometimes indefinitely. Warrantless searches and arbitrary arrests also occur. Villages are encouraged to settle noncriminal disputes, such as land disputes, in local mediation units, which are outside the formal judicial system and often result in unfair decisions against villagers.

F3. Is there protection from the illegitimate use of physical force and freedom from war and insurgencies? 1 / 4

Prison conditions are substandard, with reports of inadequate food and medical facilities. Prisoners are also subject to torture.

Antigovernment groups have reportedly attacked border checkpoints and transportation hubs over the last two decades.

Members of the Hmong ethnic group face violence at the hands of the military and other government authorities.

F4. Do laws, policies, and practices guarantee equal treatment of various segments of the population? 1 / 4

Equal rights are constitutionally guaranteed but are not upheld in practice. Discrimination against members of ethnic minority tribes is common. The Hmong, who fielded a guerrilla army allied with US forces during the Vietnam War, are particularly distrusted by the government and face harsh treatment.

While same-sex relations are legal and violence against LGBT+ people is rare, no legislation provides explicit protection against discrimination based on sexual orientation or gender identity. Laotians have participated in modest events celebrating the LGBT+ community.

Gender-based discrimination and violence are widespread. Discriminatory norms and religious practices have contributed to women's limited access to education and employment opportunities.

G. PERSONAL AUTONOMY AND INDIVIDUAL RIGHTS: 6 / 16

G1. Do individuals enjoy freedom of movement, including the ability to change their place of residence, employment, or education? 2 / 4

The dominance of the LPRP over most aspects of society can effectively restrict individuals' ability to choose their place of residence, employment, or education. Freedom of movement is sometimes restricted for ethnic Hmong.

G2. Are individuals able to exercise the right to own property and establish private businesses without undue interference from state or nonstate actors? 1 / 4

All land is owned by the state, though citizens have rights to use it. Violations of land rights have become a source of public discontent in recent years. Villagers who live on or near the sites of planned dams and other development projects are often forced to leave their homes and fields without adequate compensation. Construction began on a high-speed rail line from China through Laos in 2016, resulting in large-scale displacement; the rail line was inaugurated in late 2021.

G3. Do individuals enjoy personal social freedoms, including choice of marriage partner and size of family, protection from domestic violence, and control over appearance? 2 / 4

Social freedoms can be restricted, especially for women and children. Domestic violence is apparently widespread but rarely reported to police. Abortion is illegal and only permitted when the mother's life is at risk. Marriage among girls younger than 18 is allowed with parental permission and fairly common in practice, especially in rural areas.

G4. Do individuals enjoy equality of opportunity and freedom from economic exploitation? 1 / 4

Regulations against unsafe or exploitative working conditions are poorly enforced. Trafficking in persons is common, and enforcement of antitrafficking measures is hindered by a lack of transparency and weak rule of law. The US State Department's *Trafficking in Persons Report 2022* notes that the Laotian government is working to combat human trafficking, but calls its efforts to identify Laotian and foreign survivors insufficient. The country's worsening economic situation since the COVID-19 pandemic has prompted greater trafficking of women to China and a massive migration of workers, usually illegally, to Thailand and other neighboring states.

Latvia

Population: 1,900,000
Capital: Riga
Freedom Status: Free
Electoral Democracy: Yes

Overview: Latvia is a multiparty democracy that holds free and fair elections. Civil liberties are generally respected in law and in practice. However, corruption remains a major problem affecting politics, the judiciary, and the wider criminal justice system. The country's ethnic Russian population faces disadvantages in matters such as education and employment.

KEY DEVELOPMENTS IN 2022

- After competitive and credible parliamentary elections in October, the center-right party New Unity won 26 out of 100 seats in the Saeima (parliament) and established a ruling coalition with the centrist alliance United List and the right-wing National Alliance. Harmony, which mostly represents the Russian-speaking population and previously had the largest parliamentary faction, did not pass the electoral threshold to be represented in the Saeima.
- In September, Latvia announced a state of emergency in areas near its border with Russia after Moscow declared a partial military mobilization to support its war effort in Ukraine. Latvia also extended the state of emergency on its border with Belarus, which was declared last summer after the flow of irregular crossings steeply increased. The government received about 36,600 Ukrainians fleeing Moscow's full-scale invasion of Ukraine but continued to use "pushback" measures against migrants from Iraq, Afghanistan, and elsewhere who attempted to enter Latvia from Belarus.
- Due to the large number of Russian speakers in Latvia's population, the war in Ukraine also increased cultural tensions within society. Authorities banned all Russia-based media outlets in June, began to demolish Soviet monuments, and sped up the transition to teaching in Latvian in all schools.

POLITICAL RIGHTS: 37 / 40

A. ELECTORAL PROCESS: 12 / 12

A1. Was the current head of government or other chief national authority elected through free and fair elections? 4 / 4

The Saeima elects the president, who may serve up to two four-year terms. The prime minister, who holds most executive authority, is nominated by the president and approved by the parliament. Current prime minister Krišjānis Kariņš is the first head of government to have served a full term of office since Latvia regained independence. After parliamentary elections in October 2022, Kariņš was approved to continue leading the government. President Egils Levits came to power in 2019 in an orderly and fair manner.

A2. Were the current national legislative representatives elected through free and fair elections? 4 / 4

The constitution provides for a unicameral, 100-seat Saeima, whose members are elected to four-year terms under a proportional system from five multi-member districts. Electoral lists need to receive at least 5 percent of all votes cast to enter the Saeima.

The 2022 parliamentary elections were competitive and credible, and stakeholders accepted the results. Seven electoral alliances won representation. Relatively new political movements took 45 seats, similarly to the 2018 election.

The center-right party New Unity, headed by Prime Minister Krišjānis Kariņš, won 26 out of 100 seats in the Saeima, 18 more than they won in the 2018 elections. In December, New Unity established a ruling coalition with the newly formed centrist alliance United List, which won 15 seats, and the right-wing National Alliance, which won 13. Despite previously having the largest parliamentary faction, the opposition center-left Social Democratic party Harmony, which mostly represents the Russian-speaking population, did not pass the electoral threshold to be represented in parliament. The new Saeima also includes the Union of Farmers and Greens (ZZS), a splinter party from Harmony called For Stability!, the center-left Progressives, and the populist Latvia First. Voter turnout was 59.4 percent, about 5 percent higher than in 2018.

A3. Are the electoral laws and framework fair, and are they implemented impartially by the relevant election management bodies? 4 / 4

In general, the electoral framework is consistent with democratic standards and implemented fairly. Stakeholders regard the Central Election Commission as operating impartially and ensuring the integrity of the electoral process.

B. POLITICAL PLURALISM AND PARTICIPATION: 15 / 16

B1. Do the people have the right to organize in different political parties or other competitive political groupings of their choice, and is the system free of undue obstacles to the rise and fall of these competing parties or groupings? 4 / 4

Latvia's political parties organize and compete freely, and elections often result in representation for newly founded parties or coalitions. However, candidates cannot run as independents (including in municipalities), and those who belonged to communist or pro-Soviet organizations after 1991 may not hold public office. In October 2022, that restriction was expanded to include Latvian candidates to the European Parliament.

B2. Is there a realistic opportunity for the opposition to increase its support or gain power through elections? 4 / 4

The country has experienced numerous peaceful transfers of power between rival parties, and opposition parties typically have a strong presence in the Saeima and in local governments. However, parties representing Latvia's Russian-speaking population have never been invited to participate in forming a government.

B3. Are the people's political choices free from domination by forces that are external to the political sphere, or by political forces that employ extrapolitical means? 4 / 4

Politically connected businesspeople historically exercised undue influence in the country, using patronage networks, corruption, and other opaque means to infringe on the autonomy of voters and candidates. Efforts by Latvian authorities to combat corruption and money laundering have apparently reduced the political influence of these figures. However, during the parliamentary elections in October 2022, influential individuals including Aivars Lembergs, the former mayor of Ventspils and one of the richest people in the country, Andris Šķēle, a former prime minister, and Ainārs Šlesers, a former transport minister, retained some of their political sway in both the opposition and ruling parties.

Authorities and other observers continue to express concern about the presence of Russian government disinformation and propaganda in Latvian media, among other attempts by Moscow to influence domestic politics.

B4. Do various segments of the population (including ethnic, racial, religious, gender, LGBT+, and other relevant groups) have full political rights and electoral opportunities? 3 / 4

As of January 2021, around 200,000 of Latvia's registered residents—most of them ethnic Russians—were stateless, without the right to vote, hold public office, work in government offices, or establish political parties. In April 2022, the Saeima passed legislation amending the Citizenship Law to allow the government to revoke the citizenship of individuals who support countries or people responsible for war crimes.

Though women have made gains in political participation, at the end of 2022 they only held 29 percent of seats in the new Saeima. In the new cabinet, 6 of the 14 members are women. Reappointed foreign affairs minister Edgars Rinkēvičs is openly gay. However, LGBT+ people are poorly represented in Latvian politics, and parties have been reluctant to address their interests.

C. FUNCTIONING OF GOVERNMENT: 10 / 12

C1. Do the freely elected head of government and national legislative representatives determine the policies of the government? 4 / 4

The country's elected leadership sets and implements government policies without improper interference from foreign or unelected entities, and the politically diverse legislature provides a meaningful check on executive authority.

C2. Are safeguards against official corruption strong and effective? 3 / 4

Latvian anticorruption and auditing bodies have historically been subject to politicization attempts, funding shortfalls, and a dearth of qualified personnel. However, both the Prosecutor General's office and the Corruption Prevention and Combating Bureau (KNAB) have recently expanded their activities. In 2022, Latvia adopted new legislation on whistleblowing to align with European Union (EU) goals and amended laws on the financing of political parties to promote stability and parliamentary efficiency.

Several high-profile figures were convicted of corruption in 2021. In February 2021, prominent ZZS politician bail Aivars Lembergs was sentenced to five years in prison. In February 2022, Lembergs was released while he appealed the sentence. Former prime minister Šķēle and former transport minister Šlesers were indicted in 2021 in a so-called Digitalgate criminal case. In January 2022, the Court of Economic Affairs acquitted them both.

C3. Does the government operate with openness and transparency? 3 / 4

The legislative framework features extensive provisions intended to ensure government transparency. However, there is a notable lack of transparency in the functioning of state-owned

companies and in public procurement processes. Public procurement processes remain at high risk of corruption, according to the European Commission's 2022 *Rule of Law Report*.

CIVIL LIBERTIES: 51 / 60

D. FREEDOM OF EXPRESSION AND BELIEF: 14 / 16

D1. Are there free and independent media? 3 / 4

While Latvian media outlets publicize a wide range of political views in both Latvian and Russian, the ownership of both traditional and digital media outlets is highly concentrated. Editorial autonomy of private media is vulnerable to business interests, as well as to political meddling in certain cases. Public media are largely financed by annual allocations of the state budget, which can lead to improper influence. Libel remains a criminal offense.

Lagging media literacy, the spread of hate speech, and an increase in online attacks against journalists are growing concerns.

In June 2022, the Latvian regulatory authorities banned retransmission of all Russia-based television channels until the end of the war in Ukraine and the return of Crimea to Ukraine. They have also blocked numerous websites, including kremlin.ru, an official Russian site.

However, between the start of the war in Ukraine and July 2022, more than 200 journalists and 23 media organizations emigrated to Latvia from Russia. In December, Latvian authorities revoked the broadcast license of TV Rain, an independent Russian channel operating in Latvia—a move criticized by both by local and international journalist organizations.

D2. Are individuals free to practice and express their religious faith or nonbelief in public and private? 4 / 4

Freedom of religion is generally respected.

In September 2022, the Saeima amended the Law of the Latvian Orthodox Church to make it fully independent from the Moscow Patriarchate.

D3. Is there academic freedom, and is the educational system free from extensive political indoctrination? 3 / 4

While academic freedom is largely upheld, lawmakers have begun to place some limitations on instruction in recent years.

Following Moscow's full-scale invasion of Ukraine, Latvian authorities accelerated the transition to Latvian-only instruction in all schools, including at the preschool level. In September 2022, the Saeima passed amendments shortening the transition from six years to two. Up to 30 percent of teachers in schools that teach in minority languages lack sufficient Latvian language skills and could face penalties or dismissal.

D4. Are individuals free to express their personal views on political or other sensitive topics without fear of surveillance or retribution? 4 / 4

There are few restrictions on personal expression or private discussion. However, legal constraints include a ban on the public display of Soviet or Nazi symbols as well as prohibitions on incitement to ethnic hatred and denial of historical crimes.

By October 2022, Government authorities had launched around 30 criminal proceedings against individuals who allegedly supported the war in Ukraine, including by posting videos on social media expressing approval of the invasion. By October the State Security Service had banned more than 200 people from Latvia for similar reasons, and in December it warned the parliamentary party For Stability! that its operations could be terminated due to allegedly prowar comments by its members of parliament.

E. ASSOCIATIONAL AND ORGANIZATIONAL RIGHTS: 12 / 12

E1. Is there freedom of assembly? 4 / 4

Freedom of assembly is protected by law and generally respected in practice. The government restricted public gatherings as a public-health measure to mitigate the spread of COVID-19 in 2020 and 2021. As of April 2022, most pandemic restrictions were lifted by the government.

E2. Is there freedom for nongovernmental organizations, particularly those that are engaged in human rights– and governance-related work? 4 / 4

The government does not restrict the activities of nongovernmental organizations (NGOs). However, advocacy by NGOs is often viewed as partisan activity.

E3. Is there freedom for trade unions and similar professional or labor organizations? 4 / 4

Workers may establish trade unions, strike, and engage in collective bargaining, and antiunion discrimination is prohibited. In practice, the share of workers covered by collective-bargaining agreements has declined over time and covered around 27 percent of the workforce in 2018, according to the Organization for Economic Co-operation and Development (OECD). A 2019 law imposed fines on employers that refuse to negotiate a collective agreement, among other potential violations.

F. RULE OF LAW: 11 / 16

F1. Is there an independent judiciary? 3 / 4

While judicial independence is generally respected, institutions within the judiciary continue to function with limited resources. Politicization and corruption within the judicial system persist.

In general, the general public perceives judicial independence as average, while businesses perceive it as very low.

F2. Does due process prevail in civil and criminal matters? 3 / 4

The legal framework provides safeguards against arbitrary arrest and guarantees for fair trial procedures. Although the functioning of the court system had been gradually improving, it was still hampered by corruption and inefficiency, and defendants with adequate resources have exploited these weaknesses to delay or obstruct prosecutions.

Criminal suspects are sometimes interrogated without the presence of a lawyer, and lengthy or unnecessary pretrial detention remains a concern.

F3. Is there protection from the illegitimate use of physical force and freedom from war and insurgencies? 3 / 4

Latvia's residents are generally free from major threats to physical security, though the country has comparatively high levels of violent crime by EU standards. According to the latest Eurostat data, as of 2020, Latvia still has the highest homicide rate, particularly of women, in the EU. Latvia also has one of the EU's higher incarceration rates. Some prison facilities reportedly suffer from poor physical conditions and episodes of violence.

F4. Do laws, policies, and practices guarantee equal treatment of various segments of the population? 2 / 4

The constitution guarantees equality before the law and the protection of human rights without discrimination, and several safeguards are specified in law. However, state

language policies discriminate against ethnic minority groups in education, employment, and access to services.

Women continue to suffer from a gender-based pay gap in practice, and Roma in Latvia face discrimination in schools and workplaces. Discrimination in employment based on sexual orientation is prohibited, but the law does not provide broader protection against discrimination for LGBT+ people.

In August 2021, authorities declared a state of emergency after a growing number of migrants and asylum seekers from Iraq, Afghanistan, and elsewhere attempted to enter Latvia from Belarus. The government subsequently authorized the use of militarized "pushback" measures, preventing many legitimate refugees and asylum seekers with incomplete paperwork from entering the country. Between August 2021 and November 2022, up to 8,000 people were prevented from crossing into Latvia.

G. PERSONAL AUTONOMY AND INDIVIDUAL RIGHTS: 14 / 16

G1. Do individuals enjoy freedom of movement, including the ability to change their place of residence, employment, or education? 4 / 4

Citizens and noncitizens may travel freely within the country and internationally. Movement restrictions imposed during the COVID-19 pandemic were generally seen as legitimate public health measures.

G2. Are individuals able to exercise the right to own property and establish private businesses without undue interference from state or nonstate actors? 4 / 4

The legal and regulatory framework supports an environment in which property rights are respected and people may freely operate businesses, though corruption can impede business activities.

G3. Do individuals enjoy personal social freedoms, including choice of marriage partner and size of family, protection from domestic violence, and control over appearance? 3 / 4

Individual freedom regarding personal status matters such as marriage and divorce is generally upheld, but a constitutional ban on same-sex marriage was adopted in 2005. While lawmakers have repeatedly declined to pass legislation recognizing same-sex partnerships, in May 2022, following interpretations of the constitution by the Constitutional Court and the Supreme Court, the Administrative District Court issued a judgment that recognized a same-sex couple as being in "a public legal relationship."

Laws on domestic violence encompass various forms of abuse and provide for protection orders and criminal charges. However, police do not always take meaningful action when cases are reported. Latvia had not yet ratified the Council of Europe's Istanbul Convention on violence against women as of 2022.

G4. Do individuals enjoy equality of opportunity and freedom from economic exploitation? 3 / 4

Legal protections against exploitative working conditions are generally upheld, though enforcement is uneven in the large informal sector of the economy. Informal workers are more vulnerable to labor abuses and recruitment into criminal enterprises. According to Eurostat, 26 percent of Latvia's population was at risk of social exclusion or poverty as of 2021.

The US State Department's 2022 *Trafficking in Persons* report found that Latvia's residents are subject to trafficking for sexual exploitation, domestic servitude, and forced labor abroad, while a growing number of foreign migrant workers in Latvia are exposed to labor exploitation.

Lebanon

Population: 5,500,000
Capital: Beirut
Freedom Status: Partly Free
Electoral Democracy: No

Overview: Lebanon's political system ensures representation for its officially recognized religious communities, but limits competition and impedes the rise of cross-communal or civic parties. While residents enjoy some civil liberties and media pluralism, they also suffer from pervasive corruption and major weaknesses in the rule of law. The country's large population of noncitizens, including refugees and migrant workers, remain subject to legal constraints and societal attitudes that severely restrict their access to employment, freedom of movement, and other fundamental rights.

KEY DEVELOPMENTS IN 2022

- Elections in May brought modest changes to the parliament, with a bloc led by the Shiite Muslim faction Hezbollah losing its outright majority and a new group of reformist independents capturing 13 seats. Incumbent prime minister Najib Mikati remained in office in a caretaker capacity at year's end, as no new government was formed before President Michel Aoun's term expired in October, and the parliament failed to agree on a new president.
- In June, an appellate panel of the Special Tribunal for Lebanon, based in the Netherlands, sentenced two Hezbollah operatives to life imprisonment, having convicted them in absentia of involvement in the 2005 assassination of former prime minister Rafik Hariri.
- In more than two dozen incidents over the course of the year, bank depositors used the threat of violence to withdraw their savings in defiance of strict limits on the size of withdrawals, as the country's financial system continued to reel from a prolonged economic crisis.

POLITICAL RIGHTS: 14 / 40 (+1)

A. ELECTORAL PROCESS: 5 / 12

A1. Was the current head of government or other chief national authority elected through free and fair elections? 1 / 4

The president, who is elected to a six-year term by the parliament, appoints the prime minister after consulting with the parliament. The president and prime minister choose the cabinet, which holds most formal executive power. According to long-standing agreements on sectarian power-sharing, the president must be a Maronite Christian, the prime minister must be a Sunni Muslim, and the speaker of parliament must be a Shiite Muslim.

In June 2022, following the May parliamentary elections, President Michel Aoun consulted with lawmakers and called on incumbent prime minister Najib Mikati to form a new government. However, no government was formed before the expiration of Aoun's own term in October, and the parliament was unable to agree on a new president. Mikati remained in office as caretaker prime minister at year's end, and the presidency was left vacant.

A2. Were the current national legislative representatives elected through free and fair elections? 2 / 4

Members of the 128-seat National Assembly are elected for four-year terms using a system of multimember districts with sectarian quotas.

In the May 2022 elections, a bloc led by Hezbollah and its allies—including Christian factions linked to President Aoun—lost its parliamentary majority, but it remained the largest grouping with a total of 61 seats. The Sunni-led Future Movement, which had long headed a rival bloc of Muslim and Christian factions, boycotted the elections, contributing to a number of shifts in the makeup of the new assembly. The Lebanese Forces party, a Christian ally of the Future Movement, made significant gains at the expense of the Aoun-backed Free Patriotic Movement, and a group of independent candidates associated with the country's 2019 reformist protest movement captured 13 seats. The parliament narrowly reelected Nabih Berri of the Hezbollah-allied Amal Movement as its speaker, a post in which he had served since 1992.

While the elections were conducted peacefully and were free and fair in many respects, vote buying was rampant, observers from the Lebanese Association for Democratic Elections reported numerous procedural irregularities, and the electoral framework retained fundamental structural flaws associated with the sectarian political system. Turnout was 49 percent overall and nearly 60 percent among voters from the Lebanese diaspora.

Municipal elections were also due in May 2022, but in March the parliament approved a government proposal to postpone the balloting by a year due to lack of material and human resources.

A3. Are the electoral laws and framework fair, and are they implemented impartially by the relevant election management bodies? 2 / 4

Lebanon does not have an independent electoral commission; instead, the Interior Ministry oversees elections. Parliamentary seats are divided among major religious communities under a constitutional formula that does not reflect their current demographic weight. While seat allocations have been adjusted through political agreements to resolve major impasses over the years, there has been no official census in Lebanon since the 1930s, prior to independence. The electoral framework is inclusive and supports pluralism, but it is the product of bargaining among established leaders and tends to entrench the existing sectarian and communalist political system.

The 2017 electoral law introduced proportional representation and preferential voting, and improved opportunities for diaspora voting. However, the rules for redistricting and seat allocation still favored incumbent parties. The law sharply raised registration fees for candidates as well as spending caps for campaigns, while allowing private organizations and foundations to promote coalitions and candidates, effectively increasing the advantages of wealthier groups and individuals. As under past electoral laws, members of the military and citizens who had been naturalized for less than 10 years could not participate.

B. POLITICAL PLURALISM AND PARTICIPATION: 8 / 16 (+1)

B1. Do the people have the right to organize in different political parties or other competitive political groupings of their choice, and is the system free of undue obstacles to the rise and fall of these competing parties or groupings? 3 / 4

Citizens are formally free to organize in different political groupings, and scores of parties compete in practice. While parties do rise and fall based on their performance and voters' preferences, most of Lebanon's political parties are vehicles for an established set of communal leaders who benefit from patronage networks, greater access to financing, and other advantages of incumbency.

B2. Is there a realistic opportunity for the opposition to increase its support or gain power through elections? 2 / 4 (+1)

The elites who dominate Lebanese politics include traditional leaders, military veterans, former militia commanders, and wealthy businessmen. Under the country's power-sharing system, none of the parties they control consistently behave as opposition groups. Consolidation of power among political elites also hampers intraparty competition.

Despite the new electoral system introduced in 2017, the political parties and alliances that prevailed before the reform have largely maintained their positions. They have not only benefited from advantages under laws they shaped, but also used intimidation, social pressure, and propaganda to marginalize new political forces. In the 2022 parliamentary elections, however, independent candidates associated with the country's 2019 reformist protest movement won 13 seats after campaigning against the established parties, which they held responsible for decades of corruption and mismanagement that culminated in the current economic crisis.

Score Change: The score improved from 1 to 2 because a new cohort of independent reformist candidates captured 13 seats in the parliament, challenging the domination of established political forces.

B3. Are the people's political choices free from domination by forces that are external to the political sphere, or by political forces that employ extrapolitical means? 1 / 4

A variety of forces that are not democratically accountable—including entrenched patronage networks, religious institutions, the heavily armed militias of sectarian factions such as Hezbollah, and competing foreign powers—use a combination of financial incentives and intimidation to exert influence on Lebanese voters and political figures. The 2022 elections featured credible allegations of corruption, widespread vote buying, and analyses pointing to the role of establishment parties' patronage networks in mobilizing or incentivizing voters. Independent candidates were reportedly harassed or physically threatened by supporters of the dominant political parties in their districts.

B4. Do various segments of the population (including ethnic, racial, religious, gender, LGBT+, and other relevant groups) have full political rights and electoral opportunities? 2 / 4

Lebanon officially recognizes 18 religious communities, and the political system ensures that nearly all of these groups are represented, though not according to their actual shares of the population. Individuals who are not, or do not wish to be, affiliated with the recognized groups are effectively excluded. Citizens with disabilities do not have adequate access to polling places or alternative voting systems. Moreover, the country's large refugee population, including residents of Palestinian refugee camps and Syrians who fled their country's civil war, are not eligible to acquire citizenship and have no political rights.

Women formally have the same political rights as men. In practice, women remain marginalized due to religious restrictions, institutionalized inequality, hidden legal obstacles, political culture, and societal discrimination. Neither the 2017 electoral law nor informal understandings regarding power-sharing include rules to guarantee women's representation in politics. The 2022 elections continued a pattern of gradual increases in participation: 155 women registered as candidates, 118 ultimately ran, and eight were elected to serve in the parliament, up from six in 2018. Women candidates were far less likely than men to receive media coverage during the campaign, and they were reportedly more likely to be the targets of violent speech on social media.

LGBT+ people have little political representation. However, more politicians and parties have expressed support for their rights in recent years; nearly 100 parliamentary candidates in 2018 publicly called for the decriminalization of same-sex sexual relations.

C. FUNCTIONING OF GOVERNMENT: 1 / 12

C1. Do the freely elected head of government and national legislative representatives determine the policies of the government? 1 / 4

When the government is able to develop policies, they tend to be the result of negotiation among the country's dominant political figures, regardless of formal titles and positions. The legislature generally facilitates these policies rather than serving as an independent institutional check on the government. The authority of the government is also limited in practice by the power of autonomous militant groups like Hezbollah and foreign states with interests in Lebanon.

Over the past decade, the country has experienced recurring episodes of political deadlock regarding elections, government formation, and the selection of a president, disrupting ordinary executive functions. Prime Minister Mikati successfully formed a government in September 2021 after a series of resignations and caretaker cabinets, but it too assumed caretaker status after the May 2022 parliamentary elections, and the presidency remained vacant at year's end after the expiration of Aoun's term in October.

C2. Are safeguards against official corruption strong and effective? 0 / 4

Political and bureaucratic corruption is widespread, and patronage networks generally operate unchecked. Anticorruption laws are loosely enforced, in part because institutions such as the National Anti-Corruption Commission (NACC) lack adequate funding and regulatory support. When law enforcement bodies do act, the cases tend to be selective or politicized. Chronic corruption has affected state-owned companies and utilities, contributing to poor service delivery and routine electricity blackouts.

C3. Does the government operate with openness and transparency? 0 / 4

Political leaders and government officials often operate behind closed doors, outside of state institutions, and with little regard for formal procedures. State expenditures remain irregular, with few mechanisms for effective oversight. Although civil society groups have some ability to influence pending policies or legislation, and may along with the media discuss proposals that have been made public, their influence is often contingent on participation in opaque processes. The National Assembly approved an access to information law in 2017, but it is not fully implemented, and government documents remain difficult to obtain in practice.

In the aftermath of a devastating 2020 explosion in the port of Beirut, caused by dangerous chemicals that had been left for years in a warehouse, the state responded in opaque and arbitrary ways, withholding information and employing special emergency powers intermittently or selectively. Several former cabinet ministers, including a former prime minister, were initially charged with criminal negligence in the case, but the investigation stalled in the face of obstruction by leading political figures, and during 2022 it remained bogged down by legal challenges that could not be resolved due to vacancies on the Court of Cassation.

Since 2019, the country has been suffering through one of the worst economic crises in world history, with a precipitous currency collapse underscoring concerns about transparency at the central bank and accountability for years of mismanagement that led to the crisis.

Riad Salameh, the central bank governor since 1993, remained in office as of 2022 despite his failure to cooperate with multiple corruption probes.

CIVIL LIBERTIES: 29 / 60

D. FREEDOM OF EXPRESSION AND BELIEF: 10 / 16

D1. Are there free and independent media? 2 / 4

Press freedom is constitutionally guaranteed but inconsistently upheld. While the country's media are among the most open and diverse in the region, nearly all outlets depend on the patronage of political parties, wealthy individuals, or foreign powers, and consequently practice some degree of self-censorship. Books, movies, plays, and other artistic works are subject to censorship, especially when the content involves politics, religion, sex, or Israel, and the artists responsible for work deemed controversial by the government or major religious groups face official interference. It is a criminal offense to criticize or defame the president or security services. Authorities sometimes use such laws to harass and detain journalists, and those detained are often forced to sign pledges to refrain from writing content viewed as defamatory by the government.

Authorities have failed to protect the media from violence or intimidation by members of political, religious, and other influential groups. Both security forces and supporters of political parties have attacked reporters covering protests, and several journalists have experienced harassment and threats of violence online.

Despite the legal and practical obstacles they face, many journalists have been able to report and comment on sensitive topics such as state corruption, elite malfeasance, and the behavior of armed factions like Hezbollah. However, the financial viability of their work has been threatened by the economic collapse.

D2. Are individuals free to practice and express their religious faith or nonbelief in public and private? 3 / 4

The constitution protects freedom of conscience, and the state does not typically interfere with the practice or expression of religious faith or nonbelief. While blasphemy is a criminal offense, enforcement varies and is generally lax. Individuals may face societal pressure to express faith or allegiance to a confessional community. Leaders and members of different communities discourage proselytizing by other groups.

D3. Is there academic freedom, and is the educational system free from extensive political indoctrination? 3 / 4

Academic freedom is generally unimpaired. Individuals are mostly free to select subjects for research and disseminate their findings. However, various laws and customary standards—including restrictions on defamation, blasphemy, and work or opinions related to Israel—limit debate on certain issues. The state does not engage in extensive political indoctrination through education, though religious and other nonstate entities do seek to reinforce communal identities and perspectives.

D4. Are individuals free to express their personal views on political or other sensitive topics without fear of surveillance or retribution? 2 / 4

Private discussion and public expression of personal views on political and other controversial topics have been increasingly inhibited in recent years. Repressive laws that criminalize defamation or otherwise restrict speech remain on the books, and individuals sometimes face police questioning, arrests, short detentions, or fines if they criticize the government, the military, foreign heads of state, or other powerful entities. Noncitizens,

including refugees and migrant workers, have fewer legal protections and may be especially reluctant to engage in speech that could draw the attention of the security services.

Lebanese authorities regularly monitor social media and electronic communications—including those of prominent individuals such as politicians, dissidents, and journalists. Security personnel have reportedly infiltrated the social media groups of activists and protesters in recent years.

Authorities also fail to protect people from nonstate actors, such as political parties or militant groups and their supporters, that may monitor and punish them for expressing critical opinions. Since the outbreak of mass protests against corruption and governance failures in 2019, journalists, activists, and outspoken social media users have faced physical attacks and online threats or harassment by such powerful groups.

E. ASSOCIATIONAL AND ORGANIZATIONAL RIGHTS: 8 / 12

E1. Is there freedom of assembly? 3 / 4

The authorities generally respect the right to assemble, which is protected under the constitution, and people routinely gather without permits or coordination with security services in practice. Demonstrators have been able to protest in recent years against government dysfunction, lack of services, mounting fuel prices, and restrictions on bank withdrawals, but the events have often featured violence by authorities, political parties, militia groups, and civilian participants.

Noncitizens, LGBT+ people, and other marginalized groups face greater restrictions on their freedom to assemble in practice. In February 2022, the interior minister asked judicial authorities to prosecute members of a Bahraini Shiite opposition group for organizing events that featured criticism of Bahraini authorities. In June, the minister issued an order to prevent LGBT+ Pride gatherings that "promote homosexuality," despite rulings by the country's top administrative court that such actions constituted an infringement on freedom of expression.

E2. Is there freedom for nongovernmental organizations, particularly those that are engaged in human rights– and governance-related work? 3 / 4

Nongovernmental organizations (NGOs) tend to operate freely in Lebanon, though they must comply with the Law on Associations—which has been modified but not comprehensively overhauled since its enactment in 1909—and other applicable laws relating to labor, finance, and immigration. NGOs must also register with the Interior Ministry, which may oblige them to undergo an approval process and can investigate a group's founders, officers, and staff. NGOs sometimes face bureaucratic obstruction or intimidation by security services, depending on their line of work or particular initiatives. Groups that focus on Syria-related matters or are led and staffed by Syrian refugees are especially prone to scrutiny and interference.

E3. Is there freedom for trade unions and similar professional or labor organizations? 2 / 4

Individuals may establish, join, and leave trade unions and other professional organizations. However, the Labor Ministry has broad authority over the formation of unions, union elections, and the administrative dissolution of unions. The state regulates collective bargaining and strikes. Public employees, agricultural workers, and household workers are not protected by the labor code and have no legal right to organize, though they have formed unrecognized representative organizations. While noncitizen legal residents may join unions under the law, migrant workers have fewer union rights, and large numbers of refugees lack legal status or the right to work.

Many unions are linked to established political parties and serve as tools of influence for political leaders. However, activists affiliated with the 2019 protest movement have successfully challenged incumbent forces in recent elections within some unions and professional associations.

F. RULE OF LAW: 5 / 16

F1. Is there an independent judiciary? 1 / 4

Lebanon's judiciary is not independent. Political leaders exercise significant influence over judicial appointments, jurisdiction, processes, and decisions, which are also affected by corruption and the undue influence of other prominent people.

Hezbollah and its political allies have repeatedly sought to replace the judge leading the investigation into the 2020 Beirut port explosion. Former officials implicated in the case secured a 2021 court ruling that removed the first judge, Fadi Sawan, for potential bias. The same political forces accused his replacement, Tarek Bitar, of bias, boycotted government meetings over the issue, and persuaded supporters to protest against him. Defendants and suspects filed multiple legal challenges seeking Bitar's recusal that delayed the investigation throughout 2022. The Court of Cassation, which is responsible for adjudicating such challenges, lacked a quorum during the year, apparently because government ministers withheld their approval for appointments to fill the court vacancies.

F2. Does due process prevail in civil and criminal matters? 1 / 4

Due process is subject to a number of impediments, including violations of defendants' right to counsel and extensive use of lengthy pretrial detention. Due process guarantees are particularly inadequate in the country's exceptional courts, including the military courts, whose judges do not require a background in law and are authorized to try civilians and juveniles in security-related cases. In practice, military courts have asserted jurisdiction over cases involving human rights activists and protesters in addition to those focused on alleged spies and militants.

F3. Is there protection from the illegitimate use of physical force and freedom from war and insurgencies? 2 / 4

Residents of southern Lebanon have lived with the risk of land-mine detonation since the 1975–90 civil war, and armed militias, terrorist groups, and criminal organizations continue to undermine security in the country. Authorities reported at least 64 shooting incidents in the first half of 2022, including clashes linked to personal or familial disputes, resulting in the deaths of 26 people and the injury of 73 others.

Also during the year, there were more than two dozen incidents in which bank depositors used the threat of violence to withdraw their savings in defiance of strict limits on the size of withdrawals. Depositors' associations and activist lawyers offered support to the perpetrators in some cases, arguing that they were only retrieving their own money.

The organizers of past political violence generally enjoy impunity. In March 2022, an appellate panel of the Special Tribunal for Lebanon, based in the Netherlands, convicted two Hezbollah operatives in absentia of involvement in the 2005 assassination of former prime minister Rafik Hariri. They were then sentenced to life imprisonment in June, but as with another suspect who was convicted in absentia in 2020, their whereabouts remained unknown.

Prisons and detention centers are badly overcrowded and poorly equipped, and the use of torture by law enforcement, military, and state security personnel continues despite the passage of antitorture legislation and the creation of institutional mechanisms to halt the practice.

F4. Do laws, policies, and practices guarantee equal treatment of various segments of the population? 1 / 4

The country's legal system is meant to protect members of recognized confessional communities against mistreatment by the state, but groups have engaged in discriminatory behavior toward one another in practice, and people who do not belong to a recognized community have difficulty obtaining official documents, government jobs, and other services.

Women face discrimination in wages, benefits, and societal standards and practices, and they are barred from certain types of employment.

LGBT+ people face both official and societal discrimination and harassment. A criminal code provision barring same-sex sexual relations remains in force, and people who violate this law risk a one-year prison sentence.

More than 1.5 million Syrians resided in Lebanon as of 2022. However, only about 830,000 were officially registered as refugees by the Office of the UN High Commissioner for Refugees, as the government has barred the agency from registering new Syrian refugees since 2015. Syrian refugees have faced arbitrary arrests and other forms of harassment, and most live in poverty due in part to limitations on their employment options. The government has also enforced housing regulations to compel Syrian refugees to destroy their informal camps. Syrians have sometimes been deported or forced to sign repatriation agreements despite the risk of mistreatment by Syrian authorities, and the government has promoted plans to facilitate large-scale "voluntary" repatriations that could amount to illegal refoulement in practice.

About 479,000 Palestinian refugees are registered in Lebanon, though fewer than 200,000 actually live there. Many reside in 12 designated refugee camps and are restricted from 39 professions, contributing to widespread poverty, unemployment, and underemployment. In 2019, Lebanese authorities issued new regulations requiring foreigners to possess work permits, further restricting Palestinians' access to the labor market.

G. PERSONAL AUTONOMY AND INDIVIDUAL RIGHTS: 6 / 16

G1. Do individuals enjoy freedom of movement, including the ability to change their place of residence, employment, or education? 1 / 4

Citizens enjoy constitutional and legal rights to freedom of movement. With few formal restrictions, they are able to travel within Lebanon. Nevertheless, citizens find it extremely difficult to transfer official places of residence for voting purposes. They also face de facto sectarian boundaries and militia checkpoints in some areas.

Noncitizens are subject to much harsher restrictions on movement. Many Palestinians classified as refugees live in designated camps, and access to those areas is controlled and often constrained by Lebanese security services. Many Syrian refugees live in informal camps or smaller settlements, and are subject to curfews and other obstacles to movement.

Migrant workers face severe restrictions on movement under a sponsorship system that revokes their residency rights if they are dismissed by their designated employers. Employers often confiscate migrant workers' passports, further reducing their autonomy.

G2. Are individuals able to exercise the right to own property and establish private businesses without undue interference from state or nonstate actors? 2 / 4

Lebanese law protects citizens' rights to own property and operate private businesses, but powerful groups and individuals sometimes engage in land-grabbing and other infringements without consequence, and business activity is impaired by bureaucratic obstacles and corruption.

Refugees, including longtime Palestinian residents, have few property rights. Women have weaker property rights than men under the religious codes that govern inheritance and other personal status issues in Lebanon, and they often face family pressure to transfer property to male relatives.

G3. Do individuals enjoy personal social freedoms, including choice of marriage partner and size of family, protection from domestic violence, and control over appearance? 2 / 4

Because the religious codes and courts of each confessional community determine personal status law in Lebanon, people's rights regarding marriage, divorce, and child custody depend on their affiliation, though women are typically at a disadvantage compared with men. The incidence of child marriage has reportedly increased in recent years, particularly among refugee populations. Partners seeking to enter an interfaith marriage often travel abroad, as Lebanon recognizes civil marriages performed elsewhere. Women cannot pass Lebanese citizenship to non-Lebanese spouses or children of non-Lebanese fathers.

Same-sex marriage remains illegal in Lebanon. However, transgender people have some legal precedent allowing them to live publicly based on their gender identity; a 2016 Court of Appeals ruling allowed a transgender man to legally change his gender in the civil registry and supported the plaintiff's desire to seek gender confirmation surgery.

G4. Do individuals enjoy equality of opportunity and freedom from economic exploitation? 1 / 4

Citizens' communal affiliation can either enhance or restrict their economic opportunities in a given area, company, or public-sector entity, depending on which group is in a dominant position. Individuals must also contend with political patronage and clientelism, layered on top of communally enabled corruption, in the public and private sectors.

All residents of Lebanon have faced hardship amid the economic crisis that emerged in 2019, featuring rampant inflation, currency devaluation, import shortages, and a sharp rise in poverty rates. However, noncitizens, such as refugees and migrant workers, are subject to particular disadvantages and have long been especially vulnerable to exploitative working conditions and sex trafficking. The authorities do not effectively enforce laws against child labor, which is common among Syrian refugees, rural Lebanese, and segments of the urban poor.

Household workers and migrant workers who operate under the sponsorship system routinely suffer from economic exploitation. Employers are favored in legal cases involving migrant workers, discouraging the latter from reporting denial of wages and contract obligations as well as physical, psychological, and sexual abuse.

Lesotho

Population: 2,300,000
Capital: Maseru
Freedom Status: Free
Electoral Democracy: Yes

Status Change: Lesotho's status improved from Partly Free to Free due to the formation of a new government following competitive parliamentary elections, though the country continued to face serious security and governance challenges.

Overview: Lesotho is a constitutional monarchy. In recent years, the army's involvement in the country's already fragile politics has resulted in political instability and a security crisis. Corruption remains a challenge. Customary practice and law restrict women's rights in areas such as property, inheritance, and marriage and divorce.

KEY DEVELOPMENTS IN 2022

- General elections held in October were won by newly established party Revolution for Prosperity (RFP). Party founder and leader, businessman Sam Matekane, took office as prime minister later that month, forming a three-party coalition that controls a small majority in the parliament. The RFP overtook well-established parties that have controlled the country's political landscape for the past decade.
- In September, the Constitutional Court declared the former prime minister's decision to declare a state of emergency unconstitutional. He had attempted to use the state of emergency to push through constitutional and electoral reforms for the year's elections; the court's decision nullified the changes, and the polls were held under the old constitutional framework.
- In January, prominent human rights lawyer Napo Mafaesa was reportedly arrested and tortured by police after allegedly concealing a weapon belonging to his client. His own lawyer, who had filed an urgent application for his release, had to go into hiding after allegedly receiving death threats from the police.

POLITICAL RIGHTS: 30 / 40 (+3)

A. ELECTORAL PROCESS: 10 / 12 (+1)

A1. Was the current head of government or other chief national authority elected through free and fair elections? 4 / 4 (+1)

Lesotho is a constitutional monarchy. King Letsie III serves as the ceremonial head of state. The prime minister is head of government. The head of the majority party or coalition automatically becomes prime minister following elections.

General elections held in October 2022 were won by the newly established RFP. The RFP's founder and leader, businessman Sam Matekane, took office as prime minister later that month, forming a three-party coalition with the Alliance of Democrats (AD) and the Movement for Economic Change (MEC).

The elections were hailed as peaceful, fair, and safe by various international observer missions. No security breaches and outcome-altering incidents were reported, though observers raised concerns about the accuracy of the voter roll and noted an uneven playing field amongst parties and candidates due to a lack of campaign finance regulations.

Score Change: The score improved from 3 to 4 because Prime Minister Sam Matekane took office and formed a government after a free and fair parliamentary election.

A2. Were the current national legislative representatives elected through free and fair elections? 4 / 4

The lower house of Parliament, the National Assembly, has 120 seats; 80 are filled through first-past-the-post constituency votes, and the remaining 40 through proportional representation (PR). The Senate—the upper house of Parliament—consists of 22 principal chiefs who wield considerable authority in rural areas and whose membership is hereditary, along with 11 other members appointed by the king and acting on the advice of the Council of State. Members of both chambers serve five-year terms.

In October 2022, the newly established RFP won 56 of 120 seats in the National Assembly, becoming the largest party in Parliament. The Democratic Congress (DC) won 29 seats while eight seats were won by the All Basotho Convention (ABC), the ruling party prior to the elections. The RFP formed a coalition government with the AD and the MEC, which combined had won nine seats. The 2022 general elections were hailed as credible and peaceful by various international observer missions and local observers.

A3. Are the electoral laws and framework fair, and are they implemented impartially by the relevant election management bodies? 3 / 4

The Independent Electoral Commission (IEC) has been commended for its independence and its administration of credible and fair elections, particularly in 2022, when it faced capacity and resource constraints. However, the IEC did incorrectly allocate four parliamentary seats following the 2022 polls, though the overall result of the election was not impacted by the error. It is unclear whether the IEC was able to successfully correct the allocation by year-end. Because more than 50 political parties contested the 2022 elections, the IEC struggled to enforce campaign regulations and provide adequate oversight of public funds disbursed to parties during the campaign.

The 2022 elections occurred without the enactment of much anticipated political and electoral reforms, which former prime minister Moeketsi Majoro attempted to push through by declaring a state of emergency. The High Court nullified the reforms before the election in September.

B. POLITICAL PLURALISM AND PARTICIPATION: 13 / 16 (+2)

B1. Do the people have the right to organize in different political parties or other competitive political groupings of their choice, and is the system free of undue obstacles to the rise and fall of these competing parties or groupings? 4 / 4 (+1)

Political parties may form freely, and registered parties are allocated funding by the IEC from the Consolidated Fund for expenses associated with campaigning. Parties represented in the National Assembly further receive funding on an annual basis in proportion to the number of seats they hold. Over 50 registered parties contested the 2022 elections, compared to 27 during the 2017 elections.

However, the IEC faces difficulties in regulating campaign funding and holding parties accountable for their use of public funds. The lack of restrictions on private campaign donations contributed to an uneven playing field during the 2022 elections.

Political instability and associated violence and intimidation has at times prompted opposition leaders to flee the country. The South African Development Community's (SADC) years-long governance reform recommendations were not implemented prior to the 2022 elections.

Score Change: The score improved from 3 to 4 because more political parties contested the October parliamentary elections than in previous contests, including a new party led by new Prime Minister Matekane.

B2. Is there a realistic opportunity for the opposition to increase its support or gain power through elections? 4 / 4 (+1)

Opposition parties have a realistic chance of gaining power through elections, and power has rotated frequently between DC- and ABC-led coalitions since 2012. The 2022 general elections continued the pattern of voters replacing incumbent governments. Formed

in March 2022, the RFP overtook well-established parties that have controlled the country's political landscape for the past decade.

Score Change: The score improved from 3 to 4 because a coalition government led by a new political party took power after the free and fair October elections.

B3. Are the people's political choices free from domination by forces that are external to the political sphere, or by political forces that employ extrapolitical means? 2 / 4

Lesotho has a long history of political instability largely related to disputes among factions of the Lesotho Defence Force (LDF) and the politicization of security agencies in general. Election observers found no reports of voter interference by security forces during the 2022 elections.

Principal chiefs wield some political influence over their rural subjects. Some political parties, particularly the ABC and the DC, recruited members and used the music of *famo* music groups, implicated in deadly gang-related activities in both Lesotho and South Africa, during the 2022 elections, raising questions about the amount of influence they exert on elected officials.

B4. Do various segments of the population (including ethnic, racial, religious, gender, LGBT+, and other relevant groups) have full political rights and electoral opportunities? 3 / 4

The constitution guarantees political rights for all. However, societal norms discourage women from running for office, despite the 2011 Electoral Act requires men and women to be listed alternately on parties' candidate lists for the National Assembly. Women are often deprioritized on party lists. Only a quarter of parliamentarians elected in 2022 were women, and few women hold high-ranking positions.

Persons living with disabilities are not fully represented in government, and accessibility concerns were not addressed during elections. Although the IEC implemented procedures to facilitate assisted voting during the 2022 elections, many polling stations were inaccessible to persons with disabilities. LGBT+ individuals face societal discrimination and generally do not advocate for their rights in the political sphere. The SADC preliminary election report commended the inclusion of young people as candidates by several political parties: the youngest candidate was 18 years old.

C. FUNCTIONING OF GOVERNMENT: 6 / 12

C1. Do the freely elected head of government and national legislative representatives determine the policies of the government? 2 / 4

The stability of the previous governing coalition was undermined by disagreements between coalition partners and factionalism within the ruling ABC, including unsuccessful attempts to oust Prime Minister Majoro. In March 2022, a physical altercation on the chamber floor occurred after a faction within the ABC announced it was withdrawing from the coalition government. That same month, Majoro survived a parliamentary vote of no confidence.

In August, then-Prime Minister Majoro declared a state of emergency to enable Parliament to reconvene and pass critical electoral and constitutional reforms meant to governance; for example, making it more difficult for lawmakers to remove the prime minister in a no-confidence vote or switch parties. However, the Constitutional Court ruled in September that Majoro had no basis to declare the emergency and that King Letsie III could not reconvene Parliament, thereby voiding the reform package.

C2. Are safeguards against official corruption strong and effective? 2 / 4

Official corruption and impunity remain significant problems. The main anticorruption agency, the Directorate on Corruption and Economic Offence (DCEO), lacks full prosecutorial powers and faces capacity and funding challenges. The Asset Forfeiture Unit, which was established in 2016 to recover property connected to corruption cases, is largely ineffective. The DCEO has taken few corruption cases to court in recent years.

In June 2022, the DCEO and other agencies worked with counterparts in South Africa to recover 18.6 million Loti ($1.1 million) of the 50 million Loti ($3.1 million) in public funds that had been stolen and deposited into unregistered South African and Lesotho bank accounts, in addition to assets that had previously been reclaimed. In 2020, Parliament amended the DCEO Act to grant the agency powers to investigate money-laundering crimes beyond Lesotho's borders. Anticorruption officials have claimed that individuals and companies have used state capture tactics to obtain immunity for corrupt dealings.

C3. Does the government operate with openness and transparency? 2 / 4

Lesotho has no access-to-information law, and responses to information requests are not guaranteed. Though reports on public debt are publicly available, the management of public finances is generally shrouded in secrecy. Government procurement decisions and tenders typically cannot be accessed online, though the government had made progress in publishing budget reports.

Although high-level government and elected officials are required to disclose their assets and business interests these declarations are not made public. Enforcement of the rules is limited by resource constraints.

CIVIL LIBERTIES: 36 / 60

D. FREEDOM OF EXPRESSION AND BELIEF: 12 / 16

D1. Are there free and independent media? 2 / 4

Press freedom is indirectly protected under constitutional guarantees of freedom of expression. However, journalists are subject to threats and intimidation from the authorities and private citizens, and women journalists are often harassed offline and online. The long-postponed trial of four soldiers allegedly behind the 2016 attempted murder of former *Lesotho Times* and *Sunday Express* editor, Lloyd Mutungamiri, was further delayed in 2022.

Journalists additionally face statutory barriers that interfere in their work, including criminal code provisions that bar sedition and offenses against the "dignity of the royal family." The Penal Code, adopted in 2010, allows police officers to force journalists to reveal their sources. According to the Media Institute of Southern Africa (MISA) Lesotho, several long-awaited media reforms were quietly dropped from an omnibus reform bill that Parliament attempted to pass during the year, which MISA saw as a missed opportunity to address existing challenges.

D2. Are individuals free to practice and express their religious faith or nonbelief in public and private? 4 / 4

The constitution provides legal protections for freedom of religion and prohibits religious discrimination, and religious freedom is generally upheld in practice.

D3. Is there academic freedom, and is the educational system free from extensive political indoctrination? 3 / 4

Academic freedom is generally respected in practice, though the government does interfere in the administration of institutions of higher education.

D4. Are individuals free to express their personal views on political or other sensitive topics without fear of surveillance or retribution? 3 / 4

The constitution provides legal protections for freedom of expression. However, political violence in recent years has discouraged open political debate. In May 2022, the National Assembly passed and sent to the Senate the Computer Crimes and Cyber Security Bill. Local civil society organizations criticized the legislation as overly broad and reminiscent of previous criminal defamation laws. The bill was still being deliberated at year-end.

In October 2022, the government reportedly sought to cancel a controversial 500 million Loti ($30.7 million) tender to the Global Voice Group (GVG), whose technology would have enabled the Lesotho Communications Authority (LCA) to spy on citizens and monitor their online financial transactions illegally. The government claimed that the tender was fraudulently awarded by the former chief executive of the LCA, 'Mamarame Matela.

E. ASSOCIATIONAL AND ORGANIZATIONAL RIGHTS: 7 / 12

E1. Is there freedom of assembly? 2 / 4

Protests and demonstrations are permitted, but organizers must seek a permit seven days in advance. In May 2022, 35 demonstrators in the Thaba-Tseka District in Liseleng were beaten, tortured, and arrested by police while protesting month-long cuts to electricity in their village. In June, police reportedly opened fire with live ammunition at protesting students from the National University of Lesotho, killing at least one student and seriously injuring others. The last COVID-19-related restrictions, which included a ban on "strikes, protests, and social gatherings," were lifted by August 2022.

E2. Is there freedom for nongovernmental organizations, particularly those that are engaged in human rights– and governance-related work? 3 / 4

Nongovernmental organizations (NGOs) generally operate without restrictions. However, some civil society groups act cautiously when working on politically sensitive issues. In addition, government rules on registering NGOs are strict; those who are accused of neglecting to register their organization risk a five-year prison sentence. No NGOs have been held to account for failure to register in recent years.

E3. Is there freedom for trade unions and similar professional or labor organizations? 2 / 4

While labor and union rights are constitutionally guaranteed, the union movement is weak and highly fragmented, and these challenges have undermined unions' ability to advance the rights of workers—particularly in the country's largest sector of employment, textiles. The government has previously been accused of undermining bodies like the National Advisory Committee on Labour (NACOLA), the Wages Advisory Board, and Industrial Relations Council. In July 2021, the labor minister announced plans to review the existing labor code and to establish a bargaining council intended to regulate and oversee employment conditions in the country. There were no reported significant developments on these issues in 2022.

F. RULE OF LAW: 8 / 16

F1. Is there an independent judiciary? 2 / 4

The constitution protects judicial independence, but according to a 2020 *Lesotho Times* report, the judicial system was on the verge of collapse due to a lack of funds and infrastructural disrepair. The judicial appointment process lacks full transparency, and members of the Judicial Services Commission (JSC) at times act without proper oversight. However, the JSC conducted public interviews of judicial candidates in February

2022, and in March, seven new judges were finally appointed to the High Court following funding-related delays in 2021.

Judges do rule against the government, including on politically sensitive issues like the September 2022 decision to declare Prime Minister Majoro's state of emergency declaration unconstitutional. High Court judges often fail to provide justification for their decisions.

In January 2022, Chief Justice Sakoane instituted an inquiry under the Speedy Court Trials Act and found lead prosecutor, Shaun Abrahams, guilty of delaying a trial. Sakoane's decision was overruled in a judgement by the Court of Appeal, which found that he had acted unlawfully and could be biased against Abrahams. The court ordered that Sakoane to recuse himself from the case.

F2. Does due process prevail in civil and criminal matters? 2 / 4

The courts generally uphold due process. However, a large backlog of cases, estimated in May 2022 to be more than 4,000, has left individuals subject to trial delays and lengthy pretrial detention, including in high-profile cases like the prosecution of former army commander Tlali Kamoli. Judicial vacancies often go unfilled due to a lack of funds, reducing the judiciary's capacity to address the backlog and creating further delays. Amendments from 2021 to provisions of the Speedy Court Trials Act 2002 calls for trials of accused persons to begin within two months of first being remanded.

F3. Is there protection from the illegitimate use of physical force and freedom from war and insurgencies? 2 / 4

Lesotho faced years of violence related to factional disputes within the army; the SADC appointed a the National Reforms Authority in 2019 to create a reform process that would partially focus on the security sector, though these major reforms have not materialized.

The constitution provides legal protections against torture, but allegations of torture have been levied against police forces, the LDF, and prison authorities. In January 2022, prominent human rights lawyer Napo Mafaesa was reportedly arrested and tortured by the police after allegedly concealing a weapon belonging to his client. His own lawyer, who had filed an urgent application for his release, had to go into hiding after allegedly receiving death threats from the police. Many cases of police brutality, extrajudicial killings, and torture are unresolved.

F4. Do laws, policies, and practices guarantee equal treatment of various segments of the population? 2 / 4

Rights are restricted for some groups. Same-sex sexual activity is legal, though same-sex marriage remains prohibited. LGBT+ individuals face societal discrimination and challenges accessing services, like health care. Discrimination based on sexual orientation or gender identity is not prohibited by law.

Customary laws and other social norms discriminate against women. For example, women are considered minors under the guardianship of their fathers before marriage and their husbands after marriage.

Schools often lack facilities for students with disabilities. In March 2021, Parliament passed the Persons with Disability Equity Act, bringing the country's laws into accord with the UN Convention on the Rights of Persons with Disabilities, to which it is a signatory. Under the new law, the government introduced a disability grant program for those living with disabilities in Lesotho and continued to make plans to establish a Disability Advisory Council that would assist with funds disbursement.

G. PERSONAL AUTONOMY AND INDIVIDUAL RIGHTS: 9 / 16

G1. Do individuals enjoy freedom of movement, including the ability to change their place of residence, employment, or education? 3 / 4

The constitution protects freedom of movement, which is generally upheld. In recent years, a high incidence of rape on a path near the Ha Lebona and Ha Koeshe villages has prompted some women to reduce travel in the area.

G2. Are individuals able to exercise the right to own property and establish private businesses without undue interference from state or nonstate actors? 2 / 4

The constitution protects property rights, though related laws are inconsistently upheld. Women's rights are restricted in areas such as property and inheritance, including chieftainships, which can only be inherited by men. In April 2022, the National Assembly and Senate passed legislation that enables widows to inherit and administer their deceased husbands' estates. The law was awaiting the King's assent at year-end.

Expropriation is provided for in the constitution but is uncommon and subject to fair compensation. Government instability and the country's volatile politics hamper normal business activity. In 2020, Parliament adopted new regulations that will reserve a list of 47 business activities for the Basotho ethnic group. Foreigners can only participate in these activities as minority shareholders.

G3. Do individuals enjoy personal social freedoms, including choice of marriage partner and size of family, protection from domestic violence, and control over appearance? 2 / 4

Prominent social norms and harmful patriarchal attitudes negatively affect women, and women's rights are restricted in marriage and divorce. In 2020, the Commonwealth Secretariat reported that one in three women in Lesotho had experienced physical or sexual violence, often at the hands of their partners. Accountability for the perpetrators of gender-based violence (GBV) is not consistent. In July 2022, Parliament passed the legislation to address GBV and better support survivors. The bill was awaiting the King's assent at the year's end.

Forced and child marriages remain an ongoing problem. Parliament dissolved in July before it could consider proposed amendments to the Child Protection and Welfare Act of 2011 that would criminalize child marriages and introduce stiff penalties.

G4. Do individuals enjoy equality of opportunity and freedom from economic exploitation? 2 / 4

Human trafficking remains an ongoing challenge for Lesotho. Although the US State Department's 2022 *Trafficking in Persons Report* acknowledges that the government has made significant efforts in fighting the problem, it found that Lesotho authorities did not fully meet minimum standards to eliminate trafficking. In February 2022, Home Affairs Minister Motlalentoa Letsosa held awareness campaigns around the country warning citizens about the problem.

Child labor and forced labor for both men and women remain problems. In September 2021, the government introduced new visa requirements intended to further combat human trafficking in the country.

Liberia

Population: 5,300,000
Capital: Monrovia
Freedom Status: Partly Free
Electoral Democracy: Yes

Overview: Liberia has enjoyed nearly two decades of peace and stability since the second civil war ended in 2003. During this time, the country has made considerable progress rebuilding government capacity, reestablishing the rule of law, and ensuring the political rights and civil liberties of citizens. 2017 saw the first peaceful transfer of power between leaders since 1944. However, Liberia still faces serious issues with corruption, impunity, and violence against women.

KEY DEVELOPMENTS IN 2022

- In August, the US government announced sanctions against three of the most prominent officials in the Liberian government, including the president's chief of staff, Nathaniel McGill, for corrupt activities. The president subsequently suspended them, and they all resigned in September, but no formal investigation had been launched by the end of the year.
- Legislation passed in July that granted Liberians the right to hold dual citizenship, enfranchising Liberians who had lived in diaspora. Critics claimed that the president only passed the law because his son lives abroad and his wife is Jamaican, and that the consequences of the law would ramp up foreign investment at the expense of local people—citizenship is required to own land in the country. The amendments did not remove the law's requirement that individuals have African ancestry in order to be citizens.

POLITICAL RIGHTS: 27 / 40

A. ELECTORAL PROCESS: 8 / 12

A1. Was the current head of government or other chief national authority elected through free and fair elections? 3 / 4

Liberia's president is directly elected and can serve up to two six-year terms. Since the end of the civil wars in 2003, Liberia has had three peaceful presidential elections. The most recent election, held in 2017, which brought current President George Weah of the Coalition for Democratic Change (CDC) to power after he won a run-off against Unity Party (UP) candidate Joseph Boakai, was assessed by domestic and international observers as generally peaceful and credible, though difficulties in its administration included long queues at polling places and challenges related to voter identification.

A2. Were the current national legislative representatives elected through free and fair elections? 3 / 4

Liberia has a bicameral legislature composed of a 30-member Senate and a 73-member House of Representatives; senators are elected to nine-year terms, and representatives to six-year terms.

Lower-house elections were held concurrently with the first round of the presidential election in 2017. The CDC won 21 seats, while the UP won 20. The People's Unification Party (PUP), which was allied to the ruling CDC, won 5 seats, and the LP won 3. The

remaining 24 seats were won by independents and other parties. Despite administrative problems, observers considered the elections generally peaceful and well administered, with only minor incidents of violence recorded.

Fifteen Senate seats were contested in December 2020. Polling day was largely peaceful, but the campaign period was marred by incidents of fraud and violence. Voter turnout was 34.9 percent. A by-election in Lofa County for a Senate seat in June 2022 was largely free, fair, and transparent despite some tensions between party supporters during the vote counting process.

A3. Are the electoral laws and framework fair, and are they implemented impartially by the relevant election management bodies? 2 / 4

While the independence of the National Elections Commission (NEC) is mandated by law, its capacity is limited, and it has struggled to enforce regulations. The National Code of Conduct Act is not consistently followed by officials.

The NEC managed a December 2020 constitutional referendum, held concurrently with the Senate elections, which included amendments to shorten the terms of the president, the vice president, and lower-house legislators from six years to five; to shorten senators' terms from nine years to seven; and to end a ban on dual citizenship. In April 2021, four months after ballots were cast, the NEC confirmed that none of the amendments received the required two-thirds of votes to become law. Critics noted flaws in the process that brought the referendum to the ballot, including a lack of openness by political leadership to include proposals that were important to the public and a lack of voter awareness about the issues.

Both houses of the legislature discussed and approved amendments to the New Elections Laws (1986) during 2022. The changes would increase fees for candidates looking to participate and could increase government control over electoral jurisprudence. The amendments were sent to the president, and whether he signed them into law is unclear.

B. POLITICAL PLURALISM AND PARTICIPATION: 12 / 16

B1. Do the people have the right to organize in different political parties or other competitive political groupings of their choice, and is the system free of undue obstacles to the rise and fall of these competing parties or groupings? 3 / 4

Political parties generally do not face undue legal or practical obstacles that prevent them from forming or operating. The People's Liberation Party was certified by the NEC in late December 2020 and opened a party office in Monrovia in February 2021.

Opposition parties can form coalitions; the Collaborating Political Parties (CPP) coalition formed in 2019 was certified in August 2020, but broke apart in February 2022 after infighting between its four constituent members. In May 2022, several political parties came together to create a new political alliance called the Democratic Alliance of Liberia.

B2. Is there a realistic opportunity for the opposition to increase its support or gain power through elections? 3 / 4

Opposition parties and independent candidates have a realistic chance of gaining office and power through elections. In 2017, President Weah, of the then opposition CDC, defeated the former ruling party's candidate. Opposition candidates found success in the December 2020 Senate elections, with only three CDC candidates winning across 15 races.

B3. Are the people's political choices free from domination by forces that are external to the political sphere, or by political forces that employ extrapolitical means? 3 / 4

Allegations of undue influence or pressure on voters by powerful groups are somewhat rare. However, a general wariness of election-related violence persists in Liberia.

B4. Do various segments of the population (including ethnic, racial, religious, gender, LGBT+, and other relevant groups) have full political rights and electoral opportunities? 3 / 4

Lebanese people and people of Asian descent whose families have lived in Liberia for generations are denied citizenship and cannot participate in political processes. This provision was retained in Liberia's new dual citizenship law, passed in July 2022, which granted Liberians the right to hold dual citizenship. Critics claimed that President Weah only passed the law because his son lives abroad and his wife is Jamaican, and that the consequences of the law would ramp up foreign investment at the expense of local people—citizenship is required to own land in the country. The amendments did not remove the law's requirement that individuals have African ancestry in order to be citizens.

Women are poorly represented in national politics and hold few leadership positions in political parties, though former president Ellen Johnson Sirleaf (2006–18) was the first woman to be elected head of state in Africa, and Liberia's current vice president and chief justice of the Supreme Court are women. Only 2 of the 30 senators are women, and women hold 8 of 73 seats in the House of Representatives. One amendment to the New Elections Law (1986) passed by the legislature in 2022 would create a 30 percent gender quota in the legislature. Social stigma against LGBT+ people discourages them from advocating for their rights.

C. FUNCTIONING OF GOVERNMENT: 7 / 12

C1. Do the freely elected head of government and national legislative representatives determine the policies of the government? 3 / 4

Once elected, government officials are duly installed in office, and elected legislators generally operate without significant interference. However, bribery and corruption increasingly influence policy prioritization even at the executive level.

C2. Are safeguards against official corruption strong and effective? 2 / 4

Corruption remains pervasive. Institutions exist to fight corruption, but they lack the resources, political independence, and capacity to function effectively. Although reforms made to the Liberia Anti-Corruption Commission (LACC) Act in July 2022 granted the commission prosecutorial powers, they have not yet used them.

In August 2022, the US government announced sanctions against three of the most prominent officials in the Liberian government, including the president's chief of staff, Nathaniel McGill, for corrupt activities. President Weah subsequently suspended them, and they all resigned in September, but no formal investigation had been launched by the end of 2022.

Audits of government departments continue to highlight improper procurement and financial management practices. The General Auditing Commission's independence remains limited by a failure to operationalize its fiscal independence, as provided for by legislation.

C3. Does the government operate with openness and transparency? 2 / 4

The Freedom of Information Act is rarely used, and the government responds slowly, if at all, to information requests submitted. Transparency guidelines for public procurement processes are not fully enforced, and procurement is an area where corruption is pervasive. Commitments made under the Open Government Partnership are not supported by the requisite political will.

The LACC, which collects asset declarations, is not obligated to disclose those submitted by executive branch members, and efforts by civil society and media to gain access to President Weah's declaration have been unsuccessful.

CIVIL LIBERTIES: 33 / 60

D. FREEDOM OF EXPRESSION AND BELIEF: 11 / 16

D1. Are there free and independent media? 2 / 4

Liberia's constitution provides for freedom of speech and the press, but these rights are sometimes restricted in practice. Investigative reporters receive threats, including by members of the government who have vowed to sue in response to journalistic inquiries. Although the 2019 Press Freedom Act effectively decriminalized libel, "sedition," and "criminal malevolence," defamation remains a civil offense, and journalists risk jail time for nonpayment. Investigative reporting can lead to media houses being summoned to court.

Law enforcement agencies constitute a major source of security problems for journalists. In June 2022, police threatened to shoot two journalists who were covering the Lofa County by-elections. In July, journalist Bettie K. Johnson Mbayo received a one-month prison sentence for "disorderly conduct" in an incident involving a politician. After she appealed, the politician dropped the charges against her in October.

D2. Are individuals free to practice and express their religious faith or nonbelief in public and private? 3 / 4

Religious freedom is protected in the constitution. However, about 86 percent of the population is Christian, and the Muslim minority reports discrimination in government appointments. Proposals to amend the constitution to establish Christianity as the official religion emerge occasionally and contribute to interreligious tensions. Since his election, President Weah has made efforts to reach out to the Muslim population.

D3. Is there academic freedom, and is the educational system free from extensive political indoctrination? 3 / 4

The government does not restrict academic freedom, though education infrastructure remains inadequate.

D4. Are individuals free to express their personal views on political or other sensitive topics without fear of surveillance or retribution? 3 / 4

People are generally free to engage in private discussion while in public spaces, but some topics are taboo offline and online, such as discussion of issues affecting LGBT+ people. The government is not known to illegally monitor online communications, though it has previously mandated brief internet shutdowns during protest events.

E. ASSOCIATIONAL AND ORGANIZATIONAL RIGHTS: 7 / 12

E1. Is there freedom of assembly? 2 / 4

Freedom of assembly is constitutionally guaranteed, and Liberia has a history of public protests and civic actions. Antigovernment protests led by students in late July 2022 encountered violence from young people affiliated with the ruling party that had reportedly been encouraged to attack protesters by state officials. Several gang members were arrested, and President Weah disowned the group in August. Subsequent student protests later in August, which proceeded peacefully, saw the Liberian police facilitate protesters far more extensively. The same was true when over a thousand Liberians took to the streets in December to protest the rising cost of living.

E2. Is there freedom for nongovernmental organizations, particularly those that are engaged in human rights– and governance-related work? 3 / 4

Numerous civil society groups and nongovernmental organizations (NGO), including human rights organizations, operate in the country. However, groups focused on LGBT+

issues tend to keep a low profile due to fears of retribution for their work. A National Aid and NGO policy was introduced in 2020 to improve the coordination of humanitarian aid in the country.

E3. Is there freedom for trade unions and similar professional or labor organizations? 2 / 4

Unions are free to form and mobilize and are well organized. The rights of workers to strike, organize, and bargain collectively are recognized and realized in practice. However, the law does not protect workers from employer retaliation for legal strike activity. Labor disputes can turn violent, particularly at the country's various mines and rubber plantations.

F. RULE OF LAW: 6 / 16

F1. Is there an independent judiciary? 1 / 4

The constitution provides for an independent judiciary, but it is impeded by corruption, backlogs, and funding shortfalls, particularly in rural areas. The Supreme Court claimed in September 2021 that judges at all levels of the judiciary have experienced a rise in verbal and physical harassment.

In May 2021, the former chief justice of the Supreme Court, Francis Korkpor, acknowledged the influence of corrupt actors on the judiciary's independence. Critics have also raised concerns that the outcomes of some trials seem predetermined and perceive the judiciary as being controlled by the executive. The new chief justice, Sie-A-Nyene Yuoh, was nominated by President Weah in August 2022 and confirmed by the Senate later that month.

F2. Does due process prevail in civil and criminal matters? 1 / 4

The right to due process is guaranteed by the constitution but poorly upheld. Many people accused of crimes spend more time in pretrial detention than the length they would serve for a guilty sentence. As of August 2022, 77 percent of inmates at Monrovia's central prison—Liberia's largest detention center—are pretrial detainees. Citizens with financial means at times bribe judges to rule in their favor. Reports of arbitrary arrest by law enforcement agents continue.

F3. Is there protection from the illegitimate use of physical force and freedom from war and insurgencies? 2 / 4

The security environment in Liberia has improved dramatically since warfare ended in 2003. However, citizens still view the police force as corrupt, and security agencies lack the financial means to meaningfully protect citizens from violence. Prison conditions are very poor, and detainees and prisoners continue to report abuse and threats by law enforcement agents and prison guards.

F4. Do laws, policies, and practices guarantee equal treatment of various segments of the population? 2 / 4

Some minority ethnic groups continue to be stigmatized as outsiders, and the Muslim population experiences some discrimination. LGBT+ people face social stigma and the threat of violence. President Weah has not supported same-sex marriage.

G. PERSONAL AUTONOMY AND INDIVIDUAL RIGHTS: 9 / 16

G1. Do individuals enjoy freedom of movement, including the ability to change their place of residence, employment, or education? 3 / 4

Though some unofficial border checkpoints remain active—and border patrol agents sometimes attempt to extract bribes—people have enjoyed a gradual increase in the right to

move about freely in the years since large-scale violence ended. Restrictions in place during the COVID-19-related outbreak were not renewed in 2020.

G2. Are individuals able to exercise the right to own property and establish private businesses without undue interference from state or nonstate actors? 2 / 4

Conflicts over land remain pervasive, many originating during the civil wars and the subsequent displacement and resettlement of people that the violence caused. Others are the result of opaque concession agreements.

The 2018 Land Rights Act formalized community ownership of ancestral land. However, the Liberia Land Authority lacks the capacity to deal with disputes that have emerged as a result of the law. Customary law practices that prevail in large parts of the country disadvantage women in matters of land rights and inheritance.

G3. Do individuals enjoy personal social freedoms, including choice of marriage partner and size of family, protection from domestic violence, and control over appearance? 2 / 4

While men and women enjoy equal rights under civil law, gender disparities are common in customary law, which remains dominant in much of Liberia and disadvantage women in matters including inheritance and child custody.

Violence against women and children, particularly rape, is pervasive. An interministerial taskforce created in 2020 to address sexual and gender-based violence (GBV) remains largely powerless.

G4. Do individuals enjoy equality of opportunity and freedom from economic exploitation? 2 / 4

Human trafficking for the purpose of forced labor and prostitution remains a problem, despite government efforts to enhance the country's antitrafficking capacity. Most victims, many of whom are children, are trafficked from rural areas to cities. In April 2022, the government successfully prosecuted a woman who had trafficked more than 10 Liberian women to Oman under legislation revised in 2021 to address human trafficking.

Libya

Population: 6,800,000
Capital: Tripoli
Freedom Status: Not Free
Electoral Democracy: No

Overview: Libya has been racked by internal divisions and intermittent civil conflict since a popular armed uprising in 2011 deposed longtime dictator Mu'ammar al-Qadhafi. International efforts to bring rival administrations together in a unity government have repeatedly failed, preventing long-overdue elections. The proliferation of weapons and autonomous militias, flourishing criminal networks, interference by regional powers, and the presence of extremist groups have all contributed to the country's persistent lack of physical security. More than a decade of violence has displaced hundreds of thousands of people, and human rights conditions have generally deteriorated.

KEY DEVELOPMENTS IN 2022

- Members of the House of Representatives (HoR) based in the eastern city of Tobruk, which had endorsed a Government of National Unity (GNU) as part of a UN-backed peace process in 2021, met in February to appoint a new, rival administration known as the Government of National Stability (GNS).
- GNU prime minster Abdelhamid Dbeibah refused to yield to the GNS, saying he would hand over power only after elections. His government had been tasked with overseeing elections set for December 2021, but the polling was postponed indefinitely amid ongoing legal and other disputes.
- Despite the new political rift, a 2020 cease-fire between opposing blocs of militias based in the east and west largely remained in place during the year, though a two-day outbreak of fighting in the capital killed more than 30 people in August.

POLITICAL RIGHTS: 1 / 40

A. ELECTORAL PROCESS: 0 / 12

A1. Was the current head of government or other chief national authority elected through free and fair elections? 0 / 4

In 2020, after years of division between rival administrations based in Tripoli and Tobruk, the United Nations organized an inclusive Libyan Political Dialogue Forum (LPDF), with representatives from various political factions and civil society. The forum elected Dbeibah as prime minister of the new GNU in February 2021. Members of a three-member Presidential Council were also chosen. In March of that year, the GNU won the approval of the HoR, the Tobruk-based legislature associated with militia commander Khalifa Haftar and his Libyan Arab Armed Forces (LAAF) coalition. Despite allegations of vote buying, the legitimacy of the LPDF process, the GNU, and its mandate were internationally recognized.

The GNU was tasked with overseeing direct popular elections set for December 2021. However, voting was postponed after the High National Election Commission (HNEC) announced its inability to carry out its mandate. The HoR subsequently announced that it no longer recognized the GNU.

In February 2022, the HoR leadership appointed Fathi Bashagha as prime minister of the new GNS, and his cabinet was reportedly approved by a majority of the lawmakers present on March 1. He secured the post without opposition after his only registered challenger allegedly withdrew under unclear circumstances. The GNU led by Dbeibah remained in Tripoli, resisting the GNS's attempts to displace it, and continued to enjoy the backing of the United Nations and key members of the international community through the end of 2022.

A2. Were the current national legislative representatives elected through free and fair elections? 0 / 4

Under an earlier attempt at national reconciliation, the 2015 Libyan Political Agreement (LPA), the unicameral, 200-seat HoR was called upon to remain in place as the interim legislature. The agreement also created the High Council of State (HCS), a secondary consultative body composed of some members of the rival General National Congress (GNC); the Tripoli-based GNC had originally been elected in 2012 and rejected the outcome of the 2014 elections that established the HoR. However, the HoR never formally approved the LPA's provisions or recognized the Tripoli-based government it established.

The 2014 HoR elections were marked by violence, drew the participation of only about 15 percent of the electorate, and were ruled unconstitutional by the Libyan Supreme Court. The HoR's original mandate formally expired in 2015; while it unilaterally extended its tenure, it has rarely achieved a quorum in practice. After Haftar launched a military offensive

against Tripoli in 2019, the HoR became further divided, with members opposed to the campaign meeting in Tripoli and other members continuing to meet in Tobruk. There were attempts to reunify the body in the context of the LPDF process in late 2020, but the dispute remained unresolved.

A3. Are the electoral laws and framework fair, and are they implemented impartially by the relevant election management bodies? 0 / 4

Despite some legal developments since the fall of the Qadhafi regime, Libya lacks a functioning electoral framework in practice.

An August 2011 constitutional declaration, issued by an unelected National Transitional Council, continues to serve as the key governing document for the transitional period. A Constitutional Drafting Assembly (CDA) that was elected in 2014 voted to approve a draft constitution in 2017. In the fall of 2018, the HoR approved a law containing a framework for a constitutional referendum, along with several accompanying amendments to the 2011 constitutional declaration. It then submitted the former, the Referendum Law, to the HNEC, but there was speculation that the new law and amendments would face legal challenges.

According to the LPDF transition roadmap, both the HoR and HCS are required to design and agree on an electoral framework for presidential and parliamentary elections. Despite this stipulation, the two bodies issued separate, conflicting electoral laws. The law promulgated by HoR speaker Aguila Saleh, which established rules for a December 2021 presidential election and postponed final plans for parliamentary elections, was accepted by UN envoys. It was criticized by some HoR members for being adopted in violation of parliamentary voting procedures, and for relying on the 2011 constitutional declaration rather than arranging for a referendum on a new constitution.

Two days before the December 2021 presidential election date, the HNEC announced that the vote had been postponed by one month, citing inadequacies in the electoral law. Disagreements over the establishment of an electoral framework and a flawed process for determining candidates' eligibility persisted through the end of the year. Rather than responding to the HNEC's requests to correct the election process, the HoR passed a motion in January 2022 to establish its own constitutional drafting body and delay elections by at least 14 months.

B. POLITICAL PLURALISM AND PARTICIPATION: 1 / 16

B1. Do the people have the right to organize in different political parties or other competitive political groupings of their choice, and is the system free of undue obstacles to the rise and fall of these competing parties or groupings? 1 / 4

A range of political parties organized to participate in the 2012 GNC elections, but all candidates were required to run as independents in the 2014 HoR elections. Civilian politics have since been overshadowed by the activities of armed groups, which wield significant power and influence on the ground. While various political factions and coalitions exist, the chaotic legal and security environment does not allow for normal political competition; political parties are largely built around personalities rather than coherent platforms, and often do not have substantial constituencies.

B2. Is there a realistic opportunity for the opposition to increase its support or gain power through elections? 0 / 4

Libya remained divided between rival political and military factions in 2022, with no clear plans for elections, and political influence was still heavily dependent on military strength.

Before it was postponed, the presidential voting set for December 2021 had already been severely compromised by widespread voter intimidation and armed obstruction of the electoral process.

Several of the leading presidential contenders had backgrounds that cast doubt on their viability as candidates. They included Saif al-Islam al-Qadhafi, a son of the former dictator who was wanted for extradition by the International Criminal Court; Haftar, the LAAF commander, who had also been implicated in violations of international law; and GNU prime minister Dbeibah, who had been accused of corruption and ran despite LPDF stipulations against GNU figures participating in the 2021 elections.

B3. Are the people's political choices free from domination by forces that are external to the political sphere, or by political forces that employ extrapolitical means? 0 / 4

Ordinary citizens have no role in Libya's political affairs, which are currently dominated by armed factions, foreign governments, oil interests, smuggling syndicates, and other extrapolitical forces. Citizens and civilian political figures are subject to violence and intimidation by the various armed groups.

B4. Do various segments of the population (including ethnic, racial, religious, gender, LGBT+, and other relevant groups) have full political rights and electoral opportunities? 0 / 4

Political impasses and armed conflicts have prevented all segments of the population from exercising their basic political rights. Women and communities that lack an affiliation with a powerful militia are especially marginalized.

The CDA featured two reserved seats each for three non-Arab ethnic minority groups: Amazigh, Tebu, and Tuareg. The Amazigh, however, largely boycotted the 2014 CDA elections and had no representatives in the body, and the two Tebu members rejected the draft constitution it adopted in 2017. The draft was approved by the CDA despite rules requiring support from at least one member from each of the three minority groups. Amazigh, Tuareg, and Tebu organizations also denounced UN representatives for excluding their communities from the LPDF process. Members of all three groups are often unable to acquire citizenship or other forms of documentation, further contributing to their political disenfranchisement.

C. FUNCTIONING OF GOVERNMENT: 0 / 12

C1. Do the freely elected head of government and national legislative representatives determine the policies of the government? 0 / 4

State institutions remained divided during 2022, no political entity was operating with a current electoral mandate, and no single force had full control over the national territory. The GNS, created in February 2022 by the HoR leadership, operated under the protection of the LAAF in the areas it controlled, particularly in eastern Libya. The GNU continued to operate in Tripoli and parts of western Libya.

C2. Are safeguards against official corruption strong and effective? 0 / 4

Corruption is pervasive among government officials, and opportunities for graft and criminal activity abound in the absence of unified and functional fiscal, judicial, and other institutions.

In September 2022, the Audit Bureau published a report on the GNU's public spending in 2021 and alleged widespread misuse of public funds by ministers and other officials. Separately, the LAAF has long been accused of raising funds through extortion, smuggling operations, and illegal seizures of public and private property in eastern Libya.

C3. Does the government operate with openness and transparency? 0 / 4

There are no effective laws guaranteeing public access to government information, and none of the country's competing authorities engage in transparent budget-making and contracting practices.

CIVIL LIBERTIES: 9 / 60 (+1)

D. FREEDOM OF EXPRESSION AND BELIEF: 4 / 16

D1. Are there free and independent media? 1 / 4

There is a diverse array of Libyan media outlets based inside and outside the country. However, most are highly partisan, producing content that favors one of the country's political and military factions, and in many cases promoting propaganda, hate speech, or disinformation in coordination with foreign backers. Social media accounts linked to the rival political groups and their foreign supporters have also disseminated such content.

In September 2022, the HoR adopted Law No. 5 of 2022, a controversial cybercrime measure that empowered the authorities to block and censor content—and impose criminal punishments—based on vague violations of "public order and morality."

The years of civil conflict and related violence by criminal and extremist groups have made objective reporting dangerous, and journalists and commentators are subject to intimidation, arbitrary detention, and physical abuse by a variety of armed actors. In August 2022, LAAF fighters allegedly abducted the sister of Nadine al-Farsi, a human rights activist from Benghazi who had continued to antagonize Haftar's forces through her online commentary after fleeing the country. The sister and her children had apparently not been released as of late 2022.

D2. Are individuals free to practice and express their religious faith or nonbelief in public and private? 1 / 4

Religious freedom is often violated in practice. Nearly all Libyans are Sunni Muslims, but Christian and other minority communities have been attacked by armed groups, including local affiliates of the Islamic State (IS) militant group. In eastern Libya, hard-line Salafi Muslims aligned with Haftar's forces control Benghazi's mosques and religious programming. Salafi militants, who reject the veneration of saints, have destroyed or vandalized Sufi Muslim shrines with impunity.

D3. Is there academic freedom, and is the educational system free from extensive political indoctrination? 1 / 4

There are no effective laws guaranteeing academic freedom. The armed conflict has damaged many school and university facilities and altered classroom dynamics; for example, professors can be subject to intimidation by students who are aligned with militias. Self-censorship is common among educators. Among other operational challenges, educational institutions have limited access to independent funding for reconstruction, training, and salaries, which increases their vulnerability to political pressure.

D4. Are individuals free to express their personal views on political or other sensitive topics without fear of surveillance or retribution? 1 / 4

Although the freedom of private discussion and personal expression improved dramatically after 2011, ongoing militia activity has taken its toll, with many Libyans withdrawing from public life or avoiding criticism of powerful figures. Numerous kidnappings and killings of activists, politicians, and journalists have added to the general deterrent effect. Conditions for personal expression are considerably worse in the east than in the west, where

residents have somewhat more freedom to criticize government authorities, though violent reprisals for critical speech have been reported in both areas.

The cybercrime law issued by the HoR in 2022 allows the authorities to engage in surveillance of private communications without clear guidelines or safeguards against abuse.

E. ASSOCIATIONAL AND ORGANIZATIONAL RIGHTS: 3 / 12 (+1)

E1. Is there freedom of assembly? 1 / 4

A 2012 law on freedom of assembly is generally compatible with international human rights principles, but in practice armed conflict and related disorder have seriously deterred peaceful assemblies in many areas. Demonstrators repeatedly gathered in cities across the country between May and August 2022 to protest poor living conditions and political dysfunction. Local militias often responded by violently dispersing the assemblies and arbitrarily detaining organizers.

E2. Is there freedom for nongovernmental organizations, particularly those that are engaged in human rights– and governance-related work? 1 / 4

The number of active nongovernmental organizations (NGOs) has declined in recent years due to armed conflict and the departure of international donors. Militias with varying political, tribal, and geographic affiliations have attacked civil society activists with impunity. Many NGO workers have fled abroad or ceased their activism in the wake of grave threats to themselves or their families. International NGOs, human rights activists, and researchers seeking to work in the country routinely face obstacles such as the denial of entry visas.

NGOs in Libya are largely overseen by the Civil Society Commission (CSC), a regulatory body established by the GNA's Presidential Council in 2018, though administration often differs between the east and west of the country. In July 2022, a court in Benghazi suspended a controversial 2019 decree that granted the CSC wide-ranging authority to restrict, suspend, and dissolve NGOs, but other repressive regulations and Qadhafi-era laws affecting NGOs remained in force.

E3. Is there freedom for trade unions and similar professional or labor organizations? 1 / 4 (+1)

Some professional and trade unions, having been outlawed under the Qadhafi regime, formed or were revived after 2011 and are able to function under that year's constitutional declaration. Unions representing oil workers, teachers, bakers, doctors, and other groups have established offices in major cities and coordinate with local chapters across the country. The union movement has been affected by the country's broader east-west political divide, and workers' rights have been ignored in practice by successive governments. Labor activists are also subject to violence and intimidation by militia forces, particularly in the east. Nevertheless, unions have sought to defend their interests through a number of strike actions as well as engagement with civil society groups, political figures, and militia leaders.

Score Change: The score improved from 0 to 1 because some unions have been able to conduct regular meetings and advocate for their interests in recent years.

F. RULE OF LAW: 0 / 16

F1. Is there an independent judiciary? 0 / 4

The role of the judiciary remains unclear without a permanent constitution, and judges, lawyers, and prosecutors face frequent threats and attacks from armed groups. Courts are unable to function in much of the country, and even in areas where they do operate, their integrity and impartiality have been compromised. Some residents have resorted to informal

dispute-resolution mechanisms, and the LAAF oversees a military court system in eastern Libya, but these venues lack due process and judicial autonomy.

The HoR leadership routinely interferes with the judiciary's composition. In late 2021, the HoR enacted a law that empowered it to change the leadership of the Supreme Judicial Council. The legislative body then appointed a slate of new Supreme Court judges in August 2022, named a new Supreme Court chief in September, and issued legislation in December to establish a Constitutional Court that would sit in Benghazi. These and other such moves were contested by the HCS, and their legal recognition by existing judicial institutions in Tripoli remained unclear at year's end.

F2. Does due process prevail in civil and criminal matters? 0 / 4

Since the 2011 revolution, the right of citizens to a fair trial and due process has been challenged by the continued interference of armed groups and an inability to access lawyers and court documents. Militias and semiofficial security forces regularly engage in arbitrary arrests, detentions, and intimidation with impunity. Thousands of individuals remain in custody without any formal trial or sentencing. The LAAF's military courts routinely flout basic standards of due process and are used to suppress dissent.

Some Libyans have sought justice by turning to courts outside the country. In July 2022, a US federal court ruled in a civil suit that Haftar—a dual American-Libyan citizen—was financially liable for torture and abuses against civilians that amounted to war crimes.

F3. Is there protection from the illegitimate use of physical force and freedom from war and insurgencies? 0 / 4

Libya's warring militias and their foreign partners operate with little regard for the physical security of civilians. Various armed groups have carried out indiscriminate shelling of civilian areas, torture of detainees, summary executions, rape, and the destruction of property. Militias also engage in criminal activity, including extortion and other forms of predation on the civilian population.

While there was no sustained combat during 2022, clashes broke out in August between militias in downtown Tripoli after GNS representatives from the east attempted to establish a presence in the capital, challenging the authority of the GNU. At least 32 people were killed, and another 159 were reportedly injured.

F4. Do laws, policies, and practices guarantee equal treatment of various segments of the population? 0 / 4

Libyans from certain tribes, ethnic groups, and Indigenous communities—often those perceived as pro-Qadhafi or non-Libyan, including natives of the town of Tawergha—have faced discrimination, violence, and displacement. The Tebu and Tuareg populations in the south also face discrimination.

Foreign migrant workers, asylum seekers, and refugees have been subject to severe mistreatment, including detention in squalid facilities by state authorities and other armed groups. A 2021 fact-finding mission appointed by the UN Human Rights Council reported that Libyan authorities had engaged in systematic and widespread human rights violations against the country's migrant population, resulting in the murder, torture, imprisonment, rape, and persecution of migrants. There were nearly 700,000 foreign migrants in the country as of December 2022, according to the International Organization for Migration.

Women are not treated equally under the law and face practical restrictions on their ability to participate in the workforce. Widows and displaced women in particular are vulnerable to economic deprivation and other abuses.

Under Libya's penal code, sexual activity between members of the same sex is punishable by up to five years in prison. LGBT+ people face severe discrimination and harassment, and have been targeted for violence by militant groups.

G. PERSONAL AUTONOMY AND INDIVIDUAL RIGHTS: 2 / 16

G1. Do individuals enjoy freedom of movement, including the ability to change their place of residence, employment, or education? 0 / 4

The 2011 constitutional declaration guarantees freedom of movement, but militia checkpoints restrict travel within Libya, while combat and poor security conditions more generally have affected movement as well as access to education and employment. Travel between eastern and western Libya is somewhat less dangerous since the 2020 cease-fire, but sporadic road closures and abandoned landmines or explosives remain common.

As of mid-2022 there were about 140,000 internally displaced people in Libya, representing a reduction of more than 50 percent since the cease-fire, though many were still unable to return home.

Corruption is a problem for those seeking to advance their employment or education. In 2022, the Ministry of Education introduced regulations aimed at addressing the use of forged university degrees to falsely obtain government jobs.

G2. Are individuals able to exercise the right to own property and establish private businesses without undue interference from state or nonstate actors? 1 / 4

While Libyans formally have the right to own property and can start businesses, legal protections are not upheld in practice. The Qadhafi regime's Law No. 7 of 1986 abolished land ownership, leading to decades of squatting in private domiciles and ongoing disputes over property rights. Businesses and homes have been damaged amid fighting or confiscated by militias in recent years, particularly in Libya's eastern regions. Persistent insecurity has severely disrupted ordinary commerce, allowing armed groups to dominate smuggling networks and informal markets.

G3. Do individuals enjoy personal social freedoms, including choice of marriage partner and size of family, protection from domestic violence, and control over appearance? 1 / 4

Laws and social customs disadvantage women in personal status matters including marriage and divorce. Libyan women with foreign husbands do not enjoy full citizenship rights and cannot transfer Libyan citizenship to their children; the GNU granted citizenship to a group of more than 100 such children in June 2022, and in October it decreed that all children of Libyan mothers and foreign fathers would have access to public education and health care.

There are no laws that specifically address or criminalize domestic violence, and most such violence goes unreported due to social stigma and the risk of reprisals. The law imposes penalties for extramarital sex and allows rapists to avoid punishment by marrying their victims. Rape and other sexual violence have become increasingly serious problems in the lawless environment created by the civil conflict.

G4. Do individuals enjoy equality of opportunity and freedom from economic exploitation? 0 / 4

There are few protections against exploitative labor practices. Forced labor, sexual exploitation, abuse in detention facilities, and starvation are widespread among migrants and refugees from sub-Saharan Africa, the Middle East, and South Asia, many of whom are beholden to human traffickers.

Libya lacks comprehensive laws criminalizing human trafficking, and the authorities have been either incapable of enforcing existing bans or complicit in trafficking activity.

Traffickers have established enterprises in which refugees and migrants are loaded into overcrowded boats that are then abandoned in the Mediterranean Sea, where passengers hope to be rescued and taken to Europe. The voyages often result in fatalities. Libyan coast guard forces, which receive support from European governments, work to block such departures and have reportedly abused and exploited the passengers they intercept.

Liechtenstein

Population: 40,000
Capital: Vaduz
Freedom Status: Free
Electoral Democracy: Yes

Overview: The Principality of Liechtenstein combines a powerful monarchy with a parliamentary system of government. The prince has an influential political role, which was enhanced by a constitutional referendum in 2003. Human rights and civil liberties are generally respected in the country.

KEY DEVELOPMENTS IN 2022

- In December, the parliament approved a government motion that gives full adoption rights to same-sex couples.
- In November, a large majority of the parliament voted to introduce a motion to legalize same-sex marriage.

POLITICAL RIGHTS: 33 / 40

A. ELECTORAL PROCESS: 10 / 12

A1. Was the current head of government or other chief national authority elected through free and fair elections? 2 / 4

Liechtenstein has one of the most politically powerful hereditary monarchies in Europe. In a 2003 constitutional referendum, voters granted significantly more power to the prince. As head of state, the prince appoints the prime minister and cabinet on the recommendation of the parliament and has the authority to dismiss the government and dissolve the parliament.

Prince Hans-Adam II is the current head of state, but he delegated his governmental authority to his son, Hereditary Prince Alois, in 2004. Daniel Risch took office as prime minister in March 2021 after his party, the Patriotic Union (VU), renewed its governing coalition with the Progressive Citizens' Party (FBP) following parliamentary elections.

A2. Were the current national legislative representatives elected through free and fair elections? 4 / 4

The Landtag, the unicameral parliament, consists of 25 deputies chosen by proportional representation every four years. International observers considered the 2021 parliamentary elections to be credible. The two ruling parties, the VU and FBP, increased their share of votes and both won 10 seats, while the right-wing populist Independents (DU) lost all five of their seats. The center-left Free List (FL) retained its three seats, and the newly established Democrats for Liechtenstein (DpL), a DU splinter group, entered the parliament with two seats.

A3. Are the electoral laws and framework fair, and are they implemented impartially by the relevant election management bodies? 4 / 4

The electoral framework provides a sound basis for democratic balloting. There are no formal provisions for election observation, but domestic and international observers are free to monitor the process. While voting is compulsory under the law, the rule is not enforced.

B. POLITICAL PLURALISM AND PARTICIPATION: 13 / 16

B1. Do the people have the right to organize in different political parties or other competitive political groupings of their choice, and is the system free of undue obstacles to the rise and fall of these competing parties or groupings? 4 / 4

There are no onerous limits on the establishment or activities of political parties. The 8 percent vote threshold for representation in the parliament is comparatively high, though the 2013 elections marked the first time that four parties had won seats, and subsequent elections have also yielded representation for four parties. In 2019, an administrative court ruled that the new DpL should be recognized by the government as a political party, which entitled it to public financing.

B2. Is there a realistic opportunity for the opposition to increase its support or gain power through elections? 3 / 4

The unelected prince wields significant governmental authority, meaning the extent to which power can change hands through elections is limited. The FBP and VU have traditionally dominated the parliament, competing with each other and usually forming coalition governments. The FL has long served as an opposition party, and more recently, DU and its offshoot DpL have also acted as opposition forces in the legislature.

B3. Are the people's political choices free from domination by forces that are external to the political sphere, or by political forces that employ extrapolitical means? 3 / 4

Although citizens' political choices are largely free from undue interference, the prince has the power to veto the outcome of national referendums and popular initiatives. He has occasionally threatened to use this power, thereby influencing the results. In a 2012 constitutional referendum, however, 76 percent of voters rejected a proposal to limit the prince's veto power.

Transparency of political financing remains a concern. In response to calls for reform by the Council of Europe's Group of States against Corruption (GRECO), the parliament in 2019 passed a modification of the law on party financing, stipulating that parties may no longer accept anonymous donations exceeding 300 Swiss francs ($325). However, the law did not require parties to publicly disclose their known donors, and campaign financing remains largely unregulated.

B4. Do various segments of the population (including ethnic, racial, religious, gender, LGBT+, and other relevant groups) have full political rights and electoral opportunities? 3 / 4

Approximately one-third of the population consists of foreign nationals—mostly from neighboring countries—who do not have political rights in the principality. Under Liechtenstein's restrictive naturalization criteria, one must live in the country for 30 years, or marry a resident Liechtenstein citizen and live in the country for more than 10 years, to qualify for citizenship.

Women and members of ethnic minority groups generally enjoy formal political equality, though some disparities persist in practice. As part of a 2020 referendum, voters rejected

a proposed change to the constitution that would have required the promotion of equal representation for women in politics. However, following the 2021 elections, the number of women in the parliament increased from three to seven.

C. FUNCTIONING OF GOVERNMENT: 10 / 12

C1. Do the freely elected head of government and national legislative representatives determine the policies of the government? 2 / 4

Although elected executive and legislative officials set the policy agenda, the prince has significant governmental authority with no electoral mandate. He can dismiss the government and the parliament and veto both legislation and the outcome of public plebiscites.

C2. Are safeguards against official corruption strong and effective? 4 / 4

Anticorruption laws are effectively implemented, and levels of corruption are reportedly low. However, a July 2022 GRECO compliance report observed that Liechtenstein still lacked a code of conduct for members of parliament, who are not currently required to declare assets or conflicts of interest.

C3. Does the government operate with openness and transparency? 4 / 4

Although there is no constitutional guarantee of access to information, laws are in place to provide for government transparency, and these are largely respected in practice.

The government has made efforts in recent years to increase transparency in the banking sector, which has historically been criticized for enabling foreign clients to hide wealth from their respective governments and potentially aiding corruption or other criminal activity.

CIVIL LIBERTIES: 57 / 60

D. FREEDOM OF EXPRESSION AND BELIEF: 16 / 16

D1. Are there free and independent media? 4 / 4

The constitution guarantees freedom of the press, which is respected in practice. Liechtenstein has one private television station, one public radio station, and two main newspapers that are owned by the two major political parties. The local media sector lacks pluralism, but residents have access to foreign news outlets, including broadcasts from Germany, Austria, and Switzerland.

D2. Are individuals free to practice and express their religious faith or nonbelief in public and private? 4 / 4

Although the constitution establishes Roman Catholicism as the state religion, religious freedom is constitutionally guaranteed and protected in practice. Catholic or Protestant education is mandatory in all primary schools, but exemptions are routinely granted. Islamic religious classes have been offered in some primary schools since 2008. All religious groups have tax-exempt status. Muslim groups have yet to obtain permission to establish a mosque or a dedicated Muslim cemetery; there is one Islamic prayer room, and churches open their facilities for use by other faiths upon request.

D3. Is there academic freedom, and is the educational system free from extensive political indoctrination? 4 / 4

Academic freedom is largely respected, with no significant restrictions by state or nonstate actors.

D4. Are individuals free to express their personal views on political or other sensitive topics without fear of surveillance or retribution? 4 / 4

The law guarantees freedom of expression, but prohibits public insults directed against a race or ethnic group. The government is not known to improperly monitor private communications.

E. ASSOCIATIONAL AND ORGANIZATIONAL RIGHTS: 12 / 12

E1. Is there freedom of assembly? 4 / 4

The constitution guarantees freedom of assembly, and this right is respected in practice.

E2. Is there freedom for nongovernmental organizations, particularly those that are engaged in human rights– and governance-related work? 4 / 4

Domestic and international nongovernmental organizations (NGOs) are able to function freely.

E3. Is there freedom for trade unions and similar professional or labor organizations? 4 / 4

The law facilitates the formation of trade unions and collective bargaining, and workers enjoy freedom of association in practice. The principality has at least one trade union. While a 2008 legal change removed a ban on strikes for civil servants, the right to strike in general is not explicitly protected by law. Major labor disputes are rare in the country.

F. RULE OF LAW: 14 / 16

F1. Is there an independent judiciary? 3 / 4

The judiciary is generally independent and impartial, but the constitution gives the prince powerful influence over the appointment of judges, meaning the process lacks a key element of democratic accountability. The selection board for judicial candidates is chaired by the prince or his deputy, whose assent is required for candidate recommendations; the rest of the board consists of the prince's appointees and representatives of the government and parliamentary parties. The recommended candidates are submitted for approval by the parliament and appointment by the prince. A 2020 GRECO report called for the selection board to include judges chosen by their peers, and for the appointment procedure to feature specific integrity criteria that candidates must meet. While the Judicial Appointment Act was amended in March 2022 to stipulate that the president of a court should be consulted when a vacancy on the court is being filled, GRECO noted this provision does not counteract the problematic composition of the judicial selection board.

F2. Does due process prevail in civil and criminal matters? 4 / 4

The constitution provides for the right to a fair trial, and the rights of defendants are usually respected. Most trials are public, and defendants are considered innocent until proven guilty. Some concerns remain about particular aspects of police custody procedures, including the fact that police can deny the presence of a lawyer during initial questioning.

F3. Is there protection from the illegitimate use of physical force and freedom from war and insurgencies? 4 / 4

People in Liechtenstein are largely free from the illegitimate use of physical force. Violent crime is extremely rare. While the country's small prison facility can hold up to 16

men and 4 women in short-term detention, those serving longer sentences are incarcerated in neighboring Austria.

F4. Do laws, policies, and practices guarantee equal treatment of various segments of the population? 3 / 4

The legal framework prohibits discrimination on various grounds, though some shortcomings remain. In 2018, the European Commission against Racism and Intolerance (ECRI) reiterated the need for Liechtenstein to ratify Protocol 12 to the European Convention on Human Rights, which makes a general prohibition against discrimination.

Despite the presence of antidiscrimination laws, women, particularly Muslim women, and LGBT+ people experience employment discrimination. Women continue to earn significantly less on average than their male counterparts. LGBT+ individuals face social stigma, and according to a leading human rights group, they often do not disclose their sexual orientation or gender identity out of fear of bias.

G. PERSONAL AUTONOMY AND INDIVIDUAL RIGHTS: 15 / 16

G1. Do individuals enjoy freedom of movement, including the ability to change their place of residence, employment, or education? 4 / 4

There are no significant restrictions on freedom of movement in Liechtenstein.

G2. Are individuals able to exercise the right to own property and establish private businesses without undue interference from state or nonstate actors? 4 / 4

The legal framework generally protects property rights and supports private business activity without undue restrictions. Nonresidents are not allowed to establish a business in Liechtenstein, but prospective business owners exploit loopholes to work around the law.

G3. Do individuals enjoy personal social freedoms, including choice of marriage partner and size of family, protection from domestic violence, and control over appearance? 3 / 4

Personal social freedoms are largely protected, and important steps were taken in 2022 to bolster the rights of LGBT+ people. In November 2022, the parliament overwhelmingly adopted a motion to introduce a bill legalizing same-sex marriage, which is currently pending government approval. In December, parliament approved a government motion that provides full adoption rights for same-sex couples.

Domestic violence and rape, including spousal rape, are illegal in Liechtenstein, and authorities effectively prosecute offenders and protect victims. Abortion is criminalized unless the pregnant person is at risk of death or serious harm, or was under age 14 at the time of conception. A 2011 referendum proposal to expand the conditions for legal abortion was defeated by voters. In 2015, the country lifted penalties for individuals obtaining an abortion in Liechtenstein or abroad, but not for physicians providing abortions in Liechtenstein.

G4. Do individuals enjoy equality of opportunity and freedom from economic exploitation? 4 / 4

Liechtenstein is largely free from economic exploitation and human trafficking. Despite the country's overall wealth and low unemployment rates, however, relative poverty persists among some communities. Immigrants in particular often struggle to achieve economic security and social mobility.

Lithuania

Population: 2,800,000
Capital: Vilnius
Freedom Status: Free
Electoral Democracy: Yes

Overview: Lithuania is a democracy in which political rights and civil liberties are generally respected. Chronic problems including corruption and socioeconomic inequality often arouse public dissatisfaction with the government, political parties, and other institutions. Women, LGBT+ people, members of the Romany minority, and some other groups experience varying degrees of discrimination and underrepresentation in politics.

KEY DEVELOPMENTS IN 2022

- In February, hours after the Russian regime's full-scale military invasion of Ukraine, Lithuanian authorities declared a state of emergency. Among other provisions, the designation placed restrictions on the transmission of Russian and Belarusian broadcasts, as well as demonstrations supporting the invasion. The war also prompted authorities to seek stronger military assurances from their North Atlantic Treaty Organization (NATO) partners. In September the nationwide state of emergency expired, but the designation was extended to the end of the year for the areas along Lithuania's borders with Belarus and Russia's Kaliningrad Oblast.
- Some 72,000 refugees from Ukraine arrived in the country and requested temporary protection. In addition to Lithuania's official military and humanitarian support of Ukraine, various civic initiatives were launched to help the country and its residents, and to accommodate refugees.
- The country experienced significant price increases, particularly in the energy and food sectors. The year-over-year inflation rate reached 24 percent in September, ending the year at 20 percent. As popular discontent rose, the government introduced emergency fiscal measures in an attempt to relieve an approaching economic crisis.

POLITICAL RIGHTS: 38 / 40

A. ELECTORAL PROCESS: 12 / 12

A1. Was the current head of government or other chief national authority elected through free and fair elections? 4 / 4

The president, whose main competencies as head of state pertain to foreign affairs, is directly elected for up to two five-year terms. The prime minister, who as head of government holds most executive authority, is appointed by the president with the approval of the Seimas (parliament). Recent executive elections have met democratic standards.

Centrist nonpartisan candidate Gitanas Nausėda was elected president in 2019. He took 66 percent of the vote in a runoff, defeating Ingrida Šimonytė, an independent lawmaker backed by the center-right Homeland Union–Lithuanian Christian Democrats (TS-LKD). Šimonytė was appointed prime minister following October 2020 parliamentary elections. Both the presidential election and the appointment of the prime minister were in accordance with democratic standards.

A2. Were the current national legislative representatives elected through free and fair elections? 4 / 4

The unicameral, 141-seat Seimas includes 71 members elected in single-mandate constituencies and 70 chosen by proportional representation, all for four-year terms.

In the October 2020 elections, which observers deemed free and fair, the TS-LKD won 50 seats, while the then-incumbent centrist-populist Farmers and Greens Union (LVŽS) won 32. Two socially liberal and probusiness parties, the Liberal Movement and the Freedom Party, respectively won 13 and 11 seats; they formed a coalition government with the TS-LKD that November.

The center-left Lithuanian Social Democratic Party (LSDP) won 13 seats, while the centrist-populist Labor Party won 10. Four other parties and independent candidates won the remaining seats.

A3. Are the electoral laws and framework fair, and are they implemented impartially by the relevant election management bodies? 4 / 4

The legislative framework for conducting elections is consistent with democratic standards and generally well implemented. The Central Electoral Commission has typically operated and adjudicated election-related complaints in a fair manner.

In April 2022, the Seimas adopted three constitutional amendments on electoral issues. The amendments authorized direct mayoral elections, lowered the minimum age for running in legislative elections to 21 years from 25, and implemented a 2011 ruling of the European Court of Human Rights to allow an impeached person to run for president or parliament ten years after being removed from office.

In June 2022, the Seimas passed a new electoral code that consolidated election-related laws.

B. POLITICAL PLURALISM AND PARTICIPATION: 16 / 16

B1. Do the people have the right to organize in different political parties or other competitive political groupings of their choice, and is the system free of undue obstacles to the rise and fall of these competing parties or groupings? 4 / 4

Political parties generally operate freely. Citizens of other European Union (EU) member states living in the country are eligible to join and found Lithuanian political parties.

The minimum number of members for political parties, which stands at 2,000, somewhat restricts the creation of new parties and the maintenance of small ones. Public funding rules generally favor the main parliamentary forces, as private financing of political organizations is tightly restricted.

In September 2022, the Seimas overrode a presidential veto to significantly raise requirements for the formation and functioning of public election committees—a way for groups of citizens to run for municipal councils or the European Parliament without joining or establishing a political party. Consequently, the number of committees registered for forthcoming March 2023 local elections dropped almost threefold, to 32, from the 87 that had been registered for the previous local elections, in 2019.

B2. Is there a realistic opportunity for the opposition to increase its support or gain power through elections? 4 / 4

Regular transfers of power between rival parties after elections have been the norm since the early 1990s, with left- and right-leaning coalitions alternating in government. Parties in opposition retain a significant presence in the Seimas.

B3. Are the people's political choices free from domination by forces that are external to the political sphere, or by political forces that employ extrapolitical means? 4 / 4

Sporadic cases of vote buying during national elections have been observed, and clientelism can influence politics at the local level. However, voters and candidates are generally free to exercise their political autonomy without undue influence or interference.

B4. Do various segments of the population (including ethnic, racial, religious, gender, LGBT+, and other relevant groups) have full political rights and electoral opportunities? 4 / 4

There are no formal restrictions on the political participation of women, LGBT+ people, or members of ethnic, religious, and other minority groups. Women and women's interests remain underrepresented in politics, though improvements are evident. Women currently hold 28 percent of Seimas seats and the three leaders of the governing coalition are women, including Prime Minister Šimonytė and Viktorija Čmilytė-Nielsen, the leader of the Liberal Movement, who serves as Seimas speaker. Šimonytė's cabinet approaches gender balance, with women holding 6 of the 14 ministerial posts.

Political parties that are supportive of LGBT+ rights increased their parliamentary representation in 2020. The Freedom Party, founded in 2019, campaigned for marriage equality and had an openly gay candidate among its leaders.

The Electoral Action of Poles in Lithuania–Christian Families Alliance (LLRA-KŠS), which represents members of the ethnic Polish minority, won three seats in single-mandate districts.

C. FUNCTIONING OF GOVERNMENT: 10 / 12

C1. Do the freely elected head of government and national legislative representatives determine the policies of the government? 4 / 4

The country's elected officials are able to determine and implement government policies without improper interference from unelected or foreign entities.

C2. Are safeguards against official corruption strong and effective? 3 / 4

Corruption remains an issue in Lithuania, and certain sectors, including health care and construction, are perceived as prone to malfeasance. While anticorruption bodies are active, there are usually considerable delays in the investigation and prosecution of political corruption cases.

The protection of whistleblowers and journalists who report on corruption cases is legally guaranteed, though such safeguards are upheld inconsistently at the local level.

C3. Does the government operate with openness and transparency? 3 / 4

Lithuanian law grants the public the right to access official information, and the government generally complies with such requests. However, the operations of state-owned enterprises are somewhat opaque and prone to financial misconduct.

European institutions lauded recent changes to transparency rules for lobbying activities as well as improvements in the country's public procurement framework. Nevertheless, more than one-third of public contracts are still awarded following a single bid or no call for bids at all, and public procurement remains at high risk of corruption.

CIVIL LIBERTIES: 51 / 60

D. FREEDOM OF EXPRESSION AND BELIEF: 15 / 16

D1. Are there free and independent media? 3 / 4

The government generally respects freedom of the press, and the media market is vibrant. However, the increasing concentration of media ownership in the hands of a small

number of companies raises the risk of editorial interference by powerful political and business interests. Journalists often engage in self-censorship when reporting on certain large companies. The economic impact of the COVID-19 pandemic left the media more vulnerable to undue influence and affected the job security of journalists. Journalists also face online harassment and abuse.

Under the state of emergency declared after Russia's February 2022 invasion of Ukraine, the transmission of any programs broadcast by Russian and Belarusian television and radio channels was suspended. The state of emergency also allowed for the restriction of Lithuanian media if they were deemed to spread disinformation or propaganda, incite war, or breach Lithuanian sovereignty. On the other hand, state institutions, major media outlets, and civil society groups stepped up their efforts to fight disinformation on the Internet.

D2. Are individuals free to practice and express their religious faith or nonbelief in public and private? 4 / 4

Freedom of religion is legally guaranteed and largely upheld in practice. However, nine so-called traditional religious communities, and particularly the Roman Catholic Church, enjoy certain government benefits, including annual subsidies that are not granted to other groups.

D3. Is there academic freedom, and is the educational system free from extensive political indoctrination? 4 / 4

Academic freedom is respected, and the educational system is generally free from political influence.

D4. Are individuals free to express their personal views on political or other sensitive topics without fear of surveillance or retribution? 4 / 4

The freedoms of personal expression and private discussion are generally robust and unrestricted. However, the full-scale Russian military invasion of Ukraine in February 2022 led to a narrowing of the freedom to criticize official stances on security-related issues without fear of institutional scrutiny or societal marginalization.

E. ASSOCIATIONAL AND ORGANIZATIONAL RIGHTS: 11 / 12

E1. Is there freedom of assembly? 4 / 4

Freedom of assembly is generally respected.

In the wake of the nationwide state of emergency declared in February 2022, assemblies supporting the military actions of the Russian or Belarusian regimes in Ukraine were banned.

Due to a significant slowdown of the spread of COVID-19, the government in April 2022 announced that restrictions on public gatherings and other events that had been in place would be lifted the next month.

E2. Is there freedom for nongovernmental organizations, particularly those that are engaged in human rights– and governance-related work? 4 / 4

Nongovernmental organizations (NGOs) are able to register without facing serious obstacles, and they generally operate without undue restrictions in practice.

E3. Is there freedom for trade unions and similar professional or labor organizations? 3 / 4

Workers have the right to form and join trade unions and engage in collective bargaining, though there have been reports of employees being punished for attempting to organize. Less than 10 percent of workers are trade union members, and the share of workers covered

by collective agreements is similarly low. Changes to the labor code in 2017 required employers with at least 20 workers to initiate the election of a work council to represent employees' interests, if a union was not already established, though only unions can engage in collective bargaining. Strikes are relatively uncommon due to strict regulations, lack of strike funds, and the absence of a culture of industrial action.

F. RULE OF LAW: 11 / 16

F1. Is there an independent judiciary? 3 / 4

Although public confidence in the courts has been steadily improving in recent years, judicial corruption remains a concern. There are significant delays in appointments to high judicial positions. Notably, as of the end of 2022, the Supreme Court had been headed by an acting president since September 2019. There are also concerns regarding transparency in the selection of judges and low pay for some work in the court system.

F2. Does due process prevail in civil and criminal matters? 3 / 4

Defendants generally enjoy the presumption of innocence and freedom from arbitrary arrest and detention, but detained suspects are not always granted timely access to an attorney. The law states that pretrial detention should only be employed in exceptional circumstances, and its use has declined in recent years. However, due to low pay levels, many qualified lawyers do not wish to participate in the state-guaranteed legal aid system. Moreover, recent legislative changes have further restricted legal access for socially vulnerable groups by allowing the authorities to exact litigation costs from people who were provided with legal aid and subsequently convicted. The prosecutor general's office is largely independent of political control and influence. However, underfinancing remains an issue.

F3. Is there protection from the illegitimate use of physical force and freedom from war and insurgencies? 3 / 4

The population is largely free from major threats to physical security, and the homicide rate has declined in recent years, though it remains one of the highest in the EU.

Although the government has taken measures to improve the situation, conditions at some prisons are substandard, violence among prisoners remains a problem, and physical abuse of prisoners by correctional officers persists.

F4. Do laws, policies, and practices guarantee equal treatment of various segments of the population? 2 / 4

The constitution guarantees equality before the law and forbids discrimination based on gender, race, language, and other categories. The laws provide similar protections against discrimination based on sexual orientation, though gender identity is not addressed. In practice, women generally earn less than men per hour worked, and both LGBT+ people and members of the Romany minority experience societal discrimination. Ethnic Poles and members of other national minority groups have objected to limits on the use of their languages; public signs must be written only in Lithuanian, even in areas predominantly inhabited by people who speak different languages.

The Lithuanian government continued to apply pushbacks against migrants crossing the Belarus border; approximately 11,200 people were stopped from entering the country this way in 2022. Foreign registration centers for accepted migrants have been criticized by international human rights watchers for poor physical conditions and ill-treatment. Despite a June 2022 European Court of Justice (ECJ) ruling that the pushback policy violated EU law, the Lithuanian government refused to abandon the policy, instead working to enshrine

it into law. The Lithuanian capacity to absorb migration was affected in 2022 by the influx of some 72,000 refugees from Ukraine, who were welcomed much more favorably than the mostly African and Middle Eastern refugees affected by the pushbacks and substandard living conditions.

G. PERSONAL AUTONOMY AND INDIVIDUAL RIGHTS: 14 / 16

G1. Do individuals enjoy freedom of movement, including the ability to change their place of residence, employment, or education? 4 / 4

Residents of Lithuania may leave the country and travel internally without significant obstacles.

The major COVID-19 national emergency plan ended in May 2022; its movement restrictions were generally considered to be proportionate measures aimed at protecting public health.

G2. Are individuals able to exercise the right to own property and establish private businesses without undue interference from state or nonstate actors? 4 / 4

Successive governments have worked to maintain a well-regulated market economy, and the legal framework generally protects property rights and the freedom to operate private businesses.

G3. Do individuals enjoy personal social freedoms, including choice of marriage partner and size of family, protection from domestic violence, and control over appearance? 3 / 4

Individual freedom regarding personal status matters such as marriage and divorce is generally upheld, but marriage is constitutionally defined as a union between a man and a woman. Same-sex partnerships are not legally recognized. While a bill to allow same-sex civil unions did not receive sufficient support in a May 2021 Seimas vote, a year later, lawmakers agreed to consider a watered-down version of it.

Domestic violence remains a problem; it is one of the country's most reported crimes, but the rates of investigation and prosecution remain inadequate.

G4. Do individuals enjoy equality of opportunity and freedom from economic exploitation? 3 / 4

Legal protections against exploitative working conditions exist and are enforced in practice. However, the incidence rate for fatal workplace accidents in Lithuania is nearly twice the EU average, according to Eurostat data from 2019. Foreign workers in sectors such as construction and transportation are vulnerable to labor trafficking. Lithuanian women and children have been exploited for sex trafficking.

Luxembourg

Population: 700,000
Capital: Luxembourg
Freedom Status: Free
Electoral Democracy: Yes

Overview: Luxembourg is a constitutional monarchy with a democratically elected government. Political rights and civil liberties are generally respected. Ongoing concerns include insufficient government transparency and inadequate safeguards against conflicts of interest.

KEY DEVELOPMENTS IN 2022

- In March, the government adopted a new code of conduct for its members as well as for high-ranking officials, covering matters including gifts, lobbying, and conflicts of interest. The new rules are a response to international and internal criticism.
- In January, the government put forward a draft law that aims to protect whistleblowers, as a result of a European Union (EU) directive requiring such protections.

POLITICAL RIGHTS: 38 / 40

A. ELECTORAL PROCESS: 12 / 12

A1. Was the current head of government or other chief national authority elected through free and fair elections? 4 / 4

The prime minister is the head of government and serves five-year terms. The leader of the majority coalition formed after parliamentary elections is appointed prime minister by the hereditary monarch, the grand duke, whose powers are largely ceremonial.

Incumbent prime minister Xavier Bettel of the Democratic Party (DP) was appointed to form a new government in October 2018 following that month's parliamentary election. The government was based on the existing coalition of the DP, the Luxembourg Socialist Workers' Party (LSAP), and the Greens (DG). The election was considered credible.

A2. Were the current national legislative representatives elected through free and fair elections? 4 / 4

The unicameral legislature, the Chamber of Deputies, consists of 60 members elected to five-year terms by proportional representation. In the October 2018 election, the DP led the ruling coalition parties with 12 seats, followed by the LSAP with 10 and the Green Party with 9. The main opposition party, the Christian Social People's Party (CSV), won 21 seats. The populist right-wing Alternative Democratic Reform Party (ADR) won 4 seats, while the Pirate Party and the Left each took 2. The contest was generally seen as free and fair.

A3. Are the electoral laws and framework fair, and are they implemented impartially by the relevant election management bodies? 4 / 4

The electoral laws and framework are considered fair, and they are generally implemented impartially. Voting is compulsory. In 2017, the government passed a law allowing postal ballots for all citizens.

B. POLITICAL PLURALISM AND PARTICIPATION: 16 / 16

B1. Do the people have the right to organize in different political parties or other competitive political groupings of their choice, and is the system free of undue obstacles to the rise and fall of these competing parties or groupings? 4 / 4

The political system is open to the establishment of new parties, which do not face undue obstacles in their formation or activities. Three parties have traditionally dominated politics: the CSV, historically aligned with the Roman Catholic Church; the LSAP, a center-left party; and the DP, which favors free-market economic policies. Four smaller parties—the Greens, the ADR, the Left, and the Pirate Party—have also won representation. While constituting a party is relatively easy, the structure and size of electoral constituencies favor larger parties.

B2. Is there a realistic opportunity for the opposition to increase its support or gain power through elections? 4 / 4

The country has a record of peaceful transfers of power between rival parties. Both the DP and the Greens were in the opposition before forming the governing coalition with

the LSAP in 2013. The CSV, which had played a leading role in most governments since 1945, was forced into opposition in 2013 for the first time since 1979, and it remained out of government following the 2018 election.

B3. Are the people's political choices free from domination by forces that are external to the political sphere, or by political forces that employ extrapolitical means? 4 / 4

Citizens are generally able to make political choices without undue interference from any democratically unaccountable groups. However, close links between the country's financial center and its law-making elites are regularly topics of concern for the opposition and outside observers.

B4. Do various segments of the population (including ethnic, racial, religious, gender, LGBT+, and other relevant groups) have full political rights and electoral opportunities? 4 / 4

Women engage actively in politics, and the government has taken measures to encourage greater participation. A 2016 law mandates that at least 40 percent of each party's electoral candidates be women; parties risk losing a portion of their public financing if they do not meet the quota. However, only 21 women hold seats in the Chamber of Deputies, making up 35 percent of the body. Citizens who belong to ethnic minorities and LGBT+ people enjoy full political rights and are free to participate in practice. In 2013, Bettel became the nation's first openly gay prime minister.

About 49 percent of the population consists of foreign nationals, most of whom are citizens of other EU member states, with Portugal accounting for the largest single contingent. The law allows naturalization and dual nationality, and children automatically gain citizenship when a parent is naturalized. Foreign residents are entitled to vote in municipal elections and EU foreigners can participate in EU elections. In September 2021, the government abolished a five-year residency requirement for voting in municipal elections; however, foreign residents are excluded from participating in national elections. Notably, politicians of foreign origin remain rare in Luxembourg, despite the background of nearly half the population.

C. FUNCTIONING OF GOVERNMENT: 10 / 12

C1. Do the freely elected head of government and national legislative representatives determine the policies of the government? 4 / 4

The prime minister, cabinet, and parliament determine and implement the government's policies without improper interference from unelected entities.

C2. Are safeguards against official corruption strong and effective? 3 / 4

Corruption is not widespread in Luxembourg, and allegations of corruption are generally investigated and prosecuted. However, the Council of Europe's Group of States against Corruption (GRECO) has previously criticized the government for failing to develop a comprehensive strategy to prevent graft. In December 2021 and March 2022, new transparency and accountability rules were adopted regarding potential conflicts of interest for members of the government and members of parliament. New measures include regulations for government and other officials on gifts, lobbying, and revolving-door career moves.

In January 2022, the government put forward a draft law for protecting whistleblowers based on a 2019 EU directive requiring such protections. The draft measure had not yet become law by the end of 2022.

C3. Does the government operate with openness and transparency? 3 / 4

While the legislative process and government operations are largely transparent, there is no comprehensive freedom of information law in place, and the media and civil society

groups often have difficulty obtaining official information in practice. Cabinet members are obligated to disclose any shares in companies that they own, but there are no penalties for those who do not cooperate.

Historically, regulations governing interactions between lobbyists and high-level government officials have been considered weak. A newly established transparency register for members of parliament, created by law in December 2021, remains flawed. Moreover, following a November 2022 ruling of the European Court of Justice (ECJ), the government decided to suspend public access to the central register of corporations' ultimate beneficial owners (UBOs). After criticism from transparency advocates and members of the press—who have used the registry for investigations on tax avoidance and money laundering—the government promised renewed access, albeit in a more limited form.

In June 2022, after years of complaints by journalists' organizations, the government eased its rules on access to information. However, according to the same organizations, the new rules still did not provide adequate access and did not carry the weight of a change to the nation's laws.

CIVIL LIBERTIES: 59 / 60

D. FREEDOM OF EXPRESSION AND BELIEF: 16 / 16

D1. Are there free and independent media? 4 / 4

Freedom of the press is guaranteed by the constitution and generally respected in practice. Luxembourg's media market is regulated by the Independent Luxembourg Broadcasting Authority (ALIA). A single conglomerate, RTL Télé Lëtzebuerg (RTL), dominates broadcast radio and television, though numerous print, online, and foreign news sources are also available and present a broad range of views. Internet access is not restricted.

The written press has historically tended to align with traditional parties. In 2020, the Belgian conglomerate Mediahuis purchased the Saint-Paul group, the owner of the country's largest daily newspaper, the *Luxemburger Wort*.

D2. Are individuals free to practice and express their religious faith or nonbelief in public and private? 4 / 4

Freedom of religion is largely respected in practice. The state has historically paid the salaries of clergy from a variety of Christian groups, but a 2016 law ended the practice for all clergy hired after that point. Under the law, the government continued to provide some funding to six major recognized religious communities, including the Muslim community, based on their size. Religious instruction in secondary and primary schools was phased out in 2016 and 2017. In 2018, the parliament adopted legislation that banned face coverings in schools, medical facilities, public buildings, public transport, and retirement homes. The law was widely understood to be aimed at Muslims, though the wearing of such garments is extremely rare in the country.

D3. Is there academic freedom, and is the educational system free from extensive political indoctrination? 4 / 4

Academic freedom is generally respected in practice.

D4. Are individuals free to express their personal views on political or other sensitive topics without fear of surveillance or retribution? 4 / 4

Freedom of expression is largely respected, and individuals can voice their political views without fear of retribution.

E. ASSOCIATIONAL AND ORGANIZATIONAL RIGHTS: 12 / 12

E1. Is there freedom of assembly? 4 / 4

Freedom of assembly is guaranteed by the constitution and generally respected in practice.

E2. Is there freedom for nongovernmental organizations, particularly those that are engaged in human rights– and governance-related work? 4 / 4

Nongovernmental organizations (NGOs) are largely free to operate without any undue restrictions.

E3. Is there freedom for trade unions and similar professional or labor organizations? 4 / 4

Workers are free to organize in trade unions and bargain collectively. The right to strike is guaranteed once conciliation procedures are formally exhausted. Employers are subject to penalties for antiunion discrimination.

F. RULE OF LAW: 15 / 16

F1. Is there an independent judiciary? 4 / 4

Judicial independence is generally upheld. Judges are appointed by the grand duke and cannot be removed arbitrarily.

Parliament finished discussions in December 2022 regarding a constitutional amendment that strengthens the independence of the judiciary by establishing a Council of Justice. The council will be competent to nominate candidates for all judicial posts prior to their formal appointment by the executive and grand duke. The reform will take effect in 2023.

F2. Does due process prevail in civil and criminal matters? 4 / 4

Due process is largely upheld in civil and criminal matters. Defendants have the right to a fair and public trial, and this right is generally respected. Police typically observe safeguards against arbitrary arrest and detention.

F3. Is there protection from the illegitimate use of physical force and freedom from war and insurgencies? 4 / 4

There are no major threats to civilians' physical security. Prison conditions and protections against the illegitimate use of force are adequate, and violent crime is rare.

F4. Do laws, policies, and practices guarantee equal treatment of various segments of the population? 3 / 4

Discrimination on the basis of race, religion, disability, age, sex, gender identity, or sexual orientation is prohibited by law. The rights of LGBT+ people are generally respected.

Women have benefited from reductions in the gender pay gap and an increase in their labor participation rate in recent years, though women still hold significantly fewer senior positions than men.

The Luxembourg government has instituted an onerous language requirement for those seeking public sector jobs and employment. Individuals in the public sector must speak German, French, and Luxembourgish fluently. However, very few official documents are in Luxembourgish, and exceptions to this requirement are made for high-level positions due to a lack of qualified candidates. The requirement funnels citizens into public sector positions, which are lucrative and secure, pushing immigrant workers into the unstable private sector in which there are other barriers to entry. Moreover, discrimination in the education system limits somewhat the economic potential of nonnationals.

G. PERSONAL AUTONOMY AND INDIVIDUAL RIGHTS: 16 / 16

G1. Do individuals enjoy freedom of movement, including the ability to change their place of residence, employment, or education? 4 / 4

Individuals generally enjoy freedom of movement, and there are no significant restrictions on their ability to change their place of residence, employment, or institution of higher education.

G2. Are individuals able to exercise the right to own property and establish private businesses without undue interference from state or nonstate actors? 4 / 4

The rights to own property and operate private businesses are legally protected and respected in practice.

G3. Do individuals enjoy personal social freedoms, including choice of marriage partner and size of family, protection from domestic violence, and control over appearance? 4 / 4

Individual freedoms on issues such as marriage and divorce are generally guaranteed. Same-sex marriage has been legal since 2014, and same-sex couples have full adoption rights. Abortions are legal on request within the first trimester of pregnancy; later abortions require two doctors to determine that the pregnancy threatens the pregnant person's life or health. The authorities generally uphold laws and practices meant to address rape and domestic violence.

G4. Do individuals enjoy equality of opportunity and freedom from economic exploitation? 4 / 4

The country's residents largely enjoy equality of opportunity, and the government enforces legal protections against exploitative working conditions. Occasional cases of forced labor in the construction and food-service industries have been reported, especially among migrant workers.

Madagascar

Population: 29,600,000
Capital: Antananarivo
Freedom Status: Partly Free
Electoral Democracy: Yes

Overview: Though politics have been unstable since the return to electoral politics in 2013, the 2018 election of Andry Rajoelina has brought some stability. However, government corruption and a lack of accountability persist. Defamation and other laws restrict press freedom. Authorities deny permits for demonstrations and disperse some that take place. The government has struggled to manage lawlessness and poverty, particularly in the south.

KEY DEVELOPMENTS IN 2022

- In February, prominent opposition figure Mahery Lanto Manandafy was arrested and given a six-month suspended prison sentence for allegedly "spreading false information" and "insulting an institution." Manandafy had posted on Facebook

criticizing the construction of a bridge, claiming it was structurally flawed. He was again arrested in September on similar charges and for defamation; he remained detained at year-end.

- In July, a gang of cattle thieves rounded up the inhabitants of a village in Ankazobe, about 47 miles north of Antananarivo, and burned them alive inside their homes, killing at least 32. Some members of the gang were arrested, but others were still at large.
- Also in July, several hundred people gathered in Antananarivo to protest the growing cost-of-living crisis. Organizers of the protest were largely affiliated with opposition parties, and had originally planned to hold the demonstrations inside property owned by opposition party leader Marc Ravalomanana. During the protests, police detained two leaders of Ravalomanana's party, Rina Randriamasinoro and Jean-Claude Rakotonirina, allegedly for "inciting hatred and public unrest."

POLITICAL RIGHTS: 27 / 40

A. ELECTORAL PROCESS: 9 / 12

A1. Was the current head of government or other chief national authority elected through free and fair elections? 3 / 4

Madagascar is a semi-presidential republic, with a president elected for a five-year term and a prime minister nominated by the National Assembly and appointed by the president.

Andry Rajoelina defeated Marc Ravalomanana in the 2018 presidential election's second round of voting with 55.7 percent of the vote, which the High Constitutional Court (HCC) confirmed despite allegations of fraud. Most regional and international election observers also recognized the election as generally free and fair.

Prime Minister Christian Ntsay, who was appointed by former president Hery Rajaonarimampianina in 2018, was reappointed by President Rajoelina in 2019.

A2. Were the current national legislative representatives elected through free and fair elections? 3 / 4

The bicameral legislature consists of the 151-seat National Assembly and the 18-seat Senate. Members of the National Assembly are directly elected to five-year terms. Six of the Senate seats are appointed by the president; the remaining 12 are indirectly elected from an electoral college. Senators serve five-year terms.

A political alliance led by President Rajoelina won 84 National Assembly seats in the 2019 parliamentary elections, while former president Ravalomanana's I Love Madagascar (TIM) party won 16; the remaining 51 were won by other parties and independent candidates. The contest was deemed free and fair by election observers, though some political parties claimed that the results were marred by fraud. The Senate elections in December 2020 were boycotted by nearly all opposition parties, and Rajoelina's political alliance won 10 out of 12 seats; the vote was also deemed free and fair by most election observers, despite the boycott.

A3. Are the electoral laws and framework fair, and are they implemented impartially by the relevant election management bodies? 3 / 4

The Independent National Electoral Commission (CENI) is subject to some influence by the executive, which controls member nomination and budget allocation processes. The CENI's independence and credibility has been seriously undermined by its lack of resources and expertise, particularly in database management and information technology.

B. POLITICAL PLURALISM AND PARTICIPATION: 11 / 16

B1. Do the people have the right to organize in different political parties or other competitive political groupings of their choice, and is the system free of undue obstacles to the rise and fall of these competing parties or groupings? 3 / 4

Almost 200 political parties are registered in Madagascar. However, the law on political parties is widely viewed as a flawed document that places undue burdens on individual candidates, effectively instituting a high financial barrier for political candidacy. Political leaders frequently use religion, ethnicity, and caste as instruments to mobilize voters.

In July 2022, several hundred people gathered in Antananarivo to protest a growing cost-of-living crisis. Organizers of the protest were largely affiliated with opposition parties and originally planned to hold the demonstrations inside property owned by the opposition leader Marc Ravalomanana. During the protests, police detained two leaders of TIM, Rina Randriamasinoro and Jean-Claude Rakotonirina, allegedly for "inciting hatred and public unrest." In May, opposition leader Ravalomanana was stopped by the police on his way to attend a TIM meeting.

In February 2022, Mahery Lanto Manandafy, a prominent opposition figure and son of the renowned leftist politician Manandafy Rakotonirina, was arrested and given a six-month suspended prison sentence for allegedly "spreading false information" on Facebook and "insulting an institution." In his posts, Manandafy had criticized the construction of a bridge, claiming it was structurally flawed. He was again arrested in September on similar charges and for defamation; he remained detained at year-end.

B2. Is there a realistic opportunity for the opposition to increase its support or gain power through elections? 3 / 4

Opposition parties can increase their support through elections, but most political parties lack the financial resources to engage in vibrant competition. The government has historically denied opposition parties permits to hold demonstrations.

An amendment to electoral law, passed by the National Assembly in 2019 and by the Senate in 2021, requires an elected official to hold official status as the parliamentary opposition leader. The TIM claimed the amendment targeted their party leader Ravalomanana, who had not assumed elected office.

B3. Are the people's political choices free from domination by forces that are external to the political sphere, or by political forces that employ extrapolitical means? 3 / 4

Economic networks compete for power through strategic support of political candidates. In turn, a narrow group of political elites maintain their status by supporting the interests of their private-sector patrons. As a result, lines between public and private expenditures are blurry.

The military has some influence over politics, and it threatened to intervene during a 2018 political crisis. In July 2021, a few retired and active military officers were arrested for plotting to assassinate the president and overthrow the government. The two primary suspects were sentenced to 10 and 20 years of forced labor in December. Most of their accomplices were acquitted or received lesser sentences.

B4. Do various segments of the population (including ethnic, racial, religious, gender, LGBT+, and other relevant groups) have full political rights and electoral opportunities? 2 / 4

The constitution guarantees political and electoral rights for all citizens, but in practice, discrimination impedes the political representation of some groups. The members of the

Merina ethnic group are overrepresented in government institutions compared to the members of the other 17 official ethnic groups. While some LGBT+ people are active politically in the capital, they face social stigma that discourages political participation and open advocacy for their equal rights.

Cultural norms restrict the political participation of women. Muslims, who are mostly of Pakistani and Indian descent, are disproportionately affected by the nationality code, which can make it difficult for them to secure citizenship documents and thus voting rights. Ethnicity and caste are important political determinants, but generally do not affect political rights.

C. FUNCTIONING OF GOVERNMENT: 7 / 12

C1. Do the freely elected head of government and national legislative representatives determine the policies of the government? 3 / 4

Since his 2018 election, President Rajoelina has brought some stability to government, which had experienced frequent replacements of the prime minister and cabinet members since the 2013 return to electoral politics. However, the current parliament lacks the strength to act as an effective check on executive power. Additionally, economic elites exert significant influence on elected officials.

C2. Are safeguards against official corruption strong and effective? 2 / 4

Corruption remains a serious problem in Madagascar despite the adoption of recent reforms and anticorruption strategies. Investigations and prosecutions of corruption by the Independent Anticorruption Office (BIANCO) are infrequent and rarely target high-profile individuals, though the agency has become more independent in recent years. BIANCO identified 79 lawmakers who accepted bribes to adopt 2018 electoral reforms; prosecutors had not pursued cases against them by the end of 2022. In 2019, BIANCO submitted a report to the High Court of Justice (HCJ) implicating three former ministers in acts of corruption; the court has not yet reviewed the allegations. Nevertheless, in October 2021, former prime minister Jean Ravelonarivo was convicted of corruption, fined 6 billion ariary ($1.5 million), and sentenced to five years in prison. Ravelonarivo did not attend his trial and allegedly fled to Switzerland days before the court ruled on his case.

C3. Does the government operate with openness and transparency? 2 / 4

The constitution provides for the right to information, but no law defines a formal procedure for requesting government information. However, ministers and officials often hold press briefings, and laws, decrees, and high court decisions are posted on the internet.

There is little oversight of procurement processes. Asset declarations are required for most government officials, and while many complied with these laws, there are few practical consequences for those who refuse.

CIVIL LIBERTIES: 34 / 60

D. FREEDOM OF EXPRESSION AND BELIEF: 11 / 16

D1. Are there free and independent media? 2 / 4

The constitution provides for freedom of the press. However, this guarantee has been undermined by criminal libel laws and other restrictions, as well as safety risks involved in the investigation of sensitive subjects such as cattle rustling and the illicit extraction and sale of natural resources.

During 2020 and 2021, the government targeted and harassed journalists and media outlets critical of its response to the COVID-19 pandemic.

D2. Are individuals free to practice and express their religious faith or nonbelief in public and private? 3 / 4

Religious freedom is provided for in the constitution, though this right is upheld inconsistently. Religious leaders have noted that some workers have been forced to work on days of worship, in violation of labor law. The government has historically restricted the Muslim community's access to education by threatening to close down Islamic schools. Several church facilities have been attacked by armed individuals in recent years.

D3. Is there academic freedom, and is the educational system free from extensive political indoctrination? 3 / 4

Academic freedom is generally respected. However, a lack of resources and frequent strikes hamper normal operations of public universities.

D4. Are individuals free to express their personal views on political or other sensitive topics without fear of surveillance or retribution? 3 / 4

There were no official reports of the government monitoring online activity. However, a cybercrimes law prohibits online defamation and spreading "false information," and has been used to prosecute social media users.

E. ASSOCIATIONAL AND ORGANIZATIONAL RIGHTS: 8 / 12

E1. Is there freedom of assembly? 2 / 4

The constitution guarantees freedom of assembly, but authorities at times decline requests for protests and rallies in the name of public security. Throughout 2022, several meetings of the opposition were banned or forcefully dispersed by the police.

E2. Is there freedom for nongovernmental organizations, particularly those that are engaged in human rights– and governance-related work? 3 / 4

Freedom of association is provided for in the constitution and is generally respected. A wide variety of nongovernmental organizations (NGOs) are active, but many domestic human rights groups lack resources. Although no restrictions are placed on NGOs, the government is not always receptive to their opinions. Groups focused on the environment or human rights face pressure from powerful interests.

E3. Is there freedom for trade unions and similar professional or labor organizations? 3 / 4

Workers have the right to join unions, engage in collective bargaining, and strike. However, more than 80 percent of workers are engaged in agriculture, fishing, and forestry at a subsistence level, and therefore have no access to unions.

F. RULE OF LAW: 7 / 16

F1. Is there an independent judiciary? 2 / 4

The executive influences judicial decisions through the reassignment of judges. Trial outcomes are frequently predetermined, and the Malagasy people generally regard the judiciary as corrupt. Local tribunals are seen as overburdened and corrupt.

In recent years, key HCC rulings have reflected its growing independence from the executive. However, the HCC has at times approved Rajoelina's actions and disregarded legitimate allegations of corruption, despite legitimate protests from the opposition.

F2. Does due process prevail in civil and criminal matters? 1 / 4

Due process rights are poorly upheld. A lack of training, resources, and personnel hampers the effectiveness of the criminal justice system. Many people held in pretrial detention

do not have access to lawyers, and the successful assertion of due process rights is often tied to the ability of family and friends to intercede on behalf of the accused.

The government has increased funding for the judiciary, launched capacity-building efforts, and pardoned individuals detained over minor offenses as part of a new policy supported by the UN Office of the High Commissioner for Human Rights (OHCHR).

F3. Is there protection from the illegitimate use of physical force and freedom from war and insurgencies? 2 / 4

The police and military are unable to assert authority over the entire country, and areas in southern Madagascar are subjected to raids and violence by bandits and criminal groups. Security forces operate with little oversight or accountability for extrajudicial killings, particularly against cattle thieves—known as *dahalo*. Nevertheless, since 2020, new military bases were built in these areas that were traditionally called "red zones," under the control of the *dahalo*. In July 2022, a gang of dahalo rounded up the inhabitants of a village in Ankazobe, about 47 miles north of Antananarivo, and burned them alive inside their homes, killing at least 32. Some members of the gang were arrested, but others were still at large.

Detainees and prisoners suffer from harsh and sometimes life-threatening conditions due to overcrowding in detention facilities, as well as substandard hygiene and health care. People convicted of serious crimes can be sentenced to hard labor.

In August 2022, police fired live ammunition at a mob of people carrying weapons in the small town of Ikongo (about 200 miles south of the capital city Antananarivo) killing at least 19 people. The mob had demanded police hand over four people who had been arrested for kidnapping.

F4. Do laws, policies, and practices guarantee equal treatment of various segments of the population? 2 / 4

Legal provisions prohibit discrimination based on race, gender, disability, and social status, but these are upheld inconsistently. Conservative cultural and social norms can prevent women from having the same opportunities as men. Some ethnic groups face discrimination outside of their home regions.

There are no legal protections against discrimination based on sexual orientation or gender identity; LGBT+ people face social stigma, particularly in rural areas, and experience employment discrimination and occasional acts of violence. The age of consent for same-sex relations is 21, but 14 for heterosexual relations.

G. PERSONAL AUTONOMY AND INDIVIDUAL RIGHTS: 8 / 16

G1. Do individuals enjoy freedom of movement, including the ability to change their place of residence, employment, or education? 3 / 4

The government generally does not interfere in freedom of movement; individuals are allowed to move freely in the country and can travel internationally. However, bandit attacks in the south and west have made traveling across the island difficult.

G2. Are individuals able to exercise the right to own property and establish private businesses without undue interference from state or nonstate actors? 2 / 4

Madagascar's legal structure provides protections for private property rights, though enforcement of these protections is inconsistent, in part because most farmers do not hold official rights to their land. There is a history of competition between the state-recognized property rights system and customary land use practices, as well as attempts by the state to permit mining, commercial agriculture, and other economic pursuits on land where ownership is disputed.

In recent years, Madagascar has made it easier to start a business by reducing the number of registration procedures and simplifying the payment of registration fees.

G3. Do individuals enjoy personal social freedoms, including choice of marriage partner and size of family, protection from domestic violence, and control over appearance? 2 / 4

Women and children have limited social freedoms in Madagascar, especially in rural areas. Forced child marriage and domestic abuse are common. Although sexual harassment is illegal, the law is not enforced, and harassment is common. Abortion is illegal in Madagascar.

G4. Do individuals enjoy equality of opportunity and freedom from economic exploitation? 1 / 4

Most people work in subsistence agriculture, making advancement in the local economy extremely challenging. Human trafficking remains a challenge, according to the US State Department's 2022 *Trafficking in Persons Report*.

Malawi

Population: 20,400,000
Capital: Lilongwe
Freedom Status: Partly Free
Electoral Democracy: Yes

Overview: Malawi holds regular elections and has undergone multiple transfers of power between political parties. Political rights and civil liberties are largely respected by the state. However, corruption is endemic, police brutality is common, and Malawians are in severe economic distress. Discrimination and violence toward women, members of minority groups, and people with albinism remain problems.

KEY DEVELOPMENTS IN 2022

- In June, President Lazarus Chakwera stripped Vice President Saulos Chilima of his powers after the Anti-Corruption Bureau (ACB) accused him of corruption. Chilima was arrested in November but remained in office at year's end.
- In December, ACB chief Martha Chizuma was arrested over comments recorded in January, in which she expressed concerns that the bureau was being obstructed in its work.

POLITICAL RIGHTS: 29 / 40

A. ELECTORAL PROCESS: 9 / 12

A1. Was the current head of government or other chief national authority elected through free and fair elections? 3 / 4

The president is directly elected for five-year terms and exercises considerable executive authority. President Lazarus Chakwera of the Malawi Congress Party (MCP) was elected in a June 2020 election that was considered well-administered, competitive, credible, and reflective of the popular will.

A2. Were the current national legislative representatives elected through free and fair elections? 3 / 4

The unicameral National Assembly's 193 members are elected by popular vote to serve five-year terms. The 2019 legislative elections were marred by irregularities and logistical problems. As many as 29 candidates challenged the results in court, with several being successful. The Democratic Progressive Party (DPP) won 62 seats, the MCP won 55, and the United Democratic Front (UDF) won 10 at that election; smaller parties and independent candidates won the remaining seats. The Tonse Alliance, an MCP-led coalition, maintained a parliamentary majority in 2022.

A3. Are the electoral laws and framework fair, and are they implemented impartially by the relevant election management bodies? 3 / 4

The Constitutional Court overturned the results of the 2019 presidential election in early 2020. That election was marred by inconsistencies and concerns over the behavior of the Malawi Electoral Commission (MEC), which had to defend the use of corrective fluid on vote-tabulation sheets. Opposition parties challenged the results' validity, prompting the court's involvement. In 2021, after the High Court of Malawi ruled that four commissioners were illegally appointed, President Chakwera appointed three DPP-aligned commissioners and one MCP-aligned commissioner, effectively balancing the body.

In November 2022, the MEC finalized a program to redraw constituency boundaries to ensure a more equitable distribution of voters in each district. The MEC recommended an increase in the number of constituencies from 193 to 229. In December, the National Assembly amended several laws with the aim of improving electoral efficiency and credibility. A bill passed that month will allow for a presidential runoff if no candidate wins a first-round majority.

B. POLITICAL PLURALISM AND PARTICIPATION: 12 / 16

B1. Do the people have the right to organize in different political parties or other competitive political groupings of their choice, and is the system free of undue obstacles to the rise and fall of these competing parties or groupings? 3 / 4

Several parties compete in elections, with the MCP, DPP, and UDF being Malawi's largest. Parties are loosely organized, with politicians frequently moving between parties or forming their own breakaway groups. The law allows independent candidates in presidential, parliamentary, and local elections. According to an Afrobarometer survey released in August 2022, a majority of respondents said they feel free to join political organizations and vote for their preferred candidates.

B2. Is there a realistic opportunity for the opposition to increase its support or gain power through elections? 3 / 4

Malawi has experienced peaceful transfers of power between rival parties. The 2020 presidential election was the second time after 1994 that an opposition candidate defeated a sitting incumbent.

The governing party generally has a campaigning advantage and enjoys partial coverage from state-owned media, leaving the opposition reliant on private outlets.

B3. Are the people's political choices free from domination by forces that are external to the political sphere, or by political forces that employ extrapolitical means? 3 / 4

Traditional chiefs, who receive government honoraria, are supposed to be nonpartisan figures under the law but frequently seek to influence voter choices in practice. Some chiefs publicly endorse candidates during elections and even threaten opposition candidates against campaigning in their regions. A handful of ethnic associations seek to promote partisan agendas.

The Political Parties Act bans politicians from using cash handouts and other incentives to garner votes. Despite this, handouts in the form of cash and materials are common during election campaigns.

B4. Do various segments of the population (including ethnic, racial, religious, gender, LGBT+, and other relevant groups) have full political rights and electoral opportunities? 3 / 4

All ethnic, religious, and gender groups have full political rights under the law. Women are significantly underrepresented in politics, with women holding only 20.7 percent of the National Assembly's seats as of December 2022. However, women do hold important government posts; the parliament's speaker, inspector general of police, ACB chief, and ombudsman are women.

Political parties generally do not advocate for the rights of LGBT+ people, who are subject to legal and societal discrimination.

C. FUNCTIONING OF GOVERNMENT: 8 / 12

C1. Do the freely elected head of government and national legislative representatives determine the policies of the government? 3 / 4

Executive and legislative representatives typically determine the policies of government without hindrance. However, patronage and clientelism are common, and wealthy business leaders often influence policymaking.

C2. Are safeguards against official corruption strong and effective? 2 / 4

Corruption is a significant challenge in Malawi, with senior government officials being implicated in corruption in recent years. The delivery of government services is affected, with lower-level officials being pressured into to tolerating the corrupt behavior of their superiors.

Civil society leaders have accused the ACB of being ineffective and politically compromised in the past. In July 2022, the ACB gained the ability to prosecute corruption cases without seeking consent from the director of public prosecutions. In August, it arrested one of its former chiefs, Reyneck Matemba, for allegedly accepting a bribe.

In June 2022, President Chakwera stripped Vice President Saulos Chilima's powers after the ACB accused Chilima of corruption. In November, the ACB arrested Chilima for allegedly receiving funds from Zuneth Sattar, a Malawi-born businessman active in the United Kingdom, in return for awarding government contracts to firms connected to Sattar. Chilima remained in office at year's end.

In December 2022, ACB chief Martha Chizuma was arrested over comments recorded in January; in those comments, Chizuma expressed her concern that the ACB's investigation into the Sattar affair was being impeded. Chizuma had been criticized for breaching an oath to secrecy, though observers tied her arrest to the ACB's investigation of Vice President Chilima.

C3. Does the government operate with openness and transparency? 3 / 4

The government lacks budgetary transparency and does not make year-end budget audit reports public. President Chakwera regularly appears before lawmakers to answer their questions. Government ministers occasionally appear before the media to address major issues and answer journalists' questions.

High-level officials are legally required to declare their assets and other financial interests while in public service.

CIVIL LIBERTIES: 37 / 60

D. FREEDOM OF EXPRESSION AND BELIEF: 13 / 16

D1. Are there free and independent media? 2 / 4

Freedom of the press is legally guaranteed and respected in practice. Most private media houses are owned by political families and often take partisan positions. Journalists sometimes face physical violence while reporting on demonstrations or police activity.

Between June and August 2022, the Malawi Communications Regulatory Authority (MACRA) revoked the licenses of three television stations and six radio stations for their apparent failure to pay annual license fees; the Malawian chapter of the Media Institute of Southern Africa noted that MACRA revoked licenses even when media outlets had made fee payments.

D2. Are individuals free to practice and express their religious faith or nonbelief in public and private? 4 / 4

The freedom of religion is constitutionally upheld and generally respected in practice. Christians and Muslims occasionally engage in conflict, which is often resolved peacefully.

D3. Is there academic freedom, and is the educational system free from extensive political indoctrination? 4 / 4

Malawi's education system is largely free from political indoctrination. University students and professors engage in research and political activities without interference. However, public universities are poorly funded.

D4. Are individuals free to express their personal views on political or other sensitive topics without fear of surveillance or retribution? 3 / 4

Citizens are typically free to express their personal views without fear of surveillance or retribution. Under a 2016 cybercrime law, individuals can be sued for posting "offensive" content on social and traditional media platforms. A small number of individuals faced court proceedings over their social media content in 2022. A 1967 law against insulting the president is rarely enforced.

E. ASSOCIATIONAL AND ORGANIZATIONAL RIGHTS: 8 / 12

E1. Is there freedom of assembly? 3 / 4

Freedom of assembly is constitutionally guaranteed. Citizen groups can assemble peacefully, although public gatherings require prior police and local government authorization. Demonstrations held in 2022 were mostly peaceful, though protesters and police clashed during a July cost-of-living rally in Lilongwe.

E2. Is there freedom for nongovernmental organizations, particularly those that are engaged in human rights– and governance-related work? 2 / 4

Nongovernmental organizations (NGOs) are active in Malawi, though civil society figures deemed to support the opposition are often subject to intimidation and arrest. A law passed in March 2022 established the NGO Regulatory Authority. Several NGOs protested the legislation, which they said included unduly harsh punishments for violating its provisions.

Under the NGO Act, an organization's registration can be suspended if it is deemed to have departed from its original purpose, engaged in partisan politics, or otherwise violated its provisions.

E3. Is there freedom for trade unions and similar professional or labor organizations? 3 / 4

The right to organize labor unions and to strike are legally protected, though these are limited for workers that offer essential services. Unions are active and collective bargaining is practiced, but retaliation against unregistered unions and strikers is not illegal. No major strikes were reported in 2022.

F. RULE OF LAW: 9 / 16

F1. Is there an independent judiciary? 3 / 4

Judicial independence is generally respected, particularly in the higher courts. However, the appointment process for judges lacks transparency, and the judiciary is underfunded, which can also undercut judicial autonomy. Accusations of corruption have been made against the judiciary, especially against lower courts.

The High Court of Malawi's bench was not full during 2022; 7 judges were appointed in February, but the entire court was short of its envisioned contingent of 78. In June, Chakwera appointed four High Court judges to the Supreme Court of Appeal to address a backlog at that court.

The Courts Act Amendment Bill was passed in August 2022. It increased the retirement age of judges to 70 and established a High Court division to handle financial crimes.

F2. Does due process prevail in civil and criminal matters? 2 / 4

Defendants are entitled to legal representation, but in practice they are frequently forced to represent themselves in court due to a very low lawyer-to-population ratio. Although the law requires that suspects be released or charged with a crime within 48 hours of arrest, these rights are often ignored. Case backlogs contribute to lengthy pretrial detention.

The Legal Aid Bureau was formed under the 2011 Legal Aid Act (LAA) to support indigent and vulnerable clients. It has continued to advocate for changes to the LAA to allow paralegals to serve as legal counsel for the indigent. However, the Malawi Law Society has voiced opposition to the proposal.

F3. Is there protection from the illegitimate use of physical force and freedom from war and insurgencies? 2 / 4

Police are poorly trained, ill-equipped, and often ineffective. Police brutality and corruption is common. Prison conditions are dire and characterized by overcrowding; the country's prison population stood at 233.8 percent of capacity as of October 2022. A Malawi Human Rights Commission report released that month indicated that the country's main prisons had run out of certain foods due to funding and rising prices; prisoners went without food for days or relied on outside assistance.

F4. Do laws, policies, and practices guarantee equal treatment of various segments of the population? 2 / 4

The constitution explicitly guarantees the rights of all humans. Homophobia remains commonplace, however; in an Afrobarometer survey released in August 2022, a large majority of respondents expressed discomfort with the idea of LGBT+ neighbors. Same-sex relations remain a crime punishable by up to 14 years' imprisonment.

Despite constitutional equal protection guarantees, women experience discrimination in education, politics, employment, business, and other aspects of life. In a June 2022 report, the World Bank said that Malawi had made improvements closing the gender gap, but improvements to education, maternal health, and policy implementation were still needed.

Help for children with disabilities is rarely available.

G. PERSONAL AUTONOMY AND INDIVIDUAL RIGHTS: 7 / 16

G1. Do individuals enjoy freedom of movement, including the ability to change their place of residence, employment, or education? 2 / 4

The constitution establishes freedom of internal and foreign travel, which are generally respected. However, police roadblocks are ubiquitous and bribes are common at these checkpoints. The government's policy of confining refugees to designated camps has been criticized for restricting their freedom of movement and impairing their ability to earn a living.

Most coronavirus-related movement restrictions were lifted in 2022.

G2. Are individuals able to exercise the right to own property and establish private businesses without undue interference from state or nonstate actors? 2 / 4

Property rights are inadequately protected. Starting a business can be a cumbersome process that is worsened by corruption in key government agencies.

Most land is held under customary tenure, and the process of establishing legal ownership of land has moved slowly. The Land (Amendment) Bill of 2022, which was passed in March, limits noncitizens' ability to own land.

G3. Do individuals enjoy personal social freedoms, including choice of marriage partner and size of family, protection from domestic violence, and control over appearance? 1 / 4

Domestic violence is common, but victims rarely come forward, and police generally do not intervene in domestic violence cases. Authorities have taken some action against perpetrators of sexual abuse in recent years, however. In an Afrobarometer survey released in August 2022, most Malawian respondents said that police take reports of gender-based violence seriously.

Child sexual abuse is prevalent. Traditional leaders have spoken out against, and in some cases forced the annulment of, underage marriages. According to the Afrobarometer survey released in August 2022, 42 percent of Malawian respondents believe the use of physical discipline against children is common in their communities.

G4. Do individuals enjoy equality of opportunity and freedom from economic exploitation? 2 / 4

Income inequality remains a problem and inhibits economic mobility. Cost-of-living concerns were exacerbated by the central bank's May 2022 decision to devalue the kwacha. Enforcement of labor laws is weak, and employees are often paid extremely low wages, despite minimum-wage laws. Child labor is a persistent problem, particularly in tobacco estates.

Malaysia

Population: 32,700,000
Capital: Kuala Lumpur
Freedom Status: Partly Free
Electoral Democracy: No

Overview: The Barisan Nasional (BN) political coalition ruled Malaysia from independence in 1957 until 2018, maintaining power by manipulating electoral districts, appealing to

ethnic nationalism, and suppressing criticism through restrictive speech laws and politicized prosecutions of opposition leaders. The BN lost to an opposition alliance in the 2018 general elections, and political affairs have since been characterized by a more complex pattern of competition and cooperation among multiple coalitions, creating opportunities for reform and modest improvements to civil liberties.

KEY DEVELOPMENTS IN 2022

- Former prime minister Najib Razak began serving a 12-year prison sentence in August, after the country's highest court rejected his final appeal. He had been convicted in 2020 on charges related to the embezzlement of billions of dollars from a state development fund, the 1Malaysia Development Berhad (1MDB).
- General elections were held in November, and the resulting Parliament was divided between several multiparty coalitions. Following protracted negotiations, four of the blocs formed a governing alliance, with longtime opposition leader Anwar Ibrahim of the Pakatan Harapan (PH) serving as prime minister.

POLITICAL RIGHTS: 22 / 40 (+2)

A. ELECTORAL PROCESS: 6 / 12

A1. Was the current head of government or other chief national authority elected through free and fair elections? 2 / 4

The prime minister is the head of government and chief executive. Though formally appointed by the monarch, the authority of the prime minister and cabinet is based on the support of a majority in the lower house of Parliament. Anwar Ibrahim of the People's Justice Party (PKR) and its PH coalition became prime minister in November 2022, after that month's general elections. He replaced Ismail Sabri Yaakob of the United Malays National Organisation (UMNO), the main party of the BN coalition, who had held the post since 2021.

The monarch, known as the Yang di-Pertuan Agong, is elected for five-year terms by and from among the hereditary rulers of 9 of Malaysia's 13 states. Sultan Abdullah of Pahang was chosen as head of state in 2019, following the abdication of his predecessor.

A2. Were the current national legislative representatives elected through free and fair elections? 2 / 4

The upper house of the bicameral Parliament, the Senate or Dewan Negara, consists of 44 members appointed by the monarch on the advice of the prime minister and 26 members elected by the 13 state legislatures, serving three-year terms. The Senate has limited power to amend or block legislation passed by the lower house. The House of Representatives, or Dewan Rakyat, consists of 222 members who are directly elected in individual constituencies.

Lower house elections, last held in 2018, were conducted ahead of schedule in November 2022. Prime Minister Ismail triggered the early polls after the BN performed well in Johor State elections in March, arguing that he needed a more stable majority to govern. The electoral system continued to be affected by chronic problems including gerrymandered and malapportioned voting districts, weak campaign-spending regulations, and legal constraints on media independence, but the results reflected ongoing turmoil in the multiparty system.

The opposition PH emerged as the largest bloc with 82 seats, despite losing ground overall. The Perikatan Nasional (PN) coalition, led by former prime minister Muhyiddin Yassin (2020–21), more than doubled its representation to place second with 74 seats. The BN fell sharply to just 30 seats, followed by the Gabungan Parti Sarawak (GPS) with 23, the Gabungan Rakyat Sabah (GRS) with 6, and the Parti Warisan with 3. Smaller parties and independents collected the remainder.

Anwar's PH ultimately formed a governing alliance with the BN, the GPS, the GRS, and a number of smaller groups, leaving the PN in opposition.

A3. Are the electoral laws and framework fair, and are they implemented impartially by the relevant election management bodies? 2 / 4

The Election Commission (EC), which administers elections and is responsible for voter rolls and the delineation of electoral boundaries, was long seen as subservient to the government, with members appointed by the king on the advice of the prime minister. Changes in its personnel and in the government itself since 2018 have led to some perceived gains in the EC's transparency and independence, and constitutional amendments that lowered the voting age to 18 and established automatic voter registration took effect in December 2021. However, no other major reforms to the electoral framework—such as measures to address its heavy gerrymandering and malapportionment—had been adopted as of 2022.

B. POLITICAL PLURALISM AND PARTICIPATION: 10 / 16 (+1)

B1. Do the people have the right to organize in different political parties or other competitive political groupings of their choice, and is the system free of undue obstacles to the rise and fall of these competing parties or groupings? 3 / 4 (+1)

The Malaysian party system is diverse and competitive, but factions in the opposition have faced unequal access to the media, restrictions on campaigning and freedom of assembly, and politicized prosecutions. The Registrar of Societies (ROS), which is overseen by the home minister, manages the registration of political parties and has issued partisan decisions under BN, PH, and PN governments.

However, the relatively fluid political situation in recent years, with no bloc firmly in control, has allowed the emergence of new parties and stoked greater competition overall. A record number of candidates participated in the 2022 general elections, and many constituencies had multiple viable candidates instead of one-on-one contests.

Score Change: The score improved from 2 to 3 due to the formation of new parties in recent years and increased competition among parties in the 2022 elections.

B2. Is there a realistic opportunity for the opposition to increase its support or gain power through elections? 3 / 4

Although opposition parties have long governed in a number of Malaysia's states, the 2018 elections that brought the PH to power represented the country's first democratic transfer of power between rival political groups at the federal level since independence.

In 2020, coalition realignments led to the formation of the PN, while the PH returned to opposition status. In August 2021, the PN's prime minister, Muhyiddin, resigned after losing his parliamentary majority. The PH came close to returning to power, but Ismail Sabri of the BN succeeded Muhyiddin with a majority that largely resembled the previous one.

The PH maintained significant influence despite its opposition status for much of 2022, owing to the Ismail Sabri government's slim majority. The PH's victory in the general elections reinforced the system's openness to rotations of power, though it remained unclear whether the new coalition government would survive a full term in office.

B3. Are the people's political choices free from domination by forces that are external to the political sphere, or by political forces that employ extrapolitical means? 2 / 4

The military is not active in politics, and foreign states do not directly meddle in domestic political affairs. However, the BN maintained close ties with China while it was in power.

During its decades in government, the BN also built strong connections with Malaysia's business elites and used these relationships to influence electoral outcomes. The PN government similarly used state-linked companies, official monopolies for certain goods and services, and state investment vehicles for political purposes.

B4. Do various segments of the population (including ethnic, racial, religious, gender, LGBT+, and other relevant groups) have full political rights and electoral opportunities? 2 / 4

Suffrage is universal for adult citizens, but social and legal restrictions limit political participation among some minority groups. Parties including UMNO and the Malaysian Islamic Party (PAS) are defenders of long-standing policies that favor the ethnic Malay and Muslim majority. The Malaysian Chinese Association has attracted support from among the ethnic Chinese community—which makes up 21 percent of the country's population—and has traditionally supported the BN, though other, multiethnic parties compete for support from this group. Ethnic Indians account for 6 percent of the population and also have a presence in Parliament through various parties. The PN features minimal representation of and participation by Chinese and Indian Malaysians but does include representatives of ethnic groups from the states of Sabah and Sarawak, which are located on the island of Borneo. Representation for the country's Indigenous groups remains poor.

Women continued to be underrepresented in politics in 2022, accounting for less than 18 percent of the new cabinet and 14 percent of the lower house of Parliament. Harsh discrimination and criminal restrictions on same-sex sexual relations make it extremely difficult for LGBT+ Malaysians to publicly advocate for their political interests.

C. FUNCTIONING OF GOVERNMENT: 6 / 12 (+1)

C1. Do the freely elected head of government and national legislative representatives determine the policies of the government? 2 / 4 (+1)

While elected officials determine and implement government policy, an unfair electoral framework has historically weakened their legitimacy. Decision-making power has typically been concentrated in the hands of the prime minister and his close advisers.

Elected lawmakers were unable to fulfill their functions for much of 2021, as Prime Minister Muhyiddin had imposed a COVID-19-related state of emergency in January that allowed him to rule by decree. Parliament and state legislatures were suspended, as were elections, and opposition lawmakers accused Muhyiddin of using the emergency declaration to avoid a no-confidence vote. Parliament was reconvened that July, while the state of emergency expired at the beginning of August. There was no repetition of the tactic during 2022, and Parliament was not dissolved until October, ahead of the general elections.

Score Change: The score improved from 1 to 2 because there was no recurrence in 2022 of the previous year's seven-month suspension of Parliament and state legislatures.

C2. Are safeguards against official corruption strong and effective? 2 / 4

The Malaysian Anti-Corruption Commission is responsible for fighting corruption. While successful prosecutions have been on the rise in recent years, corruption in government and state-owned enterprises is still considered endemic.

In August 2022, former BN prime minister Najib Razak was sent to prison after the Federal Court upheld his 12-year sentence for offenses linked to the 1MDB corruption and fraud scandal. He had originally been arrested in 2018 and convicted in 2020. Rosmah Mansor, Najib's wife, was sentenced to 10 years in prison in September 2022 for soliciting and receiving bribes; she filed an appeal and remained free at year's end. Also in September,

the High Court acquitted UMNO president and former deputy prime minister Ahmad Zahid Hamidi of some corruption charges, though others were still pending. He later returned to the post of deputy prime minister in Anwar's cabinet.

C3. Does the government operate with openness and transparency? 2 / 4

A lack of independent oversight regarding state-affiliated companies and investment funds has long created conditions conducive to corruption. Efforts to pass a freedom of information act and other transparency-related reforms have stalled in recent years.

CIVIL LIBERTIES: 31 / 60 (+1)

D. FREEDOM OF EXPRESSION AND BELIEF: 8 / 16

D1. Are there free and independent media? 2 / 4

Prior to the 2018 elections, most private news publications and television stations were controlled by political parties or businesses allied with the BN, and state news outlets similarly reflected government views. The market liberalized after the PH took power that year, as independent outlets benefited from a reduction in political pressure and harassment. The subsequent PN government placed more pressure on the media, excluding independent outlets from events of public interest.

Despite some efforts at reform, a number of restrictive media laws remain in place, including civil and criminal defamation statutes. The amended 1950 Evidence Act holds owners and editors of websites, providers of web-hosting services, and owners of computers or mobile devices accountable for information published through their services or property, exposing them to punitive fines and encouraging self-censorship.

In September 2022, authorities filed criminal defamation charges against journalists with The Edge media group for a report on market manipulation. Also that month, reports emerged of alleged political interference in the appointment of a major English-language daily's group editor.

D2. Are individuals free to practice and express their religious faith or nonbelief in public and private? 1 / 4

While Malaysia is religiously diverse, legal provisions restrict religious freedom. Ethnic Malays are constitutionally defined as Muslim and are not entitled to renounce their faith. Individuals seeking to convert from Islam have sometimes faced apostasy charges. Those seeking to leave the faith also risk discrimination and threats.

The powerful Malaysian Islamic Development Department (JAKIM) has played a central role in shaping and enforcing the practice of Islam in Malaysia, and state-level authorities perform their own enforcement functions. Muslim children and civil servants are required to receive religious education using government-approved curriculums and instructors. Practicing a version of Islam other than Sunni Islam is prohibited, and Shiites and other sects face discrimination.

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.

D3. Is there academic freedom, and is the educational system free from extensive political indoctrination? 2 / 4

There is some degree of academic freedom in Malaysia. However, under the pre-2018 BN government, instructors and students who espoused antigovernment views or engaged in political activity were subject to disciplinary action under the Universities and University Colleges Act (UUCA) of 1971. In 2018, the PH government amended the UUCA to allow

students to engage in political activity on campus, but plans to abolish the UUCA entirely were dropped under the subsequent PN government. Post-2018 governments have continued to control appointments of top officials at public universities.

D4. Are individuals free to express their personal views on political or other sensitive topics without fear of surveillance or retribution? 3 / 4

While private discussion is robust, individual expression on sensitive political and religious topics is impeded by the penal code and legislation including the Sedition Act and the Communications and Multimedia Act. In April 2022, for example, graphic artist Fahmi Reza was arrested and investigated under the Sedition Act for a satirical drawing that appeared to criticize one of Malaysia's monarchs.

E. ASSOCIATIONAL AND ORGANIZATIONAL RIGHTS: 6 / 12

E1. Is there freedom of assembly? 2 / 4

Freedom of assembly can be limited on the grounds of maintaining security and public order. The Peaceful Assembly Act requires advance notice to police of planned events, imposes criminal penalties for violations, lacks provisions to allow spontaneous assemblies, bans those under age 21 from organizing an assembly, and prohibits participation by minors and noncitizens. While demonstrations are often held in practice, police continue to enforce restrictions and investigate participants in allegedly illegal protests.

In August 2022, the secretary-general of the Malaysian United Democratic Alliance party was charged under the Peaceful Assembly Act for organizing a protest against a mismanaged naval procurement project, and several others associated with the demonstration were questioned by police.

E2. Is there freedom for nongovernmental organizations, particularly those that are engaged in human rights– and governance-related work? 2 / 4

A wide array of nongovernmental organizations (NGOs) operate in Malaysia and have a strong record of campaigning for electoral, anticorruption, and other reforms. However, NGOs must be approved and registered by the government, which has refused or revoked registrations for political reasons in the past. Numerous activists have been subjected to police harassment and criminal charges—particularly for speech-related offenses—under successive governments.

In March 2022, activists from the human rights organization Suara Rakyat Malaysia (SUARAM) and the Coalition for Clean and Fair Elections (BERSIH) were summoned by police over a protest against the proposed Independent Police Conduct Commission, and in April representatives of the NGO Lawyers for Liberty were similarly questioned after their protest against the death penalty outside the Singaporean embassy.

E3. Is there freedom for trade unions and similar professional or labor organizations? 2 / 4

Most Malaysian workers can join trade unions, but the law contravenes international guidelines by restricting unions to representing workers in a single or similar trade. The director general of trade unions can refuse or withdraw registration arbitrarily. Collective bargaining rights are limited, particularly in designated high-priority industries, as is the right to strike. Some private employers engage in antiunion activity. In March 2022, the Electronics Industry Employees Union Northern Region alleged that Molex Malaysia's management had intimidated employees who were organizing.

F. RULE OF LAW: 8 / 16 (+1)

F1. Is there an independent judiciary? 3 / 4 (+1)

Judicial independence has historically been compromised by extensive executive influence, with courts frequently issuing arbitrary or politically motivated verdicts in high-profile cases. However, a series of judicial appointments in 2018 and 2019 improved confidence in the independence of the higher courts and prospects for reform. In 2019, Datuk Tengku Maimun Tuan Mat became the first woman to serve as chief justice of the Federal Court, and she subsequently initiated anticorruption and efficiency-enhancing reforms.

The Federal Court's August 2022 decision to uphold former prime minister Najib's prison sentence was an important sign of judicial independence, particularly at a time when the defendant's party was in power. In December, the High Court, ruling in a civil lawsuit, ordered the Malaysian government, two former police officers, and a close adviser to Najib to pay financial compensation to the family of a Mongolian model whom the officers murdered in 2006; allegations that Najib or his adviser had ordered the killing—though never proven in criminal court—had long plagued his political career.

The Federal Court has also issued rulings against the government that supported individuals' legal and constitutional rights in recent years. In December 2022, the court agreed to hear an appeal by Malaysian mothers who were challenging the government's position that their children born overseas to foreign fathers were not entitled to automatic Malaysian citizenship.

Score Change: The score improved from 2 to 3 because the judiciary has displayed an increased level of independence from the government through a series of decisions over the past several years.

F2. Does due process prevail in civil and criminal matters? 2 / 4

Several existing laws undermine due process guarantees. The 2012 Security Offences (Special Measures) Act allows police to detain anyone for up to 28 days without judicial review for broadly defined "security offenses," and suspects may be held for 48 hours before being granted access to a lawyer. It was renewed for another five years in 2017. Also that year, lawmakers amended the Prevention of Crime Act—a law ostensibly aimed at combating organized crime—to revoke detainees' right to address the government-appointed Prevention of Crime Board, which is empowered to order the detention of individuals listed by the Home Ministry for renewable two-year terms without trial or legal representation. The 2015 Prevention of Terrorism Act, together with that year's National Security Council (NSC) Act, gives the NSC—led by the prime minister—wide powers of arrest, search, and seizure without a warrant in areas deemed to be security risks and in the context of countering terrorism.

Malaysia's secular legal system is based on English common law. However, Muslims are subject to Sharia (Islamic law), the interpretation of which varies by state, and the constitution's Article 121 stipulates that all matters related to Islam should be heard in Sharia courts. This results in different treatment of Muslims and non-Muslims in "moral" and family law cases.

F3. Is there protection from the illegitimate use of physical force and freedom from war and insurgencies? 2 / 4

A number of criminal offenses can be punished with caning, including immigration violations. Torture and abuse in police custody remain problems, and prisons are often overcrowded

and unsafe. In recent years, prisoners and detainees have died in unclear circumstances while in custody. There were 24 deaths in police custody in 2022, down from 46 in 2021.

The death penalty can be applied for numerous offenses; most of the roughly 1,300 people facing execution were convicted under the country's harsh laws on drug trafficking. In June 2022, the government announced that it would introduce legislation to abolish mandatory death sentences, meaning judges would have the discretion to impose alternative penalties for the relevant offenses. The legislation was pending in Parliament at year's end.

F4. Do laws, policies, and practices guarantee equal treatment of various segments of the population? 1 / 4

Although the constitution provides for equal treatment of all citizens, it grants a "special position" to ethnic Malays and other groups that are considered native to Malaysia, known collectively as *bumiputera*. The government maintains programs intended to boost the economic status of bumiputera, who receive preferential treatment over ethnic minorities such as the Chinese and Indians in areas including property ownership, higher education, civil service jobs, business affairs, and government contracts.

Women are placed at a disadvantage by a number of laws, particularly Sharia-related provisions. They are legally barred from certain occupations and work schedules, and they suffer from de facto employment discrimination.

LGBT+ Malaysians face widespread discrimination and harassment. Same-sex sexual relations are punishable by up to 20 years in prison as well as whipping under the penal code. Some states apply their own penalties to Muslims under Sharia statutes. Transgender people can also be punished under state-level Sharia laws. In August 2022, Human Rights Watch and Justice for Sisters published a report on government-funded religious "retreats" known as mukhayyam that aim to "rehabilitate" or change LGBT+ people; it cited JAKIM statistics showing that more than 1,700 people had attended the retreats over several years.

Migrant workers and refugees do not enjoy effective legal protections, and individuals in these communities experienced discrimination during the COVID-19 pandemic. Ethnic Rohingya asylum seekers and refugees from Myanmar are regularly mistreated.

G. PERSONAL AUTONOMY AND INDIVIDUAL RIGHTS: 9 / 16

G1. Do individuals enjoy freedom of movement, including the ability to change their place of residence, employment, or education? 3 / 4

Citizens are generally free to travel within and outside of Malaysia, as well as to change residence and employment. However, professional opportunities and access to higher education are affected by regulations and practices that favor bumiputera and those with connections to political elites. Although the practice is illegal, employers of migrant workers commonly hold their passports, preventing them from leaving abusive situations.

G2. Are individuals able to exercise the right to own property and establish private businesses without undue interference from state or nonstate actors? 3 / 4

Malaysia has a vibrant private sector. Bribery, however, is common in the business world, and the close nexus between political and economic elites distorts normal business activity and fair competition. Some laws pertaining to property and business differentiate between bumiputera and non-bumiputera, and Sharia-based inheritance rules for Muslims often favor men over women.

G3. Do individuals enjoy personal social freedoms, including choice of marriage partner and size of family, protection from domestic violence, and control over appearance? 2 / 4

While some personal social freedoms are protected, Muslims face legal restrictions on marriage partners and other social choices. All non-Muslims who wish to marry Muslim partners must convert to Islam to receive the recognition of a Sharia court. Societal pressures may also regulate dress and appearance, especially among Malay women. Sharia courts often favor men in matters of divorce and child custody. The minimum age for marriage is generally 16 for girls and 18 for boys, but Sharia courts in some states allow younger people to marry, and child marriage is a common occurrence.

In August 2022, the Court of Appeal overturned a High Court ruling that children born overseas to Malaysian mothers with foreign spouses must be granted citizenship, as is the case with children born overseas to Malaysian fathers. The Federal Court agreed to hear an appeal by Malaysian mothers in December.

G4. Do individuals enjoy equality of opportunity and freedom from economic exploitation? 1 / 4

Rural residents and foreign workers, especially those working illegally, are vulnerable to exploitative or abusive working conditions, including forced labor or debt bondage. Foreign workers officially make up some 15 percent of the country's workforce; about two million are documented, but estimates of the undocumented range as high as six million. The authorities' periodic crackdowns on illegal foreign workers can result in punishment rather than protection for victims of human trafficking.

Maldives

Population: 600,000
Capital: Malé
Freedom Status: Partly Free
Electoral Democracy: No

Overview: The administration of Ibrahim Mohamed Solih, which came to power in 2018, has taken efforts to revise antidemocratic laws and establish transitional justice mechanisms. Despite improvements since the election, many basic freedoms remain restricted. Recent government-led efforts to reform the justice system, investigate serious corruption, and provide accountability for enforced disappearance and deaths that occurred during previous regimes remain in early stages.

KEY DEVELOPMENTS IN 2022

- The Transitional Justice Office held both closed and public hearings on the Thinadhoo forced eviction case, which is seeking a state apology and compensation to the Thinadhoo people from the perpetrators of the island's forced eviction in 1962.
- The Evidence Act, which took effect in July, introduced provisions under which journalists can be held in contempt and subject to fines or jail time if they refuse to disclose their sources.
- In August, three journalists filed a petition with the High Court to repeal a 2016 law that requires protest organizers to obtain police permission for events, and restricts the events to certain designated areas.
- In December, former President Abdulla Yameen was convicted on new charges of money laundering and bribery and sentenced to 11 years in prison. A previous money laundering conviction in another case had been dismissed in 2021.

POLITICAL RIGHTS: 19 / 40

A. ELECTORAL PROCESS: 7 / 12

A1. Was the current head of government or other chief national authority elected through free and fair elections? 2 / 4

The president of Maldives is elected for up to two terms of five years. The run-up to the September 2018 election was marred by the misuse of state resources on behalf of incumbent president Abdulla Yameen of the Progressive Party of Maldives (PPM), police interference with opposition campaign efforts, and various forms of manipulation by electoral officials. The Maldivian Democratic Party (MDP) and other opposition groups supported Ibrahim Mohamed Solih, an MDP lawmaker, after former president Mohamed Nasheed was disqualified over a dubious 2015 terrorism conviction that had featured a flawed trial. Despite the challenges to his candidacy, Solih won the election with over 58 percent of the vote.

A2. Were the current national legislative representatives elected through free and fair elections? 3 / 4

The unicameral People's Majlis is composed of 85 seats, with members elected from individual districts to serve five-year terms. Elections held in April 2019 were largely transparent and competitive, with Commonwealth observers reporting that vote buying—while still a problem—appeared less prevalent than in previous elections. The MDP won 65 seats. The PPM only won five seats, while the Jumhooree Party (JP) and Maldives Development Alliance won five and two seats respectively. Independents won an additional seven seats.

A3. Are the electoral laws and framework fair, and are they implemented impartially by the relevant election management bodies? 2 / 4

Members of the Elections Commission are appointed by the president with approval from the parliament. The Commission's administration of the 2019 parliamentary elections earned praise from Commonwealth observers as improved and more impartial compared to elections held under the Yameen administration.

B. POLITICAL PLURALISM AND PARTICIPATION: 8 / 16

B1. Do the people have the right to organize in different political parties or other competitive political groupings of their choice, and is the system free of undue obstacles to the rise and fall of these competing parties or groupings? 3 / 4

Political pluralism and participation deteriorated during the presidency of Yameen. Opposition leaders and their supporters faced harassment including raids on opposition offices and arbitrary detentions and convictions, as well as restrictions on political rallies. The environment for political parties has improved under the new administration.

Several new parties have recently emerged. The Maldives Reform Movement (MRM), led by former President Maumoon Abdul Gayoom, officially registered as a political party in November 2019. In July 2021, a new political party, the Maldives National Party, was registered and currently holds three seats in parliament.

In May 2019, Mohamed Nasheed, the former president and current speaker of parliament, survived an assassination attempt in Malé. Authorities arrested 10 suspects and charged 4 with terrorism. One defendant, who pleaded guilty, was convicted in December 2022.

B2. Is there a realistic opportunity for the opposition to increase its support or gain power through elections? 2 / 4

While the political landscape had featured some undemocratic activity, including improper meddling by the judiciary and other forms of pressure, opposition parties and

candidates have been able to gain power through elections. Recent opposition victories include those of Solih in 2018 and of the MDP in 2019. The 2021 local council elections saw the PPM secure 34.9 percent of seats—finishing second but breaking the MDP's supermajority.

B3. Are the people's political choices free from domination by forces that are external to the political sphere, or by political forces that employ extrapolitical means? 2 / 4

The Yameen government exerted improper influence over several state institutions and the Elections Commission to restrict the political choices of voters and politicians, including through politicized arrests and threats to public and private sector employees.

While such abuses have waned under President Solih, intimidation by hardline Islamist groups continues to sporadically disrupt the political system and the rule of law. Vote buying remains a problem during elections, and allegations of bribery and corruption have surrounded instances of party switching in recent years.

B4. Do various segments of the population (including ethnic, racial, religious, gender, LGBT+, and other relevant groups) have full political rights and electoral opportunities? 1 / 4

The constitution and laws in the Maldives require all citizens to be Muslims and all candidates for elected office to follow Sunni Islam, effectively excluding followers of minority religions. High-level positions in state institutions and independent bodies, including the Human Rights Commission, also require individuals to be Sunni Muslims. Women and LGBT+ individuals face societal discrimination and limited political participation, and foreign workers, who make up a significant portion of the population, have no political rights and are restricted from participating in protests or strikes.

The 2021 local council elections allocated 33 percent seats to female candidates, for the first time.

C. FUNCTIONING OF GOVERNMENT: 4 / 12

C1. Do the freely elected head of government and national legislative representatives determine the policies of the government? 2 / 4

Elected officials are generally able to determine and implement government policies, though former president Yameen disrupted the parliament's functioning in his attempts to retain the presidency in the 2018 election. The parliament was able to operate without similar obstructions after President Solih's 2018 inauguration and the 2019 parliamentary elections.

C2. Are safeguards against official corruption strong and effective? 1 / 4

Corruption remains endemic at all levels of government. The Anti-Corruption Commission (ACC) has been only moderately effective, often launching investigations and taking other actions in response to public complaints, but rarely holding powerful figures to account for abuses. Whistleblowers and journalists reporting on corruption have been jailed or forced into exile over their activities.

The Solih government has taken steps to combat corruption by launching a whistleblower web portal, creating legal protections for whistleblowers, and pursuing corruption cases against high-level officials from the Yameen administration. Yameen himself was convicted of money laundering in 2019, though in November 2021 the Supreme Court overturned his conviction. In 2022, in a separate case, he was once again convicted of money laundering and accepting a bribe and sentenced to 11 years in prison.

In December 2021, three members of the Anti-Corruption Commission (ACC) resigned following a decision by the Parliament's Committee on Independent Institutions to dismiss them; the committee's decision was presaged by an audit concluding that the members had

failed to formulate a plan to address backlogged corruption cases. The commission was reconstituted with new members in March 2022.

C3. Does the government operate with openness and transparency? 1 / 4

State contracts for infrastructure and other projects have often been awarded through unclear processes widely suspected to involve bribery and kickbacks. The Solih administration has not immediately revised changes to public finance rules by the previous government that introduced opacity.

While the constitution requires the president, cabinet ministers, and members of parliament to submit annual asset declarations, these are not required to be made public and relevant agencies have resisted disclosing compliance with this rule. In 2019, Solih and his cabinet publicly disclosed their personal finances, but Transparency International raised concerns about the accuracy and consistency of these disclosures.

The Right to Information Act has been increasingly effective in forcing government institutions to make information and processes more transparent. In 2021, a total of 2,624 requests were submitted to government institutions, with 2,473 receiving responses, according to the Information Commissioner's office.

CIVIL LIBERTIES: 22 / 60 (+1)

D. FREEDOM OF EXPRESSION AND BELIEF: 3 / 16

D1. Are there free and independent media? 1 / 4

The constitution guarantees freedom of expression, but with the caveat that it must not be contrary to any tenet of Islam, a vague condition that can encourage self-censorship in the media. State-run media and regulatory bodies, particularly the Maldives Broadcasting Commission, have often shown bias in favor of the government and have restricted coverage of the opposition. Journalists continue to face the risk of violence in response to their work, particularly from Islamist militants.

Under the Evidence Act, which took effect in July 2022, journalists can be held in contempt and subject to fines or jail time if they refuse to disclose their sources.

D2. Are individuals free to practice and express their religious faith or nonbelief in public and private? 0 / 4

Religious freedom is heavily restricted in the Maldives. Islam is the state religion, and the constitution allows for limitations on rights and freedoms in order to protect Islam. Other laws criminalize criticism of the religion. The government and people are required to protect religious unity, and imams must use government-approved sermons. Non-Muslim foreigners are only permitted to observe their religions privately.

Secularist writers and advocates for freedom of conscience have faced death threats from violent groups. According to a threat-perception survey of journalists conducted by the Maldives Journalists Association and released in March 2021, 37 percent of the 70 local journalists who participated reported being threatened by radicalized or violent extremist individuals.

D3. Is there academic freedom, and is the educational system free from extensive political indoctrination? 1 / 4

Islam is a compulsory subject in schools and is incorporated into all other subject areas. School and university curriculums have come under increased influence from hardline religious leaders, resulting in some content that denounces democratic principles and promotes

jihadist narratives. Academics and teachers who express views deemed objectionable by state and nonstate actors risk punishment or reprisals.

D4. Are individuals free to express their personal views on political or other sensitive topics without fear of surveillance or retribution? 1 / 4

Although the Solih administration was expected to be more tolerant of public criticism than its predecessor, individuals who advocate for minority groups or basic freedoms are still at risk of attack from violent nonstate actors. Local human rights groups have had to relocate social media users who have received death threats for exercising their freedom of expression.

E. ASSOCIATIONAL AND ORGANIZATIONAL RIGHTS: 5 / 12

E1. Is there freedom of assembly? 2 / 4

Respect for freedom of assembly is uneven. A 2016 law requires protest organizers to obtain police permission for their events and restricts demonstrations to certain designated areas. In August 2022, three journalists filed a petition with the High Court to request the repeal of this restriction.

E2. Is there freedom for nongovernmental organizations, particularly those that are engaged in human rights– and governance-related work? 1 / 4

Nongovernmental organizations (NGOs) operate in a restrictive environment with limited resources and access to information. In recent years, Maldivian human rights groups have become targets of surveillance, harassment, lawsuits, threats of violence, and blasphemy allegations, including from extremist nonstate actors. Women's rights and LGBT+ rights advocates, journalists, and bloggers have been targeted online, and the President's Office has acknowledged that people who report threats often do not feel that their complaints have been adequately addressed. In 2022, Mohamed Rusthum Mujuthaba, a religious freedom and human rights activist, was sentenced to four months in prison on blasphemy charges in relation to his activism online.

In April 2022, Solih issued a decree banning the "India Out" campaign, which is associated with the opposition and seeks an end to Indian military presence on the islands. The decision was justified on claims the campaign incited hatred against India and posed a national security threat.

In November 2022, President Solih ratified the Associations Act, which includes financial disclosure requirements as well as provisions for a certain amount of state funding to be directed to NGOs. However, because the majority of registered associations are sports related, the funding may not provide significant relief to NGOs working in the human rights field.

E3. Is there freedom for trade unions and similar professional or labor organizations? 2 / 4

The constitution and labor laws allow workers to form trade unions, and several unions are active. However, collective bargaining is not protected under the law, and strikes are prohibited in many sectors, including the crucial tourism industry. Many union leaders face backlash from powerful industry businesses that portray trade unionism negatively.

Significant strides, however, have been made. In May 2022, the Teachers Association of the Maldives (TAM), the largest such teacher's group, won a hard-fought salary increase of 56 percent. Other labor groups have negotiated better working arrangements and trade opportunities in the tourism and fishing industries.

F. RULE OF LAW: 7 / 16 (+1)

F1. Is there an independent judiciary? 2 / 4 (+1)

The Supreme Court has intervened in political affairs at times, typically acting according to political interests. While significant strides have been made under the new government to reinforce basic principles of autonomy, quality, and accountability, much remains to be done to ensure efficient administration of justice.

In 2022, three High Court judges were removed by the Judicial Service Commission (JSC) after an investigation revealed they had illegally accepted real estate gifts during the Yameen administration. The JSC reported that a total of 393 complaints were submitted against judges during the year; 46 cases were closed, and of those, misbehavior was found in 24.

Recent amendments to the Judicial Service Commission Act have the potential to bring positive changes to the Maldives, specifically regarding the impeachment of judges. However, the composition of the JSC must remain neutral if the provisions are to be upheld. In 2022, the JSC is still widely considered to be compromised because its members hold political affiliations.

In 2019, the government appointed the first two women to the Supreme Court, despite Islamist objections. In September 2020, a woman was appointed to the Criminal Court bench for the first time in the country's history, and there was a record number of female judges in the Maldivian judiciary at the end of 2022.

Score Change: The score improved from 1 to 2 because the government taken steps to improve the independence of the judiciary and the Judicial Service Commission has sought to hold corrupt judges accountable.

F2. Does due process prevail in civil and criminal matters? 1 / 4

Police have regularly engaged in arbitrary arrests, often to disrupt opposition activities, protests, or the work of journalists. Due process rights are not well enforced in practice, and under Yameen, opposition figures were subjected to deeply flawed trials on politically motivated charges.

The Maldives Police Services Act of 2020 was intended to improve internal police governance, but it has resulted in few changes in practice thus far. Pretrial detention is common, accounting for nearly 30 percent of those currently held in detention facilities in the country. Many are held in pretrial detention for inordinately long periods due to delays in investigation and trial processes. The Maldives also imposes imprisonment for nonpayment of debt through contempt-of-court rulings.

In December 2020, President Solih signed into law a bill establishing a transitional justice mechanism to investigate and redress human rights abuses from 1953–2018. The Ombudsman's Office for Transitional Justice opened in January 2021 and has since reported that it has probed 452 cases that were submitted to the office in accordance with the Transitional Justice Act.

The Transitional Justice Office held both closed and public hearings on the Thinadhoo forced eviction case, which was brought forward by the Thinadhoo Council and included testimonials from victims and their families. The case requested a formal apology from the state, the upholding of violated rights, and the seizure of 50 percent of the assets of all perpetrators as compensation. The 1962 forced eviction of the island is considered one of the greatest atrocities committed by a Maldivian government.

F3. Is there protection from the illegitimate use of physical force and freedom from war and insurgencies? 2 / 4

The constitution and the Anti-Torture Act ban torture, but police brutality and the abuse of detainees and prison inmates remain problems, and impunity remains the norm. Flogging and other forms of corporal punishment are authorized for some crimes, and flogging sentences have been issued in practice for offenses such as extramarital sex. Prisons are overcrowded, inmates reportedly lack proper access to medical care, and human rights groups have reported numerous unexplained deaths in custody.

F4. Do laws, policies, and practices guarantee equal treatment of various segments of the population? 2 / 4

Gender-based discrimination in employment is prohibited by law, but women continue to face discrimination in practice. Girls and women from underprivileged backgrounds are disproportionately affected by Sharia (Islamic law) penalties for crimes like fornication and adultery.

Migrant workers—who account for approximately a third of the population—encounter disparate treatment by state authorities and have difficulty accessing justice. In 2020, thousands of migrant workers with unclear immigration status were arbitrarily deported during the COVID-19 pandemic.

Same-sex sexual acts and marriage are prohibited by law and can draw prison sentences, corporal punishment, and even threats of citizenship revocation. As a result, LGBT+ people rarely report societal discrimination or abuse. In 2022, a blackmail ring targeting gay men identified four individuals as gay. They were arrested and later charged under laws that criminalize same-sex relations.

G. PERSONAL AUTONOMY AND INDIVIDUAL RIGHTS: 7 / 16

G1. Do individuals enjoy freedom of movement, including the ability to change their place of residence, employment, or education? 2 / 4

Freedom of movement is provided for by law, but there are some restrictions in practice. Authorities have occasionally imposed travel bans on members of opposition parties and other perceived government opponents. Migrant workers are subject to constraints on their movement, including through the common practice of retention of their passports by employers, despite law stating that such an act is an offence under human trafficking laws.

G2. Are individuals able to exercise the right to own property and establish private businesses without undue interference from state or nonstate actors? 2 / 4

Property rights are limited, with most land owned by the government and leased to private entities or commercial developers through what is often an opaque process. Residents sometimes face displacement by development projects without adequate consultation or compensation.

G3. Do individuals enjoy personal social freedoms, including choice of marriage partner and size of family, protection from domestic violence, and control over appearance? 1 / 4

Personal social freedoms are restricted by Sharia-based laws and the presence of religious extremism in society. Among other rules on marriage and divorce, women citizens are barred from marrying non-Muslim foreigners, while male citizens can marry non-Muslim foreigners only if they are Christian or Jewish. Divorce is a grueling process for women, and can take years depending on the agreeability of the man. Extramarital sex is criminalized, and there is a high legal threshold to prove rape allegations. The National Standards for Family Planning Services requires written spousal consent for surgical sterilization, for both women and men.

G4. Do individuals enjoy equality of opportunity and freedom from economic exploitation? 2 / 4

The legal framework provides some protections against worker exploitation, including rules on working hours and bans on forced labor. However, migrant workers are especially vulnerable to abuses such as debt bondage and withholding of wages, a problem that was exacerbated during the economic contraction caused by the COVID-19 pandemic and resulting collapse of tourism. Women and children working in domestic service may also be subject to exploitative conditions.

Mali

Population: 22,600,000
Capital: Bamako
Freedom Status: Not Free
Electoral Democracy: No

Overview: Mali experienced a political transition away from authoritarian rule beginning in the early 1990s and gradually built up its democratic institutions for about 20 years. However, the country displayed characteristics of state fragility that eventually contributed to a 2012 military coup and a rebellion in northern Mali that erupted the same year. Though constitutional rule was restored and a peace agreement signed in the north in 2015, insecurity and political tensions persisted in the years that followed, culminating in two military coups in 2020 and 2021.

KEY DEVELOPMENTS IN 2022

- In June, under pressure of Economic Community of West African States (ECOWAS) sanctions, the military-led government announced a March 2024 deadline for a transition to civilian rule. A draft constitution was submitted to transitional authorities in October, but a constitutional referendum had not been held by year's end.
- Civilians were subjected to human rights abuses by insurgents, Malian security forces, and foreign mercenary groups throughout the year as the security situation in Mali continued to deteriorate. In one instance in March, Malian soldiers and suspected Wagner Group mercenaries reportedly killed approximately 300 civilians in Moura, a town in central Mali.
- Academic freedom continued to come under pressure during the year; over 1,700 schools were closed due to insecurity as of year's end, disrupting the education of over half a million children. Additionally, where religious extremist groups controlled territory, they enforced curriculums in line with their ideologies.
- In November, the activities of civil society groups, already restricted in conflict areas, were further constrained by the government's decision to ban all nongovernmental organizations (NGOs) that receive French funding. Hundreds of organizations across the country were impacted by the ban.
- Self-censorship, both among private citizens and in the media, increased during the year due to fear of reprisals from the military-led government and its supporters.

POLITICAL RIGHTS: 8 / 40

A. ELECTORAL PROCESS: 1 / 12

A1. Was the current head of government or other chief national authority elected through free and fair elections? 0 / 4

The president, who is the head of state, is normally elected by popular vote and may serve up to two five-year terms. However, in August 2020, in the wake of mass antigovernment protests, a group of military personnel known as the National Committee for the Salvation of the People (CNSP) launched a coup d'état. They abducted President Ibrahim Boubacar Keïta—who had been reelected in 2018 with 67 percent of the vote—and compelled him to resign. In September 2020, the CNSP selected Bah N'Daou, a former military officer and Keïta-era defense minister, as acting president. Colonel Assimi Goïta, the CNSP's leader, was made vice president.

In May 2021, after the government announced a new cabinet that excluded two key military leaders, another coup d'état took place: the military arrested both N'Daou and then prime minister Moctar Ouane, and Goïta declared himself transitional president. The move was confirmed by the Constitutional Court a few days later. N'Daou and Ouane were released from house arrest in August 2021. The government announced in June 2022 that presidential elections—which were originally scheduled for February 2022—would be held in March 2024 as part of the planned transition to a civilian government.

The prime minister, the head of government, is appointed by the president. Boubou Cissé was appointed in April 2019, but was removed by the CNSP in the August 2020 coup. Ouane, his successor, was appointed in September 2020 and removed from office following the May 2021 coup. In June 2021, Goïta appointed a new civilian prime minister—Choguel Maïga, a leading member of the June 5th Movement–Rally of Patriotic Forces (M5–RFP) coalition that had spearheaded the anti-Keïta protest movement.

A2. Were the current national legislative representatives elected through free and fair elections? 0 / 4

Members of the 147-seat unicameral National Assembly normally serve five-year terms. Thirteen seats were reserved to represent Malians living abroad.

Overdue parliamentary elections were held in two rounds in March and April 2020, but the process was marred by violence, low turnout, and disagreement over the results. Voters were subjected to intimidation, while observers reported vote-buying incidents. COVID-19 restrictions also affected the balloting. A group of civil society observers reported a first-round turnout figure of 7.5 percent.

Keïta dissolved the National Assembly in August 2020 after he was detained by the CNSP, along with then prime minister Boubou Cissé and other officials.

A 121-member National Transitional Council (CNT) was appointed in December 2020, with CNSP member Colonel Malick Diaw as its president. Security forces directly controlled 22 seats, while political parties and organizations were granted 11. The M5–RFP, an alliance of opposition parties and civil society groups, separately held 8 seats.

As of year-end 2022, legislative and local elections, as well as a constitutional referendum, were scheduled for 2023.

A3. Are the electoral laws and framework fair, and are they implemented impartially by the relevant election management bodies? 1 / 4

A multiyear effort to create a single election management body was realized when the Independent Election Management Authority (AIGE) was operationalized in October 2022. The body comprises 15 representatives, including 8 named by the government, 4 from political

parties, and 3 from civil society groups. The United Nations (UN) will provide support for the establishment of AIGE offices in all constituencies to facilitate the administration of the upcoming elections. Electoral operations were previously divided among three administrative bodies: the Ministry of Territorial Administration and Decentralization, the Independent National Electoral Commission (CENI), and the General Office of Elections (DGE). The Constitutional Court also participates in the electoral process by validating election results and resolving disputes.

In 2021, the transitional government postponed elections that had been scheduled for February 2022; transitional authorities also proposed further extending the transition period and suspending elections for up to five years. In response, ECOWAS, which had been pressing for Mali's return to elected civilian rule, imposed economic and travel sanctions on members of the transitional authority in November 2021; ECOWAS also imposed additional sanctions in January 2022. The January 2022 sanctions were lifted that July, shortly after ECOWAS and Mali's interim government agreed to extend the transition period until March 2024.

A new electoral law was adopted by the CNT and enacted by the transitional president in June 2022. The UN Multidimensional Integrated Stabilization Mission in Mali (MINUSMA) praised the CNT's "inclusive approach" to developing the law, noting that it was generally well-received by political parties and civil society. However, the law permits members of the junta to contest elections if they step down from their posts at least six months ahead of the vote.

B. POLITICAL PLURALISM AND PARTICIPATION: 5 / 16

B1. Do the people have the right to organize in different political parties or other competitive political groupings of their choice, and is the system free of undue obstacles to the rise and fall of these competing parties or groupings? 2 / 4

The creation and functioning of political parties are governed by a legal framework known as the Political Parties Charter, which is generally fair. The charter prohibits the creation of political parties on an "ethnic, religious, linguistic, regionalist, sexist, or professional basis."

There are more than 100 registered political parties in Mali, though fewer than 20 are active. Parties are usually built around a particular personality, and policy differences between them are not always clear. Moreover, parties are often poorly funded, which hampers their ability to effectively organize and win voter support.

B2. Is there a realistic opportunity for the opposition to increase its support or gain power through elections? 1 / 4

Electoral competition is normally open to opposition forces. A 2014 law institutionalized specific privileges for opposition parties in the parliament, such as the ability to choose an official leader of the opposition. However, in 2016 the ruling majority adopted amendments to the electoral code that favored establishment and majority parties by requiring presidential candidates to make a significant financial deposit and receive support from a certain number of incumbent elected officials. Opposition figures faced violent attacks during parliamentary elections in 2020.

In July 2022, the Supreme Court issued arrest warrants for former prime minister Boubou Cissé and several other former officials; regime critics have expressed concern that the warrants represent a possible attempt to prevent the Keïta-era officials from contesting the 2024 presidential election.

B3. Are the people's political choices free from domination by forces that are external to the political sphere, or by political forces that employ extrapolitical means? 0 / 4

Before the August 2020 coup d'état, citizens' political choices were relatively free, though they were occasionally influenced by the promise of patronage appointments or other benefits in exchange for political support. The military junta that first took power in 2020 and consolidated its authority in the May 2021 coup has since appointed key officials and set election timetables without meaningful public consultation. Nevertheless, there have been some opportunities for civil society and political parties to participate in consultative processes, including ahead of the June 2022 electoral law changes.

B4. Do various segments of the population (including ethnic, racial, religious, gender, LGBT+, and other relevant groups) have full political rights and electoral opportunities? 2 / 4

No law limits political rights for members of minority groups, and no single ethnic group dominates the government or security forces. Tuareg pastoralist groups in the north have historically occupied a marginal position in national political life.

Societal attitudes can discourage women from participating in political processes. While a 2015 gender quota law mandates that 30 percent of elected and appointed positions are to be filled by women, just over 28 percent of CNT seats are held by women, and the 25-member cabinet that was established in June 2021—after the second coup d'état—included only six women.

C. FUNCTIONING OF GOVERNMENT: 2 / 12

C1. Do the freely elected head of government and national legislative representatives determine the policies of the government? 0 / 4

President Keïta was elected in a generally credible poll in 2018, and the National Assembly that took office in 2013 was also freely elected. That parliament remained in place beyond the end of its mandate, however, with elections eventually held in March and April 2020. The August 2020 coup d'état replaced an elected national government with a military regime; a second coup in May 2021 reinforced the military's hold on power, causing renewed uncertainty about the reintroduction of civilian rule. A civilian, Choguel Maïga, was appointed as prime minister in June 2021, but several key government positions were filled by military leaders. Prime Minister Maïga was temporarily replaced by Colonel Abdoulaye Maïga in August 2022 after suffering a stroke; the civilian prime minister was reinstated in December.

A transition deadline of March 2024 was formalized in June 2022 as part of an agreement reached by ECOWAS and Malian authorities. The agreement was followed by the lifting of the sanctions ECOWAS had placed on Mali that January in response to delays in the planned transition to civilian government. Though there has been some consultation with political parties and civil society, the transition process has also been criticized as unilateral and undemocratic by some stakeholders.

In June 2022, Goïta announced that the government had created a commission to draft a new constitution, which would be put to a referendum in 2023. A preliminary draft constitution was delivered to Goïta in October, but was not made public; a final draft had not been completed before year's end. Opposition figures criticized the proposed constitution on a number of grounds, expressing concern that it would concentrate power in the hands of the president and dismay that it had not been drafted by a democratic, civilian government.

The volatile security situation in northern and central Mali has limited the effective territorial reach of government authority. There have been credible reports in recent years, including 2022, that the Wagner Group—a Russian government–linked private military group—was operating in Mali. Malian authorities have confirmed the presence of Russian military advisers in Mali, but have denied that Wagner mercenaries are operating in the country.

C2. Are safeguards against official corruption strong and effective? 1 / 4

Corruption remains a problem in government, notably in public procurement. Bribery and embezzlement of public funds is common, and impunity for corrupt officials is the norm. The Office of the Auditor General is an independent agency responsible for analyzing public spending, but despite its identification of sizable cases of embezzlement, very few prosecutions have taken place.

After the 2020 coup d'état, the CNSP launched a crackdown on apparent abuses by government officials but took little action to fight corruption within the military. In July 2022, arrest warrants were issued for a number of former government officials, including former prime minister Cissé, purportedly for the crime of forgery, among other things. However, some have expressed concern that the warrants represent a possible attempt to prevent the officials from contesting the 2024 presidential election.

In 2021, former prime minister Soumeylou Boubèye Maïga and former finance minister Bouaré Fily Sissoko were arrested on fraud charges in connection with the 2014 purchase of a presidential plane and $40 million in military equipment contracts. Maïga remained in custody until his death in March 2022.

C3. Does the government operate with openness and transparency? 1 / 4

Government operations remain generally opaque, and Mali does not have a comprehensive legal framework for freedom of information. While numerous laws provide for public access to some official documents and information, they are replete with extensive and vague exceptions. Journalists have faced obstacles when attempting to obtain information, particularly about military expenditures.

Opposition figures have criticized the constitution drafting process undertaken in 2022, and some have called for a more democratic drafting process. The draft constitution was not made public when it was submitted to military leadership in October.

CIVIL LIBERTIES: 21 / 60 (−3)

D. FREEDOM OF EXPRESSION AND BELIEF: 8 / 16 (−2)

D1. Are there free and independent media? 2 / 4

Though the media environment in Bamako and in the rest of the south was relatively open prior to the 2020 and 2021 coups, reports of censorship, self-censorship, and threats against journalists have risen significantly in recent years. Reporting on the situation in the north remains dangerous due to the presence of active militant groups. Defamation is a crime that can draw fines or prison time.

In February 2022, the transitional government suspended the accreditation process for journalists. Later that month, Benjamin Roger, a French journalist working for *Jeune Afrique*, was arrested soon after arriving in Mali and was forced to return to France after authorities confiscated his visa, saying that he did not have the required press accreditation.

The government suspended French broadcasters Radio France Internationale (RFI) and France 24 in March after the outlets reported on alleged abuses by Malian security forces; the suspensions were confirmed to be "definitive" in April. Domestic outlet Joliba TV News received a two-month suspension in November after it criticized the military-led government. Journalist Malick Konaté reported being threatened by both state and nonstate actors in November after he contributed to reporting on the Wagner Group's presence in Mali.

During 2021, transitional authorities began to seek justice for past instances of violence against members of the media. That July, transitional authorities arrested General Moussa Diawara, former head of the General Directorate of State Security (DGSE), and issued an

international arrest warrant for Karim Keïta, son of the former president, in connection with the 2016 disappearance of journalist Birama Touré. In February 2022, Reporters Without Borders (RSF) reported that its investigation into Touré's disappearance found that the journalist had been secretly held by the DGSE and had "very probably died as a result of being tortured."

D2. Are individuals free to practice and express their religious faith or nonbelief in public and private? 2 / 4

Freedom of religion is constitutionally guaranteed in Mali, which is a secular state, and discrimination on the basis of religion is prohibited. The population is predominantly Sunni Muslim, and Sufism plays a role in the beliefs of most residents.

Armed extremist groups have terrorized northern and central Mali since the 2012 Islamist uprising, attacking those whom they perceive as failing to follow their strict interpretation of Islam. Such groups have occasionally carried out targeted kidnappings of Christians and subjected them to sometimes violent harassment.

D3. Is there academic freedom, and is the educational system free from extensive political indoctrination? 2 / 4 (−1)

Academic freedom is upheld in areas with a consolidated government presence but severely limited in areas affected by conflict and militant activity. As of the end of 2022, the security situation had forced 1,726 schools to close, disrupting the education of over half a million children. In areas controlled by Islamist militant groups, schools have been forced to use curriculums in line with the groups' ideologies.

In January 2022, economics professor Étienne Fakaba Sissoko was arrested for so-called subversive speech after he criticized the government. Sissoko was released in June, but remained banned from traveling through at least August.

Score Change: The score declined from 3 to 2 because hundreds of schools have been forced to close for security reasons, Islamist militant groups have attempted to impose their ideology in schools under their control, and an economist was detained for several months by authorities in Bamako in response to his public commentary.

D4. Are individuals free to express their personal views on political or other sensitive topics without fear of surveillance or retribution? 2 / 4 (−1)

Private discussion was generally open and free in areas under government control prior to the 2020 and 2021 coups, but has since become more constricted. In August 2022, the UN Independent Expert on Mali described a shrinking civic space in the country, featuring increased self-censorship among individuals, especially online. Such self-censorship has largely been attributed to a fear of reprisals by the military-led government or its supporters. In July, online commentator Alhassane Tangara was detained by authorities after a progovernment group denounced him on Facebook.

Expression is also restricted in areas with a militant presence or where intercommunal violence has flared.

Score Change: The score declined from 3 to 2 because personal expression has been increasingly restricted since the 2021 coup, with the threat of reprisals by state security forces or Islamist militant groups serving as an incentive for self-censorship.

E. ASSOCIATIONAL AND ORGANIZATIONAL RIGHTS: 5 / 12 (−1)

E1. Is there freedom of assembly? 2 / 4

The constitution guarantees freedom of assembly, but participants in public gatherings risk violence by state security forces, and the government has occasionally restricted social media use to prevent activists from organizing protests.

Several protests took place in 2022 and were largely peaceful. Numerous progovernment rallies, including protests against ECOWAS sanctions, and demonstrations against French involvement in Mali were held throughout the year without being disrupted. Smaller protests against the military-led government took place in January and May.

E2. Is there freedom for nongovernmental organizations, particularly those that are engaged in human rights– and governance-related work? 1 / 4 (−1)

Many NGOs have operated in Mali without state interference, but the ability of civil society groups to engage in human rights work has grown increasingly restricted since the 2021 coup. Such groups have reported facing death threats and threats of detention, as well as physical harassment and violence.

In November 2022, the government banned all NGOs that received French financing or material or technical support. The ban impacted nearly 300 organizations. In an effort to enforce the ban, the government imposed new reporting requirements on NGOs in December, which included making all NGOs' funding streams subject to mandatory government review. Separately, in December, the government suspended Geneva Call (Appel de Genève), a Swiss humanitarian organization that was supporting humanitarian dialogue between civilians and former rebels, for alleged "illicit activities."

Ongoing insecurity in some parts of the country hampers NGO efforts to provide aid and services to returning refugees and others affected by instability. In its October 2022 report to the UN Security Council (UNSC), MINUSMA noted frequent interference in its operations by both the government and nonstate actors.

Score Change: The score declined from 2 to 1 because the government disrupted civil society work on human rights and humanitarian aid, including by forbidding the operation of any organizations that receive French funding and expelling a Swiss humanitarian group from the country.

E3. Is there freedom for trade unions and similar professional or labor organizations? 2 / 4

The constitution guarantees workers the right to form unions and to strike, with some limitations for workers in essential services and requirements involving compulsory arbitration. The government has broad discretionary power over the registration of unions and recognition of collective bargaining, and the authorities do not effectively enforce laws against antiunion discrimination.

In November 2022, three trade unions, including the country's largest trade union, the National Union of Workers of Mali (UNTM), held a two-day strike in Gao to condemn the government's failure to address growing insecurity in the region.

F. RULE OF LAW: 4 / 16

F1. Is there an independent judiciary? 2 / 4

The judiciary is beholden to the executive, despite constitutional guarantees of judicial independence. Judges are appointed by the president, while the minister of justice supervises both law enforcement and judicial functions.

In July 2020, President Keïta announced the removal of Constitutional Court judges as part of an effort to resolve the country's postelection political impasse. That August, nine judges were appointed to the court; three were named by Keïta, three by National Assembly president Moussa Timbine, and three by a judicial council. The appointments were met with criticism due to the involvement of a Keïta ally in the judges' installation.

Militant attacks against judicial personnel have prompted some judges to vacate their posts.

F2. Does due process prevail in civil and criminal matters? 1 / 4

Due process rights are inconsistently upheld. Detainees are not always charged within the 48-hour period set by law, and arbitrary arrests are common. Detainees also face extended pretrial detention periods. High costs and lengthy procedures inhibit access to the justice system.

After a deadly 2015 terrorist attack in Bamako, a national state of emergency remained in force for several years. The emergency designation gave security services greater authority to search homes without a warrant, detain suspects, and restrict protests. The military government suspended that state of emergency after taking power in August 2020, though a COVID-19-related state of emergency was declared in late December 2020. Due process rights were not consistently upheld for high-ranking officials detained by the military in the August 2020 coup d'état.

The Truth, Justice, and Reconciliation Commission created in 2014 is responsible for investigating human rights violations committed since 1960, but its activities are restricted by the rise of terrorist activities and intercommunal tensions within Mali's borders.

Due process is not upheld in areas under militant control.

F3. Is there protection from the illegitimate use of physical force and freedom from war and insurgencies? 0 / 4

The security situation in Mali continued to deteriorate in 2022, leading to a decline in the protection of human rights in the country; MINUSMA documented a nearly 50 percent increase in human rights violations and abuses during the first half of the year compared with the previous six months.

Islamist militant groups that were not party to a 2015 peace agreement signed in Algiers continue to carry out acts of violence against civilians in the northern and central regions. In August 2022, the UN Independent Expert on Mali noted that the country was experiencing a resurgence of extremist violence; that December, multiple northern armed groups pulled out of the Algiers peace agreement. Since 2012, militant groups affiliated with the Islamic State in the Greater Sahara (ISGS) have regularly enforced brutal punishments—including stoning and amputation—on civilians they accuse of crimes.

Ongoing instability has contributed to the spread of organized crime and accompanying violence and kidnappings. In April 2021, French journalist Olivier Dubois was abducted by the Support Group for Islam and Muslims (GSIM), a militant group with reported links to Al-Qaeda. Dubois was still being held hostage at year-end 2022.

Hundreds of civilians were killed in conflict throughout 2022. The Katibat Macina armed group killed some 132 civilians in a two-day period in June during multiple attacks in Bankass district.

Malian military personnel have been known to engage in human rights violations, including extrajudicial killings, forced disappearances, and arbitrary arrests. In March 2022, Malian military forces and members of the Wagner Group allegedly executed 300 civilian men over a five-day period in Moura, a town in central Mali.

Foreign forces have played an important role in supporting the government's fight against violent extremist organizations. After nine years of providing military support in Mali, the French government announced plans to withdraw its troops in February 2022; the last French soldiers left in August. Several other countries announced plans to withdraw their forces from MINUSMA during 2022. The UK cited the presence of the Wagner Group as part of its reason for leaving.

In July, Malian authorities arrested 49 Côte d'Ivoire soldiers upon their arrival in Mali, claiming that they were mercenaries who had entered the country without permission. Ivorian officials condemned the arrests, saying that the soldiers had been sent to take part in MINUSMA. In December, a Malian court sentenced 46 of the soldiers to 20 years in prison for undermining Malian security; the other 3 soldiers, who had been released in September, were issued death sentences in absentia.

Prisons are characterized by overcrowding, insufficient medical care, and a lack of proper food and sanitation.

F4. Do laws, policies, and practices guarantee equal treatment of various segments of the population? 1 / 4

Members of a northern caste known as Black Tamasheqs face societal discrimination, including slavery-like treatment and hereditary servitude. Authorities sometimes deny them official documents or discriminate against them in housing, schooling, and police protection.

Arabs and Tuaregs also face discrimination. In 2020, Arab and Tuareg merchants in Timbuktu reported that they commonly faced blame for criminal and jihadist activity in the region.

Same-sex sexual acts are legal, but LGBT+ people face discrimination, including cases of violence by family members that is meant as a corrective punishment.

Although the constitution nominally guarantees equal rights and prohibits discrimination based on sex, men and women do not have the same legal status, and women are required by law to obey their husbands. Sexual harassment is not prohibited by law and is a common practice in schools and the workplace.

Conditions in northern Mali have left many refugees unable or unwilling to return, as continuing insecurity in the region complicates resettlement. The Office of the UN High Commissioner for Refugees (UNHCR) counted almost 198,000 Malian refugees living in asylum countries and more than 440,000 internally displaced persons (IDPs) as of the end of 2022.

G. PERSONAL AUTONOMY AND INDIVIDUAL RIGHTS: 4 / 16

G1. Do individuals enjoy freedom of movement, including the ability to change their place of residence, employment, or education? 1 / 4

Freedom of movement and choice of residence remain constrained by insecurity, especially in northern and central Mali. At the end of 2022, there were over 440,000 IDPs in Mali.

G2. Are individuals able to exercise the right to own property and establish private businesses without undue interference from state or nonstate actors? 1 / 4

Citizens have the right to own property and engage in private enterprise, but these rights are not consistently respected, and widespread corruption hampers normal business activities. It is generally necessary to pay bribes in order to operate a business.

Traditional customs sometimes undermine the right of women to own property. The law discriminates against women in matters of inheritance.

G3. Do individuals enjoy personal social freedoms, including choice of marriage partner and size of family, protection from domestic violence, and control over appearance? 1 / 4

The law puts women at a disadvantage on personal status issues including marriage and divorce. Rape and domestic violence against women are widespread, and most such crimes go unreported. There are no specific laws prohibiting spousal rape or domestic violence. Female genital mutilation (FGM) is legal and commonly practiced in the country. Same-sex couples cannot form civil unions, marry, or adopt children in Mali.

G4. Do individuals enjoy equality of opportunity and freedom from economic exploitation? 1 / 4

Although trafficking in persons is a criminal offense, prosecutions are infrequent. Many judicial officials remain unaware of the antitrafficking law, and the police lack adequate resources to combat trafficking. Traditional forms of slavery and debt bondage persist, particularly in the north, with thousands of people estimated to be living in such conditions.

The government has taken steps to eliminate child labor, but it is a significant concern. Armed groups regularly recruit and use child soldiers.

Malta

Population: 500,000
Capital: Valletta
Freedom Status: Free
Electoral Democracy: Yes

Overview: Malta is a parliamentary democracy with regular, competitive elections and periodic rotations of power. However, new and smaller political parties encounter difficulties in challenging the dominance of the two main parties, and official corruption is a serious problem. While civil liberties are generally respected, mistreatment of migrant workers and asylum seekers remains a concern.

KEY DEVELOPMENTS IN 2022

- In March, the ruling Labour Party (PL) won its third consecutive parliamentary elections, defeating the rival Nationalist Party (PN). Recent constitutional changes aimed at improving Parliament's gender balance permitted 12 women candidates who were runners up in their races to take seats as lawmakers.
- In October, two brothers pleaded guilty to assassinating journalist Daphne Caruana Galizia in 2017 and were each sentenced to 40 years in prison. A third codefendant had pleaded guilty in 2021. The trial of businessman Yorgen Fenech, the alleged financier of the plot, was still pending at year's end.

POLITICAL RIGHTS: 35 / 40

A. ELECTORAL PROCESS: 12 / 12

A1. Was the current head of government or other chief national authority elected through free and fair elections? 4 / 4

The president is head of state and is elected by Parliament for a five-year term. George Vella of the LP was elected president in 2019, running unopposed. Under constitutional reforms adopted in 2020, future presidents will require the support of two-thirds of Parliament.

The president nominates the prime minister, who must be a member of Parliament and command a parliamentary majority. Robert Abela, the prime minister and LP leader since 2020, secured a new mandate after the March 2022 parliamentary elections.

A2. Were the current national legislative representatives elected through free and fair elections? 4 / 4

Members of the unicameral Parliament are elected for a five-year term through a system of single transferable votes in multimember districts. Maltese elections are generally considered free and fair. In the March 2022 balloting, the governing center-left LP won 44 of 79 seats, leaving the center-right PN with 35. While the elections were the first to include voters as young as 16, overall participation declined compared with 2017.

A3. Are the electoral laws and framework fair, and are they implemented impartially by the relevant election management bodies? 4 / 4

The constitution and the electoral law provide for democratic elections. Members of the independent Electoral Commission (EC) are appointed by the president, on the advice of the prime minister after consulting the leader of the opposition. Successive reforms since 1987 have strengthened the proportionality between votes received and parliamentary seats won by political parties, but the electoral system continues to make it difficult for smaller parties to win enough votes for representation.

B. POLITICAL PLURALISM AND PARTICIPATION: 14 / 16

B1. Do the people have the right to organize in different political parties or other competitive political groupings of their choice, and is the system free of undue obstacles to the rise and fall of these competing parties or groupings? 3 / 4

There are no significant restrictions on political party formation. However, smaller parties struggle to compete against the two established parties, which have superior access to private donations. The European Commission, the Group of States against Corruption (GRECO) at the Council of Europe (CoE), the Organization for Security and Co-operation in Europe (OSCE), the Malta Chamber of Commerce, and the commissioner for standards in public life have all highlighted loopholes in a 2015 Financing of Political Parties Act, whose high thresholds for public disclosure do not ensure a sufficient level of transparency in the funding of political activities by parties and individual candidates.

After the March 2022 elections, the third-ranked Democratic Alternative and Democratic Party (ADPD) alliance filed a constitutional challenge, arguing that its national vote tally should have earned it a seat in Parliament even if it fell short in each of the 13 five-seat districts. The group also asserted that it should have access to additional seats under a new system designed to ensure greater representation for women; the gender adjustments only apply if just two parties win ordinary seats, meaning third parties cannot benefit.

B2. Is there a realistic opportunity for the opposition to increase its support or gain power through elections? 4 / 4

The LP and PN have regularly alternated in government since independence in 1964, establishing a strong pattern of peaceful democratic transfers of power.

B3. Are the people's political choices free from domination by forces that are external to the political sphere, or by political forces that employ extrapolitical means? 3 / 4

Voters are free from undue interference in their political choices. However, powerful economic interests influence the main political parties. In a 2022 report, the Organisation

for Economic Co-operation and Development (OECD) emphasized that nontransparent lobbying is a serious issue in Malta, and that "the perception of undue influence and an opaque relationship between the public and private sectors is significant."

B4. Do various segments of the population (including ethnic, racial, religious, gender, LGBT+, and other relevant groups) have full political rights and electoral opportunities? 4 / 4

Women and members of racial or ethnic minority groups enjoy full political rights and electoral opportunities. The number of women in Parliament more than doubled to 22 after the 2022 elections due to the implementation of a gender-quota system called for in 2021 constitutional amendments. The system awards up to 12 compensatory seats to candidates from the elected parties, but only if "the underrepresented sex" would otherwise hold less than 40 percent of the chamber, and if just two parties were elected.

C. FUNCTIONING OF GOVERNMENT: 9 / 12

C1. Do the freely elected head of government and national legislative representatives determine the policies of the government? 4 / 4

Elected representatives are generally able to make policy without undue interference. Constitutional reforms adopted in 2020 were designed to reinforce the independence of the president and the judiciary, but the CoE has continued to call for stronger institutional checks on the government.

C2. Are safeguards against official corruption strong and effective? 2 / 4

Anticorruption efforts are weak, and senior government officials and businesspeople have been linked to corruption and influence peddling in recent years. The Permanent Commission against Corruption (PCAC), created in 1988, lacks independent prosecutorial authority. The 2020 constitutional reforms empowered it to send its findings to the attorney general for further action. Also under the reforms, legislators—rather than the prime minister—select the PCAC chairperson. Nevertheless, the commission has limited resources and has not shown tangible results.

In January 2022, police searched the residence of former prime minister Joseph Muscat as part of a corruption investigation involving a private company's 2018 deal to operate three state-owned hospitals. Separately during 2022, Yorgen Fenech, a stakeholder in energy firm Electrogas Malta, was awaiting trial for allegedly orchestrating the 2017 murder of Caruana Galizia. The journalist had accused the company of involvement in corruption before her death.

GRECO and its Committee of Experts on the Evaluation of Anti–Money Laundering Measures and the Financing of Terrorism reported in 2021 that Malta was making progress in fighting money laundering, and in June 2022 the Financial Action Task Force, an intergovernmental money laundering watchdog, removed Malta from its "grey list" of countries that are subject to special monitoring.

C3. Does the government operate with openness and transparency? 3 / 4

Malta has a Freedom of Information Act and asset disclosure rules for public officials. However, journalists' information requests are rarely answered. The Shift, an online news outlet, remained locked in a legal battle with the government during 2022 over a series of information requests dating to 2020, despite favorable rulings from the country's data protection commissioner.

Government contracts are often withheld from the public. In 2021, the National Audit Office criticized an opaque 2015 agreement allowing a private company to operate three

public hospitals, which were transferred to a second contractor in 2018 after the first firm collapsed. The auditor noted a lack of documentation, the initial contractor's failure to meet its obligations, and concerns surrounding the company's financial condition, among other issues.

CIVIL LIBERTIES: 54 / 60

D. FREEDOM OF EXPRESSION AND BELIEF: 14 / 16

D1. Are there free and independent media? 3 / 4

The media are generally free and diverse. Residents have full access to international news services and domestic outlets, though state-owned media favor the government. Maltese journalists face harassment and libel accusations. While libel has been decriminalized, it remains a civil offense, and media freedom groups have repeatedly called for stronger legal protections against SLAPP (strategic lawsuit against public participation) cases targeting the media.

In October 2022, two brothers pleaded guilty to assassinating Caruana Galizia in 2017; they were each sentenced to 40 years in prison. A third codefendant had pleaded guilty in 2021.

D2. Are individuals free to practice and express their religious faith or nonbelief in public and private? 4 / 4

The constitution establishes Roman Catholicism as the state religion, but members of religious minorities worship freely, and incitement of religious hatred is banned.

D3. Is there academic freedom, and is the educational system free from extensive political indoctrination? 4 / 4

The education system is generally free from political indoctrination and other constraints on academic freedom.

D4. Are individuals free to express their personal views on political or other sensitive topics without fear of surveillance or retribution? 3 / 4

Individuals are largely free to express their personal views on political or other sensitive topics without fear of surveillance or retribution. However, many Maltese, particularly public employees, fear retribution for criticizing powerful actors. Social media harassment is widespread, especially against journalists. In 2022, lawmakers were considering legislation to punish cyberstalking and cyberbullying, but critics warned that it could be used by political leaders to silence their critics if not properly amended.

E. ASSOCIATIONAL AND ORGANIZATIONAL RIGHTS: 12 / 12

E1. Is there freedom of assembly? 4 / 4

The constitution provides for freedom of assembly, and this right is respected in practice.

E2. Is there freedom for nongovernmental organizations, particularly those that are engaged in human rights– and governance-related work? 4 / 4

Nongovernmental organizations (NGOs), including human rights groups, generally operate without state interference.

E3. Is there freedom for trade unions and similar professional or labor organizations? 4 / 4

The law recognizes the right to form and join trade unions, engage in collective bargaining, and strike. Antiunion discrimination by employers is relatively uncommon.

F. RULE OF LAW: 14 / 16

F1. Is there an independent judiciary? 4 / 4

The judiciary is generally impartial. Judges are appointed by the president on the advice of the prime minister, who in turn receives recommendations from an independent Judicial Appointments Committee (JAC) headed by the chief justice. Under 2020 constitutional reforms, the attorney general is no longer a member of the JAC, and the chief justice is appointed on the basis of a two-thirds majority vote in Parliament.

F2. Does due process prevail in civil and criminal matters? 4 / 4

Police and prosecutors typically observe due process guarantees, including access to defense counsel and protection against arbitrary arrest. However, court cases take far longer to resolve than the median among CoE member states.

F3. Is there protection from the illegitimate use of physical force and freedom from war and insurgencies? 3 / 4

Residents generally enjoy physical security and freedom from unlawful violence. However, some prisoners and detained migrants have been subjected to physical mistreatment, including torture, in recent years. In 2021, the European Union (EU) Agency for Asylum disclosed that it had received reports of such abuse, and the director of Malta's prisons was dismissed amid evidence of ill-treatment and suicides among inmates. An official inquiry into prison conditions was conducted, and the government pledged to adopt its recommended reforms. However, the former prisons director was subsequently appointed as a government envoy in Libya to oversee cooperation on combating illegal migration. In October 2022, his successor in the prisons post was charged with threatening an ambulance driver with a gun.

F4. Do laws, policies, and practices guarantee equal treatment of various segments of the population? 3 / 4

Discrimination based on gender, race, sexual orientation, or religion is prohibited by law, and this ban is generally enforced. Transgender people may express their gender identity on government documents. However, a pay gap persists between men and women, and a survey of public opinion published in February 2022 indicated a high level of racial prejudice in society.

While Malta has committed to comply with international and EU rules on refugees and asylum seekers, NGOs working with such individuals sometimes report police harassment and hostility from far-right groups. Many asylum seekers are held in detention centers under overcrowded and unsanitary conditions. Maltese authorities have also been criticized for resisting the acceptance of migrants rescued at sea, avoiding their own obligation to conduct rescues, and encouraging pushbacks of migrant vessels to North Africa.

G. PERSONAL AUTONOMY AND INDIVIDUAL RIGHTS: 14 / 16

G1. Do individuals enjoy freedom of movement, including the ability to change their place of residence, employment, or education? 4 / 4

Residents enjoy full freedom of movement.

G2. Are individuals able to exercise the right to own property and establish private businesses without undue interference from state or nonstate actors? 4 / 4

There are no significant restrictions on property rights, and the legal framework is supportive of private business activity.

G3. Do individuals enjoy personal social freedoms, including choice of marriage partner and size of family, protection from domestic violence, and control over appearance? 3 / 4

Divorce was legalized in 2011, and subsequent laws have legalized same-sex marriage and adoption by same-sex couples.

Abortion is prohibited, meaning residents must acquire medication online or travel abroad to terminate their pregnancies. Prosecutions for illegal abortions are rare in practice, with three convictions between 2000 and mid-2021. Involuntary abortions resulting from secondary effects when a woman is undergoing medical treatment are not prosecuted. In June 2022, a US citizen on vacation in Malta had to be flown to Spain to terminate a pregnancy that became unviable, prompting the affected woman and her partner to sue the Maltese government. A draft law that would decriminalize abortion was introduced in Parliament in November.

Reports of domestic violence have increased over the past decade. In 2021, the government renewed its strategy to combat gender-based violence and domestic violence.

G4. Do individuals enjoy equality of opportunity and freedom from economic exploitation? 3 / 4

Residents generally enjoy fair access to economic opportunity and protection from labor exploitation, though migrant workers are vulnerable to labor and sex trafficking or conditions that amount to forced labor. Workers from non-EU countries complain of low pay, bureaucratic obstacles, and summary deportation if they lose a job and fail to meet tight deadlines for finding new employment and filing related documentation.

Marshall Islands

Population: 50,000
Capital: Majuro
Freedom Status: Free
Electoral Democracy: Yes

Overview: The Republic of the Marshall Islands (RMI) is a stable democracy with regular, competitive elections, an independent judiciary, and a free press. Civil liberties are generally respected. Persistent problems include corruption, gender discrimination, domestic violence, and human trafficking.

KEY DEVELOPMENTS IN 2022

- Negotiations between the RMI and the United States over the renewal of the Compact of Free Association (CFA)—which allows the US military to operate in the RMI in exchange for defense guarantees and development assistance—continued during the year. However, RMI negotiators called off scheduled talks on revising the CFA in September, claiming the United States was unwilling to meaningfully address its nuclear legacy in the islands.
- In December, two naturalized Marshallese citizens pleaded guilty in a US federal court to conspiring to bribe multiple RMI elected officials between 2016 and 2020. According to court documents released in September, at least five RMI officials allegedly accepted the bribes, which were made in an attempt to secure legislation establishing a special foreign investment zone in the country.

POLITICAL RIGHTS: 38 / 40

A. ELECTORAL PROCESS: 12 / 12

A1. Was the current head of government or other chief national authority elected through free and fair elections? 4 / 4

The president, who is elected by the unicameral legislature from among its members for four-year terms, nominates fellow lawmakers to serve as cabinet ministers, and they are formally appointed by the parliament speaker.

The parliament elected David Kabua, son of the first president of the Marshall Islands, Amata Kabua, to the post in January 2020. He succeeded Hilda Heine, the first woman to be head of state of a Pacific Island country, who lost her coalition after the November 2019 elections.

A2. Were the current national legislative representatives elected through free and fair elections? 4 / 4

The Nitijela, or parliament, consists of 33 members, with 19 seats directly elected in single-member districts and five multimember districts with between 2 and 5 seats. Members serve four-year terms. Elections are officially nonpartisan, and lawmakers are free to form alliances and change party affiliations after taking office.

The November 2019 elections were affected by low turnout.

A3. Are the electoral laws and framework fair, and are they implemented impartially by the relevant election management bodies? 4 / 4

The constitutional and legal framework provides for democratic elections and is implemented impartially.

B. POLITICAL PLURALISM AND PARTICIPATION: 16 / 16

B1. Do the people have the right to organize in different political parties or other competitive political groupings of their choice, and is the system free of undue obstacles to the rise and fall of these competing parties or groupings? 4 / 4

Parliamentary elections are technically nonpartisan, but politicians can organize in groupings that compete freely and do not encounter obstacles from state or nonstate actors. These groups tend to function as loose coalitions among lawmakers, and representatives switching between them is common.

B2. Is there a realistic opportunity for the opposition to increase its support or gain power through elections? 4 / 4

The country has an established record of democratic transfers of power between rival groups. Some governments have been replaced as a result of elections, while others have been toppled by no-confidence votes. The opposition made significant parliamentary gains during the 2019 elections.

B3. Are the people's political choices free from domination by forces that are external to the political sphere, or by political forces that employ extrapolitical means? 4 / 4

There are no significant undue constraints on the political choices of voters or candidates. Traditional chiefs play an influential but gradually waning role in politics.

B4. Do various segments of the population (including ethnic, racial, religious, gender, LGBT+, and other relevant groups) have full political rights and electoral opportunities? 4 / 4

Naturalized citizens were allowed to run as candidates in the 2015 and subsequent elections, after a court ruling found that a 1980 law requiring parliamentary candidates to have at least one Marshallese parent and traditional land rights was unconstitutional.

Women have full political rights, though entrenched gender roles limit their participation to some extent. Hilda Heine was the country's first woman president. Only two women entered the 33-member Nitijela in 2019—Heine and newly elected Kitlang Kabua.

In 2019, the Supreme Court removed a 2016 law that banned absentee voting. However, that law's undoing did not take effect by the November 2019 elections, as the court recognized there was too little time for the government to implement the changes. An estimated 30,000 Marshallese citizens, around a third of the country's citizenry, live in the United States and had a growing influence in the 2011 and 2015 parliamentary and mayoral elections, before the law was set in place.

C. FUNCTIONING OF GOVERNMENT: 10 / 12

C1. Do the freely elected head of government and national legislative representatives determine the policies of the government? 4 / 4

There are no undue restrictions on the elected government's ability to form and implement laws and policies. A body of chieftains from the Ralik and Ratak Island chains, the Council of Iroij, has an advisory role under the constitution. Its 12 members can offer joint opinions and request reconsideration of any bill affecting customary law, traditional practices, land tenure, and related matters. Concerns of Chinese influence persist, despite the RMI's trade deal with Taiwan and deep ties to the United States.

The RMI has close relations with the United States under the 1986 CFA, which allows the US military to operate in the RMI in exchange for defense guarantees and development assistance.

C2. Are safeguards against official corruption strong and effective? 3 / 4

Corruption has been a chronic problem, though auditing bodies and the independent courts are somewhat effective in detecting abuses and holding officials accountable. High-ranking public officials, however, are rarely prosecuted for corruption. Corruption is most prevalent in the allocation of foreign aid, government procurement, and transfers.

The number of fraud cases prosecuted by the auditor general increased in both 2019 and 2020, a possible sign of added effectiveness due to new funding from the World Bank.

In 2020, a three-year review of the government's passport program found numerous internal control and compliance problems. Over 500 passports had been issued to non-Indigenous Marshallese who did not have evidence of legal citizenship. In several instances, passport applications were approved without the required documentation at the instruction of high-ranking officials.

According to an indictment issued in the United States in September 2022, two naturalized Marshallese citizens allegedly paid thousands of dollars in bribes to at least five elected officials in the RMI between 2016 and 2020 in return for their support for the creation of a special foreign investment zone on Rongelap Atoll. A resolution endorsing the concept was passed by the Nitijela in March 2020 with the support of the bribed officials, though no further action had been taken as of year-end 2022. The pair accused of bribery—Cary Yan and Gina Zhou, originally from China—were indicted on several corruption charges in the United States in September 2022 and pleaded guilty to conspiring to bribe RMI officials in December.

C3. Does the government operate with openness and transparency? 3 / 4

There is no strong legal mechanism for obtaining access to government information, but documents can often be obtained through the courts. Auditors have repeatedly found invalid or poorly documented spending practices at government ministries, agencies, and state-owned enterprises.

CIVIL LIBERTIES: 55 / 60

D. FREEDOM OF EXPRESSION AND BELIEF: 16 / 16

D1. Are there free and independent media? 4 / 4

The government generally respects the freedoms of speech and the press. A privately owned newspaper, the *Marshall Islands Journal*, publishes articles in English and Marshallese. Broadcast outlets include both government- and church-owned radio stations, and cable television offers a variety of international news and entertainment programs.

D2. Are individuals free to practice and express their religious faith or nonbelief in public and private? 4 / 4

Religious freedoms are respected in practice. Religious groups are not required to register with the government, but those that register as nonprofits are eligible for tax exemptions.

D3. Is there academic freedom, and is the educational system free from extensive political indoctrination? 4 / 4

There are no significant restrictions on academic freedom.

D4. Are individuals free to express their personal views on political or other sensitive topics without fear of surveillance or retribution? 4 / 4

Citizens are generally free to discuss their political opinions, and there are no reports of improper government surveillance.

E. ASSOCIATIONAL AND ORGANIZATIONAL RIGHTS: 11 / 12

E1. Is there freedom of assembly? 4 / 4

The government upholds constitutional guarantees of freedom of assembly. Protests in recent years have addressed issues including climate change, women's rights, and the legacy of US nuclear weapons tests in the country.

E2. Is there freedom for nongovernmental organizations, particularly those that are engaged in human rights– and governance-related work? 4 / 4

Civil society groups, many of which are sponsored by or affiliated with church organizations and provide social services, operate freely.

E3. Is there freedom for trade unions and similar professional or labor organizations? 3 / 4

Constitutional and legal provisions that protect freedom of association also apply to trade unions. However, there are no laws regulating the right to strike, and few employers are large enough to support union activity among their workers.

F. RULE OF LAW: 15 / 16

F1. Is there an independent judiciary? 4 / 4

The constitution provides for an independent judiciary, and the judiciary generally operates without political interference. Judges are appointed by the cabinet on the recommendation of the Judicial Service Commission, and the legislature confirms the appointments.

High Court and Supreme Court judges can only be removed by a two-thirds vote in the Nitijela, for clear failure or inability to perform their duties or for serious crimes or abuses.

F2. Does due process prevail in civil and criminal matters? 4 / 4

The authorities generally observe legal safeguards against arbitrary arrest and detention. The state provides lawyers for indigent defendants, and due process standards for trials are upheld.

F3. Is there protection from the illegitimate use of physical force and freedom from war and insurgencies? 4 / 4

Violent street crime and other such threats to physical security are relatively rare, though conditions in the country's few prison and jail facilities are sometimes overcrowded or otherwise below international standards.

Dangerous radiation levels on various atolls of the RMI—with levels similar to those observed after the 1945 atomic bombing of Hiroshima and the 2011 Fukushima nuclear accident—were caused and hidden by the US military but have been reported on in recent years. From the 1940s through the 1950s, the US military displaced Marshallese living on various atolls, detonated 67 nuclear bombs, destroyed entire islands, and dumped 130 tons of irradiated soil from Nevada into Runit Dome on the atoll Enewetak. Further, the US government withheld key information about the contents of Runit Dome and falsely claimed it would be safe for the Marshallese to return before the 1986 CFA was signed. An international tribunal created by the RMI and United States in 1988 acknowledged $2.3 billion in claims to be paid by the US government; only $4 million had been paid out by 2010.

In 2019, then president Heine called on the US government to pay to repair Runit Dome, which was found to be leaking, further endangering the nearby population. In 2020, the United States declared that Runit Dome was safe, despite RMI–provided evidence to the contrary. The RMI's Nuclear Commission claimed that the US report contained no new analysis and ignored evidence and information from local communities. In 2021, members of a US House of Representatives subcommittee criticized the Biden administration, saying that its stance on Runit Dome was affecting CFA renewal negotiations. In September 2022, RMI negotiators called off scheduled talks on revising the CFA, saying that the US government was unwilling to meaningfully address the country's nuclear legacy.

F4. Do laws, policies, and practices guarantee equal treatment of various segments of the population? 3 / 4

Women generally enjoy equal treatment under the law, but there is no explicit ban on discrimination in employment, and women face disadvantages in the workplace in practice. While same-sex sexual activity was decriminalized in 2005, discrimination based on sexual orientation and gender identity is not prohibited by law.

G. PERSONAL AUTONOMY AND INDIVIDUAL RIGHTS: 13 / 16

G1. Do individuals enjoy freedom of movement, including the ability to change their place of residence, employment, or education? 4 / 4

Freedom of movement is generally respected. Marshallese citizens have the right to live and work in the United States and to travel there without a visa. In recent years, sea level rise due to climate change has become a more prominent impetus for Marshallese citizens to move to the United States, in a trend known as voluntary out-migration.

The RMI government lifted a "state of health disaster"—imposed in 2019 during an outbreak of dengue fever, and extended due to the coronavirus pandemic—in September 2022, opening the country to normal travel.

G2. Are individuals able to exercise the right to own property and establish private businesses without undue interference from state or nonstate actors? 3 / 4

Individuals have the rights to own property and establish private businesses, and these rights are largely observed in practice. Land ownership is, however, subject to complex local ownership rules and norms.

G3. Do individuals enjoy personal social freedoms, including choice of marriage partner and size of family, protection from domestic violence, and control over appearance? 3 / 4

Personal social freedoms are mostly upheld. However, the minimum age for marriage is 16 for women and 18 for men; about a quarter of women aged 20–24 were married by age 18. While domestic violence remains widespread, reporting of the problem has increased in recent years, possibly due to improved processes for obtaining orders of protection.

G4. Do individuals enjoy equality of opportunity and freedom from economic exploitation? 3 / 4

The government enforces a minimum wage law, though it does not apply to the informal sector. Some local and East Asian women are subjected to forced prostitution in a trade that depends on visiting freight or fishing vessels. The RMI was upgraded to Tier 2 in the US State Department's 2022 *Trafficking in Persons Report* due to the RMI government's significant and increasing efforts to improve its response to trafficking crimes in the country.

Mauritania

Population: 4,700,000
Capital: Nouakchott
Freedom Status: Partly Free
Electoral Democracy: No

Overview: Mauritania has experienced decades of military rule but recent presidential and parliamentary elections have been relatively credible. A variety of media outlets operate, but journalists risk arrest for reporting on sensitive topics and many self-censor. Black Mauritanians, the Haratin population, women, and LGBT+ people face discrimination. The government has taken steps to address the problem of institutionalized slavery and discrimination but has also arrested activists motivated by those issues.

KEY DEVELOPMENTS IN 2022

- In July, the government passed a law that expanded the use of Arabic in primary schools, mandated Arabic classes for students who speak other languages, and obliged parents to enroll first-grade children in public schools. Parents criticized the policy as discriminatory for imposing the use of Arabic.
- In December, the case of former president Mohamed Ould Abdel Aziz, who was accused of corruption in 2021, was formally transferred to an anticorruption court. In June, the Senalioune news outlet had reported that he may have accumulated $90 million in cash along with significant land holdings through corruption.

POLITICAL RIGHTS: 14 / 40

A. ELECTORAL PROCESS: 6 / 12

A1. Was the current head of government or other chief national authority elected through free and fair elections? 2 / 4

The president is chief of state and is directly elected to up to two five-year terms. In June 2019, Mauritanians elected Mohamed Ould Ghazouani to succeed term-limited Ould Abdel Aziz. Ould Ghazouani of the Insaf (Equity) party, then known as the Union for the Republic, won 52 percent of the vote in the first round. Antislavery activist Biram Dah Abeid won 19 percent. Mohamed Ould Boubacar, the Islamist party Tawassoul's candidate, won 18 percent. The election represented Mauritania's first-ever peaceful transfer of executive power, signaling a departure from a history of military coups.

The authorities dismissed opposition claims of electoral misconduct and fraud. Local and international observers noted irregularities but praised the poll's peaceful conduct and found it generally satisfactory.

The prime minister is head of government and is appointed by the president. President Ould Ghazouani named Mohamed Ould Bilal, a longtime public official, premier in August 2020. Ould Bilal's predecessor resigned after he was implicated in a corruption case.

A2. Were the current national legislative representatives elected through free and fair elections? 2 / 4

The 157-seat National Assembly is the country's sole legislative body; the Senate was dissolved under constitutional reforms adopted in 2017. Members are directly elected to five-year terms in a mixed system of direct and plurality voting; four members are directly elected by the diaspora.

Ninety-eight political parties participated in the September 2018 National Assembly elections, including members of the opposition National Front for the Defense of Democracy, a coalition that boycotted previous elections. Insaf won 89 seats, while Tawassoul, the largest opposition party, won 14.

A coalition of opposition groups called the elections fraudulent, but most Mauritanian politicians as well as African Union (AU) observers deemed them credible. AU observers said "imperfections" in the process did not appear to have affected the polls' credibility.

A3. Are the electoral laws and framework fair, and are they implemented impartially by the relevant election management bodies? 2 / 4

The opposition has considered the Independent National Electoral Commission (CENI) biased in favor of the government, but the commission selected in October 2022 is reportedly more balanced. In September, ruling and opposition parties agreed on a proposition made by the Ministry of Interior and Decentralization related to the organization of upcoming parliamentary, municipal, and regional elections. In December, CENI announced that the polls will be held in May 2023.

B. POLITICAL PLURALISM AND PARTICIPATION: 4 / 16

B1. Do the people have the right to organize in different political parties or other competitive political groupings of their choice, and is the system free of undue obstacles to the rise and fall of these competing parties or groupings? 2 / 4

Several obstacles prevent parties from successfully mobilizing their bases. A 2018 decree commanded the government to dissolve all political parties unable to gain at least 1 percent of votes in two consecutive district elections. In March 2019, 76 parties were disbanded under the decree. Insaf often co-opts leaders of smaller parties.

The environment for opposition figures has improved under Ould Ghazouani, who has met with opposition leaders and civil society activists. In April 2022, the government launched a political dialogue, though a group of parliamentarians criticized it as insufficient.

B2. Is there a realistic opportunity for the opposition to increase its support or gain power through elections? 1 / 4

While opposition candidates can attract significant popular support, opposition parties lack an institutional base. Some are formed by splinter factions of Insaf that later rejoin it, sometimes because of active co-optation. Opposition leaders may face repression for criticizing government policies.

B3. Are the people's political choices free from domination by forces that are external to the political sphere, or by political forces that employ extrapolitical means? 1 / 4

The political choices of Mauritanians are greatly influenced by the military. Mauritania has either been under military rule or led by a military leader with little interruption since 1978, though elections in the late 2010s were generally considered credible and the military's overt involvement in politics has recently lessened. President Ould Ghazouani is a former defense minister and general, though he was elected in a competitive and democratic poll. The influence of religious leaders has grown stronger as the military's has declined.

B4. Do various segments of the population (including ethnic, racial, religious, gender, LGBT+, and other relevant groups) have full political rights and electoral opportunities? 0 / 4

The Bidhan ethnic group dominates government. Black Mauritanians and the Haratin ethnic groups are underrepresented in elected positions and in high-level government posts. Discrimination hinders the ability of these groups to gain power. Thousands of Black Mauritanians who were forced out of their villages by the military in 1989 have been allowed to return, but face difficulties when trying to enroll in the census and register to vote. Civil society activists have denounced the increasing importance of tribal affiliation in government appointments.

Women participate in politics at lower levels than men, largely due to cultural norms, and women's interests are poorly represented in national politics. Women held 31 National Assembly seats as of the end of 2022. In May, Tawassoul expelled parliamentarian Saadani Mint Khaytour after she criticized its positions on women's rights and slavery.

C. FUNCTIONING OF GOVERNMENT: 4 / 12

C1. Do the freely elected head of government and national legislative representatives determine the policies of the government? 1 / 4

The executive dominates the legislative branch. The president has the power to dissolve the National Assembly, but lawmakers cannot impeach the president. The military still maintains significant influence on policymaking.

C2. Are safeguards against official corruption strong and effective? 2 / 4

Corruption is widespread. Numerous laws address corruption, money laundering, and terrorist financing, but they are not effectively enforced. Public contracts are typically awarded in exchange for bribes or on the basis of patronage. Bribes are often necessary for ordinary government processes like obtaining licenses and permits.

While the Ould Ghazouani government has publicly expressed its desire to combat corruption, critics claimed it has used anticorruption efforts to target political opponents. In April 2022, Prime Minister Ould Bilal vowed to complete a new anticorruption strategy and professionalize auditing bodies.

In 2021, former president Ould Abdel Aziz was charged with corruption, money laundering, and misappropriation of public funds; he was bailed in January 2022 for medical reasons. His passports were due to be returned in September as he prepared to travel abroad for medical care. In June, the Senalioune news outlet reported that Ould Abdel Aziz may have accumulated $90 million in cash along with significant land holdings through corruption. In December, his case was formally referred to an anticorruption court.

C3. Does the government operate with openness and transparency? 1 / 4

The government does not operate with transparency, particularly in granting mining and fishing licenses, land distribution, government contracts, and tax payments.

CIVIL LIBERTIES: 22 / 60 (+1)

D. FREEDOM OF EXPRESSION AND BELIEF: 9 / 16

D1. Are there free and independent media? 2 / 4

Mauritania has a vibrant media landscape, with several privately owned newspapers, television stations, and radio stations in operation. However, journalists who cover sensitive topics or scrutinize the political elite may face harassment, wiretapping, and occasional arrest. Several repressive laws remain on the books, including those criminalizing defamation, the dissemination of "false" information, cybercrime, and blasphemy. Authorities have routinely arrested journalists for publishing critical content in the past.

D2. Are individuals free to practice and express their religious faith or nonbelief in public and private? 2 / 4

Mauritania is an Islamic republic. Non-Muslims cannot proselytize or become citizens, and those who convert from Islam to another religion lose their citizenship. However, non-Muslim communities do not face targeted persecution.

Though no one has been executed for apostasy, it is punishable by death. In 2018, the parliament passed a law strengthening capital punishment for certain blasphemy offenses and removing the possibility of repentance to avoid a death sentence.

D3. Is there academic freedom, and is the educational system free from extensive political indoctrination? 3 / 4

Academic freedom is largely respected. A 2018 rule prohibiting high school graduates aged 25 and above to register in public universities was suspended in 2019, after police violently dispersed a protest against the policy. Student activists sometimes face pressure from university administrators, including threats of expulsion and intimidation.

The increasing use of Arabic as the language of instruction in universities has hindered access to education for Black Mauritanians, who mainly speak other languages. In July 2022, the government passed a law expanding the use of Arabic in primary schools and mandating classes on that language for speakers of other languages. Mauritanians were also obliged to enroll their first-grade children in public schools for the 2022–23 academic year. Parents criticized the policy as discriminatory for imposing the use of Arabic. In December, authorities announced the creation of an institute for the promotion of local languages.

D4. Are individuals free to express their personal views on political or other sensitive topics without fear of surveillance or retribution? 2 / 4

In 2021, the parliament passed a law prohibiting "attacks on the authority of the state and the honor of the citizen" through behavior that is deemed to attack national unity,

including via personal communications. Individuals have faced reprisals for expressing views critical of the government on social media, including termination of employment from government agencies.

In 2020, the parliament approved legislation punishing offenses including the dissemination of purportedly false news and the creation of false identities online. Offenders can receive prison sentences of up to five years and fines ranging from 50,000 to 200,000 ouguiya ($1,400 to $5,400).

E. ASSOCIATIONAL AND ORGANIZATIONAL RIGHTS: 5 / 12 (+1)

E1. Is there freedom of assembly? 2 / 4 (+1)

While the constitution guarantees freedom of assembly, organizers are required to obtain official consent for large gatherings, which is often denied. Government-sponsored protests often occur without incident while opposition and civil society demonstrations are often met with police repression. In October 2022, for example, a protest over the government's educational reforms was dispersed by the police. However, protests have become less violent in recent years.

Score Change: The score improved from 1 to 2 because protests in Mauritania have become less violent in recent years.

E2. Is there freedom for nongovernmental organizations, particularly those that are engaged in human rights– and governance-related work? 1 / 4

Nongovernmental organizations (NGOs), particularly antislavery organizations, frequently encounter intimidation, violence, and repression in carrying out their activities. The Initiative for the Resurgence of the Abolitionist Movement in Mauritania (IRA Mauritania), for example, had been denied permission to register as an NGO since its 2008 formation.

In 2021, the parliament passed a new law to replace the Law of Associations of 1964, considerably easing the process to create and register an organization. IRA Mauritania was recognized as a human rights organization that year. The Interior Ministry can still temporarily suspend associations without notice, however. Also in 2021, the government announced the creation of an online platform for registering associations.

The Alliance for the Refoundation of the Mauritanian State, which opposes the country's caste system, has faced government scrutiny, with authorities disrupting meetings and arresting members in recent years.

E3. Is there freedom for trade unions and similar professional or labor organizations? 2 / 4

Workers have the legal right to unionize, but unions require approval from the public prosecutor to operate and often face hostility from employers. The right to collective bargaining is not always respected, and the government sometimes pressures union members to withdraw their membership. The right to strike is limited by notice requirements and other onerous regulations.

F. RULE OF LAW: 4 / 16

F1. Is there an independent judiciary? 1 / 4

Mauritania's judiciary lacks independence. The president has the power to unilaterally appoint many key judges, including three of the six judges on the Constitutional Court and the chair of the Supreme Court. The courts are subject to political pressure from the executive branch. Instances of judges facing retaliatory measures for issuing rulings against the government have been reported.

F2. Does due process prevail in civil and criminal matters? 1 / 4

Due process rights are often not respected in practice. Suspects are frequently arrested without being informed of the charges against them. Lengthy pretrial detentions are common. Arbitrary arrests of opposition politicians, journalists, and human rights activists occur with some frequency.

F3. Is there protection from the illegitimate use of physical force and freedom from war and insurgencies? 1 / 4

Torture and abuse occur in prisons and detention centers, and perpetrators are rarely held accountable. Prisons are plagued by violence, are overcrowded, and lack basic sanitation; food shortages are also common. Children are sometimes held with the adult prison population. Police frequently beat suspects following their arrest.

F4. Do laws, policies, and practices guarantee equal treatment of various segments of the population? 1 / 4

Same-sex sexual activity is illegal in Mauritania and punishable by death for men. LGBT+ individuals generally hide their sexual orientation or gender identity due to severe persecution. Racial and ethnic discrimination remains a serious problem.

Sharia law as applied in Mauritania discriminates against women. The testimony of two women is equal to that of one man. Female victims of crime are entitled to only half the financial compensation that male victims receive.

G. PERSONAL AUTONOMY AND INDIVIDUAL RIGHTS: 4 / 16

G1. Do individuals enjoy freedom of movement, including the ability to change their place of residence, employment, or education? 1 / 4

While the Bidhan population is relatively free to make personal decisions about residence, employment, and education, the choices of Black Mauritanians and the Haratin are often constrained by racial and caste-based discrimination. People without government identity cards are not allowed to travel in some regions, which disproportionately affects Black Mauritanians.

G2. Are individuals able to exercise the right to own property and establish private businesses without undue interference from state or nonstate actors? 2 / 4

Legally guaranteed property rights are not always enforced in practice, as it can be difficult to get property disputes fairly adjudicated in court. Complex laws and an opaque bureaucracy present challenges to starting a business.

Many Black Mauritanians who left their homes in the Senegal River Valley in the wake of the 1989 conflict have been unable to regain ownership of their land since returning. Local authorities reportedly allow Bidhan to appropriate land used by Haratin and Black Mauritanians. Residents of some southern villages have pushed back against what they consider unlawful expropriation of their land by the government and powerful investors.

G3. Do individuals enjoy personal social freedoms, including choice of marriage partner and size of family, protection from domestic violence, and control over appearance? 1 / 4

According to 2022 data from the UN Children's Fund, as many as 40 percent of Mauritanian women were married as children. Female genital mutilation is illegal, but the law is rarely enforced and the practice remains common. Domestic violence and rape remain problems, victims rarely seek legal redress, and convictions for these crimes are

rare. Laws banning adultery and morality offenses discourage sexual assault survivors from reporting incidents to police.

G4. Do individuals enjoy equality of opportunity and freedom from economic exploitation? 0 / 4

Despite 2015 amendments to the antislavery law, slavery and similar practices remain a challenge, with many former slaves still reliant on their former owners due to racial discrimination, poverty, and other socioeconomic factors. The government has cracked down on NGOs that push for greater enforcement of the law and rarely prosecutes perpetrators, though two slave owners received prison terms in 2020. In November 2022, the National Human Rights Commission announced the establishment of a hotline to report cases of slavery.

Mauritius

Population: 1,300,000
Capital: Port Louis
Freedom Status: Free
Electoral Democracy: Yes

Overview: Mauritius is home to an open, multiparty system that has allowed for the regular handover of power between parties through elections. Civil liberties have historically been upheld, but political leadership remains dominated by a few families and ethnic divisions are increasingly prominent in politics. Corruption is a problem, electoral reforms encouraged by the African Union have not been enacted, and court challenges to electoral results have increased. Journalists report limitations on their work and occasional harassment, integration of women into the political system has been slow, and LGBT+ people face threats and discrimination.

KEY DEVELOPMENTS IN 2022

- In April 2022 Prime Minister Pravind Jugnauth postponed municipal elections, scheduling them for June 2023. Jugnauth cited COVID-19-related concerns, even as most other COVID-19 restrictions were being eased. The elections were originally scheduled for June 2021.
- Mauritius Telecom chief executive Sherry Singh, a longtime ally of Prime Minister Jugnauth, resigned in June, accusing Jugnauth of asking him to allow a third party to install equipment to monitor internet traffic in violation of the Information and Communication Technologies (ICT) Act. Ashok Radhakissoon, the former president of the Information and Communication Technologies Authority (ICTA), expressed concerns about illegal data collection at a cable station.
- In February, Mauritius announced that it was claiming sovereignty over the Chagos Archipelago and called for the return of Chagossian refugees to the islands. Britain initially refuted Mauritius's claim, but in November the British Foreign Secretary stated that he expected the two countries would reach an agreement in early 2023. The UN General Assembly and the International Criminal Court had both backed the Mauritian claim in 2019.

POLITICAL RIGHTS: 36 / 40 (−1)

A. ELECTORAL PROCESS: 11 / 12 (−1)

A1. Was the current head of government or other chief national authority elected through free and fair elections? 4 / 4

The president, whose role is mostly ceremonial, is elected by the unicameral National Assembly to a five-year term. Pritivirajsing Roopun, a lawmaker from the Militant Socialist Movement (MSM), was elected president in December 2019, following the previous month's parliamentary elections.

Executive power resides with the prime minister, who is appointed by the president from the party or coalition with the most seats in the legislature. Pravind Jugnauth of the MSM, who succeeded his father as prime minister when the latter stepped down in 2017, continued to serve in the role after MSM's success in the 2019 elections. The Mauritian Supreme Court considered the electoral results generally credible, but continued to hear challenges to results throughout 2022, with mixed outcomes. In its 2019 election observer report, the African Union concluded that elections "were peacefully and professionally conducted," but listed recommendations including reforming political party and candidate finance law, enacting laws designed to increase the number of woman candidates, increasing the participation of civil society in elections, and updating procedures for ballot counting. As of 2022 these changes have not been instituted.

The MSM government indefinitely suspended municipal elections scheduled for June 2021 through the Local Government (Amendment) Act 2021. In April 2022, Prime Minister Pravind Jugnauth postponed municipal elections again, this time until June 2023. Jugnauth cited COVID-19 health concerns, despite the simultaneous easing of most COVID-19 restrictions.

A2. Were the current national legislative representatives elected through free and fair elections? 4 / 4

Of the National Assembly's 70 members, 62 are directly elected in 21 constituencies. The MSM's Morisian Alliance won 42 seats in the November 2019 National Assembly elections. In its January 2022 report, Afrobarometer reported that 59 percent of Mauritians said that the last elections were free and fair but had problems, including 44 percent who felt that votes were not accurately counted or not fairly reflected in the results.

Rodrigues, an autonomous territory of Mauritius, held elections in March 2022. The Rodrigues People's Organisation (OPR) party was unseated in favor of an "Alliances of Alliances" coalition. Some commentators viewed the election as a shift towards coalition politics and more fragmented political parties.

A3. Are the electoral laws and framework fair, and are they implemented impartially by the relevant election management bodies? 3 / 4

The Electoral Supervisory Commission is broadly viewed as impartially supervising the electoral process. There is no law on the financing of electoral campaigns. As of 2022, long-running discussions on electoral reform and party financing laws have not led to concrete action.

B. POLITICAL PLURALISM AND PARTICIPATION: 15 / 16

B1. Do the people have the right to organize in different political parties or other competitive political groupings of their choice, and is the system free of undue obstacles to the rise and fall of these competing parties or groupings? 4 / 4

Political parties are generally free to form and operate.

B2. Is there a realistic opportunity for the opposition to increase its support or gain power through elections? 3 / 4

Since independence, political power has peacefully rotated among the three largest parties—the Mauritian Labor Party (PTR), the Mauritian Militant Movement (MMM), and the MSM. The MSM has been in power since 2014, when it defeated the PTR.

In April 2022 Prime Minister Pravind Jugnauth postponed municipal elections originally scheduled for June 2021 to June 2023. As a result, the MSM maintained power in local government without a mandate. The postponement led to protests and criticism from across the political spectrum.

As of 2022, opposition leadership has struggled to create a broadly supported platform or present a political alternative to the MSM, leading to concerns about the capacity of the opposition to organize ahead of the 2024 elections. According to Afrobarometer, neither the ruling MSM nor opposition parties are trusted by a majority of the population.

Score Change: The score declined from 4 to 3 because the postponement of municipal elections for the second consecutive year, ostensibly due to public health concerns, limited the ability of the opposition to compete for power at the local level.

B3. Are the people's political choices free from domination by forces that are external to the political sphere, or by political forces that employ extrapolitical means? 4 / 4

Voters and candidates are generally able to express their political choices without pressure from actors external to the political sphere. However, there is no law regulating the financing of electoral campaigns. The Jugnauth and Ramgoolam families have long-running holds on political leadership positions, which may influence intraparty politics.

B4. Do various segments of the population (including ethnic, racial, religious, gender, LGBT+, and other relevant groups) have full political rights and electoral opportunities? 3 / 4

The government officially recognizes four distinct communities: Hindus, Muslims, Sino-Mauritians, and the general population, which includes Mauritian Creoles, Franco-Mauritians, and people of African descent. Ethnic minority groups such as Rodriguais and Chagossians are considered Creole.

Women are underrepresented in politics, and only one in five legislators are women. A prohibition on same-sex sexual activity is seen as encouraging discrimination against the LGBT+ community. However, in 2022, plaintiffs challenged the law's constitutionality in several court cases.

C. FUNCTIONING OF GOVERNMENT: 10 / 12

C1. Do the freely elected head of government and national legislative representatives determine the policies of the government? 4 / 4

Elected representatives are duly seated, and the government has been able to make policy without interference or major political disruptions.

C2. Are safeguards against official corruption strong and effective? 3 / 4

The Prevention of Corruption Act of 2002 covers most dishonest, fraudulent, and abusive governance practices but is inconsistently applied. Prime Minister Jugnauth has repeatedly come under scrutiny. In June 2022, Mauritius Telecom CEO Sherry Singh, a longtime ally of Jugnauth, resigned, accusing Jugnauth of asking him to allow a third party to install equipment to monitor internet traffic. Transparency Mauritius, an organization associated with Transparency International, condemned Jugnauth for refusing to allow an independent

investigation into allegations against him. This fueled concerns in civil society about a slide towards autocracy while renewing accusations of corruption. A significant minority of international business leaders see corruption as pervasive throughout Mauritius's government and police. According to Afrobarometer polling, nearly all Mauritians believe corruption is pervasive and involves the prime minister, members of parliament, civil servants, municipal leaders, police, and judges.

There is no legislation that provides legal protection for whistleblowers.

C3. Does the government operate with openness and transparency? 3 / 4

The government openly debates the country's budget in the National Assembly, publishes it and other legislation online and in the press, and maintains a National Open Data Portal.

The Mauritian government is routinely criticized by both domestic and international analysts for not being meritocratic. International organizations, including the International Monetary Fund, World Bank, and Transparency International, continued to raise concerns about fiscal transparency in 2022, particularly the impact it has on government services and marginalized communities.

CIVIL LIBERTIES: 50 / 60

D. FREEDOM OF EXPRESSION AND BELIEF: 14 / 16

D1. Are there free and independent media? 3 / 4

The constitution guarantees freedom of expression. Several private daily and weekly publications report on the ruling and opposition parties, but the state-owned Mauritius Broadcasting Corporation's radio and television services generally reflect government viewpoints. The media regulatory agency is within the executive branch and lacks independence. Its sanctions disproportionately target opposition media. Under 2018 revisions to the Information and Communication Technologies (ICT) Act, journalists can face prison sentences for content that causes "inconvenience, distress, or anxiety."

D2. Are individuals free to practice and express their religious faith or nonbelief in public and private? 4 / 4

Religious freedom is generally upheld. The government grants subsidies to Hindu, Roman Catholic, Muslim, Anglican, Presbyterian, and Seventh-day Adventist communities, but not to smaller groups, though all religious groups may apply for tax-exempt status. Tensions between Muslim and Hindu communities continue to be reported.

D3. Is there academic freedom, and is the educational system free from extensive political indoctrination? 4 / 4

Academic freedom is generally upheld.

D4. Are individuals free to express their personal views on political or other sensitive topics without fear of surveillance or retribution? 3 / 4

Private discussion is generally unrestricted. However, 2018 amendments to the ICTA made the online publication of material deemed false, harmful, or illegal punishable by up to 10 years in prison. Proposed amendments to the ICT Act were released in April 2021 would have created government proxy servers through which all encrypted social media traffic must pass, be decrypted, and be stored and a National Digital Ethics Committee (NDEC) in the executive branch to review social media posts and refer individuals for arrest without judicial review. While not enacted, regular concerns were raised in civil society throughout 2022 about de facto government surveillance, threat, and limitation on personal expression.

The chief executive of Mauritius Telecom resigned in July 2022 after accusing the prime minister of violating the ICT by pushing for third-party tracking. The same month, Ashok Radhakissoon, the former president of the ICTA, expressed concerns about the use of the Baie-Jacotet cable station to illegally capture data.

E. ASSOCIATIONAL AND ORGANIZATIONAL RIGHTS: 11 / 12

E1. Is there freedom of assembly? 4 / 4

Freedom of assembly is usually upheld. The government was accused of overreach during the COVID-19 pandemic, but there were no restrictions on peaceful assembly in 2022.

E2. Is there freedom for nongovernmental organizations, particularly those that are engaged in human rights– and governance-related work? 4 / 4

Civil society groups operate freely. However, many are reliant upon government funding that could compromise their independence.

E3. Is there freedom for trade unions and similar professional or labor organizations? 3 / 4

More than 300 unions regularly meet with government leaders, protest, and advocate for improved compensation and workers' rights. However, the COVID-19 Act, passed in May 2020, has been criticized for limiting workers' rights, including through reductions of additional pay for night-workers and overtime, annual days of leave, and other protections in the Workers' Rights Act (WRA) of 2019. Despite the removal of the last COVID-19 restrictions in July 2022, the COVID-19 Act's limitations on workers' rights remain in place.

F. RULE OF LAW: 13 / 16

F1. Is there an independent judiciary? 3 / 4

The generally independent judiciary administers a legal system that combines French and British traditions. However, judicial independence has been questioned in some cases involving politicians.

Mauritius has maintained the right of appeal to the Privy Council in London.

F2. Does due process prevail in civil and criminal matters? 4 / 4

Constitutional guarantees of due process are generally upheld. However, Mauritian criminal law allows police to charge suspects provisionally and then hold them for months until a formal charge is issued. Due to court backlogs, many of those being held in prison are in pretrial detention, and some detainees reportedly wait years before facing trial.

F3. Is there protection from the illegitimate use of physical force and freedom from war and insurgencies? 3 / 4

Mauritius is free from war and insurgencies. In 2016, the Independent Police Complaints Commission (IPCC) was formed to manage complaints. However, allegations of abuse by police continue.

F4. Do laws, policies, and practices guarantee equal treatment of various segments of the population? 3 / 4

Though the law and the Equal Opportunities Commission (EOC) do not allow for discrimination in the workforce, some citizens view economic leadership as closed to ethnic minority groups. Chagossians and other ethnic minorities form an underclass, while Hindu Mauritians are more privileged, albeit within a differentiated ethnic structure with remnants

of a caste system. Mauritius fervently maintains its claim to the Chagos Archipelago, but Chagossian people claim they suffer from a system of colonial exploitation.

In a 2022 study, the World Bank found that Mauritian women and girls continue to face gender-based violence, gender gaps, and disadvantageous social norms. There is a 26 percent gender gap in workforce participation, and women generally earn less money than men for equal work.

LGBT+ people face discrimination and the risk of targeted violence. While rarely invoked, laws that criminalize same-sex relations remain on the books.

G. PERSONAL AUTONOMY AND INDIVIDUAL RIGHTS: 12 / 16

G1. Do individuals enjoy freedom of movement, including the ability to change their place of residence, employment, or education? 4 / 4

Citizens are generally allowed to move freely within Mauritius, but there are restrictions on travel to the Chagos Archipelago. Mauritians are free to change their place of residence, employment, and education.

G2. Are individuals able to exercise the right to own property and establish private businesses without undue interference from state or nonstate actors? 3 / 4

Mauritius is considered among the most business-friendly countries in Africa. However, the Non-Citizen Property Restriction Act limits most noncitizens from owning or acquiring property. Corruption can hamper business activity.

G3. Do individuals enjoy personal social freedoms, including choice of marriage partner and size of family, protection from domestic violence, and control over appearance? 3 / 4

The government generally does not limit social freedoms, though same-sex relations are punishable by five years in prison. Rape is against the law, but spousal rape is not specifically criminalized. Domestic violence is illegal but remains a significant concern.

In June 2021, Mauritius added provisions to the Quarantine Act requiring all citizens be vaccinated with at least one dose of a COVID-19 vaccine. Penalties for violating the requirement include up to a five-year jail term.

G4. Do individuals enjoy equality of opportunity and freedom from economic exploitation? 2 / 4

Women and children are vulnerable to sex trafficking. In its 2022 Human Trafficking Report, the US Department of State noted a continued absence of standard operating procedures for victim identification, a lack of victim-centered approaches, lenient sentences from courts, weak deterrence, a lack of investigation of traffickers exploiting individuals for forced labor, and a lack of identification of victims of forced labor.

The position of migrant workers in the manufacturing and construction sectors can be precarious. Mauritian labor rights advocacy organizations have claimed that the government rollback of labor protection laws in response to COVID-19 led to more exploitation of migrant workers, and these laws have yet to be restored.

While Mauritius enjoys a comparatively high, and growing, gross domestic product, inequality soared during the pandemic. The World Bank has warned that failing to implement growth strategies that prioritize the poor will contribute to a significant widening of inequality through 2030. With global factors driving high inflation in 2022, particularly on food and oil prices, there are pervasive concerns that widening inequality will lead to greater economic exploitation of individuals already at the margins.

Mexico

Population: 127,500,000
Capital: Mexico City
Freedom Status: Partly Free
Electoral Democracy: Yes

Overview: Mexico has been an electoral democracy since 2000, and alternation in power between parties is routine at both the federal and state levels. However, the country suffers from severe rule of law deficits that limit full citizen enjoyment of political rights and civil liberties. Violence perpetrated by organized criminals, corruption among government officials, human rights abuses by both state and nonstate actors, and rampant impunity are among the most visible of Mexico's many governance challenges.

KEY DEVELOPMENTS IN 2022

- In September, Congress approved reforms transferring control of the National Guard to the Ministry of Defense, removing civilian control of the force despite the fact that it was legally required to undergo a process of civilianization. Rights groups and opposition figures criticized the reforms, saying that they gave too much power to the military; a constitutional challenge of the reforms was brought before the Supreme Court (SCJN), but a ruling on the matter had not been issued as of year's end.
- The country's first-ever presidential recall referendum was held in April as planned by incumbent president Andrés Manuel López Obrador; the polls garnered a turnout of roughly 17 percent, and saw López Obrador win approximately 90 percent of the vote. Opposition leaders discouraged their supporters from participating in the referendum, which they condemned as a propaganda exercise.
- At least 15 journalists were killed in Mexico during the year, making it the deadliest year on record for journalists in the country. Nevertheless, President López Obrador continued to publicly attack the press; according to an April report published by media freedom watchdog Article 19, attacks against the press increased by nearly 85 percent in the first three years of López Obrador's presidency.

POLITICAL RIGHTS: 27 / 40

A. ELECTORAL PROCESS: 9 / 12

A1. Was the current head of government or other chief national authority elected through free and fair elections? 3 / 4

The president is elected to a six-year term and cannot be reelected. Andrés Manuel López Obrador of the left-leaning National Regeneration Movement (MORENA) won the 2018 poll with a commanding 53 percent of the vote. His closest rival, Ricardo Anaya—the candidate of the National Action Party (PAN) as well as of the Democratic Revolution Party (PRD) and Citizens' Movement (MC)—took 22 percent. The results of the 2018 poll represented a stark repudiation of outgoing president Enrique Peña Nieto and the Institutional Revolutionary Party (PRI), which took just 16 percent of the vote. The 2018 election campaign was marked by violence and threats against candidates for state and local offices; at least 145 people died because of election-related violence. Accusations of illicit campaign activities remained frequent at the state and municipal level.

A 2019 constitutional amendment enables citizens to initiate a recall referendum halfway through the president's term. López Obrador considers the recall an opportunity to reinforce his political authority, and in December 2021 both the Supreme Court and the Federal Electoral Tribunal (TEPJF) ordered the National Electoral Institute (INE) to move forward with planning the referendum for April 2022, despite the INE's claim that the state had budgeted insufficient resources to undertake the balloting. The country's first-ever recall referendum was ultimately held as planned in April 2022, and saw López Obrador win approximately 90 percent of the vote. The referendum garnered a turnout of roughly 17 percent, significantly less than the 40 percent needed to validate the results. Opposition leaders discouraged their supporters from participating in the referendum, which they condemned as a propaganda exercise and a distraction from the country's real problems.

A2. Were the current national legislative representatives elected through free and fair elections? 3 / 4

Senators are elected for six-year terms through a mix of direct voting and proportional representation, with at least two parties represented in each state's delegation. In the Chamber of Deputies, the lower house of the bicameral Congress, 300 members are elected through direct representation and 200 through proportional representation, each for three-year terms. Under a reform that took effect for legislators elected in 2018, senators are eligible to serve up to two six-year terms, and deputies are permitted to serve up to four three-year terms.

Since 2018, the MORENA–led coalition has commanded a majority in the 128-member Senate with 70 seats, compared to 24 for the PAN and 15 for the PRI. In the 2021 Chamber of Deputies balloting, MORENA won 198 seats; combined with its allies in the Workers' Party (PT) and the Green Party (PVEM), the governing coalition maintained a majority with 278 seats, but lost the supermajority that had allowed it to pursue constitutional changes. The PAN led the opposition, winning 114 seats, while its electoral coalition partners in the PRI and PRD won 70 and 15 seats, respectively. MORENA candidates won 11 of the 15 gubernatorial races held in 2021, as well as 4 of the 6 governorships up for election in 2022.

Accusations of illicit campaign activities are frequent at the state and federal level, and violations reported in 2021 included misuse of public funds, vote buying, and widespread flouting of campaign finance laws. Allegations of illicit campaign financing persisted ahead of local elections held in June 2022.

A3. Are the electoral laws and framework fair, and are they implemented impartially by the relevant election management bodies? 3 / 4

The INE supervises elections and enforces political party laws, including strict regulations on campaign financing and the content of political advertising, although control is uneven in practice. While the 2018 and 2021 elections were both generally considered free and fair, the INE and the TEPJF struggled to comprehensively address problems including misuse of public funds, vote buying, and nontransparent campaign financing. Throughout 2021, the INE and the TEPJF were subjected to frequent verbal attacks by López Obrador and MORENA supporters. However, the administration of the 2021 balloting was considered successful.

In April 2022, President López Obrador presented a constitutional reform plan that, if adopted, would significantly alter the Mexican electoral system. Among other things, the proposal included provisions that would eliminate all state-level electoral institutes and transfer their responsibilities to the INE and TEPJF; remove the INE's constitutional mandate to administer the electoral registry; and amend the appointment procedures for INE and TEPJF officials, removing staggered terms. Rights groups expressed concern that

the reforms would substantially weaken the independence of the electoral authorities. Congress rejected the proposed reforms in December. However, López Obrador then presented another electoral reform plan that would not involve amending the constitution; the new reform plan, known as "Plan B," remained awaiting approval at year's end.

B. POLITICAL PLURALISM AND PARTICIPATION: 13 / 16

B1. Do the people have the right to organize in different political parties or other competitive political groupings of their choice, and is the system free of undue obstacles to the rise and fall of these competing parties or groupings? 4 / 4

Mexico's multiparty system features few official restrictions on political organization and activity. Opposition parties are competitive in many states, and independent candidacies are becoming more common, though independents achieved few wins in 2021. MORENA includes a wide range of ideological and political currents, and internal tensions were visible during the 2021 campaign. Most opposition parties, meanwhile, base their strategies around mobilizing anti–MORENA sentiment rather than proposing coherent policy agendas.

MORENA candidates won in 11 of the 15 gubernatorial races held in 2021, cementing the party's strength at the subnational level. However, opposition candidates demonstrated strength in many urban areas and won a majority of Mexico City's boroughs, reversing previous MORENA dominance in the city.

B2. Is there a realistic opportunity for the opposition to increase its support or gain power through elections? 4 / 4

Power has routinely changed hands at the national level since 2000. The dominant victory of López Obrador and MORENA in 2018 followed six years of government control by the PRI, which had ruled Mexico without interruption from 1929 to 2000, before losing consecutive presidential races to the right-leaning PAN in 2000 and 2006.

In order to avoid fragmenting the anti–MORENA vote in the 2021 elections, the PAN, PRI, and PRD united in an electoral coalition, resulting in increased seat share, though the PRI's precipitous decline at all levels continued. The opposition also made gains in large cities and among middle-class voters, revealing possible shifts in the electorate that could increase competitiveness in subsequent elections.

B3. Are the people's political choices free from domination by forces that are external to the political sphere, or by political forces that employ extrapolitical means? 2 / 4

Criminal groups, while increasingly fragmented, exert powerful influence on the country's politics through threats and violence against candidates, election officials, and campaign workers, particularly at the local level. At least 102 political officials were killed in campaign-related violence during the 2021 election season. Significant levels of political violence were also recorded in 2022.

The López Obrador administration has assigned an increasing number of governance tasks to the military, one of Mexico's least accountable institutions. The army is involved in the construction of several of the president's signature projects, and in 2021 the government announced that the army would maintain control of a tourist railroad in the Yucatán Peninsula known as the Maya Train—and receive any profits—upon the project's completion, heightening concerns about military politicization.

In September 2022, Congress approved reforms transferring control of the National Guard—nominally a civilian-led force—to the Ministry of Defense, removing civilian control of the force despite the fact that it was legally required to undergo a process of civilianization. Rights groups and opposition legislators criticized the reforms, expressing

concern that the changes gave too much power to the armed forces. A constitutional challenge of the reform brought before the SCJN remained awaiting a ruling as of year's end.

B4. Do various segments of the population (including ethnic, racial, religious, gender, LGBT+, and other relevant groups) have full political rights and electoral opportunities? 3 / 4

Mexico has a large Indigenous population, and Indigenous people and groups are free to participate in politics. There are some provisions for the integration of Indigenous community customs in electing leaders in some states, though only for local authorities. In practice, Indigenous people remain severely underrepresented in political institutions. Mexico's small Afro-Mexican population is similarly underrepresented in national politics, though they are recognized in the constitution.

The 2018 and 2021 elections confirmed the success of gender requirements for candidacies and party lists: following the 2021 elections, 50 percent of representatives in the Chamber of Deputies and 49 percent in the Senate are women. Women also won an unprecedented six gubernatorial elections in 2021.

C. FUNCTIONING OF GOVERNMENT: 5 / 12

C1. Do the freely elected head of government and national legislative representatives determine the policies of the government? 2 / 4

Organized crime and related violence have limited the effective governing authority of elected officials in some areas of the country, as well as of the federal government. Members of organized crime groups have persisted in their attempts to infiltrate local governments in order to plunder municipal coffers and ensure their own impunity, a practice that has influenced electoral dynamics. The notorious mass disappearance of 43 students in 2014 was linked to a deeply corrupt local government collaborating with a drug gang, as well as corrupt or complicit members of various state security forces. In the most violent regions, the provision of public services has become more difficult, as public sector employees face extortion and pressure to divert public funds.

C2. Are safeguards against official corruption strong and effective? 1 / 4

Official corruption remains a serious problem. Despite Mexico's relatively comprehensive anticorruption framework, implementation of existing mechanisms is lacking in practice and high levels of impunity persist. The billions of dollars in illegal drug money that enter the country each year from the United States profoundly affect politics, as does rampant public-contract fraud and other forms of siphoning off state funds. Attempts to prosecute officials for alleged involvement in corrupt or criminal activity have often failed due to the weakness of police and judicial capacity.

The López Obrador administration has made the pursuit of corruption a mantra, and a series of prominent figures from the Peña Nieto administration have been indicted or arrested on graft charges. However, critics describe López Obrador's anticorruption efforts as politicized and generally ineffective. Political opponents are arrested with great fanfare, but few convictions have occurred. In contrast, investigations involving government allies and favored institutions are rare or perfunctory.

C3. Does the government operate with openness and transparency? 2 / 4

Despite some limitations, several freedom of information laws passed since 2002 have successfully strengthened transparency at the federal level, though enforcement is uneven across states. In recent years, the government has failed to release relevant information on some of the country's most controversial issues, including abuses by the security forces. The

military, assigned ever-expanding roles under López Obrador, is one of the least transparent state institutions. A 2021 decree shielding public infrastructure projects from transparency and other administrative requirements was vocally denounced by transparency advocates. President López Obrador has repeatedly suggested shuttering the INAI in recent years, prompting criticism by transparency advocates.

CIVIL LIBERTIES: 33 / 60

D. FREEDOM OF EXPRESSION AND BELIEF: 12 / 16

D1. Are there free and independent media? 2 / 4

The security environment for journalists remains highly challenging. Reporters probing police issues, drug trafficking, and official corruption face serious, sustained risk of physical harm. At least 15 journalists were killed in Mexico in 2022—including several who were killed in retaliation for their reporting—making it the deadliest year on record for journalists in the country. The Committee to Protect Journalists (CPJ) has recorded at least nine journalists killed in Mexico every year since 2016.

Self-censorship has increased, with many newspapers in violent areas avoiding publishing stories concerning organized crime. Despite several convictions in prominent cases of murdered journalists in recent years, approximately 90 percent of cases of journalists who are killed are unresolved.

The Federal Protection Mechanism for Human Rights Defenders and Journalists within the Interior Secretariat has successfully protected hundreds of activists and reporters, providing them safe houses, panic buttons, and bodyguards. However, the mechanism is underfunded and has not always proved effective: at least two of the journalists killed in 2022 were receiving official protection.

Diversity of viewpoints in print and online media remains high, but broadcast television has long been dominated by the duopoly of Televisa and TV Azteca. Media outlets depend on government advertising and subsidies. Congress enacted legislation to regulate the distribution of state publicity in 2018; such advertising subsequently diminished significantly, but distribution remains heavily skewed toward a few of the largest outlets. In 2021, the Supreme Court ruled that Congress must pass more detailed rules governing state publicity.

Since taking office, López Obrador has persistently and publicly attacked the press, often chastising and demeaning specific reporters and news outlets. According to an Article 19 report published in April 2022, attacks against the press increased by nearly 85 percent in the first three years of López Obrador's presidency; the group recorded a record 696 crimes against media workers in 2022. Article 19 has also documented an increase in judicial harassment of journalists and activists in recent years.

Mexico has been at the forefront of citizen-led efforts to ensure internet access. The 2013 amendments to Article 6 of the constitution made internet access a civil right. However, gangs have engaged in threats and violence against bloggers and online journalists who report on organized crime.

D2. Are individuals free to practice and express their religious faith or nonbelief in public and private? 4 / 4

Religious freedom is protected by the constitution and is generally respected in practice, though religious minorities, particularly Indigenous Evangelical communities in Chiapas, face occasional persecution by local authorities.

D3. Is there academic freedom, and is the educational system free from extensive political indoctrination? 3 / 4

While the government has generally refrained from restricting academic freedom, friction between the government and the academic community rose sharply in 2021, with President López Obrador and other officials frequently stigmatizing universities as "neoliberal" institutions whose political orientation had "moved right." More ominously, that August, prosecutors began requesting arrest orders against 31 academic scientists for allegedly misusing public funds. Amid domestic and international outcry over the seemingly disproportionate charges—which included organized crime and money laundering—judges denied the requests, but academics and free expression advocates warned of an increasing atmosphere of intimidation facing university researchers and administrators. That November, students at a prestigious public university, the Center for Economic Teaching and Research, initiated a series of protests challenging the irregular appointment of new administrators perceived to be aligned with the government and arbitrary dismissals of several professors.

D4. Are individuals free to express their personal views on political or other sensitive topics without fear of surveillance or retribution? 3 / 4

While there are no formal impediments to free and open discussion, fear of criminal monitoring restricts citizens' willingness to converse publicly about crime in some areas of the country.

E. ASSOCIATIONAL AND ORGANIZATIONAL RIGHTS: 7 / 12

E1. Is there freedom of assembly? 3 / 4

The constitution guarantees the right to peacefully assemble. Protests are frequent, though political and civic expression is restricted in some regions, and police frequently use excessive force and detain protesters arbitrarily.

During the López Obrador administration, controversy regarding protest-related violence has often centered on women's rights demonstrations. On several occasions in 2022, police officers violently assaulted protesters who were demonstrating against gender-based violence; police sprayed tear gas at peaceful protesters, beat several women participants, and arbitrarily detained dozens of demonstrators. Additionally, Amnesty International has reported that members of law enforcement have used sexual violence as a form of oppression against women protesters in recent years.

E2. Is there freedom for nongovernmental organizations, particularly those that are engaged in human rights– and governance-related work? 2 / 4

Although highly active, nongovernmental organizations (NGOs) sometimes face violent resistance. Environmental activists and representatives of Indigenous groups contesting large-scale infrastructure projects have been particularly vulnerable. Revelations emerged in 2017 that government agencies had purchased Israeli Pegasus spyware, potentially to surveil the electronic communications of civil society activists; activists continue to demand consequences amid ongoing investigative delays and news of additional potential victims.

The Federal Protection Mechanism for Human Rights Defenders and Journalists has provided physical security for hundreds of activists since its 2012 inception, though rights groups consider it sluggish and subject to government neglect. According to a September 2022 report by environmental watchdog organization Global Witness, at least 54 environmental and land rights activists were killed in Mexico in 2021, making it the world's deadliest country for such activists.

Civil society members freely criticize state policies, but López Obrador's penchant for dismissing criticism and insulting perceived opponents has generated tension between the president and civil society organizations during his presidency. In March 2022, MORENA

legislators introduced a bill that, if adopted, would prohibit nonprofit groups from attempting to "influence or change laws either through lobbying or through strategic litigation" if they receive foreign funding. Human rights groups say that the proposed legislation could be used to arbitrarily restrict the activity of civil society groups and human rights defenders.

E3. Is there freedom for trade unions and similar professional or labor organizations? 2 / 4

Trade union membership has diminished significantly in recent decades. In 2019, major labor reform brought hope of an end to the rampant use of informal, nontransparent negotiations between employers and politically connected union leaders creating "protection contracts" never seen by workers. Labor rights provisions of the 2020 United States–Mexico–Canada free trade agreement have facilitated workers' demands against abusive employers and complicit unions. In 2021, the United States demanded review of a vote on an alleged protection contract at a General Motors plant in Guanajuato; following the determination that voting conditions were unfair, an August revote resulted in the rejection of the contract.

F. RULE OF LAW: 5 / 16

F1. Is there an independent judiciary? 2 / 4

The SCJN has been regarded in recent years as generally independent, but a series of appointments of justices viewed as close to the government has raised concerns about diminished autonomy under López Obrador. Such concerns persisted in 2022; in April, four US congresspeople expressed concern that the Mexican judiciary has become increasingly politicized during the López Obrador administration. The congresspeople alleged that the Attorney General's Office (FGR), an autonomous entity, has aligned with the president in practice, an allegation that López Obrador denied.

In December 2022, Roberto Elías, a judge in Zacatecas, was shot and killed; four members of a drug cartel were charged with his murder later the same week. Authorities have alleged that Judge Elías's assassination, which remained under investigation at year's end, was ordered because of rulings he made in his official judicial capacity.

F2. Does due process prevail in civil and criminal matters? 1 / 4

Mexico's justice system is plagued by delays, unpredictability, and corruption, which often lead to impunity for perpetrators of crimes. Implementation of an adversarial system was technically completed in 2016 and generated some improvements, but judicial system capacity remains inadequate. A lack of political commitment to prosecutorial autonomy and disinterest in deep reform has limited the efficacy of a 2018 overhaul of the prosecutorial services. Attorney General Alejandro Gertz Manero has been subjected to increasing criticism in recent years as frustration has mounted with the contrast between the agency's lethargy in matters including corruption and disappearance cases and its punitive zeal in pursuit of organized crime charges against scientists and other matters in which Gertz took personal interest.

Widespread bribery, limited capacity, and weak coordination undermine the integrity of the lower courts and law enforcement agencies. According to a 2021 government report, the vast majority of crimes committed in 2020 went unreported, largely because underpaid police were viewed as either inept or in league with criminals. Widely publicized raids often result in the release of accused criminals due to grave procedural deficiencies. Amid faltering efforts to improve investigative and prosecutorial competence and efficacy, the López Obrador administration has sought to harden penalties and limit defendants' rights, producing a sharp rise in the use of preventive detention and a rapidly increasing rate of prisoners in pretrial detention, most of whom are poor people charged with minor crimes.

F3. Is there protection from the illegitimate use of physical force and freedom from war and insurgencies? 1 / 4

Mexicans are subject to the threat of violence at the hands of multiple actors, including individual criminals, criminal gangs that operate with impunity, and police officers who are often susceptible to bribery. A missing-persons registry—which continues to grow despite increased government efforts in recent years—reflects an epidemic of enforced disappearances. Mexicans in police or military custody are at risk of torture by the authorities, and must also navigate a prison system that respects neither due process nor physical safety.

Abuses during arrests and criminal investigations are rife, and detainees report routine physical abuse while being detained and held. The 2017 General Law on Torture established a prohibition on the use of torture and disqualified evidence obtained through its use. Though it has contributed to mild progress in excluding torture-based confessions from prosecutions, impunity remains almost universal.

Human rights advocates consistently express concern about a lack of accountability for abuses committed by members of the military, including torture, forced disappearances, and extrajudicial executions. Only a handful of soldiers have been convicted in civilian courts for abuses against civilians, despite myriad reports implicating state security forces in grave human rights abuses.

Forced disappearances and killings remain a crisis. The 2017 General Law on Disappearances removed the statute of limitations on missing-persons crimes, but progress remains very limited. As of September 2022, missing-persons cases in the national registry numbered over 105,000, and at least 52,000 bodies remained unidentified. A 2021 report by the Washington Office on Latin America covering 26 states found only 25 convictions on disappearance charges between 2018 and 2020; federal prosecutors made even fewer advances.

The kidnapping and presumed deaths of 43 students in Guerrero in 2014 remains a watershed case. President López Obrador created a presidential commission to investigate the case after taking office, and in 2019 a new special prosecutor was assigned to manage it. In August 2022, the government published the preliminary findings of the commission, which alleged that the students' disappearance was a "crime of the state." Dozens of arrest warrants were issued, and former attorney general Jesús Murillo Karam was arrested on charges of forced disappearance, torture, and obstruction of justice. However, in September, the special prosecutor unexpectedly resigned, and days later, an Inter-American Commission on Human Rights (IACHR) group of experts released a report alleging that members of López Obrador's administration had been obstructing the investigation, particularly by intervening to protect members of the military from prosecution. Critics have expressed concern that López Obrador's administration rushed the commission for political reasons. Significant portions of the commission's evidence could not be verified, causing the case against Murillo to be suspended and over a dozen arrest warrants for military suspects to be revoked by October. Investigations into the disappearance remained ongoing at year's end.

As in previous years, the government's primary response to insecurity hotspots was the deployment of militarized forces. In 2019, a law pushed by President López Obrador established a nominally civilian-led gendarmerie that drew from the Army, Navy, and federal police. This National Guard has been sharply criticized by rights advocates for reinforcing the militarization of public security.

Homicides have plateaued in recent years, but remained near historic highs in 2022. Violence linked to organized crime was particularly acute in Zacatecas, Baja California, and Colima. While large organizations like the Jalisco New Generation Cartel (CJNG) and the

Sinaloa Cartel continue to drive insecurity in some areas, the splintering of other criminal groups, along with the diversification of their revenue sources, has made efforts to combat the violence even more daunting.

Mexican prisons remain highly unsafe, with inmates commonly engaging in criminal activity while incarcerated.

F4. Do laws, policies, and practices guarantee equal treatment of various segments of the population? 1 / 4

Mexican law bans discrimination based on ethnic origin, gender, age, religion, and sexual orientation. Nevertheless, lighter-skinned Mexicans enjoy substantial social advantage compared to Indigenous people and other distinct groups. The large Indigenous population experiences social and economic discrimination, and approximately 77 percent of Indigenous people live in poverty. Southern states with high concentrations of Indigenous residents suffer from deficient services. Because Indigenous groups are in particular danger from criminal violence, communities in Guerrero and Michoacán have formed self-defense groups, some of which were subsequently legalized. In 2021, a sharp rise in organized crime threats and violence targeting Indigenous communities prompted a wave of self-defense group formation in Chiapas. Afro-Mexicans face discrimination; the 2020 census included an option for Afro-Mexican self-identification for the first time.

LGBT+ people have strong legal protections, but they are unevenly enforced. Transgender women in particular face discrimination and violence.

Migrants from Central America and other regions, many of whom move through Mexico to reach the United States, have long faced persecution and criminal predation. The López Obrador administration initially sought to protect migrants, but reversed course in 2019 under US threats of punitive economic measures. In response, the National Guard was ordered to block or arrest migrants moving northward, a policy that led to both record detentions and numerous complaints of serious rights abuses in 2021. In January 2021, the bodies of 19 murder victims, including multiple migrants, were found in Tamaulipas, leading to murder charges against 12 Tamaulipas police officers.

The combination of increasing migration and a series of US policies, including the 2019 Migrant Protection Protocols (MPP) and the rapid deportations implemented in response to the COVID-19 pandemic, have resulted in tens of thousands of people stranded in border cities like Ciudad Juárez and Nuevo Laredo and facing extreme risk of kidnapping and extortion. The government has made some remediation efforts, but conditions along the border have remained highly precarious.

G. PERSONAL AUTONOMY AND INDIVIDUAL RIGHTS: 9 / 16

G1. Do individuals enjoy freedom of movement, including the ability to change their place of residence, employment, or education? 3 / 4

Citizens are generally free to change their place of residence, employment, or education. However, criminals have impeded freedom of movement by blocking major roads in several states in recent years, and ordinary citizens avoid roads in many rural areas after dark.

G2. Are individuals able to exercise the right to own property and establish private businesses without undue interference from state or nonstate actors? 2 / 4

Property rights in Mexico are protected by a modern legal framework, but the weakness of the judicial system, frequent solicitation of bribes by bureaucrats and officials, and the

high incidence of criminal extortion harm security of property for many individuals and businesses. Large-scale development projects, including high-priority López Obrador initiatives, have been accompanied by corruption and rights-related controversy in recent years.

G3. Do individuals enjoy personal social freedoms, including choice of marriage partner and size of family, protection from domestic violence, and control over appearance? 2 / 4

Sexual abuse and domestic violence against women are common, and perpetrators are rarely punished. Implementation of a 2007 law designed to protect women from such crimes remains halting, particularly at the state level, and impunity is the norm for the killers of hundreds of women each year. State authorities can issue "gender alerts" that trigger greater scrutiny and an influx of resources to combat an epidemic of violence against women, but the mechanism has proven ineffective. According to official statistics, 968 femicides were recorded in 2022; some nongovernmental sources say the true number is likely much higher.

The government has made some efforts to combat violence and promote gender equality, but the López Obrador administration has also cut funding for women's services, and in 2022, as in previous years, the president frequently dismissed feminists as allies of the political opposition.

Abortion has been a contentious issue in recent years. Many states reacted to Mexico City's 2007 liberalization of abortion laws by strengthening their own criminal bans on the procedure. In a landmark ruling in September 2021, the SCJN declared laws criminalizing abortion unconstitutional, though state-by-state legislative reforms or judicial challenges will be required to give the ruling effect. As of November 2022, 11 states have decriminalized abortion.

Mexico has taken steps toward equality for LGBT+ people, though significant cultural and legal barriers persist. A 2015 SCJN decision overruled state laws defining the purpose of marriage as procreation. Legislators in the states of Guerrero and Tamaulipas voted to legalize same-sex marriage in October 2022, becoming the last of Mexico's 32 states to do so. As of August 2022, 19 states allow gender changes on identification documents.

G4. Do individuals enjoy equality of opportunity and freedom from economic exploitation? 2 / 4

Economic opportunity is limited in Mexico, which maintains a high rate of economic inequality. Migrant agricultural workers face brutally exploitative conditions in several northern states. In 2018, the SCJN ruled that Mexico's millions of domestic workers—the vast majority of whom are women—must be incorporated into the formal sector and receive social security and health benefits. The López Obrador administration has increased some forms of redistributive spending, and in recent years has sharply increased Mexico's minimum wage.

Mexico is a major source, transit, and destination country for trafficking in persons, including women and children, many of whom are subject to forced labor and sexual exploitation. Organized criminal gangs are heavily involved in human trafficking in Mexico and into the United States. This danger has been exacerbated since 2019 by the United States' denial of entry to migrants and asylum seekers, which has forced thousands of migrants to wait in dangerous nearby cities, as well as by the economic disruption associated with the COVID-19 pandemic.

Micronesia

Population: 100,000
Capital: Palikir
Freedom Status: Free
Electoral Democracy: Yes

Overview: The Federated States of Micronesia (FSM) is a relatively stable democracy that holds regular, competitive elections. However, secessionist movements have sometimes unsettled the country's politics and threatened its unity. The judiciary is independent, and civil liberties are generally respected.

KEY DEVELOPMENTS IN 2022

- Negotiations over the renewal of the Compact of Free Association (CFA) with the United States continued during the year. The current agreement expires in 2023.
- Congress elected then senator Aren B. Palik to the vice presidency in September; the office had been vacated in August following the death of incumbent vice president Yosiwo George.
- In February, FSM leaders agreed to "pause" the government's earlier decision to break away from the Pacific Islands Forum (PIF). The FSM remained part of the organization at year's end after receiving guarantees that the PIF would reform its leadership structure to ensure continual representation of its Micronesian, Polynesian, and Melanesian regional blocs.

POLITICAL RIGHTS: 37 / 40

A. ELECTORAL PROCESS: 12 / 12

A1. Was the current head of government or other chief national authority elected through free and fair elections? 4 / 4

The president is both chief of state and head of government and receives assistance from the vice president. Both offices are indirectly elected for four-year terms by members of Congress, with candidates from among the legislature's four at-large, directly elected state representatives, known as senators. In March 2019, David Panuelo, the senator representing the state of Pohnpei, was chosen as president, defeating incumbent Peter Christian.

Vice President Yosiwo George passed away in August 2022. The following month, Congress elected then senator Aren B. Palik to the vice presidency.

Each of the four states (Yap, Chuuk, Pohnpei, and Kosrae) has its own elected governor.

A2. Were the current national legislative representatives elected through free and fair elections? 4 / 4

The 14-member unicameral Congress includes four senators, one from each state, who serve four-year terms and are elected by proportional representation. Another 10 members serve two-year terms in single-member districts allocated by population. Each state also has its own elected legislature. All 10 single-member incumbents in Congress won reelection in the March 2021 midterm elections.

After Kosrae senator Aren B. Palik was elected as vice president in September 2022, the governor of Kosrae followed procedures outlined in FSM law to appoint a new senator, Rolinson B. Neth, to fill Palik's former seat.

A3. Are the electoral laws and framework fair, and are they implemented impartially by the relevant election management bodies? 4 / 4

Elections in the FSM, which are generally considered free and fair, are administered by a government agency headed by a national election director and one commissioner from each state. Constitutional amendments must be approved by three-quarters of voters in at least three of the four states.

The FSM's fourth Constitutional Convention was convened in January 2020 but went into recess that March due to COVID-19. It resumed in June 2022.

B. POLITICAL PLURALISM AND PARTICIPATION: 15 / 16

B1. Do the people have the right to organize in different political parties or other competitive political groupings of their choice, and is the system free of undue obstacles to the rise and fall of these competing parties or groupings? 4 / 4

There are no formal political parties, but there are no restrictions on their formation. All candidates run as independents.

B2. Is there a realistic opportunity for the opposition to increase its support or gain power through elections? 4 / 4

The FSM has an established record of democratic power transfers. Under an informal agreement, the presidency has typically rotated among the four states, but Congress has sometimes deviated from this pattern.

B3. Are the people's political choices free from domination by forces that are external to the political sphere, or by political forces that employ extrapolitical means? 4 / 4

Traditional leaders and institutions exercise significant influence in society, especially at the village level. However, neither these nor donor countries like the United States and China exert undue control over the political choices of voters or candidates. Investments from the United States and China have been met with pushback in recent years, as citizens are concerned about how those funds might impinge upon the FSM's political, economic, and cultural independence.

B4. Do various segments of the population (including ethnic, racial, religious, gender, LGBT+, and other relevant groups) have full political rights and electoral opportunities? 3 / 4

Women and minority groups formally have full political rights, and they are free to participate in practice, though women's political engagement is limited to some extent by discriminatory attitudes. In December 2021, Dr. Perpetua Sappa Konman became the first woman to be sworn in to FSM's national legislature after winning a by-election that November for her late husband's single-member seat. A small number of women were elected to state-level legislatures.

C. FUNCTIONING OF GOVERNMENT: 10 / 12

C1. Do the freely elected head of government and national legislative representatives determine the policies of the government? 4 / 4

Elected officials determine and implement policy and legislation at the federal level, though considerable authority is vested in the states and their elected governments. Some leading politicians from Chuuk, by far the most populous state, have advocated independence from the FSM in recent years, and the issue remained a topic of public discussion under the guidance of the Chuuk Political Status Commission. Opponents of Chuuk's

secession have argued that its separation from the FSM would be unconstitutional. A referendum planned for 2019 has been delayed several times.

In 2021, the government announced that it would move to end its membership in the Pacific Islands Forum (PIF) along with four other member states due to a disagreement over who the body's next secretary-general should be. The decision to leave was slated to take effect in 2022, but FSM leaders agreed to "pause" their decision to break away in February of that year. The FSM remained part of the organization at year-end 2022, after the PIF agreed to reforms mandating that the body's general secretariat will be rotated between its Micronesian, Polynesian, and Melanesian regional blocs.

The FSM relies on defense guarantees and economic assistance from the United States under a 1986 Compact of Free Association (CFA), which extends through 2023. In 2019, the funding and security commitments of the CFA were reaffirmed by the United States. In July 2021, Palikir and Washington reached an agreement on the construction of a US military base in the FSM. Negotiations with the United States over the renewal of the CFA continued during 2022.

China has become an increasingly important partner for trade and development aid in recent years. Though its role does not amount to an undue interference in FSM governance, citizens and officials have been wary of it becoming so.

C2. Are safeguards against official corruption strong and effective? 3 / 4

Official corruption is a problem and a source of public discontent. Complaints about misuse of public resources are frequent, particularly from US authorities overseeing aid funds. Government entities responsible for combating corruption, including the attorney general's office and public auditor, are independent and fairly effective, though some corrupt officials reportedly enjoy impunity.

C3. Does the government operate with openness and transparency? 3 / 4

Government operations and legislative processes are generally transparent, though there is no comprehensive law guaranteeing public access to government information. Limited technical capacity and the country's sprawling geography pose practical barriers to openness and accountability. Officials are not legally obliged to submit asset disclosures.

In 2020, the Chuuk Office of the Public Auditor warned that records related to the state debt-relief fund were improperly maintained, and that financial statements did not fully report liabilities to the public.

CIVIL LIBERTIES: 55 / 60

D. FREEDOM OF EXPRESSION AND BELIEF: 16 / 16

D1. Are there free and independent media? 4 / 4

The news media operate freely. Print outlets include government-published newsletters and several small, privately owned weekly and monthly newspapers. There are several radio stations, cable television is available, and satellite television is increasingly common. The FSM's internet penetration rate stood at 35.3 percent as of January 2022.

Lack of resources is a problem for the broadcasting of important meteorological forecasts for the population of Chuuk, which will face rising sea levels and extreme weather events.

D2. Are individuals free to practice and express their religious faith or nonbelief in public and private? 4 / 4

Religious freedom is generally respected, and religious groups are not required to register with the government. About 96 percent of the population is Roman Catholic or Protestant. A

small Ahmadi Muslim community has reported some instances of discrimination and vandalism. Intolerance for non-Christian religions in several states is a growing concern.

D3. Is there academic freedom, and is the educational system free from extensive political indoctrination? 4 / 4

The educational system is free from extensive indoctrination.

D4. Are individuals free to express their personal views on political or other sensitive topics without fear of surveillance or retribution? 4 / 4

The constitution guarantees freedom of expression, and there are no significant constraints on this right in practice. The government does not improperly monitor personal communications or social media activity.

E. ASSOCIATIONAL AND ORGANIZATIONAL RIGHTS: 11 / 12

E1. Is there freedom of assembly? 4 / 4

Freedom of assembly is constitutionally protected. Demonstrations typically proceed peacefully.

E2. Is there freedom for nongovernmental organizations, particularly those that are engaged in human rights– and governance-related work? 4 / 4

Citizens are free to organize in civic groups, and a number of students' and women's organizations are active.

E3. Is there freedom for trade unions and similar professional or labor organizations? 3 / 4

Union rights are generally respected, and there are no laws to prevent workers from forming unions, engaging in collective bargaining, or striking. However, such activities are not specifically protected or regulated by law, and few employers are large enough to support unionization in practice.

F. RULE OF LAW: 15 / 16

F1. Is there an independent judiciary? 4 / 4

The judiciary is independent. The chief justice, who administers the judicial system, and the associate justices of the Supreme Court are appointed by the president with the approval of a two-thirds majority in Congress. They are appointed for life-long terms and cannot be removed arbitrarily.

F2. Does due process prevail in civil and criminal matters? 4 / 4

The police respect legal safeguards against arbitrary arrest and detention, and defendants are generally provided with basic due process guarantees surrounding trials and appeals. However, a shortage of lawyers may sometimes impair detainees' access to counsel in practice.

F3. Is there protection from the illegitimate use of physical force and freedom from war and insurgencies? 4 / 4

Criminal activity does not pose a major threat to physical security, though police have struggled to deal with illegal fishing. Mistreatment of individuals in custody is known to occur.

F4. Do laws, policies, and practices guarantee equal treatment of various segments of the population? 3 / 4

The constitution gives citizens equal protection under the law and prohibits discrimination based on race, ancestry, national origin, gender, sexual orientation, language, or social status. In 2018, Congress passed a landmark law prohibiting discrimination based on sexual orientation, which then president Christian signed. However, the law did not mention gender identity, leaving transgender people vulnerable to continued discrimination.

Half as many women enjoy formal employment as do men, and women generally participate far less in the formal and informal labor markets.

G. PERSONAL AUTONOMY AND INDIVIDUAL RIGHTS: 13 / 16

G1. Do individuals enjoy freedom of movement, including the ability to change their place of residence, employment, or education? 4 / 4

Freedom of movement is generally respected. Under the CFA, Micronesians are free to travel to the United States without visas for residence, education, and employment. Many Micronesians have migrated to US Pacific states or territories such as Hawaii and Guam.

Travel out of the FSM was severely impacted by COVID-19-related measures. Most travel restrictions had been lifted by August 2022, when the FSM fully reopened its international borders.

G2. Are individuals able to exercise the right to own property and establish private businesses without undue interference from state or nonstate actors? 3 / 4

Property rights are protected by law, and individuals are able to operate private businesses; most such enterprises are small and family-owned in practice. Property and business rights are somewhat restricted for foreigners. Noncitizens are legally prohibited from owning land, and a number of regulations limit the kinds of businesses that they can own and operate.

G3. Do individuals enjoy personal social freedoms, including choice of marriage partner and size of family, protection from domestic violence, and control over appearance? 3 / 4

Personal social freedoms are largely protected. However, there are no specific laws against spousal rape, and both rape and domestic violence are rarely prosecuted due to societal inhibitions against reporting such crimes. The FSM's first support center for survivors of gender-based violence opened in Chuuk in 2020.

G4. Do individuals enjoy equality of opportunity and freedom from economic exploitation? 3 / 4

Forced labor is prohibited, and the government enforces basic standards for working conditions in the formal sector. Foreign migrant workers nevertheless remain vulnerable to exploitative labor practices, including on foreign fishing vessels in FSM waters. Micronesian women are at risk of sex trafficking.

The 2022 edition of the US State Department's *Trafficking in Persons Report* noted that while the FSM government does not meet the minimum standards for the elimination of trafficking, the government has made increasing efforts to address trafficking crimes in recent years.

Moldova

Population: 3,500,000
Capital: Chișinău
Freedom Status: Partly Free
Electoral Democracy: Yes

Note: The numerical scores and status listed above do not reflect conditions in Transnistria, which is examined in a separate report. *Freedom in the World* reports assess the level of political rights and civil liberties in a given geographical area, regardless of whether they are affected by the state, nonstate actors, or foreign powers. Disputed territories are sometimes assessed separately if they meet certain criteria, including boundaries that are sufficiently stable to allow year-on-year comparisons. For more information, see the report methodology.

Overview: Moldova has a competitive electoral environment, and freedoms of assembly, speech, and religion are mostly protected. Nonetheless, pervasive corruption, links between major political figures and powerful economic interests, and critical deficiencies in the justice sector and the rule of law all continue to hamper democratic governance.

KEY DEVELOPMENTS IN 2022

- In May, former president Igor Dodon was placed under house arrest due to corruption allegations. In October, prosecutors alleged that then president Dodon had accepted funds from politically powerful business magnate Vladimir Plahotniuc in 2019; in return, Dodon was to intercede on Plahotniuc's behalf regarding criminal cases filed in Russia. Dodon was freed from house arrest in November but was ordered to remain in Moldova.
- In October, the United States imposed sanctions on Plahotniuc and Ilan Șor, who were implicated in the 2014 theft of $1 billion from three banks; the US Treasury Department cited corruption allegations against Plahotniuc as well as Șor's efforts to advance Moscow's interests in Moldova. The United Kingdom issued similar sanctions in December.
- Moldovan authorities restricted access to Russian media during the year, as the Russian regime waged its war against Ukraine. In June, President Maia Sandu promulgated a law that banned the broadcast of Russian television news programming in Moldova. In December, media regulators suspended the licenses of six television stations associated with Ilan Șor, asserting that they were disseminating false information about the war.

POLITICAL RIGHTS: 27 / 40

A. ELECTORAL PROCESS: 10 / 12

A1. Was the current head of government or other chief national authority elected through free and fair elections? 4 / 4

The president is elected by direct popular vote for up to two consecutive four-year terms. If no candidate receives more than 50 percent of the votes in the first round, the two leading candidates compete in a second round. Former prime minister Maia Sandu of the Action and Solidarity Party (PAS) defeated incumbent president Igor Dodon in the

two-round November 2020 contest. Sandu won 57.7 percent in the second round, while Dodon won 42.3 percent. Organization for Security and Co-operation in Europe (OSCE) observers called the election competitive but reported that electoral authorities did not investigate allegations of first-round irregularities.

A prime minister nominated by the president and confirmed by Parliament holds most executive authority. Natalia Gavrilița of the PAS was confirmed as prime minister in August 2021, a month after snap parliamentary polls.

A2. Were the current national legislative representatives elected through free and fair elections? 3 / 4

Voters elect members of the 101-seat unicameral Parliament to serve four-year terms. Under the current electoral system, all lawmakers are elected through proportional representation from closed party lists or as independents.

In April 2021, the Constitutional Court found sufficient grounds to allow Sandu to dissolve the incumbent Parliament following the December 2020 resignation of former prime minister Ion Chicu. The PAS won 63 seats in the July 2021 snap polls. The Electoral Bloc of Communists and Socialists, which included the Socialist Party (PSRM) and the Communist Party, won 32. The Euroskeptic and pro-Russian Șor Party won 6.

OSCE observers considered the elections well administered, competitive, and largely respectful of fundamental freedoms, but noted the negative impact that media bias, a lack of effective campaign finance oversight, inadequate legal frameworks for electoral dispute resolution, and weak judicial independence had on impartiality and trust in the electoral process.

A3. Are the electoral laws and framework fair, and are they implemented impartially by the relevant election management bodies? 3 / 4

The July 2021 parliamentary elections marked a return to an electoral system based on proportional representation. The polls were affected by fewer irregularities compared with the February 2019 parliamentary elections, which had been administered using a mixed system featuring both single-member constituencies and seats allocated proportionally by party list.

OSCE observers found the legal framework governing the 2021 elections to be in line with international good practice; they also commended the implementation of key revisions, including lower thresholds for party registration and stronger gender quotas for candidate lists, in line with previous recommendations.

Both lower-level electoral commissions and the Central Electoral Commission (CEC) performed well in the July 2021 elections. OSCE observers reported that the election administration was generally considered trustworthy. However, key decisions made by the CEC appeared to follow partisan lines, including decisions regarding the number of polling stations to be established abroad and for voters residing in Transnistria, as well as on voter transportation.

While confidence in electoral administration improved in 2021, the CEC has faced allegations of improper conduct, including the exclusion of the opposition from the CEC leadership selection process and irregular interference in local elections.

Moldovan authorities drafted a new electoral code in 2022, intending to finalize it before the local elections due in October 2023. While the PAS majority in Parliament supported the draft in its July 2022 first reading, the opposition criticized some of its provisions, including the envisioned selection process for CEC members. In an October report, the Venice Commission of the Council of Europe (CoE) offered several recommendations, including changes to the envisioned dismissal process for CEC members. The local assembly

in the Gagauzia region threatened to boycott any elections held under the draft code, which it said would effectively limit the region's autonomy. The electoral code, which was revised before final passage, was ultimately adopted in December.

B. POLITICAL PLURALISM AND PARTICIPATION: 12 / 16

B1. Do the people have the right to organize in different political parties or other competitive political groupings of their choice, and is the system free of undue obstacles to the rise and fall of these competing parties or groupings? 3 / 4

Political party legislation in Moldova is generally liberal but does include restrictions.

Under the Law on Political Parties, which was amended in 2020, parties seeking registration must enlist 1,000 members. The law had required parties to enlist 4,000 members from at least half of all districts, but the Supreme Court ruled that obligation unconstitutional in 2020, prompting its revision. Following the adoption of these amendments, 20 political parties, two electoral blocs, and one independent candidate ran in the July 2021 parliamentary elections, representing a significant increase in participating parties compared with the previous elections.

However, the amended party-registration restrictions still disproportionately affect regional, municipal, and local parties, as well as parties representing geographically concentrated ethnolinguistic minority populations (for example, Gagauzians and Bulgarians).

B2. Is there a realistic opportunity for the opposition to increase its support or gain power through elections? 4 / 4

Opposition parties have a strong presence in Parliament and other elected offices and can gain support through elections. Following the July 2021 parliamentary elections, the then opposition PAS formed a parliamentary majority, relegating the previously governing PSRM to opposition status.

B3. Are the people's political choices free from domination by forces that are external to the political sphere, or by political forces that employ extrapolitical means? 2 / 4

Politically powerful business magnates—known as oligarchs—and foreign actors strongly influence Moldovan politics at the national and local levels, undermining accountability to voters. The Russian regime in particular has been accused of influencing Moldovan affairs through the oligarchs Vladimir Plahotniuc and Ilan Șor.

B4. Do various segments of the population (including ethnic, racial, religious, gender, LGBT+, and other relevant groups) have full political rights and electoral opportunities? 3 / 4

Women and members of ethnic, religious, and other minority groups do not face direct legal barriers to political participation, though representation of women, people with disabilities, and members of the Romany minority has historically been low. Several members of Moldova's ethnic minorities, including Gagauzians, Bulgarians, and Roma, hold parliamentary seats, and women's representation in Parliament and in high-level government positions has significantly increased in recent years.

The current president and prime minister are both women. In 2021, 40 women gained seats in Parliament, setting a new national record; 39 remained in Parliament as of December 2022.

LGBT+ people organize and advocate for equal rights but are discouraged from political engagement due to harassment.

C. FUNCTIONING OF GOVERNMENT: 5 / 12

C1. Do the freely elected head of government and national legislative representatives determine the policies of the government? 3 / 4

Since the Gavrilița government's 2021 appointment, policies have generally been determined by elected legislative and executive officials. However, key decisions have also been made by the extraordinary Commission for Exceptional Situations (CSE) after the government declared a state of emergency in response to the February 2022 invasion of Ukraine. The state of emergency remained in effect at year's end.

Despite holding a nonpartisan office with few executive powers, President Sandu actively participates in policymaking.

C2. Are safeguards against official corruption strong and effective? 1 / 4

Corruption remains widespread, and anticorruption reform efforts have not yielded results. In a January 2022 report, the Organisation for Economic Co-operation and Development (OECD) noted that many aspects of the government's 2017–20 anticorruption strategy remained unfulfilled by the end of 2020.

Moldova is still recovering from a 2014 banking scandal in which $1 billion was stolen from three banks. Plahotniuc and Șor, key actors in the affair, left Moldova in 2019, and judicial proceedings regarding their role have stalled. In October 2022, the United States imposed sanctions on both men, citing Plahotniuc's corruption and Șor's efforts to advance Moscow's interests in Moldova. The United Kingdom imposed similar sanctions against the two in December.

In May 2022, former president Dodon was arrested and placed under house arrest due to corruption allegations. In October, prosecutors accused him of accepting funding for the PSRM from Plahotniuc in 2019; in return for the funds, Dodon was to intercede on Plahotniuc's behalf regarding criminal cases filed in Russia. Dodon, who rejected the accusations, was freed from house arrest in November but was ordered not to leave Moldova for 60 days. By November, former Parliament speaker Zinaida Greceanîi and lawmaker Corneliu Furculiță, both of the PSRM, had also been implicated in the case.

In November 2022, the RISE Moldova news outlet reported that Dodon had received funds from businessmen associated with the Kremlin between October 2021 and April 2022. Dodon denied the allegations.

In July 2022, prosecutors and the National Anticorruption Center raided the offices of the Șor Party, which was accused of accepting funds from criminal actors. Șor Party vice president Marina Tauber was detained and remained under house arrest as of October.

C3. Does the government operate with openness and transparency? 1 / 4

Although the PAS government appears to be more transparent than its predecessors, serious issues persist, including the late publication of plans, draft policies, budgets, and bills for consultation. Efforts to transparently appoint public officials have been marred by procedural failures and allegations of political bias.

CIVIL LIBERTIES: 35 / 60

D. FREEDOM OF EXPRESSION AND BELIEF: 12 / 16

D1. Are there free and independent media? 2 / 4

Many sectors of the media industry continue to be dominated by outlets connected to political parties and oligarchs. With few exceptions, nationally broadcasting television

stations are owned by people affiliated with political parties. Reporters face difficulty accessing important information in the public interest and are subject to threats of legal action from politicians and other public figures. In July 2022, for example, Jurnal TV founder Val Butnaru was fined and barred from holding leadership posts at television or radio outlets for six months after he was found guilty of slander. Butnaru was accused of the offense by the Buiucani Police Inspectorate in 2021 after he reported on police officers' involvement in a smuggling operation.

Concerns over the independence of the Audiovisual Council (CA), Moldova's media regulator, have surfaced in recent years. Parliament amended the audiovisual-services code in 2021, making it easier to dismiss CA members. In a 2021 report, the OSCE noted that the amended code increased parliamentary control over the CA and the public broadcaster, TeleRadio-Moldova.

Moldovan authorities restricted access to Russian media after Moscow's full-scale invasion of Ukraine began in February 2022. In June, President Sandu promulgated the Informational Security Law, which banned Russian television news programming from being broadcast in Moldova. Under the law, 50 percent of television content must be sourced from European Union member states, the United States, and countries that ratified the European Convention on Transfrontier Television.

The Intelligence and Security Service (SIS) used emergency powers to block two websites later in 2022, stating that the websites spread false information and incited hatred with their content. In December, the CSE suspended the licenses of six television stations after the CA said they offered inaccurate information on the war. All six are owned by or otherwise tied to Ilan Șor.

D2. Are individuals free to practice and express their religious faith or nonbelief in public and private? 3 / 4

While the constitution guarantees religious freedom and separation of the state from religion, the law also provides special status to the Moldovan Orthodox Church. Orthodox symbols have been placed in public institutions, and Orthodox churches are sometimes present within public hospitals and some schools.

D3. Is there academic freedom, and is the educational system free from extensive political indoctrination? 3 / 4

Academic freedom is generally respected. However, the Orthodox Church has strong influence over the educational system, with education officials at all levels frequently promoting the church and Orthodox beliefs.

In July 2022, the government announced plans to merge higher-education institutions, which it said would improve their standards and competitiveness. Staff and students at institutions that would be merged criticized the proposal, saying it was not transparently discussed with them.

D4. Are individuals free to express their personal views on political or other sensitive topics without fear of surveillance or retribution? 4 / 4

Individuals are generally able to engage in discussions of a political nature without fear of retribution.

In November 2022, legislators introduced a bill that would allow the SIS to intercept mail and phone communications and engage in surveillance outside of a criminal investigation.

E. ASSOCIATIONAL AND ORGANIZATIONAL RIGHTS: 8 / 12

E1. Is there freedom of assembly? 3 / 4

Freedom of assembly is constitutionally guaranteed and mostly upheld in practice.

In September 2022, the Şor Party began staging antigovernment protests in Chişinău. Some of the demonstrators admitted that they were paid for their participation. In October, Sandu called on the government to give more powers to law enforcement to address the protests, saying that participants were trying to destabilize the country to benefit Moscow. In November, police arrested eight people who allegedly recruited individuals on behalf of the Şor Party to incite riots.

E2. Is there freedom for nongovernmental organizations, particularly those that are engaged in human rights– and governance-related work? 3 / 4

The nongovernmental organization (NGO) sector is active and largely operates without undue restrictions.

E3. Is there freedom for trade unions and similar professional or labor organizations? 2 / 4

Trade unions do not encounter major obstacles in Moldova. However, trade unions are not active or visible, and do not play an effective role in protecting workers' rights.

F. RULE OF LAW: 6 / 16

F1. Is there an independent judiciary? 1 / 4

Moldova's judicial branch is highly susceptible to political influences that hamper its independence. Judicial appointment processes lack transparency. In a February 2022 report, the CoE's Group of States against Corruption said that Moldova did not implement its previous recommendations for judicial reform.

In June 2022, local media outlets reported that President Sandu had rejected the candidacies of 13 individuals recommended by the Superior Council of Magistracy (CSM) for extended terms as judges. The president's office cited disciplinary issues involving some of the candidates. In October, Sandu accepted 14 other CSM candidates.

F2. Does due process prevail in civil and criminal matters? 1 / 4

Due process rights are poorly upheld in the Moldovan justice system. Lengthy judicial processes are common, and judges face heavy caseloads. Moldovans at times seek speedier redress at the European Court of Human Rights (ECtHR).

In October 2021, Prosecutor General Alexandr Stoianoglo was arrested on charges relating to corruption and abuse of power. In June 2022, the ECtHR shared complaints lodged with the government by Stoianoglo, who said he was illegally arrested and was suspended from his post for political reasons. In a September statement, the Justice Ministry maintained that the government did not violate the European Convention on Human Rights (ECHR) in its treatment of Stoianoglo.

A criminal trial against Ilan Şor, who was accused of involvement in the 2014 banking scandal and fled Moldova in 2019, was still ongoing at the end of 2022, and court hearings have been repeatedly postponed.

F3. Is there protection from the illegitimate use of physical force and freedom from war and insurgencies? 2 / 4

Prisoners and detainees face maltreatment and torture, and the officials responsible for such abuses generally enjoy impunity. The perpetrators of acts of torture and maltreatment against postelection protesters in 2009 remain largely uninvestigated and unpunished. Those

involved in the case of Andrei Braguța, who died in police custody in 2017 after a traffic violation, have not yet been adequately sentenced.

In March 2022, the ECtHR ruled that Moldova had violated the ECHR in its treatment of the late Serghei Cosovan, a businessman who received a prison term in 2018 and fell gravely ill while in detention. Cosovan was released from prison in 2019 and died in 2021 due to his illness.

F4. Do laws, policies, and practices guarantee equal treatment of various segments of the population? 2 / 4

The 2012 Moldovan Law on Ensuring Equality provides a framework for preventing and addressing discrimination. The law's main operational body, the Equality Council, has been praised for its effective work and principled stances on complex discrimination issues, but it has been underfunded by successive governments.

Women, people with disabilities, Roma, members of linguistic minority groups, Muslims and other non-Orthodox believers, people of African and Asian descent, older residents, and LGBT+ people often face employment discrimination. Some of these groups also encounter discrimination in education, housing, and public services. Hate speech against minority groups is promoted by some media outlets and public figures.

Schools and universities generally do not provide education in the Ukrainian, Gagauz, Bulgarian, or Romany languages. Low-quality public schools in the south, attended by many Gagauzians and Bulgarians, often fail to prepare graduates for admission to Romanian-language universities.

Moldova hosted 96,000 Ukrainian refugees as of November 2022. While the country has largely welcomed these refugees, the Roma among them have faced mistreatment and discrimination. In April, the European Roma Rights Centre (ERRC) reported that Romany refugees were placed in segregated housing with poor living conditions. In May, Human Rights Watch (HRW) noted that Roma were sometimes denied access to publicly run facilities. In August, a group of Romany refugees were tear-gassed by security personnel after an altercation at a canteen. The ERRC filed a complaint with prosecutors and the Equality Council over the incident in October, prompting a criminal investigation.

G. PERSONAL AUTONOMY AND INDIVIDUAL RIGHTS: 9 / 16

G1. Do individuals enjoy freedom of movement, including the ability to change their place of residence, employment, or education? 3 / 4

The law protects freedom of internal movement and foreign travel, and the government generally respects these rights. There are no formal restrictions on the right to change one's place of employment or education, but bribery is common in educational institutions. Travel to Transnistria is subject to checks by the de facto territorial authorities.

G2. Are individuals able to exercise the right to own property and establish private businesses without undue interference from state or nonstate actors? 2 / 4

Although Moldovan law guarantees property rights, they are undermined by a weak and corrupt judiciary. Widespread corruption also affects fair competition and normal business activity. Allies of powerful individuals have been accused of benefiting economically from selective enforcement of business regulations.

G3. Do individuals enjoy personal social freedoms, including choice of marriage partner and size of family, protection from domestic violence, and control over appearance? 2 / 4

Most personal social freedoms are protected, but domestic violence and sexual abuse are common. A 2016 report by several Moldovan NGOs found that more than 63 percent of

women and girls over the age of 15 had experienced some form of gender-based violence in their lifetime, while over 20 percent of men admitted to having had nonconsensual sex with a woman. Domestic and gender-based violence laws are inadequately enforced. Abuses that do not result in significant injury are subject only to administrative penalties.

Sexual harassment in the workplace remains common, and such incidents are inadequately addressed.

In 2021, Parliament ratified the CoE's Istanbul Convention on preventing and combating violence against women.

Child marriages are reported in the Romany community. Neither marriage nor civil unions for same-sex couples are legally recognized.

G4. Do individuals enjoy equality of opportunity and freedom from economic exploitation? 2 / 4

Due to weak protection of labor rights by authorities and trade unions, reports of exploitative labor practices—including long work hours, low wages, and fully or partially undocumented work or wages—are common. The rural population, women, and Roma are especially vulnerable to these practices. Regulations meant to prevent exploitative or unsafe working conditions are poorly enforced. Human trafficking remains a problem, though the authorities do attempt to prosecute traffickers.

Monaco

Population: 40,000
Capital: Monaco
Freedom Status: Free
Electoral Democracy: Yes

Overview: The Principality of Monaco is a constitutional monarchy headed by Prince Albert II. The prince appoints the government, which is responsible only to him. Legislative power is exercised jointly by the prince and the freely elected parliament. Civil liberties are generally respected.

KEY DEVELOPMENTS IN 2022

- In January, Monaco's parliament adopted two new laws aimed at strengthening the legal framework against money laundering, corruption, and the sponsoring of terrorism.
- In September, Stéphane Valeri, incumbent president of the National Council, announced that he planned to resign his position. After Valeri stepped down in October, he was succeeded by Brigitte Boccone-Pagès, the first woman to hold the office.

POLITICAL RIGHTS: 27 / 40

A. ELECTORAL PROCESS: 8 / 12

A1. Was the current head of government or other chief national authority elected through free and fair elections? 0 / 4

The hereditary monarch holds extensive executive authority, including the exclusive right to change the government, and there are no constitutional provisions allowing citizens

to alter this system. The current prince, Albert II, took the throne after his father's death in 2005. The head of government, known as the minister of state, is traditionally appointed by the monarch from a candidate list of three French nationals submitted by the French government. Pierre Dartout took office as minister of state in 2020.

A2. Were the current national legislative representatives elected through free and fair elections? 4 / 4

The 24 members of the unicameral National Council are elected for five-year terms; the 16 candidates who receive the most votes are elected, and the remaining 8 seats are filled through list-based proportional representation. The 2018 elections were considered credible by international observers. The new political movement Priorité Monaco, led by veteran politician Stéphane Valeri and defectors from the more established Horizon Monaco, won 58 percent of the vote and 21 seats. Horizon Monaco itself took 26 percent and 2 seats, while the Union Monégasque took 16 percent and 1 seat. After the elections, Valeri became president of the National Council, which is regarded as the most powerful elected office in Monaco. Valeri resigned from his position in October 2022 and was succeeded later that month by Brigitte Boccone-Pagès, the first woman to hold the office.

A3. Are the electoral laws and framework fair, and are they implemented impartially by the relevant election management bodies? 4 / 4

The legal framework provides an adequate basis for credible elections, and a number of recent changes have improved the conduct of elections, including the modification of campaign finance rules in 2017 and the broadening of suffrage rights for detainees in 2014. However, in a 2018 report, the Organization for Security and Co-operation in Europe (OSCE) argued that the campaign finance system could be further strengthened.

Municipal authorities, led by the mayor of Monaco, form an Electoral Committee that administers elections with support from the Interior Ministry, and observers consider their conduct to be credible. However, technical meetings in preparation for elections are not open to the public, limiting the committee's transparency.

B. POLITICAL PLURALISM AND PARTICIPATION: 10 / 16

B1. Do the people have the right to organize in different political parties or other competitive political groupings of their choice, and is the system free of undue obstacles to the rise and fall of these competing parties or groupings? 3 / 4

Political associations, groupings of people who hold similar political viewpoints, compete in Monaco, rather than traditional parties. There are no undue restrictions on the formation of new political associations. However, office seekers are prohibited from running as individual independent candidates; independents must instead form a list of at least 13 candidates to participate in elections.

B2. Is there a realistic opportunity for the opposition to increase its support or gain power through elections? 2 / 4

Opposition political associations are able to gain seats in the parliament. In 2018, Priorité Monaco, also known as Primo!, won 21 seats, while Horizon Monaco fell from 20 seats to 2. However, there are structural limits on the ability of political groupings to secure executive power through elections, as the cabinet—appointed by the prince—is not responsible to the elected parliament.

B3. Are the people's political choices free from domination by forces that are external to the political sphere, or by political forces that employ extrapolitical means? 2 / 4

The fact that the head of government is a French national appointed from a list submitted by Paris, and that the powerful head of state is an unelected monarch, means that people's political participation is heavily circumscribed by democratically unaccountable forces. Nevertheless, voters' and candidates' choices with respect to parliamentary representation are largely free from domination by such entities.

B4. Do various segments of the population (including ethnic, racial, religious, gender, LGBT+, and other relevant groups) have full political rights and electoral opportunities? 3 / 4

Only about 9,000 of Monaco's residents—roughly a quarter of the total—are citizens, and noncitizens do not have the right to vote or run for office, though a number of legal routes to naturalization are available. Most noncitizen residents are nationals of neighboring France or Italy.

Among the citizen population, women and members of racial or ethnic minority groups are free to participate in elections, both as voters and candidates, but women's interests are not always well represented in the political system, and only eight women were elected to the parliament in 2018. The six-member council of ministers included two women as of January 2022.

C. FUNCTIONING OF GOVERNMENT: 9 / 12

C1. Do the freely elected head of government and national legislative representatives determine the policies of the government? 2 / 4

The hereditary prince has significant governing authority, including the exclusive power to initiate legislation, conduct foreign policy, and approve changes to the constitution. However, all legislation and the budget require parliamentary approval, and the parliament is generally free from interference by unelected groups.

C2. Are safeguards against official corruption strong and effective? 3 / 4

There have been a series of recent improvements in the legal framework for combating corruption. Rules on accepting gifts and potential conflicts of interest were included in the rules of procedure that took effect in 2021. A 2021 report from the Group of States against Corruption (GRECO), a Council of Europe (CoE) anticorruption body, noted that Monégasque authorities had made significant progress in strengthening the country's ethics framework. The parliament also adopted two new laws aimed at strengthening the legal framework against money laundering, corruption, and the sponsoring of terrorism in January 2022.

Nevertheless, high-level corruption remains a problem, and officials sometimes act with impunity. In 2019, Laurent Anselmi was replaced as justice minister months after he unexpectedly denied a request for a term renewal from the judge overseeing the investigation into the Rybolovlev scandal, a high-profile corruption scandal within the judiciary. However, Anselmi then became foreign minister.

C3. Does the government operate with openness and transparency? 4 / 4

The law generally provides for public access to government information, including draft laws and proposed legislation. Parliamentarians are bound by the newly implemented rules of procedure and are subject to scrutiny from the ethics adviser, who is empowered to

investigate conflict-of-interest and asset-declaration concerns. The rules of procedure also require the publication of legislative committee agendas and written opinions. The 2021 GRECO report also noted that the National Council's website hosted legislation, proposals, and amendments to enhance public access to such material.

There are no financial disclosure laws in place for lawmakers or officials appointed by the prince.

CIVIL LIBERTIES: 57 / 60

D. FREEDOM OF EXPRESSION AND BELIEF: 16 / 16

D1. Are there free and independent media? 4 / 4

The constitution provides for freedom of expression, and press freedom is generally respected in practice. Monaco has a weekly government newspaper, an English-language monthly, and several online publications. There is one major private broadcaster based in the country. French and Italian broadcast and print media are widely available, and internet access is not restricted.

D2. Are individuals free to practice and express their religious faith or nonbelief in public and private? 4 / 4

Roman Catholicism is the official state religion, but the constitution guarantees freedom of religion and public worship, and this is largely respected in practice. Jehovah's Witnesses have struggled to secure official recognition as a religious association despite favorable rulings by the Supreme Court.

D3. Is there academic freedom, and is the educational system free from extensive political indoctrination? 4 / 4

There are no undue restrictions on academic freedom.

D4. Are individuals free to express their personal views on political or other sensitive topics without fear of surveillance or retribution? 4 / 4

People are generally free to express their personal views without fear of retribution. Insulting the ruling family is illegal and can result in prison sentences of up to five years, but the law is infrequently enforced.

E. ASSOCIATIONAL AND ORGANIZATIONAL RIGHTS: 12 / 12

E1. Is there freedom of assembly? 4 / 4

The constitution provides for freedom of assembly, which is generally respected in practice.

E2. Is there freedom for nongovernmental organizations, particularly those that are engaged in human rights– and governance-related work? 4 / 4

No significant restrictions are imposed on the formation or operation of nongovernmental organizations (NGOs).

E3. Is there freedom for trade unions and similar professional or labor organizations? 4 / 4

The law grants workers the right to establish unions and bargain collectively, and anti-union discrimination is prohibited. All workers except government employees have the right to strike. Unions and employers engage in collective bargaining in practice.

F. RULE OF LAW: 14 / 16

F1. Is there an independent judiciary? 3 / 4

The constitution provides for an independent judiciary. The prince names five full members and two judicial assistants to the Supreme Court based on nominations by the National Council, government bodies, and the lower courts. The recruitment process for judges lacks transparency, which contributes to a perception that they may lack independence. The Judicial Service Commission (CSJ) is responsible for ensuring the independence of the judiciary. While the CSJ's autonomy was recently strengthened, only some of its members are selected by their peers. CSJ activity reports are not publicly available. The state secretary for justice, formerly known as the director of judicial services, oversees the judicial and law enforcement systems and is responsible only to the prince. Approximately half of the judges in Monaco are Monégasque nationals, and the other half are French nationals.

Concerns about judicial independence resurfaced in 2019, when the director of judicial services turned down a request for a three-year term renewal from the judge overseeing the investigation into the Rybolovlev corruption scandal. The director was replaced later that year.

F2. Does due process prevail in civil and criminal matters? 4 / 4

Due process rights are generally respected. Defendants are presumed innocent until proven guilty and are informed of the charges against them promptly. Defendants have access to attorneys and sufficient time to prepare a defense. A 2021 report by the CoE's Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment criticized the relatively poor conditions of the Remand Prison and the size of court waiting cells, though the body reported that prisoners were generally well-treated.

F3. Is there protection from the illegitimate use of physical force and freedom from war and insurgencies? 4 / 4

The population faces no major threats to physical security. Violent crime and excessive use of force by police are both rare in Monaco.

F4. Do laws, policies, and practices guarantee equal treatment of various segments of the population? 3 / 4

Monaco lacks a law that broadly prohibits discrimination based on race or ethnicity, though insults and defamation on such grounds are illegal. In the absence of a comprehensive law, Article 14 of the European Convention on Human Rights (ECHR) is used to prevent and punish discrimination.

The law prohibits discrimination based on gender, and women's rights are generally respected. However, the European Commission against Racism and Intolerance (ECRI) has noted that women do not enjoy the same rights to social benefits as their male counterparts, as men receive head-of-household status by default, and has called for the establishment of a program guaranteeing the equal treatment of LGBT+ people.

A law passed in June 2021 and gazetted that July provides legal status to non-Monégasques who were born or adopted in Monaco and have since resided in the country. Individuals in the "Children of the Nation" category, who were previously regarded as foreigners, would effectively receive expanded access to housing and employment under this legislation.

G. PERSONAL AUTONOMY AND INDIVIDUAL RIGHTS: 15 / 16

G1. Do individuals enjoy freedom of movement, including the ability to change their place of residence, employment, or education? 4 / 4

There are no significant restrictions on freedom of internal movement or foreign travel. Temporary movement restrictions that were imposed during the COVID-19 pandemic were generally considered legitimate measures to protect public health.

G2. Are individuals able to exercise the right to own property and establish private businesses without undue interference from state or nonstate actors? 3 / 4

Property rights are respected, and noncitizens holding a residence permit may purchase property and establish businesses. However, obtaining government approval to start a business is often a lengthy and complex process, and related costs can be prohibitively expensive.

G3. Do individuals enjoy personal social freedoms, including choice of marriage partner and size of family, protection from domestic violence, and control over appearance? 4 / 4

Personal social freedoms are generally respected. Abortion remains illegal except under special circumstances, including rape and a risk to the pregnant person's life or physical health. In 2019, however, the parliament passed legislation that removed criminal punishments for people who undergo abortions; health professionals could still face penalties for performing an abortion in Monaco. Also in 2019, the parliament adopted a law allowing civil partnerships for all couples, including those of the same sex. Domestic violence is outlawed in Monaco, and there are few reported incidents. The government and NGOs provide a network of support services for victims of domestic violence.

G4. Do individuals enjoy equality of opportunity and freedom from economic exploitation? 4 / 4

Legal protections against labor exploitation are adequately enforced.

Mongolia

Population: 3,400,000
Capital: Ulaanbaatar
Freedom Status: Free
Electoral Democracy: Yes

Overview: Following a peaceful revolution in 1990, Mongolia began holding multiparty elections and established itself as an electoral democracy. Political rights and civil liberties have been firmly institutionalized, though the two dominant parties continue to rely on patronage networks rather than a competition of policy visions, and widespread corruption hampers further development.

KEY DEVELOPMENTS IN 2022

- In July, the ruling Mongolian People's Party and the upstart National Labor Party discussed joining forces to pass electoral and party finance reform. The government suggested the changes to address the challenges of governing with a supermajority in Parliament, which discourages members from following the party

line. However, in August the Constitutional Court rejected a 2019 amendment that limited parliamentary membership in the cabinet, which killed the momentum for reforms more broadly.

- Large-scale demonstrations in April occurred with participants, including many younger Mongolians, airing grievances about the government's failure to deliver on campaign promises. Protests in Ulaanbaatar in December rooted were prompted by a case of corruption involving state officials' links to a state-owned coal mining enterprise.

POLITICAL RIGHTS: 36 / 40

A. ELECTORAL PROCESS: 11 / 12

A1. Was the current head of government or other chief national authority elected through free and fair elections? 4 / 4

Under 2019 amendments to the 1992 constitution, the president is head of state and is directly elected for a single six-year term. Ukhnaagiin Khürelsükh of the Mongolian People's Party (MPP) resigned as prime minister in January 2021, but was nominated by the MPP to run for the same office in the June elections. The candidate for the Democratic Party, Sodnomzundui Erdene, was nominated following a controversial ruling by the Constitutional Court that barred President Khaltmaa Battulga from running again—because the single-term limit on the office was instituted during his presidency, the party argued he should be able to run again. Khaltmaa Battulga subsequently attempted to dissolve the MPP by decree, alleging the party was no longer independent and had become an arm of the military, but neither the Supreme Court nor Parliament adhered to the order.

The election campaign for the presidency occurred with some COVID-19 restrictions in place that may have prevented some voters from participating, particularly those who live in Ulaanbaatar but are registered to vote elsewhere. Voter turnout in the June election reached 59.35 percent, only slightly lower from the 2017 election. Khürelsükh won the presidency with 67.69 percent of the vote and the greatest margin of victory in any presidential election since 1990. Sodnomzundui Erdene only received 5.99 percent of the vote while the opposition National Labor Party (HUN) candidate Enkhbat Dangaasuren received 20.31 percent. There were no significant irregularities reported during the election by an observer mission from the Organization for Security and Co-operation in Europe (OSCE).

Oyun-Erdene Luvsannamsrai was confirmed by Parliament to replace Khürelsükh as prime minister in January 2021.

A2. Were the current national legislative representatives elected through free and fair elections? 4 / 4

Members of the 76-seat parliament, the State Great Hural, are elected for four-year terms. All members were elected to multimember constituencies in the June 2020 elections, with 48 elected via simple-majority voting and 28 via proportional representation. The MPP won 62 seats while the DP won 11. The Mongolian People's Revolutionary Party, the National Labor Party (HUN), and an independent each won 1 seat. Turnout stood at 73.7 percent. An OSCE electoral observation mission was in Mongolia for the election.

A3. Are the electoral laws and framework fair, and are they implemented impartially by the relevant election management bodies? 3 / 4

Electoral laws are generally fair, though they are often changed shortly before elections and tend to favor the two largest parties.

While the General Election Commission (GEC) is sometimes regarded with suspicion over political influence, no major complaints arose from its management of the June 2021 elections.

In July 2022, the MPP and the upstart HUN discussed increasing the number of seats in Parliament and switching to a mixed proportional and first-past-the-post electoral system. The MPP suggested the changes to address the challenges of governing with a supermajority in Parliament that discourages members from following the party line. However, in August the Constitutional Court rejected the 2019 amendment that limited parliamentary membership in the cabinet, which killed the momentum for electoral system party finance reform.

B. POLITICAL PLURALISM AND PARTICIPATION: 16 / 16

B1. Do the people have the right to organize in different political parties or other competitive political groupings of their choice, and is the system free of undue obstacles to the rise and fall of these competing parties or groupings? 4 / 4

While the Mongolian political system features multiple parties, it has also been marked by the dominance of the MPP and DP in the past. Parties are built around clientelist patronage networks rather than policy platforms. Representatives of large business groups play an important role in funding and directing the MPP and DP. HUN is represented in parliament with a single seat.

B2. Is there a realistic opportunity for the opposition to increase its support or gain power through elections? 4 / 4

There are no undue barriers preventing opposition parties from gaining power through elections, though there are practical hurdles. The rise of HUN illustrates that there is room for a new political party to gain support. However, many Mongolians perceive the party system to be closed by the need to raise financial capital to participate in elections.

The opposition Democratic Party (DP) remains in disarray as its yearslong internal conflict between factions associated with erstwhile party chair Sodnomzundui Erdene and with former president Khaltmaa Battulga.

B3. Are the people's political choices free from domination by forces that are external to the political sphere, or by political forces that employ extrapolitical means? 4 / 4

Powerful business interests have some influence over candidates and have supported them through a nontransparent party-finance system. Proposals for a new party finance system have been brought forward for several years but have met resistance in Parliament. However, candidates and voters are generally free to make political choices without excessive outside influence, in part because corporate interests are balanced across various factions of the two main parties and among lawmakers.

B4. Do various segments of the population (including ethnic, racial, religious, gender, LGBT+, and other relevant groups) have full political rights and electoral opportunities? 4 / 4

All adult citizens other than those who are incarcerated are entitled to full political rights, and these are generally observed in practice. However, despite quotas supporting gender diversity, women remain underrepresented in politics, holding about 17 percent of parliamentary seats and few senior government posts. No party nominated a woman as a presidential candidate in the 2021 election. Ethnic Kazakh parliamentarians are regularly elected in Bayan-Ölgii, which is predominantly Kazakh.

LGBT+ people face some societal discrimination that hampers their ability to advocate for their interests in the political sphere, though such advocacy has been increasing in recent years.

C. FUNCTIONING OF GOVERNMENT: 9 / 12

C1. Do the freely elected head of government and national legislative representatives determine the policies of the government? 4 / 4

Freely elected representatives are duly seated and generally able to craft government policy without improper interference. However, limited resources available to parliamentarians constrain their ability to advance legislative initiatives and party officials rarely develop such proposals.

C2. Are safeguards against official corruption strong and effective? 2 / 4

Corruption, which is endemic in Mongolia, is widely perceived to have worsened in recent years, particularly with respect to state involvement in the mining sector. Anticorruption laws are vaguely written and infrequently enforced. The Independent Authority Against Corruption (IAAC) has been criticized as ineffective in pursuing cases. The IAAC's independence was weakened in 2019 when emergency legislation allowed the NSC to recommend the chief's dismissal before the end of their term. The chief and the prosecutor general, who had called for prosecutions against parliamentarians implicated in corruption, were dismissed that year.

Despite much rhetoric, there were no significant attempts to address corruption 2022. December protests prompted by allegations of corruption at Erdenes Tavan Tolgoi, a state-owned coal mining enterprise, led to commitments to fight corruption at state-owned enterprises, but no measures were announced by the end of the year that would amount to a departure from previous practice.

C3. Does the government operate with openness and transparency? 3 / 4

While there are many laws and regulations designed to maintain government transparency and accountability, implementation and enforcement is inconsistent. The 2011 Law on Information and Transparency and Right to Information contains exemptions allowing certain types of information to be withheld from the public, which authorities often invoke to limit disclosures. The 2019 constitutional amendments established an auditing body that would maintain powers over the government. The E-Mongolia platform, which is meant to make government services more accessible, launched in October 2020 and remains a priority on Prime Minister Oyun-Erdene's agenda.

CIVIL LIBERTIES: 48 / 60

D. FREEDOM OF EXPRESSION AND BELIEF: 14 / 16

D1. Are there free and independent media? 3 / 4

Press freedom is generally respected, and media outlets collectively present a wide range of views. However, coverage can be partisan; the Organization for Security and Co-operation in Europe (OSCE) noted in its 2021 election observation mission report that many media outlets are dependent on the finances of their politically connected owners, who attempt to exert editorial control. Ownership of media companies remains opaque. Many journalists self-censor to avoid offending political or business interests and facing costly libel or defamation suits.

Authorities imposed criminal penalties for the dissemination of purported disinformation in March 2020, as the COVID-19 pandemic took hold worldwide. Journalists reportedly engaged in self-censorship while reporting on the pandemic. There have been no further discussions of these restrictions.

D2. Are individuals free to practice and express their religious faith or nonbelief in public and private? 4 / 4

Individuals are free to practice their religion under the law and in practice, though religious groups are required to register with the government and the ease of registration procedures varies by region and locality.

D3. Is there academic freedom, and is the educational system free from extensive political indoctrination? 4 / 4

Academic freedom is generally respected.

D4. Are individuals free to express their personal views on political or other sensitive topics without fear of surveillance or retribution? 3 / 4

There are few formal and significant impediments to free and open private discussion. Yet, for some years, many politically active Mongolians have reported heightened tensions that deter free expression. Arrests and prosecutions of activists at demonstrations has been interpreted by many as a warning to those who might openly dissent to government policy. Evidence of actual retaliation by powerful actors, who appear to be able to mobilize police to punish dissidents, remains scant.

E. ASSOCIATIONAL AND ORGANIZATIONAL RIGHTS: 11 / 12

E1. Is there freedom of assembly? 4 / 4

Freedom of assembly is upheld in practice. Large-scale demonstrations in April 2022 occurred with participants, including many younger Mongolians, airing grievances about the government's failure to deliver on campaign promises. Protests in Ulaanbaatar in December rooted were prompted by a case of corruption involving state officials' links to a state-owned coal mining enterprise.

Some participants and observers noted that the arrests seemed to target demonstrators unreasonably, but there is not significant evidence to corroborate this claim.

E2. Is there freedom for nongovernmental organizations, particularly those that are engaged in human rights– and governance-related work? 4 / 4

Numerous environmental, human rights, and social welfare groups operate without restrictions, though most are small. Individual activists sometimes report incidents of intimidation and harassment.

E3. Is there freedom for trade unions and similar professional or labor organizations? 3 / 4

Trade unions are independent and active, and the government generally respects their rights to bargain collectively and engage in legal strike actions. However, labor rights are restricted for certain groups, such as foreign and temporary workers, and there are some reports of employers unlawfully disrupting union activity.

F. RULE OF LAW: 11 / 16

F1. Is there an independent judiciary? 2 / 4

Judges are appointed by the president on the recommendation of the Judicial General Council, whose five members in turn are nominated by the three tiers of courts, the bar

association, and the Justice Ministry. However, legislation passed in 2019 allows the NSC to recommend the dismissal of judges. President Khürelsükh announced in September 2021 that he would voluntarily relinquish his authority to appoint judges to allow for greater judicial independence. However, this has not yet been codified in legislation.

Corruption and political influence in the daily work of judges remain concerns.

F2. Does due process prevail in civil and criminal matters? 3 / 4

Due-process rights are generally respected, but cases of arbitrary arrest and detention have been reported. The right to a fair trial can be undermined by intimidation or bribery.

F3. Is there protection from the illegitimate use of physical force and freedom from war and insurgencies? 3 / 4

While Mongolians face few major threats to physical security, there have been reports of police illegally using physical abuse to obtain confessions. Some prison and detention facilities feature insufficient nutrition, heat, and medical care.

F4. Do laws, policies, and practices guarantee equal treatment of various segments of the population? 3 / 4

There are no formal barriers to equal treatment under the law. Discrimination based on gender, race, sexual orientation, gender identity, and other categories is prohibited. However, women and LGBT+ people continue to face societal discrimination and harassment, including in the workplace. Public events in support of LGBT+ equality have grown in attendance and visibility over the past several years.

Rape and other acts of sexual violence against LGBT+ people have historically gone unprosecuted. A 2017 criminal code revision includes stronger protections for this community; law enforcement officials have gradually received training to comply with the new code.

G. PERSONAL AUTONOMY AND INDIVIDUAL RIGHTS: 12 / 16

G1. Do individuals enjoy freedom of movement, including the ability to change their place of residence, employment, or education? 4 / 4

The government respects freedom of movement. Exit bans imposed on individuals involved in legal cases are overseen by the courts.

The COVID-19 pandemic has brought some temporary restrictions on domestic movements, but perhaps more significantly has severely reduced air travel, including restricting Mongolians' ability to return to the country from abroad. These restrictions were lifted in 2022.

G2. Are individuals able to exercise the right to own property and establish private businesses without undue interference from state or nonstate actors? 3 / 4

People are generally free to own property and establish private businesses, though SOEs play a prominent role in some sectors. Corruption also hampers many private business activities. Officials have reportedly withheld operating licenses and other documentation from businesses until bribes are paid. There is a history of corruption and government interference in the mining industry.

G3. Do individuals enjoy personal social freedoms, including choice of marriage partner and size of family, protection from domestic violence, and control over appearance? 3 / 4

Individual rights on personal-status issues such as marriage and divorce are protected by law. However, domestic violence remains a problem. The government has initiated programs to encourage better police responses to domestic violence complaints in recent years.

A government survey conducted with the United Nations (UN) and published in 2018 found that nearly a third of women faced physical or sexual abuse from a partner. Just 10 percent of those who had suffered severe sexual violence by a nonpartner reported the crimes to the authorities. Sexual harassment is not explicitly restricted and is widespread. An April 2022 report of the UN Special Rapporteur on Violence Against Women noted that progress had been made in the prevention of violence against women but also urged a wider definition of such violence beyond domestic violence and further harmonization of domestic laws and with international standards.

G4. Do individuals enjoy equality of opportunity and freedom from economic exploitation? 2 / 4

The government has struggled to cope with economic inequality, particularly as large numbers of rural Mongolians migrate to cities that lack sufficient housing and infrastructure. Their situation has become even more precarious as the capital of Ulaanbaatar has restricted the registration of new residents in an effort to curb winter-time air pollution.

Women, children, people living in poverty, and other vulnerable segments of the population are at some risk of becoming trafficking victims, and can be compelled to engage in sex work, forced labor, or begging. Mine workers are subject to exploitative conditions, as are contract workers from China. The government has made efforts to better prosecute trafficking cases, but corruption and a lack of will to address the issue impede progress.

Montenegro

Population: 600,000
Capital: Podgorica
Freedom Status: Partly Free
Electoral Democracy: Yes

Overview: An opposition coalition came to power in 2020, ending three decades of rule by the Democratic Party of Socialists (DPS). However, the country is mired in political and institutional crisis due to an unstable and shifting parliamentary majority and paralyzed Constitutional Court. Corruption in politics and in the judiciary remain problems. Montenegro is home to dynamic media and civil society sectors, and, notwithstanding persistent problems within the judicial system, civil liberties are generally respected.

KEY DEVELOPMENTS IN 2022

- Following a period of instability, the government of Zdravko Krivokapić was toppled in a February no-confidence vote. In August, new prime minister Dritan Abazović's government collapsed in another no-confidence vote, prompted by his move to sign a controversial agreement that outlined the status of the Serbian Orthodox Church in Montenegro. A multiparty alliance then proposed Miodrag Lekić to serve as prime minister. President Milo Đukanović rejected the proposal and called for snap elections, a request in turn dismissed by the parliament.
- Attempting to resolve the impasse, the parliament adopted controversial legislation that restricts presidential powers by enabling a majority of lawmakers to propose a prime minister if the president refuses to do so. The amendments were criticized as unconstitutional by domestic civil society groups, were met with

disapproval by the European Union (EU) and US officials, and initiated a wave of protests. The deadlock can only be resolved by the Constitutional Court, which lacked a quorum at year's end.

- In August, the parliamentary majority granted independent municipality status to the Zeta region, which up to that point had been part of Podgorica, the capital. The move, which reduced the number of voters in Podgorica, changed electoral-district boundaries in the midst of local election campaigns and took place in the absence of meaningful consultation with the constituency.
- In March, the state prosecutor's council elected a new special state prosecutor who has prioritized high-level corruption and financial investigations, as well as improving public trust in the institution. Meanwhile, the Committee on Comprehensive Electoral Reform disbanded in June when its mandate ended, having made no progress.

POLITICAL RIGHTS: 26 / 40

A. ELECTORAL PROCESS: 8 / 12 (–1)

A1. Was the current head of government or other chief national authority elected through free and fair elections? 3 / 4

The president is chief of state and is directly elected for up to two five-year terms. In April 2018, Milo Đukanović of the DPS, who has served as either prime minister or president for most of the last three decades, was elected president with 53.9 percent of the vote. Independent candidate Mladen Bojanić finished second with 33.4 percent. Though Đukanović refused to participate in public debates and some irregularities such as misuse of public resources were reported, the Organization for Security and Co-operation in Europe (OSCE) monitoring mission stated that the polling was generally credible and that fundamental rights were respected. It also noted that Đukanović and the DPS enjoyed significant institutional advantages that reduced the poll's competitiveness.

The president nominates the prime minister, who requires legislative approval. Following the parliamentary elections in August 2020, Đukanović nominated Zdravko Krivokapić, leader of the strongest bloc in the postelection coalition, for the position. Krivokapić's government was approved that December.

Politics were in gridlock at the close of 2022, after two governments collapsed following no-confidence votes and lawmakers' were then unable to form a new government or call snap elections. Krivokapić's government was toppled in a no-confidence vote in February, initiated by deputy prime minister Dritan Abazović of the United Reform Action (URA) party. In April, a new government led by Abazović was approved, but it collapsed in August after the parliament approved another no-confidence motion initiated by the DPS; it was the shortest-serving government in the country's history. A month later, the multiparty alliance that had wrested power from the DPS in the 2020 parliamentary elections proposed Miodrag Lekić as prime minister; Đukanović rejected the proposal, saying one of the parties in the alliance had not formally signed off on the nomination, and called for snap elections. His proposition was in turn rejected by the parliament.

To resolve the impasse, the parliament adopted controversial legislation that restricts presidential powers by enabling a majority of lawmakers to propose a prime minister-designate if the president refuses to do so. The amendments were deemed unconstitutional by local NGOs, severely criticized by the EU and by US officials, and prompted a wave of protests. The deadlock can only be resolved by the Constitutional Court, which lacked a quorum as of September 2022; a majority of 48 lawmakers—a number requiring broad consensus across parties—is required to elect new judges.

A2. Were the current national legislative representatives elected through free and fair elections? 3 / 4

Members of the unicameral, 81-seat parliament—the Skupština—are directly elected for four-year terms.

While the DPS once again posted the strongest performance by a single party in the 2020 parliamentary election, taking 30 seats, it failed to secure a majority with its traditional coalition partners. With a narrow 41-seat majority, a new alliance consisting of three coalitions—the Future of Montenegro (27 seats), Peace is Our Nation (10), and In Black and White (4)—gained power. Turnout was high, at 76.64 percent.

The OSCE and the European Network of Election Monitoring Organizations (ENEMO) noted that the polls took place in an atmosphere of high polarization over issues including church affiliation and national identity. The election administration in some ways violated provisions of the constitution, including because the early election date was never harmonized with other legal obligations; pandemic-related restrictions on movement and assembly impeded campaign activities; and several lawmakers were arrested or charged with various offenses without their parliamentary immunity first being waived. The line between the ruling parties and the state was again blurred during the campaign, as the DPS and its coalition partners gained undue advantage through the widespread misuse of state resources. Nevertheless, the polls were widely considered an improvement from previous years' contests, with monitors and other analysts concluding that they were conducted in a more secure, orderly, and transparent manner and featured robust participation from across society.

In May 2022, the Abazović-led government passed amendments that delayed local elections in 14 municipalities until October, in the interest of holding the year's remaining local elections on the same day. The Center for Democratic Transition, a nongovernmental organization (NGO), requested a review on grounds that the move violated national laws, as well as international standards for the organization of regularly scheduled elections. The Constitutional Court annulled the amendments in late July.

A3. Are the electoral laws and framework fair, and are they implemented impartially by the relevant election management bodies? 2 / 4 (–1)

The conduct of elections in Montenegro is facilitated by a comprehensive legal and administrative framework, but opposition parties have long claimed that this framework is seriously flawed. In March 2021, a new Committee on Comprehensive Electoral Reform, comprised of all parliamentary parties, was formed and began to reform and improve the legal framework to ensure free and fair elections, taking into consideration recommendations of the OSCE and the European Commission (EC). The Democratic Montenegro (DM) party "froze" its membership in the committee in May 2022 over the adoption of amendments that postponed elections in 14 municipalities, and amid claims that opposition perspectives were being ignored. The committee's mandate ended in June, having made no progress on electoral reform.

The Constitutional Court declared the legislative amendments regarding delaying municipal elections unconstitutional in July. In August, the new parliamentary majority amended separate legislation regulating the territorial organization of the country to grant independent municipality status to the Zeta region, which up to that point had been part of the capital. The move, which reduced the number of voters in Podgorica, changed electoral district boundaries in the midst of the electoral process and took place in the absence of meaningful consultation with the constituency.

Score Change: The score declined from 3 to 2 due to lawmakers' efforts to manipulate the electoral process during the year's local election campaign period.

B. POLITICAL PLURALISM AND PARTICIPATION: 11 / 16

B1. Do the people have the right to organize in different political parties or other competitive political groupings of their choice, and is the system free of undue obstacles to the rise and fall of these competing parties or groupings? 3 / 4

Political parties are for the most part able to form and operate without direct interference.

Unlike the DPS regime, recent governments generally refrained from intimidating and delegitimizing opposition activity by equating it with threats to the state or to public order—though there have been occasional such accusations against various parties from both Đukanović and Abazović. Because of this calmer political environment, new opposition political groups are able to emerge, compete in local elections, and participate in the public sphere without being smeared as "enemies of the state."

B2. Is there a realistic opportunity for the opposition to increase its support or gain power through elections? 3 / 4

Prior to the 2020 elections the DPS had been in power since 1991, which has provided it with significant structural advantages over opposition parties. In 2020, the opposition gathered in three coalitions to focus efforts on criticizing the DPS, which proved to be a winning strategy. While the DPS showed significant strength in local election in Nikšić in 2021, losing the capital of Podgorica in 2022 reflected declining popular support.

Despite losing the Podgorica election, the DPS mayor remained in his post at year's end. He had admitted defeat in October, but pointed as justification for remaining to election-related appeals the Constitutional Court could not decide because it lacked a quorum.

B3. Are the people's political choices free from domination by forces that are external to the political sphere, or by political forces that employ extrapolitical means? 2 / 4

While voters are generally free to express their political choices, the DPS has fostered extensive patronage networks in both public companies and private companies with links to the state, which encourage loyalty to the DPS. Many members of the DPS are believed to have ties to organized crime, which continues to provide opportunities for illicit pressure on voters and candidates.

Neither the Krivokapić nor Abazović governments put a stop to the practice of clientelism, undermining the planned depoliticization and professionalization of public administration and the creation of a proclaimed meritocratic system. The Serbian Orthodox Church (SPC) in Montenegro remains to be a powerful political actor. Its influence was reflected in the abrupt signing in August 2022 by Prime Minister Abazović and the SPC Patriarch of the fundamental agreement governing the church's legality in Montenegro. Abazović's decision to sign the agreement—which deals with issues including real estate, and had been criticized by rights groups and others for offering the church greater power than other religious communities—triggered the collapse of his government.

B4. Do various segments of the population (including ethnic, racial, religious, gender, LGBT+, and other relevant groups) have full political rights and electoral opportunities? 3 / 4

All citizens have full political rights and electoral opportunities. Small political parties representing interests of ethnic, religious, and other minority groups participate in the political sphere, and members of these minorities are also represented within larger

parties—though the Romany population remains underrepresented. In the 2020 elections, voter materials were provided in the Albanian language, but not the Romany language.

Women are underrepresented in political leadership positions and politics generally. Though the government formed in 2020 took steps to increase women's participation, including through gender quotas on electoral lists, implementation remains uneven.

C. FUNCTIONING OF GOVERNMENT: 7 / 12 (+1)

C1. Do the freely elected head of government and national legislative representatives determine the policies of the government? 3 / 4

Đukanović has wielded vast personalized power for decades through his tenure as prime minister and president, as well as during his time outside of government as chair of the DPS. Although the constitution provides for a parliamentary system of government, Parliament passed a new law after Đukanović's April 2018 election that expanded presidential powers, including by allowing the president to form councils, committees, and working groups within the presidency. A controversial 2022 law sought to limit presidential powers by allowing the parliament to designate a prime minister if the president refused to do so.

The dependency of both the Krivokapić and Abazović governments on narrow majorities pushed them to be more responsive to lawmakers than their predecessors and enabled the parliament to be stronger in its oversight functions. In both instances, when the executive stopped delivering what it promised or was seen as misusing powers vested in it, it was ousted in a no-confidence vote.

In August 2022, a massive cyberattack was launched against the country. Disruptions to state and other infrastructure resulted from the attack, and as authorities temporarily deactivated communications services, information platforms, and other systems in response to it.

C2. Are safeguards against official corruption strong and effective? 2 / 4 (+1)

Corruption and cronyism remain widespread. European Commission progress reports have consistently questioned the integrity, credibility, impartiality, independence, accountability, and priority-setting of the Anti-Corruption Agency, and state prosecutors have generally remained loyal to the DPS, affecting which cases they choose to pursue. Civil society organizations and independent media provide some accountability by reporting on official corruption and its effects.

In March 2022, the state prosecutor's council elected a new special state prosecutor who has prioritized high-level corruption and financial investigations, as well as improving public trust in the institution. Arrests of officials allegedly involved in corruption scandals include the former president of the Supreme Court of Montenegro, Vesna Medenica; president of the Commercial Court of Montenegro, Blažo Jovanić; president of the board of directors of the state-owned company Plantaže, Veselin Vukotić, and its former chief executive, Verica Maraš; a National Security Agency officer and son of the most influential person in the agency during the DPS reign, Petar Lazović; and the former customs office head Rade Milosević, among others.

Score Change: The score improved from 1 to 2 because prosecutors have been more able to pursue corruption cases against government officials under recent administrations.

C3. Does the government operate with openness and transparency? 2 / 4

Government sessions are now live streamed online, offering public access to the proceedings—though since the initiative's launch, politicians have been criticized for grandstanding rather engaging in constructive debate. Citizens still have few opportunities for

meaningful participation in public consultations on legislation and policy reforms. Budget plans remain widely unavailable, as does information on government contracts.

CIVIL LIBERTIES: 41 / 60

D. FREEDOM OF EXPRESSION AND BELIEF: 12 / 16

D1. Are there free and independent media? 3 / 4

A variety of independent media operate in Montenegro, and media coverage is partisan and combative on certain issues. Unlike the DPS government, the Krivokapić government did not seek to pressure reporters. Abazović, on the other hand, brough back some of the DPS's fiery rhetoric targeting critical journalists.

The state broadcaster, Radio and Television of Montenegro (RTCG), has made strides in transforming into a genuine public-service broadcaster, and features a more balanced editorial policy and more inclusive and diverse political content. Public opinion polls in 2022 showed increased public trust in RTCG, as well increased viewership.

The lack of external pressure during 2021 and 2022 made internal censorship within media houses and self-censorship among journalists less prominent. Reporters who cover corruption and organized crime still risk violence.

D2. Are individuals free to practice and express their religious faith or nonbelief in public and private? 3 / 4

The constitution guarantees freedom of religious belief. However, during the final years of the DPS government, the SPC and its adherents were subject to discrimination and hate speech, and its clergy has been characterized by the DPS as enemies of the state.

D3. Is there academic freedom, and is the educational system free from extensive political indoctrination? 3 / 4

Academic freedom is guaranteed by law and generally upheld. However, political controversies in past years have affected the ability of the rector of the University of Montenegro to operate independently.

D4. Are individuals free to express their personal views on political or other sensitive topics without fear of surveillance or retribution? 3 / 4

People are generally free to engage in public discussions. Neither the Krivokapić nor Abazović governments sought to silence dissenting voices by directing police to arrest social media users that post critical or satirical content. Individuals' fear of retribution for expressing their opinions online has diminished, and open criticism of the parliamentary majority and the government has become more commonplace.

E. ASSOCIATIONAL AND ORGANIZATIONAL RIGHTS: 9 / 12

E1. Is there freedom of assembly? 3 / 4

Citizens generally enjoy freedom of assembly. However, incidents of violence, excessive police force, or interference with demonstrations occasionally take place.

E2. Is there freedom for nongovernmental organizations, particularly those that are engaged in human rights– and governance-related work? 3 / 4

Although most NGOs operate without interference, those that investigate corruption or that criticized the former DPS government faced pressure.

Both the Krivokapić and Abazović governments recognized civil society actors as strategic partners in crafting government reforms, though some civil society members have

criticized their stated reform commitments as superficial. In a similar fashion to Đukanović, Abazović also accused some NGOs critical of his policies to be working against Montenegro.

E3. Is there freedom for trade unions and similar professional or labor organizations? 3 / 4

There is freedom for trade unions, which remain relatively strong in the public sector. However, reports of intimidation of labor activists by employers continue.

F. RULE OF LAW: 9 / 16

F1. Is there an independent judiciary? 2 / 4

Efforts to bolster judicial independence continue, though the judiciary remains susceptible to pressure from the DPS, and judicial corruption remains a problem. In April 2022, the former president of the Supreme Court, Vesna Medenica, was arrested on charges of abuse of office and establishing a criminal organization.

However, the new special state prosecutor is faced with a plethora of backlog cases that his predecessor had refused to process. While prosecution has been freed from the DPS's grip, selective justice remains a systemic problem. There are still serious deficiencies in transparency, openness, professionalism, and accountability in the judicial system.

F2. Does due process prevail in civil and criminal matters? 1 / 4

Constitutional guarantees of due process are inconsistently upheld. Legal proceedings are lengthy and often highly bureaucratic, particularly when involving business dealings. Police frequently hold suspects in extended pretrial detention while completing investigations. Courts are poorly funded and often overburdened.

Two Democratic Front (DF) leaders, Andrija Mandić and Milan Knežević, who were charged with plotting a coup in 2016, were found guilty in May 2019 and were each given sentences of up to five years in prison. Legal procedures surrounding the trial were chaotic and opaque, several witnesses recanted testimony, and many details of the alleged plot remained murky after the trial closed. In February 2021, an appeals court overturned the convictions of and ordered a retrial for 13 suspects accused of plotting the coup, including Mandić and Knežević, citing procedural mistakes and violations of criminal law. A retrial began in November 2022.

In late 2022, the parliamentary majority failed to elect judges to the Constitutional Court and new members of the Judicial Council from the ranks of distinguished lawyers, contributing to an institutional crisis.

F3. Is there protection from the illegitimate use of physical force and freedom from war and insurgencies? 3 / 4

Violent crime is not a significant problem for the general population, although several apparent executions by criminal gangs of rivals have taken place in recent years. Prison conditions do not meet international standards for education or health care, and prison guards reportedly abuse inmates with impunity.

F4. Do laws, policies, and practices guarantee equal treatment of various segments of the population? 3 / 4

Members of the Romany, Ashkali, Egyptian, and other ethnic minority groups, as well as LGBT+ people, face discrimination. Women in Montenegro are legally entitled to equal pay for equal work, but patriarchal social norms often limit their salary levels, as well as their educational opportunities.

G. PERSONAL AUTONOMY AND INDIVIDUAL RIGHTS: 11 / 16

G1. Do individuals enjoy freedom of movement, including the ability to change their place of residence, employment, or education? 3 / 4

The freedom of movement and the right of citizens to change their residence, employment, and institution of higher education are generally respected in practice. However, despite the fall of the DPS government, jobs in the public sector are often awarded through patronage networks, limiting access for those without connections.

G2. Are individuals able to exercise the right to own property and establish private businesses without undue interference from state or nonstate actors? 2 / 4

The state sector dominates much of Montenegro's economy, and related clientelism, as well as corruption, pose obstacles to normal business activity.

G3. Do individuals enjoy personal social freedoms, including choice of marriage partner and size of family, protection from domestic violence, and control over appearance? 3 / 4

The government for the most part does not place restrictions on personal social freedoms. In July 2020, Montenegro legalized same-sex civil partnerships. The first same-sex civil partnership was registered in July 2021.

Domestic violence is an increasingly severe problem.

G4. Do individuals enjoy equality of opportunity and freedom from economic exploitation? 3 / 4

Most workers employed in the private sector remain unprotected from exploitation and arbitrary decisions of their employers. In January 2022, the Europe Now program started. It introduced a progressive tax rate and increased the minimum wage from €250 to €450 ($260 to $470). The program seeks to improve living standards and reduce the prominence of the illegal economy.

Human trafficking for the purposes of prostitution and forced labor remains a problem.

Morocco

Population: 36,700,000
Capital: Rabat
Freedom Status: Partly Free
Electoral Democracy: No

Note: The numerical scores and status listed above do not reflect conditions in Western Sahara, which is examined in a separate report. *Freedom in the World* reports assess the level of political rights and civil liberties in a given geographical area, regardless of whether they are affected by the state, nonstate actors, or foreign powers. Disputed territories are sometimes assessed separately if they meet certain criteria, including boundaries that are sufficiently stable to allow year-on-year comparisons. For more information, see the report methodology.

Overview: Morocco holds regular multiparty elections for Parliament and local bodies. Reforms in 2011 shifted some authority over government from the monarchy to the national

legislature. Nevertheless, King Mohammed VI and his palace maintain full dominance through a combination of substantial formal powers and informal lines of influence in state and society. Many civil liberties are constrained in practice.

KEY DEVELOPMENTS IN 2022

- In June, Moroccan authorities used tear gas, batons, and rubber bullets to forcibly disperse hundreds of migrants who were trying cross from Morocco into Spain, leaving at least 37 people dead and dozens more missing as of December. International human rights groups condemned the Moroccan authorities' use of force as excessive and unlawful, and expressed concern about the government's failure to investigate numerous human rights violations that allegedly occurred during the incident.
- A number of dissidents were arrested and prosecuted on charges related to their activism during the year; in one high-profile case in February, former human rights minister Mohammed Ziane was convicted on dubious charges related to his work with rights activists and journalists. Ziane was jailed in November after an appellate court upheld his conviction in a secret trial held without his knowledge, and he remained in prison at year's end.

POLITICAL RIGHTS: 13 / 40

A. ELECTORAL PROCESS: 5 / 12

A1. Was the current head of government or other chief national authority elected through free and fair elections? 1 / 4

Constitutional reforms in 2011 require the king to appoint the prime minister from the party that wins the most seats in parliamentary elections. However, the reforms preserved nearly all of the king's existing powers: the monarch can disband the legislature, rule by decree, and dismiss or appoint cabinet members.

The then ruling Party of Justice and Development (PJD) was trounced in September 2021 elections, and the National Rally of Independents (RNI) and the Istiqlal Party, both closely aligned with the palace, were the primary victors. The king appointed Aziz Akhannouch of the RNI as prime minister. Akhannouch's oil-and-gas fortune is reportedly worth $2 billion as of mid-2022, making him the second-richest person in Morocco after the king, whose wealth is estimated at $5.7 billion.

In keeping with royal prerogative, after the election, the king announced the new 24-member cabinet, with key positions going to technocrats loyal to the palace.

A2. Were the current national legislative representatives elected through free and fair elections? 2 / 4

The lower house of Parliament, the Chamber of Representatives, has 395 directly elected members who serve five-year terms. Of these, 305 are elected from 92 multimember constituencies. The remaining 90 are elected from a single nationwide constituency, with 60 seats reserved for women and 30 for people under the age of 40. Members of the 120-seat upper house, the Chamber of Counselors, are chosen by an electoral college—made up of professional, labor, and business organizations as well as local and regional officials—to serve six-year terms.

In the September 2021 parliamentary and municipal elections, the PJD won only 13 seats, down from 125. The RNI and the Istiqlal Party, both closely aligned with the palace, took 102 and 81 seats respectively; the Authenticity and Modernity Party (PAM) won 87. Voter turnout was low at 50.4 percent, but was nevertheless an improvement over the 43

percent turnout seen in the 2016 elections, most likely because parliamentary elections were held simultaneously with local and municipal elections.

The PJD blamed its poor performance on fraud and irregularities, but offered little evidence. A more plausible explanation is that the party had delivered poorly on past electoral promises—though follow-through is difficult in a political system dominated by the monarchy. The PJD was also blamed for the December 2020 normalization of relations with Israel, a policy that remains unpopular with many Moroccans.

The 2021 election results effectively solidified the power of the monarchy, since pro-palace parties and technocrats dominate the new government and are unlikely to challenge the king.

A3. Are the electoral laws and framework fair, and are they implemented impartially by the relevant election management bodies? 2 / 4

The constitutional and legal framework allows for competitive legislative elections, but the transparency of the process is not guaranteed. Elections are overseen by the Interior Ministry, with some participation by the Justice Ministry, rather than an independent electoral body. Approximately three million Moroccans live abroad, and electoral laws make it exceedingly difficult for citizens outside of Morocco to cast their ballots.

Changes in the electoral law made in March 2021 made it less likely for one party to win decisively.

B. POLITICAL PLURALISM AND PARTICIPATION: 5 / 16

B1. Do the people have the right to organize in different political parties or other competitive political groupings of their choice, and is the system free of undue obstacles to the rise and fall of these competing parties or groupings? 2 / 4

Morocco has a multiparty system in which new parties frequently emerge, but are generally unable to assert themselves relative to the power of the palace. There remains significant cynicism toward electoral politics—a combination of distrust of party leadership, which is generally seen as corrupt and co-opted, and a belief that the palace ultimately makes major decisions.

Justice and Charity (Al-Adl wa al-Ihsan) is an illegal Islamist movement that does not participate in elections. Nevertheless, it enjoys widespread support, and authorities largely tolerate its activities.

The reformist February 20 Movement, which emerged from the 2011 Arab Spring protests, and *Hirak Rif*, a campaign that began in Morocco's largely Amazigh (Berber) Rif region in 2016, enjoy considerable popular support, but both movements also face severe government repression.

B2. Is there a realistic opportunity for the opposition to increase its support or gain power through elections? 1 / 4

Although there was a significant change in the government with the September 2021 election—with the PJD replaced by a new coalition led by the RNI, Istiqlal, and PAM—the shift does not presage a significant change in policy or power. The cabinet, announced by the king following the election, maintains fundamental continuity, with technocratic, unaffiliated ministers appointed to strategic ministries.

B3. Are the people's political choices free from domination by forces that are external to the political sphere, or by political forces that employ extrapolitical means? 1 / 4

The constitution and informal practice give the king overwhelming influence over political affairs, including government formation. The monarch and his circle of advisers and associates—known in Morocco as the *Makhzen* ("central storehouse")—wield enormous private political and economic power that can be used to shape political outcomes through patronage networks.

B4. Do various segments of the population (including ethnic, racial, religious, gender, LGBT+, and other relevant groups) have full political rights and electoral opportunities? 1 / 4

The political system features universal suffrage, but parties based on religious, ethnic, or regional identity are prohibited, and the concerns and interests of women and the Amazigh population are not adequately addressed.

At least 40 percent of the population is Amazigh; the majority of Moroccans have Amazigh roots. Amazigh elites enjoy access to the monarchy and have their interests represented in Parliament, but the bulk of the Amazigh population is socially, economically, and politically marginalized. Recent unrest in Al Hoceïma, the surrounding Rif region, and other cities across Morocco stemmed in large part from inequities experienced by many Amazigh residents and their inability to obtain redress for their grievances through the political system.

A system of reserved seats for women is meant to encourage their participation in the electoral process at the national and local levels, partly offsetting traditional social pressures that deter such engagement. Electoral laws passed in 2021 helped facilitate an increase in women candidates for that year's local and municipal elections: 27 percent of candidates were women, compared to 12 percent in 2015. Despite this, women lead only 1 percent of districts. In national elections, 60 of the 395 seats in the Chamber of Representatives are reserved for women; additionally, half of the 30 seats reserved for youth are to be filled by women. The cabinet formed in October 2021 included a record seven women.

C. FUNCTIONING OF GOVERNMENT: 3 / 12

C1. Do the freely elected head of government and national legislative representatives determine the policies of the government? 1 / 4

While elected officials are duly installed in government, their power to shape policy is sharply constrained by the king, who determines the composition of the cabinet, sets domestic and foreign policy, and commands the armed forces and intelligence services. Royal commissions are formed ad hoc and tend to wield more power than ministries.

C2. Are safeguards against official corruption strong and effective? 1 / 4

Corruption is rife in state institutions and the economy. Despite official rhetoric about combating corruption, the palace and government have a mixed record on enforcement and progress has been slowed by a lack of political will, low institutional capacity, and the influence of elites who benefit from the status quo. In 2021, the parliament strengthened the National Commission on Probity, Prevention, and Fight against Corruption by broadening the definition of corruption and giving the body greater investigatory powers; the results of this reform remain to be seen.

C3. Does the government operate with openness and transparency? 1 / 4

Overall transparency is limited. Civil society leaders have faulted a controversial 2018 access to information law for provisions that criminalize "misuse" of government information or "distortion of content." The government publishes budget and financial information online, and public officials—including parliamentarians, judges, and civil servants—are required to declare their assets.

However, the monarchy itself, with its vast array of economic interests, is not subject to these rules, and the extent of its activities is unclear. For example, the king's sister, Princess Leila Hasnaa, was discovered to own property in London using a shell company when the Pandora Papers—an investigation by the International Consortium of Investigative Journalists (ICIJ) that revealed the secretive financial conduct of rich and powerful actors around the world—were released in October 2021. The property was reportedly acquired using royal funds.

Transparency is lacking with respect to the king's health, a subject considered taboo.

CIVIL LIBERTIES: 24 / 60

D. FREEDOM OF EXPRESSION AND BELIEF: 7 / 16

D1. Are there free and independent media? 1 / 4

The state dominates the broadcast media, but affluent Moroccans have access to foreign satellite television channels. Although the independent press enjoys a significant degree of freedom when reporting on economic and social policies, the authorities use a number of financial, legal, and social mechanisms to punish critical journalists who focus on the king, his family, the status of Western Sahara, or political Islam. The authorities also occasionally disrupt websites and internet platforms. According to a September 2022 report by international media rights group Global Voices, Moroccan authorities have used Pegasus mobile phone spyware to surveil journalists in Morocco.

Since 2018, several independent journalists have faced prosecution on dubious charges of sexual assault or financial misconduct. In one notable case in 2021, *Akhbar al-Youm* editor in chief Soulaimane Raissouni was sentenced to five years in prison on sexual assault charges that the Committee to Protect Journalists (CPJ) and other rights groups described as fraudulent.

D2. Are individuals free to practice and express their religious faith or nonbelief in public and private? 2 / 4

Nearly all Moroccans are Muslims, and the king, identified as "commander of the faithful" in the constitution, has ultimate authority over religious affairs. Imams are required to obtain state certification, and mosques are monitored by the authorities. The government operates a well-financed training program for imams and female religious counselors tasked with promoting a state-sanctioned version of "moderate Islam," which some critics charge is also intended to promote political quiescence.

Despite deep societal prejudices, a 3,000-person Jewish community is permitted to practice its faith, though many synagogues are unmarked. The Christian community, which numbers approximately 50,000, also experiences prejudice. Christian marriages are not legally recognized by the government.

D3. Is there academic freedom, and is the educational system free from extensive political indoctrination? 2 / 4

Universities provide a relatively open space for discussion, but professors practice self-censorship when dealing with sensitive topics. Salafists—adherents of a fundamentalist form of Islam—are closely monitored in universities. Periodic violence between university student groups, often stoked by Morocco's political, ethnic, and sectarian differences, inhibits the right to peaceful student activism.

D4. Are individuals free to express their personal views on political or other sensitive topics without fear of surveillance or retribution? 2 / 4

State surveillance of online activity and personal communications is a serious concern, and the arrests of journalists, bloggers, and activists for critical speech serve as a deterrent to uninhibited debate among the broader population. The use of spyware and surveillance technologies by the government is widespread.

In July 2022, Human Rights Watch (HRW) released a report detailing how Moroccan authorities have developed an "ecosystem of repression" to silence dissidents and potential critics. Pro-Makhzen media outlets frequently deploy digital smear campaigns to intimidate government critics and activists, flooding the internet with content that reveals dissidents' intimate and private information.

E. ASSOCIATIONAL AND ORGANIZATIONAL RIGHTS: 5 / 12

E1. Is there freedom of assembly? 1 / 4

Freedom of political assembly is sharply restricted. The authorities sometimes use excessive force and violence to disperse protests.

The government suppressed the 2016–17 Hirak Rif protest movement against corruption and economic deprivation. Nasser Zefzafi and other protest leaders received 20-year prison sentences in 2018, while 50 other activists received shorter sentences. Authorities also harass activists involved in organizing antigovernment demonstrations that protest *hogra*, referring to the loss of dignity due to perceived official indifference or contempt.

Ongoing economic dislocation stemming from structural inequities in the economy and COVID-19 continued to prompt unrest in 2022. In December, thousands of people protesting against the high cost of living took to the streets in Rabat.

Pro-Palestinian demonstrations are also regularly held outside the parliament in Rabat. In September 2022, dozens of people protested against Morocco's normalization of relations with Israel after the Israeli envoy to Morocco was accused of several criminal acts, including sexually harassing and exploiting Moroccan women.

E2. Is there freedom for nongovernmental organizations, particularly those that are engaged in human rights– and governance-related work? 2 / 4

While civil society organizations are active, they are subject to legal harassment, travel restrictions, intrusive surveillance, and other impediments to their work. The authorities routinely deny registration to nongovernmental organizations with links to Justice and Charity or that assert the rights of marginalized communities.

The Moroccan Association for Human Rights (AMDH), one of Morocco's most prominent NGOs, is frequently targeted by the government. The authorities have canceled numerous AMDH events in recent years and are known to impede its efforts to rent space and open bank accounts.

Numerous political and human rights activists were arrested and prosecuted for their activism in 2022. In one case in March, Moroccan authorities arrested Saida El Alami, a member of the civil society group Moroccan Women against Political Detention, after she criticized the authorities on social media. She was sentenced to two years in prison in April; her conviction was upheld upon appeal in September, and her sentence was increased to three years in prison.

Amnesty International has been prohibited from carrying out research in Morocco since 2015.

E3. Is there freedom for trade unions and similar professional or labor organizations? 2 / 4

Workers are permitted to form and join trade unions, and the 2004 labor law prevents employers from punishing workers who do so. Nevertheless, there are undue legal and

employer restrictions on collective bargaining and strikes. The authorities sometimes forcibly break up labor-related protests. Unions are closely affiliated with political parties.

F. RULE OF LAW: 5 / 16

F1. Is there an independent judiciary? 1 / 4

The court system is not independent of the monarch; the king chairs the Supreme Council of the Judiciary. In practice, the courts are regularly used to punish perceived opponents of the government, including dissenting Islamists, human rights and anticorruption activists, and critics of Moroccan rule in Western Sahara. Local courts are perceived as corrupt and serving powerful interests.

F2. Does due process prevail in civil and criminal matters? 1 / 4

Police frequently violate legal and procedural safeguards against arbitrary arrest and detention, and many convictions rely on confessions that are coerced. Pretrial detainees are reportedly held beyond a one-year limit, and there are no provisions in the law allowing for pretrial detainees to challenge their detentions in court. Some suspects, particularly those accused of terrorism, are held in secret detention for days or weeks before formal charges are filed.

In February 2022, former human rights minister and prominent lawyer Mohammed Ziane was convicted on 11 charges, including insulting the judiciary, adultery, and sexual harassment. Rights groups repeatedly expressed concern that the charges against Ziane—a government critic who has frequently defended opposition figures, rights activists, and journalists in court—were politically motivated. Ziane was arrested in November after a court of appeal upheld his February conviction, and ordered that his sentence of three years in prison and a fine of 5,000 Moroccan dirhams ($460) be imposed immediately. Ziane was not present for the trial, which was held without his knowledge. Human rights NGOs have condemned Ziane's arrest, the secret proceedings, and the charges against him as illegitimate. Upon his arrest, Ziane was placed in solitary confinement, where he remained at year's end.

F3. Is there protection from the illegitimate use of physical force and freedom from war and insurgencies? 2 / 4

Cases of excessive force by police and torture in custody continue to occur. Prisons often suffer from overcrowding.

Terrorism remains a threat to physical security in Morocco. In September 2022, Moroccan authorities announced that, with the support of US intelligence officials, they had arrested a man suspected of having ties to Islamic State (IS) militant groups for allegedly planning a terrorist attack.

F4. Do laws, policies, and practices guarantee equal treatment of various segments of the population? 1 / 4

Constitutional reforms in 2011 granted official status to Tamazight languages, which have been promoted in schools along with Amazigh culture. Nevertheless, Amazigh and other communities that do not identify with the dominant Arab culture tend to face educational and economic disadvantages. Civil society groups that promote Amazigh rights have faced government interference.

Gender equality was also recognized in the 2011 constitution, but women continue to face significant discrimination at the societal level and are underrepresented in the labor force.

LGBT+ people face harsh discrimination and occasional violence. Same-sex sexual relations can be punished with up to three years in prison.

The government has granted temporary residency permits to refugees and migrants as part of an effort to regularize their status and provide them with basic services. However, many registered refugees living in Morocco still do not possess residency or work permits.

In June 2022, Moroccan authorities used tear gas, batons, and rubber bullets to forcibly disperse hundreds of migrants, mostly from sub-Saharan Africa, who were attempting to cross from Morocco into Spain. International human rights groups condemned the authorities' use of force as excessive and unlawful, and expressed concern over the government's failure to investigate human rights abuses alleged to have occurred during the incident, which left at least 37 people dead and 77 missing as of December.

G. PERSONAL AUTONOMY AND INDIVIDUAL RIGHTS: 7 / 16

G1. Do individuals enjoy freedom of movement, including the ability to change their place of residence, employment, or education? 2 / 4

Moroccan law guarantees freedom of movement and the ability to change one's place of employment or education, but in practice poor economic conditions and corruption limit these rights. Widespread bribery, nepotism, and misconduct within the educational sector constrain merit-based advancement.

G2. Are individuals able to exercise the right to own property and establish private businesses without undue interference from state or nonstate actors? 2 / 4

Well over a third of the land is collectively owned by tribes and managed by the Interior Ministry, and in recent years it has been subject to private development without fair compensation to previous occupants. Moreover, under tribal rules of inheritance, women cannot hold the rights to occupy and use such lands, leaving them more vulnerable to displacement. Ordinary inheritance rules also put women at a disadvantage, generally granting them half the property of an equivalent male heir.

Private business activity is hampered in part by the dominant role of the king, his family, and the Makhzen. Among other assets, Mohammed VI has a majority stake in Al Mada, a massive holding company with stakes in virtually every economic sector, including mining, tourism, food, banking, construction, and energy.

G3. Do individuals enjoy personal social freedoms, including choice of marriage partner and size of family, protection from domestic violence, and control over appearance? 2 / 4

The 2004 family code granted women increased rights in the areas of marriage, divorce, and child custody, though a number of inequities and restrictions remain, and implementation of the code has been uneven.

All extramarital sexual activity is illegal, which deters rape survivors from bringing charges, among other repercussions.

Domestic violence is rarely reported or punished due to social stigma, though Moroccan NGOs offer support to domestic-violence survivors. A 2018 law criminalized domestic violence and forced marriage, and imposed more stringent penalties on those convicted of rape. Although the law was considered a step forward, critics faulted the legislation for failing to outlaw spousal rape, not providing a clear definition of domestic violence, and not mandating the government to provide greater support for survivors.

Abortion is legal only when the mother's life is at risk. In September 2022, a 14-year-old girl died following a clandestine abortion performed at the house of a man accused of sexually assaulting her, leading to protests calling for abortion to be decriminalized.

G4. Do individuals enjoy equality of opportunity and freedom from economic exploitation? 1 / 4

Poverty is widespread, and economic opportunities are scarce for a large portion of the population.

Child laborers, especially girls working as domestic helpers, are denied basic rights and are frequently abused by their employers. A 2018 labor law meant to protect young women employed as household workers requires employers to use written contracts, sets a minimum working age of 18 (after a five-year phase-in period during which 16- and 17-year-olds are allowed to work), mandates a day off each week, and sets a minimum wage. Rights groups criticized the legislation for failing to provide support to reintegrate domestic workers into society, and for permitting girls under 18 to work until 2023.

A 2016 law criminalized human trafficking; existing measures had defined and banned only some forms of trafficking and left many victims unprotected. Immigrant laborers, especially from sub-Saharan Africa, are often employed informally and subject to significant exploitation.

Mozambique

Population: 33,000,000
Capital: Maputo
Freedom Status: Partly Free
Electoral Democracy: No

Overview: The ruling party's unbroken incumbency before and since the first multiparty elections in 1994 has allowed it to establish significant control over state institutions. The opposition has disputed the results of recent elections, and its armed wing fought a low-level conflict against government forces that persisted until a truce was signed in 2016. Hundreds of thousands of people have since been internally displaced due to an ongoing Islamist insurgency. Mozambique also struggles with corruption, and journalists who report on it and other sensitive issues risk violent attacks.

KEY DEVELOPMENTS IN 2022

- The Islamist insurgency in Cabo Delgado Province remained ongoing during the year, displacing hundreds of thousands of people. However, despite continued conflict, a relative improvement in security allowed an increasing number of internally displaced persons (IDPs) to return to their place of origin by year's end.
- In May, the parliament approved an amendment to Mozambique's antiterror law that included provisions introducing steep penalties for those convicted of making false public statements regarding terrorist acts. The amendment was criticized by civil society groups, who expressed concern that it could criminalize reporting on the Islamist insurgency in the country, but was ultimately adopted by the government in June.

POLITICAL RIGHTS: 14 / 40

A. ELECTORAL PROCESS: 3 / 12

A1. Was the current head of government or other chief national authority elected through free and fair elections? 1 / 4

The president, who appoints the prime minister, is elected by popular vote for up to two five-year terms. President Filipe Nyusi of the Front for the Liberation of Mozambique

(FRELIMO) won the presidential contest in 2019 with 73 percent of the vote. Additionally, because FRELIMO won the most votes in all provinces, it received the right to select all 10 of the country's provincial governors. Turnout was reported at just over 50 percent.

The campaign was marred by violence, much of which targeted opposition members or their supporters, and several politicians and activists were killed. Anastácio Matavel, a respected independent election observer, was killed that October; several members of an elite police unit were convicted of Matavel's murder in 2020, though questions remain about the motivation behind the crime. Further violence was reported at dozens of polling stations on election day, as were instances of harassment of poll workers, notably those appointed by the opposition, with police taking part in the intimidation. Additionally, there were credible reports of ballot-box stuffing; interference with the registration of election observers; serious voting-register inaccuracies; and tabulation irregularities. As in past elections, FRELIMO enjoyed a strong advantage due to its use of state resources to fund campaign activities and secure media coverage.

Opposition parties denounced the election as fraudulent. Civil society organizations and international observers characterized the polls as not free, unfair, nontransparent, and the worst since the introduction of multiparty democracy in 1994. They also argued that the ruling party had captured the electoral machinery through the National Elections Commission's (CNE) appointment process. International observers from the Community of Portuguese Language Countries (CPLP), the European Union (EU), and the US embassy expressed concern about the reports of irregularities and election-related violence, but ultimately recognized the outcome.

A2. Were the current national legislative representatives elected through free and fair elections? 1 / 4

Members of the 250-seat unicameral Assembly of the Republic are elected to five-year terms. The 2019 legislative elections were held concurrently with the presidential election. FRELIMO took 184 seats, up from 144 previously. The Mozambique National Resistance (RENAMO) won 60 seats, down from 89 previously, and the Democratic Movement of Mozambique (MDM) took 6 seats, down from 17 previously.

The legislative polls were marred by the same violence, irregularities, and fraud allegations as the presidential election. International observers objected to their conduct but accepted the results; opposition parties rejected the elections; and a coalition of civil society groups called them patently flawed.

In May 2022, President Nyusi suggested postponing the election of district assemblies, which are scheduled to take place in 2024. The proposed postponement of the elections has been met with sharp criticism by the opposition; RENAMO leaders have repeatedly insisted that the elections must be held as planned. In December, Nyusi announced that a team would be established to determine the feasibility of holding the elections as originally scheduled.

A3. Are the electoral laws and framework fair, and are they implemented impartially by the relevant election management bodies? 1 / 4

Elections are administered by the CNE and a support body, the Technical Secretariat for Electoral Administration (STAE). While the CNE's members hail from FRELIMO, RENAMO, the MDM, and civil society, FRELIMO effectively controls the selection process. Domestic and international observers have long argued that this structure has led to the politicization of the body and deeply undermines stakeholder confidence in its operations.

The CNE's administration of the 2019 elections drew sharp domestic and international criticism. Among other significant issues, large discrepancies emerged between the CNE's

voter rolls and records kept by the National Institute of Statistics, notably in Gaza Province, a FRELIMO stronghold. CNE records showed more than 300,000 more registered voters in Gaza than voting-age adults counted in the 2017 census.

In April 2022, the European Union Election Follow-up Mission (EU EFM) published its final report on the 2019 elections. The EU EFM noted that there had been little to no progress made in implementing any of the 20 recommendations issued by the election observation mission in 2019. The report also noted that the implementation of the majority of the recommendations "is dependent on the initiative and political will of the executive and the legislature," both of which are under FRELIMO control.

B. POLITICAL PLURALISM AND PARTICIPATION: 7 / 16

B1. Do the people have the right to organize in different political parties or other competitive political groupings of their choice, and is the system free of undue obstacles to the rise and fall of these competing parties or groupings? 2 / 4

The right to form political parties is largely respected. While many parties compete, most lack resources to campaign effectively and build a public following. Opposition leaders face harassment and threats for speaking out against the government. Figures within FRELIMO perceived as acting in conflict with the aims of the party can encounter obstacles, including intraparty disciplinary measures.

B2. Is there a realistic opportunity for the opposition to increase its support or gain power through elections? 1 / 4

FRELIMO first took power when Mozambique gained independence in 1975 and has maintained it since the 1992 agreement that ended the country's civil war and the 1994 multiparty elections. Since then, FRELIMO has maintained an electoral advantage by using public resources to fund campaign activities.

In 2018, the parliament overwhelmingly approved constitutional reforms that would allow the indirect election of provincial governors, district administrators, and mayors. The changes were viewed as beneficial to RENAMO and a step toward greater decentralization and political stability. However, because FRELIMO secured an overwhelming victory in the severely flawed 2019 elections, ostensibly winning the most votes in all provinces, it selected all the country's provincial governors, effectively nullifying the constitutional reforms.

B3. Are the people's political choices free from domination by forces that are external to the political sphere, or by political forces that employ extrapolitical means? 2 / 4

Unelected elites in FRELIMO, including military figures and powerful businesspeople, retain great influence and play a large role in shaping the party's platform. Civil servants face acute pressure to campaign and vote for the ruling party, and to make financial contributions to it. Those who openly support opposition candidates face intimidation by elements of the party embedded in state administration and the police.

B4. Do various segments of the population (including ethnic, racial, religious, gender, LGBT+, and other relevant groups) have full political rights and electoral opportunities? 2 / 4

Ethnic minorities are generally able to participate fully in political life, and people from various ethnic groups hold high-level government positions. However, FRELIMO's support base lies in the extreme north and extreme south, and ethnic groups concentrated in other regions, such as the Ndau and Macua, are underrepresented. In 2019, three districts affected by the regional conflict in Cabo Delgado Province could not vote for security reasons. Many

ethnic-minority voters who live there, notably members of the Makonde and Mwani ethnic groups that are concentrated in the region, were effectively disenfranchised.

Women hold 43 percent of seats in the parliament. In March 2022, Mozambique achieved gender parity at the cabinet level, becoming one of only 14 countries in which women hold at least 50 percent of ministerial posts. Nevertheless, men continue to hold most key political positions.

C. FUNCTIONING OF GOVERNMENT: 4 / 12

C1. Do the freely elected head of government and national legislative representatives determine the policies of the government? 1 / 4

Power remains generally centralized in the executive branch, which dominates the parliament and all other branches of government. The 2018 constitutional reforms introduced some measures to reduce centralization but were effectively overridden by FRELIMO's victory in the severely flawed 2019 elections.

Foreign donors have significant influence on policymaking, specifically as it relates to economic policy and public sector reform. Business elites connected to FRELIMO have a strong impact on government decisions, particularly on those related to foreign investment in the oil, gas, and agriculture sectors.

C2. Are safeguards against official corruption strong and effective? 1 / 4

Corruption remains widespread at the highest levels of government. Patronage networks are deeply entrenched, with various groupings competing for state resources. The anticorruption legal framework is undermined by a variety of loopholes: for example, embezzlement is not included in the Anti-Corruption Law. The judiciary, susceptible to pressure from the executive branch, further impedes the enforcement of anticorruption laws.

In 2021, the corruption trial began for the perpetrators of the 2016 "*dividas ocultas*" ("hidden debts") scandal, when three companies secretly and illegally received a more than $2 billion loan. Nineteen defendants—including former finance minister Manuel Chang who approved the illegal loans, and the son of a former president—have been charged with corruption. President Nyusi, who was minister of defense at the time, has been cited by multiple defendants as having played a prominent role. In June 2022, South Africa's Constitutional Court ruled that Chang—who had been imprisoned in South Africa since 2018—would be extradited to the United States, where he had been indicted on charges related to the scandal in 2018. South Africa's Supreme Court of Appeal rejected Mozambique's request for an appeal against the extradition in December.

In April 2022, Attorney General Beatriz Buchili reported that corruption cost Mozambique approximately 300 million meticais ($4.7 million) in 2021.

C3. Does the government operate with openness and transparency? 2 / 4

Despite the passage of a freedom of information law in 2014, it is difficult to obtain government information in practice. The government is especially opaque regarding the Islamist insurgency in Cabo Delgado Province.

CIVIL LIBERTIES: 31 / 60 (+2)

D. FREEDOM OF EXPRESSION AND BELIEF: 9 / 16

D1. Are there free and independent media? 2 / 4

State-run outlets dominate the Mozambican media sector, and authorities often direct such outlets to provide coverage favorable to the government. However, several smaller

independent outlets provide important coverage. Journalists frequently experience government pressure, harassment, and intimidation, which encourages self-censorship.

The government is known to retaliate against critical journalists, including by canceling public advertising contracts. Journalists and political commentators appearing on television programs have been the targets of attacks and kidnappings in recent years. Police frequently harass, assault, and detain journalists. In August 2022, reporters Alexandre Eusébio and Ivaldo Novela were assaulted by five National Criminal Investigation Service (SERNIC) officers while reporting on a police officer's funeral in Maputo. The officers injured the journalists and broke their equipment; the journalists reportedly pressed charges against the officers involved.

Several journalists have reportedly been forcibly disappeared in recent years. In 2021, Cassien Ntamuhanga, a Rwandan journalist and activist who had sought asylum in Mozambique, was arrested by SERNIC agents; his whereabouts remain unknown.

In May 2022, parliament passed a bill to amend Mozambique's antiterror law, sending it to President Nyusi in June. Among other things, the bill contains provisions penalizing those who "publicly reproduce false statements regarding terrorist acts" with up to eight years in prison. Press freedom advocates have expressed concern that the proposed amendment could effectively criminalize reporting on the insurgency in the north of the country. The amendment was ultimately adopted by the government in June.

D2. Are individuals free to practice and express their religious faith or nonbelief in public and private? 3 / 4

Religious freedom is generally respected, but government responses to attacks by armed Islamists have involved closing mosques and detaining Muslim leaders, alarming human rights activists.

Catholic churches have been targeted by terrorist attacks in recent years. In September 2022, an 83-year-old nun was killed during a terrorist attack on the Catholic Mission of Chipene in Nampula Province.

D3. Is there academic freedom, and is the educational system free from extensive political indoctrination? 2 / 4

There are no legal restrictions on academic freedom. However, academics have been hesitant to criticize the government since law professor Gilles Cistac was murdered after supporting RENAMO in a televised appearance in 2015.

D4. Are individuals free to express their personal views on political or other sensitive topics without fear of surveillance or retribution? 2 / 4

Civil society groups claim that authorities monitor criticism of the government posted online. There have been reports of government intelligence agents monitoring the emails of opposition party members.

E. ASSOCIATIONAL AND ORGANIZATIONAL RIGHTS: 6 / 12

E1. Is there freedom of assembly? 2 / 4

Freedom of assembly is constitutionally guaranteed, but the right to assemble is subject to notification and timing restrictions. The government frequently disallows protests due to errors in the organizers' official applications.

Though large protests are relatively rare, several demonstrations were held in 2022, including a number of protests against increasing fuel prices and the rising cost of living.

In at least three cases, security forces responded to demonstrations with lethal force, firing live ammunition in an attempt to disperse protesters; dozens of people were injured—some critically—and at least three protesters were killed by police between March and June.

In August 2022, Mozambican civil society leaders publicly pushed for the adoption of a law that would safeguard the right to peaceful demonstration.

E2. Is there freedom for nongovernmental organizations, particularly those that are engaged in human rights– and governance-related work? 2 / 4

Most nongovernmental organizations (NGOs) operate without significant legal restrictions. However, draft legislation introduced by the government in September 2022 aims to impose a number of new regulations on NGOs. The bill contains provisions requiring NGOs to submit activity reports and allowing for the arbitrary dissolution of nonprofit organizations, among other things. Civil society groups criticized the proposed legislation as overbroad and excessive, saying it represents an attempt by the government to suppress dissent and silence human rights defenders. The bill had not been passed as of year's end.

In August, leading human rights activist Adriano Nuvunga found a bullet with his name carved into it in his backyard. More than 50 NGOs condemned the threat against Nuvunga, which came amid a squeezing of the civic space in Mozambique.

Humanitarian operations in northern Mozambique are sometimes prevented from operating freely due to violence in the region.

E3. Is there freedom for trade unions and similar professional or labor organizations? 2 / 4

Workers have the right to form unions, but several restrictions impede the right to strike and make the practice rare. Public-sector workers are not allowed to strike. Many unions are not independent and operate under the influence of FRELIMO.

F. RULE OF LAW: 7 / 16 (+1)

F1. Is there an independent judiciary? 2 / 4

Judicial independence is hampered by the dominance of the executive branch. The attorney general is directly appointed by the president, with no legislative confirmation process. Pressure from FRELIMO's leadership often impedes investigations into corruption and fraud. While former president Armando Guebuza and members of his administration have been implicated in fraud and embezzlement, prosecutions were not promptly launched against them, though Guebuza-era finance minister Manuel Chang was eventually charged for corruption in late 2020. Observers claim that this historical inaction results from the influence of FRELIMO's leadership.

F2. Does due process prevail in civil and criminal matters? 2 / 4

Although due process rights are constitutionally guaranteed, these rights are not always respected in practice. RENAMO leaders assert that the police arrest members of their party arbitrarily. Due to resource constraints and an understaffed judiciary, lengthy pretrial detentions are common.

F3. Is there protection from the illegitimate use of physical force and freedom from war and insurgencies? 1 / 4 (+1)

Fighting between RENAMO and FRELIMO lasted for over a year before the parties agreed to a truce in late 2016. While a formal agreement was reached in 2019, a dissident group of RENAMO fighters resisted demobilization. During 2022, thousands of these

remaining RENAMO fighters were demobilized and disarmed. In December, UN officials in Mozambique announced that all RENAMO military bases had been closed and the last of the former combatants had been demobilized.

Residents of Cabo Delgado Province continue to suffer from violence and displacement due to an ongoing Islamist insurgency. Fighting continued in 2022; in one case in February, insurgents reportedly attacked at least eight villages in Cabo Delgado. The government continued to accept support from regional partners during the year, including Rwanda and the Southern African Development Community (SADC), who have helped reclaim significant territory. SADC and Rwandan military forces continued to successfully counter the insurgency in 2022, leading to a notable improvement in the security environment in Cabo Delgado during the year. However, security forces deployed to fight the insurgents have also been accused of extrajudicial killings, kidnappings, and other abuses. Several organizations have denounced human rights abuses as a result of the conflict.

Score Change: The score improved from 0 to 1 due to a relative improvement in security in Cabo Delgado Province and other areas of Mozambique, though insurgent violence and displacement continued.

F4. Do laws, policies, and practices guarantee equal treatment of various segments of the population? 2 / 4

Mozambican police reportedly discriminate against Zimbabwean, Somali, and Chinese immigrants. People with albinism continue to face discrimination, persecution, and violence.

Women experience discrimination in education and employment; on average, women are less educated and earn less than men. Sexual harassment in the workplace and at schools remains widespread. Homosexuality was decriminalized in 2015, but LGBT+ people face significant discrimination.

The number of internally displaced persons (IDPs) has increased in Cabo Delgado and Niassa provinces due to the escalating conflict.

Many Rwandan refugees, some of whom fled violence perpetrated by the Rwandan military, have reported feeling unsafe due to the Rwandan army's presence in Cabo Delgado. During 2022, a number of Rwandan refugees reported that they were being coerced into accepting "voluntary" repatriation to Rwanda. Others also expressed concern that a June 2022 extradition agreement between Mozambique and Rwanda will be used by the Rwandan government to forcibly repatriate refugees and dissidents residing in Mozambique.

G. PERSONAL AUTONOMY AND INDIVIDUAL RIGHTS: 9 / 16 (+1)

G1. Do individuals enjoy freedom of movement, including the ability to change their place of residence, employment, or education? 3 / 4 (+1)

Although Mozambicans face no formal restrictions on domestic or international travel, movement is hampered by the presence of checkpoints manned by corrupt police officials, who often harass and demand bribes from travelers.

Hundreds of thousands of Mozambicans have been displaced due to the ongoing insurgency in Cabo Delgado Province. According to the UN's International Organization for Migration (IOM), as of November 2022, there were over one million IDPs in Mozambique, mostly from Cabo Delgado. Authorities in Nampula and Niassa have also asked for help managing the displaced population. Despite continued conflict, a relative improvement in security had allowed an increasing number of IDPs to return to their place of origin by year's end.

Score Change: The score improved from 2 to 3 because a relative improvement in security allowed some internally displaced people to return to their places of origin.

G2. Are individuals able to exercise the right to own property and establish private businesses without undue interference from state or nonstate actors? 2 / 4

The law does not recognize private property outside urbanized areas; citizens instead obtain land use rights from the government. Many citizens are uninformed about the land law and fail to properly register their holdings. The government must approve all formal transfers of land use rights in an often opaque and protracted process. As a result, most land transactions occur on an extralegal market.

There is no legal restriction to private business. However, businesspeople do face kidnappings and extortion.

Under customary law, women usually cannot inherit property. The government does not frequently intervene to protect women's property rights when inheritance is denied.

G3. Do individuals enjoy personal social freedoms, including choice of marriage partner and size of family, protection from domestic violence, and control over appearance? 2 / 4

Domestic violence is pervasive in Mozambique and laws against it are infrequently enforced. Early and forced marriages remain common in rural areas.

Mozambique has historically possessed one of the world's highest rates of child marriage, though in 2019 the government passed legislation closing a loophole that previously allowed the practice.

Children and women have been especially impacted by ongoing violence in Cabo Delgado. Insurgents have kidnapped children to be used as soldiers, and women are being captured as sexual slaves.

G4. Do individuals enjoy equality of opportunity and freedom from economic exploitation? 2 / 4

Many women and girls from rural areas are at risk of becoming drawn into sex trafficking and domestic servitude. Government efforts to confront trafficking are improving but remain inadequate, according to the US State Department's 2022 *Trafficking in Persons Report*.

Child labor is permitted for children between 15 and 17 years old with a government permit. However, children under 15 frequently labor in the agriculture, mining, and fishing sectors, where they often work long hours and do not attend school. Many observers note that the government's 2017 plan of action to address the high number of children who are employed has been ineffective.

Myanmar

Population: 54,200,000
Capital: Nay Pyi Taw
Freedom Status: Not Free
Electoral Democracy: No

Overview: Myanmar's already-stalled democratic transition was derailed in February 2021, when the military seized control of the government, arresting dozens of senior civilian officials and preventing the newly elected parliament from convening. The National League for Democracy (NLD), which won a sweeping victory in the November 2020 elections, has

led a broad-based opposition to the takeover, organizing a country-wide Civil Disobedience Movement (CDM) as well as an armed resistance, and serving as the backbone of a self-declared National Unity Government (NUG), which exercises partial or effective control over a growing swathe of territory outside major population centers. Protesters, journalists, activists, and ordinary people risk criminal charges, detention, and lethal violence for voicing dissent against the military. Millions of people remain displaced or have been newly displaced by violence, including hundreds of thousands of Rohingya, a mostly Muslim ethnic minority.

KEY DEVELOPMENTS IN 2022

- Military authorities employed an increasingly brutal range of tactics to quash resistance activities, including sentencing individuals to lengthy prison terms and executing several influential voices of dissent. By the end of the year, almost 16,800 people had been arrested, almost 2,700 had been killed by military forces, and more than 1,900 people had been sentenced since the coup.
- In August, army chief, coup leader, and prime minister of the military government Min Aung Hlaing extended the state of emergency for a further six months. The military had previously promised to hold new elections by August 2023, but Min Aung Hlaing also delayed those polls indefinitely, until the country was "stable and peaceful."
- The army escalated attacks (including a large number of aerial strikes) both in the ethnic minority areas such as Chin, Kachin, Kayin, Rakhine, Kayah, and Shan States, as well as in the traditionally Bamar heartland of Sagaing and Magwe regions. On October 23 alone, at least 80 people were killed by a series of airstrikes on a village in Kachin State. Several hundred thousand additional civilians were newly displaced during the year.
- Aung San Suu Kyi, who was arrested by the military during the coup, was convicted in multiple trials on 19 different charges throughout the year. She was sentenced to a total of 33 years imprisonment by December. The evidence presented against Suu Kyi has been spurious, and she has appealed her convictions.

POLITICAL RIGHTS: 0 / 40

A. ELECTORAL PROCESS: 0 / 12

A1. Was the current head of government or other chief national authority elected through free and fair elections? 0 / 4

The constitutional order created in 2008 by the military was overturned by a February 2021 coup, which installed a military junta led by Senior General Min Aung Hlaing, head of the armed forces. President Win Myint and State Counselor Aung San Suu Kyi, de facto leader of the NLD, have remained in detention since the early hours of the coup and have both been convicted on far-reaching and spurious charges ranging from incitement against the military to violating pandemic restrictions, among others. By December 2022, Suu Kyi had been sentenced to 33 years in prison on a total of 19 different charges, designed to keep her detained indefinitely. Suu Kyi had previously been held by the former military junta under house arrest during three separate periods for a total of 15 years for her prodemocracy views.

A2. Were the current national legislative representatives elected through free and fair elections? 0 / 4

The bicameral Assembly of the Union consists of the 440-seat lower House of Representatives and the 224-seat upper House of Nationalities. Representatives serve five-year terms. A quarter of the seats in both houses are reserved for the military and are filled

through appointment by the head of the armed forces. The remainder are filled through direct elections in a first-past-the-post system.

Though the 2020 parliamentary elections were recognized as credible, they featured significant flaws, including the exclusion of many Muslim candidates and the disenfranchisement of hundreds of thousands of Rohingya; the cancelation by the Union Election Commission (UEC) of voting in conflict-affected districts; limited access of opposition parties to state-run media during the campaign period; and pandemic-related restrictions on in-person campaigning. The NLD won a convincing majority, but the military-backed Union Solidarity and Development Party (USDP) refused to accept the election results, alleging widespread fraud.

In February 2021, hours before the new representatives were to be seated, the military seized control of the government, imposing a state of emergency, dissolving the parliament, and detaining or placing under house arrest hundreds of elected officials. The military's plans for future elections remain in doubt.

A3. Are the electoral laws and framework fair, and are they implemented impartially by the relevant election management bodies? 0 / 4

Various features of the electoral framework undermined the democratic nature of recent elections before the 2021 coup. These include the military's role in presidential nominations and appointments to both chambers of parliament, the UEC's lack of independence, as well as rigid citizenship laws and excessive residency requirements that prevented large numbers of people from voting or standing for office.

After seizing power in February 2021, military leadership justified their rejection of the 2020 elections by citing the USDP's fraud allegations, flaws in electoral administration, and the NLD's "failure" to address alleged voter list discrepancies. The military regime also dissolved the UEC before reinstating the body with all new members, later charging a number of former UEC commissioners with electoral fraud. In October 2021, the reconstituted UEC announced plans to replace the current first-past-the-post system with a proportional representation system prior to the country's next elections, a move that was endorsed by Min Aung Hlaing in January 2022. Opposition parties claim the plan is an attempt to keep the military in power. Though the military regime previously pledged to hold new elections in August 2023, in an August 2022 speech extending the country's state of emergency, Min Aung Hlaing said that elections can only be held when Myanmar is "stable and peaceful," raising further doubts over the military's commitments to swiftly hold elections.

B. POLITICAL PLURALISM AND PARTICIPATION: 3 / 16

B1. Do the people have the right to organize in different political parties or other competitive political groupings of their choice, and is the system free of undue obstacles to the rise and fall of these competing parties or groupings? 1 / 4

Party competition in the lead-up to the 2020 elections was robust, with 7,000 candidates from more than 90 parties participating, including the NLD, the USDP, and regionally based ethnic parties. Political parties continued to function after the February 2021 coup, though prominent political leaders have been arrested by the military regime, and some have been charged with and convicted of spurious criminal offenses.

The constitution contains a requirement that political parties be loyal to the state, which carries the potential for abuse. Laws allow penalties, including deregistration, for political parties that accept support from foreign governments or religious bodies, or that are deemed to have abused religion for political purposes or disrespected the constitution.

B2. Is there a realistic opportunity for the opposition to increase its support or gain power through elections? 1 / 4

The military's constitutional prerogatives, as well as its close ties to the USDP, limit the degree to which any other force can secure control over the executive or the legislature through elections. The military may have decided to stage a coup in February 2021 because the NLD won a convincing majority in the November 2020 elections.

Min Aung Hlaing's August 2022 announced that elections would be delayed beyond the originally planned August 2023 dates until the country is "peaceful," a condition critics say is designed to stall any transfer of power back to civilian rule. However, the NUG and its ethnic allies, despite most of their being in exile or hiding, continued to gain strength as an alternative power base.

B3. Are the people's political choices free from domination by forces that are external to the political sphere, or by political forces that employ extrapolitical means? 0 / 4

The people's choice in the November 2020 elections—the NLD—was not honored by the military, which refused to accept the election results, and seized control of the government in February 2021. Since the coup, the junta has consistently used harsh tactics to contain the widespread and ongoing protests against military rule and secure its takeover—including the arrest and sentencing of political leaders and civilian protestors, excessive violence and mass killings, and custodial abuse. In July 2022, the NLD's Human Rights Record Group estimated that nearly 50 NLD members (including 3 former legislators) had been killed, and more than 900 NLD lawmakers had been arrested, of whom 109 remained in custody at the end of 2022.

B4. Do various segments of the population (including ethnic, racial, religious, gender, LGBT+, and other relevant groups) have full political rights and electoral opportunities? 1 / 4

Members of Myanmar's Buddhist and ethnic Bamar majority hold most senior leadership positions in the country, including in major national political parties, the pre-2021 civilian government, and the military. Members of ethnic and religious minority groups face restrictions on their political rights and electoral opportunities, including through discriminatory citizenship, residency, and party registration laws.

The 1982 Citizenship Law does not allow for anyone who entered the country or is descended from someone who entered the country after 1948 to become a full citizen with political rights. Naturalization of spouses is only allowed if the spouse holds a Foreigner's Registration Certificate from before the law's enactment. The majority of the mainly Muslim Rohingya were rendered stateless by the 1982 Citizenship Law, which also dictates that only those who are descended from ethnic groups deemed to be native to the country prior to 1823 are considered full citizens. A 2015 presidential decree revoked the temporary identification cards that had allowed Rohingya to vote, and most of the 600,000 Rohingya remaining in Myanmar were unable to vote in the 2020 elections.

Women remain underrepresented in the government and civil service, due largely to societal biases that discourage their political participation. Notwithstanding the prominence of Aung San Suu Kyi, whose father led Myanmar's independence struggle, few women have achieved ministerial-level appointments.

The NUG and the Committee Representing Pyidaungsu Hluttaw (CRPH), a group of elected officials unseated by the military regime that claims to represent a legitimate parliament and perform the duties of an elected government, have made a concerted effort to include members of Myanmar's various ethnic groups in their leadership structures and to

address the goals and demands of these constituencies. They have also formed alliances with many of the country's ethnic armed groups in opposition to military rule.

C. FUNCTIONING OF GOVERNMENT: 1 / 12

C1. Do the freely elected head of government and national legislative representatives determine the policies of the government? 0 / 4

In February 2021, the military prevented newly elected parliamentary representatives from taking office, utilizing a provision in the 2008 constitution that allows the military to dissolve the civilian government and rule directly if the president declares a state of emergency. The state of emergency was renewed in August 2022 for a further six months.

The junta's takeover of the state apparatus has led to a breakdown in governance, including education, healthcare, local administration, and tax collection. Effective control over territory also remained elusive, and slipped further out of the military's grasp in 2022. A detailed briefing paper produced in September 2022 by the Special Advisory Council for Myanmar, an independent group of international experts supporting human rights in Myanmar in response to the 2021 coup, estimated that the junta exercised full stable control in only 22 percent of townships in the country.

In April 2021, the CRPH established the NUG, a resistance government largely made up of ousted NLD politicians. Since then, the NUG has operated as an alternate power structure with influence or effective control over a growing swathe of the country, though the Special Advisory Council estimated they controlled approximately 2 percent of townships. Shortly after the NUG was formed, Myanmar's military leadership classified the NUG, its armed People's Defense Forces (PDFs), and the CRPH as terrorist organizations, which could result in prosecution and detention for anyone who communicates with the groups' members. In partnership with ethnic organizations and newer local-level structures, it engaged in a broader range of service delivery and revenue collection in 2022, though financial and logistical limitations remain.

C2. Are safeguards against official corruption strong and effective? 1 / 4

Despite government initiatives aimed at curbing official corruption, it remains rampant at both the national and local levels. An Anti-Corruption Commission (ACC), established in 2014, had brought several cases against high-ranking officials. Following the 2021 coup, the military brought multiple illegitimate corruption charges against several high profile leaders, including former president Win Myint. Aung San Suu Kyi, who was arrested by the military during the coup, was convicted on a range of charges, including corruption, in multiple trials in 2022. She was sentenced to a total of 33 years imprisonment by December. The evidence presented against Suu Kyi has been spurious, and she has denied the charges and asked her lawyers to appeal her convictions.

Privatization of state-owned companies and other economic reforms in recent years have allegedly benefited family members and associates of military and government officials. After the February 2021 coup, the children of high-ranking military leaders allegedly attempted to use their connections to secure lucrative supply contracts and other kickbacks.

C3. Does the government operate with openness and transparency? 0 / 4

After the Tatmadaw took power in 2021, the already limited transparency mechanisms of the previous government were dismantled; oversight by civil society groups and the media has been completely suppressed under military rule.

The military also owns an extensive network of "crony companies" whose revenues enable it to avoid accountability and public oversight and engage in human rights violations with impunity, according to a United Nations report released in 2019.

ADDITIONAL DISCRETIONARY POLITICAL RIGHTS QUESTION

Is the government or occupying power deliberately changing the ethnic composition of a country or territory so as to destroy a culture or tip the political balance in favor of another group? −4 / 0

The central authorities have long used violence, displacement, and other tactics to alter the demographics of states with ethnic unrest or insurgencies. The Rohingya in Rakhine State have faced particularly harsh restrictions for decades, including limits on family size and the ability and right to marry, the denial of legal status and social services, and disenfranchisement and loss of citizenship. Human rights experts and the United Nations have labeled the abuses against the Rohingya as crimes against humanity and ethnic cleansing, and many critics—including the US government in March 2022—have argued that they constitute either genocide or a precursor to genocide. The February 2021 coup and subsequent closure of the country has limited international observers' access to Myanmar, further frustrating efforts to hold perpetrators accountable.

In 2017, repression against the Rohingya escalated; military operations across the northern part of the state led to reports of torture, rape, indiscriminate killings, and the burning of villages, worsening already dire humanitarian conditions and causing 740,000 Rohingya refugees to join the 200,000 others already in Bangladesh. Suu Kyi has not explicitly acknowledged or condemned such organized official violence against Rohingya civilians; there has been little meaningful accountability for the atrocities.

CIVIL LIBERTIES: 9 / 60

D. FREEDOM OF EXPRESSION AND BELIEF: 3 / 16

D1. Are there free and independent media? 1 / 4

Following the coup, the military seized control of state-owned broadcast media, took private broadcasters off the air, and severely restricted internet access, including access to social media platforms and news outlets. Licenses for several independent media organizations were rescinded in March 2021. However, several independent media outlets continued to provide news coverage, operating in hiding and in exile.

Since the February 2021 coup, dozens of journalists have been forced to flee following the military's crackdown on press freedoms, and most independent outlets now operate underground or from exile. According to the Committee to Protect Journalists (CPJ), at least 42 journalists were behind bars in Myanmar as of December 2022, the third-highest number of imprisoned journalists in the world, after Iran and China. Several journalists have been sentenced to lengthy prison terms, including Japanese journalist Toru Kubota, who was released in November 2022 following intervention from Japanese officials.

D2. Are individuals free to practice and express their religious faith or nonbelief in public and private? 1 / 4

The constitution provides for freedom of religion. It distinguishes Buddhism as the majority religion, but also recognizes Christianity, Islam, Hinduism, and animism. The government occasionally interferes with religious assemblies and attempts to control the Buddhist clergy. Authorities discriminate against minority religious groups—particularly

Muslims—in practice, refusing them permission to hold gatherings and restricting educational activities, proselytization, and construction and repair of houses of worship.

Muslims face systematic discrimination in obtaining identity cards, and "Muslim-free" villages have been established with the complicity of the authorities, who have at times amplified hate speech. The officially illegal Buddha Dhamma Parahita Foundation, formerly known as Ma Ba Tha, urges boycotts against Muslim-run businesses and disseminates anti-Muslim propaganda.

D3. Is there academic freedom, and is the educational system free from extensive political indoctrination? 0 / 4

Political activity on university campuses is restricted, and universities are not autonomous. Student unions—which have historically been important advocates for human rights—are discouraged, have no formal registration mechanisms, and are viewed with suspicion by authorities.

University students and staff played a key role in antimilitary protests and strikes following the February 2021 coup; in response, the military stormed dozens of universities, seizing control of the campuses and detaining or suspending thousands of students and faculty members. Arrests of students and teachers continued in 2022; by July, at least 24 teachers had been killed and more than 200 detained since the start of the coup, according to the Assistance Association for Political Prisoners (AAPP). The NUG estimated that approximately 200,000 out of a total of 450,000 teachers had joined the CDM at some point following the coup. While some returned to work in regime-administered schools out of necessity, others have turned to teaching children in areas outside of the junta's control, where a robust network of CDM schools has been set up.

D4. Are individuals free to express their personal views on political or other sensitive topics without fear of surveillance or retribution? 1 / 4

Private discussion and personal expression—already constrained by state surveillance and laws inhibiting online speech—became more difficult following the 2021 coup. Upon taking power, the regime enacted sweeping revisions of existing legal code, removing several key human rights protections against arbitrary surveillance and banning online circumvention tools to evade surveillance.

The regime's legal reforms also severely curtailed freedom of expression. Hundreds of people were arrested and prosecuted under the revised legal code, usually for comments made online; hundreds of others have been forced into hiding or exile to avoid arrest; and many have been killed in protests, targeted by attack, or killed by military execution. In July 2022 the regime executed four pro-democracy activists, including writer-activist Ko Jimmy and singer and former lawmaker Phyo Zeyar Thaw, after convicting them in a sham trial by military tribunal. Capital punishment had not been used in decades.

E. ASSOCIATIONAL AND ORGANIZATIONAL RIGHTS: 2 / 12

E1. Is there freedom of assembly? 0 / 4

Unauthorized demonstrations are punishable with up to six months in prison under the Peaceful Assembly and Peaceful Procession Law; a variety of other vaguely defined violations can draw lesser penalties. Within a week of taking power, the military banned all gatherings of more than five people, imposed a strict curfew, and began using lethal and indiscriminate force against peaceful protesters. Widespread internet restrictions also hindered the CDM's organization of protests. Military violence in response to sustained

and widespread protests continued throughout 2022, resulting in the deaths of hundreds of protesters and the arrest of thousands more.

E2. Is there freedom for nongovernmental organizations, particularly those that are engaged in human rights– and governance-related work? 1 / 4

The ability of nongovernmental organizations (NGOs) to engage in human rights– and governance-related work significantly decreased after the coup. NGO staff face arrest and prosecution, many prominent activists have been forced into hiding or exile, and registration and banking restrictions increased; as a result, many NGOs effectively disbanded. Despite such limitations, several organizations and individuals (many of whom are operating either in hiding or in exile) continued to monitor and document human rights abuses and engage in advocacy with international stakeholders. The Organization Registration Law, introduced in October 2022, tightened registration and operating requirements and provided for severe penalties for operating outside these rules, making it increasingly difficult for international NGOs to engage in development or humanitarian aid work.

E3. Is there freedom for trade unions and similar professional or labor organizations? 1 / 4

In 2021, unions took on a lead role in organizing antimilitary protests and strikes immediately following the coup; in response, military authorities declared most unions illegal, conducted violent raids and mass arrests in areas populated by striking union workers, and threatened dozens of key leaders with arrest, causing many to flee. By June 2021, thousands of civil servants and private sector employees had been fired for their participation in the widespread CDM. In 2022, many workers were stuck in exploitative working conditions or subject to unjust termination due to the military's ban of most unions.

F. RULE OF LAW: 0 / 16

F1. Is there an independent judiciary? 0 / 4

The judiciary is not independent. Before the military coup, the courts generally adjudicated cases in accordance with the government's interests, particularly in major cases with political implications. Following the coup, the military regime forcibly took complete control of Myanmar's judicial system, which ruled in their favor in several politically motivated cases in 2022.

F2. Does due process prevail in civil and criminal matters? 0 / 4

Following the 2021 coup, revisions to the criminal code and the imposition of a state of emergency (which has been extended several times) have allowed the regime to disregard existing safeguards against arbitrary arrest and detention. In March 2021, the army enabled military tribunals to impose death sentences on civilians; by December 2022, closed-door tribunals had sentenced more than 130 people to death, according to the UN Human Rights Office. Four executions were carried out in July 2022.

The number of political prisoners rose dramatically in 2021; most were arrested while protesting, although dozens of prominent political leaders and some cultural figures were specifically targeted. According to the AAPP, 16,704 individuals had been arrested (of whom around 13,200 were still detained) and over 1,900 had received prison sentences by the end of 2022.

F3. Is there protection from the illegitimate use of physical force and freedom from war and insurgencies? 0 / 4

The military coup resulted in a sharp increase in civilian exposure to violence, armed conflict, and the illegitimate use of force. Indiscriminate shelling and aerial attacks, the destruction of villages, extrajudicial killings, forced disappearances, arbitrary detentions, torture, rape, and other abuses by the military continued to escalate during 2022. On October 23 alone, at least 80 people were killed by a series of airstrikes on a village in Kachin State.

Long-standing armed conflicts between ethnic rebel groups and the central government continued in 2022 in Shan, Kachin, Kayin, Chin, Kayah, and Rakhine States. Even ethnically Bamar areas, particularly the Sagaing and Magwe Regions and major urban centers including Yangon and Mandalay, experienced high levels of violent conflict between junta forces and antimilitary protesters. Lethal and indiscriminate military attacks on peaceful protesters took place across the country; in response, civilian youth across the country formed armed People's Defense Forces (PDFs) that carried out guerilla attacks against military targets. After the NUG declared a "people's war" against the military in September 2021, it engaged in efforts to with the PDFs and ethnic rebel groups.

The number of internally displaced people (IDPs) increased throughout the year, with those displaced by earlier rounds of fighting in ethnic areas joined by those fleeing the newly installed military regime. By December 2022, the UN estimated that an additional 1.1 million people had been displaced since February 2021, bringing the total number of IDPs to 1.5 million.

Prisons in Myanmar are severely overcrowded, and conditions for inmates are extremely unsanitary, sometimes life-threateningly so. Following the coup, the numbers of detainees rapidly increased; grave abuses that had been prevalent during previous periods of military rule were regularly reported. Authorities have reportedly taken few measures to curb the spread of COVID-19 among prison populations.

F4. Do laws, policies, and practices guarantee equal treatment of various segments of the population? 0 / 4

Some of the country's worst human rights abuses, commonly committed by federal military troops, are against ethnic and religious minority populations. The government's failure to protect victims, conduct investigations, and punish perpetrators is well documented. The post-coup period has been characterized by further deterioration in the country's human rights situation and a lack of accountability for offenders.

Ethnic minority groups such as the Shan, Mon, Chin, Karen, and Kachin, as well as non-Rohingya Muslims, also face some societal discrimination, while the ethnic Bamar, Buddhist majority retains a privileged position.

In addition to conflict-related violence, women are subject to discrimination in employment, against which there are no explicit legal protections. Several laws create a hostile environment for LGBT+ residents. Same-sex sexual activity is criminalized, and police reportedly harass, extort, and physically and sexually abuse LGBT+ people.

G. PERSONAL AUTONOMY AND INDIVIDUAL RIGHTS: 4 / 16

G1. Do individuals enjoy freedom of movement, including the ability to change their place of residence, employment, or education? 1 / 4

Following the 2021 coup, movement has been increasingly restricted across the country. The military erected roadblocks and checkpoints; enforced exit controls, curfews, and residency rules for private dwellings that require reporting overnight guests; and engaged in violent raids of neighborhoods and villages. Some high-profile dissidents have been arrested

as they attempted to leave Myanmar by air, while thousands more have fled to neighboring countries by land despite the dangers posed by military forces. Restrictions were further tightened by an April 2022 decree requiring a national registration card to travel or stay somewhere outside one's home.

Additionally, Myanmar's large population of stateless residents remain subject to significant restrictions on their movement, particularly the 600,000 Rohingya who remain in Rakhine State and are confined to designated camps and villages; those who attempt to travel outside these areas are regularly detained.

G2. Are individuals able to exercise the right to own property and establish private businesses without undue interference from state or nonstate actors? 1 / 4

Disputes over land-grabbing and business projects that violate human rights are common. Myanmar's property-transfer laws prohibit transfers to or from a foreigner except in certain state-approved cases of inheritance and require registration of foreign-owned property. Stateless residents, including the Rohingya, cannot legally buy or sell property or set up a business.

Instances of forced eviction and displacement, confiscation, lack of sufficient compensation, and direct violence against landholders by state security officials abound. Court cases are frequently brought against farmers for trespassing on land that was taken from them. The resumption of armed hostilities following the coup involved military attacks and arbitrary destruction of property in 2022, including the leveling of entire villages.

Rohingya land and property are consistently razed, confiscated, appropriated, or built on, often with the direct involvement of the military, and sometimes under the guise of development assistance.

G3. Do individuals enjoy personal social freedoms, including choice of marriage partner and size of family, protection from domestic violence, and control over appearance? 1 / 4

Legal restrictions require Buddhist women submit an application to marry non-Buddhist men. Laws that might protect women from domestic abuse and rape are weak and poorly enforced, and such violence is an acute and persistent problem. The army has a record of using rape as a weapon of war against ethnic minority women, and security personnel typically enjoy impunity for sexual violence. Following the 2021 coup, numerous instances of gender-based violence were reported by detainees.

G4. Do individuals enjoy equality of opportunity and freedom from economic exploitation? 1 / 4

Human trafficking, forced labor, child labor, and the recruitment of child soldiers are serious problems in Myanmar. Child soldiers are enlisted by the military and ethnic rebel groups, which also recruit civilians for forced labor. Various commercial and other interests continue to use forced labor despite a formal ban on the practice. Trafficking victims include women and girls subjected to forced sex work and domestic servitude, as well as women who are sold as brides to men in China—an expanding practice in some ethnic minority states. People displaced by ongoing conflicts are especially vulnerable, and such forms of sexual and labor exploitation increased following the coup. In July 2022, the World Bank estimated that the coup had caused 40 percent of the country's population to live in poverty, wiping out the previous decade's improvements in economic growth and poverty reduction amid worsening economic inequality.

Namibia

Population: 2,600,000
Capital: Windhoek
Freedom Status: Free
Electoral Democracy: Yes

Overview: While Namibia is a multiparty democracy, the South West Africa People's Organisation (SWAPO) has ruled since independence. Protections for civil liberties are generally robust. Minority ethnic groups accuse the government of favoring the majority Ovambo ethnic group in allocating services. The nomadic San people experience disproportionate poverty and societal marginalization. Other human rights concerns include police brutality, and discrimination against women and LGBT+ people.

KEY DEVELOPMENTS IN 2022

- In January, the High Court ruled against two same-sex couples seeking legal recognition of their marriages conducted outside of the country. In March, a same-sex couple scored a partial victory when the Supreme Court ordered the government to reconsider their appeal for residence rights.
- In May, police forcibly dispersed a public protest related to counterfeit goods in Windhoek's China Town and attacked several journalists covering the protest. In September, a victim of police brutality was awarded 145,000 Namibian dollars (US$8,900) in damages in a judgement that condemned the pervasiveness of police assaults and referred the case to the prosecutor general for further action.
- In July, the Namibian Supreme Court overturned a defamation ruling in which Namibia Media Holdings and one of its former editors had been ordered to pay damages and the cost of the suit to a game farmer and his company over a 2017 news article that claimed elephants at his farm were kept in "deplorable" conditions.

POLITICAL RIGHTS: 31 / 40

A. ELECTORAL PROCESS: 11 / 12

A1. Was the current head of government or other chief national authority elected through free and fair elections? 4 / 4

The president is both chief of state and head of government and is directly elected for up to two five-year terms. In 2019, Hage Geingob of the South West Africa People's Organisation (SWAPO) was reelected with 56.3 percent of the vote. While international observers deemed polls peaceful and results credible, concerns were raised about electronic voting machines' lack of a verifiable paper trail, long waiting times, and delays in the counting and release of results.

A2. Were the current national legislative representatives elected through free and fair elections? 4 / 4

The National Council, the upper chamber of the bicameral parliament, has 42 seats, with members appointed by regional councils for six-year terms. The lower house, the National Assembly, has 96 seats filled by popular election for five-year terms using party-list proportional representation.

SWAPO won a lower-house majority of 63 seats (65.5 percent of the vote) in the 2019 elections. The Popular Democratic Movement (PDM) won 16 seats, while the Landless

People's Movement (LPM) won 4. International observers considered the polls competitive and credible, though concerns were raised about several aspects of the electoral process.

SWAPO also won a majority of votes cast in the regional elections in November 2020. In December 2020, the Electoral Court accepted a motion from the Electoral Commission of Namibia (ECN) to reject some results due to some irregularities flagged by the opposition All People's Party (APP) and ordered a recount in September 2021 for the Ndonga Linena constituency. The SWAPO candidate won the recount. In October 2021, President Geingob encouraged party supporters to retaliate against the ECN for permitting the rejection of the initial results.

A3. Are the electoral laws and framework fair, and are they implemented impartially by the relevant election management bodies? 3 / 4

The electoral framework is robust and generally well implemented. The 2019 polls were declared free and fair by international election observers, although they raised concerns over other aspects of the electoral process. Controversy around the use of electronic machines dominated the 2019 elections, with some party leaders expressing doubt about the results for want of a verifiable paper trail. The use of electronic voting machines without paper trails was ruled invalid in February 2020, and the ECN confirmed in June 2022 that the next elections will use paper ballots. In July 2020, the High Court ruled that the ECN acted unconstitutionally when it removed names from a PDM candidate list, and the ECN and PDM lost the case on appeal in May 2022.

In March 2022, the ECN stated it aimed to increase its operational independence during the launch of its five-year strategic plan for 2022–27. In April, opposition parties objected to the appointment of Gerson Sindano to the ECN on procedural grounds and because of his well-known political affiliation to the ruling SWAPO party.

B. POLITICAL PLURALISM AND PARTICIPATION: 12 / 16

B1. Do the people have the right to organize in different political parties or other competitive political groupings of their choice, and is the system free of undue obstacles to the rise and fall of these competing parties or groupings? 3 / 4

Political parties may form and operate freely, and registration requirements are not onerous. However, candidate-registration fees and campaign financing can place an undue burden on smaller parties. Parties that hold parliamentary seats receive annual public support based on parliamentary representation, which disproportionately benefits SWAPO. Small parties lack financial resources or broad nationwide membership bases, impeding their ability to mobilize support.

B2. Is there a realistic opportunity for the opposition to increase its support or gain power through elections? 3 / 4

Opposition parties may freely compete in elections and generally do not encounter intimidation or harassment during election campaigns. Although opposition parties have historically been regarded as weak and fragmented, they gained several seats in the 2019 elections, dislodging SWAPO from the two-thirds majority it held since 2014. Eleven of the 15 parties that registered for the 2019 parliamentary elections secured seats. Opposition parties also did well in the November 2020 local and regional elections, though only six parties won regional seats.

B3. Are the people's political choices free from domination by forces that are external to the political sphere, or by political forces that employ extrapolitical means? 3 / 4

People are generally able to express their political choices without undue influence from external actors, including religious or traditional leaders. However, the historic dominance of SWAPO—an ideologically diverse party that often faces intraparty disputes—limits voters' ability to directly express a preference for particular policies.

B4. Do various segments of the population (including ethnic, racial, religious, gender, LGBT+, and other relevant groups) have full political rights and electoral opportunities? 3 / 4

The constitution guarantees political rights for all. Nevertheless, women are often discouraged from running for office, and few contested the November 2020 regional and local elections. Women comprise 49 percent of the members of local authorities and municipalities—attributable to legislated gender quotas at those levels—and between 19 and 23 percent of the candidates in regional elections. Women hold 46 of 96 National Assembly seats but are less represented in the National Council, where 6 of the 42 parliamentarians are female.

Almost all ethnic groups are represented in parliament and senior political positions. However, members of the San ethnic group have faced restrictions on their political rights due to widespread discrimination and marginalization. LGBT+ people face discrimination that hampers their ability to openly advocate for their interests.

C. FUNCTIONING OF GOVERNMENT: 8 / 12

C1. Do the freely elected head of government and national legislative representatives determine the policies of the government? 3 / 4

The democratically elected government freely determines policies. However, 2014 reforms increased executive power, including by adding parliamentarians who are appointed by the president and by limiting the National Council's power to review certain bills. Concerns have been raised in the past over the Chinese Communist Party's influence and ties to Namibian political elites.

Parliament's ineffectiveness when passing legislation other than the national budget has raised concern. Bills including the Combating of Domestic Violence Amendment Act and Access to Information (ATI) law, which parliament finally passed in September and October 2022, respectively, have sometimes faced lengthy finalization processes. During the September session, critics highlighted the absenteeism of members of parliament.

The government suspended parliamentary sessions during parts of 2020 and 2021 due to the COVID-19 pandemic. In July 2021, SWAPO pushed through appointments for the leadership of the Anti-Corruption Commission (ACC) and the ECN during brief windows of time when parliament was not suspended. Opposition parties claimed the appointments were performed illegally, though their bid for the High Court overturn the appointments failed.

C2. Are safeguards against official corruption strong and effective? 3 / 4

While Namibia has a sound legal anticorruption framework, concerns remain that anticorruption laws are inconsistently enforced, and difficulties in accessing government-held information present barriers to gathering evidence. The Witness Protection Act and the Whistleblower Protection Act, signed in 2017, have not been enforced.

Light sentences in high-profile cases and low prosecution and conviction rates undermine the work of the ACC, which is underfunded. In June 2022, the ACC reported that of the 730 cases it referred for prosecution since its inception there have been 184 convictions, and 242 cases are still active and before the courts.

In 2021, the National Assembly approved the president's extension of the ACC head, Paulus Noa, for another five years, a decision heavily criticized by those who believed that

his 15-year tenure had been largely ineffective. Critics continue to question the appointment process, which lacks transparency, and Noa's efficiency. Nevertheless, in 2022 the ACC continued its investigation into the Fishrot scandal, in which six former ministers and other officials were accused of allegedly colluding with an Icelandic fishing company seeking preferential access to Namibian waters, with suspects in custody still awaiting trial.

C3. Does the government operate with openness and transparency? 2 / 4

Parliament passed an Access to Information (ATI) bill in 2022, which the president signed in November. The budget process lacks transparency, but the government is reported to be exploring more opportunities for public involvement.

In its April 2022 Namibian procurement tracker, the Institute for Public Policy Research (IPPR) criticized the lack of transparency in the 2021 awarding of a multibillion-dollar project to Hyphen Hydrogen Energy, a company that had only existed for six months. The government was accused of not publishing all the information about the award required by the 2017 Public Procurement Regulations, but stood by its processes.

A veil of secrecy exists over the extractive industry, military spending, statehouse upgrades, state security infrastructure, and private funding of political parties. Political parties sometimes fail to submit financial statements to the ECN as prescribed by the Electoral Act, limiting insight into how they use public funds.

CIVIL LIBERTIES: 46 / 60

D. FREEDOM OF EXPRESSION AND BELIEF: 14 / 16

D1. Are there free and independent media? 3 / 4

The constitution guarantees media freedom and freedom of expression. In practice, journalists face few legal restrictions and generally work without risking their personal safety. The judiciary has been credited with protecting media freedoms, and in July 2022, the Namibian Supreme Court overturned a defamation ruling against Namibia Media Holdings. The company and one of its former editors had been ordered to pay damages and the cost of the suit to a game farmer and his company over a 2017 news article that claimed elephants at his farm were kept in "deplorable" conditions.

In May police fired rubber bullets at several journalists who were covering a protest at China Town in Windhoek. Earlier, in February, two freelance investigative reporters were briefly detained for allegedly trespassing at a private farm while investigating the alleged illegal sale of pregnant wild elephants, purchased at a controversial government auction, to unidentified groups in Dubai.

While self-censorship is common in state media, private media remain critical of the government. Journalists faced impediments during the COVID-19 pandemic. In September 2021, the labor minister, Utoni Nujoma, filed a defamation suit against the owners of the weekly *Windhoek Observer* and its editor over a 2019 article alleging he had extorted money from a farmer in 2017 and 2018. The case was referred for mediation.

D2. Are individuals free to practice and express their religious faith or nonbelief in public and private? 4 / 4

Religious freedom is generally respected in practice.

D3. Is there academic freedom, and is the educational system free from extensive political indoctrination? 4 / 4

Academic freedom is guaranteed by law and generally respected in practice.

D4. Are individuals free to express their personal views on political or other sensitive topics without fear of surveillance or retribution? 3 / 4

Freedom of expression is legally guaranteed and generally observed in practice. However, Namibia lacks cyberharassment or data-protection legislation. The lack of legislative responses to communication technology-facilitated abuse leaves victims of misogynistic online abuse—in particular prominent women, journalists, girls, the LGBT+ community, and other minority groups—without adequate legal recourse. The government reportedly maintains significant capabilities to conduct surveillance on citizens, which may discourage people from expressing dissent. In March 2021, the government published new regulations of the 2009 Communications Act that would enable interception of telecommunications by national intelligence and the police.

Defamation laws may also discourage free speech. In February 2022, Namibia's first lady won 250,000 Namibian dollars (US$15,300) in a defamation suit against an opposition party figure, Abed Hishoono, who was accused of spreading false and defamatory content about her. She later issued a statement in June saying she forgave him and would not seek compensation after he showed remorse. In August, former education minister Katrina Hanse-Himarwa was sued for defamation over Facebook comments she made in 2021 about a former SWAPO councilor; the two settled out of court in October.

E. ASSOCIATIONAL AND ORGANIZATIONAL RIGHTS: 11 / 12

E1. Is there freedom of assembly? 3 / 4

Freedom of assembly is legally guaranteed and is usually observed in practice. Restrictions on public gatherings that were imposed during the government's state of emergency to address the coronavirus have been lifted. In May 2022, police forcibly dispersed a protest related to counterfeit goods in Windhoek's China Town, and several journalists were reportedly injured when police fired rubber bullets at them. The police also arrested two activists—Michael Amushelelo of the Namibia Economic Freedom Fighters (NEFF) and Dimbulukeni Nauyoma of the Affirmative Repositioning (AR) movement—and others who were part of the protest for inciting public violence, though charges were provisionally withdrawn in November. In September the High Court condemned the prevalence of police assaults against citizens in *Owoses v. Government of the Republic of Namibia* and referred the case to the prosecutor general for further action.

E2. Is there freedom for nongovernmental organizations, particularly those that are engaged in human rights– and governance-related work? 4 / 4

Human rights groups generally operate without interference, though government leaders sometimes use public platforms to criticize civil society groups.

E3. Is there freedom for trade unions and similar professional or labor organizations? 4 / 4

Constitutionally guaranteed union rights are respected and observed in practice, though essential public-sector workers do not have the right to strike. Collective bargaining is not widely practiced outside the public-service sector and the mining, construction, and agriculture industries. Union membership has declined in recent years, with 25 percent of the labor force unionized. In 2022, labor unions accused the labor minister of being reluctant to resolve several issues, including amendments to the Labor Amendment Act and the introduction of a national minimum wage, a national pension, and medical aid.

F. RULE OF LAW: 11 / 16

F1. Is there an independent judiciary? 3 / 4

By law and in practice, the separation of powers is observed, and judges are not frequently subject to undue influence. However, the judiciary lacks adequate resources and is vulnerable to budget cuts. Judges are appointed by the president upon the recommendation of the Judicial Service Commission, which the president has some influence over. Public access to court documents and proceedings has been restricted in recent years; in 2019, documents implicating the president and justice minister in a fraud case were kept out of public view by a court ruling. Women are underrepresented in the judiciary.

F2. Does due process prevail in civil and criminal matters? 3 / 4

The rule of law and fair-trial rights are constitutionally protected, though equal access to justice is obstructed by factors including economic and geographic barriers, a shortage of public defenders, a lack of resources, and case backlogs. In October 2021, the High Court overturned a 2018 corruption indictment of two men, including National Assembly member Tobie Aupindi, on the grounds that they did not receive a fair trial. In February 2022, High Court judges set aside a 2019 conviction and reprimanded a new magistrate for failing to inform a defendant of his rights and explain court processes to him. In September 2022, the High Court sent a case related to the Fishrot bribery scandal back to the Windhoek Magistrate's Court for review after finding irregularities in its court proceedings.

Some cases were postponed, and services were severely affected in lower courts due to government-imposed public health restrictions intended to curb the spread of COVID-19.

F3. Is there protection from the illegitimate use of physical force and freedom from war and insurgencies? 3 / 4

Namibia is free from war and insurgencies. However, police brutality and the abuse of suspects in custody are problems. There is no independent police oversight mechanism as investigations are conducted by an Internal Investigation Directorate. In the *Owoses v. Government of the Republic of Namibia* case, the High Court awarded $145,000 Namibian dollars in damages (US$8,900) to the plaintiff, condemned the pervasiveness of police assaults and lack of accountability, and referred the case to the prosecutor general for further action.

F4. Do laws, policies, and practices guarantee equal treatment of various segments of the population? 2 / 4

While the constitution prohibits discrimination, challenges remain. The San people face widespread discrimination and marginalization and lack land access. In October 2021, Amnesty International issued a report condemning the government's "rampant discrimination" against the San communities in the Omaheke and Otjozondjupa regions. In September 2022, the Deputy Minister of Marginalised People observed in an interview that a dedicated ministry could better serve the needs of San communities and people living with disabilities.

Same-sex sexual relations remain criminalized, though the prohibition is not enforced. LGBT+ people, people living with disabilities, and women face widespread discrimination. In January 2022 the High Court ruled against two gay couples seeking legal recognition of their foreign marriages in Namibia, but acknowledged that they had been discriminated against based on sexual orientation. In March, the Supreme Court ruled that the government must reconsider its decision to deny residency rights to the same-sex partner of a Namibian man.

In September, the Namibian Correctional Services defended its controversial decision to demand pregnancy tests from recruits for its sports teams.

In October 2020, an organization representing members of the Baster and Zambesi groups noted widespread discrimination in a report to the Office of the UN High Commissioner for Human Rights (OHCHR).

G. PERSONAL AUTONOMY AND INDIVIDUAL RIGHTS: 10 / 16

G1. Do individuals enjoy freedom of movement, including the ability to change their place of residence, employment, or education? 3 / 4

Freedom of movement is constitutionally guaranteed and generally observed in practice. However, it was restricted when authorities imposed COVID-19-related restrictions when a state of emergency was declared in March 2020.

The illegal fencing of communal land, condemned by the Commission of Inquiry into Ancestral Land Rights in January 2021, and its impact on freedom of movement and access to resources found in communal areas remains a challenge. In September 2022, President Geingob registered his concern with traditional leaders over this corrupt and illegal practice and urged them to address it.

In March 2022, the Supreme Court directed a government ministry to reconsider an appeal for residency rights from a member of a same-sex couple. The applicant claimed that he should not need a visa when entering the country because he permanently resides there with his same-sex partner, whom he married outside of Namibia.

G2. Are individuals able to exercise the right to own property and establish private businesses without undue interference from state or nonstate actors? 3 / 4

Private property rights are guaranteed in law and largely respected in practice. The constitution prohibits expropriation without compensation. There are no legal barriers to women's access to land. However, customs regarding inheritance procedures and property rights limit women.

Land rights remain a contentious and unresolved issue. The Commission of Inquiry into Ancestral Land Rights and Restitution presented its report to President Geingob in July 2020. The Indigenous Hai//om group sued the government in an effort to gain recognition for its ancestral rights to land in Etosha National Park, but ultimately lost on appeal in the Supreme Court in March 2022. In June, the Land Reform Ministry rejected the Affirmative Repositioning (AR) movement's petition calling for a ban on foreign nationals owning land; the ministry reported that it had plans draft legislation on the issue.

G3. Do individuals enjoy personal social freedoms, including choice of marriage partner and size of family, protection from domestic violence, and control over appearance? 2 / 4

Same-sex marriages are not recognized, and many churches have in the past indicated their unwillingness to recognize or perform them. In January 2022 the High Court ruled against two same-sex couples seeking legal recognition of their marriages concluded outside of Namibia, but the court acknowledged that they had been discriminated against. In another case, the Supreme Court directed the government to reconsider the residency application of a same-sex couple living in Namibia.

Rates of gender-based violence (GBV) and rape of minors are high. In September 2022, parliament passed the Combating of Domestic Violence Amendment Act, which was criticized for excluding same-sex couples. The Combating of Rape Amendment Act, which introduces harsher sentences for rape, was promulgated in October. Namibia lacks appropriate cybercrime and data protection laws to address online GBV.

Abortion is only available for those in medical danger and for survivors of rape and incest. Forced and child marriages occur; 7 percent of girls are married before turning 18. A 2020 study by the Ministry of Gender Equality found that the Kavango region had the highest rate of child marriage among girls, at 40 percent, followed by Kunene region, at 24 percent.

G4. Do individuals enjoy equality of opportunity and freedom from economic exploitation? 2 / 4

Slavery and servitude are constitutionally outlawed. However, forced child labor is prevalent in the agricultural sector and in domestic settings. San and Zemba children are especially at risk.

Human trafficking remains a challenge. In April 2022 police reported a syndicate had smuggled 26 Namibian women to Oman. In September, a Congolese national was sentenced to three years in prison for smuggling migrants into Namibia. The US State Department reported in its 2022 *Trafficking in Persons Report* that Namibia fully met minimum anti-trafficking standards.

Nauru

Population: 10,000
Capital: Yaren District
Freedom Status: Free
Electoral Democracy: Yes

Overview: People in Nauru generally enjoy political rights and civil liberties, though the government has taken steps to sideline its political opponents—particularly the Nauru 19, a group of activists who had been charged with a variety of crimes in connection with a 2015 antigovernment protest. Corruption is an ongoing challenge. Asylum seekers and refugees housed in Nauru under an agreement with Australia live in dire conditions, and the country has attracted sustained international criticism over the persistent reports of abuses against them.

KEY DEVELOPMENTS IN 2022

- Following parliamentary elections in September, which were independently monitored and deemed free and fair by the Pacific Islands Forum, the legislature elected Russ Kun to serve as president. Kun, an independent who previously served as a deputy minister under former president Lionel Aingimea, ran unopposed. Former president Aingimea kept his seat and was appointed deputy parliamentary speaker by Kun.
- In May, a group of anonymous hackers leaked over 200,000 internal emails from the Nauru Police Force documenting the ill-treatment and abuse of asylum seekers detained on the island. The emails referenced attempts to self-harm among the detainees and appeared to show the president of Nauru directing the police commissioner to ignore media requests for comment about attacks on refugees in Nauru.

POLITICAL RIGHTS: 34 / 40

A. ELECTORAL PROCESS: 12 / 12

A1. Was the current head of government or other chief national authority elected through free and fair elections? 4 / 4

Nauru is a parliamentary republic, and the parliament chooses the president and vice president from among its members.

Following parliamentary elections in September 2022, which were independently monitored by the Pacific Islands Forum, the legislature elected Russ Kun to serve as president. Kun, an independent who previously served as a deputy minister under former president Lionel Aingimea, ran unopposed. Former president Aingimea kept his seat and was appointed deputy parliamentary speaker by Kun.

A2. Were the current national legislative representatives elected through free and fair elections? 4 / 4

The 19-member unicameral Parliament is popularly elected from eight constituencies for three-year terms.

Parliamentary elections were held in September 2022, the first polls since the COVID-19 pandemic, and strict public health rules were introduced to mitigate the virus's spread. The election saw 17 incumbent lawmakers retain their seats; 2 opposition parliamentarians, Milton Dube and Tawaki Lyn-Wannan Kam, were ousted from their seats, and their replacements formed part of the new government. The elections were observed by a delegation from the Pacific Islands Forum that deemed the competition free and fair. However, the Pacific Freedom Forum criticized the inability to access free and full news media.

A3. Are the electoral laws and framework fair, and are they implemented impartially by the relevant election management bodies? 4 / 4

The electoral laws are generally fair and implemented impartially. The Nauru Electoral Commission is responsible for managing the entire election process. Voting is compulsory.

B. POLITICAL PLURALISM AND PARTICIPATION: 14 / 16

B1. Do the people have the right to organize in different political parties or other competitive political groupings of their choice, and is the system free of undue obstacles to the rise and fall of these competing parties or groupings? 4 / 4

Although political parties are permitted, most candidates run as independents. Members of the Nauru 19 activist group have faced prosecution, though official interference into their lives reportedly eased in 2019.

B2. Is there a realistic opportunity for the opposition to increase its support or gain power through elections? 3 / 4

Intense political rivalries created political instability prior to 2013. However, former president Waqa served two full terms before losing his seat as a representative, and his successor, Lionel Aingimea, served one full term before being replaced by President Kun in 2022. Seventeen of the 19 parliamentary seats were retained by incumbents in the 2022 polls.

B3. Are the people's political choices free from domination by forces that are external to the political sphere, or by political forces that employ extrapolitical means? 4 / 4

People's political choices are generally free from domination by powerful interests that are not democratically accountable. In 2019, a former representative alleged that bribery was rife in the electoral process, claiming that candidates routinely buy motorcycles and kitchenware for constituents.

B4. Do various segments of the population (including ethnic, racial, religious, gender, LGBT+, and other relevant groups) have full political rights and electoral opportunities? 3 / 4

The constitution provides for universal suffrage. However, widely held biases regarding the role of women in society have discouraged women's participation in politics and elections;

just two women won seats in Parliament in 2022, both of whom were incumbents. Including those two representatives, only three women have been elected in Nauru's modern history.

C. FUNCTIONING OF GOVERNMENT: 8 / 12

C1. Do the freely elected head of government and national legislative representatives determine the policies of the government? 3 / 4

The freely elected parliament, led by the speaker, sets, and makes policy. However, the Australian government has had considerable influence over politics due to the processing center for asylum seekers they base on Nauru. Australian authorities have detained many refugees on the island indefinitely, a significant source of income for Nauru's government. In September 2021, the Nauruan government signed a memorandum of understanding (MOU) with Australia to indefinitely maintain operations of the immigration detention center on the island. The new Australian government elected in 2022 pledged to keep the center open; revenue generated by the center (AUD $135 million, or US$93 million) constituted more than half of Nauru's anticipated revenue in its 2022–23 budget.

In February 2021, Nauru announced its intentions to leave the Pacific Islands Forum (PIF), which maintained significant influence over government policy and processes, after tensions grew over the appointment of a new general secretary. Nauru agreed to temporarily rescind their withdrawal in June 2022 contingent on guarantees that the PIF's general secretariat be rotated between its Micronesian, Polynesian, and Melanesian regional blocs.

C2. Are safeguards against official corruption strong and effective? 3 / 4

Corruption remains a problem. Allegations of improper payments to senior government officials, including former President Waqa, by an Australian phosphate company emerged in 2016. In June 2021, reports emerged that in February 2020, Australian authorities had officially charged the company at the center of the allegations with conspiracy to bribe foreign public officials in Nauru; proceedings continued throughout 2022, with additional charges laid.

The Australian Broadcasting Corporation (ABC) reported in 2018 that many family members of Nauruan politicians owned shares of the land where the Australian-run processing center is situated; they disproportionately benefit from their ability to collect high rents or secure high-paying jobs or other contracts at the center.

C3. Does the government operate with openness and transparency? 2 / 4

Nauru lacks a law on access to public information, but the Government Information Office releases some budget figures. Government officials are not required to disclose financial information. Nauru Police Force emails leaked by anonymous hackers in May 2022 revealed that while in office, former president Lionel Aingimea had directed the commissioner of police to ignore requests for comment from an Australian journalist regarding allegations that a refugee had been attacked in Nauru.

CIVIL LIBERTIES: 43 / 60

D. FREEDOM OF EXPRESSION AND BELIEF: 13 / 16

D1. Are there free and independent media? 2 / 4

Freedom of expression is constitutionally guaranteed but not always respected in practice. Foreign journalists have a particularly difficult time operating in Nauru, as the government has implemented restrictions, including a several-thousand-dollar (AUS) visa application fee, that appear to be aimed at deterring outside coverage of conditions for asylum seekers and refugees.

The 2016 Crimes Act introduced criminal charges for defamation, now punishable with up to three years in prison. Similarly, the Administration of Justice Act, a contempt-of-court law passed in 2018, serves as a deterrent for journalists to publish pieces critical of the government and the judiciary.

D2. Are individuals free to practice and express their religious faith or nonbelief in public and private? 4 / 4

The constitution provides for freedom of religion, which the government generally respects in practice.

D3. Is there academic freedom, and is the educational system free from extensive political indoctrination? 4 / 4

Academic freedom is generally respected. Reports emerged in 2020 that the University of the South Pacific, a regional university with campuses located in various countries including Nauru, was plagued by allegations of corruption. In February 2021, the university's vice-chancellor and president, Pal Ahluwalia, was removed from his post and deported from Fiji, the site of the university's headquarters, after reporting on financial mismanagement at the university. After accepting a temporary post at the Nauru campus of the university at Aingimea's invitation that same month, Ahluwalia was ultimately reinstated by the university's council in August 2021.

D4. Are individuals free to express their personal views on political or other sensitive topics without fear of surveillance or retribution? 3 / 4

Authorities are not known to illegally monitor private online communications. In 2020, President Aingimea presented the National Disaster Risk Management (Amendment) Bill 2020, which outlawed publishing or posting messages on social or mass media intended to cause fear, mislead the public, or distort official information, with severe punishments. The law also expanded police powers to act in a national disaster without a warrant. How the new law will be applied and what level of oversight will be exercised was unclear at the end of 2022.

The Guardian reported in August 2022 that the Australian government engaged private security contractors to conduct surveillance on asylum seekers detained in Nauru, in particular those thought to be linked to Australian media, lawyers, and advocates. The intelligence reports prepared by security contractors were circulated among various Nauruan and Australian government entities, including the Australian Border Force and the Australian Federal Police. Some former detainees have speculated that they were singled out and poorly treated because they were subjects of surveillance.

E. ASSOCIATIONAL AND ORGANIZATIONAL RIGHTS: 9 / 12

E1. Is there freedom of assembly? 3 / 4

The constitution upholds the right to assemble peacefully, but this right has not always been respected in practice. Demonstrations related to the treatment of asylum seekers housed at the Australian processing center are often repressed. Members of the Nauru 19 group, who were arrested for their 2015 antigovernment protests, were sentenced to jail time in 2019.

The government continued to impose COVID-19 public health restrictions on gatherings to curb the virus's spread after its first outbreak in June 2022, though many restrictions eased in August.

E2. Is there freedom for nongovernmental organizations, particularly those that are engaged in human rights– and governance-related work? 3 / 4

There are no legal restrictions on the formation of nongovernmental organizations (NGOs) in Nauru. There are several advocacy groups for women, as well as development-focused and religious organizations. However, authorities have interfered with the operations of activists seeking to improve the treatment of asylum seekers.

In 2020, the Nauruan parliament passed the Registration of Associations Act, which provides official recognition of domestic and foreign NGOs, including provisions allowing registered associations to own property and sue or be sued. Eligible organizations are required to register prior to commencing their operations, and the Registrar must provide reasons for decisions such as refusing or canceling registration.

E3. Is there freedom for trade unions and similar professional or labor organizations? 3 / 4

There are no formal trade unions and only limited labor protection laws, partly because there is little large-scale private employment. The rights to strike and to collectively bargain are not protected by law. Trade unions were expressly excluded from the Registration of Associations Act of 2020, meaning they do not enjoy the benefits provided by the Act, including property rights.

F. RULE OF LAW: 9 / 16

F1. Is there an independent judiciary? 2 / 4

There have been concerns about undue influence on the judiciary from government officials, who have been accused of dismissing judges for unfavorable rulings. Many are concerned that government officials have pressured the judiciary in connection with the Nauru 19 case.

The Supreme Court is the highest authority on constitutional issues in Nauru. Appeals had previously been heard in the high court of Australia, but in 2018, the country began severing links with Australia's justice system, ostensibly to reduce costs and to establish greater independence. However, some skeptics viewed the development as a means of denying members of the Nauru 19 activist group an avenue to appeal their cases: Australian Supreme Court Justice Geoffrey Muecke claimed the government pressured the sentencing magistrate to issue the group maximum sentences and terminated his contract after he granted the court proceedings a permanent stay in 2018. The group's members were ultimately convicted and sentenced to jail time in 2019.

Nauru later signed memoranda with neighboring Pacific countries, including Papua New Guinea, Kiribati, Solomon Islands, and Vanuatu, to provide justices for Nauru's new Court of Appeals.

The Nauruan government has been accused of interfering with the judicial process and undermining the rule of law. The 2018 contempt-of-court law outlaws criticism of witnesses, judicial officers, or legal representatives in a pending court matter, as well as undermining judicial officials or the authority of courts. Violations of the law, which contains exemptions for government officials deemed to be acting in good faith or the interests of national security, are punishable by fines of up to AU$20,000 (US$13,800) for individuals and AU$50,000 (US$34,500) for corporations.

F2. Does due process prevail in civil and criminal matters? 2 / 4

Though the constitution provides for due process rights, the resumption of legal proceedings against members of the Nauru 19 as well as changes to the appellate jurisdiction indicate that due process is not always respected in practice.

Public servants who testify in favor of the government are distinguished legally from those testifying against it. Analysts said it appeared that those who miss work to testify against the government would be placed on leave without pay, and that the law appeared to represent an attempt to discourage civil servants from testifying in favor of the Nauru 19.

The permanent stay of the Nauru 19 case granted by Justice Muecke was overturned in 2019, and the members were sentenced to jail time.

F3. Is there protection from the illegitimate use of physical force and freedom from war and insurgencies? 3 / 4

Civilian authorities control the small police force. Nauru has no armed forces; Australia provides defense assistance under an informal agreement.

The Australian processing center for asylum seekers has received considerable international criticism for poor treatment of asylum seekers housed there. Few arrests have been made in connection with alleged abuses of its residents.

F4. Do laws, policies, and practices guarantee equal treatment of various segments of the population? 2 / 4

The constitution provides for equal treatment regardless of race, country of origin, ethnicity, politics, or gender, but those rights are not always protected in practice. There are few legal protections against discrimination, which is notably a problem for women in the workplace. Same-sex sexual relations were decriminalized in 2016.

Several reports have detailed widespread abuse of refugees and asylum seekers forcibly transferred to Nauru under its agreement with Australia. Crimes committed against asylum seekers outside the processing center, where most refugees are housed, frequently go uninvestigated. The asylum seekers suffer from grossly inadequate housing; denial of health care for life-threatening conditions; and a high rate of self-harm attempts among residents, including children detainees—who wait, at times, for years for their asylum applications to be processed. The last children were evacuated from Nauru and resettled in the United States in 2019. Reports from the Australian Broadcasting Corporation (ABC) that year found that refugees had been exposed to asbestos for prolonged periods. In 2019, the Nauruan government denied the medical evacuation of over 20 individuals, all of whom had been vouched for by Australian doctors.

Outbreaks of COVID-19 in June 2022 in Nauru resulted in the deterioration of conditions for asylum seekers detained on the island, with detainees facing confinement without adequate food and supplies. Calls by human rights groups to evacuate the detainees from Nauru were ignored.

In 2020, the United States agreed to resettle over 1,100 asylum seekers who were in the Nauru and Papua New Guinea processing centers by early 2021. As of August 2021, 398 asylum seekers had been resettled from Nauru to the United States. As of October 2022, 111 asylum seekers transferred to Nauru from Australia remained in the country. In October 2022, the Australian government hired Management and Training Corporation (MTC), a US-based prison operator with a history of negligence and security failures, to oversee the Nauru processing center.

In May 2022, a group of anonymous hackers leaked over 200,000 internal emails from the Nauru Police Force documenting the ill-treatment and abuse of asylum seekers detained on the island. The emails referenced attempts to self-harm among the detainees and appeared to show the president of Nauru directing the police commissioner to ignore media requests for comment about attacks on refugees in Nauru.

G. PERSONAL AUTONOMY AND INDIVIDUAL RIGHTS: 12 / 16

G1. Do individuals enjoy freedom of movement, including the ability to change their place of residence, employment, or education? 3 / 4

Most people in Nauru are free to move around the island. However, while asylum seekers were granted freedom of movement across the island in 2015, there are limits on their ability to leave, and they face significant difficulties in obtaining employment and education. Many asylum seekers had lived in tents and converted storage containers at the processing center, where they were under heavy surveillance. In 2018, the aid group Doctors Without Borders (MSF) was asked by Nauru officials to stop providing care for asylum seekers, and the group subsequently left the country. In the days afterward, MSF condemned conditions for the asylum seekers and refugees in Nauru and claimed they had been forced out.

The government has withheld the passports of some political opponents in recent years, including at least three people associated with the Nauru 19, among them two former opposition lawmakers. These two opposition lawmakers blame the government for the death of former president and Nauru 19 member Sprent Dabwido. Legal action, filed in 2019 by the two former lawmakers, claims that the Nauruan government delayed returning Dabwido his passport, preventing him from receiving treatment for cancer in Australia in time to be cured.

To prevent the introduction of COVID-19 into the country, Nauruan stopped most international flights landing in Nauru in 2020 and imposed quarantine requirements for most international arrivals, except for those arriving from a regularly updated list of "safe countries" deemed to have sufficiently low levels of COVID-19 in their respective populations. Other movement restrictions, including curfews, were enforced with strict punishments. In June 2022, amid the country's first outbreak of the virus, arriving flights from abroad were banned. These restrictions eased in August, although other restrictions (including mandatory mask wearing) remained.

G2. Are individuals able to exercise the right to own property and establish private businesses without undue interference from state or nonstate actors? 3 / 4

The constitution protects the right to own property and people in Nauru freely establish businesses. However, as of 2014, foreigners must pay approximately AU$6,000 ($4,100) a year for a business visa, up from AU$400 ($280).

In his ruling on the Nauru 19 case, Judge Muecke said that the government of Nauru maintained an unwritten blacklist under which the Nauru 19 were denied employment and the right to conduct business on the island.

G3. Do individuals enjoy personal social freedoms, including choice of marriage partner and size of family, protection from domestic violence, and control over appearance? 3 / 4

Domestic violence, which mostly affects women, remains a serious problem, and children are also vulnerable to violence despite official efforts to address these problems. In 2020, the government simplified the process for victims of domestic violence to obtain safety and protection orders against their abusers. The government of Nauru also announced then that it would introduce harsher laws for sex offenders, including by reducing the ability of sex offenders to receive bail and introducing laws that prevent the age of the perpetrator a mitigating factor in sex offences. Marital rape is a criminal offense.

Same-sex marriage is not recognized by law. Abortion is only allowed when the mother's life is in danger, but not in cases of rape, which was a point of controversy after an asylum seeker was raped in in 2016 in the Australian processing center.

G4. Do individuals enjoy equality of opportunity and freedom from economic exploitation? 3 / 4

With the exception of asylum seekers, individuals generally enjoy equal economic opportunities. However, economic opportunities are limited to sectors such as phosphate mining and the public sector.

There are no health and safety laws to protect workers outside the public sector, and issues relating to dust exposure for phosphate miners are of serious concern. According to the US State Department, there have been no reports of human trafficking in Nauru in recent years.

Nepal

Population: 30,900,000
Capital: Kathmandu
Freedom Status: Partly Free
Electoral Democracy: Yes

Overview: Nepal faced a constitutional crisis in 2021, but since then politics have been relatively stable, with most parties committed to democratic processes. Journalists are rarely targeted by the state and authorities have been more tolerant of peaceful assembly. However, corruption, gender-based violence, underage marriage, and bonded labor remain persistent problems. Transitional justice bodies have still not fulfilled their mandates.

KEY DEVELOPMENTS IN 2022

- After a constitutional crisis that was resolved by the judiciary in 2021, Nepal conducted local elections in May and federal and provincial elections in November. The elections were considered competitive and credible and were not accompanied by widespread political violence.
- The government drew public ire for a number of incidents, including a now-resigned finance minister allegedly allowing unauthorized persons to decide changes to a tax rate, a parliamentary impeachment motion against Supreme Court Chief Justice Rana, and President Bidhya Bhandari's failure to sign the Citizenship Act into law.

POLITICAL RIGHTS: 27 / 40

A. ELECTORAL PROCESS: 10 / 12

A1. Was the current head of government or other chief national authority elected through free and fair elections? 3 / 4

The president is head of state and elected to up to two five-year terms by a parliamentary electoral college and state assemblies. The prime minister is elected by parliament. The legitimacy of executive office holders is largely determined by the conduct of legislative and provincial elections.

Sher Bahadur Deuba was sworn in as prime minister in July 2021. He was appointed following a Supreme Court decision that reinstated parliament for the second time that year—former prime minister Khadga Prasad Sharma Oli dissolved the body in December 2020 and May 2021, causing a constitutional crisis. There has been no significant threat to the executive since that crisis. The 2022 elections resulted in Pushpa Kamal Dahal, alias Prachanda, the

leader of the Communist Party of Nepal-–Maoist Center (CPN-MC), becoming prime minister at the head of a coalition that includes the Communist Party of Nepal–Unified Marxist Leninist (CPN-UML) and the new Rastriya Swatantra Party (RSP), among others.

The current president, Bidhya Bhandari, was reelected in March 2018.

A2. Were the current national legislative representatives elected through free and fair elections? 4 / 4

Members of the 275-seat House of Representatives are elected to five-year terms; 165 are directly elected, while 110 are elected by proportional representation. The National Assembly has 59 members; 56 are indirectly elected to six-year terms by an electoral college comprised of provincial and local leaders, while 3 are appointed by the president following government's recommendation.

In late 2020 and May 2021, former prime minister Oli dissolved parliament in a bid to retain power. In July 2021, the Supreme Court restored the National Assembly and its legitimately elected representatives remained in power. Elections were successfully held in November 2022 to replace both the national legislature and provincial assemblies. A coalition government was formed in late December.

A3. Are the electoral laws and framework fair, and are they implemented impartially by the relevant election management bodies? 3 / 4

The legal framework for elections is sound and facilitates the conduct of credible polls. Though parliament has not addressed grievances regarding province demarcation and proportional representation, current institutions and provincial boundaries have stabilized, and most stakeholders accepted them ahead of the 2022 election cycle. Nepal's Election Commission generally conducts fair and credible contests.

B. POLITICAL PLURALISM AND PARTICIPATION: 11 / 16

B1. Do the people have the right to organize in different political parties or other competitive political groupings of their choice, and is the system free of undue obstacles to the rise and fall of these competing parties or groupings? 3 / 4

Political parties are generally free to form and operate. In the past opposition figures have faced arrest, though recent incidents are rare. Despite the elections held in 2022, there were few arrests and incidents of political violence.

Since the 2021 constitutional crisis, party politics have remained relatively stable. Nepal has recently experienced party mergers, party splits and the formation of new parties, including the RSP, all suggesting extensive freedom to organize politically.

B2. Is there a realistic opportunity for the opposition to increase its support or gain power through elections? 3 / 4

Opposition parties have a realistic chance of gaining power through elections and won seats during local elections in May 2022. In the past, smaller opposition parties had difficulty gaining power at the national level, partly due to a 3 percent threshold for proportional representation in the House of Representatives. However, the newly created party RSP secured seats in parliament in the November 2022 election and became part of its ruling coalition.

B3. Are the people's political choices free from domination by forces that are external to the political sphere, or by political forces that employ extrapolitical means? 3 / 4 (+1)

In the past, Nepalis' political choices have been limited by sporadic outbursts of political violence and crackdowns on political demonstrations by security agents. However,

political violence has declined over the last few years, and the number of peaceful protests has risen. Vote buying has been reported in past elections, but there was little evidence of this behavior during local elections in May 2022. Isolated incidents of violence were reported during the national and provincial elections in November 2022, but were neither organized nor large-scale.

Score Change: The score improved from 2 to 3 because patronage networks and vote buying were less influential in general elections in 2022, and there was less political violence than in previous years.

B4. Do various segments of the population (including ethnic, racial, religious, gender, LGBT+, and other relevant groups) have full political rights and electoral opportunities? 2 / 4

Though the constitution has requirements for women and minority participation in the legislature, social discrimination continues to hinder their political involvement. A limited definition of citizenship disenfranchises stateless people. Bidhya Bhandari is the first woman to serve as president, and women comprise 32.7 percent of the House of Representatives; however, few hold senior political positions.

Indigenous Nepalis and Dalits are underrepresented in politics and in civil service, despite policies meant to bolster their participation. Members of the Chhettri and Hill Brahmin groups, meanwhile, remain relatively overrepresented.

C. FUNCTIONING OF GOVERNMENT: 6 / 12

C1. Do the freely elected head of government and national legislative representatives determine the policies of the government? 3 / 4

Nepal ratified a new constitution in 2015, an important step in its democratic transition. Successful elections were held in 2017, 2020, and in 2022. In December 2020 and May 2021, former prime minister Oli twice dismissed parliament and called for new elections. However, in both instances the Supreme Court restored freely elected representatives to office.

C2. Are safeguards against official corruption strong and effective? 1 / 4

Corruption is endemic in Nepal and often goes unpunished. Corruption by officials has obstructed the delivery of foreign aid in the past. However, aid related to the COVID-19 pandemic saw less interference by corrupt actors, even if politically connected elites were able to access vaccines and hospital beds more readily than the general public.

The top Nepali anticorruption agency, the Commission for Investigation of Abuse of Authority (CIAA) has been significantly more active in recent years and has taken on a variety of cases.

C3. Does the government operate with openness and transparency? 1 / 4

The government generally operates opaquely. The Truth and Reconciliation Commission (TRC) and the Commission of Investigation on Enforced Disappeared Persons (CIEDP), among others, have been criticized for their lack of transparency. Mechanisms for utilizing the 2007 Right to Information Act are poorly defined, and the law remains inconsistently enforced.

CIVIL LIBERTIES: 33 / 60 (+1)

D. FREEDOM OF EXPRESSION AND BELIEF: 11 / 16

D1. Are there free and independent media? 2 / 4

The 2015 constitution guarantees freedom of expression and prohibits prior restraints on press freedom, though these rules can be suspended in a national emergency and for national security reasons.

In 2022, parliament continued to consider draft laws introduced in 2019, including an Information Technology Bill that would replace the National Transaction Act (NTA), which was intended to fight cybercrime but has been used to target journalists and artists. Parliament also continued to consider Social Media Directive 2021, which is similarly problematic for free speech and media.

Journalists reporting on the COVID-19 pandemic have faced harassment and detention over their work.

D2. Are individuals free to practice and express their religious faith or nonbelief in public and private? 2 / 4

The 2015 constitution identifies Nepal as secular, signaling a break with the Hindu monarchy that was formally abolished in 2008. Religious freedom is constitutionally protected, and tolerance is broadly practiced, though some religious minorities occasionally report harassment. Muslims in Nepal are particularly impoverished. Proselytizing is prohibited by a 2017 law, and some Christians have been prosecuted under this law.

D3. Is there academic freedom, and is the educational system free from extensive political indoctrination? 3 / 4

The government does not restrict academic freedom and scholarly activity on political topics takes place freely. Authorities exercise some control over the primary education curriculum but relatively little over universities. Neither professors nor students face repercussions for political speech, and peaceful campus protests are tolerated. Student groups were involved in relatively peaceful protests related to former prime minister Oli's dissolution of the parliament.

Ethnic minorities, including Hindi- and Urdu-speaking Madhesi groups, have complained that Nepali is enforced as the language of education in government schools.

D4. Are individuals free to express their personal views on political or other sensitive topics without fear of surveillance or retribution? 3 / 4

While the freedom to engage in private discussions on sensitive topics has expanded with Nepal's political stabilization, authorities occasionally crack down on individuals who criticize the government on social media.

In 2022, the parliament also continued to consider legislation, such as the Mass Communications Bill and the Social Media Directive 2021, which would dramatically impact online expression.

E. ASSOCIATIONAL AND ORGANIZATIONAL RIGHTS: 7 / 12

E1. Is there freedom of assembly? 3 / 4

Although the constitution guarantees freedom of assembly, security forces have violently dispersed protests and demonstrations in the past, particularly in the south, where a large Madhesi population and related secessionist movement exist.

In January 2021, nationwide protests were held over former prime minister Oli's dissolution of Parliament. These protests were almost exclusively nonviolent. Large protests on separate issues, including the activities of a United States aid program, the Millennium Challenge Corporation (MCC), occurred after the reinstatement of parliament and continued into early 2022.

E2. Is there freedom for nongovernmental organizations, particularly those that are engaged in human rights– and governance-related work? 2 / 4

Although the constitution allows nongovernmental organizations (NGOs) to form and operate in Nepal, legal restrictions sometimes make this difficult in practice. The District Administration Office (DAO), which is responsible for registering NGOs, is often understaffed and lacks essential resources. Foreign NGOs must enter project-specific agreements with the Nepali government. There is a widespread view that NGOs should not be overly political, which hinders some groups from engaging in certain forms of public advocacy. While some provinces are more open to NGO activities than others, there is a robust NGO presence, particularly in Kathmandu.

E3. Is there freedom for trade unions and similar professional or labor organizations? 2 / 4

The 2015 constitution protects trade unions. Labor laws protect collective bargaining and unions generally operate without state interference. Workers in a broad range of "essential" industries cannot stage strikes. Labor unions are not particularly powerful, and the existence of a large informal sector undercuts their effectiveness.

F. RULE OF LAW: 7 / 16

F1. Is there an independent judiciary? 3 / 4

The 2015 constitution provides for an independent judiciary. However, judicial independence is compromised by endemic corruption in many courts.

The state sometimes ignores local court verdicts, Supreme Court decisions, and National Human Rights Commission (NHRC) recommendations. However, in 2021, the Supreme Court was twice able to serve as an effective check against the executive. In February and July, the court reinstated the parliament after former prime minister Oli attempted to dissolve the body in December 2020 and May 2021, respectively. The court ordered that opposition leader Sher Bahadur Deuba be appointed prime minister.

F2. Does due process prevail in civil and criminal matters? 1 / 4

Constitutional due process guarantees are poorly upheld in practice. Arbitrary arrests occur but appear to be declining. Heavy case backlogs and a slow appeals process result in long pretrial detentions. The government provides legal counsel to those who cannot afford their own, but only at a defendant's request. Those unaware of this right often represent themselves.

F3. Is there protection from the illegitimate use of physical force and freedom from war and insurgencies? 2 / 4

Rights advocates continue to criticize Nepal for failing to punish abuses and war crimes committed during the 1996–2006 civil war.

Neither the TRC nor the CIEDP, key transitional justice bodies, has implemented reforms demanded by the United Nations and the Supreme Court. Although the two institutions have received thousands of reports of human rights violations and enforced disappearances, no alleged perpetrators have been prosecuted. In July 2022 the Ministry of Law, Justice and Parliamentary Affairs initiated a process to amend the Transitional Justice Bill.

F4. Do laws, policies, and practices guarantee equal treatment of various segments of the population? 1 / 4

The 2015 constitution includes rights for sexual minorities. The first passport on which the holder was permitted to select a third gender was issued in 2015. However, LGBT+ people still face harassment by authorities and other citizens, particularly in rural areas.

The constitution only protects the fundamental human rights of Nepali citizens. This potentially leaves the rights of noncitizens, including migrants and people who cannot prove citizenship, unprotected. Tibetans in Nepal face difficulty achieving formal refugee status due to Chinese pressure on the Nepali government.

Women often do not receive the same educational and employment opportunities as men.

Muslims enjoy greater freedom to practice their religion under the 2015 constitution but continue to face discrimination.

Children living with disabilities are sometimes excluded from the education system or face segregation in the classroom.

G. PERSONAL AUTONOMY AND INDIVIDUAL RIGHTS: 8 / 16

G1. Do individuals enjoy freedom of movement, including the ability to change their place of residence, employment, or education? 3 / 4

Freedom of movement is generally respected in Nepal. There are legal limits on the rights of refugees to move freely, but restrictions are rarely enforced. Citizens generally enjoy choice of residence, though bribery is common in the housing market as well as the university admittance process.

In rural areas, some women remain subject to *chhaupadi*, a traditional practice in which menstruating women are physically separated from their families and communities. The practice was criminalized in 2018, and arrests have occurred inconsistently since then.

G2. Are individuals able to exercise the right to own property and establish private businesses without undue interference from state or nonstate actors? 2 / 4

Although citizens have the right to own private businesses, starting a business in Nepal often requires bribes to a wide range of officials. Women face widespread discrimination when starting businesses, and customs and border police are notoriously corrupt in dealing with cross-border trade. Foreigners generally cannot own land, though in practice individuals, businesses and organizations have found ways around this rule with long term leases of properties technically owned by Nepalis. In 2022, Nepal's finance ministry stated that foreigners will soon be able to buy apartments in buildings that have at least 100 units.

G3. Do individuals enjoy personal social freedoms, including choice of marriage partner and size of family, protection from domestic violence, and control over appearance? 2 / 4

Gender-based violence remains a problem and increased during the COVID-19 pandemic. The 2009 Domestic Violence Act provides for monetary compensation and psychological treatment for victims, but authorities rarely prosecute domestic violence cases, which are sometimes handled informally.

Underage marriage, especially of girls, remains common.

Foreign men married to Nepali women must wait 15 years to obtain naturalized citizenship, while foreign women married to Nepali men can immediately become citizens. Children of foreign-born fathers and Nepali mothers must apply for naturalized citizenship, while children of foreign-born mothers and Nepali fathers are automatically granted citizenship. In June 2020, a parliamentary committee endorsed an amendment to the Citizenship Act that would require foreign-born wives to wait seven years before attaining their own citizenship. In July 2022, a proposed amendment to the Citizenship Act would have granted citizenship to foreign women married to Nepali men once they initiated the process to give up their existing citizenship, but didn't pass.

G4. Do individuals enjoy equality of opportunity and freedom from economic exploitation? 1 / 4

Trafficking of children and women from Nepal for prostitution in India still happens with some regularity, and police rarely intervene. Bonded labor is illegal but remains a serious problem. Most workers in Nepal remain in the informal sector and lack legal protections.

Child labor also remains a problem; children can be found working in brickmaking, service, and other industries, as well as in forced begging and sex work. The COVID-19 pandemic, which resulted in many children not attending school, has worsened these challenges; many have not returned to the classroom.

Netherlands

Population: 17,700,000
Capital: Amsterdam
Freedom Status: Free
Electoral Democracy: Yes

Overview: The Netherlands is a parliamentary democracy with a strong record of safeguarding political rights and civil liberties. Nevertheless, Muslims and people with a migrant background experience harassment and discrimination. Harsh asylum policies are a source of controversy. Polarization around cultural, social, and economic policies has increased, with distrust in government higher than in the past. Corruption, prison conditions, and asylum policies are of concern on the six Caribbean islands for which the Netherlands government has varying degrees of responsibility.

KEY DEVELOPMENTS IN 2022

- A new government took office in January, following March 2021 parliamentary elections and months-long coalition talks. Prime Minister Mark Rutte, the incumbent since 2010, faced skepticism about his government's capacity to deal with policy challenges including a child-care allowances scandal, which had led to the resignation of his previous government, and a heated dispute about environmental adaptation and land use.
- Farmers mounted a series of midyear protests against planned government restrictions on agricultural pollution, using tractors to block roads and entrances to buildings. The police were accused of failing to intervene, in contrast to earlier protests against COVID-19-related restrictions, during which officers were criticized for using more aggressive tactics.
- The country accepted close to 87,000 Ukrainian refugees outside of the standard asylum process during the year, but other asylum seekers continued to face a lack of housing and slow processing of their cases.

POLITICAL RIGHTS: 39 / 40

A. ELECTORAL PROCESS: 12 / 12

A1. Was the current head of government or other chief national authority elected through free and fair elections? 4 / 4

The Netherlands is a parliamentary constitutional monarchy, with King Willem-Alexander playing a largely ceremonial role. The government is formed by the parliament after elections.

In January 2022, a fourth consecutive government headed by Prime Minister Mark Rutte took office, based on an agreement negotiated after the March 2021 parliamentary elections. The governing coalition consisted of Rutte's center-right People's Party for Freedom and Democracy (VVD), the liberal Democrats 66 (D66), the Christian Democratic Appeal (CDA), and the smaller Christian Union (CU).

A2. Were the current national legislative representatives elected through free and fair elections? 4 / 4

The bicameral States General consists of the 75-seat First Chamber or Senate, elected indirectly by members of the 12 provincial councils, and the 150-seat Second Chamber or House of Representatives, members of which are directly elected to serve four-year terms, using a system of proportional representation without a minimum vote threshold. A total of 17 parties won seats in the March 2021 Second Chamber elections, led by the VVD with 34, D66 with 24, the right-wing populist Party for Freedom (PVV) with 17, and the CDA with 15.

A3. Are the electoral laws and framework fair, and are they implemented impartially by the relevant election management bodies? 4 / 4

Elections are administered by the Electoral Council, which works impartially and professionally.

B. POLITICAL PLURALISM AND PARTICIPATION: 16 / 16

B1. Do the people have the right to organize in different political parties or other competitive political groupings of their choice, and is the system free of undue obstacles to the rise and fall of these competing parties or groupings? 4 / 4

Political parties operate freely. The Elections Law does not impose any undue restrictions on the registration of candidates for elections.

Government funding is granted to all parties with at least 1,000 members and at least one seat in the parliament. Draft legislation that was proposed in December 2022 would also extend funding to parties active at the provincial or municipal level, and allow the courts to ban parties that attempt to weaken the rule of law.

B2. Is there a realistic opportunity for the opposition to increase its support or gain power through elections? 4 / 4

The composition of ruling coalitions regularly changes after elections, drawing some parties into government and leaving many others in opposition.

The record 17 parties that entered the Second Chamber following the March 2021 elections included four new parties. Further splits after the elections led to a total of 20 parliamentary factions.

B3. Are the people's political choices free from domination by forces that are external to the political sphere, or by political forces that employ extrapolitical means? 4 / 4

Voters and candidates are free to make their own political choices without undue pressure from democratically unaccountable groups. However, a media investigation in 2022 found that many politicians have faced threats and intimidation from extremist groups or citizens with policy grievances, causing some to self-censor their public speech.

B4. Do various segments of the population (including ethnic, racial, religious, gender, LGBT+, and other relevant groups) have full political rights and electoral opportunities? 4 / 4

All citizens formally enjoy equal political rights. Women, LGBT+ people, and members of racial and other minority groups participate freely in the political process. Several parties cater to the perceived interests of specific religious communities or ethnic minority populations. Women held about 39 percent of the Second Chamber seats after the 2021 elections.

C. FUNCTIONING OF GOVERNMENT: 11 / 12

C1. Do the freely elected head of government and national legislative representatives determine the policies of the government? 4 / 4

Government policies reflect the choices of freely elected members of the parliament.

C2. Are safeguards against official corruption strong and effective? 4 / 4

The Netherlands has low levels of corruption, and anticorruption mechanisms are generally effective. The Second Chamber created a code of conduct in 2020 to limit conflicts of interest among its members, and an independent complaints body was established to address violations of the code.

In a scandal that continued to receive considerable attention in 2022, a former CDA activistand his business partners faced investigations into suspected fraud, money laundering, and embezzlement related to their 2020 sale of face masks to the government.

C3. Does the government operate with openness and transparency? 3 / 4

Laws recognizing the right to request government information are generally enforced, although government agencies frequently miss official deadlines in responding to requests.

The Open Government Act (WOO), which requires the government to make documents available online proactively, rather than by request, entered into force in May 2022, but a number of key provisions would be implemented gradually. The quality of the government archival system was questioned, and an October report from the Information and Heritage Inspectorate revealed that only a limited number of the prime minister's online chat messages were archived properly.

A scandal centered on the Tax and Customs Administration (Belastingdienst), which had improperly punished thousands of families from 2012 to 2019 for allegedly defrauding a system of child-care allowances, persisted in 2022 amid limited progress on reparations, revelations about the discriminatory basis of the tax service's practices, and the separation of over 2,000 children from families that had been affected by the unjust enforcement measures. In July, an appellate court confirmed that the Belastingdienst itself could not be prosecuted for discrimination and extortion, but criminal complaints filed against specific tax officers, for discrimination and extortion as well as for perjury they may have committed during a 2020 parliamentary investigation into the scandal, were still pending at year's end.

The coalition agreement undergirding Rutte's new government in 2022 included plans to improve government transparency and accountability, in part by making state inspectorates more independent. In April, the parliament adopted a motion calling on the government to require human rights impact assessments before a public institution could use algorithms to make official decisions about people.

CIVIL LIBERTIES: 58 / 60

D. FREEDOM OF EXPRESSION AND BELIEF: 16 / 16

D1. Are there free and independent media? 4 / 4

The country hosts a free and independent press, with a variety of print, broadcast, and online outlets providing news and information to the public. However, PersVeilig, an initiative by the media sector and law enforcement bodies aimed at increasing journalists' safety,

stepped up its activities in 2022 amid reports of growing harassment by hostile individuals. In December, the initiative noted that 80 percent of female journalists have experienced intimidation, threats, or aggression.

D2. Are individuals free to practice and express their religious faith or nonbelief in public and private? 4 / 4

The constitution guarantees freedom of religion, which is generally respected in practice.

D3. Is there academic freedom, and is the educational system free from extensive political indoctrination? 4 / 4

Academic freedom is largely upheld in the Netherlands.

D4. Are individuals free to express their personal views on political or other sensitive topics without fear of surveillance or retribution? 4 / 4

There are no restrictions on freedom of speech or personal expression, apart from the criminalization of hate speech, threats, and incitement to illegal acts.

A leader of protests against COVID-19 policies was arrested in early 2022 for inciting illegal acts on social media; a verdict in the case was pending at year's end.

E. ASSOCIATIONAL AND ORGANIZATIONAL RIGHTS: 12 / 12

E1. Is there freedom of assembly? 4 / 4

Freedom of assembly is constitutionally guaranteed and generally respected by authorities, and any improper restrictions are publicly debated and adjudicated through the legal system. In several court cases during 2022, plaintiffs won judgments against local governments that were found to have placed undue limitations on the right to assembly in past years.

In early 2022, as in 2020 and 2021, temporary government restrictions on gatherings and movement in response to a rise in COVID-19 transmission triggered large protests by opponents of such policies. The use of force by police and especially the employment of police dogs led to a heated controversy about law enforcement tactics. Criminal charges were filed against some officers and protesters for their respective roles in the confrontations.

Separately, toward the middle of the year, farmers mounted a series of protests against government proposals to limit nitrogen emissions generated by agricultural activity near nature conservation areas. Farmers used tractors to block highways and access to government and other buildings, and police drew criticism for failing to intervene and manage the protests effectively. In November, police were also accused of failing to adequately protect protesters opposed to a blackface holiday character, Zwarte Piet, from violent counterprotesters.

E2. Is there freedom for nongovernmental organizations, particularly those that are engaged in human rights– and governance-related work? 4 / 4

NGOs operate freely and without interference from the government or nonstate actors. A draft bill allowing local authorities and prosecutors to scrutinize NGOs' funding sources, first proposed in 2020 and amended in 2021, made no further progress in 2022. However, it was reported that governmental pressure to combat terrorism financing had prompted banks to close the accounts of some Islamic organizations or place them under review, despite a lack of evidence that they had links to terrorism.

E3. Is there freedom for trade unions and similar professional or labor organizations? 4 / 4

Workers' rights to organize, bargain collectively, and strike are protected.

F. RULE OF LAW: 15 / 16

F1. Is there an independent judiciary? 4 / 4

The judiciary is generally independent in law and in practice.

A committee of administrative judges evaluated the judiciary's role in the child-care allowances scandal, concluding in October 2022 that the courts had been unduly strict toward people accused of fraud and had too often deferred to the assertions of the tax service.

F2. Does due process prevail in civil and criminal matters? 4 / 4

The right to a fair trial is legally guaranteed and respected in practice, and safeguards against arbitrary arrest and detention are generally upheld.

F3. Is there protection from the illegitimate use of physical force and freedom from war and insurgencies? 4 / 4

Residents are generally free of major threats to their physical security, and prison conditions mostly meet international standards. However, substandard detention conditions continued to be reported on Caribbean islands under the jurisdiction of the Netherlands.

F4. Do laws, policies, and practices guarantee equal treatment of various segments of the population? 3 / 4

The legal framework includes significant protections against discrimination on various grounds, but some forms of bias and disparity persist in practice. A December 2022 report commissioned by the Ministry of Foreign Affairs exposed racist practices and attitudes within the institution. Also that month, the government formally apologized for the Netherlands' historical participation in slavery and the slave trade and announced a program to address that legacy.

Open expression of anti-Muslim and xenophobic views was not uncommon during the year. Muslims and people with a migrant background experienced harassment and intimidation, and far-right soccer fans and social media users promoted antisemitic tropes. Labor-market discrimination based on people's ethnicity, age, pregnancy, or disabilities continued to be documented, and a number of high-profile cases drew attention to sexual violence and harassment—particularly against women—in the workplace.

Dutch asylum policies have long drawn criticism for being unduly harsh. Throughout 2022, dozens to hundreds of asylum seekers had to sleep in the open air outside an application center in the village of Ter Apel due to a combination of case backlogs, housing shortages, and lack of flexibility in creating emergency shelters. A district court in The Hague ruled in October that the government must urgently act to bring the situation of asylum seekers into line with international standards.

At the same time, almost 87,000 Ukrainian refugees were registered in the country during 2022. They were not included in the ordinary asylum procedure, instead receiving residency and work permits under a special arrangement.

The Caribbean islands that are part of the Kingdom of the Netherlands lack well-developed asylum procedures. NGOs have called for more government action to support Venezuelan refugees on Aruba and Curaçao. In March 2022, the government of Curaçao stated that it was not bound by international refugee law.

G. PERSONAL AUTONOMY AND INDIVIDUAL RIGHTS: 15 / 16

G1. Do individuals enjoy freedom of movement, including the ability to change their place of residence, employment, or education? 4 / 4

Residents generally enjoy freedom of movement and the ability to change their place of residence, employment, and education. Though the government has periodically implemented movement restrictions to curb the spread of COVID-19 since 2020, such regulations were largely in line with expert guidance on public health.

G2. Are individuals able to exercise the right to own property and establish private businesses without undue interference from state or nonstate actors? 4 / 4

Property rights are legally protected and generally upheld in practice.

G3. Do individuals enjoy personal social freedoms, including choice of marriage partner and size of family, protection from domestic violence, and control over appearance? 4 / 4

Personal social freedoms are largely respected. Domestic violence is a persistent problem despite government efforts to address it.

G4. Do individuals enjoy equality of opportunity and freedom from economic exploitation? 3 / 4

While legal protections against labor exploitation are generally enforced, exploitative working and housing conditions for migrants, particularly in the agricultural and meat-processing sectors, continued to be reported in 2022. The new government announced plans to combat such abuses, and in December it endorsed a draft bill to require official certification of temporary employment agencies.

New Zealand

Population: 5,100,000
Capital: Wellington
Freedom Status: Free
Electoral Democracy: Yes

Overview: New Zealand is a parliamentary democracy with a long record of free and fair elections and of guaranteeing political rights and civil liberties. Concerns include discrimination against the Māori and other minority populations, as well as reports of foreign influence in politics and the education sector.

KEY DEVELOPMENTS IN 2022

- Three people were found guilty of fraud in October for deliberately making political donations in a way that concealed the identity of the donor. In December, Parliament passed the Electoral Amendment Bill, which tightened campaign finance rules, including by lowering the monetary threshold at which political parties must publicly identify donors.
- Also in October, draft amendments intended to strengthen New Zealand's existing counterterrorism laws were introduced in Parliament. Among other things, the proposed reforms included changes allowing for greater judicial discretion in setting restrictions for individuals deemed to be at high risk for engaging in terrorism-related activity; the draft amendments remained under consideration in Parliament through year's end.
- The government gradually eased COVID-19-related restrictions throughout the year, lifting most restrictions by September.

POLITICAL RIGHTS: 40 / 40

A. ELECTORAL PROCESS: 12 / 12

A1. Was the current head of government or other chief national authority elected through free and fair elections? 4 / 4

The prime minister, who is head of government, is appointed by the governor general and is usually the leader of the majority party or coalition in the directly elected parliament. Jacinda Ardern, leader of the Labour Party, was reelected as prime minister in 2020 following legislative elections, which were considered well administered and credible.

A governor general, appointed by the monarch of the United Kingdom (UK) on advice of the prime minister, represents the British monarch as New Zealand's head of state. In October 2021, Dame Cindy Kiro was appointed governor general, becoming the first Māori woman to serve in that position.

A2. Were the current national legislative representatives elected through free and fair elections? 4 / 4

The 120 members of Parliament's single chamber, the House of Representatives, serve three-year terms. The mixed electoral system combines voting in geographic districts with proportional representation. Elections in New Zealand are generally well administered, and their results considered credible.

In the October 2020 national elections, the Labour Party secured a 65-seat majority in the 120-seat parliament. The opposition National Party claimed 33 seats, and the leftist Green Party won 10 seats. The anti-immigration New Zealand First party, which had been in coalition with Labour, lost all nine of the seats it won in 2017. Election day was delayed by a month amid a nascent second wave of the COVID-19 pandemic in Auckland.

A3. Are the electoral laws and framework fair, and are they implemented impartially by the relevant election management bodies? 4 / 4

The legal framework supports democratic elections, and elections are implemented fairly in practice. The independent New Zealand Electoral Commission administers polls and referendums, promotes compliance with electoral laws, and provides public education on electoral issues.

B. POLITICAL PLURALISM AND PARTICIPATION: 16 / 16

B1. Do the people have the right to organize in different political parties or other competitive political groupings of their choice, and is the system free of undue obstacles to the rise and fall of these competing parties or groupings? 4 / 4

New Zealanders organize political parties without undue legal restrictions or other obstacles, and parties are free to operate and campaign for support.

B2. Is there a realistic opportunity for the opposition to increase its support or gain power through elections? 4 / 4

The political system has experienced regular democratic transfers of power between rival parties. Power has traditionally alternated between the center-left Labour Party and the center-right National Party. Currently, the National Party serves as a strong opposition force in Parliament.

B3. Are the people's political choices free from domination by forces that are external to the political sphere, or by political forces that employ extrapolitical means? 4 / 4

People are generally able to act on their political preferences without undue influence from powerful groups. However, several studies in recent years have raised concerns over the likelihood that sizable political donations from Chinese businesspeople and other Chinese figures have influenced the policy positions of political parties and lawmakers. Some have claimed New Zealand's government has been hesitant to criticize the Chinese government's human rights abuses.

B4. Do various segments of the population (including ethnic, racial, religious, gender, LGBT+, and other relevant groups) have full political rights and electoral opportunities? 4 / 4

Political rights and electoral opportunities are granted to all New Zealand citizens, and permanent residents have the right to vote. Seven of Parliament's constituency seats are reserved for representatives of the Māori population, though Māori may also vote or run in general electoral districts. Māori representatives comprise 21 percent of seats in Parliament, with the Māori Party holding two seats. In October 2021, Dame Cindy Kiro became the first Māori woman to be appointed governor general.

Women are relatively well-represented in politics, and the government has taken steps to encourage their participation. Following the swearing-in of Soraya Peke-Mason to Parliament in October 2022, for the first time in the nation's history, women held an equal share of seats in the legislature as men. Ardern is the third woman to serve as the country's prime minister, and the 2020 elections were the second in New Zealand's history to be contested with both major parties led by women.

There have been allegations of bullying and harassment, including sexual harassment, in Parliament in recent years. In October, Parliament's speaker commissioned an independent review into workplace harassment and bullying within the institution.

In a November ruling, New Zealand's Supreme Court found that the minimum voting age of 18 contradicted the country's Bill of Rights, which confers on individuals aged 16 and over the right to be free of age discrimination. Following the judgment, Prime Minister Ardern promised to introduce draft legislation lowering the minimum voting age to 16.

C. FUNCTIONING OF GOVERNMENT: 12 / 12

C1. Do the freely elected head of government and national legislative representatives determine the policies of the government? 4 / 4

The prime minister and cabinet ministers, with the support of a majority in the House of Representatives, determine and implement the government's policy agenda without improper interference from any unelected entity.

C2. Are safeguards against official corruption strong and effective? 4 / 4

Government corruption is not considered a significant problem in New Zealand, and cases of official malfeasance are routinely investigated and prosecuted.

In recent years, there have been several investigations into alleged breaches of political party funding laws: as of May 2021, four of the six political parties to have recently held seats in New Zealand's parliament were either under investigation or being prosecuted for violations of campaign finance laws. In one case in October 2022, three people were convicted of "obtaining by deception" for deliberately making political donations in a way that concealed the identity of the donor in 2017 and 2018. Among those convicted in the proceedings brought by New Zealand's Serious Fraud Office (SFO) was Yikun Zhang, a New Zealand national who was born in China and is a former member of the Chinese People's Political Consultative Conference (CPPCC), an organization with links to the Chinese Communist Party (CCP).

Following government pledges to further tighten campaign finance rules before the 2023 general election, Parliament passed the Electoral Amendment Bill in December 2022; among other things, the legislation includes provisions lowering the threshold at which political parties must publicly identify a donor from NZ$15,000 (US$9,342) to NZ$5,000 (US$3,114). Prior to the adoption of the bill in December, some opposition leaders argued that the SFO's successful prosecutions indicated that existing laws were working, and that no further reforms were required.

C3. Does the government operate with openness and transparency? 4 / 4

The government operates with a high level of transparency, and new legislation is openly discussed in Parliament and the media. Parliamentary records, government policies, and commissioned reports are published online and readily available as required by law, though the government is sometimes slow to respond to freedom of information requests. The government upholds transparency in budgetary procedures, and representatives must submit annual financial disclosure statements.

CIVIL LIBERTIES: 59 / 60

D. FREEDOM OF EXPRESSION AND BELIEF: 16 / 16

D1. Are there free and independent media? 4 / 4

New Zealand has a free and robust independent media sector, including a Māori-language public network and radio station. In 2020, the large New Zealand media outlet Stuff issued a public apology after an internal investigation revealed systemic racism in its reporting, particularly in portrayals of Māori people.

The Aotearoa New Zealand Public Media Bill, introduced in Parliament in June 2022, seeks to merge Radio New Zealand (RNZ) and Television New Zealand (TVNZ) into a new public entity. The bill's supporters claim that the merger will strengthen national public media, but critics are concerned that the creation of the new entity has the potential to distort the media market and undermine commercial competitors. The bill remained under consideration at year's end.

D2. Are individuals free to practice and express their religious faith or nonbelief in public and private? 4 / 4

Religious freedom is protected by law and generally respected in practice. Only religious organizations that wish to collect donations and receive tax benefits need to register with the government, and the process is not onerous.

D3. Is there academic freedom, and is the educational system free from extensive political indoctrination? 4 / 4

Academic freedom typically prevails at all levels of instruction. However, concerns persist regarding Chinese interference in New Zealand's higher education sector.

D4. Are individuals free to express their personal views on political or other sensitive topics without fear of surveillance or retribution? 4 / 4

New Zealanders are free to discuss personal views on sensitive topics. However, intelligence and security legislation adopted in 2017 allows law enforcement agencies to access private communications under certain conditions in order to protect national security.

In 2019, Parliament passed the Terrorism Suppression (Control Orders) Act, which had been criticized by the privacy commissioner for authorizing an overly intrusive regime of monitoring and restrictions on individuals designated as having been involved in terrorist activities abroad.

E. ASSOCIATIONAL AND ORGANIZATIONAL RIGHTS: 12 / 12

E1. Is there freedom of assembly? 4 / 4

The government generally respects free assembly and association rights, which are legally protected. Public gatherings were severely restricted during lockdowns imposed periodically from 2020 through early 2022 to curb the spread of the COVID-19 pandemic. Most COVID-19-related restrictions on gatherings were lifted in April 2022.

Antilockdown protests were held in 2021 and 2022, and were at times marred by violence. Weeks-long demonstrations outside the parliament in February and March of 2022 ended with dozens of arrests as police dispersed protesters. Prime Minister Ardern vowed not to intervene during related demonstrations in August. Other protests also took place during the year, including rail- and emissions-related protests in October.

E2. Is there freedom for nongovernmental organizations, particularly those that are engaged in human rights– and governance-related work? 4 / 4

There are no significant restrictions on the ability of nongovernmental organizations (NGOs) to form, operate, and solicit funds.

E3. Is there freedom for trade unions and similar professional or labor organizations? 4 / 4

Workers may freely organize and bargain collectively, and trade unions actively engage in political debates and campaigns. Workers also have the right to strike, with the exception of uniformed police personnel. Nurses throughout the country went on strike in October 2022 to protest against poor working conditions and demand pay parity within the profession; efforts by government officials to address the nurses' concerns were ongoing through year's end.

F. RULE OF LAW: 15 / 16

F1. Is there an independent judiciary? 4 / 4

New Zealand's judiciary is generally independent. Most judges are appointed by the governor general on the recommendation of the attorney general, who first consults with senior jurists.

F2. Does due process prevail in civil and criminal matters? 4 / 4

Law enforcement practices and court procedures provide for due process protections in civil and criminal matters. Defendants and detainees are presumed innocent until proven guilty and by law must immediately be notified of the charges against them.

Pretrial detention durations have increased in recent years, as authorities have tightened bail requirements and relaxed the time limit in which cases must be concluded.

New Zealand's counterterrorism legislation allows for broad restrictions to be imposed on individuals suspected of involvement in terrorism-related activity, even if they have not been charged or convicted. Amendments that would further strengthen counterterrorism laws were proposed in October 2022, and included changes allowing for greater judicial discretion in setting restrictions for individuals deemed high risk, among other things. The draft amendments remained under consideration in Parliament through year's end.

F3. Is there protection from the illegitimate use of physical force and freedom from war and insurgencies? 4 / 4

Rates of violent crime are relatively low, and residents have legal recourse to seek redress for violations of their physical security. The 2019 Christchurch terrorist attack was the worst mass shooting in New Zealand's modern history. The shooting, which took place

at two mosques and killed 51 people, was preplanned and accompanied by an 87-page document filled with anti-immigrant and anti-Muslim hate speech. The perpetrator of the shootings received a life sentence in 2020. A Royal Commission inquiry into the causes of the attack identified serious failures by the country's intelligence services.

In 2021, Ahamed Aathil Mohamed Samsudeen attacked people in an Auckland supermarket, injuring eight before being shot dead by police. In response to the attack, the government quickly amended counterterrorism laws to criminalize the planning of a terrorist attack, among other provisions. The amendments give police warrantless powers of entry, search, and surveillance if an individual is suspected of planning an attack. Some have expressed concern about the lack of oversight in the new laws and the potential for overreach.

Prison conditions generally meet international standards, though some facilities are poorly equipped to house detainees with disabilities or mental health problems.

F4. Do laws, policies, and practices guarantee equal treatment of various segments of the population? 3 / 4

The 1993 Human Rights Act protects all people in New Zealand from discrimination on the basis of gender, religion, ethnicity, and sexual orientation, among other categories, and its provisions are generally respected in practice. However, Māori—who account for approximately 16 percent of the population—and Pacific Islanders experience some discrimination in schools, the workplace, and the health system. They are also disproportionately represented in the penal system, accounting for just over half of the prison population as of 2022. Recent campaigns to recruit more officers of Māori, Pacific Islander, and Asian descent aim to improve cultural and ethnic sensitivity within the police force and combat profiling and discrimination.

The annual Child Poverty Monitor Technical Report has documented for many years that children of Māori and Pacific Islander descent are more likely to experience poverty. The Ardern government faced criticism for its inefficacy in addressing this issue, which it claimed was a policy priority.

Racism and discrimination towards people of Asian descent, as well as first generation immigrants, is a challenge. Approximately 50 percent of people of Asian descent reported experiencing racism or discrimination since the start of the COVID-19 pandemic.

Women continue to face some disparities in employment, including a gender pay gap and underrepresentation in leadership positions in both the public and private sectors. The government enforces strong legislation protecting the rights of LGBT+ people. However, LGBT+ people report workplace discrimination and poorer physical and mental health compared to the general population.

Though the government routinely accepts refugees and asylum seekers, the New Zealand Human Rights Commission has raised concerns that refugees are not always given sufficient information to enable them to access important services such as interpreters, housing, and English-language instruction. Separately, asylum seekers are sometimes detained alongside criminal inmates while their identity is being confirmed.

G. PERSONAL AUTONOMY AND INDIVIDUAL RIGHTS: 16 / 16

G1. Do individuals enjoy freedom of movement, including the ability to change their place of residence, employment, or education? 4 / 4

The government respects freedom of movement, and neither state nor nonstate actors place undue restrictions on people's ability to change their place of residence, employment, or education.

The government periodically imposed lockdowns from 2020 through 2022 to contain outbreaks of the coronavirus. International travel was limited, with arrivals forced to complete a state-supervised 14-day quarantine throughout much of the pandemic. Most COVID-19-related restrictions, including travel restrictions, were lifted by September 2022.

G2. Are individuals able to exercise the right to own property and establish private businesses without undue interference from state or nonstate actors? 4 / 4

New Zealand's legal and regulatory frameworks are broadly supportive of private business activity and provide strong protections for property rights.

G3. Do individuals enjoy personal social freedoms, including choice of marriage partner and size of family, protection from domestic violence, and control over appearance? 4 / 4

Personal social freedoms are broadly protected, including on issues like marriage and divorce. Same-sex marriage was legalized in 2013, and same-sex couples may jointly adopt children. However, violence against women and children remains a critical problem in many communities. A government survey released in 2020 reported that over one in three people identifying as women had been a victim of sexual violence in their lifetime. Abortion is legal in New Zealand; in 2020, Parliament removed all restrictions up to 20 weeks of pregnancy and fully decriminalized the procedure.

G4. Do individuals enjoy equality of opportunity and freedom from economic exploitation? 4 / 4

Residents generally have access to economic opportunities, but the Māori and Pacific Islander populations have disproportionately high rates of unemployment, affecting their economic and social mobility. Women and Pacific Islander people are among the most likely groups to receive lower pay for equal work.

Migrant workers are vulnerable to exploitative conditions including forced labor in industries such as fishing, agriculture, construction, hospitality, and domestic service. The government has taken action to combat these abuses, and in August 2020 authorities announced a crackdown on exploitation, as well as protections to help migrant workers escape exploitative environments. In June 2022, the New Zealand Human Rights Commission called for the enactment of modern slavery legislation to address the exploitation and abuse of vulnerable workers.

Nicaragua

Population: 6,700,000
Capital: Managua
Freedom Status: Not Free
Electoral Democracy: No

Overview: The election of Sandinista leader Daniel Ortega in 2006 began a period of democratic deterioration marked by the consolidation of all branches of government under his party's control, the limitation of fundamental freedoms, and unchecked corruption in government. In 2018, state forces, with the aid of informally allied armed groups, responded to a mass antigovernment movement with violence and repression. The rule of law collapsed as the government moved to put down the movement, with rights monitors reporting killings,

extrajudicial detentions, disappearances, and torture. Since then, antigovernment activists report surveillance and monitoring, and Ortega has consolidated his power with sweeping arrests of his political opponents.

KEY DEVELOPMENTS IN 2022

- Between February and May, 50 critics of the government, including several people who ran for the presidency in 2021, received years-long prison terms in sham trials.
- In August, Catholic bishop Rolando José Álvarez Lagos, one of the regime's most outspoken critics, was arrested along with several other clergymen and supporters. Álvarez was charged with conspiracy to undermine the country and disseminating false news in December.
- In the November local elections, the ruling Sandinista National Liberation Front (FSLN) won control of all 153 municipalities in contests that were neither free nor fair. Five mayor's offices that were held by a banned opposition party were seized by regime-aligned armed groups and the national police in July.

POLITICAL RIGHTS: 5 / 40

A. ELECTORAL PROCESS: 0 / 12

A1. Was the current head of government or other chief national authority elected through free and fair elections? 0 / 4

Nicaragua's constitution provides for a directly elected president, and elections are held every five years. Constitutional reforms in 2014 eliminated term limits and required the winner of the presidential ballot to secure a simple plurality of votes. Daniel Ortega was first elected in in 2006.

In December 2020, the National Assembly, which is controlled by Ortega's FSLN, passed the Law in Defense of the Rights of the People to Independence, Sovereignty and Self-Determination for Peace, also known as the Sovereignty Law. The law provides authorities a broad framework to arbitrarily detain, investigate, and ban individuals from running for or holding public office. The Ortega regime has used this law to arrest opposition candidates and government critics.

In November 2021, the government announced that Ortega had been reelected, allegedly taking 75 percent of the votes and defeating Constitutionalist Liberal Party candidate Walter Espinoza. Authorities claimed voter turnout was 65 percent, but a local citizen-run election watchdog recorded that turnout was closer to 18.5 percent. The Organization of American States (OAS) stated that the poll could not meet the criteria for free and fair elections. Ortega was inaugurated to a fourth consecutive term in January 2022.

A2. Were the current national legislative representatives elected through free and fair elections? 0 / 4

The constitution provides a 92-seat unicameral National Assembly, with members chosen through proportional representation. Two seats are reserved for the previous president and the runner-up in the most recent election. Legislative elections are held every five years.

Ahead of the November 2021 legislative elections, the government arrested opposition candidates and party members, including those running for seats in the National Assembly. The Supreme Electoral Council (CSE) annulled the legal status of the Democratic Restoration Party, Citizens for Liberty (CxL), and other rivals. Political parties that remained presented no meaningful challenge to the FSLN. The government announced that the FSLN had won 74 percent of the vote and was assigned 75 legislative seats. Election monitoring missions were not allowed to observe the vote.

In July 2022, regime-aligned armed groups and the national police took control of five mayoralties that had been held by the CxL. In the November local elections, the FSLN faced no meaningful opposition when it won control of all 153 municipalities.

A3. Are the electoral laws and framework fair, and are they implemented impartially by the relevant election management bodies? 0 / 4

The CSE and judiciary generally serve the interests of the FSLN and have played a crucial role in strengthening Ortega and the FSLN's power. In early 2021, the FSLN-controlled National Assembly appointed individuals who maintained ties to Ortega to the CSE's new governing committee. The CSE also employed the Sovereignty Law to ban opposition candidates from running in that November's legislative elections and from ever holding public office.

B. POLITICAL PLURALISM AND PARTICIPATION: 3 / 16

B1. Do the people have the right to organize in different political parties or other competitive political groupings of their choice, and is the system free of undue obstacles to the rise and fall of these competing parties or groupings? 0 / 4

Political parties face legal and practical obstacles to formation and operations. Party leaders are easily co-opted or disqualified by Ortega-aligned institutions. Membership in the FSLN is often required to hold civil service positions. Under 2014 constitutional reforms, legislators must follow the party vote or risk losing seats.

The government used the Foreign Agents Law and the Sovereignty Law, both passed in 2020, to end the legal status of opposition parties and prevent candidates from participating in elections. Opposition candidates and activists are subject to surveillance and harassment at the hands of security forces, police, and paramilitary groups. Some 50 critics, including 7 people who ran for president in 2021, received prison sentences and were disqualified from public office during February–May 2022 judicial proceedings. Cristiana Chamorro Barrios, a candidate in the 2021 contest, received an eight-year term in March 2022, for example.

B2. Is there a realistic opportunity for the opposition to increase its support or gain power through elections? 0 / 4

Nicaragua's opposition lacks the opportunity of increasing its support or gaining power through elections, as the government has employed legislation, repression, and outright violence to impede opposition activities. Opposition candidates and activists were arrested en masse in the lead-up to the November 2021 elections. Opposition figures, even those who were perceived as Ortega supporters, were defeated in the November 2022 local elections.

B3. Are the people's political choices free from domination by forces that are external to the political sphere, or by political forces that employ extrapolitical means? 1 / 4

President Ortega controls all government branches and public institutions, as well as the country's media, granting him and the FSLN significant influence over people's political choices. Public-sector workers were pressured to keep away from the 2018 antigovernment protests, while security forces and progovernment armed groups have attacked the regime's perceived opponents.

B4. Do various segments of the population (including ethnic, racial, religious, gender, LGBT+, and other relevant groups) have full political rights and electoral opportunities? 2 / 4

Minority groups, especially Indigenous residents in the Caribbean and eastern regions, are politically underrepresented. The government and FSLN largely ignore their grievances.

In 2021, George Henríquez sought to become the country's first president of Afro-Nicaraguan descent under the CxL's banner, though his candidacy was rejected shortly before the CxL was disbanded.

In practice, successful political advocacy by women is generally restricted to initiatives that enjoy the support of the FSLN, which has not prioritized women's policy concerns.

C. FUNCTIONING OF GOVERNMENT: 2 / 12

C1. Do the freely elected head of government and national legislative representatives determine the policies of the government? 0 / 4

Ortega and the FSLN dominate most public institutions. The FSLN won an absolute majority of National Assembly seats in the 2021 elections, which were neither free nor fair. The November 2022 local elections were conducted under similar conditions.

Under 2014 constitutional reforms, President Ortega has a wide degree of discretionary powers to set policy. Executive dominance of the legislature results in a consistent lack of oversight.

C2. Are safeguards against official corruption strong and effective? 1 / 4

Corruption in Nicaragua is widespread but rarely investigated. Allegations of corruption against government officials rarely see thorough investigation or prosecution. Authorities have launched antigraft probes targeting opposition members, often with the aim of delegitimizing or arresting them.

In January 2022, the US Treasury Department sanctioned six government officials, including Defense Minister Rosa Adelina Barahona de Rivas; the department noted the government's involvement in the gold-mining operations as one of its concerns. In November, it sanctioned the state-owned Nicaraguan Mining Company along with the head of its board of directors, alleging that government officials personally benefited from gold-mining activity and that the company was used to route kickbacks to them.

C3. Does the government operate with openness and transparency? 1 / 4

Government operations and policymaking are generally opaque. The 2007 Law on Access to Public Information requires public entities and private companies doing business with the state to disclose certain information. Government agencies at all levels generally ignore this law.

Ortega rarely holds press conferences. The Communications and Citizenry Council oversees the government's press relations and is directed by Vice President Rosario Murillo—Ortega's wife—and has been accused of limiting access to information.

In 2020, independent observers alleged that the government intentionally underreported the number of COVID-19 cases, and the Pan-American Health Organization was denied access to hospitals. Doctors have since been harassed, threatened, or sometimes forced into exile for questioning the government's response to the pandemic.

CIVIL LIBERTIES: 14 / 60 (−4)

D. FREEDOM OF EXPRESSION AND BELIEF: 2/16 (−3)

D1. Are there free and independent media? 0 / 4

The Ortega regime has cracked down on free and independent media and journalists since returning to power in 2007. The government has intimidated and arrested journalists, censored media outlets, and sought to deprive print media of essential supplies, including ink and paper. The regime has also targeted foreign outlets, preventing *New York Times* reporters from entering the country in 2021. In September 2022, the Confidencial news outlet

reported that 54 outlets have been shuttered, 8 media workers have been imprisoned, and 140 journalists have sought exile since 2007.

The government's attacks against the free press continued in 2022. In August, the government formally confiscated the building housing *La Prensa*. That same month, it shuttered six radio stations affiliated with the Catholic Church, deploying riot police to occupy one station. In September, it blocked reception of the Cable News Network (CNN) en Español television channel without disclosing its reasons.

In 2020, the FSLN-controlled National Assembly passed the Special Cybercrimes Law, making it easier to criminalize dissent in traditional news outlets and social media.

D2. Are individuals free to practice and express their religious faith or nonbelief in public and private? 1 / 4 (−1)

Catholic Church officials have been denounced and smeared by authorities for accompanying or defending antigovernment protesters since the 2018 movement was repressed. Progovernment mobs attacked churches where protesters were sheltering while members of the clergy have received threats and experienced surveillance.

The regime continued to target Catholic clergy and restrict religious expression in 2022. In August, Bishop Rolando José Álvarez Lagos, one of the regime's most outspoken critics, was arrested along with several other clergymen and supporters. In November, police stopped Catholic worshippers from holding processions on at least one occasion. In December, Álvarez was charged with conspiracy to undermine the country and disseminating false news.

Score Change: The score declined from 2 to 1 because President Ortega escalated his crackdown on officials and followers of the Catholic Church by arresting church leaders and restricting worshippers' activities.

D3. Is there academic freedom, and is the educational system free from extensive political indoctrination? 1 / 4 (−1)

Since the 2018 crisis, teachers have experienced harassment from authorities and progovernment groups and must follow the Education Ministry's strict guidelines. In the public primary and secondary school system, there have been reports of students being required to attend progovernment rallies. Pro-FSLN materials are often displayed in school buildings.

The Ortega regime continued to target academic freedom in 2022. In January, the government ended the legal status of three university associations, saying they operated outside of the law. In February, it ordered the closure of 7 universities; a total of 14 were sshuttered between December 2021 and February 2022. In March 2022, the National Assembly approved a law that makes the government-controlled National Council of Universities a main governing body in academia, limiting academic autonomy. An eighth university was closed by the government in December. While at least 12 private higher education institutions still function, their daily operations reportedly remain severely monitored.

Score Change: The score declined from 2 to 1 because authorities forced the closure of three student associations, shut eight private universities, and legislated to restrict the autonomy of academic institutions over the course of the year.

D4. Are individuals free to express their personal views on political or other sensitive topics without fear of surveillance or retribution? 0 / 4 (−1)

An ongoing campaign of repression and intimidation by state and progovernment forces inspires a general climate of fear and terror that restricts free expression. State and

progovernment forces routinely monitor the activities of individuals who oppose the regime. The families of victims of regime violence and people who return from abroad are also monitored and surveilled.

The 2020 Special Cybercrimes Law criminalized the spread of "false news" and targeted whistleblowing by government employees. The law also gives the government broad access to user data. In 2021, the National Assembly amended the constitution to allow for life sentences for hate crimes; Ortega has referred to opposition activities as such.

The Ortega regime has relied on the Sovereignty and Foreign Agents Laws extensively to carry out its crackdown on the political opposition. The number of political prisoners arrested for their criticism of the government and free and legitimate political speech increased drastically in 2021, and prominent critics were handed years-long prison sentences in 2022. In October, the Confidencial news site reported on the existence of international mobile subscriber identity (IMSI) catchers, which allow their operators to intercept the mobile communications of users who unwittingly connect to them, in Nicaraguan cities.

Score Change: The score declined from 1 to 0 because the continued arrest and imprisonment of dissenters has fostered an environment of fear and because of the revelation that communications-interception technology was being used in Nicaraguan cities.

E. ASSOCIATIONAL AND ORGANIZATIONAL RIGHTS: 2 / 12

E1. Is there freedom of assembly? 0 / 4

Freedom of assembly has severely deteriorated since 2018, when at least 328 people were killed in a brutal crackdown on antigovernment protests. Most abuses were attributed to the national police and armed allied groups.

Assembly rights continued to be restricted in 2022, with authorities stopping Catholic worshippers from holding public processions and surveilling churchgoers attending mass.

E2. Is there freedom for nongovernmental organizations, particularly those that are engaged in human rights– and governance-related work? 0 / 4

Groups critical of the government or focusing on issues like corruption have operated within an increasingly restrictive environment under the Ortega regime. Authorities have targeted nongovernmental organizations (NGOs), accusing them of undermining the regime or acting as foreign agents. Human rights groups have reported continued monitoring and surveillance, and have denounced activist repression, including sexual assaults on women activists.

In April 2022, the National Assembly passed a new NGO law, under which the government can rescind the legal status of organizations that "promote campaigns to destabilize" Nicaragua and can seize NGOs' assets in certain circumstances. In August, the government used that and other legislation to close 100 NGOs; 1,368 organizations lost operating permits between 2018 and August 2022.

E3. Is there freedom for trade unions and similar professional or labor organizations? 2 / 4

The FSLN controls Nicaragua's most influential labor unions, and the legal rights of non-FSLN unions are not fully guaranteed in practice. FSLN-controlled unions endorsed Ortega's 2021 reelection bid.

F. RULE OF LAW: 2 / 16 (−1)

F1. Is there an independent judiciary? 0 / 4 (−1)

Nicaragua lacks an independent judiciary. The executive branch strongly influences the nomination of judges, and loyalty to the ruling party determines their appointments; many if not most judges reportedly have ties to the FSLN. In the run-up to the 2021 election, the judiciary played a critical role in ordering the arrest of opposition members and ending the legal status of opposition parties, as dictated by the CSE.

The judiciary oversaw sham trials of the government's opponents in 2022, with defendants being convicted of "undermining judicial integrity" in closed proceedings. By May, 50 critics, including former presidential candidates, received prison sentences. In November, the Inter-American Court of Human Rights declared the government in Managua in contempt for ignoring its rulings on the treatment of political prisoners.

Score Change: The score declined from 1 to 0 due to the sham trials and convictions of prominent members of the political opposition and other government critics.

F2. Does due process prevail in civil and criminal matters? 0 / 4

Since the 2018 protests, the United Nations and human rights organizations have documented rampant violations of due process. These include widespread arbitrary and politically motivated arrests and detentions by police and allied progovernment forces, failure to produce search or arrest warrants, no discussion of detainees' rights, no public registry of detainees or their location, and individuals being held incommunicado during initial detention.

As of December 2022, the Mechanism for the Recognition of Political Prisoners registered over 225 political prisoners in custody since 2018. The 2022 trials against high-profile political prisoners have taken place behind closed doors and under accelerated timelines.

F3. Is there protection from the illegitimate use of physical force and freedom from war and insurgencies? 1 / 4

The 2018 protest movement and subsequent rallies have been met with violent repression by police and informally allied armed forces. Reports from the Office of the UN High Commissioner for Human Rights (OHCHR) in 2018 and from the relatives of political prisoners in 2022 have documented severe abuses; detainees face psychological and physical torture, sexual violence, forced confessions, disappearances, significant deterioration of prison conditions, and extrajudicial killings. In February, Jorge Hugo Torres Jiménez, a former Sandinista guerrilla who later supported the opposition, died in prison; he was detained in 2021 and was held in poor conditions before falling ill later that year. Some prisoners were sent into house arrest soon after Torres's death, with the attorney general's office citing "humanitarian reasons."

In March 2022, the Office of the UN High Commissioner for Refugees estimated that more than 150,000 Nicaraguans have fled to Costa Rica since 2018.

F4. Do laws, policies, and practices guarantee equal treatment of various segments of the population? 1 / 4

The constitution and laws nominally recognize the rights of Indigenous communities, but those rights have not been respected in practice. Approximately 5 percent of the population is Indigenous and lives mostly in the North Caribbean Coast Autonomous Region (RACCN) and the South Caribbean Coast Autonomous Region (RACCS). While Indigenous populations have been granted legal rights and protections to land, the government does not enforce these laws.

Attacks against Indigenous populations and land incursions have been perpetrated with impunity in recent years. In March 2022, Indigenous representatives reported that they lived at "a high risk of ethnocide" due to mistreatment and the loss of land rights, and called on the government to protect them. In August, the OHCHR expressed concern over violence against Indigenous Nicaraguans and residents of African descent.

LGBT+ people are subject to threats and discrimination, and many, particularly transgender Nicaraguans, have been forced to seek exile.

G. PERSONAL AUTONOMY AND INDIVIDUAL RIGHTS: 8 / 16

G1. Do individuals enjoy freedom of movement, including the ability to change their place of residence, employment, or education? 2 / 4

The 2018 repression against protesters, the 2021 crackdown on political opponents, and continued surveillance and harassment at the hands of police and paramilitary groups have created a climate of fear and mistrust that discourages free movement. Poor infrastructure limits free movement in some majority-Indigenous areas.

G2. Are individuals able to exercise the right to own property and establish private businesses without undue interference from state or nonstate actors? 2 / 4

Property rights are protected on paper but can be tenuous in practice. Titles are often contested, and individuals with connections to the FSLN enjoy an advantage during property disputes. The Center for Justice and International Law warned in a 2019 report that Miskito communities in the north could be at risk of extinction due to land invasions.

G3. Do individuals enjoy personal social freedoms, including choice of marriage partner and size of family, protection from domestic violence, and control over appearance? 2 / 4

Gender-based violence has increased in recent years, and the Network of Women against Violence has claimed that the rising rates of femicides have reached near-epidemic levels. According to Human Rights Collective Nicaragua Never Again, 716 femicides occurred between 2010 and 2020. Another organization, Catholics for the Right to Decide, reported 67 femicides in 2022.

The 2012 Comprehensive Law against Violence toward Women and subsequent amendments have had little effect on gender-based violence. It also allows for mediation between the perpetrator and victim of sexual violence, despite concerns from rights groups.

Abortion is illegal and punishable by imprisonment, even when performed to save the pregnant person's life or in cases of rape or incest. Medical practitioners and people who get abortions can be punished with eight-year prison sentences.

G4. Do individuals enjoy equality of opportunity and freedom from economic exploitation? 2 / 4

Nicaragua is a source country for women and children forced into prostitution; adults and children are also vulnerable to forced labor. In the 2022 edition of its *Trafficking in Persons Report*, the US State Department reported that the government did little to eliminate human trafficking, though authorities did secure convictions against four people during its reporting period. However, the department also noted that Nicaraguan authorities "continued to downplay the severity of the trafficking problem" and offered insufficient resources or shelter to survivors.

Niger

Population: 26,200,000
Capital: Niamey
Freedom Status: Partly Free
Electoral Democracy: No

Overview: Niger saw its first transfer of power between democratically chosen presidents in the 2020–21 elections, though the polls were impacted by allegations of fraud and sometimes-violent protests.

The struggle to meet security challenges posed by active militant groups has served as an alibi for the government to restrict civil liberties. Security, transparency, and gender equality are limited.

KEY DEVELOPMENTS IN 2022

- In September, the government and opposition resumed political dialogue in the National Council for Political Dialogue (CNDP), a platform that brings together the majority, the opposition, and nonaffiliated parties to discuss political disputes, including those related to the organization of elections. Over the last two years opposition parties had boycotted the CNDP due to disagreements related to the 2020 general elections.
- President Mohamed Bazoum in January met with civil society leaders to discuss the fight against terrorism and insecurity. Activists seized the opportunity to denounce the deterioration of civil liberties, notably repeated government infringements on freedom of assembly and freedom of expression.
- In May, the government adopted an ordinance enhancing the status of the country's head of opposition, expanding the office's mandate and allocating more resources toward it.
- Militants launched attacks against civilian and military targets throughout the year. Jihadist violence in the regions of Tillabéri, Diffa, and Maradi persisted, though it diminished in intensity in comparison to 2021. In February, President Bazoum announced that his government had opened a dialogue channel with jihadist groups operating in the Tillabéri Region.

POLITICAL RIGHTS: 23 / 40

A. ELECTORAL PROCESS: 8 / 12

A1. Was the current head of government or other chief national authority elected through free and fair elections? 3 / 4

The president is directly elected to up to two five-year terms. The first round of elections, held in December 2020, was marked by isolated reports of attempted vote buying and the disqualification of a major opposition candidate, but was largely peaceful.

Mohamed Bazoum, a former interior minister and the candidate of the Nigerien Party for Democracy and Socialism (PNDS–Tarayya), won 55.7 percent of the vote in the February 2021 runoff. His opponent, former president Mahamane Ousmane (1993–96), won 44.3 percent. The Independent National Electoral Commission (CENI) reported a turnout of 62.9 percent. Domestic and international observers deemed the electoral process satisfactory despite irregularities. While Ousmane contested the results, alleging fraud, the Constitutional

Court validated Bazoum's victory that March. Bazoum was sworn in in April to replace term-limited incumbent Mahamadou Issoufou, marking the first transfer of power between elected presidents in Nigerien history.

The postelectoral period was affected by insecurity. Protests were held in Niamey and several other towns after the second-round results were announced, with events in the capital becoming violent. The government reported that two people were killed during the protests on February 25. Internet access was restricted for 10 days beginning on February 24. The government also claimed to foil a coup attempt in late March, days before Bazoum's inauguration.

A2. Were the current national legislative representatives elected through free and fair elections? 3 / 4

There are 171 seats in the unicameral National Assembly, 158 of which are directly elected from 8 multimember constituencies; 8 which are reserved for minority representatives, who are elected directly from special single-seat constituencies; and 5 that are reserved for Nigeriens living abroad.

Nigeriens abroad were unable to participate in the late December 2020 parliamentary elections due to the COVID-19 pandemic, but voters within Niger voted to fill the 166 domestic seats concurrently with the first round of the presidential contest. Economic Community of West African States (ECOWAS) observers called the elections relatively free and fair, and lauded the participation of young and female voters. The PNDS–Tarayya won 80 seats, the Nigerien Democratic Movement for an African Federation (MODEN/FA Lumana) won 19, and the Patriotic Movement for the Republic and the National Movement for the Development of Society each won 13. The new parliament took its seats in March 2021.

In October 2022, the CENI began the process of biometric enrollment for Nigeriens living abroad in preparation for elections to the 5 diaspora seats in the parliament. The program involved deploying equipment and training staff for enrollment operations in 15 countries selected for large Nigerian expatriate populations and consular infrastructure, with expected outreach to over 100,000 eligible voters.

A3. Are the electoral laws and framework fair, and are they implemented impartially by the relevant election management bodies? 2 / 4

The electoral code offers a framework for fair elections. However, the opposition, pointing to reports of widespread irregularities in recent elections, among other issues, has cast doubt over the impartiality of the CENI and the Constitutional Court, which together approve candidate lists and validate election results. In 2017, the government and the opposition disagreed over the appointment of a new commission to organize the 2020 elections; the government unilaterally appointed the new commission after the opposition boycotted the process.

While 41 candidates registered to participate in the 2020 presidential elections, 11 were disqualified by the Constitutional Court that November (most of whom had failed to pay the registration fee). MODEN/FA Lumana leader Hama Amadou was disqualified over a 2017 human-trafficking conviction which he called bogus.

In January 2022, the government recognized Tahirou Seydou, president of Amadou's MODEN/FA Lumana—the most-represented opposition party in the parliament—as the head of opposition. Niger's constitution guarantees certain rights to the head of opposition. In May 2022, the government adopted an ordinance enhancing the status of the head of opposition, adding to its mandate and allocating more resources to the office.

In September 2022, majority and opposition leaders met to resume political dialogue in the CNDP, a platform that brings together the majority, the opposition, and nonaffiliated parties to discuss political disputes, including those related to the organization of elections. Opposition parties had boycotted the CNDP for two years due to disagreements related to the 2020 general elections.

B. POLITICAL PLURALISM AND PARTICIPATION: 9 / 16

B1. Do the people have the right to organize in different political parties or other competitive political groupings of their choice, and is the system free of undue obstacles to the rise and fall of these competing parties or groupings? 2 / 4

By law, political parties may freely organize and conduct their activities. However, the PNDS–Tarayya-led government has employed a variety of tactics to interfere in the operation of opposition parties, including persecution of opposition leaders and the co-option of key opposition figures.

Over 150 political parties were registered as of November 2020. The majority has continued to co-opt opposition leaders, further contributing to the weakening of the opposition. In April 2022, a major opposition party, the Nigerien Patriotic Movement (MPN)–Kishin Kassa, joined the majority after its leader, Ibrahim Yacoubou, was nominated minister of energy and renewable energies. With the main opposition leader—Hama Amadou—in exile, and Yacoubou joining the majority, there is little effective opposition present in the Nigerien political landscape.

B2. Is there a realistic opportunity for the opposition to increase its support or gain power through elections? 2 / 4

Opposition parties have been divided into several coalitions and face serious difficulties in challenging the PNDS–Tarayya's dominance. In addition, a history of government-led repression and co-option has hindered their ability to gain power through elections. A lack of leadership—partly due to the absence of Amadou, who previously served a prison sentence and is currently living in exile—has also contributed to a weak opposition in Niger.

Members of the opposition have expressed concern over the rising insecurity in several regions, particularly in the opposition stronghold of Tillabéri, which has hindered parties' ability to campaign and disturbed polling operations. Tillabéri voter-enlistment agents have been targeted by militants, who have threatened to attack anyone participating in elections.

B3. Are the people's political choices free from domination by forces that are external to the political sphere, or by political forces that employ extrapolitical means? 2 / 4

Niger has experienced several military coups, most recently in 2010, and the influence of the military still looms over the political sphere. The government claimed to foil a coup attempt in March 2021. In the month that followed, at least one officer and several soldiers were arrested for their alleged involvement. The government also claimed to foil coup attempts in 2015 and 2018.

Nigerien authorities in May 2022 arrested several military officers and expelled others from the army based on accusations of their involvement in the foiled 2021 coup. A former interior minister, Cissé Ousmane Ibrahim, was also arrested in April and detained for several days on allegations of involvement in the coup. Their trials were scheduled for early 2023.

B4. Do various segments of the population (including ethnic, racial, religious, gender, LGBT+, and other relevant groups) have full political rights and electoral opportunities? 3 / 4

The law provides for equal opportunity for all Nigeriens to seek political office and participate in political processes. However, women have been underrepresented both in elected and cabinet positions. A parity law adopted in 2020 calls for women to hold 25 percent of parliamentary seats and 30 percent of cabinet positions; 25.9 percent of parliamentary seats were held by women after the December 2020 elections, an improvement over the 14.6 percent figure in the previous parliament. However, the percentage of women in Bazoum's cabinet stood at about 15 percent. The quota does not guarantee that women will be able to participate equally once elected or appointed to cabinet positions.

While the Hausa and Zarma (or Djerma) ethnic groups have dominated many government positions, ethnic minorities are increasingly visible in politics, particularly Tuareg and Arabs. Nomadic groups, including the Fulani, are underrepresented in elected positions and have difficulty registering to vote.

C. FUNCTIONING OF GOVERNMENT: 6 / 12

C1. Do the freely elected head of government and national legislative representatives determine the policies of the government? 2 / 4

Elected representatives were duly installed into office following the 2020–21 polls. However, harassment of the opposition during presidential and legislative election campaigns, as well as irregularities in the elections themselves, damage the government's legitimacy.

C2. Are safeguards against official corruption strong and effective? 2 / 4

The High Authority for Combating Corruption and Related Crimes (HALCIA) is the official anticorruption body. The government also operates an anticorruption hotline and has established an anticorruption initiative focused on the judiciary. The HALCIA actively tracks corruption cases and informs the public of its activities. However, the government often has refused to carry through HALCIA recommendations or pursue identified corruption cases in court.

In 2021, the police arrested Ibou Karadjé, a former government official who is accused of embezzling more than 8 billion CFA francs ($14.5 million) between 2012 and 2017. In April 2022, police arrested Communication Minister Mahamadou Zada on allegations of embezzlement.

Bribes are sometimes required to gain access to public services.

C3. Does the government operate with openness and transparency? 2 / 4

Implementation and enforcement of the 2011 Charter on Access to Public Information and Administrative Documents has been uneven. Government information related to the mining, uranium, and oil sectors, and state-operated companies, is often not disclosed.

CIVIL LIBERTIES: 28 / 60

D. FREEDOM OF EXPRESSION AND BELIEF: 10 / 16

D1. Are there free and independent media? 2 / 4

In 2010, Niger adopted a press law eliminating prison terms for media offenses and reducing the threat of libel cases. However, journalists still face difficulties, including occasional police violence while covering protests, and detention or prosecution in response to critical or investigative reporting.

Journalistic investigations have also been prosecuted under the 2019 Cybercrime Law. In September 2021, journalists Moussa Aksar and Samira Sabou appeared before a Niamey court on charges related to violations of that law; the journalists had reported on drug

trafficking earlier in the year involving an investigation produced by the Global Initiative against Transnational Organized Crime. In January 2022, Aksar was given a two-month suspended sentence after being found guilty of dissemination of data likely to disturb public order or undermine human dignity, and defamation by an electronic means of communication. Sabou was given a one-month suspended sentence after being found guilty of defamation by electronic communication.

D2. Are individuals free to practice and express their religious faith or nonbelief in public and private? 2 / 4

Freedom of religion is legally guaranteed, but there are some constraints on religious expression and worship in practice. The rise of militant groups has increased the threat of violence against Christians.

In 2019, citing security concerns, the government adopted a law that imposed greater control over religious activities, including building places of worship, preaching, and religious education.

D3. Is there academic freedom, and is the educational system free from extensive political indoctrination? 3 / 4

Academic freedom is generally upheld, but insecurity and heavy-handed responses to campus protests can impede academic freedom.

D4. Are individuals free to express their personal views on political or other sensitive topics without fear of surveillance or retribution? 3 / 4

Freedom of expression is generally upheld in Niger. However, the government has shown some intolerance of criticism, and prosecuted people over social media comments.

E. ASSOCIATIONAL AND ORGANIZATIONAL RIGHTS: 6 / 12

E1. Is there freedom of assembly? 2 / 4

Freedom of assembly is constitutionally guaranteed, but authorities do not always respect this right in practice, and police have at times used force to break up demonstrations. In 2017, the government announced the prohibition of public protests on "business days."

Sometimes-violent protests took place after Mohamed Bazoum was named the winner of the presidential election in February 2021. The home of a Radio France International (RFI) journalist was damaged during the protests, as were other publicly and privately owned buildings. In late February 2021, the government reported that 2 people died in the unrest while another 468 were arrested. Hama Amadou was arrested that March for his alleged role in postelectoral violence, though he was allowed to travel to France for medical treatment that April.

The government banned some rallies during 2022. A rally organized by M62, a coalition of civil society groups, against rising prices and the presence of foreign troops was banned in August, but the group was allowed to hold a rally in September.

E2. Is there freedom for nongovernmental organizations, particularly those that are engaged in human rights– and governance-related work? 2 / 4

The government occasionally restricts the operations of nongovernmental organizations (NGOs), and a lack of security in certain regions also impedes their functioning. The government has restricted the movement of UN personnel and aid workers without military escort in some areas, impacting the delivery of humanitarian assistance. In 2020, staff members of NGO ACTED were among eight people killed by armed assailants at a wildlife reserve.

In January 2022, President Bazoum met with civil society leaders in an effort to ease the social and political climate and encourage cooperation among key national actors in the effort to combat terrorism and insecurity. Activists seized the opportunity to denounce the deterioration of civil liberties, notably repeated government infringements on freedom of assembly and freedom of expression. The president pledged to respect these freedoms and to be more forthcoming in the fight against corruption.

E3. Is there freedom for trade unions and similar professional or labor organizations? 2 / 4

While the constitution and other laws guarantee workers the right to join unions and bargain for wages, a large portion of the workforce is employed informally and lacks access to formal union representation. The legal definition of "essential" workers not permitted to strike is broad, and mandatory arbitration processes can be invoked to settle strikes.

F. RULE OF LAW: 6 / 16

F1. Is there an independent judiciary? 1 / 4

The constitution provides for an independent judiciary and courts have shown some level of independence, though the judicial system is subject to executive interference. Rulings against opposition leaders and civil society activists have decreased trust in the judiciary.

F2. Does due process prevail in civil and criminal matters? 2 / 4

Arbitrary arrests and imprisonments are frequent. Many people accused of crimes are held in pretrial detention for extended periods of time, sometimes in the same population as convicted individuals.

States of emergency declared in several regions allow the army to engage in mass arrests and detain those suspected of links with terrorist organizations.

In November 2021, during a protest in the town of Tera against a convoy of French troops, 3 civilians were killed and 17 were injured. The Nigerien government and French army opened an investigation only to conclude in May 2022 that the probe had not yielded clear results about what had happened; they also announced that they would compensate the victims. The investigation report was not made public, and some civil society activists expressed doubts that any investigation had been conducted.

F3. Is there protection from the illegitimate use of physical force and freedom from war and insurgencies? 1 / 4

Nigeriens face insecurity due to ongoing militant activity. Several militant groups, including Boko Haram, are active within Nigerien territory and are known to attack civilians and military personnel.

The government has imposed states of emergency within the regions of Diffa, Tillabéri, and Tahoua over ongoing insecurity. Jihadist violence around Tillabéri and Diffa persisted in 2022, though it has diminished in intensity in comparison to an especially violent 2021. In February 2022, President Bazoum announced that his government had opened a dialogue channel with jihadist groups operating in the Tillabéri Region. The kidnapping of civilians for ransom persists, particularly in Maradi and Diffa Regions. A reliance on nonstate armed groups to conduct counterterrorism operations has inflamed intercommunal tensions near the Niger-Mali border, leading to instances of violence.

F4. Do laws, policies, and practices guarantee equal treatment of various segments of the population? 2 / 4

The rights of ethnic minority groups are protected by law, but discrimination persists in some respects in practice. Same-sex sexual activity is not illegal in Niger, but same-sex relationships are highly stigmatized, and there is no protection against discrimination based on sexual orientation. Although the 2010 constitution prohibits gender discrimination, women suffer widespread discrimination in practice. The application of the law by customary courts often discriminates against women.

While two ethnic groups, Hausa and Zarma (or Djerma), have dominated economic leadership positions, Tuareg and Arabs are increasingly represented.

Nigerien authorities have made efforts to accommodate Malian and Nigerian refugees as well as internally displaced persons (IDPs). In July 2021, the Bazoum administration committed to repatriating 100,000 IDPs to their home villages by that December. The government also promised to take extra measures to guarantee the security of IDPs and refugees.

G. PERSONAL AUTONOMY AND INDIVIDUAL RIGHTS: 6 / 16

G1. Do individuals enjoy freedom of movement, including the ability to change their place of residence, employment, or education? 2 / 4

The constitution guarantees freedom of movement, but this is hampered by militant activity and bribery by security officials who guard checkpoints.

G2. Are individuals able to exercise the right to own property and establish private businesses without undue interference from state or nonstate actors? 2 / 4

Several complications undermine legal guarantees of the right to own property. Few people hold formal ownership documents for their land, though customary law provides some protection. The enforcement of both state and customary law often gives way to tension and confusion. Women have less access to land ownership than men due to inheritance practices and inferior status in property disputes.

G3. Do individuals enjoy personal social freedoms, including choice of marriage partner and size of family, protection from domestic violence, and control over appearance? 1 / 4

Family law gives women inferior status in divorce proceedings. Female genital mutilation (FGM) was criminalized in 2003 and has declined, but it continues among a small percentage of the population. Penalties for rape are heavy, but societal attitudes and victims' fears of retribution discourage reporting, and when rape is reported it is often poorly investigated. Domestic violence is not explicitly criminalized, though women may lodge criminal allegations of battery against partners. Some cases have resulted in convictions, but reporting is similarly discouraged in practice.

G4. Do individuals enjoy equality of opportunity and freedom from economic exploitation? 1 / 4

Although slavery was criminalized in 2003 and banned in the 2010 constitution, it remains a problem in Niger. Estimates of the number of enslaved people vary widely but is generally counted in the tens of thousands. Niger remains a source, transit point, and destination for human trafficking. There has been a worrying in the number of youth being forced to work as beggars in major cities in recent years.

Nigeria

Population: 218,500,000
Capital: Abuja
Freedom Status: Partly Free
Electoral Democracy: No

Overview: While Nigeria has made significant improvements to the quality of its elections since the 1999 transition to democratic rule, the 2019 presidential and National Assembly elections, which saw President Muhammadu Buhari reelected and the All Progressives Congress (APC) regain its legislative majority, were marred by irregularities. Corruption remains endemic in the key petroleum industry. Security challenges, including insurgencies, kidnappings, and communal and sectarian violence in the Middle Belt region, threaten the human rights of millions of Nigerians. Military and law enforcement agencies often engage in extrajudicial killings, torture, and other abuses. Civil liberties are undermined by religious and ethnic bias, while women and LGBT+ people face pervasive discrimination. The vibrant media landscape is impeded by criminal defamation laws, as well as the frequent harassment and arrests of journalists who cover politically sensitive topics.

KEY DEVELOPMENTS IN 2022

- In February, President Buhari enacted an amended electoral law. Among other things, the new legislation contained provisions that strengthen the financial independence of the Independent National Electoral Commission (INEC) and allow for early political party primaries.
- High levels of violent crime by nonstate actors, including Islamic militant groups, persisted throughout the year, affecting people across the country; more than 8,000 people were killed during the year, and thousands of others were kidnapped. In one incident in March, armed men attacked a train headed from Abuja to Kaduna, killing at least 8 people and kidnapping more than 60 others.

POLITICAL RIGHTS: 20 / 40

A. ELECTORAL PROCESS: 6 / 12

A1. Was the current head of government or other chief national authority elected through free and fair elections? 2 / 4

The president can serve a maximum of two four-year terms and is elected by a qualified majority vote. The president must also win at least 25 percent of the votes cast in 24 states. President Buhari of the APC was reelected in February 2019, winning 53 percent of the vote. People's Democratic Party (PDP) candidate Atiku Abubakar won 39 percent. Other candidates shared 8 percent.

A one-week voting delay, announced on the morning of the election, undermined confidence in the Independent National Electoral Commission (INEC). International observers noted serious irregularities, including election-related violence, vote buying, and the intimidation of election officials and voters. Voter turnout was low at 35.7 percent. Abubakar legally challenged the results that March, but the Supreme Court dismissed his appeal that October.

A2. Were the current national legislative representatives elected through free and fair elections? 2 / 4

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.

Legislative elections were held concurrently with the February 2019 presidential election. According to INEC, the APC won 212 seats, the PDP won 127, the All Progressives Grand Alliance (APGA) won 10, and another 7 parties won the remainder. In the Senate, the APC won 63 seats, the PDP won 44, and the Young Progressives Party (YPP) won 1. One Senate seat was reported vacant.

Observers reported irregularities including violence, intimidation of voters and officials, and vote buying, as well as incidents where party officials directed voters on how to cast ballots at polling stations. The INEC declined to certify winning candidates in two races because local returning officers operated under duress.

A3. Are the electoral laws and framework fair, and are they implemented impartially by the relevant election management bodies? 2 / 4

The 1999 constitution and the Electoral Act, 2022, provide Nigeria's legal electoral framework. In 2018 and 2019, the National Assembly passed Electoral Act amendments designed to strengthen equal airtime obligations for broadcasters, make the voter register and election results more accessible to voters, and extend federal electoral regulations to local races. President Buhari repeatedly vetoed the bill during this period, citing inconsistencies with existing law. The National Assembly passed an Electoral Act Amendment Bill in November 2021. Buhari declined to sign it in December, objecting to its provisions for party primary contests.

Buhari ultimately assented to the bill in February 2022, signing the new Electoral Act, 2022, into law. Among other things, the new legislation strengthens the financial independence of the INEC and allows for early political party primaries.

B. POLITICAL PLURALISM AND PARTICIPATION: 9 / 16

B1. Do the people have the right to organize in different political parties or other competitive political groupings of their choice, and is the system free of undue obstacles to the rise and fall of these competing parties or groupings? 3 / 4

Nigerians generally have the right to organize in different political parties. There were 91 registered parties and 73 presidential candidates in 2019, the largest number of parties and candidates since the 1999 transition to democracy. The INEC removed 74 parties from the register in 2020, citing their inability to win the support of a sufficient number of voters and lack of representation nationwide. While 22 parties won an appeals court judgment that year, the Supreme Court ruled in favor of the INEC's original decision in May 2021. At the end of 2022, ahead of the 2023 general elections, 18 political parties were registered with the INEC.

A constitutional amendment signed by President Buhari in 2018 allowed independent candidates to compete in federal and state elections. Buhari also signed a "Not Too Young to Run" bill that same month, lowering the age of eligibility to run for political office from 40 to 35 years. However, a lack of internal party democracy and high fees make it difficult for prospective candidates to vie for major-party nominations.

B2. Is there a realistic opportunity for the opposition to increase its support or gain power through elections? 3 / 4

Nigeria's multiparty system provides an opportunity for opposition parties to gain power through elections, as demonstrated by Buhari's 2015 victory over predecessor Goodluck Jonathan. Buhari's election marked the first time in Nigerian history that a sitting

president was peacefully replaced. Opposition parties can also gain influence when legislators cross the aisle; the APC lost its legislative majority when some of its legislators defected to the PDP during the 2015–19 term.

New political parties have successfully entered the National Assembly in recent years; the YPP won its first Senate seat in 2019. The APGA, which was formed in 2003, won 10 lower-house seats in 2019. However, the APC and PDP still hold most elected offices in Nigeria.

B3. Are the people's political choices free from domination by forces that are external to the political sphere, or by political forces that employ extrapolitical means? 1 / 4

Citizens' political choices remain impaired or undermined by vote buying and intimidation, the influence of powerful domestic and international economic interests, and the local domination of either the military or armed groups in some regions. Wealthy political sponsors, or "godfathers," dispense patronage and use their considerable influence to cultivate support for candidates who then use their offices to enrich their backers. Governorship elections held in Ekiti and Osun states in June and July 2022, respectively, saw voter inducements and pockets of violence. Local elections held in 2021 were seriously affected by the presence and activities of armed groups. Several INEC offices were attacked by unidentified assailants that year, and campaigns in Anambra State were restricted during the electoral period, as candidates faced harassment from armed individuals.

Residents of Anambra State and other areas were intimidated by the Indigenous People of Biafra (IPOB), which called on southeasterners to abide by stay-at-home orders after the June 2021 arrest of its leader. Residents reportedly complied with these instructions for fear of violence. In October 2021, it called on residents of Anambra and several other states to remain home before rescinding that call days ahead of the Anambra contest. Turnout in Anambra State stood at 10.2 percent, the lowest recorded there since the transition to democratic rule.

B4. Do various segments of the population (including ethnic, racial, religious, gender, LGBT+, and other relevant groups) have full political rights and electoral opportunities? 2 / 4

Nigeria's legal framework generally provides for equal participation in political life by the country's various cultural, religious, and ethnic groups. However, politicians and parties often rely on voters' ethnic loyalties, and the interests of a given group may be poorly addressed in areas where it forms a minority or when affiliated parties are not in power.

Women enjoy formal political equality, but restrictive societal norms limit their participation in practice. Only 8 women hold Senate seats, while 13 hold seats in the House of Representatives. Women are poorly represented in the cabinet; Buhari named 7 women to his 43-seat cabinet in July 2019.

Same-sex relationships were criminalized and LGBT+ advocacy groups were banned in 2014, when former president Jonathan signed the Same-Sex Marriage (Prohibition) Act. Openly LGBT+ people are deterred from running for office or working to advance their political interests.

C. FUNCTIONING OF GOVERNMENT: 5 / 12

C1. Do the freely elected head of government and national legislative representatives determine the policies of the government? 2 / 4

Elected officials generally make and implement policy in Nigeria, but are impaired by factors including corruption, partisan conflict, and poor control over areas where militant groups are active.

C2. Are safeguards against official corruption strong and effective? 1 / 4

The government has attempted to reduce corruption in public and private institutions, but the practice remains pervasive, particularly in the oil and security sectors. A whistleblower policy introduced in 2016, which rewards Nigerians who provide information on government corruption, has led to the recovery of significant monies in recent years.

Nigerian politicians have been locked in an effort to curb corruption in the petroleum sector since at least 2001, when legislators first considered an expansive Petroleum Industry Bill (PIB). The bill was finally passed in August 2021, and President Buhari enacted the Petroleum Industry Act (PIA), which provides a new legal, fiscal, and regulatory framework for the country's petroleum industry. Among other things, the PIA includes the "codification of transparency, good governance, and accountability in the administration" of Nigeria's petroleum sector.

High-profile politicians, as well as senior law enforcement and anticorruption officials have faced corruption allegations in recent years. In May 2022, the Economic and Financial Crimes Commission (EFCC) arrested Nigeria's accountant general, Ahmed Idris, on theft and money laundering charges. Idris, who is accused of stealing more than $190 million, was granted bail in July, but court proceedings remained underway as of year's end.

C3. Does the government operate with openness and transparency? 2 / 4

The 2011 Freedom of Information Act (FOIA) guarantees the right to access public records, but nongovernmental organizations (NGOs) have criticized government agencies for routinely refusing to release information sought through the law. The law has also encountered resistance in some states. As of May 2021, two states had passed their own version of the FOIA. The other 34 have neither adopted the FOIA nor have they developed their own legislation.

CIVIL LIBERTIES: 23 / 60

D. FREEDOM OF EXPRESSION AND BELIEF: 9 / 16

D1. Are there free and independent media? 2 / 4

Freedoms of speech, expression, and the press are constitutionally guaranteed. However, these rights are limited by sedition, criminal defamation, and so-called false-news laws. Sharia (Islamic law) statutes in 12 northern states impose severe penalties for alleged press offenses. Internet service providers sometimes block websites at the request of the Nigerian Communications Commission (NCC), particularly those advocating independence for the secessionist state of Biafra. The government has accused journalists of undermining national security when reporting on operations against Boko Haram. In August 2022, the government fined local broadcaster Trust TV approximately $12,000 for airing a documentary covering the rising insecurity in the country, claiming that the documentary glorified violence and undermined national security. Media rights groups have expressed concern that such government action has had a chilling effect on media coverage in the country.

Officials restrict press freedom by publicly criticizing, harassing, and arresting journalists, especially when they cover corruption, human rights violations, separatist and communal violence, or other politically sensitive topics. In 2022, Nigeria's Centre for Journalism Innovation and Development (CJID) documented 53 attacks against journalists. Numerous journalists were also subjected to arbitrary arrests on dubious grounds during the year. Additionally, in August, the National Broadcasting Commission (NBC) suspended the licenses of 53 radio stations that had failed to pay their licensing fees, drawing criticism from international media rights groups, who called the move a "signal of press freedom decline" in the country.

D2. Are individuals free to practice and express their religious faith or nonbelief in public and private? 1 / 4

Religious freedom is constitutionally protected, but the government has also embarked on crackdowns against religious groups that have questioned its authority. Nigeria has been locked in a long struggle against Boko Haram, a militant group that has itself targeted moderate Muslims and Christians along with their respective houses of worship. State and local governments have been known to endorse de facto official religions in their territory, placing limits on religious activity.

The government's conflict with the Islamic Movement of Nigeria (IMN), a Shiite Muslim group that advocates for Islamic rule in Nigeria, escalated in 2019, when an Abuja court banned it and labeled it a terrorist organization. The IMN considers its leader, Sheikh Ibrahim el-Zakzaky, to be the ultimate source of authority in Nigeria, and does not recognize the government in Abuja.

The government has responded violently to IMN activity in recent years. In 2015, security forces raided el-Zakzaky's compound, arrested him and his wife, and killed at least 300 IMN members. Dozens more were killed in a 2018 army operation. In September 2021, 8 people were killed and 57 were arrested when security forces and the IMN clashed in Abuja.

In June 2022, gunmen attacked a Catholic church in Ondo State, killing 40 people; the same month, gunmen attacked two churches in Kaduna State, killing 8 and kidnapping more than 30 others. Authorities believe an Islamic terrorist group was responsible for the attack in Ondo State.

Individuals who express nonbelief can face legal consequences. In 2020, Mubarak Bala, a humanist, was arrested in Kaduna State for social media comments criticizing Islam. Bala remained in pretrial detention until April 2022, when he was sentenced to 24 years in prison on charges including blasphemy and contempt of religion.

In May 2022, Deborah Samuel, a Christian university student in Sokoto, was stoned to death by a group of Muslim students who accused her of "blasphemy" for sending a WhatsApp message that some perceived as insulting to Islam. Police arrested at least two people in connection with her murder, which sparked protests after videos of the attack went viral.

D3. Is there academic freedom, and is the educational system free from extensive political indoctrination? 3 / 4

The federal government generally respects academic freedom. However, some state governments mandate religious instruction in elementary and secondary curriculums and student admission and faculty hiring policies are subject to political interference.

Schoolchildren have been affected by Boko Haram's assault on secular education, which has caused the closure or destruction of primary, secondary, and tertiary institutions. Schoolchildren have also been abducted by Boko Haram.

Criminals seeking ransom also target schoolchildren. Between December 2020 and July 2021, armed gangs abducted over 1,000 students from northern schools for ransom. In April 2022, UNICEF reported that over 11,500 schools had been closed since December 2020 due to security concerns.

Students have faced ill-treatment in unregulated Islamic schools, which have operated for decades. Some parents have patronized these schools for corrective services, as a robust juvenile-rehabilitation system is lacking in much of Nigeria.

D4. Are individuals free to express their personal views on political or other sensitive topics without fear of surveillance or retribution? 3 / 4

Nigerians are generally free to engage in discussions on politics and other topics, though expression of critical views on political leaders or sensitive subjects like the military, religion, and ethnicity occasionally leads to arrests or violent reprisals.

The government continued to target online platforms used by ordinary citizens and activists during 2022. In November, a university student was detained and charged with defamation for a tweet that the government considered to be an insult to President Buhari's wife; the student was released in December after the charge was dropped.

In January, the government lifted restrictions on access to Twitter, which it had blocked in June 2021 after the website removed a post from President Buhari threatening violence in response to unrest in the southeast.

E. ASSOCIATIONAL AND ORGANIZATIONAL RIGHTS: 6 / 12

E1. Is there freedom of assembly? 1 / 4

The right to peaceful assembly is constitutionally guaranteed. However, federal and state governments frequently ban public events perceived as threats to national security, including those that could incite political, ethnic, or religious tension. Rights groups have criticized federal and state governments for prohibiting or dispersing protests that are critical of authorities or associated with controversial groups, including the IPOB. IMN activities were banned in 2019 after an Abuja court classified it as a terrorist organization.

A number of protests in recent years have been met with violence by security forces, who often use force to break up demonstrations. In October 2022, police used tear gas to disperse a peaceful demonstration commemorating the second anniversary of the 2020 #EndSARS protests against police brutality; at least 12 people were killed during the 2020 protests when security forces fired into a crowd. However, some protests during the year were allowed to proceed without notable police interference, including a September protest that saw students in Lagos demonstrate against an ongoing lecturers' strike. The September demonstration was large and mostly peaceful, but protest-related road blockades led to severe gridlock and disrupted some flights at the city's airport.

E2. Is there freedom for nongovernmental organizations, particularly those that are engaged in human rights– and governance-related work? 2 / 4

Nigeria has a broad and vibrant civil society. However, members of some organizations face intimidation and physical harm for speaking out against Boko Haram, or encounter obstacles when investigating alleged human rights abuses committed by the military against Boko Haram suspects. Groups operating in the restive Niger Delta region face intimidation.

Aid workers operating in the northeast are impeded by restrictions imposed by civilian and military officials as well as by the activities of armed groups. An August 2022 statement by the UN Office for the Coordination of Humanitarian Affairs (OCHA) reported that, since that January, one aid worker had been killed and six others had been kidnapped in the region. Another aid worker was killed and a UN helicopter pilot wounded in November, when a Nigerian soldier opened fire at a military base; Nigerian authorities reported that the incident was under investigation. In April 2021, the Office of the UN High Commissioner for Refugees (UNHCR) reported that its staff was forced to evacuate from the town of Damasak, which had been attacked by the Islamic State West Africa Province (ISWAP), a Boko Haram splinter group.

E3. Is there freedom for trade unions and similar professional or labor organizations? 3 / 4

Workers are constitutionally allowed to form and join trade unions, engage in collective bargaining, and conduct strikes. Nevertheless, the government forbids strike action in some essential services, including public transportation and security.

In February 2022, the Academic Staff Union of Universities (ASUU) began a strike; the strike continued until October, when it was called off without a resolution.

F. RULE OF LAW: 4 / 16

F1. Is there an independent judiciary? 2 / 4

Judicial independence is constitutionally and legally enshrined. The judiciary has achieved some degree of independence and professionalism, but political interference, corruption, equipment, and training remain key problems. Funding is also a problem for the judiciary. In 2020, President Buhari signed an executive order ostensibly giving state-level judiciaries and legislatures financial autonomy. Nigeria's 36 state governors sued the federal government that September, alleging that it sought to avoid its financial responsibilities through the order. The Supreme Court dismissed the suit in February 2022, affirming that the government is not responsible for funding state courts.

F2. Does due process prevail in civil and criminal matters? 1 / 4

There have been numerous allegations of extortion and bribe taking within the police force. Federal and state authorities have been criticized for disregarding due process, with prolonged pretrial detention of suspects even after courts ordered their release on bail. Children with suspected Boko Haram ties face military detention according to a 2020 United Nations report.

Accountability for the use of force during the 2020 #EndSARS protests has been lacking. In November 2021, a panel of inquiry found that authorities attempted to conceal their actions at the Lekki toll gate. While the panel made 32 recommendations to the Lagos state government that month, the government fully accepted 11 and modified 6.

Nigerians in the southeast risked arbitrary arrest during the government's campaign against the IPOB's armed wing, which began in January 2021.

In late June 2021, IPOB leader Nnamdi Kanu was arrested in Kenya and returned to Nigeria, facing charges including treason. That July, Kanu's lawyer accused the Kenyan government of mistreating him before returning him to Nigeria, which it denied. Later that month, the United Kingdom called on the Nigerian government to explain the circumstances of Kanu's arrest; Kanu maintains British citizenship. A Nigerian court dropped all charges against Kanu in October 2022, ruling against the government to find that his arrest and extradition had been illegal. Though the court ordered Kanu's "immediate release," the government refused to comply. The government appealed the decision, and an appellate court placed a stay on the ruling's implementation. Kanu remained in prison at year's end.

F3. Is there protection from the illegitimate use of physical force and freedom from war and insurgencies? 0 / 4

The military has been repeatedly criticized by local and international human rights groups for extrajudicial killings, torture, and other abuses, including during counterinsurgency efforts in the northeast and operations against separatist movements in the southeast.

A Reuters investigation published in December 2022 reported that, according to dozens of military and civilian eyewitnesses, the Nigerian military has "slaughtered" at least 60 children perceived to be "children of Boko Haram" since 2009. Unconfirmed witness reports claim the number of child deaths is significantly higher. The Nigerian military has denied the allegations.

In January 2021, the government launched a campaign targeting the IPOB's armed wing, the Eastern Security Network (ESN), which was formed in late 2020 and targeted

police stations and other public buildings. Security personnel used excessive force and extrajudicially executed residents during their campaign. Amnesty International reported that security forces killed at least 115 people between March and June 2021; many victims were not affiliated with the ESN.

Police have also been accused of using excessive force. Amnesty International reported that the Special Anti-Robbery Squad (SARS) was responsible for at least 82 cases of torture, ill-treatment, or extrajudicial killings between 2017 and May 2020. Although SARS was dissolved in 2020, allegations of police abuse persist.

Boko Haram and ISWAP remained active during 2022. Between January and March, the groups are reported to have carried out 81 attacks using improvised explosive devices (IEDs). In July, armed men attacked a prison near Abuja, allowing approximately 900 inmates to escape; ISWAP later claimed responsibility for the attack.

A rolling conflict between farmers and the Fulani, a seminomadic Muslim ethnic group, continued to destabilize northern Nigeria in 2022. The Fulani have abandoned degraded grasslands in the north, coming into increased conflict with farmers as they travel south to find new grazing lands.

Kidnapping and other forms of criminality are acute concerns. According to the Council on Foreign Relations's (CFR's) Nigeria Security Tracker (NST), more than 8,000 people were killed in 2022, and thousands of others were kidnapped. In one major incident in March, armed men attacked a train headed from Abuja to Kaduna, killing at least 8 people and kidnapping more than 60 others; the final kidnapping victim was not released until October. Approximately 30 Nigerian soldiers were killed in June when gunmen attacked a mine in Niger State. The following month, armed men attacked a group of soldiers at a checkpoint on a highway between Abuja and Kaduna, killing at least three and wounding several others.

Various vigilante groups are active in Nigeria. The National Assembly unsuccessfully attempted to give official recognition to the Vigilante Group of Nigeria (VGN) in 2017 and 2019. In November 2021, the lower house passed a bill to extend official powers to the VGN.

F4. Do laws, policies, and practices guarantee equal treatment of various segments of the population? 1 / 4

Despite constitutional safeguards against ethnic discrimination, many ethnic minorities experience bias by state governments and other societal groups in areas including employment, education, and housing.

Women are subject to widespread societal discrimination regarding matters such as education and employment. Many poor families choose to send sons to school while daughters become street vendors or domestic workers. Women also face significant legal disadvantages in states governed by Sharia statutes.

LGBT+ Nigerians face widespread official and societal discrimination. Nigerians convicted of engaging in same-sex relationships can be imprisoned for as long as 14 years, while 12 northern states maintain the death penalty for same-sex relations. LGBT+ people are also subject to assault by police officers during arrests, extortion attempts, and discrimination when accessing public and private services. A 2019 survey showed widespread opposition to LGBT+ rights, with 74 percent of respondents supporting prison sentences for those engaging in same-sex activity. In January 2022, one person was killed when a gay wedding was attacked in Abuja. In December, Sharia police raided the wedding party of a same-sex couple, arresting 19 people in Kano State. Sharia courts are known to impose the death penalty. A Sharia court in Bauchi State sentenced three men convicted of "engaging in homosexuality" to death by stoning in July.

G. PERSONAL AUTONOMY AND INDIVIDUAL RIGHTS: 4 / 16

G1. Do individuals enjoy freedom of movement, including the ability to change their place of residence, employment, or education? 1 / 4

While the freedom of movement is legally guaranteed, security officials frequently impose dusk-to-dawn curfews and other movement restrictions in areas affected by communal violence or militant activities. Railway services between Abuja and Kaduna were suspended for eight months following the armed attack on a train traveling between the two cities in March 2022. In April, the government eased most remaining COVID-19 restrictions, including lifting a nationwide curfew.

The International Organization for Migration (IOM) reported that nearly 2.5 million people in northeast Nigeria were internally displaced as of July 2022.

G2. Are individuals able to exercise the right to own property and establish private businesses without undue interference from state or nonstate actors? 1 / 4

Nigeria's poorly regulated property rights system hinders citizens and private businesses from engaging in the efficient and legal purchase or sale of property, including land. Bribery is a common practice when starting a business and registering property. Women belonging to certain ethnic groups are often denied equal rights to inherit property due to customary laws and practices.

However, the climate for private enterprise in recent years has benefited from advancements in credit accessibility, ease of starting a business, ease of paying taxes, and property registration.

The property rights of Fulani and of farmers are affected by violence as Fulani travel south to find new grazing lands. Herding groups' grazing lands have been used for cultivation, while Fulani herders have been observed expropriating farmers' land and crops. In May 2021, 17 state governors called for an open-grazing ban but President Buhari voiced his disagreement, questioning the proposal's legality.

G3. Do individuals enjoy personal social freedoms, including choice of marriage partner and size of family, protection from domestic violence, and control over appearance? 1 / 4

Despite the existence of strict laws against rape, domestic violence, female genital mutilation (FGM), and child marriage, these offenses remain widespread, with low rates of reporting and prosecution. Women and girls in camps for displaced persons have reported sexual abuse by members of the military and other authorities. Boko Haram's attacks on women's rights have been particularly egregious, with victims often subjected to forced marriage and rape, among other acts.

Abortion is illegal unless the life of the mother is in danger. As a result, many women seek out dangerous illegal abortions, finding themselves at risk of medical complications. Women who face such complications often do not receive further medical treatment.

G4. Do individuals enjoy equality of opportunity and freedom from economic exploitation? 1 / 4

Nigerian organized crime groups are heavily involved in human trafficking. Boko Haram has subjected children to forced labor and sex slavery. Both Boko Haram and a civilian vigilante group that opposes the militants have forcibly recruited child soldiers, according to the US State Department.

Meanwhile, implementation of the 2003 Child Rights Act, which protects children from sexual exploitation and other abuses, remains uneven; at the end of 2022, two northern states had not implemented the legislation, though they were in the process of doing so.

The US State Department's 2022 *Trafficking in Persons Report* noted that Nigeria "does not fully meet the minimum standards for the elimination of trafficking." The National Agency for the Prohibition of Trafficking in Persons (NAPTIP) continues to rescue trafficking survivors and prosecute some suspected traffickers, but its funding is reportedly inadequate and labor traffickers face few prosecutions. Survivors often find their freedom of movement withheld by NAPTIP in poorly managed shelters and experience discrimination when seeking access to public services after their release.

North Korea

Population: 26,100,000
Capital: Pyongyang
Freedom Status: Not Free
Electoral Democracy: No

Overview: North Korea is a one-party state led by a dynastic totalitarian dictatorship that regularly engages in grave human rights abuses. Surveillance is pervasive, arbitrary arrests and detention are common, and punishments for political offenses are severe. The state maintains a system of camps for political prisoners where torture, forced labor, starvation, and other atrocities take place.

KEY DEVELOPMENTS IN 2022

- Authorities released several thousand prisoners to mark the late Kim Jong-il's 80th birthday in February, after their sentences were reduced. Many were released in poor physical condition; no dissidents were freed.
- The regime reported two outbreaks of COVID-19 during the year. Authorities implemented a lockdown after cases were reported in May but declared "victory" over the virus in August. Cases were reported near the Chinese border in August, however, prompting local restrictions.
- The regime continued to test missiles; 95 were launched by year's end, the most ever. In September, Pyongyang codified a nuclear weapons strategy, which allows their automatic use in certain circumstances while favoring deterrence in others.

POLITICAL RIGHTS: 0 / 40

A. ELECTORAL PROCESS: 0 / 12

A1. Was the current head of government or other chief national authority elected through free and fair elections? 0 / 4

Kim Jong-un became the country's supreme leader in 2011 after the death of his father, Kim Jong-il, who had led North Korea since his father's death in 1994. In 2016, the State Affairs Commission (SAC) became the country's top ruling organ, and Kim Jong-un was named its chairman.

In 2019, Kim was reelected as SAC chairman by the Supreme People's Assembly (SPA), the unicameral legislature, and given the new title of "supreme representative of all the Korean people and the supreme leader of the Republic."

A2. Were the current national legislative representatives elected through free and fair elections? 0 / 4

Members of the 687-seat SPA are elected to five-year terms. The Democratic Front for the Reunification of the Fatherland (DFRF), a coalition dominated by the ruling Korean Workers' Party (KWP) alongside a handful of subordinate parties and organizations, preselects all candidates, who then run unopposed. Voting is compulsory for citizens who are at least 17 years old, and turnout commonly approaches 100 percent. Preselected candidates won every seat in the 2019 SPA elections.

A3. Are the electoral laws and framework fair, and are they implemented impartially by the relevant election management bodies? 0 / 4

Although there is a clear framework for conducting and monitoring elections, the system's structure denies voters any choice and precludes opposition to the incumbent leadership. The government uses the mandatory elections as an unofficial census, tracking whether and how people voted, and interpreting any rejection of the preselected candidates as treason.

B. POLITICAL PLURALISM AND PARTICIPATION: 0 / 16

B1. Do the people have the right to organize in different political parties or other competitive political groupings of their choice, and is the system free of undue obstacles to the rise and fall of these competing parties or groupings? 0 / 4

North Korea is effectively a one-party state. The small number of minor groups that legally exist are all are members of the DFRF.

B2. Is there a realistic opportunity for the opposition to increase its support or gain power through elections? 0 / 4

Political dissent and opposition are prohibited and harshly punished. The country has been ruled by the KWP, which the Kim family has always controlled, since its founding. Kim Jong-un was promoted from KWP chairman to secretary general in 2021. His late father, Kim Jong-il, was dubbed the KWP's "eternal general secretary" after his death.

B3. Are the people's political choices free from domination by forces that are external to the political sphere, or by political forces that employ extrapolitical means? 0 / 4

There is no opportunity for public political participation, and even KWP elites operate under the threat of extreme penalties for perceived dissent or disloyalty. The party is subject to regular purges aimed at reinforcing Kim Jong-un's personal authority. The regime has executed senior officials who have fallen out of favor.

B4. Do various segments of the population (including ethnic, racial, religious, gender, LGBT+, and other relevant groups) have full political rights and electoral opportunities? 0 / 4

North Korea is ethnically homogeneous, with only a small Chinese population and a few non-Chinese foreign residents. With few exceptions, foreigners cannot join the KWP or serve in the military or government. Religious groups are harshly suppressed and unable to organize politically. Women hold few leadership positions in ruling bodies and occupy only 121 of the SPA's 687 seats; the system does not allow these representatives to independently address the interests of women. The government typically denies the existence of LGBT+ people in North Korea.

C. FUNCTIONING OF GOVERNMENT: 0 / 12

C1. Do the freely elected head of government and national legislative representatives determine the policies of the government? 0 / 4

North Korea has no freely elected officials. Kim Jong-un and his inner circle determine policy, and the SPA gathers periodically to unanimously approve all decisions. High-level officials are subject to constant churn based on their performance and their perceived loyalty to Kim Jong-un.

C2. Are safeguards against official corruption strong and effective? 0 / 4

Corruption is believed to be endemic at every level of the state and economy, and government officials commonly engage in bribery. No independent or impartial anticorruption mechanisms exist.

Small-scale local markets have become prime targets of corrupt police officers, who solicit bribes from operators and detain those who cannot pay. Market participants also pay bribes to supervisors at their official workplaces to avoid discipline or imprisonment for abandoning state-assigned roles.

C3. Does the government operate with openness and transparency? 0 / 4

The government operates opaquely and without accountability. Information about the functioning of state institutions is tightly controlled for both domestic and external audiences.

Authorities restrict COVID-19-related information, disclosing only fragmentary public-health data. However, in May 2022, the regime reported the detection of COVID-19 cases as early as April and declared a national emergency. However, authorities reported no new cases after July. "Victory" over the outbreak was declared in August, with 4.8 million people having had "fever" and 74 dying according to official figures that outside experts called unreliable. Also in August, Kim Yo-jong, Kim Jong-un's sister, disclosed that the country's leader had suffered a "fever" during the outbreak. Later that month, the regime said it detected several cases near the Chinese border. Little information about vaccination rollouts was provided.

CIVIL LIBERTIES: 3 / 60

D. FREEDOM OF EXPRESSION AND BELIEF: 0 / 16

D1. Are there free and independent media? 0 / 4

The state runs all domestic media outlets. Televisions and radios are permanently fixed to state channels. All publications and broadcasts are strictly supervised and censored. The regime rarely allows a small number of foreign books, films, and television programs to be distributed and aired in the country.

Several foreign news agencies have established bureau offices in Pyongyang. However their access is tightly controlled, and media crews have been expelled in retaliation for their work. Select foreign media services are often invited to cover key political events and holidays, although authorities strictly manage their visits.

Several US and South Korean outlets broadcast shortwave and medium-wave Korean-language radio programming into North Korea, though the regime works to jam their stations.

Campaigns to send information into the country via external storage devices and leaflets are common, and North Koreans often modify their radios to receive foreign broadcasts. South Korea banned the transmission of leaflets and other information across the border without government permission under a law that took effect in 2021, though activists have since sent leaflets north. The consumption of foreign radio broadcasts and possession of

contraband devices in North Korea are illegal, as are the facilitation and nonreporting of such activity; all are subject to severe punishment under an "anti-reactionary thought" law, up to and including the death penalty.

D2. Are individuals free to practice and express their religious faith or nonbelief in public and private? 0 / 4

Although freedom of religion is constitutionally guaranteed, it does not exist in practice. State-sanctioned churches maintain a token presence in Pyongyang, and some North Koreans are known to practice their faith furtively. However, intense state indoctrination and repression preclude free and open exercise of religion. Crackdowns are common, and those caught—including foreigners—are arrested and subjected to harsh punishments, including imprisonment in labor camps. In 2021, nongovernmental organization Open Doors US reported that 50,000 to 70,000 Christians were held in prison camps.

D3. Is there academic freedom, and is the educational system free from extensive political indoctrination? 0 / 4

There is no academic freedom. The state must approve all curriculums, including those of educational programs led by foreigners. Although some North Koreans are permitted to study abroad at both universities and short-term educational training programs, they are subject to monitoring and reprisals for perceived disloyalty.

D4. Are individuals free to express their personal views on political or other sensitive topics without fear of surveillance or retribution? 0 / 4

Nearly all forms of private communication are monitored by a huge network of informants. Domestic third-generation (3G) mobile service, available since 2008, may serve at least 6.5 million subscribers. Ordinary mobile users can connect to a state-run intranet but not the global internet. Mobile phones operating on this network function as state surveillance tools, which can review individuals' application usage and browsing history and take screenshots of activity. Newer mobile phones include measures to prevent the consumption of contraband media, with some resorting to hacking to circumvent them.

Only a few elites have internet access, reaching it through their own service. Domestic and international mobile services are kept strictly separate. Individuals using Chinese-origin phones have faced crackdowns, while officials sent to China must install surveillance software on their devices.

E. ASSOCIATIONAL AND ORGANIZATIONAL RIGHTS: 0 / 12

E1. Is there freedom of assembly? 0 / 4

Freedom of assembly is not recognized. Participants in unauthorized gatherings are subject to severe punishment, including imprisonment.

E2. Is there freedom for nongovernmental organizations, particularly those that are engaged in human rights– and governance-related work? 0 / 4

There are no legal associations or organizations other than those created by the state and ruling party.

E3. Is there freedom for trade unions and similar professional or labor organizations? 0 / 4

Strikes, collective bargaining, and other organized labor activities are illegal and can draw severe punishment for participants, including imprisonment.

F. RULE OF LAW: 0 / 16

F1. Is there an independent judiciary? 0 / 4

North Korea's judiciary is subordinate to the political leadership in law and in practice. According to the constitution, the Central Court, the country's highest court, is accountable to the SPA, and its duties include protecting "state power and the socialist system."

F2. Does due process prevail in civil and criminal matters? 0 / 4

Fundamental due process rights, including freedom from arbitrary detention and the right to a fair trial, are systematically denied. As many as 100,000 people may be held in prison camps according to the US State Department. Foreign visitors are also at risk of arbitrary detention. At least four South Korean citizens accused of crimes such as espionage and kidnapping remain in custody as of 2022.

The regime sometimes grants amnesty to or otherwise releases prisoners. In February 2022, thousands were released to celebrate the late Kim Jong-il's birthday via sentence reductions, though many were in poor physical condition. No dissidents were released.

F3. Is there protection from the illegitimate use of physical force and freedom from war and insurgencies? 0 / 4

Documented human rights violations include widespread torture, public executions, forced labor by detainees, and death sentences for political offenses. A 2021 UN report noted that forced labor and torture are rampant in the prison system, and that citizens often pay bribes to avoid arrest, mitigate treatment in detention, and secure family visits.

Defectors who seek safety in third countries are sometimes returned to North Korea, where they face torture and disproportionate punishment. China's government considers North Korean escapees to be irregular economic migrants and regularly turns them back, violating international law.

The unresolved conflict with South Korea around North Korea's nuclear weapons program poses a threat to physical security, and negotiations with Seoul and Washington remained stalled in 2022. North Korea launched at least 95 missiles during the year, the most ever. The country notably fired an advanced intercontinental ballistic missile, which landed in waters west of Japan, in November. In September, Pyongyang codified its nuclear weapons strategy, allowing for their automatic use in certain circumstances but favoring deterrence in others.

F4. Do laws, policies, and practices guarantee equal treatment of various segments of the population? 0 / 4

Discrimination is commonly based on perceived political and ideological nonconformity. All citizens are classified according to their family's level of loyalty and proximity to the leadership under a semihereditary caste-like system known as *songbun*. Those who are classified as "wavering" or "hostile" instead of "loyal" face official discrimination in employment, live in poorer housing, and receive limited educational opportunities, though rules can be manipulated through bribery. Relatives of suspected political and ideological dissidents, including defectors, are also subject to punishment in what amounts to guilt by association.

The country's ethnic Chinese population has limited educational and employment opportunities, but somewhat more freedom of travel and trade.

Women have legal equality but face rigid discrimination in practice and are poorly represented in public employment and the military. Despite fewer opportunities in the

formal sector, women are economically active in markets, which can expose them to arbitrary state interference.

The law does not explicitly prohibit same-sex relations, but the regime maintains that the practice does not exist in the country.

North Korea has historically denied the rights of people living with disabilities. Defectors report that disabled people have been quarantined, exiled, forcibly sterilized, experimented on, and sometimes executed.

G. PERSONAL AUTONOMY AND INDIVIDUAL RIGHTS: 3 / 16

G1. Do individuals enjoy freedom of movement, including the ability to change their place of residence, employment, or education? 0 / 4

Citizens have no freedom of movement, and forced internal resettlement is routine. Emigration is illegal. In recent years, authorities have employed stricter domestic controls to arrest the flow of defectors, who have also been impeded by regional coronavirus-related travel restrictions. The South Korean Unification Ministry reported that over 1,000 defectors entered the country in 2019 but only 67 did so in 2022.

The regime implemented strict pandemic-containment measures and border controls in 2020. Authorities imposed new virus-related lockdowns in May 2022 and imposed local restrictions near the Chinese border in August. Internal movement was proscribed in September to limit the spread of "seasonal flu." In November, Human Rights Watch (HRW) reported that North Korea had tightened security along the Chinese border since the global pandemic began in 2020. Some rail traffic with China and Russia was observed during the year, however.

A person's songbun classification affects their place of residence as well as employment and educational opportunities, access to medical facilities, and even access to stores. All foreign travel is strictly controlled by the regime. Freedom of movement for foreigners is also limited and subject to arbitrary constraints.

Most North Korean workers cannot freely choose their employment, with the government assigning men and unmarried women to their positions and often denying monetary compensation. Workers, especially women, seek informal employment to earn an income and pay official employers bribes to cover absences.

G2. Are individuals able to exercise the right to own property and establish private businesses without undue interference from state or nonstate actors? 1 / 4

The formal, centrally planned economy is grossly mismanaged. A lack of infrastructure, scarcity of energy and raw materials, lingering foreign debt, and ideological isolation also hobble business activity in the country.

Informal and government-approved private markets and service industries have provided many North Koreans, especially women, a growing field of activity that is somewhat free from government control. However, the COVID-19 pandemic has hampered access to goods to sell in those markets, limiting people's ability to earn discretionary income and increasing dependence on domestic food production and distribution.

Local officials have had some discretion in the management of special economic zones and over small-scale experiments with market-oriented economic policies.

G3. Do individuals enjoy personal social freedoms, including choice of marriage partner and size of family, protection from domestic violence, and control over appearance? 1 / 4

Men and women have formal equality in personal status matters such as marriage and divorce. However, sexual and physical violence against women is common, and victims

have little legal recourse. There are no specific legal penalties for domestic violence. UN bodies have noted the use of forced abortions on pregnant women when forcibly repatriated from China and infanticide of half-Chinese children.

G4. Do individuals enjoy equality of opportunity and freedom from economic exploitation? 1 / 4

Forced labor is common in prison camps, mass mobilization programs, and state-run contracting arrangements in which North Korean workers are sent abroad. Human trafficking networks, sometimes operating with the assistance of government officials, target North Korean women; those ensnared are subject to sex slavery and forced marriages, often in China. Some women have also turned to prostitution to survive in recent years and are exploited by their employers and the police.

Economic opportunities are also hampered by international sanctions imposed in response to North Korea's continued nuclear pursuits. Since 2016, sanctions have targeted civilian industries including textiles and seafood. North Korea has also been cut off from the international banking system. While this has not deterred North Korea's pursuit of nuclear weapons, it has created growing difficulties for those dependent on markets and quasi-private businesses.

North Macedonia

Population: 1,800,000
Capital: Skopje
Freedom Status: Partly Free
Electoral Democracy: Yes

Overview: North Macedonia is a parliamentary republic. Unstable government coalitions are common, as are early elections. The government continues to struggle with corruption and clientelism. While media and civil society participate in vigorous public discourse, journalists and activists still face pressure and intimidation.

KEY DEVELOPMENTS IN 2022

- A new coalition government led by Dimitar Kovačevski, a member of the Social Democrats (SDSM) and former deputy finance minister, was voted in in January. The previous prime minister—Zoran Zaev, also of the SDSM—had resigned due to the party's poor showing in the October 2021 local elections.
- In July, the country experienced significant political turmoil over a French proposal that aimed to solve a dispute amid which Bulgarian officials were maintaining a veto on North Macedonia's European Union (EU) accession. The French proposal sparked major opposition-led protests that lasted throughout the month. The proposal's detractors said it contained unacceptable concessions to Bulgaria regarding North Macedonia's history, language, and cultural identity. The demonstrations for the most part took place without incident.
- The illegal invasion of Ukraine by Russian forces impacted economic conditions in North Macedonia. Inflation reached record levels, while economic and energy crises severely impacted consumer spending power and business confidence.

- North Macedonia carried out its first census since 2002 in September 2021, with final results published in March. The results showed a population decline of 9.2 percent since the last census.

POLITICAL RIGHTS: 29 / 40 (+1)

A. ELECTORAL PROCESS: 9 / 12

A1. Was the current head of government or other chief national authority elected through free and fair elections? 3 / 4

The president is elected to as many as two five-year terms through a direct popular vote. President Stevo Pendarovski of the Social Democratic Union of Macedonia (SDSM) won his first term in May 2019. Elections were held calmly and fairly, with minimal challenges.

The unicameral Assembly elects the prime minister and the head of government and holds most executive power. Parliamentary elections held in July 2020 resulted in a virtual tie, with the SDSM barely ahead of the opposition Internal Macedonian Revolutionary Organization–Democratic Party for Macedonian National Unity (VMRO–DPMNE). The SDSM formed a coalition government with smaller left-wing and ethnic minority parties, with Zoran Zaev serving as prime minister until resigning after the SDSM fared poorly in October 2021 local elections. Deputy Finance Minister Kovačevski became SDSM leader, and he and his cabinet won formal approval in January 2022.

A2. Were the current national legislative representatives elected through free and fair elections? 3 / 4

Members of the 120-seat Assembly are elected by proportional representation to four-year terms.

The July 2020 polls showed improvement from previous years, with instances of vote-buying, intimidation, and other misconduct reported less frequently. OSCE observers called the poll well-managed and free but criticized last-minute changes to the electoral framework.

In October 2021 local elections, the VMRO–DPMNE won 42 mayoral races, including Skopje's; the SDSM won 16, and the Democratic Union for Integration (DUI), an ethnic Albanian party, won 11. Observers from the Organization for Security and Co-operation in Europe (OSCE) called the elections competitive and largely fair but reported accusations of vote-buying, pressure on candidates to withdraw, and pressure on public employees to vote for specific candidates.

A3. Are the electoral laws and framework fair, and are they implemented impartially by the relevant election management bodies? 3 / 4

The State Election Commission (DIK) presides over orderly and credible elections. However, electoral laws contain ambiguities and inconsistencies, many of which were introduced when authorities made changes but failed to harmonize them throughout the overall electoral framework. These include confusion surrounding candidate-registration rules and resolution mechanisms for election-related disputes.

OSCE observers praised the DIK's administration of the October 2021 local elections, but said numerous vacancies contributed to inefficiency, and expressed concern about electoral-law amendments passed shortly before the elections. Voters also encountered biometric failures and other technical issues during the polls.

B. POLITICAL PLURALISM AND PARTICIPATION: 12 / 16

B1. Do the people have the right to organize in different political parties or other competitive political groupings of their choice, and is the system free of undue obstacles to the rise and fall of these competing parties or groupings? 4 / 4

The constitution protects the right to establish and join political parties, though patronage networks hamper democratic competition.

The main center-left and center-right blocs lost votes in the 2020 parliamentary elections to ethnic Albanian minority parties and Levica (Left) party, which won two seats and entered the Assembly for the first time.

Independent candidates face obstacles including requirements to collect a relatively high number of signatures for eligibility to run in some races. They are also struggle to gain media coverage and are disadvantaged under rules governing the distribution of state funds for paid advertising. (In North Macedonia, paid campaign advertising in broadcast, print, and online media is exclusively funded by state budgets, a system the OSCE more generally notes has prompted concerns about clientelism.) Independent candidates are prohibited from running for the position of local councilor.

B2. Is there a realistic opportunity for the opposition to increase its support or gain power through elections? 3 / 4

In 2017, power rotated from the right-wing nationalist party, the VMRO–DPMNE—which had governed since 2006—to the left-leaning SDSM, which had governed through much of the 1990s and early 2000s. Before taking power in 2017, the SDSM had boycotted the parliament on several occasions over electoral-fraud claims and allegations that former prime minister Nikola Gruevski had directed a vast wiretapping and surveillance program. Elections since then have featured robust competition.

Opposition gains characterized the October 2021 local elections. The opposition VMRO–DPMNE won 42 mayoral races, while the incumbent SDSM won only 16 mayoral spots. Tetovo, a majority-Albanian city, saw a power shift after BESA, a small Albanian party, won the mayorship after an eight-year rule by DUI, the largest Albanian party.

B3. Are the people's political choices free from domination by forces that are external to the political sphere, or by political forces that employ extrapolitical means? 2 / 4

Voters are largely free to make political decisions, though reports of intimidation and vote buying remain an issue, especially among Roma and other socially vulnerable groups. Patronage networks remain influential in political life and can influence political outcomes.

B4. Do various segments of the population (including ethnic, racial, religious, gender, LGBT+, and other relevant groups) have full political rights and electoral opportunities? 3 / 4

There are no formal barriers that prevent various segments of the population from participating in political life, but in practice, structural barriers exist for some groups. Small ethnic political parties representing Albanians have sat in each ruling coalition, and Turkish, Serbian, and Bosnian minorities are comparatively well integrated. Roma remain politically marginalized.

Despite the introduction of parity laws and joint initiatives by nongovernmental organizations (NGOs) and electoral authorities, societal attitudes discourage women from participating in politics. Women represent 41.7 per cent of the Assembly but are not as well represented at the local level.

Small LGBT+ advocacy groups are politically active, but overall LGBT+ people have little political representation. An LGBT+ working group established in 2018 is active but not highly influential.

Census data released in 2022 showed a 9.2 percent population decline since the last count two decades ago, but that the ethnic makeup of the country remained mostly the same. Ethnic Albanians make up 24.3 percent of the population, remaining above the 20 percent legal threshold that grants certain official minority rights, such as the ability to make Albanian an official state language and to qualify for public-sector employment quotas. Members of the ethnic Turkish community—the country's third-largest ethnic group—voiced concerns over the census results, claiming that they showed an unrealistically low percentage of Turks (3.86 percent).

C. FUNCTIONING OF GOVERNMENT: 8 / 12 (+1)

C1. Do the freely elected head of government and national legislative representatives determine the policies of the government? 3 / 4

Elected representatives are generally able to craft and implement policy, but corruption prevents some from exercising their policymaking powers freely and to the fullest extent.

In May 2022, the opposition VMRO–DPMNE announced what it called an "active blockade" of the Assembly, and has since used filibustering tactics to stall the legislature's work. It also launched an interpellation—a kind of formal questioning—of Assembly president Talat Xhaferi, which was resolved in his favor.

C2. Are safeguards against official corruption strong and effective? 2 / 4

Corruption remains a serious problem, and there is widespread impunity for corrupt government officials, including members of parliament and the judiciary. The EU praised the State Commission for Prevention of Corruption in its 2022 Communication on EU Enlargement Policy report for North Macedonia, saying it had been "proactive" in addressing cases of cronyism, including in recruitment and appointments, and had opened cases against high-ranking officials. However, it also noted that anticorruption bodies were under resourced, and that corruption remains prevalent. The Council of Europe's Group of States against Corruption (GRECO) reported that North Macedonia had not fully implemented its anticorruption recommendations in July 2022 report. Citizens cite corruption as one of the country's main problems—one poll released in July 2022 showed that 4 in 10 young people said corruption motivated them to want to leave the country.

The new head of the Prosecutor's Office for Organized Crime and Corruption was elected in spite of corruption concerns related to his ties with several political actors from DUI. Separately, investigative reports have found large differences between market and contract prices in public procurement procedures of some products with identical specifications.

C3. Does the government operate with openness and transparency? 3 / 4 (+1)

The law on open access to public information is inconsistently implemented across institutions. However, some progress has been seen concerning transparency. According to an August 2022 report by the Centre for Civil Communications (CCC), national and municipal governments improved somewhat in "active transparency" compared to 2021, with the government and Ministry of Defense topping the ranking. Active transparency means that these institutions publish information on their initiatives without anyone submitting a request for access to that information.

The Ministry of Finance continued its efforts to improve the transparency of public finance management. It has published data on the revenue and expenditure of public and

state-owned companies quarterly. It also launched a new transparency tool on public debt, and published quarterly reports on the execution of local government budgets.

Government procurement decisions still cause controversy. In July 2021, the Assembly passed legislation allowing the Zaev government to bypass tender rules while negotiating a highway construction contract, which was met with criticism from civil society advocates. In December, the Constitutional Court declined to review that decision, allowing the government to negotiate directly with construction firms Bechtel and ENKA.

Score Change: The score improved from 2 to 3 due to a multiyear pattern of increased transparency among government offices.

CIVIL LIBERTIES: 39 / 60

D. FREEDOM OF EXPRESSION AND BELIEF: 12 / 16

D1. Are there free and independent media? 3 / 4

The media landscape is deeply polarized along political lines, and private media outlets are often tied to political or business interests that influence their content. However, several critical and independent outlets operate, mainly online. Physical attacks against journalists continue to be reported.

D2. Are individuals free to practice and express their religious faith or nonbelief in public and private? 3 / 4

The constitution guarantees freedom of religion. However, Islamophobia is present in political rhetoric and in public discourse, and is directed primarily at the ethnic Albanian community and Roma.

D3. Is there academic freedom, and is the educational system free from extensive political indoctrination? 3 / 4

Academic freedom is largely respected, but corruption in universities is significant. Textbooks have minimally covered post-independence events, primarily because ethnic Macedonians and ethnic Albanians interpret the 2001 civil conflict differently.

D4. Are individuals free to express their personal views on political or other sensitive topics without fear of surveillance or retribution? 3 / 4

Allegations of widespread wiretapping and monitoring of private citizens, journalists, politicians, and religious leaders by the VMRO–DPMNE government helped bring about its ouster. The SDSM-led government has since taken steps to reform the security services. The Assembly passed a law limiting the secret police's surveillance activities in 2018. In 2019, the Directorate for Security and Counterintelligence (UBK) was replaced by the National Security Agency.

E. ASSOCIATIONAL AND ORGANIZATIONAL RIGHTS: 8 / 12

E1. Is there freedom of assembly? 3 / 4

Constitutional freedom of assembly guarantees are generally well respected, though riot police who typically monitor demonstrations sometimes use disproportionate force, and property damage sometimes occurs during protests.

Several notable protests were held throughout July 2022, organized by the country's main opposition, VMRO–DPMNE, against a French proposal designed to unlock Bulgaria's veto on North Macedonia's EU accession. The protests took place without major incidents.

E2. Is there freedom for nongovernmental organizations, particularly those that are engaged in human rights– and governance-related work? 3 / 4

NGOs generally operate in a freer and safer environment under the SDSM-led government, and public institutions have become more responsive to civil society work. NGOs, particularly those that receive foreign funding, face pressure from the VMRO–DPMNE, Levica, and their supporters.

In July 2022, some NGOs faced government backlash due to their lack of support for the French proposal designed to resolve the Bulgarian veto in North Macedonia's EU path. Moreover, some journalists published work designating the opposed NGOs as "pro-Russian," which was later found to violate journalistic ethics by the Council of Media Ethics.

E3. Is there freedom for trade unions and similar professional or labor organizations? 2 / 4

Workers may organize and bargain collectively, though trade unions lack stable financing and skilled managers.

F. RULE OF LAW: 9 / 16

F1. Is there an independent judiciary? 2 / 4

Concerns remain about the efficacy and independence of the judiciary. The EU has stressed judicial reforms as a key priority for North Macedonia's accession bid.

The European Commission (EC)'s October 2022 report noted that North Macedonia had made some progress in enacting its judicial reform strategy, and called on Skopje to continue implementing judicial reforms. The judiciary is the least-trusted public institution in North Macedonia, according to recent polls. According to a 2022 survey sponsored by the International Republican Institution (IRI), only 4 percent of North Macedonian respondents said they trusted the judiciary greatly, while 19 percent only "somewhat" trust it.

F2. Does due process prevail in civil and criminal matters? 2 / 4

Due process rights remain compromised by corruption and patronage within the justice system. Political interference in the work of prosecutors remains a problem, while judicial culture remains highly corrupt. The selective application of justice also persists, although some reforms intended to ameliorate the issue have been carried out.

The EC October 2022 report noted some progress in adjudicating corruption cases. However, cases related to the 2015 illegal wiretapping scandal remain unresolved.

F3. Is there protection from the illegitimate use of physical force and freedom from war and insurgencies? 3 / 4

The threat of physical violence is generally low. While interethnic violence does occur in North Macedonia, such incidents have lessened in recent years.

F4. Do laws, policies, and practices guarantee equal treatment of various segments of the population? 2 / 4

While the SDSM-led government passed a comprehensive antidiscrimination law in 2020, in practice societal discrimination against some groups persists. Anti-Albanian sentiment is still prevalent in some circles. The Romany population faces significant discrimination. Laws prohibit workplace sexual harassment, but many instances go unreported. The rights of the LGBT+ individuals are limited. The US State Department Human Rights Report for 2022 noted that violence against LGBT+ individuals remains a problem in North Macedonia, and that local NGOs report that authorities often fail to investigate it adequately.

G. PERSONAL AUTONOMY AND INDIVIDUAL RIGHTS: 10 / 16

G1. Do individuals enjoy freedom of movement, including the ability to change their place of residence, employment, or education? 3 / 4

Travel and movement are generally unrestricted. Corruption can hamper people's ability to choose their place of employment or education freely.

In 2022, the European Court of Human Rights found that two primary schools in North Macedonia who had placed Romany children in segregated classes had violated the children's right to nondiscrimination in conjunction with their right to education.

G2. Are individuals able to exercise the right to own property and establish private businesses without undue interference from state or nonstate actors? 3 / 4

The right to own property and establish private businesses is generally respected, though corruption remains a barrier to free enterprise.

G3. Do individuals enjoy personal social freedoms, including choice of marriage partner and size of family, protection from domestic violence, and control over appearance? 2 / 4

Rape, including spousal rape, is illegal, as is domestic violence, which remains common; both are infrequently reported. Police are not consistently responsive to survivors. In January 2021, the Assembly passed legislation to combat gender-based violence (GBV) in line with the Istanbul Convention.

Child marriage occurs in the Romany community. According to 2018–19 data from the UN Children's Fund (UNICEF), 15.5 per cent of Romany women had been married or were otherwise "in union" before age 15.

A 2017 Administrative Court ruled in favor of gender affirmation in the country's official registry (a provision that would allow transgender people to update their identification and other documents). However, the legal changes have been delayed in the parliament due to a lack of support from several political actors.

G4. Do individuals enjoy equality of opportunity and freedom from economic exploitation? 2 / 4

Laws do not impose rigid barriers to social mobility, though rampant corruption can effectively hamper upward income mobility. Though the government's 2018–22 economic formalization strategy has proven somewhat successful in addressing informal employment, the country's informal economy remains large, leaving many workers vulnerable to employer abuse.

The Assembly amended the labor code and minimum-wage legislation in January 2022, raising the minimum wage to 18,000 denar (around $300) per month. Sunday was declared a nonworking day, ensuring some workers' rights.

Workers in the garment industry lack protections and are vulnerable to mistreatment. A 2022 study that featured data from seven regions found that around 1,000 textile workers were being paid less than the guaranteed 18,000 denar minimum wage.

Human trafficking remains a problem. The government has taken steps to better identify trafficking victims, notably at government-run transit centers that house migrants and refugees. However, government support for NGOs that aid trafficking victims is inadequate. According to the 2021 edition of the US Labor Department's *Findings on the Worst Forms of Child Labor*, Romany, Balkan Egyptian, and Ashkali children are vulnerable to forced labor, including forced begging.

Norway

Population: 5,400,000
Capital: Oslo
Freedom Status: Free
Electoral Democracy: Yes

Overview: Norway is one of the most robust democracies in the world. Elections are free and fair, and power regularly rotates between parties. Civil liberties are respected, with independent media and civil society actors holding the government to account. Discrimination against Roma and other marginalized groups remains a problem.

KEY DEVELOPMENTS IN 2022

- In June, a person armed with a gun started shooting outside several bars in central Oslo, particularly targeting people emerging out of a well-known gay bar. Twenty-one people were injured and two people were killed. The Pride march scheduled for later that month was canceled by police due to security concerns. A Pride event was allowed to take place months later with police protection.
- In September, the government enforced the use of compulsory arbitration to end a strike put on by teachers. The move spurred public debate of whether the use of compulsory arbitration infringed upon workers' rights. The strike had lasted for three months and included around 8,500 teachers.
- In July, the Transparency Law went into force, requiring companies to assess their own operations and supply chains' compliance with human rights obligations. The law seeks to prevent corporations from being complicit in economic exploitation and human rights violations domestically and abroad, and to provide consumers with access to information based on companies' human rights impact.

POLITICAL RIGHTS: 40 / 40

A. ELECTORAL PROCESS: 12 / 12

A1. Was the current head of government or other chief national authority elected through free and fair elections? 4 / 4

The constitutional monarch, currently King Harald V, appoints the prime minister, who is the leader of the majority party or coalition in the parliament. While the monarch is officially the head of state and commander in chief of the armed forces, his duties are largely ceremonial. National elections were held in September 2021; the following month, Labour Party leader Jonas Gahr Støre was appointed prime minister after the Labour Party and the Centre Party formed a governing coalition.

A2. Were the current national legislative representatives elected through free and fair elections? 4 / 4

Norway's unicameral parliament, the Storting, has 169 members who are directly elected for four-year terms through a system of proportional representation in multimember districts.

In the September 2021 election, the Labour Party won the largest share of votes, taking 48 seats, followed by the Conservatives with 36 seats, the Centre Party with 28, the right-wing populist Progress Party with 21, the Socialist Left Party with 13, the Red Party with 8, the Liberal Party with 8, the Green Party with 3, the Christian Democratic Party with 3, and the single-issue Patient Focus party with 1 seat. The election saw a turnout of 77.2 percent.

A3. Are the electoral laws and framework fair, and are they implemented impartially by the relevant election management bodies? 4 / 4

Elections are regulated by the constitution and the Representation of the People Act of 2002. The National Electoral Committee, whose members are appointed by the king from all parliamentary parties, oversees the conduct of elections with the support of local-level committees. The 2017 Organization for Security and Co-operation in Europe (OSCE) election monitoring mission noted a high degree of public confidence in the country's electoral infrastructure.

B. POLITICAL PLURALISM AND PARTICIPATION: 16 / 16

B1. Do the people have the right to organize in different political parties or other competitive political groupings of their choice, and is the system free of undue obstacles to the rise and fall of these competing parties or groupings? 4 / 4

A range of political parties operate freely in Norway.

B2. Is there a realistic opportunity for the opposition to increase its support or gain power through elections? 4 / 4

Norway has a long history of democratic and peaceful transfers of power after elections. The center-left Labour Party, and center-right coalitions led by the Conservatives or the Christian Democrats, have typically rotated in and out of government. Smaller parties wield influence by participating in national and local coalitions.

B3. Are the people's political choices free from domination by forces that are external to the political sphere, or by political forces that employ extrapolitical means? 4 / 4

Citizens are generally free from undue interference in their political choices, and no military, foreign, or religious entities exert undemocratic pressure on voters. Public funding is the main source of party revenue, though private contributions have increased in recent years, which critics say could allow wealthy donors to acquire undue influence over Norwegian politics.

B4. Do various segments of the population (including ethnic, racial, religious, gender, LGBT+, and other relevant groups) have full political rights and electoral opportunities? 4 / 4

Women and minority groups enjoy full political rights and electoral opportunities. Following the September 2021 elections, 50 percent of cabinet positions are held by women, and 45 percent of parliamentarians are women. Minority ethnic groups and the interests of LGBT+ people are addressed through robust antidiscrimination laws and various protections for same-sex couples.

The Indigenous Sámi population, in addition to participating in the national political process, has its own legislature, the Sameting, which has worked to protect the group's language and cultural rights and to influence the national government's decisions about Sámi land and resources. The national government has a deputy minister tasked specifically with handling Sámi issues. A 2021 Supreme Court case confirmed that Sami cultural rights take precedence over the expansion of windfarms that impact reindeer herding.

C. FUNCTIONING OF GOVERNMENT: 12 / 12

C1. Do the freely elected head of government and national legislative representatives determine the policies of the government? 4 / 4

The freely elected government and parliament develop and implement policy without undue influence from actors who are not democratically accountable.

C2. Are safeguards against official corruption strong and effective? 4 / 4

Provisions of the penal code criminalizing corrupt activity are generally upheld. In January 2021, the Council of Europe (CoE)'s Group of States against Corruption (GRECO) recommended that the government introduce new accountability and enforcement mechanisms to prevent corruption among senior officials, including ministers, political advisers, and members of the police.

C3. Does the government operate with openness and transparency? 4 / 4

The government generally operates with transparency.

CIVIL LIBERTIES: 60 / 60

D. FREEDOM OF EXPRESSION AND BELIEF: 16 / 16

D1. Are there free and independent media? 4 / 4

Freedom of the press is constitutionally guaranteed and generally respected in practice. Norwegians have access to news and commentary from a wide variety of independent outlets.

D2. Are individuals free to practice and express their religious faith or nonbelief in public and private? 4 / 4

Freedom of religion is protected by the constitution and generally upheld in practice. However, religiously motivated hate crimes do occur.

D3. Is there academic freedom, and is the educational system free from extensive political indoctrination? 4 / 4

Academic freedom is generally respected.

D4. Are individuals free to express their personal views on political or other sensitive topics without fear of surveillance or retribution? 4 / 4

Private discussion in Norway is free and vibrant. A 2022 government-commissioned report agreed that freedom of expression is well-respected in Norway.

E. ASSOCIATIONAL AND ORGANIZATIONAL RIGHTS: 12 / 12

E1. Is there freedom of assembly? 4 / 4

The right to freedom of assembly is generally respected. Following a shooting targeting LGBT+ people outside a gay bar in Oslo in June 2022, the Pride march scheduled for later that month was canceled by police due to security concerns. A Pride event was allowed to take place months later with police protection.

E2. Is there freedom for nongovernmental organizations, particularly those that are engaged in human rights– and governance-related work? 4 / 4

Nongovernmental organizations (NGOs) form and operate without undue restrictions.

E3. Is there freedom for trade unions and similar professional or labor organizations? 4 / 4

The right to strike is legally guaranteed—except for members of the military and senior civil servants—and is generally respected in practice. All workers have the right to engage in collective bargaining. However, there has been an increase in the practice of forcing unions into compulsory arbitration to avert strike actions. For example, in September 2022, the government enforced the use of compulsory arbitration to end a strike put on by teachers. The move spurred public debate of whether the use of compulsory arbitration infringed upon workers' rights. The strike had lasted for three months and included around 8,500 teachers.

F. RULE OF LAW: 16 / 16

F1. Is there an independent judiciary? 4 / 4

The judiciary is generally considered independent, and the court system, headed by the Supreme Court, operates fairly. The king appoints judges on the advice of the Judicial Appointments Board, which is composed of legal and judicial professionals as well as representatives of the public. In April 2021, then–prime minister Erna Solberg was fined for breaching COVID-19 rules. She paid the fine and apologized for her actions.

Additionally, in May 2021, the European Free Trade Association (EFTA) court found that since Norway became an EFTA member in 1994, the government had illegally denied welfare payments to people who had traveled to other EFTA countries while receiving benefits. The Norwegian Supreme Court confirmed that authorities had acted unlawfully in a July 2021 ruling.

F2. Does due process prevail in civil and criminal matters? 4 / 4

Law enforcement agencies and the courts generally observe legal safeguards against arbitrary arrest and detention. Criminal defendants have access to counsel at the government's expense, and the principles of due process are typically respected during trial.

F3. Is there protection from the illegitimate use of physical force and freedom from war and insurgencies? 4 / 4

The police are under civilian control, and physical abuse by law enforcement is rare. Prison conditions generally meet international standards.

Far-right and extremist violence is a recognized threat in Norway. In June 2022, a person armed with a gun started shooting outside bars in central Oslo, particularly targeting people emerging out of a well-known gay bar. Twenty-one people were injured and two people were killed. Police declared it to be a "terrorist attack" and "hate crime."

F4. Do laws, policies, and practices guarantee equal treatment of various segments of the population? 4 / 4

Laws, policies, and practices guarantee equal treatment of various segments of the population, including for LGBT+ people. However, the shooting at a gay bar in June 2022 pushed the government to create a four-year action plan focused on improving LGBT+ people's quality of life.

The equality and antidiscrimination ombudsman enforces the Gender Equality Act, the Antidiscrimination Act, and other laws designed to protect the basic rights of women, minorities, and other groups at risk of mistreatment. These laws are generally upheld in practice. However, in a February 2021 report, the CoE recommended that Norwegian authorities put more resources into supporting victims of discrimination, particularly Roma people.

Norwegian authorities reported a seven percent increase in hate crimes between 2020 and 2021, the majority of which were based on race, ethnicity, religion, or sexual orientation.

The national government also supports Sámi-language instruction and media outlets in the relevant regions. The Norwegian national human rights institution, however, has highlighted that Norway does not currently disaggregate statistical data by ethnicity or Indigenous status, which limits the evidence base for human rights monitoring and improving policy and service delivery for Indigenous groups such as the Sámi.

G. PERSONAL AUTONOMY AND INDIVIDUAL RIGHTS: 16 / 16

G1. Do individuals enjoy freedom of movement, including the ability to change their place of residence, employment, or education? 4 / 4

Freedom of movement in Norway is generally respected. People can change their place of residence, employment, and education. However, some EU- and EEA-born welfare recipients living in Norway reportedly refrained from traveling abroad for fear of losing benefits; in 2019, local NGO Caritas reported that several thousand were discouraged or stopped from traveling abroad in recent years.

G2. Are individuals able to exercise the right to own property and establish private businesses without undue interference from state or nonstate actors? 4 / 4

The rights to own property and operate private businesses are established in Norwegian law and upheld in practice.

G3. Do individuals enjoy personal social freedoms, including choice of marriage partner and size of family, protection from domestic violence, and control over appearance? 4 / 4

The government generally does not restrict personal social freedoms. The Gender Equality Act provides equal rights for men and women with respect to marriage, divorce, and other personal status matters.

Domestic violence is a problem. In 2019, Norway's Institute for Human Rights (NIM) estimated that 150,000 people experience domestic violence annually. Amnesty International has also expressed concern that the penal code does not use a consent-based definition of rape and imposes a limited set of qualifying circumstances.

The government banned the wearing of face coverings, including the niqab and burqa, from teaching environments at all levels of education. The ban did not apply outside classroom settings, for instance during recess or staff meetings.

G4. Do individuals enjoy equality of opportunity and freedom from economic exploitation? 4 / 4

Legal protections against economic exploitation are generally upheld. The US State Department's 2022 *Trafficking in Persons Report* notes that though Norwegian authorities make significant efforts to fully meet the minimum standards for the elimination of trafficking, they do not report official numbers of identified and assisted victims and have not developed formal identification procedures for trafficking victims. Authorities have also focused on the undocumented status off migrants who are potentially being trafficked, penalizing the victims rather than the people who were exploiting the trafficked individuals.

In July 2022, the Transparency Law went into force, requiring companies to assess their own operations and supply chains' compliance with human rights obligations. The law is intended to prevent corporations from being complicit in economic exploitation and human rights violations domestically and abroad, and to provide consumers with access to information based on companies' human rights impact.

Oman

Population: 4,600,000
Capital: Muscat
Freedom Status: Not Free
Electoral Democracy: No

Overview: Oman is a hereditary monarchy, and power is concentrated in the hands of the sultan. The regime restricts virtually all political rights and civil liberties, imposing criminal penalties for criticism and dissent.

KEY DEVELOPMENTS IN 2022

- Oman's economy benefited from higher oil revenues during the year, which dampened the public frustration with unemployment that had led to protests in 2021. The government announced in December that a planned income tax for individuals would not be implemented in 2023.
- Nonpartisan municipal elections that had been postponed in 2020 due to the COVID-19 pandemic were finally held in December, with citizens casting votes through a digital application developed by the Interior Ministry.
- The authorities arrested several civic activists and other critics of government policy over the course of the year, illustrating the leadership's sensitivity to calls for greater accountability and transparency as it proceeds with economic and fiscal reforms.

POLITICAL RIGHTS: 6 / 40

A. ELECTORAL PROCESS: 2 / 12

A1. Was the current head of government or other chief national authority elected through free and fair elections? 0 / 4

Sultan Haitham bin Tariq became the country's monarch after his cousin and predecessor—Sultan Qaboos bin Said, who had reigned since 1970—died in January 2020. Sultan Haitham delegated to his cabinet ministers some of the responsibilities that Sultan Qaboos had formally retained for himself, including by appointing a foreign minister, though Haitham continued to serve as prime minister. A new basic law published in 2021 created the position of crown prince; the sultan's eldest son, Dhi Yazan bin Haitham, received the title.

A2. Were the current national legislative representatives elected through free and fair elections? 1 / 4

A 1996 basic law, promulgated by decree, created a bicameral body consisting of an appointed Council of State (Majlis al-Dawla) and a wholly elected Consultative Council (Majlis al-Shura). Citizens elect the Consultative Council for four-year terms, but the chamber has no legislative powers and can only recommend changes to new laws.

Consultative Council elections were held in 2019, with 637 nonpartisan candidates, including 40 women, competing for the council's 86 seats. Two women were elected. Also that year, the sultan appointed the 86 members of the Council of State for a four-year term, including 15 women.

The municipal council elections due in 2020 were postponed in response to the COVID-19 pandemic, with the existing councils remaining in place. The elections were ultimately held in December 2022, with a final list of 727 nonpartisan candidates, including 27 women, registered to compete for 126 council seats. For the first time, citizens cast their votes via a digital application called Intakhib, which was launched by the Interior Ministry. Turnout for the elections was about 39 percent of eligible voters.

A3. Are the electoral laws and framework fair, and are they implemented impartially by the relevant election management bodies? 1 / 4

The electoral framework allows all citizens over the age of 21 to vote unless they are in the military or security forces. However, the framework applies only to the Consultative Council and municipal councils, which serve largely as advisory bodies. Elections are administered by the Interior Ministry rather than by an independent commission.

B. POLITICAL PLURALISM AND PARTICIPATION: 2 / 16

B1. Do the people have the right to organize in different political parties or other competitive political groupings of their choice, and is the system free of undue obstacles to the rise and fall of these competing parties or groupings? 0 / 4

Political parties are not permitted, and the authorities do not tolerate other forms of organized political opposition. A 2014 law allows the revocation of citizenship for Omanis who join organizations deemed harmful to national interests.

B2. Is there a realistic opportunity for the opposition to increase its support or gain power through elections? 0 / 4

The sultan maintains a monopoly on political power. The structure of the constitutional system excludes the possibility of a change in government through elections.

B3. Are the people's political choices free from domination by forces that are external to the political sphere, or by political forces that employ extrapolitical means? 1 / 4

The nonpartisan nature of Oman's limited elections, the overwhelming dominance of the sultan in Omani society, and the authorities' suppression of dissent leave voters and candidates with little autonomy in their political choices.

B4. Do various segments of the population (including ethnic, racial, religious, gender, LGBT+, and other relevant groups) have full political rights and electoral opportunities? 1 / 4

Noncitizens, who make up about 46 percent of the population, have no political rights or electoral opportunities. Citizenship is generally transmitted from Omani fathers. Foreign residents must live legally in the country for 20 years to qualify for citizenship, or 15 and 10 years for foreign husbands and wives of Omani citizens, respectively, if they have a son. These and other conditions make naturalizations relatively rare.

Omani women can legally vote and run for office, but they have few practical opportunities to organize independently and advance their interests in the political system. Two women were elected to the Consultative Council in 2019, up from one in 2015. Fifteen women serve on the appointed Council of State.

C. FUNCTIONING OF GOVERNMENT: 2 / 12

C1. Do the freely elected head of government and national legislative representatives determine the policies of the government? 0 / 4

Government policy is set by the sultan and an inner circle of advisers and senior ministers. The Council of State and the Consultative Council are advisory bodies with no lawmaking powers.

C2. Are safeguards against official corruption strong and effective? 2 / 4

Oman's legal code does not provide an effective framework for the prevention, exposure, and impartial prosecution of corruption. However, government officials are required to declare their assets and sources of wealth, and several high-profile corruption cases involving government officials and executives from Oman's oil industry have resulted in convictions and prison terms in recent years.

C3. Does the government operate with openness and transparency? 0 / 4

The law does not provide freedom of information guarantees. Openness and transparency are limited in practice by the concentration of power and authority in a small inner circle around the sultan. The State Audit Institution monitors ministerial spending, conflicts

of interest, and state-owned companies, but its findings are not released to the public, and it does not cover the sultan's court or the military.

CIVIL LIBERTIES: 18 / 60

D. FREEDOM OF EXPRESSION AND BELIEF: 5 / 16

D1. Are there free and independent media? 1 / 4

The media are constrained by legal limits on freedom of expression, including a ban on criticism of the sultan. There are private media outlets in addition to those run by the state, but they typically accept government subsidies, practice self-censorship, and face punishment if they cross political redlines. Media outlets were reportedly told to avoid reporting on demonstrations that were held in several cities in 2021.

The government has broad authority to close outlets, block websites, revoke licenses, and prosecute journalists for content violations, and it has used this authority on multiple occasions in recent years. The government's efforts to suppress critical news and commentary regularly include arrests and prosecutions of prominent individuals who are active on social media.

D2. Are individuals free to practice and express their religious faith or nonbelief in public and private? 2 / 4

Islam is the state religion. Non-Muslims have the right to worship, but they are banned from proselytizing. Religious organizations must register with the government. The Ministry of Awqaf (religious charitable bequests) and Religious Affairs distributes standardized texts for mosque sermons, and imams are expected to stay within the content outlines of these texts.

Blasphemy is a criminal offense, and the law is actively enforced. In June 2022, a court imposed prison sentences of three and five years, respectively, on activists Maryam al-Nuaimi and Ali al-Ghafri for participation in online conversations about freedom of thought, religion, and atheism.

D3. Is there academic freedom, and is the educational system free from extensive political indoctrination? 1 / 4

The government restricts academic freedom by preventing the publication of material on politically sensitive topics and placing controls on contacts between Omani universities and foreign institutions.

D4. Are individuals free to express their personal views on political or other sensitive topics without fear of surveillance or retribution? 1 / 4

The authorities reportedly monitor personal communications, and the growing number of arrests, interrogations, and jail terms related to criticism of the government on social media has encouraged self-censorship among ordinary citizens in recent years. The 2018 penal code increased the maximum penalties for slander of the sultan and blasphemy to seven and 10 years in prison, respectively, from three years for both under the old code. In October 2022, the government issued a decree that added slander of the sultan's wife or children to the penal code, with the same maximum penalty of seven years in prison.

Among other cases involving reprisals for online speech during the year, security forces in February arrested Abdulmajeed al-Rawahi and detained him for four days after he posted comments on social media that were deemed critical of the ruling family. In December, the Internal Security Service reportedly abducted online activist Majid bin Abdullah al-Ruhaili and held him incommunicado in response to social media posts that were critical of the government.

E. ASSOCIATIONAL AND ORGANIZATIONAL RIGHTS: 4 / 12

E1. Is there freedom of assembly? 1 / 4

A limited right to peaceful assembly is provided for in Oman's basic law. However, all public gatherings require official permission, and the government has the authority to prevent organized public meetings without any appeals process. The 2018 penal code prescribes prison terms and fines for individuals who initiate or participate in a gathering of more than 10 people that threatens security or public order, or who fail to comply with an official order to disperse.

While demonstrations are rare in practice, protests against unemployment and the imposition of a value-added tax were held in several cities in May 2021. Overall, security forces mounted a relatively mild response, with some arrests, brief detentions, and use of tear gas reported; by comparison, the authorities had forcibly dispersed demonstrations that broke out in 2011 and used lethal violence in at least one incident during that period.

E2. Is there freedom for nongovernmental organizations, particularly those that are engaged in human rights– and governance-related work? 1 / 4

Oman's basic law allows for the formation of nongovernmental organizations, but civic life remains limited in practice. The government has not permitted the establishment of independent human rights organizations and generally uses its registration and licensing process to block the formation of groups it sees as a threat to stability. The 2018 penal code includes vague clauses that allow prison terms for individuals who establish, operate, or finance an organization aimed at challenging the "political, economic, social, or security principles of the state."

Individual activists focusing on issues including the economy, labor rights, the environment, and internet freedom risk arrest. In August 2022, for example, the Internal Security Service arrested and temporarily detained well-known environmental activist Ahmed Issa Qatan after he used social media posts to call for greater political accountability. Hani al-Sarhani, who had advocated on behalf of small businesses facing economic hardship, was arrested multiple times during 2022 and sentenced to one year in prison in October.

E3. Is there freedom for trade unions and similar professional or labor organizations? 2 / 4

Omani workers are legally able to organize unions, bargain collectively, and strike. However, there is only one authorized trade union federation, and neither government employees nor household workers are permitted to join unions. Strikes, which are banned in the oil and gas industry, are rare in practice, partly because disputes are often resolved through employer concessions or government mediation.

F. RULE OF LAW: 4 / 16

F1. Is there an independent judiciary? 0 / 4

The judiciary is not independent and remains subordinate to the sultan, who is empowered to appoint and remove senior judges. The sultan also chairs the Supreme Judicial Council, which nominates judges and oversees the judicial system, though a 2012 reform replaced the justice minister with the head of the Supreme Court as the council's deputy chair.

F2. Does due process prevail in civil and criminal matters? 1 / 4

Arbitrary arrest is formally prohibited, but suspects arrested in vaguely defined security cases can be held for up to 30 days before being charged, and security forces do not always

adhere to other rules on arrest and pretrial detention. Ordinary detainees are generally provided with access to legal representation. Defendants in politically sensitive cases may face harsher treatment from the justice system.

F3. Is there protection from the illegitimate use of physical force and freedom from war and insurgencies? 2 / 4

The country is generally free from armed conflict, and violent street crime is relatively rare. However, prisons are not accessible in practice to independent monitors, and former detainees have reported beatings and other abuse in custody. Activists and dissidents sometimes face forcible disappearance and degrading conditions of confinement in addition to formal criminal penalties.

F4. Do laws, policies, and practices guarantee equal treatment of various segments of the population? 1 / 4

The 2021 basic law banned discrimination on the basis of sex, religion, ethnicity, and social class, but noncitizens are not protected from discrimination in practice. Women face disparate treatment under personal status laws and de facto bias in employment and other matters. Men are legally recognized as the heads of their households. Same-sex sexual relations are punishable with up to three years in prison, and LGBT+ people face societal discrimination.

G. PERSONAL AUTONOMY AND INDIVIDUAL RIGHTS: 5 / 16

G1. Do individuals enjoy freedom of movement, including the ability to change their place of residence, employment, or education? 1 / 4

Most Omani citizens enjoy freedom of movement, but travel bans are often imposed on political dissidents. Foreign workers cannot change jobs or leave the country without permission from their current employer, unless they demonstrate that they have completed the term of their contract; contracts with new employers must be approved by the authorities.

G2. Are individuals able to exercise the right to own property and establish private businesses without undue interference from state or nonstate actors? 2 / 4

While the legal framework protects property rights, state-owned companies and the ruling family are dominant forces in the economy, limiting the role and autonomy of small and other private businesses. Women generally receive less property than men under inheritance laws.

G3. Do individuals enjoy personal social freedoms, including choice of marriage partner and size of family, protection from domestic violence, and control over appearance? 1 / 4

Omani citizens require permission from the Interior Ministry to marry noncitizens from countries outside the Gulf Cooperation Council. Omani women who marry foreigners cannot transmit citizenship to their spouses or children. Omani law does not specifically address domestic violence and sexual harassment or criminalize spousal rape, while extramarital sex is criminalized. Women who report rape have at times been prosecuted for engaging in extramarital sex, if authorities do not believe they were assaulted. A woman must have a male guardian—usually a father—to contract her into marriage, and women are at disadvantage under laws governing matters such as divorce and child custody. The 2018 penal code included a new provision that criminalized the wearing of women's clothing by men.

G4. Do individuals enjoy equality of opportunity and freedom from economic exploitation? 1 / 4

Oman's labor policies put migrant workers at a severe disadvantage and effectively encourage exploitation. Household workers, who are not covered by the labor law, are especially at risk of abuse by employers. The government has pursued an "Omanization" process to replace foreign workers with native Omanis. Among other tactics, temporary visa bans for foreign workers in various professions have been issued or extended since 2013. In 2021, the Ministry of Labor announced plans to bar expatriates from certain private-sector occupations, which would only be open to Omani citizens.

Despite a 2008 antitrafficking law and some recent efforts to improve enforcement, authorities have not always proactively identified or protected human trafficking victims, particularly among migrant and household workers. The US State Department's 2022 *Trafficking in Persons Report* noted that authorities had failed to secure any convictions for forced labor involving migrant workers for four consecutive years.

Pakistan

Population: 235,800,000
Capital: Islamabad
Freedom Status: Partly Free
Electoral Democracy: No

Note: The numerical scores and status listed above do not reflect conditions in Pakistani Kashmir, which is examined in a separate report. *Freedom in the World* reports assess the level of political rights and civil liberties in a given geographical area, regardless of whether they are affected by the state, nonstate actors, or foreign powers. Disputed territories are sometimes assessed separately if they meet certain criteria, including boundaries that are sufficiently stable to allow year-on-year comparisons. For more information, see the report methodology.

Overview: Pakistan holds regular elections under a competitive multiparty political system. However, the military exerts enormous influence over security and other policy issues, intimidates the media, and enjoys impunity for indiscriminate or extralegal use of force. The authorities impose selective restrictions on civil liberties, and Islamist militants carry out attacks on religious minorities and other perceived opponents.

KEY DEVELOPMENTS IN 2022

- Pakistan was severely affected by flooding between June and September, displacing residents and damaging infrastructure nationwide. In an October document, the UN Office for the Coordination of Humanitarian Affairs reported that over 1,600 people were killed, two million homes were damaged or destroyed, and 7.9 million people were displaced.
- In April, Prime Minister Imran Khan lost a no-confidence vote after unsuccessfully dissolving the parliament to avoid it. The Pakistan Muslim League–Nawaz (PML-N) of Shehbaz Sharif then formed a government with the Pakistan People's Party (PPP) and Jamiat Ulema-e-Islam-Fazl (JUI-F).

- In October, the Election Commission of Pakistan (ECP) banned Khan from holding office for five years over accusations that he made false statements about his assets and liabilities.
- The PTI held regular rallies nationwide after Khan was removed from office. In November, Khan was shot and slightly wounded during a rally in Wazirabad. One person was killed during the attack, which supporters called an assassination attempt. Khan blamed Prime Minister Sharif and the army for the incident.

POLITICAL RIGHTS: 15 / 40

A. ELECTORAL PROCESS: 5 / 12

A1. Was the current head of government or other chief national authority elected through free and fair elections? 1 / 4

A prime minister holds most executive power under the constitution. Imran Khan of the PTI took that post in August 2018, a month after parliamentary elections. In March 2022, the Pakistan Tehreek-e-Insaf (PTI)–led government lost its majority when the Muttahida Qaumi Movement (MQM) withheld its support. In April, Khan dissolved the parliament to avoid a no-confidence vote, but the Supreme Court ruled his effort unconstitutional and ordered the parliament to return. Khan was ousted later that month, becoming the first premier in the country's history to lose their post in such a fashion. Shehbaz Sharif of the PML-N succeeded him, backed by a new coalition.

The president, who plays a more symbolic role, is elected for up to two five-year terms by an electoral college comprising the two chambers of the parliament and the provincial assemblies. PTI nominee Arif Alvi was elected in September 2018.

A2. Were the current national legislative representatives elected through free and fair elections? 2 / 4

The parliament currently consists of a 342-member National Assembly and a 100-member Senate. National Assembly members are elected for five years; 272 seats are filled through direct elections in single-member districts, 60 are reserved for women and 10 are reserved for non-Muslim minorities. Reserved seats are filled via a party-list proportional-representation system.

In the July 2018 elections, the PTI received 32 percent of the vote and 149 seats. The PML-N received 24 percent and 82 seats. The PPP received 13 percent and 54 seats. Parties and candidates linked to active Islamist militant groups, including Tehreek-e-Labaik Pakistan (TLP) and Allah-o-akbar Tehreek, also participated in the polls. Voter turnout was 52 percent. Polling was orderly, but the elections were affected by reporting delays. Media restrictions and judicial rulings affected the PML-N. In April 2022, after the PTI-led government fell, a coalition comprising the PML-N, the PPP, and the JUI-F took office.

By-elections for eight National Assembly seats were held in October 2022, a consequence of the power struggle that forced Imran Khan out of power. A large number of PTI lawmakers offered their resignations after Khan lost the premiership, of which 11 were accepted by the speaker. The PTI won six of the eight seats, while the PPP won the other two.

For the Senate, each of the four provincial assemblies chooses 23 members. Senators serve six-year terms, with half of the seats being renewed every three years. The National Assembly chooses four senators to represent the Islamabad capital territory, while another four represent the Federally Administered Tribal Areas (FATAs). As the FATAs have been integrated into the province of Khyber Pakhtunkhwa, seats still reserved for those areas will be removed in 2024. In the March 2021 Senate elections, the PTI won 18 of 48 seats

contested, leaving it with 26 seats in total and without a majority. The PPP, with 20 seats, became the Senate's largest opposition party.

Local elections were held in Baluchistan in May 2022, ending a years-long hiatus. While the polls were technically nonpartisan, many candidates were affiliated with a party in practice. Independents and the JUI-F performed well. Turnout stood at 60 percent.

In June 2022, elections were held in 14 of Sindh Province's districts; voting in another 16 was delayed to 2023 due to flooding and security concerns. The PPP, which rules in Sindh, topped those polls amid widespread complaints by opposition parties of official interference.

In July 2022, elections were held to fill 20 seats in the Punjab assembly; the seats were made open when PTI members who backed Hamza Shahbaz of the PML-N for the provincial premiership were disqualified. The PTI won at least 15 of the contested seats.

A3. Are the electoral laws and framework fair, and are they implemented impartially by the relevant election management bodies? 2 / 4

Elections are administered by the ECP, whose members are current or retired senior judges nominated through a consultative process that includes the government and the parliamentary opposition. The ECP has asserted its independence in the past, electoral laws are considered largely fair, and candidates can address electoral disputes via the judiciary. However, the ECP was unable to counteract judicial and military actors' efforts to manipulate the electoral environment in 2018.

Voter-registration rates for women are low, Ahmadis must register as non-Muslims even though they identify as Muslim, and candidates must abide by vague moral requirements for their nomination. Some citizens, especially people living in poor river communities and ethnic Bengalis, have been stopped from registering.

The ECP was involved in the struggle over Imran Khan's premiership in 2022. In April, Khan called on Chief Election Commissioner Sikandar Sultan Raja to resign, accusing him of anti-PTI bias. In August, the ECP determined that the PTI had received donations from prohibited international sources. In October, it banned Khan from holding office for five years over accusations that he made false statements on assets and liabilities.

B. POLITICAL PLURALISM AND PARTICIPATION: 6 / 16

B1. Do the people have the right to organize in different political parties or other competitive political groupings of their choice, and is the system free of undue obstacles to the rise and fall of these competing parties or groupings? 2 / 4

Several major parties and numerous smaller parties and independents compete in elections and are represented in the parliament and provincial legislatures. However, established parties maintain patronage networks and other advantages of incumbency that hamper competition in their respective provincial strongholds. In recent years, major parties' freedom to operate has been related to the strength of their relationships with unelected arms of the state, which have used legal and extralegal means to sideline figures they object to.

B2. Is there a realistic opportunity for the opposition to increase its support or gain power through elections? 2 / 4

Opposition parties campaign and contest elections, which regularly end with transfers of power at the national level. National opposition parties also hold power or significant provincial representation. However, the military, despite its claims to refrain from political interference, has long been considered more powerful than elected politicians and able to influence electoral outcomes.

Other official bodies have been used to impede political parties. In recent years, the PPP and PML-N faced a succession of charges from the National Accountability Bureau (NAB), the government's anticorruption body, leading to multiple court appearances and periodic detentions. Nawaz Sharif of the PML-N, the current premier's brother, was banned from office in 2018 over corruption accusations; he remains in self-imposed exile in London but is politically active. After being ousted in April 2022, Imran Khan and other PTI leaders faced judicial and administrative scrutiny; in August, Khan received terrorism charges over a speech delivered at a PTI rally.

In October 2022, Pashtun Tahafuz Movement (PTM) founder Manzoor Pashteen was arrested on terror-related charges over a speech he delivered on enforced disappearances. PTM lawmaker Ali Wazir remained imprisoned at year's end despite being cleared of terrorism charges in October; he continues to face sedition charges. In November, PTM cofounder Mohsin Dawar was prevented from traveling abroad.

B3. Are the people's political choices free from domination by forces that are external to the political sphere, or by political forces that employ extrapolitical means? 1 / 4

The manipulation of politics by religious extremists has long hampered voters' ability to freely express their political preferences. The TLP, a militant party adhering to the Sufi Barelvi tradition, was banned for part of 2021 but refrained from agitation in 2022. The Tehreek-e-Taliban Pakistan (TTP) reemerged in the Swat Valley and other Pashtun-majority areas along the frontier with Afghanistan in 2022, engaging in extortion and intimidation.

In recent years, the military has reasserted its role as a political arbiter—more powerful than either the judiciary or the elected government—setting the constraints within which civilian politics play out.

The heavy presence of security agents at many polling stations in 2018 was interpreted by observers as tantamount to voter intimidation. Several candidates had links with extremist groups that advocated or engaged in violence, further contributing to a sense of unease among many voters.

B4. Do various segments of the population (including ethnic, racial, religious, gender, LGBT+, and other relevant groups) have full political rights and electoral opportunities? 1 / 4

A joint electorate system allows members of non-Muslim minorities to participate in the general vote. They are also represented by reserved seats in the national and provincial assemblies through the party-list system. However, non-Muslims' political participation remains marginal. Political parties nominate members to reserved legislative seats, leaving non-Muslim voters with little say in the selection process. Ahmadis, members of a heterodox Muslim sect, face political discrimination and are registered on a separate voter roll.

Political parties maintain women's wings that are active during elections, but women face practical restrictions on voting, especially in Khyber Pakhtunkhwa and Baluchistan, where militant groups and societal constraints are stronger. Women rarely hold political-party or government leadership positions. The interests of LGBT+ people are generally not represented by elected officials.

The national-level single-member constituency system ensures that the major ethno-linguistic groups from each province receive parliamentary representation. Although Sindhi, Pashtun, and Baloch figures all play visible roles in national political life—alongside the largest ethno-linguistic group, Punjabis—the military works to marginalize figures from minority groups it suspects of harboring antistate sentiments, as exemplified by its treatment of the PTM.

C. FUNCTIONING OF GOVERNMENT: 4 / 12

C1. Do the freely elected head of government and national legislative representatives determine the policies of the government? 1 / 4

Formally, the prime minister and cabinet make policy in consultation with the parliament. However, there has been a long-running struggle between these civilian structures and the military establishment for control of national security policy. The military has asserted primacy on relations with Afghanistan, China, India, and the United States, as well as on domestic counterterrorism policy.

After becoming prime minister in 2018, Imran Khan generally deferred to the army on key national security and foreign policy issues. But during the final months of his tenure and subsequently as opposition leader, Khan was publicly critical. Both Khan and his political opponents accused each other of collaborating with the military to either achieve or take power in 2022, as the opposition agitated to displace the PTI government.

The current government has sought to avoid confrontation with the army. In November 2022, Prime Minister Sharif named Lieutenant General Syed Asim Munir, whom Khan had dismissed from the Inter-Services Intelligence, as the new army chief in consultation with outgoing chief Qamar Javed Bajwa.

C2. Are safeguards against official corruption strong and effective? 1 / 4

Despite numerous formal safeguards, official corruption is endemic in practice. The use of accountability mechanisms is often selective and politically driven. The NAB focuses on cases against politicians and senior officials, which tend to be protracted. The military and judiciary have their own disciplinary systems for corruption.

C3. Does the government operate with openness and transparency? 2 / 4

The government has relatively progressive laws around public finances, procurement processes, and general government operations. However, the military is deeply opaque in its affairs. Military intelligence agencies act without oversight and often without public knowledge, including when they abduct, detain, interrogate, and torture individuals. The military censors media and information published about its activity by means of vaguely worded regulations that empower officials to monitor and manage content deemed harmful to national security.

Access-to-information laws have long been applied in Pakistan, with a 2002 law being updated in 2017. Information commissions in the provinces exist to enable implementation, which is inconsistent. Determined citizens can demand information from departments, which often ignore requests, and can complain to the information commissions over noncompliance.

The parliament regularly debates and scrutinizes the budget, accompanied by commentary from the media. Members of both provincial and national assemblies are expected to make themselves accessible to constituents. Parliamentarians and select public officials are compelled to submit asset declaration forms that civil society organizations often share online. Vocal civil society groups and journalists often weigh in on policy debates, though debates about policies with national security implications are quickly stopped.

While a procurement regulatory agency uses many standard tools to fulfill its mission, international bodies have scrutinized the country's public procurements.

CIVIL LIBERTIES: 22 / 60

D. FREEDOM OF EXPRESSION AND BELIEF: 6 / 16

D1. Are there free and independent media? 1 / 4

Pakistan has boasted a relatively vibrant media sector, with many television news channels and print publications presenting a range of news and opinions. However, both the civilian authorities and military have curtailed media freedom in recent years, and the PTI government that took power in 2018 accelerated this trend. Media outlets have faced interference with distribution and broadcast, withdrawal of government advertising, a ban on specific television presenters, physical attack, and the temporary disappearance of journalists.

The media sector faces similar dangers under the current Sharif government. In August 2022, media regulators took the ARY News television channel off the air after a PTI official made comments critical of the military on a broadcast. The official was arrested and charged with sedition and abetting mutiny. In October, gunmen shot and killed ARY News anchor Arshad Sharif in Kenya in an apparently targeted attack. Sharif fled to Kenya after receiving death threats.

The military prohibits access to militancy- and insurgency-affected areas, impeding coverage of issues there. In Baluchistan and Khyber Pakhtunkhwa, authorities have ordered local journalists to refrain from reporting on separatist activity, while rebel or militant groups threaten them when allegedly siding with the government.

D2. Are individuals free to practice and express their religious faith or nonbelief in public and private? 1 / 4

Constitutional religious-freedom guarantees have not provided effective safeguards against discriminatory legislation, social prejudice, and sectarian violence. Members of the Shia sect, Christians, and other religious minorities can face blasphemy accusations that arise from trivial disputes and escalate to criminal prosecution and mob violence. Blasphemy laws and their exploitation by religious vigilantes have also curtailed freedom of expression by Muslims.

Hindus have complained of vulnerability to kidnapping and forced conversions, and some continue to migrate to India.

Ahmadis are legally prohibited from calling themselves Muslims and face discrimination. Under a Punjab government directive issued in July 2022, Muslim couples wanting to register their marriage must declare their belief in the finality of Mohammad's prophethood. In August 2022, an Ahmadi man in the town of Rabwah was stabbed to death in a hate crime.

D3. Is there academic freedom, and is the educational system free from extensive political indoctrination? 2 / 4

Pakistani authorities have long used the education system to portray Hindus and other non-Muslims negatively and to rationalize enmity between Pakistan and India, among other ideological aims. Past attempts to modernize education and introduce religious tolerance into school textbooks have made little progress, and minority groups consider negative portrayals of non-Muslims in textbooks as a continuing source of hostility towards them. In July 2022, the education minister announced the renaming of the national curriculum launched by the PTI government and pledged to use it as a vehicle to set educational standards and counter violent extremism.

In recent years, scholars have been somewhat more able to discuss sensitive issues involving the military. However, there is no academic freedom on matters pertaining to religion, where academics remain vulnerable to blasphemy accusations.

D4. Are individuals free to express their personal views on political or other sensitive topics without fear of surveillance or retribution? 2 / 4

Pakistanis are free in practice to discuss many topics, but the 2016 Prevention of Electronic Crimes Act gives the executive-controlled Pakistan Telecommunication Authority (PTA) unchecked powers to censor material online. The PTA encourages reporting of websites complainants consider offensive. The PTA's broad and poorly defined censorship mandate includes preventing both morally objectionable content and the maligning of the "state, judiciary, or armed forces." In practice, it censors content arbitrarily.

Direct or implied criticism of the army remains taboo and individuals could be punished for airing such views.

The threat of being accused of blasphemy and facing draconian legal action, murder, or mob attacks also deters unfettered speech. In January 2022, a Rawalpindi court sentenced a woman to death over messages she allegedly sent via WhatsApp and Facebook, after a complainant called the messages blasphemous.

E. ASSOCIATIONAL AND ORGANIZATIONAL RIGHTS: 6 / 12

E1. Is there freedom of assembly? 3 / 4

The constitution guarantees the right to assemble peacefully, though the government can harness legal provisions to arbitrarily ban gatherings, or any activity designated a threat to public order. A Human Rights Commission of Pakistan analysis of 503 assemblies held between January 2021 to March 2022 found that 12 percent of them were met by state violence, often combined with the use of criminal-code provisions.

The PTI held regular rallies nationwide after Khan was removed from office in April 2022. In November, Khan was shot and wounded in the shin during a rally in Wazirabad. One person was killed in the attack, which supporters called an assassination attempt. Khan blamed Prime Minister Sharif and an army officer for the incident.

E2. Is there freedom for nongovernmental organizations, particularly those that are engaged in human rights– and governance-related work? 1 / 4

Foreign and domestic nongovernmental organizations (NGOs) face government-imposed restrictions. Organizations are subject to intrusive registration requirements and vetting by military intelligence. Officials can demand that NGOs obtain a "no-objection certificate" before undertaking even the most innocuous activity. In September, the Edhi Foundation called on the government to lift a ban on some foreign NGOs after major flooding impacted the country.

E3. Is there freedom for trade unions and similar professional or labor organizations? 2 / 4

The rights of workers to organize and form trade unions are recognized in law, and the constitution grants unions the rights to collective bargaining and to strike. However, these protections are not strongly enforced. Roughly 70 percent of the workforce is employed in the informal sector, where unionization and legal protections are minimal. The procedures that need to be followed for a strike to be legal are onerous. Strikes and labor protests are organized regularly, though they often lead to clashes with police and dismissals by employers.

F. RULE OF LAW: 4 / 16

F1. Is there an independent judiciary? 1 / 4

The country's politicized judiciary has often been involved in power struggles between the military, the civilian government, and opposition politicians. In effect, it acts as a center of political power in its own right, though it is often aligned with the military and cooperates with it in curtailing the powers of civilian politicians.

The judiciary was involved in the struggle over Imran Khan's premiership in 2022. In April, it ruled against Khan's efforts to dissolve the parliament to avoid a no-confidence vote. The judiciary addressed corruption allegations against PML-N and PPP leaders while the PTI was in power, but it pivoted to address accusations made against Khan and the PTI after Khan's ouster. Proceedings against Khan's political opponents were not dropped, however.

The broader court system is marred by endemic problems including corruption, intimidation, insecurity, a large backlog of cases, and low conviction rates for serious crimes.

F2. Does due process prevail in civil and criminal matters? 1 / 4

Police have long been accused of biased or arbitrary handling of initial criminal complaints. Police and prosecutors have been criticized for a chronic failure to prosecute terrorism cases and for their reliance on torture. The National Assembly in 2022 failed to ban torture via legislation, despite the Senate passing draft legislation in 2021. No standardized definition consequently exists, nor is there a comprehensive mechanism to monitor security agencies.

Under the Army Act, the military operates its own courts, primarily for its own personnel. However, the army has asserted the right to selectively try civilians in national security cases.

There has been progress in women's access to justice and generalized protection of rights for litigants in the former FATAs, which now lie within Khyber Pakhtunkhwa. Informal jirgas remain a form of local dispute resolution alongside the formal justice system.

F3. Is there protection from the illegitimate use of physical force and freedom from war and insurgencies? 1 / 4

Most terrorist violence has historically been connected to three distinct conflicts. A low-intensity insurgency in Baluchistan pits the Baloch Liberation Army and other Baloch separatist outfits against the state. In Khyber Pakhtunkhwa, the TTP conducts attacks against security forces, often launching them from within Afghanistan. The TTP escalated its activities in Khyber Pakhtunkhwa and Baluchistan after ending a cease-fire in November 2022. The local branch of the Islamic State militant group, Islamic State Khorasan Province (ISKP), also attacks targets in Pakistan, though it has prioritized its campaign in Afghanistan.

In 2022, 971 people—a figure that includes civilians, security forces, and terrorists—were killed in terrorist incidents, an increase of almost 50 percent over 2021. These figures remain far lower than the 2009 figure of 11,317. In March 2022, 63 worshippers died in a suicide attack on a Shia mosque in Peshawar. The ISKP claimed responsibility. In December, TTP militants held in a police facility in Bannu overcame their captors, precipitating a siege. The army stormed the facility to end the siege; 33 militants and 2 commandos were killed in the fighting according to Defense Minister Khawaja Asif.

State actors engage in extralegal violence against civilians, including enforced disappearances. Most victims are from Baluchistan, Khyber Pakhtunkhwa, or former FATAs. Victims typically are held incommunicado by security and intelligence agencies on suspicion of antistate agitation, terrorism, rebellion, or espionage. The Voice for Baloch Missing Persons, an advocacy NGO, accused the state of operating "death squads" to abduct and kill suspected separatist sympathizers. In September 2022, Islamabad High Court chief justice Athar Minallah admonished the government over its inability to address enforced disappearances. The official Commission of Inquiry on Enforced Disappearances logged 9,203 cases of missing persons as of December 30 and said that it resolved 7,001.

In October 2022, the National Assembly passed an amended bill to criminalize enforced disappearances. However, the bill failed to establish an oversight mechanism for state agencies responsible for enforced disappearances, nor did it curtail the army's power to hold civilians under the Army Act.

F4. Do laws, policies, and practices guarantee equal treatment of various segments of the population? 1 / 4

Women face discrimination in employment despite legal protections and are placed at a disadvantage under personal status laws. Perpetrators of gender-based violence and sexual harassment or discrimination often enjoy impunity. Individuals must register a "first information report" of a crime, and police are often reluctant to pursue complaints of crimes against women, including so-called crimes of honor.

Ethnic and religious minorities, Afghan refugees, and LGBT+ people suffer legal or de facto discrimination and violence. The penal code prescribes prison terms for consensual sex "against the order of nature," deterring LGBT+ people from acknowledging their identity or reporting abuses. Transgender and intersex people are authorized to register for official documents under a "third gender" classification recognized by the Supreme Court since 2009, and some transgender people were recognized in the 2017 census. However, they face targeted violence and discrimination in housing and employment. Access to identity papers has become increasingly important to avail of rights and services.

G. PERSONAL AUTONOMY AND INDIVIDUAL RIGHTS: 6 / 16

G1. Do individuals enjoy freedom of movement, including the ability to change their place of residence, employment, or education? 2 / 4

There are some legal limitations on the freedom of movement. Authorities routinely hinder internal movement in some parts of the country for security reasons. The main tool for restricting foreign travel is the Exit Control List, which blocks named individuals from using official exit points. Though intended to prevent those posing a security threat and those facing court proceedings from fleeing, authorities have used it to control dissent.

G2. Are individuals able to exercise the right to own property and establish private businesses without undue interference from state or nonstate actors? 2 / 4

The constitution, legal system, and social and religious values ostensibly guarantee private property and free enterprise. In reality, organized crime, corruption, a weak regulatory environment, and the subversion of the legal system often render property rights precarious. Powerful and organized groups continue to engage in land grabbing, particularly in Karachi and Punjab.

Inheritance laws discriminate against women, and women are often denied their legal share of inherited property through social or familial pressure.

G3. Do individuals enjoy personal social freedoms, including choice of marriage partner and size of family, protection from domestic violence, and control over appearance? 1 / 4

In some parts of urban Pakistan, men and women enjoy personal social freedoms and have recourse to the law in case of infringements. However, historically prominent social practices in much of the country restrict personal behavior, and especially choice of marriage partner. Despite attempts to abolish the practice, "honor killings" of those accused of breaking social and sexual taboos remains common, and most incidents go unreported.

Though the legal age of marriage is 18 in most of Pakistan, nearly 20 percent of girls are married before that age; 35 percent of child marriages take place in the former FATAs.

Nearly one-third of Pakistani women have experienced gender-based physical violence, according to the UN Population Fund. Abortion is illegal, except to save the pregnant person's life.

G4. Do individuals enjoy equality of opportunity and freedom from economic exploitation? 1 / 4

Bonded labor was formally abolished in 1992, and efforts to enforce the ban and related laws against child labor continue. Gradual social change has also eroded the power of wealthy landowning families involved in such exploitation. Nevertheless, other traditional forms of extreme labor exploitation remain common. Employers continue to use chronic indebtedness to restrict laborers' rights and hold actual earnings well below prescribed levels, particularly among sharecroppers and in the brick-kiln industry. Marginalized groups, such as itinerant workers, face difficulties in obtaining a National Identity Card. Women from marginalized communities are vulnerable to sex trafficking within Pakistan or to other destination countries.

Palau

Population: 20,000
Capital: Ngerulmud
Freedom Status: Free
Electoral Democracy: Yes

Overview: Palau's presidential republic is maintained through regular democratic elections. The judiciary and the media are independent, and civil liberties are generally upheld. The government has sought to combat official corruption in recent years. The country's many foreign workers remain vulnerable to exploitation.

KEY DEVELOPMENTS IN 2022

- Negotiations on the renewal of the Compact of Free Association (CoFA) between the United States and Palau continued during the year, with current economic provisions set to expire in 2024.
- In February, the governments of Palau and four other Micronesian countries agreed to "pause" their 2021 plans to withdraw from the Pacific Islands Forum (PIF), though one of them, Kiribati, later proceeded with its withdrawal in July. The Micronesian states argued that their interests were being sidelined by the forum's other member states.

POLITICAL RIGHTS: 37 / 40

A. ELECTORAL PROCESS: 12 / 12

A1. Was the current head of government or other chief national authority elected through free and fair elections? 4 / 4

The president, who serves as both head of state and head of government, is directly elected for up to two consecutive four-year terms using a two-round system, with a runoff if no candidate wins an absolute first-round majority. Surangel Whipps Jr., brother-in-law of term-limited incumbent Tommy Remengesau Jr., was elected in two rounds in November

2020, defeating outgoing vice president Raynold Oilouch. Whipps was sworn in as president in January 2021.

A2. Were the current national legislative representatives elected through free and fair elections? 4 / 4

The bicameral National Congress consists of a 13-member Senate and a 16-member House of Delegates. The Senate is directly elected by block vote in one national constituency. Members of the House of Delegates are elected from single-member constituencies corresponding to the country's 16 states, which vary in population. All members of the National Congress are elected for four-year terms. Congressional elections were held in November 2020, concurrently with the presidential contest. Most House of Delegates incumbents won new terms, while seven senators were reelected.

A3. Are the electoral laws and framework fair, and are they implemented impartially by the relevant election management bodies? 4 / 4

Electoral administration is widely considered to be fair and impartial. A review of the Senate's size and electoral system is undertaken every eight years by a Reapportionment Commission. The most recent review took place in 2016.

B. POLITICAL PLURALISM AND PARTICIPATION: 15 / 16

B1. Do the people have the right to organize in different political parties or other competitive political groupings of their choice, and is the system free of undue obstacles to the rise and fall of these competing parties or groupings? 4 / 4

There are no laws restricting the formation of political parties, but in practice all candidates run and compete freely as independents. Politicians tend to organize in loose political alliances, often based on clan or family relationships.

B2. Is there a realistic opportunity for the opposition to increase its support or gain power through elections? 4 / 4

Although there are no political parties, lawmakers do organize into informal progovernment and opposition camps, and no single political force has control of the legislature. Power is transferred democratically between rival politicians.

B3. Are the people's political choices free from domination by forces that are external to the political sphere, or by political forces that employ extrapolitical means? 4 / 4

Palau receives financial assistance from the United States under the CoFA, but the US government does not exert improper influence over the country's internal politics. While the political views of traditional chiefs are respected, they do not have authoritative control over the choices of voters.

B4. Do various segments of the population (including ethnic, racial, religious, gender, LGBT+, and other relevant groups) have full political rights and electoral opportunities? 3 / 4

Women generally have equal political rights in law and in practice. Some state-level legislative seats are reserved for male chiefs, who in turn are customarily chosen by councils of women elders. After the November 2020 polls, only one woman held a seat in each chamber of the National Congress.

About a third of the population consists of foreign nationals who do not have political rights in Palau. Citizenship must be inherited from at least one parent, as there are no provisions for naturalization.

In 2019, former president John Toribiong (2009–13) launched a petition seeking to amend the constitution in order to end the acceptance of absentee ballots, asserting that citizens living outside the country wielded too much political influence.

C. FUNCTIONING OF GOVERNMENT: 10 / 12

C1. Do the freely elected head of government and national legislative representatives determine the policies of the government? 4 / 4

Palau's democratically elected government determines and implements policy without undue interference. Traditional chiefs formally play an advisory role regarding customary matters through the national Council of Chiefs. While they also exercise informal influence over government policy, this is widely seen as a positive check on potential mismanagement or abuse of power by elected officials.

The CoFA, in effect since Palau became independent in 1994, ensures self-government but also provides for close military and economic relations with the United States, including responsibility for Palau's defense. A scheduled 15-year review of the compact resulted in a 2010 bilateral agreement on development aid and other benefits to last until the next review in 2024. In 2020, during a visit by the US defense secretary, then president Remengesau invited the United States to establish a military facility in the country. CoFA renewal negotiations, which had begun in 2019, continued during 2022.

Palau has maintained diplomatic recognition of Taiwan even as several other Pacific nations have shifted their recognition to China. President Whipps used his inaugural address in January 2021 to reiterate his desire to support Taiwan and push back against Chinese government influence.

In February 2021, President Whipps announced that Palau—along with four other Micronesian countries—intended to leave the PIF. Member states had been divided over who should next receive the post of secretary-general, which was eventually given to a politician from the Cook Islands, part of the Polynesia region. Whipps and others argued that the leadership should have been passed to a candidate from Micronesia. The withdrawal plan was "paused" in February 2022, though one country, Kiribati, proceeded with its withdrawal in July.

C2. Are safeguards against official corruption strong and effective? 3 / 4

High-ranking public officials have faced corruption charges in recent years, and several have been convicted. The government and lawmakers have deliberated on strategies to deal with corruption more effectively. The Office of the Ombudsman currently operates as part of the president's office under an executive order.

Palau has been accused of failing to combat international, potentially illegal tax-avoidance schemes. In 2018, the European Union (EU) removed the country from its list of "non-cooperative jurisdictions for tax purposes," explaining that local authorities had pledged to implement certain reforms. However, the bloc returned Palau to its list in 2020 on the grounds that the government had not fulfilled its pledges. Palau remained on the list as of 2022.

C3. Does the government operate with openness and transparency? 3 / 4

A 2014 Open Government Act provides for public access to official documents and hearings, and government officials are obliged to submit annual financial disclosures that are available to the public. However, authorities have sometimes resisted disclosing requested information, particularly at the subnational level.

CIVIL LIBERTIES: 55 / 60

D. FREEDOM OF EXPRESSION AND BELIEF: 16 / 16

D1. Are there free and independent media? 4 / 4

Freedom of the press is respected. There are several independent news outlets, including newspapers and broadcasters, but they often struggle financially. Regional and international news services are also available. Internet access has been hampered by high costs and lack of connectivity outside the main islands.

D2. Are individuals free to practice and express their religious faith or nonbelief in public and private? 4 / 4

Constitutional guarantees of religious freedom are upheld in practice. Although religious organizations are required to register as nonprofit organizations, the process is not onerous or restrictive. Foreign missionaries are also required to obtain a permit.

D3. Is there academic freedom, and is the educational system free from extensive political indoctrination? 4 / 4

There have been no reports of restrictions on academic freedom.

D4. Are individuals free to express their personal views on political or other sensitive topics without fear of surveillance or retribution? 4 / 4

There are no constraints on political discussion, and the government does not monitor personal communications.

E. ASSOCIATIONAL AND ORGANIZATIONAL RIGHTS: 11 / 12

E1. Is there freedom of assembly? 4 / 4

Freedom of assembly is protected by the constitution and respected in practice.

E2. Is there freedom for nongovernmental organizations, particularly those that are engaged in human rights– and governance-related work? 4 / 4

Nongovernmental organizations operate freely, with various groups focusing on issues such as environmental conservation, youth development, public health, and women's rights.

E3. Is there freedom for trade unions and similar professional or labor organizations? 3 / 4

Workers can freely organize unions and bargain collectively, but there are no laws specifically regulating trade unions or strikes or prohibiting antiunion discrimination. Union membership and activity are low in practice, as the private sector consists mostly of small, family-run businesses.

F. RULE OF LAW: 15 / 16

F1. Is there an independent judiciary? 4 / 4

The judiciary has a reputation for independence and integrity. The president appoints judges to lifelong terms based on recommendations from an independent Judicial Nominating Commission, which is made up of three presidential appointees, three jurists named by their peers, and the chief justice.

F2. Does due process prevail in civil and criminal matters? 4 / 4

The authorities generally uphold legal safeguards against arbitrary arrest and detention, and trial proceedings ensure due process.

F3. Is there protection from the illegitimate use of physical force and freedom from war and insurgencies? 4 / 4

Law enforcement agencies maintain internal order, and instances of abuse or impunity are rare, though overcrowding in the country's limited detention facilities remains a problem.

F4. Do laws, policies, and practices guarantee equal treatment of various segments of the population? 3 / 4

The legal system prohibits discrimination based on gender, race, place of origin, and other categories. Sexual orientation and gender identity are not protected categories, but Palau repealed legal provisions that criminalized consensual same-sex sexual activity in 2014. Women generally enjoy equal treatment in practice.

Foreign nationals sometimes face discrimination regarding employment, education, and other matters. Tourism from China in particular has created jobs but also raised the cost of living, and some locals regard the presence of Chinese businesses and residents with hostility; media investigations have raised concerns about links between Chinese business interests and both the Chinese government and organized crime. However, the number of Chinese tourists has fallen in recent years due to Chinese state policy.

G. PERSONAL AUTONOMY AND INDIVIDUAL RIGHTS: 13 / 16

G1. Do individuals enjoy freedom of movement, including the ability to change their place of residence, employment, or education? 4 / 4

There are typically no significant restrictions on freedom of movement, including internal and international travel. Palau restricted inbound travel in response to the COVID-19 pandemic in 2020, but these measures were gradually lifted in 2021 as vaccinations increased.

G2. Are individuals able to exercise the right to own property and establish private businesses without undue interference from state or nonstate actors? 3 / 4

The legal framework generally supports property rights and private business activity, and the government has undertaken reforms to improve conditions, though some bureaucratic obstacles and corruption-related impediments persist.

Noncitizens cannot purchase land, which is traditionally inherited matrilineally among Palauans.

G3. Do individuals enjoy personal social freedoms, including choice of marriage partner and size of family, protection from domestic violence, and control over appearance? 3 / 4

Personal social freedoms are largely respected, and women have equal rights regarding marriage, child custody, and other personal status matters. Rape, including spousal rape, and domestic violence are criminal offenses, though instances of domestic abuse are often not reported to police.

G4. Do individuals enjoy equality of opportunity and freedom from economic exploitation? 3 / 4

Residents generally have access to economic opportunity, and the law provides some protections against exploitative labor practices. However, enforcement of such safeguards is inadequate, and foreign workers remain vulnerable to sexual exploitation, forced labor, or otherwise abusive working conditions in sectors including domestic service and agriculture. Some officials have been accused of complicity in human trafficking.

The US State Department's 2022 *Trafficking in Persons Report* noted that the government made efforts to combat human trafficking during its reporting period, including convictions of one trafficker and one official for trafficking-related corruption. However, the report noted that the government lacked standard operating procedures for proactively identifying trafficking victims.

Panama

Population: 4,400,000
Capital: Panama City
Freedom Status: Free
Electoral Democracy: Yes

Overview: Panama's political institutions are democratic, with competitive elections and orderly rotations of power. Freedoms of expression and association are generally respected. However, corruption and impunity are serious challenges, affecting the justice system and the highest levels of government. Discrimination against members of ethnic and racial minority groups is common, and Indigenous groups have struggled to uphold their legal rights with respect to land and development projects.

KEY DEVELOPMENTS IN 2022

- Panama experienced its most significant protests in recent years. Increases in the cost of food, medicine, and fuel prompted public discontent and gave rise to other political and social demands. In July, Panamanian teachers declared a strike and were joined by unions, social organizations, Indigenous groups, and other sectors of the population.
- The preliminary hearing of the Odebrecht bribery case in Panama, considered the most significant corruption scandal in the country's history, was held in September with 83 defendants. Among the defendants were former presidents Ricardo Martinelli (2009–14), Juan Carlos Varela (2014–19), and other former senior officials.
- Over 248,000 migrants illegally entered the country via the Darién Gap, on the border between Panama and Colombia, during the year. Migrants remain vulnerable to physical and sexual violence perpetrated by criminal groups that control the area.

POLITICAL RIGHTS: 35 / 40

A. ELECTORAL PROCESS: 12 / 12

A1. Was the current head of government or other chief national authority elected through free and fair elections? 4 / 4

The president is elected by popular vote for a single five-year term and cannot serve a second consecutive term. In May 2019, Laurentino Cortizo of the Democratic Revolutionary Party (PRD) was elected president. Organization of American States (OAS) election monitors described the contest as orderly, and a peaceful transition took place that July.

A2. Were the current national legislative representatives elected through free and fair elections? 4 / 4

Members of the 71-seat unicameral legislature, the National Assembly, are elected for five-year terms. The 2019 elections were held concurrently with the presidential race

and local contests. The PRD won 35 seats, while Democratic Change (CD) won 18, the Panameñista Party (PP) won 8, and the United for Change alliance (MOLIRENA) won 5. Another 5 seats went to independents.

In June 2022, CD formally expelled 15 of its 18 deputies after they voted for a PRD candidate for president of the National Assembly. Panama's Electoral Tribunal (TE) annulled the expulsion in September, ruling that it violated due process. In response, the president of CD, Rómulo Roux, said that the party would appeal the decision, including before Panama's Supreme Court of Justice (CSJ).

A3. Are the electoral laws and framework fair, and are they implemented impartially by the relevant election management bodies? 4 / 4

The country's electoral framework is generally fair and impartially implemented. The Electoral Tribunal (TE) is responsible for presiding over a multistakeholder commission that reviews the electoral code after each election and submits reform proposals to the National Assembly.

In October 2021, the National Assembly approved several electoral-code reforms, including reducing the statute of limitations for election-related crimes and removing articles requiring gender parity in party primaries. The reforms—some of which were introduced by legislators without consulting the TE—were widely condemned by civil society organizations, which said that the changes reduced electoral transparency and accountability. Three lawsuits challenging the constitutionality of the reforms, including one filed by the magistrates of the TE, were presented to the CSJ in December 2021. The lawsuits were ongoing throughout 2022. As of mid-2022, prospective independent candidates had begun the process of collecting signatures to become candidates in the 2024 elections. Prospective candidates reported irregularities and complications connected to the reformed signature collection process.

B. POLITICAL PLURALISM AND PARTICIPATION: 15 / 16

B1. Do the people have the right to organize in different political parties or other competitive political groupings of their choice, and is the system free of undue obstacles to the rise and fall of these competing parties or groupings? 4 / 4

Political parties are free to form and compete in Panama's multiparty system, and since the 2014 elections, candidates have also been able to register as independents. One new political party was legally recognized by the TE in June 2022.

B2. Is there a realistic opportunity for the opposition to increase its support or gain power through elections? 4/4

Elections are competitive in practice, and orderly transfers of power between rival parties have been the norm since the end of de facto military rule in 1989.

B3. Are the people's political choices free from domination by forces that are external to the political sphere, or by political forces that employ extrapolitical means? 4 / 4

Voters and candidates are generally free from undue interference by groups outside the political system, though the threat that improper donations by drug traffickers and other powerful interests could influence the political process remains a concern, especially given regulatory gaps in campaign financing.

B4. Do various segments of the population (including ethnic, racial, religious, gender, LGBT+, and other relevant groups) have full political rights and electoral opportunities? 3 / 4

The law does not limit the political rights of any segment of the citizen population. Though advocacy organizations have campaigned to improve women's representation in elected office, it remains low, and electoral code reforms adopted in October 2021 removed previously required gender-parity regulations. In the 2019 election only 22.5 percent of National Assembly seats went to women. That election also saw the first woman from the Guna Indigenous group take her seat.

The constitution establishes five Indigenous territories—three at the provincial level and two at the municipal level—and these are duly represented in the system of constituencies for the National Assembly, but the interests of Indigenous people, who make up about 11 percent of the population, remain inadequately addressed by the political system.

C. FUNCTIONING OF GOVERNMENT: 8 / 12

C1. Do the freely elected head of government and national legislative representatives determine the policies of the government? 4 / 4

The elected government and legislature generally determine and implement laws and policies without interference, though evidence of official corruption has raised concerns about the possibility that unelected entities could unduly influence governance.

C2. Are safeguards against official corruption strong and effective? 2 / 4

Safeguards against official corruption are relatively weak and ineffective, due in part to irregular application of laws and a lack of resources for the judicial system. The Special Anticorruption Prosecutor's Office was formed in 2017 to prosecute those accused of corruption but has failed to secure convictions in many of its cases.

Investigations have revealed extensive corruption in several presidential administrations. Former president Ricardo Martinelli and multiple top officials were implicated in connection with the Odebrecht case, a corruption scandal centered on a Brazilian construction firm that had repercussions across much of Latin America. The Odebrecht bribery case is considered the most significant corruption case in Panama's history, and initial hearing was held in September 2022 with 83 defendants. In the hearing, the prosecutor's office sought to charge 48 people and one legal entity. The legal entity and 46 individuals faced charges of money laundering, and two individuals faced charges of both money laundering and corruption of public servants. Among the defendants are former presidents Ricardo Martinelli (2009–14), Juan Carlos Varela (2014–19), and other former senior officials. The trial is set to take place in August 2023. In May 2022, a US court convicted Martinelli's two sons of conspiring to receive bribes from Odebrecht, allegedly for their father.

The Cortizo administration's anticorruption and transparency efforts have slowed since 2019, when the National Assembly rejected the president's proposal of a constitutional reform package that would have allowed the attorney general to investigate CSJ judges and legislators suspected of wrongdoing. The National Assembly also repeatedly refused to discuss anticorruption legislation throughout 2020 and 2021.

Critics in civil society describe a pattern of unresolved corruption investigations resulting in impunity, a dynamic reinforced by scandals and turnover in the Prosecutor General's Office in recent years.

C3. Does the government operate with openness and transparency? 2 / 4

The law provides mechanisms for public access to government information. A transparency law was introduced in 2002, and the Varela administration adopted an open-data policy, instructing public institutions to make data accessible to the public in clear, open,

and machine-readable formats. In September 2021, the National Authority for Transparency and Access to Information (ANTAI) published a two-year plan that introduced reforms intended to combat nontransparency within the government, including in public procurement processes.

In September 2022, the government of Panama presented a report to the Committee of Experts on the Follow-up Mechanism for the Implementation of the Inter-American Convention against Corruption (MESICIC), an anticorruption body of the Organization of American States (OAS). Elsa Fernández, general director of ANTAI, highlighted Panama's progress in preventing the bribery of public officials, transnational bribery, illicit enrichment, and bank secrecy. MESICIC experts indicated that Panama continues to face obstacles to creating, modifying, and implementing regulations, as well as publishing timely information on anticorruption efforts.

CIVIL LIBERTIES: 48 / 60

D. FREEDOM OF EXPRESSION AND BELIEF: 15 / 16

D1. Are there free and independent media? 3 / 4

News consumers have access to a wide variety of private media outlets that present a range of views, but the constitutional guarantee of freedom of the press is not consistently upheld. Journalists sometimes face harassment and intimidation for their work. Libel is both a civil and a criminal offense, while defamation and insult have also been defined in the criminal code. Such cases are often filed against journalists and media outlets.

Independent, critical journalists and outlets reportedly face editorial pressure from the government, and some journalists have experienced harassment when covering stories and opinions unfavorable to the government. In September 2021, journalist Mauricio Valenzuela was charged with gender-based violence (GBV) for allegedly harassing sitting parliamentarian Zulay Rodríguez. Valenzuela, who had recently contributed to a series of investigative reports implicating Rodríguez in various crimes, denied the accusation; his employer, digital media outlet Foco Panama, accused the government of using the judicial system to target critical media outlets. In March 2022, the Public Ministry requested that charges against Valenzuela be dismissed, asserting that there was no merit to Rodríguez's claim that he had committed a crime against her life and personal integrity.

D2. Are individuals free to practice and express their religious faith or nonbelief in public and private? 4 / 4

The constitution recognizes Roman Catholicism as the majority religion and requires general "respect for Christian morality and public order," but freedom of religion is otherwise guaranteed and broadly upheld in practice. Catholic religious instruction is offered but not mandatory in public schools.

D3. Is there academic freedom, and is the educational system free from extensive political indoctrination? 4 / 4

The government generally honors academic freedom, and schools are free from political indoctrination.

D4. Are individuals free to express their personal views on political or other sensitive topics without fear of surveillance or retribution? 4 / 4

Private discussion is free and vibrant, and use of social media platforms for the expression of personal views, including views on political or social issues, is not restricted.

E. ASSOCIATIONAL AND ORGANIZATIONAL RIGHTS: 11 / 12

E1. Is there freedom of assembly? 4 / 4

Freedom of assembly is generally respected, and peaceful demonstrations are common, though protests that block roads and highways often result in arrests and altercations with police.

In 2022, Panama experienced its most significant protests in recent years. Increases in food, medicine, and fuel prices prompted discontent and gave rise to other political and social demands. In July, Panamanian teachers declared an indefinite strike and were joined by unions, social organizations, Indigenous groups, and other sectors of the population. The protests included street demonstrations and blockades on major highways, which caused shortages in Panama City, the country's capital. As a result, the Catholic Church facilitated a dialogue between the government and the leaders of two civil society organizations associated with the strikes, the National Alliance for the Rights of the Organized People (ANADEPO) and the People United for Life Alliance. The dialogue was criticized for failing to include all sectors of the country, and more than 115 associations and guilds from the private sector asked to be represented in deliberations. A second phase of dialogue has been established, expanding the sectors and topics addressed.

According to a preliminary report from the Ombudsman's Office, dozens of people received clinical care as a result of the protests, including those injured in clashes between protestors and police in Santiago de Veraguas and in an incident between demonstrators and drivers at the Horconcitos Crossing.

E2. Is there freedom for nongovernmental organizations, particularly those that are engaged in human rights– and governance-related work? 4 / 4

Nongovernmental organizations (NGOs) operate freely, but some activists—particularly those focused on environmental issues and Indigenous rights—have complained of harassment and intimidation, including through lawsuits by private companies.

E3. Is there freedom for trade unions and similar professional or labor organizations? 3 / 4

The law generally protects workers' rights to unionize, bargain collectively, and engage in legal, peaceful strikes. However, enforcement of labor protections is inadequate, and labor-related protests frequently feature clashes between demonstrators and police. Public employees are allowed to form associations to engage in collective bargaining and strike activities, but their rights have historically been weaker when compared to those of unions.

F. RULE OF LAW: 10 / 16

F1. Is there an independent judiciary? 2 / 4

The country's judicial system is plagued by corruption and inefficiency. Public disagreements between the Prosecutor General's Office and judges over rulings that impeded major corruption cases in recent years have raised doubts about whether such cases would be heard impartially.

The implementation of a "judicial career law," which includes provisions establishing performance regulations and mandating that both sitting judges and those wishing to become members of the judiciary undergo robust evaluation processes, remained stalled in 2021 due to financial constraints and a lack of qualified officials available to oversee the process.

F2. Does due process prevail in civil and criminal matters? 2 / 4

Due process is constitutionally guaranteed but inconsistently upheld in practice. The justice system features extensive use of lengthy pretrial detention. According to official

statistics, as of August 2022, pretrial detainees represented 35 percent of the country's prison population.

F3. Is there protection from the illegitimate use of physical force and freedom from war and insurgencies? 3 / 4

The country is free from major threats to physical security such as war and insurgencies. However, police have been accused of beatings and other forms of excessive force, including while dispersing protests. The prison system is marked by overcrowding, poor health conditions, a lack of security, and widespread contraband smuggling.

The illegal drug trade and related criminal violence remain problems. Panama's homicide rate has steadily risen in recent years, but decreased by 16 percent between 2021 and 2022, according to Public Ministry statistics from August 2022.

F4. Do laws, policies, and practices guarantee equal treatment of various segments of the population? 3 / 4

Discrimination based on gender, race, and other such categories is prohibited by law, but sexual orientation and gender identity are not covered, and ethnic and racial minorities—including Indigenous people, Panamanians of African descent, and certain immigrant groups—face some discrimination in practice. Indigenous communities enjoy a significant degree of autonomy and self-government, but many Indigenous people live in poverty and lack equal access to basic services. An influx of migrants and asylum seekers from Venezuela, Cuba, and other troubled countries in the region has stoked anti-immigrant sentiment in recent years.

The number of migrants illegally crossing the Darién Gap, on the border between Panama and Colombia, reached a record high in 2022. Official statistics show that over 248,000 migrants entered Panama via the Darién Gap during the year 2022. Both local and international human rights groups have called on the government to do more to protect migrants, who are frequently subjected to physical and sexual violence by criminal groups that control the Darién Gap.

G. PERSONAL AUTONOMY AND INDIVIDUAL RIGHTS: 12 / 16

G1. Do individuals enjoy freedom of movement, including the ability to change their place of residence, employment, or education? 4 / 4

The government generally respects freedom of foreign travel and internal movement, including the freedom to change one's place of residence, employment, or education.

G2. Are individuals able to exercise the right to own property and establish private businesses without undue interference from state or nonstate actors? 3 / 4

Individuals can own private property and establish businesses freely under the law, but there are some practical impediments to defending property rights and operating businesses, including corruption and interference from organized crime.

Although Indigenous groups have substantial land rights under the law, implementation has been problematic. Such groups have long protested the encroachment of illegal settlers on their lands, government delays in the formal demarcation of collective land, and large-scale development projects that proceed despite dissent within Indigenous communities.

G3. Do individuals enjoy personal social freedoms, including choice of marriage partner and size of family, protection from domestic violence, and control over appearance? 3 / 4

Personal social freedoms are largely unrestricted. However, domestic violence is a concern; according to the Attorney General's Office, more than 19,000 domestic violence cases were registered in 2022, an increase of roughly 6 percent compared to those registered in 2021. Abortion is permitted in cases of rape or incest or to preserve the life or health of the woman, though there are significant procedural obstacles as well as potential penalties for abortions that do not meet the legal standard.

In October 2022, the National Assembly approved Law 811, creating a Ministry of Women that will serve as the governing entity for public policies, programs, projects, and campaigns aimed at the prevention, detection, and eradication of any discriminatory practice or harassment against women.

G4. Do individuals enjoy equality of opportunity and freedom from economic exploitation? 2 / 4

Human trafficking for sexual exploitation and forced labor remains a serious problem despite some government efforts to combat it. Both Panamanian and migrant workers in certain sectors—including the agricultural sector, where many workers are Indigenous people—are subject to exploitative working conditions. Enforcement of basic labor protections is weak in rural areas and among informal workers.

Papua New Guinea

Population: 9,300,000
Capital: Port Moresby
Freedom Status: Partly Free
Electoral Democracy: No

Overview: Papua New Guinea (PNG) has a parliamentary system in which elections are held regularly, but the polls have often been marred by irregularities and violence. Party allegiances are unstable, and only two governments have survived for a full term since independence in 1975. Over the past two decades, a boom in mineral resources extraction has helped successive incumbent governments to consolidate more control. The judiciary retains significant independence, and the media are mostly free to criticize the government. Corruption remains a serious problem.

KEY DEVELOPMENTS IN 2022

- General elections held in July and August resulted in a new term for Prime Minister James Marape, but the process was plagued by irregularities and violence that killed at least 50 people across the country.
- Prior to Marape's reelection by Parliament, the Supreme Court rejected a bid by former prime minister Peter O'Neill to have the vote delayed until contests in all 118 constituencies were decided. Results in about 14 parliamentary races were still outstanding at the time.
- By September, 84 legal challenges arising from the general elections had been lodged with the country's courts.

POLITICAL RIGHTS: 22 / 40 (−1)

A. ELECTORAL PROCESS: 6 / 12 (−1)

A1. Was the current head of government or other chief national authority elected through free and fair elections? 3 / 4

The governor general represents the British monarch as head of state and formally appoints the prime minister, who is the head of government, following an election process in Parliament. A law provides that the largest political party emerging from general elections has the first chance to nominate a prime minister.

James Marape of the Papua and Niugini Union Party (Pangu) was reelected as prime minister in August 2022 after that year's parliamentary elections, which had begun in July. Marape, who won the support of 97 members of the 118-seat Parliament, had served as prime minister since his predecessor, Peter O'Neill of the People's National Congress (PNC), resigned to avoid defeat in a no-confidence vote in 2019. Ahead of the 2022 vote for the premiership, O'Neill unsuccessfully petitioned the Supreme Court to bar Parliament from convening until all outstanding races had been decided.

A2. Were the current national legislative representatives elected through free and fair elections? 2 / 4

Members of the unicameral National Parliament are directly elected for five-year terms. A limited preferential voting system requires voters to choose three preferred candidates on their ballots. In March 2022, prior to that year's elections in July and August, Parliament approved the creation of seven new electoral districts, lifting the number of seats from 111 to 118.

Serious flaws were reported during the 2022 election period, including manipulation of the voter rolls, appointment of politically compromised returning officers, fraudulent completion of ballots, and hijacking of ballot boxes. Violence was particularly acute in the Highlands Region, but hijacking of ballot boxes also occurred in the Kabwum and Markham Districts of Morobe Province. Tribal fighting in the town of Mendi led to the outcome in that Southern Highlands Province seat being decided without a count of all the ballot boxes. While the electoral process was smoother in coastal areas, they were not completely free from irregularities and violence. About 50 people were killed in election-related violence in 2022, though this represented a decrease from previous elections.

Parliamentary seats were ultimately divided among numerous parties. Marape's Pangu obtained 38 seats. The PNC party of his closest rival, former prime minister O'Neill, received 16 seats. The United Resources Party secured 11, the National Alliance Party won 6, and 20 other parties and 10 independents divided the remainder. Litigants had filed 84 cases challenging the results in the courts as of September, and most remained unresolved at year's end.

A3. Are the electoral laws and framework fair, and are they implemented impartially by the relevant election management bodies? 1 / 4 (−1)

The electoral law, which requires voters to rank three candidates on a preferential ballot, is fair but complex to administer. The voter rolls are poorly maintained. The number of voters enrolled in Highlands districts has at times been well above the estimated voting-age population in that region.

A census scheduled for 2021 was not completed due to the COVID-19 pandemic. Marape promised to conduct a fresh census of the population in 2023 and to introduce an electronic voter-identification system.

Electoral officials have faced allegations of corruption in recent years. Local election management bodies are chronically lacking in independence, particularly in the Highlands, where ballot-box stuffing and other manipulation by candidates and allied officials remained common in 2022. Also during the election period, the return of writs was repeatedly extended owing to delays in the counting process, and the Electoral Commission ultimately decided to declare MPs elected even in districts where ballot boxes were hijacking and burned, instead of finding that such elections had "failed."

Score Change: The score declined from 2 to 1 due to a number of serious problems surrounding the administration of the 2022 elections, including de facto political control over local election management, theft or destruction of ballot boxes, increasingly flawed voter rolls, and mass casting of ballots by election officials and candidates in some areas.

B. POLITICAL PLURALISM AND PARTICIPATION: 13 / 16

B1. Do the people have the right to organize in different political parties or other competitive political groupings of their choice, and is the system free of undue obstacles to the rise and fall of these competing parties or groupings? 4 / 4

Political parties are able to form and operate freely, but many candidates run as independents and join factions only after reaching Parliament. Electoral loyalties are driven by local and personal factors at the constituency level. Lawmakers frequently switch affiliations and alliances.

Prime Minister Marape transformed Pangu, the country's oldest party, into his vehicle for reelection in 2022, and it emerged from the balloting as the largest party in Parliament.

B2. Is there a realistic opportunity for the opposition to increase its support or gain power through elections? 4 / 4

The opposition has a reasonable chance of dislodging the government through elections, defections, or no-confidence votes. Since independence in 1975, only two governments have served a full five-year term: the Michael Somare–led government of 2002–07 and the O'Neill-led government of 2012–17. The law granting the largest party the first opportunity to form a government creates an electoral advantage for sitting prime ministers, adding to the incentive of taking power through midterm no-confidence votes before facing elections. Incumbent governments have won all four elections since 2007.

The frequency of no-confidence votes is limited by a provision that grants an incoming prime minister an 18-month "grace period." Another grace period takes effect 12 months before the next scheduled elections. However, no-confidence votes remain regular occurrences. Marape's current postelection grace period will expire in 2024.

B3. Are the people's political choices free from domination by forces that are external to the political sphere, or by political forces that employ extrapolitical means? 2 / 4

In coastal and lowland areas, most citizens and candidates are generally free to make political choices without undue interference. However, in the Highlands, many local leaders, politicians, and candidate agents control the balloting process and complete the ballot papers in bulk—a form of "assisted voting." As a result, the affected citizens are essentially denied the right to vote.

B4. Do various segments of the population (including ethnic, racial, religious, gender, LGBT+, and other relevant groups) have full political rights and electoral opportunities? 3 / 4

Although all citizens have equal political rights under the law, women are underrepresented in elected offices. Only two women were elected to the 118-member Parliament in 2022. Proposals to establish reserved seats for women have not been successful to date.

LGBT+ people face societal discrimination that impedes their ability to advocate for their interests in the political sphere.

A 2001 peace agreement ended a civil war in Bougainville and provided for an independence referendum in the ethnically diverse autonomous region. Over 180,000 people participated in a nonbinding referendum in 2019, and 97.7 percent voted for independence. In a 2021 statement, Marape and Bougainville president Ishmael Toroama agreed to finalize a political settlement "no earlier than 2025 and no later than 2027." The 2001 peace agreement requires the National Parliament to make the ultimate decision on whether Bougainville becomes independent.

C. FUNCTIONING OF GOVERNMENT: 3 / 12

C1. Do the freely elected head of government and national legislative representatives determine the policies of the government? 2 / 4

The prime minister heads the government, but ministers often exercise considerable control over their portfolios without necessarily being answerable to the cabinet. Prime ministers frequently suspend Parliament during periods of vulnerability to no-confidence votes; speakers of Parliament wield significant power over the conduct of parliamentary business, including no-confidence votes.

There are no powerful external forces that determine the policies of the government, though logging and mining companies have been known to obtain influence. The government has only a limited ability to implement its policies across the country, as the state's presence in more remote areas is minimal.

C2. Are safeguards against official corruption strong and effective? 0 / 4

Corruption is pervasive and remains the most important hindrance to development. Anticorruption institutions have been subject to political interference. Task Force Sweep was established in 2011 to root out corruption, and it carried out a variety of investigations targeting politicians, civil servants, and businessmen. However, when the unit turned its attention to fraudulent payments made to Port Moresby law firm Paraka Lawyers and allegedly authorized by then prime minister O'Neill, he disbanded the task force in 2014; when courts ordered its restoration, the government cut its funding.

O'Neill was arrested in 2020 in connection with an investigation into procedural irregularities and possible corruption in the purchase of generators from Israel in 2013. He was acquitted of abuse of power in 2021.

Also in 2020, Parliament passed legislation to establish an Independent Commission against Corruption (ICAC). The new body's interim chairman warned in 2021 that it did not yet have the capacity or resources to address corruption cases, though it was scheduled to come into full operation in 2023. A National Fraud and Anti-Corruption Directorate exists within the police force but is similarly underresourced.

C3. Does the government operate with openness and transparency? 1 / 4

Government operations are generally opaque, and the government does not frequently release reliable information about public expenditures, procurement processes, or officials' assets. PNG does not have an access to information law. When government data are released, especially regarding public revenue and expenditure, they are often inaccurate and sometimes manipulated.

In 2014, the PNG government used a A$1.2 billion (US$827 million) loan to purchase a share in the oil exploration firm Oil Search, which it later sold at a loss. Hearings into the deal began in 2019. In 2021, a Commission of Inquiry heard that the loan, provided by a Swiss bank, was taken despite warnings from within the cabinet. The commission additionally heard that the deal was only submitted to Parliament after it was put in place. The report of the Commission of Inquiry was submitted to Parliament in April 2022.

CIVIL LIBERTIES: 39 / 60

D. FREEDOM OF EXPRESSION AND BELIEF: 14 / 16

D1. Are there free and independent media? 3 / 4

Freedom of the press is generally respected. Local media provide independent coverage of the political opposition, as well as contentious issues such as alleged police abuse and official corruption. However, politicians have been known to harass media professionals over negative stories, and journalists can face physical attacks in the course of their work.

In February 2022, the head of news and current affairs at the private broadcaster EMTV, Sincha Dimara, was suspended over news reports about a controversial Australian businessman that drew criticism from State Enterprises Minister William Duma. Fellow EMTV journalists walked out of the newsroom in protest. Soon after she was suspended, the PNG Media Council issued a statement expressing support for Dimara. She was fired from EMTV in March.

D2. Are individuals free to practice and express their religious faith or nonbelief in public and private? 4 / 4

Religious freedom is generally upheld. There have been reports of larger churches criticizing newer and smaller groups, and of anti-Muslim rhetoric that has accompanied the arrival of Muslim refugees, but no major infringements on religious liberty have been alleged in recent years.

D3. Is there academic freedom, and is the educational system free from extensive political indoctrination? 3 / 4

Academic freedom is generally respected, though the police have at times violently suppressed student demonstrations on campus.

D4. Are individuals free to express their personal views on political or other sensitive topics without fear of surveillance or retribution? 4 / 4

There are no major constraints on the expression of personal views. However, a 2016 cybercrime law allows the prosecution of people who publish defamatory material or incite violence on social media, raising concerns that it could be misused to punish legitimate speech.

E. ASSOCIATIONAL AND ORGANIZATIONAL RIGHTS: 10 / 12

E1. Is there freedom of assembly? 3 / 4

The constitution provides for freedom of assembly. However, marches and demonstrations require 14 days' notice and police approval, and authorities sometimes deny permits. At least four people were reportedly shot and killed by security forces during an election-related protest in August 2022.

E2. Is there freedom for nongovernmental organizations, particularly those that are engaged in human rights– and governance-related work? 4 / 4

A number of nongovernmental organizations (NGOs) operate in the country, including groups focused on human rights and environmental causes, as well as some that provide social services. Most are small and lack resources, but they are otherwise free of serious constraints on their activities.

E3. Is there freedom for trade unions and similar professional or labor organizations? 3 / 4

Workers' rights to strike, organize, and engage in collective bargaining are largely respected. However, the government has frequently imposed arbitration in labor disputes to avert strikes, and protections against antiunion discrimination are unevenly enforced. Most workers are employed in the informal sector and lack access to union protections.

F. RULE OF LAW: 7 / 16

F1. Is there an independent judiciary? 3 / 4

While successive governments have exerted political pressure on the court system, the judiciary is generally independent. Judges are appointed by the largely apolitical Judicial and Legal Services Commission and cannot be removed arbitrarily. Laypeople sit on village courts to adjudicate minor offenses under customary and statutory law. In recent years, the higher courts have repeatedly demonstrated their impartiality by ruling against the government and its political interests, for instance when ordering Parliament to assemble and vote on no-confidence motions.

F2. Does due process prevail in civil and criminal matters? 1 / 4

Constitutional guarantees of due process are poorly upheld. Arbitrary detention is relatively common, and opportunities to challenge such abuses are limited in practice. A shortage of trained judicial personnel is a key cause of lengthy detentions and trial delays. The police force is chronically underfunded, and officers have been accused of involvement in criminal activities such as drug and firearms trafficking and land theft.

F3. Is there protection from the illegitimate use of physical force and freedom from war and insurgencies? 1 / 4

Law enforcement officials are frequently implicated in acts of brutality. Prison conditions are poor, and the correctional service is understaffed. Prison breaks are common. Lack of economic opportunities exacerbates social unrest, frequently resulting in violent clashes, injuries, and deaths.

Tribal violence and "payback" attacks are common in the Highlands Region. In July 2022, some 25 people were killed in tribal fighting in the Porgera area of Enga Province. A state of emergency had been declared for the area in May. According to the United Nations and local officials, an estimated 90,000 people were displaced by violence in the Highlands from May to September 2022.

Capital punishment was most recently reintroduced in 1991, though no executions have been carried out since 1954. In January 2022, Parliament voted to abolish the death penalty.

F4. Do laws, policies, and practices guarantee equal treatment of various segments of the population? 2 / 4

The constitution guarantees equality regardless of race, tribe, religion, sex, and other categories, but various forms of discrimination are common in practice. Same-sex sexual relations are a criminal offense that can draw up to 14 years in prison, though the relevant laws are rarely enforced. There is some discrimination against people of Chinese origin; a growing Chinese business presence in the country has drawn resentment for allegedly

disadvantaging other groups. Women face legal discrimination in employment in addition to societal biases. Allegations of sorcery have been used to target women for violence.

Australia long paid the PNG government to accept asylum seekers who arrived in Australian waters by boat, but as the program wound down in recent years, those who were not granted refugee status or did not agree to settle in PNG were left in limbo, living in difficult conditions. The Australian government formally ended its regional processing contract with PNG at the close of 2021, and the PNG government agreed to offer measures including citizenship and family reunification for any remaining asylum seekers who wished to reside in the country. While the Australian government was still reluctant to allow transfers to Australia, some of the asylum seekers have been sent to the United States as part of a deal between Canberra and Washington. Fewer than 100 of those sent to PNG under the defunct Australian program remained in the country in 2022.

G. PERSONAL AUTONOMY AND INDIVIDUAL RIGHTS: 8 / 16

G1. Do individuals enjoy freedom of movement, including the ability to change their place of residence, employment, or education? 2 / 4

Freedom of movement is somewhat restricted in the Highlands; survivors of tribal violence are known to limit their domestic travel or go into hiding in the immediate aftermath of skirmishes and attacks. Travelers in Port Moresby are subject to roadblocks, where authorities check the registration of their vehicles.

G2. Are individuals able to exercise the right to own property and establish private businesses without undue interference from state or nonstate actors? 2 / 4

In PNG, 97 percent of the land area is theoretically under customary tenure, but Special Agriculture and Business Leases (SABLs) have been used to facilitate land grabs by unscrupulous investors. In 2013, a government commission found that most active SABLs were illegal and recommended their cancellation. In 2017, then prime minister O'Neill claimed that all SABLs were canceled, but the government acknowledged in 2018 that most were still being contested in court. In January 2022, John Rosso, the lands and physical planning minister, said that of 70 outstanding SABLs identified by a Commission of Inquiry, 20 had been canceled, 30 had been recommended for cancellation, and another 20 were the subject of court proceedings filed by titleholders.

Women face disadvantages regarding property rights and inheritance, particularly under customary law.

G3. Do individuals enjoy personal social freedoms, including choice of marriage partner and size of family, protection from domestic violence, and control over appearance? 2 / 4

The law provides some protections for individual rights on personal status matters like marriage and divorce, but early or forced marriage remains a problem. Abortion is illegal except when necessary to save the life of a pregnant patient.

Legislation meant to combat widespread family violence and aid victims is poorly enforced. About two-thirds of partnered women have experienced physical abuse, according to multiple studies. According to an April 2022 report by a special parliamentary committee on gender-based violence, 56 percent of women and girls aged 15–49 have experienced some form of physical violence, and 28 percent have experienced sexual violence.

G4. Do individuals enjoy equality of opportunity and freedom from economic exploitation? 2 / 4

Legal safeguards against exploitative working conditions are weakly enforced, and frequent abuses in sectors including logging and mining have been reported. The US Labor

Department has previously assembled evidence of child labor in the coffee, cocoa, palm oil, and rubber sectors, as well as in commercial sexual exploitation.

According to the US State Department's 2022 *Trafficking in Persons Report*, the PNG government initiated prosecutions against four alleged traffickers in 2022, but secured no convictions. The State Department also noted that corrupt officials were facilitating sex trafficking and forced labor.

Paraguay

Population: 6,800,000
Capital: Asunción
Freedom Status: Partly Free
Electoral Democracy: Yes

Overview: Paraguay's democracy is dominated by the conservative Colorado Party. Corruption remains widespread, while organized crime, environmental destruction, and systemic discrimination damage the rights of rural and Indigenous populations. Poverty and gender-based discrimination also limit the rights of women and children.

KEY DEVELOPMENTS IN 2022

- In July and August, respectively, the US State Department designated former president Horacio Cartes and current vice president Hugo Velázquez for "significant corruption." Velázquez dropped out of the 2023 presidential race as a result, but remained in office.
- Primaries in December saw Santiago Peña, financed by Cartes, win the Colorado Party presidential nomination, while Cartes was elected party leader. Efraín Alegre was selected as the presidential nominee of the opposition Concertación coalition. General elections were scheduled for April 2023.

POLITICAL RIGHTS: 27 / 40

A. ELECTORAL PROCESS: 10 / 12

A1. Was the current head of government or other chief national authority elected through free and fair elections? 3 / 4

The president is directly elected to no more than one five-year term. The conservative Colorado Party has held the presidency for all but 5 of the past 75 years.

Mario Abdo Benítez of the Colorado Party won the presidency in the 2018 election. Efraín Alegre, then representing the opposition Alianza Ganar coalition, took 43 percent. International observers described the election as largely fair, although allegations were made of fraud, vote-buying, and a media blackout affecting other candidates.

Party primaries in December 2022 proceeded normally, despite the destruction of some 7,700 electronic voting machines—roughly a third of the nation's total—in a September fire at the national electoral agency. Santiago Peña, backed by former president Cartes, will lead the Colorado Party into the presidential election scheduled for April 2023. Alegre was selected by a wide margin to head the opposition, this time organized into a centrist coalition called the Concertación.

A2. Were the current national legislative representatives elected through free and fair elections? 4 / 4

The bicameral Congress consists of an 80-member Chamber of Deputies and a 45-member Senate, with all members elected for five-year terms. In the 2018 legislative elections, the Colorado Party won a majority in the Chamber of Deputies, but no party won a Senate majority. Monitoring missions considered the polls to be competitive and credible.

Local elections in 2021 were deemed generally free and fair by international observers. However, observers registered concern over a spike in election-related violence during the run-up to the poll, resulting in at least five deaths.

A3. Are the electoral laws and framework fair, and are they implemented impartially by the relevant election management bodies? 3 / 4

The Superior Electoral Court of Justice (TSJE) regulates electoral processes. The government has yet to implement most recommendations the European Union (EU) election observation mission issued in 2013 and 2018, including securing the independence of the TSJE and making it easier for Indigenous peoples to vote.

The absence of a runoff mechanism in Paraguay's presidential elections is rare for the region and tends to favor the Colorado Party over the fragmented opposition.

B. POLITICAL PLURALISM AND PARTICIPATION: 12 / 15

B1. Do the people have the right to organize in different political parties or other competitive political groupings of their choice, and is the system free of undue obstacles to the rise and fall of these competing parties or groupings? 3 / 4

The Colorado Party dominates the national political scene with the opposition Authentic Radical Liberal Party (PLRA), though both contain rival internal factions.

Several smaller parties emerged or increased their standing in the 2018 elections, including Patria Querida (PPQ), Hagamos (PPH), and Movimiento Cruzada Nacional (MCN).

B2. Is there a realistic opportunity for the opposition to increase its support or gain power through elections? 4 / 4

Despite the dominance of the Colorado Party, opposition parties have a realistic chance of gaining power through elections. Former president Fernando Lugo was able to come to power in 2008 due to a split in the ruling Colorado Party, while a liberal-left coalition came close to taking the presidency in 2018. The Concertación, a centrist coalition, hopes to secure victory in 2023. In addition, rival factions within the Colorado Party serve as a kind of internal opposition and have recently alternated in power.

However, the formidable Colorado party machinery stacks the cards in its own favor. Structural obstacles to independent trade unions and a judicial crackdown on peasant-farmer organizations also weaken the potential bases for a strong electoral opposition, while the lack of a runoff mechanism means the fractured opposition has to field a united slate.

B3. Are the people's political choices free from domination by forces that are external to the political sphere, or by political forces that employ extrapolitical means? 3 / 4

Citizens are generally free from direct interference in their political choices. However, the ruling Colorado Party has been accused of using its extensive patronage network and access to public-sector jobs to buy votes. In September 2022, a Colorado mayor was accused of retaining the ID cards of Indigenous voters in order to influence their ballots.

B4. Do various segments of the population (including ethnic, racial, religious, gender, LGBT+, and other relevant groups) have full political rights and electoral opportunities? 2 / 4

Political office is overwhelmingly dominated by male and White or mestizo individuals. No Afro-Paraguayans or Indigenous people held legislative office in 2022. Women hold only 19 out of 125 seats in Congress, and no regional governorships.

C. FUNCTIONING OF GOVERNMENT: 6 / 12

C1. Do the freely elected head of government and national legislative representatives determine the policies of the government? 2 / 4

While elected officials determine government policy, decisions are often influenced or hampered by organized crime and corruption, and former president Cartes retains extensive influence over policy and ministerial appointments.

Lax rules surrounding campaign finance and weak judicial oversight make it more likely that some deputies, senators, and local officials owe their positions to the proceeds of corruption, smuggling, and drug-trafficking.

C2. Are safeguards against official corruption strong and effective? 2 / 4

Corruption and impunity are serious problems, and anticorruption laws have been poorly implemented. Cases languish for years in the courts. Anticorruption protests and citizen transparency initiatives have forced the prosecution of officials from several parties under Abdo Benítez, who has taken a somewhat firmer line against corruption than his predecessors.

The COVID-19 pandemic saw serious and credible allegations of corruption regarding the purchase of coronavirus-related supplies by the government, triggering the resignation of the health minister in 2021.

In September 2022, a legislative commission report detailed a smuggling network run by members of Paraguay's customs service and navy; earlier in the year, several officers and commanders had been removed from their posts over involvement with smuggling.

In July 2022, the US State Department designated former president Cartes for involvement in "significant corruption" as well as links to "foreign terrorist organizations," barring him from the United States. In August, the US likewise designated Vice President Hugo Velázquez and one of his close associates for involvement in "significant corruption."

However, no corresponding investigation into Cartes or Velázquez was announced in Paraguay. Velázquez resigned as vice president in August, days after the US action, but then withdrew the resignation. However, he did drop out of the presidential race that month. Cartes's preferred presidential candidate, Santiago Peña, won the December 2022 presidential primary vote to lead the Colorado ticket for the 2023 presidential election. Should Peña win, it is likely to further quash the ability of the compromised judiciary to investigate Cartes, whose outsized influence over Paraguay's institutions and political life is becoming entrenched.

C3. Does the government operate with openness and transparency? 2 / 4

Government transparency is gradually improving, and the effective implementation of access to information laws has bolstered investigative journalism. Anticorruption demonstrations are becoming more common and have led to prosecutions. President Abdo Benítez has taken a somewhat firmer line against corruption, including against alleged malfeasance by Cartes, but has been politically sidelined as his wing of the Colorado Party lost the 2022 primary.

CIVIL LIBERTIES: 37 / 60

D. FREEDOM OF EXPRESSION AND BELIEF: 12 / 16

D1. Are there free and independent media? 2 / 4

Constitutional freedoms of expression and the press are unevenly upheld. Ownership of Paraguay's largest media outlets is concentrated in three powerful companies, whose interests frequently influence media content.

Direct pressure against journalists, including threats by criminal groups and corrupt authorities, encourages self-censorship. In September 2022, radio journalist Humberto Coronel was shot and killed in the border city of Pedro Juan Caballero amid a spike in drive-by shootings. He had received death threats from drug traffickers.

In November 2022, the editor of the newspaper *ABC Color*, Natalia Zuccolillo, and Juan Carlos Lezcano, one of its journalists, were convicted in a defamation lawsuit filed by former vice minister of taxation Marta González; the case concerned reporting on alleged irregular contracting by the ministry under González. The ruling, which the journalists appealed, resulted in fines of $68,000 for Zuccolillo and $840 for Lezcano.

D2. Are individuals free to practice and express their religious faith or nonbelief in public and private? 4 / 4

Diverse religious groups generally worship freely. However, the cultural dominance of the Roman Catholic Church has spread further into public and private life, sometimes to the detriment of individual rights.

D3. Is there academic freedom, and is the educational system free from extensive political indoctrination? 3 / 4

Although academia is generally independent, student elections and professional advancement often depend on affiliation with the Colorado Party or the PLRA.

D4. Are individuals free to express their personal views on political or other sensitive topics without fear of surveillance or retribution? 3 / 4

Citizens can, for the most part, engage in free and open private discussion, though the presence of armed groups in some areas can serve as a deterrent.

E. ASSOCIATIONAL AND ORGANIZATIONAL RIGHTS: 8 / 12

E1. Is there freedom of assembly? 3 / 4

Protests are common but sometimes repressed. Periodic demonstrations took place throughout 2022. *Campesino* (peasant farmer) organizations demanded land rights and support amid drought and harsh economic conditions, while truckers staged roadblocks to protest high fuel prices.

In September 2022, officials of the municipality of Asunción, the capital, voted to begin work on fencing off multiple parks and squares, including the public area outside Congress. While billed as a temporary measure, the move is likely to restrict demonstrations, especially by Indigenous groups and peasant farmers. In late 2021, two major demonstrations regarding Indigenous land rights were held in Asunción.

E2. Is there freedom for nongovernmental organizations, particularly those that are engaged in human rights– and governance-related work? 3 / 4

Paraguay has a strong culture of largely free nongovernmental organizations (NGOs) working in the field of human rights and governance. However, political access tends to be given to organizations representing industry, agribusiness, and religious groups.

E3. Is there freedom for trade unions and similar professional or labor organizations? 2 / 4

The right to unionize is constitutionally protected. However, only 7 percent of workers are unionized. As of 2019, 28 percent of state employees belonged to a union, compared to just 0.6 percent of private sector workers.

Labor activism was intermittent throughout 2022. Among other developments, transport workers went on strike several times demanding a reduction in fuel prices; they reached an agreement with the government in September. Also in September, motorbike and delivery-app workers demonstrated against high fuel prices. In October, the union of workers for the state National Electricity Administration (ANDE) went on strike in protest of the organization's subcontracting practices.

F. RULE OF LAW: 7 / 16

F1. Is there an independent judiciary? 2 / 4

The judiciary is nominally independent, but money launderers, drug traffickers, and corrupt politicians have co-opted local judicial authorities. The attorney general, Sandra Quiñónez, is widely believed to have blocked investigations of former president Cartes; attempts to remove her have been voted down by the Colorado Party in Congress.

F2. Does due process prevail in civil and criminal matters? 1 / 4

Constitutional guarantees of due process are poorly upheld, largely due to corruption that permeates the judicial system. Individuals with influence or access to money are frequently able to obtain favorable treatment in the justice system.

F3. Is there protection from the illegitimate use of physical force and freedom from war and insurgencies? 2 / 4

Paraguay is one of the region's safer countries. However, the Paraguayan People's Army (EPP) guerilla group is still active in the northeast.

Violence perpetrated by organized crime groups is spreading. In 2022, those shot dead included the mayor of the border town of Pedro Juan Caballero, in May; a local Pedro Juan Caballero journalist, in September; the former director of Paraguay's largest prison in Asunción, in June; and a leading antimafia prosecutor, killed while on his honeymoon in Colombia, in May. Four gang members who admitted to participation in the prosecutor's murder were each sentenced to 23-year prison terms in June; others were being held pending further investigations.

Overcrowding, long-term pretrial detention, and unsanitary conditions are serious problems in prisons. According to government figures, in 2020 the country had some 14,000 prisoners but capacity for just 9,500.

In September 2022, the National Mechanism for the Prevention of Torture reported that torture by prison guards was widespread and condoned by prison governors, including in Pedro Juan Caballero. A case of alleged torture by police in the city of Caaguazú came to light in March.

F4. Do laws, policies, and practices guarantee equal treatment of various segments of the population? 2 / 4

Paraguay lacks legislation protecting against all forms of discrimination. LGBT+ people face endemic discrimination.

Indigenous people similarly face stigma and lack access to adequate health care. Rampant deforestation and forced evictions threaten the last Indigenous Ayoreo groups in voluntary isolation and Indigenous Guaraní settlements.

Mennonite communities in the Chaco are afforded a wide degree of legal forbearance, as are foreign ranchers in the eastern region.

G. PERSONAL AUTONOMY AND INDIVIDUAL RIGHTS: 10 / 16

G1. Do individuals enjoy freedom of movement, including the ability to change their place of residence, employment, or education? 3 / 4

Freedom of movement is generally respected, though the presence of armed or criminal groups can discourage travel in some areas. Most people can change their employment without legal impediment. For students, moving between educational establishments can prove difficult as faculty have the power to retain grades.

G2. Are individuals able to exercise the right to own property and establish private businesses without undue interference from state or nonstate actors? 3 / 4

Although there are few formal restrictions on private business activity and property rights, land disputes, often linked to historic misappropriation of public and Indigenous land, remain a problem. In October 2021, the UN Human Rights Committee (OHCHR) ruled that in failing to prevent the "toxic contamination of Indigenous people's traditional lands," the government had violated their rights; among other things, the committee recommended that the government "make full reparation to the victims."

The EPP has threatened, kidnapped, and extorted ranchers in northeastern areas.

G3. Do individuals enjoy personal social freedoms, including choice of marriage partner and size of family, protection from domestic violence, and control over appearance? 2 / 4

Women and children continue to suffer from high levels of gender-based violence (GBV) and sexual abuse. Authorities recorded 35 femicides in 2021 and 40 in 2022. Abortion, same-sex marriage, and civil unions remain illegal. LGBT+ people, and especially transgender women, report feeling increasingly unsafe amid the country's conservative shift.

G4. Do individuals enjoy equality of opportunity and freedom from economic exploitation? 2 / 4

According to government figures released in March 2022, 26.9 percent of the population lived in poverty in 2021, with 3.9 percent of people living in extreme poverty.

Indigenous populations are especially affected by poverty. Inequality in income and land ownership is extremely high and social mobility very limited. Employees are often unprotected from employer retaliation. Reports of forced labor and slavery periodically surface.

The ongoing illegal practice of *criadazgo*—temporary adoption whereby children, generally from poor families, work without pay for wealthier ones—severely limits the freedom of some 47,000 children across the country.

Peru

Population: 33,400,000
Capital: Lima
Freedom Status: Partly Free
Electoral Democracy: Yes

Status Change: Peru's status declined from Free to Partly Free because the president was impeached and arrested after attempting to dissolve the legislature and rule by decree, and protests by his supporters led to deadly clashes with police.

Overview: Peru has established democratic political institutions and undergone multiple peaceful transfers of power. However, high-profile corruption scandals have eroded public trust in government, while bitter divides within a highly fragmented political class have repeatedly produced political turmoil. Indigenous groups suffer from discrimination and inadequate political representation.

KEY DEVELOPMENTS IN 2022

- In December, then president Pedro Castillo was impeached and removed from office after he attempted to illegally dissolve Congress and rule by decree until new legislative elections could be held. Castillo was arrested later that day on charges of sedition and conspiracy; he remained in prison at year's end.
- Within hours of Castillo's removal, Congress appointed then vice president Dina Boluarte to the presidency. Boluarte was quickly inaugurated, becoming Peru's first woman president.
- Large pro-Castillo protests erupted across Peru following the former president's impeachment, many of which turned violent. The newly installed Boluarte government deployed the military and implemented a state of emergency in response to the protests, limiting assembly rights and granting "special powers" to security forces, who have been accused of using excessive force against protesters. The protests were ongoing at year's end.
- By October, authorities had opened six corruption-related investigations into Castillo, who has been accused of influence peddling and collusion, among other things; investigations into Castillo remained ongoing at year's end. Several of Castillo's associates were also implicated in corruption scandals during the year, including his wife, Lilia Paredes, who is accused of participating in a high-level "corruption network."

POLITICAL RIGHTS: 29 / 40 (−1)

A. ELECTORAL PROCESS: 10 / 12

A1. Was the current head of government or other chief national authority elected through free and fair elections? 3 / 4

The president is chief of state and head of government. Presidents are directly elected to a five-year term and may serve nonconsecutive terms. Prior to 2021, the last president to be seated through a national election was Pedro Pablo Kuczynski in 2016.

Kuczynski resigned in March 2018 as lawmakers prepared to hold an impeachment vote against him over corruption allegations. Vice President Martín Vizcarra was quickly sworn in to replace him, in accordance with legal procedures. Vizcarra repeatedly clashed with legislators, and used his authority to dissolve Congress in September 2019 following a vote of no confidence in his government. Vizcarra was ousted in November 2020 after congressional opponents invoked the constitution's controversial "moral incapacity" clause; many outside observers characterized the removal as an abuse of a vague constitutional clause.

Vizcarra was replaced by Manuel Merino, from the center-right Acción Popular party, who selected a conservative cabinet and signaled an aggressive policy agenda. An initial wave of protests in Lima were met with violent police repression, which provoked even larger protests across the country. After less than a week and the resignation of several cabinet members, Merino was forced to resign.

After Merino's resignation, Francisco Sagasti, who had been elected as president of Congress just days earlier, acceded to the presidency with a mandate of seeking unity and shepherding the country to general elections in April 2021.

Elections were held as planned in April 2021, followed by a second-round vote in June. The preliminary results of the runoff showed Pedro Castillo of the leftist Peru Libre party winning 50.13 percent of the vote, defeating Keiko Fujimori, who received 49.87 percent of the vote. The election, which saw a voter turnout of over 70 percent, was deemed free and fair by both local and international election monitors. However, Fujimori challenged the initial results, accusing Castillo of vote tampering, prompting electoral authorities to delay releasing the official results of the election. The National Board of Elections (JNE) ultimately dismissed Fujimori's claims of electoral fraud, and officially declared Castillo's victory in July.

In December 2022, hours before Congress planned to hold a vote on impeaching Castillo on charges of "moral incapacity," Castillo attempted to illegally dissolve Congress and seize power in a so-called *autogolpe* (self-coup). Members of his government and the military immediately denounced Castillo's actions, and he was removed from office that day after Congress voted to impeach him. Police arrested Castillo hours later on charges of sedition and conspiracy "for violating the constitutional order." Castillo remained in prison at year's end.

After Castillo was ousted, Congress appointed then vice president Dina Boluarte to the presidency according to legal guidelines. Boluarte took office within hours of Castillo's removal, becoming both Peru's first woman president and the country's sixth president in less than five years.

A2. Were the current national legislative representatives elected through free and fair elections? 4 / 4

Members of the 130-member unicameral Congress are elected for five-year terms; reelection is not permitted. 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.

Ten parties entered Congress following the 2021 general elections, which were deemed competitive and peaceful by international observers. Castillo's Peru Libre won 37 seats, becoming the largest party represented in Congress, followed by Keiko Fujimori's previously dominant, right-wing FP party, which took 24. No party won a majority of seats.

In December 2022, then president Castillo illegally attempted to dissolve Congress, announcing that he would rule by decree until new legislative elections could be held. In response, members of Congress refused to leave congressional grounds and moved to impeach Castillo, voting "overwhelmingly" to remove the president. The legally elected legislature remained in office at year's end.

A3. Are the electoral laws and framework fair, and are they implemented impartially by the relevant election management bodies? 3 / 4

The JNE has taken steps to improve transparency surrounding the electoral process, but insufficiently regulated campaign financing remains a serious issue. International observers praised the conduct of the JNE and the National Office of Electoral Processes (ONPE) during the 2021 elections, reporting that both bodies had operated efficiently and transparently.

B. POLITICAL PLURALISM AND PARTICIPATION: 13 / 16

B1. Do the people have the right to organize in different political parties or other competitive political groupings of their choice, and is the system free of undue obstacles to the rise and fall of these competing parties or groupings? 4 / 4

Peruvian parties, while competitive, are both highly fragmented and extremely personalized. Though there are limits on individual donations, there are no constraints on spending by political parties, offering an outsized advantage to parties able to secure abundant funds.

Since the party system collapsed during Alberto Fujimori's authoritarian regime in the 1990s, the political system in Peru has been described by academic observers as a "democracy without parties." Traditional political parties have been replaced by fragile and opportunistic political organizations that often have a very short life and little dedication to democratic practices.

B2. Is there a realistic opportunity for the opposition to increase its support or gain power through elections? 4 / 4

Opposition political parties have a realistic chance of winning power through elections, and the outcomes of elections at both the national and regional levels are subject to effective competition. Fragmentation, rather than lack of political opportunities, is the biggest obstacle faced by political actors attempting to gain and exercise power.

B3. Are the people's political choices free from domination by forces that are external to the political sphere, or by political forces that employ extrapolitical means? 3 / 4

While voters and candidates are generally able to exercise their political choices without undue influence, businesses regularly seek to bribe or otherwise influence political candidates' positions.

B4. Do various segments of the population (including ethnic, racial, religious, gender, LGBT+, and other relevant groups) have full political rights and electoral opportunities? 2 / 4

The concerns of members of ethnic and cultural minority groups, especially in remote mountain and Amazonian areas, remain inadequately addressed in politics. The 2011 Law of Prior Consultation attempted to improve the participation of Indigenous groups by guaranteeing consultation before mining and other development projects are undertaken. However, Indigenous groups have criticized the law, as the process gives Indigenous representatives no veto power, and there are ambiguities as to what qualifies a community as Indigenous.

While the political participation of women has increased over recent years, women hold few leadership roles in local and regional governments. In June 2020, Congress passed a law requiring moves toward full gender parity on party lists. After the 2021 elections, women make up 40 percent of the legislature, with 52 women holding seats in Congress. Following her inauguration in December 2022, Dina Boluarte became Peru's first woman president.

Peru's first openly LGBT+ congressperson, Susel Paredes, was elected in 2021.

C. FUNCTIONING OF GOVERNMENT: 6 / 12 (−1)

C1. Do the freely elected head of government and national legislative representatives determine the policies of the government? 2 / 4 (−1)

Elected leaders and representatives are the key agents in creating and implementing policy. However, businesses and special interest groups influence officials through bribes and other illicit payments. Several former presidents and longtime opposition leader Keiko Fujimori have all been accused of accepting illegal funds.

Clashes between the executive and legislative branches remain common. During Castillo's approximately 17-month-long presidency, the executive struggled to function amid ongoing interbranch clashes that threatened to escalate to a constitutional crisis. Castillo was unable to effectively implement policies or maintain a stable government during his

short tenure. Castillo also faced repeated impeachment attempts and confidence votes by the legislature. Though Congress voted against impeaching the president in December 2021 and March 2022, a vote to impeach and remove Castillo passed "overwhelmingly" in December 2022 following his attempt to unlawfully dissolve Congress and seize power. Though some observers noted that earlier impeachment attempts against Castillo had relied on dubious interpretations of the constitution, the proceedings that removed Castillo from office in December were generally deemed legitimate.

After removing Castillo, Congress appointed then vice president Dina Boluarte to the presidency in accordance with legal procedures.

Score Change: The score declined from 3 to 2 because Congress ousted President Castillo from office following his attempt to dissolve the legislature over its plans to impeach him—the fourth impeachment against a chief executive in five years.

C2. Are safeguards against official corruption strong and effective? 2 / 4

Government corruption remains a critical problem in Peru, though law enforcement authorities frequently investigate and prosecute corruption allegations. Recent years have seen scandals involving allegations of illicit deals between the Brazilian firm Odebrecht and a number of the country's most senior political figures.

Since taking office in July 2021, Castillo has been the subject of several corruption allegations. Though he has repeatedly denied the accusations, authorities had opened six corruption-related investigations into Castillo as of October 2022, alleging that the then president had engaged in influence peddling and collusion, among other crimes; investigations into Castillo remained ongoing at year's end.

Several of Castillo's associates were also placed under investigation for corruption in 2021 and 2022, including former health minister Jorge Lopez for allegedly misappropriating public funds. Relatives of Castillo have also been implicated in corruption schemes, including his wife, Lilia Paredes, who is accused of participating in a high-level "corruption network" that fraudulently awarded public works contracts.

While president, Castillo sought to undermine safeguards against corruption, including through the arbitrary removal of Peru's attorney general, Daniel Soria, in February 2022. Soria was reinstated as attorney general in October following a ruling by a Lima court.

C3. Does the government operate with openness and transparency? 2 / 4

Some government agencies have made progress on transparency, but much information related to defense and security policies remains classified under a 2012 law. Observers noted an overall decline in transparency during the Castillo administration.

CIVIL LIBERTIES: 41 / 60 (−1)

D. FREEDOM OF EXPRESSION AND BELIEF: 15 / 16

D1. Are there free and independent media? 3 / 4

Peru's dynamic press is mostly privately owned, and ownership is highly concentrated. Defamation is criminalized, and journalists are regularly convicted under such charges, though their sentences are usually suspended. In September 2020, criminal charges of aggravated defamation were filed against investigative journalist Paola Ugaz, who had written a book about alleged physical and psychological abuse within the Sodalitium Christianae Vitae, a Catholic organization. A Lima court acquitted Ugaz on the charges in January 2022; the verdict was upheld by another court in May. Other investigations into Ugaz remain ongoing.

In the first nine months of President Castillo's government, the Society and Press Institute (IPYS) and the Peruvian Press Council (CPP) issued more than 25 alerts about actions against press freedom in the country. Journalists critical of the Castillo administration have faced harassment and attacks by government officials and their supporters.

In February 2022, a congressional commission unanimously approved a proposed law that if passed would effectively criminalize reporting based on leaked information. The draft legislation remained under review in Congress as of April.

D2. Are individuals free to practice and express their religious faith or nonbelief in public and private? 4 / 4

The Peruvian constitution guarantees freedom of religion and belief, and these rights are generally respected.

D3. Is there academic freedom, and is the educational system free from extensive political indoctrination? 4 / 4

Academic freedom is generally unrestricted. However, in May 2022, Congress passed legislation giving publicly registered parental organizations "supervisory and veto powers" over educational materials for preschool through secondary schools. Human rights organizations have expressed concern that the law may be used to restrict information along politicized lines.

D4. Are individuals free to express their personal views on political or other sensitive topics without fear of surveillance or retribution? 4 / 4

People are generally free to engage in private discussion without fear of retribution or surveillance.

E. ASSOCIATIONAL AND ORGANIZATIONAL RIGHTS: 7 / 12 (−1)

E1. Is there freedom of assembly? 2 / 4 (−1)

The authorities generally recognize the constitutionally guaranteed right to peaceful assembly. Local disputes and protests—notably those related to extractive industries, land rights, and resource allocation among marginalized populations—at times result in instances of excessive use of force by security personnel.

A number of large protests were held during 2022, including mass antigovernment demonstrations in March and April, which saw participants protesting the Castillo administration's economic policies amid rising inflation. Some of these protests turned violent, and a 30-day state of emergency was imposed in Lima.

In December, following the impeachment of then president Castillo, tens of thousands of protesters across the country held demonstrations in support of the ousted president, many of which turned violent. The newly installed Boluarte government deployed the military and implemented a state of emergency in response to the protests, limiting assembly rights and granting "special powers" to security forces. Violent tactics were deployed both by protesters, who burned buildings and blockaded transportation links across the country, and by security forces, who used excessive force and arbitrarily detained participants while attempting to disperse the crowds. At year's end, hundreds of protesters and security officials had been injured, and more than two dozen protesters had been killed. Protests were ongoing at year's end.

Score Change: The score declined from 3 to 2 because protests against the ousting of President Castillo turned violent, resulting in the deaths of dozens of people over the course of several weeks.

E2. Is there freedom for nongovernmental organizations, particularly those that are engaged in human rights– and governance-related work? 3 / 4

Freedom of association is generally respected. However, efforts by environmental activists to discourage land development have been met with intimidation.

E3. Is there freedom for trade unions and similar professional or labor organizations? 2 / 4

Peruvian law recognizes the right of workers to organize and bargain collectively. Strikes are legal with advance notification to the Ministry of Labor, but few strikers abide by this regulation. Lengthy processes involved in registering a new union create a window in which labor leaders and activists can be easily dismissed from their jobs. Short-term contracts in many industries make unionization difficult. Less than 10 percent of the formal workforce is unionized.

F. RULE OF LAW: 8 / 16

F1. Is there an independent judiciary? 2 / 4

The judiciary has been perceived as one of the most corrupt institutions in the country. In 2018, Congress approved a reform leading to the creation of a new National Board of Justice (JNJ) in charge of selecting, evaluating, and disciplining judges. The establishment of the JNJ was widely praised by civil society organizations as well as academia.

Peru's seven-member Constitutional Court has maintained sufficient autonomy to serve as a check on the other branches, and the constant tension between Congress and the executive heightens the importance of both the Court's composition and its decisions. Indeed, observers pointed to the process of appointing six new justices as a key driver of interbranch tensions leading up to the November 2020 political crisis. However, in July 2021, a Peruvian court ordered the selection of new Constitutional Court members to be suspended due to alleged irregularities in the selection process. Despite the ruling, Congress announced that the selection process would go ahead as planned, prompting the Inter-American Commission on Human Rights (IACHR) to urge the legislature to abide by judicial rulings.

In October of 2022, the president of the Supreme Court of Justice, Elvia Barrios, accused an unnamed member of the public prosecutor's office of intimidation right before a planned visit by Organization of American States (OAS) officials to assess the political situation in the country. A preliminary OAS report on the visit, released in November, recommended the "strengthening of constitutional justice" in Peru.

F2. Does due process prevail in civil and criminal matters? 2 / 4

Constitutional guarantees of due process are unevenly upheld. Lawyers provided to indigent defendants are often poorly trained, and translation services are rarely provided for defendants who do not speak Spanish. Impunity for violence against environmental activists who challenge land development remains a problem.

Lengthy pretrial detention is common. After his December 2022 arrest, former president Castillo was sentenced to 18 months' pretrial detention.

F3. Is there protection from the illegitimate use of physical force and freedom from war and insurgencies? 2 / 4

While Peru's murder rate is lower than many of its regional peers, violent criminal organizations operate in the narcotics and illegal mining industries, and street crime is rampant. A report published in 2021 by the National Statistics Institute (INEI) indicated that between November 2020 and April 2021, 18.6 percent of Peruvians aged 15 and over in urban areas were victimized by crime and 82.3 percent nationwide believed they would be victims of a

crime. More than 172,000 criminal complaints were made to authorities between January and March 2022, marking a 101.5 percent increase compared to the same period in 2021.

Abuses committed by the security forces are rarely punished. In March 2020, Congress passed a law that international rights groups criticized as generating additional barriers to police accountability.

The December 2022 protests across Peru featured high levels of violence by security forces using lethal force—including live ammunition—against protesters. International human rights groups have condemned the use of force by authorities as disproportionate; in one incident in Ayacucho, military forces killed nine protesters, including a teenage boy. Violent clashes between security forces and demonstrators continued through year's end.

F4. Do laws, policies, and practices guarantee equal treatment of various segments of the population? 2 / 4

Discrimination against Indigenous populations and Afro-Peruvians is pervasive. LGBT+ people face discrimination, hostility, and violence. Indigenous Peruvians, who often live vast distances from under-resourced health services, were severely afflicted by COVID-19, while transgender Peruvians were subjected to police abuse during the lockdown.

In November 2022, the government issued an official apology to Azul Rojas Marín, a transgender woman who had been raped and beaten by a group of police officers in 2008. The apology was among a number of reparations mandated by the Inter-American Commission on Human Rights (IACHR), which in 2020 found the Peruvian state guilty of violating Rojas's human rights.

After Colombia, Peru has received the highest number of migrants from Venezuela. While the country was initially welcoming, public opinion shifted against tolerance, and a 2019 report by the Ministry of the Interior found that more than half of the Venezuelans residing in Peru have felt or experienced discrimination. Disruptions associated with the COVID-19 pandemic posed additional problems for Venezuelan migrants, who were not eligible for key forms of state assistance. In January 2021, the government militarized the northern border with Ecuador in an attempt to prevent undocumented immigrants from entering the country.

G. PERSONAL AUTONOMY AND INDIVIDUAL RIGHTS: 11 / 16

G1. Do individuals enjoy freedom of movement, including the ability to change their place of residence, employment, or education? 4 / 4

Peru does not place formal restrictions on movement. However, the use of road blockages as a protest tactic continued in 2022, particularly during the December protests, which saw protesters block over one hundred roads across the country. Some public transport was also affected. Additionally, numerous protest-related states of emergency were imposed by both the Castillo and Boluarte administrations throughout the year, limiting free movement by civilians.

People are able to freely change their place of employment or education. While Peru's COVID-19 lockdown was one of the most stringent in Latin America and included significant restrictions on movement, there were fewer accusations of arbitrary or abusive enforcement than in many neighboring countries.

G2. Are individuals able to exercise the right to own property and establish private businesses without undue interference from state or nonstate actors? 3 / 4

The rights to own property and establish business are mostly respected, though tensions persist between extractive industries and Indigenous communities who demand inclusion in

land use policy decisions. The Prior Consultation Law is designed in part to better protect Indigenous rights. Its implementation has resulted in some positive outcomes for communities that have taken part in consultation processes—though prior consultation still does not always take place, nor are the requests of Indigenous groups binding.

G3. Do individuals enjoy personal social freedoms, including choice of marriage partner and size of family, protection from domestic violence, and control over appearance? 2 / 4

Gender-based violence is widespread in Peru, with more than half of Peruvian women reporting instances of physical, sexual, or emotional abuse. More than 135 femicides were recorded in 2022.

Proposals to recognize civil unions for same-sex partners have been repeatedly introduced and rejected in Congress, and in November 2020 the Constitutional Court ruled against the recognition of a same-sex marriage of a Peruvian citizen performed in Mexico.

Abortion is permitted only in instances where a woman's health is in danger. A bill that would increase restrictions on legal abortions was introduced in late 2021, and remained under consideration in the legislature as of year-end 2022.

G4. Do individuals enjoy equality of opportunity and freedom from economic exploitation? 2 / 4

The large share of Peruvians working in the informal sector leads to widespread economic precarity. Dependence on daily earnings—and the state's inefficiency in distributing aid—contributed to the depth of the COVID-19 pandemic in the country. Peruvian women and girls, especially from the Indigenous community, are vulnerable to sex trafficking. According to the US State Department's 2022 *Trafficking in Persons Report*, while the Peruvian government has not met the minimum standards for effectively combating trafficking, it is making "significant" efforts to do so. However, impunity for traffickers remains common.

Philippines

Population: 115,600,000
Capital: Manila
Freedom Status: Partly Free
Electoral Democracy: Yes

Overview: The Philippines hosts a vibrant political landscape and elections are free from overt restrictions. However, established political elites benefit from structural advantages, and highly organized disinformation campaigns and widespread vote buying undermine fair competition. Corruption is endemic, and anticorruption bodies struggle to uphold their mandates. Journalists and activists perceived as critical of the government or other powerful interests can face criminal cases, and in some cases violent and even deadly attack. Terrorist and separatist activity persists in Mindanao. Violence, including extrajudicial killings, by police and military personnel remains a problem.

KEY DEVELOPMENTS IN 2022

- Authorities eased strict COVID-19-related restrictions in March, allowing the resumption of public assemblies and other gatherings.

- Ferdinand "Bongbong" Marcos Jr., the namesake of the former Philippine dictator, won the year's presidential election with a decisive 58 percent of the vote. Concurrent legislative elections returned a supermajority for Marcos's UniTeam alliance in both the upper and lower house.
- The year's election campaign was skewed by organized disinformation campaigns that generally favored Marcos or sought to discredit his opponents. Nevertheless, Vice President Maria Leonor "Leni" Robredo gained considerable grassroots support, finishing second in the presidential race with 28 percent of the vote.
- In October, the Court of Appeals upheld the 2020 criminal conviction of journalist Maria Ressa of the news website Rappler for cyberlibel. The ruling prompted a rebuke from the UN Special Rapporteur on freedom of opinion and expression and press freedom groups.

POLITICAL RIGHTS: 25 / 40

A. ELECTORAL PROCESS: 9 / 12

A1. Was the current head of government or other chief national authority elected through free and fair elections? 3 / 4

The president is both head of state and head of government and is directly elected to a single six-year term. Ferdinand "Bongbong" Marcos Jr. won the May 2022 presidential election with a 58 percent vote share in the Philippines' plurality-rule electoral system. Vice President Maria Leonor "Leni" Robredo, a progressive candidate and a prodemocracy activist, finished second with 28 percent.

The vice president is directly elected on a separate ticket and may serve up to two successive six-year terms. Sara Duterte, the running mate of Marcos and daughter of outgoing president Rodrigo Duterte, won with 61 percent of the vote. She defeated Senator Francis Pangilinan, Robredo's running mate.

While elections in the Philippines are free from overt restrictions on voting, the campaign landscape was skewed by rampant disinformation on social media; the phenomenon involves public relations firms and a highly organized, lucrative infrastructure. Twitter removed a coordinated network of accounts promoting Marcos in December 2021, while fact-checkers identified widespread networks spreading false or misleading content and negative messages about Robredo. Vote buying and selling remains rampant.

A2. Were the current national legislative representatives elected through free and fair elections? 3 / 4

The 24 members of the Senate are elected on a nationwide ballot and serve six-year terms, with half of the seats up for election every three years. The 299 members of the House of Representatives serve three-year terms, with 241 elected in single-member constituencies and the remainder elected through party-list voting. May 2022 elections returned a supermajority for Marcos, Jr.'s UniTeam alliance in both houses.

Legislative elections feature the same relatively free campaign environment as presidential elections, as well as the same problems with rampant disinformation and vote buying. Candidates who challenge incumbents risk serious intimidation, including death threats.

A3. Are the electoral laws and framework fair, and are they implemented impartially by the relevant election management bodies? 3 / 4

The Commission on Elections (Comelec) performs both election management and adjudication functions, and has working relationships with a number of civil society groups.

Members are appointed by the president, confirmed by a congressional working group, and serve nonrenewable seven-year terms. Election monitors have noted that in practice this process has few safeguards against partisan appointments, and that the president may anyway circumvent legislative scrutiny by appointing Comelec members when Congress is not in session.

Comelec's performance in recent years has been satisfactory, though it has been criticized for technical glitches and procurement issues. Commission leaders have at times responded to criticism of Comelec's operations with vitriol, including, in 2022, threats to jail critics.

The Asian Network for Free Elections (ANFREL) described Comelec's administration of the 2022 elections as "highly capable," but noted problems such as a slow response to and poor contingency plans for significant technical issues that occurred on election day. Postelection protests took place in several cities at which participants criticized what they saw the authority's sloppy performance.

B. POLITICAL PLURALISM AND PARTICIPATION: 10 / 16

B1. Do the people have the right to organize in different political parties or other competitive political groupings of their choice, and is the system free of undue obstacles to the rise and fall of these competing parties or groupings? 3 / 4

The Philippines has a strong record of open competition among multiple parties, though candidates and parties typically have weak ideological profiles. Legislative coalitions are exceptionally fluid, and politicians often change party affiliation, typically to join the dominant bloc or the incumbent president's party.

B2. Is there a realistic opportunity for the opposition to increase its support or gain power through elections? 2 / 4

The risk of becoming a victim of political violence and a lack of access to state resources for those not in power hinder the opposition's ability to challenge incumbents. Campaign finance rules, which make elections very costly, impede the ability of grassroots movements to mobilize, participate in, and win elections. Robredo's 2022 campaign gained considerable grassroots support, however, with some rallies attracting hundreds of thousands of people.

Opposition candidates at times encounter politically motivated criminal charges that can result in imprisonment. Leila de Lima, who was elected to the Senate in 2016, campaigned for the 2022 elections from her detention center but lost. Since 2017 she has been detained on charges of accepting money from drug dealers and is recognized as a prisoner of conscience by international rights groups. Walden Bello, a vocal critic of the Marcoses and Dutertes, and the running mate of presidential candidate Leody de Guzman, was arrested in August on criminal libel charges. (The United Nations Human Rights Committee (UNHRC), international rights groups, and most democratic governments consider criminal penalties for libel cases a grossly disproportionate restriction on free speech.)

Senior government officials have openly "red-tagged" opposition figures, prompting serious harassment. Red-tagging is the tactic of alleging that an individual harbors communist—and thus terrorist—sympathies or connections, resulting in stigmatization and increased risk of physical attack.

Campaign events sometimes feature violence. One month before the 2022 elections, in April, shots were fired during a campaign event for de Guzman. Five people were injured.

B3. Are the people's political choices free from domination by forces that are external to the political sphere, or by political forces that employ extrapolitical means? 2 / 4

Distribution of power is heavily affected by patronage and kinship networks. Election-related funding also contributes to the concentration of power: there are no limits on campaign contributions, and a significant portion of political donations come from a relatively small number of donors.

Social media platforms have been exploited to disseminate disinformation on a grand scale, and hyperpartisan online news outlets routinely amplify misleading content. In 2022, the Marcos campaign used social media extensively to spread false information regarding economic development and human rights during Ferdinand Marcos's dictatorship. In a 2022 survey by Pulse Asia, 86 percent of respondents said that fake news was a problem and that the public was exposed to it.

B4. Do various segments of the population (including ethnic, racial, religious, gender, LGBT+, and other relevant groups) have full political rights and electoral opportunities? 3 / 4

No law limits the participation of specific groups in the political process, and the constitution guarantees equal access to opportunities for public service. However, the dominance of political dynasties is an obstacle to the exercise of political rights for some groups, and electoral opportunities are limited to those who can afford the cost of running for public office.

While women make up about 29 percent of the Senate and 27 percent of the House, most are members of politically powerful families. Muslims and Indigenous groups are not well represented. Perceptions of relative socioeconomic deprivation and political disenfranchisement, along with resentment toward Christian settlements in traditionally Muslim areas, have played a central role in the Philippines' Muslim separatist movements.

In June 2022, Risa Hontiveros, the lone opposition candidate who won a seat in the year's Senate elections, said she would push for the approval of an antidiscrimination bill in Congress that has been pending for a number of years.

C. FUNCTIONING OF GOVERNMENT: 6 / 12

C1. Do the freely elected head of government and national legislative representatives determine the policies of the government? 3 / 4

While elected government officials and legislative representatives determine state policies, the president dominates policymaking due to a political system that grants significant powers to the executive branch. A few dozen families continue to hold a disproportionate share of political authority.

C2. Are safeguards against official corruption strong and effective? 1 / 4

Government corruption and impunity remain serious problems, and the courts and other anticorruption institutions have struggled to hold powerful politicians and their associates to account. The Office of the Ombudsman, tasked with investigating and filing complaints against government workers and officials, is poorly resourced. Currently headed by a Duterte appointee, the Ombudsman's performance has received criticism for the significant decrease in the number of cases filed since 2018. During a Senate hearing on the office's budget, the Ombudsman in September 2022 admitted that there is corruption even in his office.

The Presidential Anti-Corruption Commission (PACC), established by the Duterte administration, was one of the first agencies abolished by Marcos, by executive order in July 2022.

C3. Does the government operate with openness and transparency? 2 / 4

Government transparency remains limited despite some positive initiatives. The country's first freedom of information directive was issued in 2016, but it mandates public disclosure only in the executive branch and allows major exemptions.

Since 2021, the Ombudsman has restricted public access to elected and government officials' statements of assets and liabilities, asserting they were being "weaponized." The office has also announced it would no longer conduct "lifestyle checks" that investigate officials' unexplained wealth.

Like Duterte's administration, in 2022 Marcos's office requested tens of millions of dollars' worth of "confidence and intelligence" funds, a budget category intended for surveillance and military intelligence-gathering operations. (The administration of their predecessor, the late Benigno Aquino III, has asked for dramatically less.) Due to the classified nature of such operations, comprehensive audits of these funds are difficult and the potential for graft is high.

CIVIL LIBERTIES: 33 / 60 (+3)

D. FREEDOM OF EXPRESSION AND BELIEF: 11 / 16

D1. Are there free and independent media? 1 / 4

The constitution provides for freedoms of expression and the press, and private media are vibrant and outspoken. However, the Philippines remains one of the most dangerous places in the world for journalists. Journalists experience physical attacks; threats, including death threats and bomb threats; smear campaigns claiming they conspire against the government; red-tagging; and distributed denial-of-service (DDoS) attacks. According to the Committee to Protect Journalists (CPJ), four journalists were killed in 2022.

In October 2022, the Court of Appeals upheld the 2020 guilty conviction of journalist Maria Ressa of the news website Rappler for cyberlibel. The ruling prompted a rebuke from the UN Special Rapporteur on freedom of opinion and expression and press freedom groups. At year's end, the case, involving a 2012 article linking a businessman to illegal activities, was in its last cycle of appeal before the Supreme Court.

D2. Are individuals free to practice and express their religious faith or nonbelief in public and private? 4 / 4

Freedom of religion is guaranteed under the constitution and generally respected in practice. Previously, there were instances where priests critical of Duterte's drug war were killed. During the COVID-19 lockdown, churches were not allowed to hold public religious services, even as Duterte and his supporters held political rallies.

D3. Is there academic freedom, and is the educational system free from extensive political indoctrination? 3 / 4

Academic freedom is generally respected, though in recent years authorities have criticized or taken steps to intervene in the operations of educational facilities. The Duterte administration scrapped limits on military and police operations at the University of the Philippines, red-tagged graduates of the university, and pushed several universities to purge their libraries of books associated with communist ideology. It further closed dozens of Indigenous primary schools in the Davao Region following allegations that the schools taught leftist ideology.

In August 2022, under the new administration, five books were labeled subversive in a memorandum issued by the Commission on the Filipino Language on grounds that they might be in violation of the Anti-Terrorism Act, and ordered them pulled from schools and libraries. One month later, the commission withdrew the memorandum, stating that censorship is not part of its mandate. Historians who talk about the martial law period experience online bullying, and academics who are critical of the government have been threatened with harm online.

Security forces have monitored Islamic schools and schools attended by Indigenous peoples in areas of the southern Philippines where the military conducts counterinsurgency and antiterror missions.

D4. Are individuals free to express their personal views on political or other sensitive topics without fear of surveillance or retribution? 3 / 4

People are generally able to speak their minds freely, though organized disinformation campaigns and harassment—including red-tagging linked to the Marcos administration, the military, and the police—are rampant in the Filipino internet space. Rights groups continue to express concern about the use of criminal libel laws against legitimate expression.

E. ASSOCIATIONAL AND ORGANIZATIONAL RIGHTS: 7 / 12 (+1)

E1. Is there freedom of assembly? 3 / 4 (+1)

Citizen activism is robust, and demonstrations are common. However, permits are required for rallies, and police sometimes use violence to disperse antigovernment protests.

Authorities eased strict COVID-19-related restrictions in March 2022, allowing the resumption of public assemblies. During the year's campaign period, opposition candidate Leni Robredo held well-attended campaign rallies throughout the country.

Score Change: The score improved from 2 to 3 because stringent COVID-19-related limitations on gatherings were lifted.

E2. Is there freedom for nongovernmental organizations, particularly those that are engaged in human rights– and governance-related work? 2 / 4

Civil society has historically been robust in the Philippines, which hosts a range of active human rights, social welfare, environmental, and other groups. However, nongovernmental organizations (NGOs) and activists experience harassment and legal harassment, and a number of assassinations of civil society activists and human rights defenders have taken place in recent years. Outgoing president Duterte's public threats against those who opposed his policies exacerbated an already dangerous atmosphere of impunity. Red-tagging of activists continues under the Marcos administration. In October 2022, Jesus Crispin Remulla, the secretary of the Filipino Justice Department, justified red-tagging as "part of democracy" at a meeting of the UN Human Rights Committee.

Among recent criminal cases targeting activists was that against Natividad Silva, a community health advocate and human rights activist. In February 2022 she was arrested, flown to Butuan, and detained for purportedly being a high-ranking member of the Communist Party of the Philippines (CPP). She was released after the charges were dismissed, but ordered rearrested in June. In December the Anti-Terrorism Council (ATC) found probable cause to label her a terrorist.

E3. Is there freedom for trade unions and similar professional or labor organizations? 2 / 4

Trade unions are independent, though less than 10 percent of the labor force is unionized. Collective bargaining is common among unionized workers, however, and strikes may be called as long as unions provide notice and obtain majority approval from their members.

Trade union members and labor and professional groups continue to be targets of red-tagging, stigmatization, and violence, and membership has declined in recent years. In October 2022, two high-ranking leaders of the labor group Kilusang Mayo Uno (May First Movement) were arrested for allegedly assaulting a police officer during a 2020 protest rally. In a separate case, both were also charged with robbery. Filipino labor groups said the crimes were fabricated and characterized the cases as political persecution.

Union leaders have been targeted amid a broader increase in extrajudicial killings that has taken place in the Philippines over the past decade. In March 2021, a labor leader was

shot dead in Calamba, Laguna, three weeks after nine people were killed by police in various raids targeting political activists.

F. RULE OF LAW: 5 / 16 (+2)

F1. Is there an independent judiciary? 2 / 4 (+1)

Judicial independence deteriorated during the Duterte administration, during which authorities launched several attempts to remove Supreme Court justices seen as political opponents. One such attempt involved claims that Chief Justice Maria Lourdes Sereno, a critic of the former president, had failed to disclose assets—and was successful in achieving her removal. Judicial independence is also hampered by inefficiency, low pay, intimidation, corruption, and high vacancy rates. Since 2016, at least nine retired or former judges and justices and 14 former and current city prosecutors have been killed.

In 2022, several courts displayed increased independence from the executive branch. In September, Judge Marlo Magdoza-Malagar of the Manila Regional Trial Court dismissed a case brought by the Justice Department that sought to declare the CPP a terrorist organization. In response, the former spokesperson of the National Task Force to End Local Communist Armed Conflict, created under the Duterte administration, threatened Magdoza-Malagar with violence and death. The Supreme Court denounced the threat and further ordered the spokesperson to explain why she should not be cited for contempt. Courts have also recently returned corruption convictions against police officers and other public officials, and invalidated a broadly worded section of the Duterte administration's much-criticized Anti-Terrorism Act. Despite these positive developments, some courts continue to deliver politicized verdicts favoring the executive.

Score Change: The score improved from 1 to 2 because key courts displayed increased independence from the government.

F2. Does due process prevail in civil and criminal matters? 1 / 4 (+1)

The Anti-Terrorism Act that took effect in July 2020 provides the state significant powers, including for the warrantless arrest and detention of people designated as terrorists by the Anti-Terrorism Council (ATC), which is appointed by the president. Rights advocates have sharply criticized the law's broad definition of terrorism and warned of the potential for misuse, and dozens of lawsuits have challenged the law's constitutionality. In 2021, the Supreme Court declared the section of the Anti-Terrorism Act that defined "terrorism" unconstitutional, saying it was overbroad and could result in the criminalization of legitimate actions like protests and strikes.

In 2022, a number of lower courts, the Court of Appeals, and the Sandiganbayan (anticorruption court) convicted or upheld the convictions of police officers, including the former chief of police, for involvement in kidnapping, murder, and graft in procurement contracts. Separately, in August 2022, the Supreme Court issued an order to the military to submit documents proving that two activists who had gone missing in May had not been illegally arrested or detained. In September, the Court of Appeals found the military accountable for the disappearance of the two.

Score Change: The score improved from 0 to 1 because of an increase in investigations, prosecutions, and convictions of military officials and police officers implicated in rights abuses and criminal activity.

F3. Is there protection from the illegitimate use of physical force and freedom from war and insurgencies? 1 / 4

The Philippines remains affected by insurgencies and violent extremism, notably in Mindanao.

ADuring his administration, Duterte waged a violent war on drugs that involved extrajudicial killings, arbitrary detention, and torture of detainees. President Marcos has stated that he intends to take a different approach to the war on drugs. In August 2022, he appointed Rodolfo Azurin Jr.— who was not among the high-ranking officials associated with Duterte's drug war—as chief of the Philippine National Police (PNP), while PNP generals believed to be implicated in extrajudicial killings were reassigned to less-important positions. Azurin in September 2022 publicly stated that police should investigate crimes and identify suspects rather than resorting to violence to address the country's drug problems. The statement came shortly after Vice President Sara Duterte had met with leaders of national security forces while Marcos was in Indonesia, and announced that the government should crack down on criminality.

Nevertheless, according to a November 2022 HRW report, extrajudicial killings under the Marcos administration persist and the PNP has underreported deaths during police operations, and the level of impunity for state actors remains the same. Human rights appear to be a low priority for the Marcos administration. In his inaugural state-of-the-nation address in July 2022, the president did not mention human rights at all. In September he appointed two commissioners to the Commission on Human Rights, and left three seats unfilled.

F4. Do laws, policies, and practices guarantee equal treatment of various segments of the population? 1 / 4

Provisions mandating equal treatment are upheld inconsistently, and some groups lack legal protection. LGBT+ people face bias in employment, education, and other services, as well as societal discrimination. An antidiscrimination bill that passed the lower house in 2017 has not yet become law, though Senator Hontiveros renewed her call to pass it in 2022. Several cities, including Manila, have passed ordinances recognizing LGBT+ rights and prohibiting acts of discrimination. In the absence of national legislation, transgender and gender-nonconforming individuals cannot alter birth identification documents.

According to the World Economic Forum, the Philippines features one of the smallest gender-pay gaps in the world. Women's educational attainment outpaces men's, and women are well represented in professional roles. However, women still face some credit constraints and employment discrimination, and the political realm remains dominated by men, with women occupying less than 30 percent of national and local elective positions.

Indigenous rights are generally upheld, but land disputes and local development projects regularly cause friction and sometimes lead to violence. Indigenous people often live in conflict areas and are targeted by combatants for their perceived loyalties.

The law mandates that at least 1 percent of public jobs be reserved for people with disabilities, but this is poorly upheld.

G. PERSONAL AUTONOMY AND INDIVIDUAL RIGHTS: 10 / 16

G1. Do individuals enjoy freedom of movement, including the ability to change their place of residence, employment, or education? 3 / 4

Citizens enjoy freedom of travel and choice of residence, except for in areas affected by violent conflict. Although martial law in Mindanao ended at the start of 2020, the military continued its counterterrorism measures, which included checkpoints and a curfew.

In 2022, COVID-19-related restrictions were eased. People's ability to move freely around the country increased, schools reopened, and large meetings including religious, sports, and education conventions were once again allowed.

G2. Are individuals able to exercise the right to own property and establish private businesses without undue interference from state or nonstate actors? 2 / 4

Private business activity is often dependent on the support of local power brokers in the complex patronage system that extends throughout the country. Outside of conflict zones, individuals are generally able to exercise the right to own property and establish private businesses without undue interference from state or nonstate actors, notwithstanding the domination and corruption of economic dynasties.

G3. Do individuals enjoy personal social freedoms, including choice of marriage partner and size of family, protection from domestic violence, and control over appearance? 3 / 4

Most individuals enjoy personal social freedoms. However, divorce is illegal in the Philippines, though annulments are allowed under specified circumstances, and Muslims may divorce via Sharia (Islamic law) courts. Same-sex marriage is illegal. Domestic violence is a significant problem, and while spousal rape is a crime, very few cases are prosecuted. Abortion is illegal in nearly all circumstances, though unregulated abortions are frequent.

G4. Do individuals enjoy equality of opportunity and freedom from economic exploitation? 2 / 4

The Philippines is a source country for human trafficking, with some Filipinos taken abroad and forced to work in the fishing, shipping, construction, or other industries, or forced to engage in sex work. The country's various insurgent groups have been accused of using child soldiers.

Children have been reported working as domestic laborers. There is a shortage of labor inspectors; authorities have acknowledged the problem but say they have limited funds to address it. The Philippines is a global center of online child sexual abuse, and reports indicated an increase of such abuse during the COVID-19 lockdowns. Children engaging in forced begging on the streets remains a problem.

The legal minimum wage in the agricultural sector in some regions falls far short of what is necessary for a family to avoid poverty. Violation of minimum-wage standards is fairly common.

Poland

Population: 38,000,000
Capital: Warsaw
Freedom Status: Free
Electoral Democracy: Yes

Overview: Poland's democratic institutions took root at the start of its transition from communist rule in 1989. Rapid economic growth and other societal changes have benefited some segments of the population more than others, contributing to a deep divide between liberal, pro-European parties and those purporting to defend national interests and "traditional" Polish Catholic values. Since taking power in 2015, a coalition led by the populist, socially

conservative Law and Justice (PiS) party has exerted significant political influence over state institutions and damaged Poland's democratic progress. Recent years have seen an increase in nationalist and discriminatory rhetoric.

KEY DEVELOPMENTS IN 2022

- The national government, local governments, and Polish citizens offered significant assistance to Ukrainians fleeing the Russian invasion of their country. In March, the lower house of Parliament passed legislation granting significant rights to refugees, though the national government unsuccessfully attempted to lessen financial support for Ukrainians in June. Some 1.4 million people had registered for temporary protection in Poland as of October.
- In July, the government lifted the state of emergency at the border with Belarus, which it implemented in 2021 as migrants and asylum seekers attempted to cross in large numbers. Authorities instead implemented a 200-meter ban, constructed a wall to prevent crossings, and continued a pushback policy for at least part of the year.
- In December, the government said it agreed on legislative amendments to address concerns over the rule of law, which stemmed from its growing control over the judiciary and unwillingness to abide by European Union (EU) law. However, President Andrzej Duda said that a judicial reform bill would not be immediately debated in Parliament.

POLITICAL RIGHTS: 34 / 40

A. ELECTORAL PROCESS: 10 / 12

A1. Was the current head of government or other chief national authority elected through free and fair elections? 3 / 4

The president is directly elected for up to two five-year terms. The president's appointment of a prime minister must be confirmed by the Sejm, the lower house of Parliament. While the prime minister holds most executive power, the president also has some influence, particularly over defense and foreign policy matters. Andrzej Duda, the PiS candidate, was reelected in July 2020, winning 51 percent of the vote in the second round. Turnout was 68.1 percent, the second highest since 1989.

The election was originally scheduled for that May. In April, amid political conflict over whether to hold the polls during the COVID-19 pandemic, the government drafted plans to hold the vote as scheduled but with mail-in ballots, transferring the election's administration to the post office instead of the constitutionally legitimate National Electoral Commission (PKW). The government ultimately backtracked, and the first round was called in June.

Observers noted that the government had failed to meet its constitutional obligations by abandoning the originally scheduled vote without any formal procedure. In September 2020, an administrative court ruled that the prime minister had broken the law in attempting to transfer the election's administration to the post office. In 2021, the Supreme Audit Office (NIK) blamed high-ranking officials for seeking to organize the mail-in vote without a legal basis and at considerable cost. The government has repeatedly defended the legality of its actions.

Organization for Security and Co-operation in Europe (OSCE) observers concluded that the election was competitive and well-organized, but was tarnished by "hostility" and "biased coverage by the public broadcaster," which PiS had effectively transformed into a government mouthpiece. The observers noted the insufficiency of regulations governing public officials' campaign activities, with Duda receiving an "undue advantage" from campaigning by high-ranking officials including Prime Minister Mateusz Morawiecki.

Observers also raised concerns over the persistent use of homophobic rhetoric by Duda, his team, and PiS's media allies.

Prime Minister Morawiecki was appointed in 2017 with the approval of PiS's parliamentary majority. He remained in his post at the end of 2022.

A2. Were the current national legislative representatives elected through free and fair elections? 4 / 4

Members of the bicameral Parliament are elected for four-year terms. The 460-seat Sejm is elected by proportional representation and holds most legislative authority. The 100 members of the Senate, the upper house, are elected in single-member constituencies. The Senate can delay and amend legislation but has few other powers.

In the October 2019 parliamentary elections, PiS won a second term with 43.6 percent of the vote, retaining its 235 lower-house seats. This majority initially allowed PiS to continue governing without formal coalition partners, though two smaller parties, United Poland and Agreement, were included within its electoral lists and parliamentary caucus. In August 2021, Jarosław Gowin, the leader of Agreement, left the ruling camp with a number of lawmakers. The coalition continued to pass legislation by making deals with smaller parties and individual parliamentarians.

The centrist Civic Platform (PO) party won 134 seats. Four other parties or coalitions passed the threshold to enter the Sejm, including left-wing and far-right parties that had been absent during the previous term. PiS narrowly lost control of the Senate in 2019, with an opposition coalition taking 51 seats and PiS winning 48.

OSCE observers concluded that the 2019 elections were generally conducted in a "professional and transparent" manner. However, they expressed concern that judicial reforms had left a "lack of trust in prosecutors and courts to handle election-related complaints independently." They also noted that "nationalist and homophobic rhetoric gave rise to a sense of threat," which they echoed in their report on the 2020 presidential election.

In December 2021, a research team at the University of Toronto reported that a mobile phone belonging to a Polish opposition politician, then the head of the PO campaign team, had been hacked with Pegasus spyware ahead of the polls. Text messages stolen from his phone were used in negative reports about him on PiS-controlled public television broadcasts during the campaign. Phones of an opposition-linked lawyer and a prosecutor critical of PiS's judicial reforms were also hacked. In a November 2022 report, the European Parliament said Warsaw's use of Pegasus may have affected elections to that body as well as national elections.

A3. Are the electoral laws and framework fair, and are they implemented impartially by the relevant election management bodies? 3 / 4

Poland's electoral framework and its implementation have generally ensured free and fair elections, though 2017–18 legal changes have increased the potential for political influence over the PKW, which manages elections, oversees party finances, and can withhold state subsidies. Previously, all nine PKW members were nominated by courts. Seven members are now chosen by Parliament. As the largest parliamentary grouping, PiS was allowed to nominate a maximum of three members at the beginning of the current parliamentary term. PiS could also exert influence over the member picked by the Constitutional Tribunal (TK), which is currently led by PiS-installed judges. The PKW was also affected by PiS's attempt to order the postal service to administer a mail-in voting process in 2020 without passing proper legislation.

The Chamber of Extraordinary Control and Public Affairs, a Supreme Court chamber whose members are appointed by the politicized National Council of the Judiciary (KRS), can validate or reject election and referendum results. The chamber's substantial power, along with its vulnerability to politicization, further threatens the integrity of electoral oversight.

In November 2022, Parliament passed and President Duda signed a law extending the term of local governments to April 2024, ostensibly so that local elections do not interfere with parliamentary elections due in 2023. Observers warned that the law would impact the functioning of local government and was passed to protect PiS's electoral prospects.

B. POLITICAL PLURALISM AND PARTICIPATION: 16 / 16

B1. Do the people have the right to organize in different political parties or other competitive political groupings of their choice, and is the system free of undue obstacles to the rise and fall of these competing parties or groupings? 4 / 4

Poland's political parties generally organize and operate freely. While PiS and PO have long dominated the country's modern party system, challengers have risen and fallen. The latest of these is Poland 2050, a center-right party founded by presidential candidate Szymon Hołownia in 2020; Poland 2050 gained Sejm representation in early 2021 when three lawmakers defected from other parties.

AGROunia, a nongovernmental organization (NGO) focusing on agrarian issues, has sought political-party status but has not won court approval as of February 2022. In January, Citizen Lab reported that AGROunia leader Michał Kołodziejczak was targeted with Pegasus in 2019, the same year AGROunia announced its intention to register. The government acknowledged the use of Pegasus but denied using it for political purposes.

B2. Is there a realistic opportunity for the opposition to increase its support or gain power through elections? 4 / 4

There have been multiple rotations of power among rival parties since the transition from communist rule. However, the opposition faces obstacles including propaganda by PiS-controlled public media and legal changes related to electoral administration.

PiS defeated a two-term PO government in 2015. In 2019, PiS won a slim majority in the Sejm but lost control of the Senate. The Democratic Left Alliance returned to Parliament, while four new parties entered for the first time.

The 2020 presidential campaign of pro-EU Warsaw mayor Rafał Trzaskowski was one of the most significant challenges to PiS's grip on power since 2015. That vote ended with the narrowest margin of victory for an incumbent since 1989.

B3. Are the people's political choices free from domination by forces that are external to the political sphere, or by political forces that employ extrapolitical means? 4 / 4

Voters and politicians are generally free from undue interference by outside groups. However, there are concerns that the PiS government's control over various state institutions could be exploited to mobilize political support among public employees in future elections.

B4. Do various segments of the population (including ethnic, racial, religious, gender, LGBT+, and other relevant groups) have full political rights and electoral opportunities? 4 / 4

Women have equal political rights but are underrepresented in national political bodies, holding 28.3 percent of Sejm seats and 4 of the cabinet's 25 seats at year's end.

Ethnic, religious, and other minority groups enjoy full political rights and electoral opportunities. However, LGBT+ people face significant challenges to entering politics and

seeing their interests represented in Polish politics in practice. Government figures and their media allies commonly espouse homophobic rhetoric. Despite such challenges, in 2020, Robert Biedroń, an openly gay member of the European Parliament, was nominated as a presidential candidate by an alliance of three left-wing parties.

Electoral lists representing recognized national minorities are not subject to the minimum vote threshold for parliamentary representation.

C. FUNCTIONING OF GOVERNMENT: 8 / 12

C1. Do the freely elected head of government and national legislative representatives determine the policies of the government? 3 / 4

Freely elected officials generally determine and implement laws and policies without interference, though PiS leader and former prime minister Jarosław Kaczyński retains significant influence on government affairs even after resigning as deputy prime minister in June 2022. Throughout its time in power, PiS has sought to limit parliamentary scrutiny of legislation through various means, such as making use of private-members bills that require no consultation or impact assessments; abruptly introducing legislation, sometimes in the middle of the night; and limiting opportunities for the opposition to question or amend legislation.

C2. Are safeguards against official corruption strong and effective? 3 / 4

PiS came to power promising to address corruption, cronyism, and nepotism. Cronyism, a problem under all previous Polish governments, is widespread under PiS. The current government has altered, lowered, or removed many criteria for staffing of public institutions, allowing for appointments based on party loyalty and personal connections.

In past years, the NIK has raised concerns about the misuse of public funds by PiS and its coalition partners. NIK chief Marian Banaś, a PiS appointee, has himself been investigated over his financial dealings, which he claimed were politically motivated. In January 2022, Banaś warned a Senate committee that the NIK was considering compelling Jarosław Kaczyński's testimony over the use of Pegasus.

In January 2022, criminal-code amendments that enshrined conflict-of-interest measures and banned public officials from taking posts in some state-owned enterprises took effect. The amended code includes new prison sentences for corruption; some "repeat" offenses could be punished with a life sentence.

C3. Does the government operate with openness and transparency? 2 / 4

The right to public information is guaranteed by the constitution and by the 2001 Act on Access to Public Information but obtaining records and data from public institutions can be slow and difficult.

The current government avoids consulting outside experts or NGOs on policy ideas and tends to introduce and pass legislation rapidly, with little opportunity for debate or amendment.

Beginning in 2021, the government faced a string of scandals when official correspondence was leaked from private email accounts; it blamed the leak on Kremlin-backed Russian hackers and claimed that some of the emails were inauthentic components of a Russian disinformation campaign. In September 2022, Michał Dworczyk, Prime Minister Morawiecki's chief of staff, resigned over the leak of his emails, which revealed that Dworczyk met with TK chair Julia Przyłębska with the apparent aim of postponing some of its rulings.

CIVIL LIBERTIES: 47 / 60

D. FREEDOM OF EXPRESSION AND BELIEF: 13 / 16

D1. Are there free and independent media? 3 / 4

The constitution guarantees freedom of expression and forbids censorship, though libel laws have been used to harass journalists. According to March 2022 report by the Coalition against SLAPPs (strategic lawsuits against public participation) in Europe, Poland had the highest number of such lawsuits in Europe, though a majority were ultimately dismissed.

Public outlets and their governing bodies have been purged of independent or dissenting voices since PiS came to power in 2015. TVP, the state broadcaster, promotes government messages and often seeks to discredit the opposition, breaching its statutory obligations to present news in a "reliable and pluralistic manner." TVP also depicts those who criticize the government, including NGOs and judges, as agents of the opposition or foreign forces.

PiS uses state-run companies to exert control over local media. In 2020, PKN Orlen, an oil firm in which Warsaw maintains a significant stake, bought Polska Press, which operates a large number of regional newspapers and online portals. While PKN Orlen pledged to safeguard editorial independence, all but one of the chief editors at Polska Press's daily newspapers was replaced by May 2022.

Since 2015, state-controlled companies have shifted their advertising to private outlets that support PiS. More critical outlets have suffered a corresponding drop in advertising revenue, as well as a sharp decline in subscriptions from government ministries.

Journalists were barred from visiting two provinces on the border with Belarus in September 2021, as migrants and asylum seekers entered the border zone. The ban was lifted in July 2022, with a 200-meter ban being imposed instead.

In February 2022, Polish authorities arrested journalist Pablo González, who was reporting on the Russian invasion of Ukraine. Warsaw alleges that González, who has Spanish and Russian citizenship, spied for Russia. González, who denied the charges, took his case to the European Court of Human Rights in October; he remained in detention at year's end.

D2. Are individuals free to practice and express their religious faith or nonbelief in public and private? 4 / 4

The state respects freedom of religion. PiS is aligned with the Roman Catholic Church, which wields significant influence in Poland. Religious groups are not required to register with the authorities but receive tax benefits if they do. Minority faiths are generally able to obtain registration in practice. While there is a formal ban on state funding for church construction, a church can obtain Culture Ministry funding if it includes a museum.

D3. Is there academic freedom, and is the educational system free from extensive political indoctrination? 3 / 4

PiS has sought to discredit academics who challenge its preferred historical narrative, particularly with regard to the events of World War II. However, the right to pursue academic research has been upheld by courts.

In June 2022, President Duda signed a law creating a the Copernicus Academy, which is charged with financing scientific research. In 2021, Polish Academy of Sciences (PAN) head Jerzy Duszyński warned that the new academy would duplicate much of the PAN's work and threaten its funding.

In 2022, Education Minister Przemysław Czarnek attempted to introduce legislation that would have empowered education officials to more directly influence educational and

extracurricular activities in schools. Human Rights Watch (HRW) noted in February that the proposal would have allowed head teachers to be removed by "educational welfare officers" and could have been used to restrict sex education. President Duda vetoed the proposals in March and December.

D4. Are individuals free to express their personal views on political or other sensitive topics without fear of surveillance or retribution? 3 / 4

People are generally free to engage in private discussions without fear of harassment or detention by the authorities. However, Poland has harsh insult laws, including against offending religious feelings and insulting the president, which have been increasingly used to pursue criminal cases in recent years. In September 2022, the Supreme Court upheld the acquittal of a protester charged with insulting Duda at a 2020 election rally. That same month, an appellate court upheld an earlier determination that writer Jakub Żulczyk, who was charged with insulting Duda on social media, did not commit a crime.

E. ASSOCIATIONAL AND ORGANIZATIONAL RIGHTS: 10 / 12

E1. Is there freedom of assembly? 3 / 4

Freedom of assembly is generally respected in law and in practice. Public demonstrations are held with some regularity, though local authorities can limit demonstrations in their districts on grounds of maintaining public order.

LGBT+ pride parades have taken place in Poland in greater numbers in recent years, despite authorities' unsuccessful attempts to obstruct them.

E2. Is there freedom for nongovernmental organizations, particularly those that are engaged in human rights– and governance-related work? 3 / 4

Although NGOs have generally operated without government interference in Poland, public media and top officials have systematically undermined the credibility of rights and governance-related groups in recent years, accusing many of lacking financial transparency and pursuing an opposition-led political agenda. A 2017 law centralized distribution of public NGO funding through a new body, the National Freedom Institute (NIW), which is indirectly attached to the prime minister's office. The NIW went on to disproportionately fund organizations that fit the government's ideological profile.

NGOs were barred from entering the border zone near Belarus when Warsaw imposed a state of emergency in September 2021; authorities stopped NGOs from providing humanitarian aid to migrants and asylum seekers or monitoring the conduct of authorities. The state of emergency was lifted in July 2022 as a border wall neared completion. At least nine human nine human rights activists had been detained and charged with organizing or assisting in organizing an illegal border crossing by the time the state of emergency was lifted. Organizations operating in the border area also noted that authorities repeatedly detain activists for hours-long checks. In June 2022, prosecutors dropped an investigation against activists from the Club of Catholic Intelligentsia (KIK) who sought to provide assistance at the border. Proceedings against another KIK member were dropped in November.

E3. Is there freedom for trade unions and similar professional or labor organizations? 4 / 4

Poland has a robust labor movement, though certain groups—including the self-employed, private contractors, and those in essential services—cannot join unions. Complicated legal procedures hinder workers' ability to strike.

F. RULE OF LAW: 10 / 16

F1. Is there an independent judiciary? 1 / 4

Since taking power in 2015, PiS has asserted control over the judiciary, passing legislation designed to curb the powers of the TK and to install progovernment judges on its benches.

New, lower retirement ages for the Supreme Court took effect in 2018; 27 judges were effectively forced to step down but were reinstated after the European Commission (EC) launched an infringement procedure and the European Court of Justice (ECJ) ruled that the measures violated European law. Under measures that took effect in 2018, 15 of the KRS's members would be appointed by Parliament and not elected by fellow judges.

A law on the Supreme Court created powerful new chambers, including the Disciplinary Chamber (ID). The EC later launched infringement procedures, saying that the ID undermined judicial independence. In July 2021, the ECJ ordered a suspension of the ID's activities, a ruling Warsaw ignored. On the same day that the ECJ made its ruling, the TK said that the ECJ's interim measures conflicted with the constitution. That October, the ECJ imposed a daily one-million-euro penalty against Warsaw, which remained in effect as of November 2022. Also in October 2021, the TK ruled that some parts of EU law were incompatible with the constitution. The EC responded by launching another infringement procedure, arguing that the TK's rulings had violated EU law.

Individual judges have also been scrutinized, suspended, or transferred to other courts for questioning the government. In August 2022, for example, Warsaw criminal judge Marzanna Piekarska-Drążek was transferred to another court after she had questioned the government's judicial appointments.

Concerns over judicial independence persisted in 2022. In March, the TK supported the Justice Ministry's assessment that the right to a fair trial as enshrined in the European Convention on Human Rights was unconstitutional. The Sejm voted to abolish the ID in May, with the Professional Liability Chamber taking on some of its functions; opposition lawmakers called the changes cosmetic. In June, the Supreme Court's criminal chamber ruled that the KRS no longer abided by its constitutional purpose due to political interference, a claim PiS rejected. In December, Warsaw said it had agreed on legislative amendments that would address the EU's rule-of-law concerns, though President Duda said that a judicial reform bill would not be debated immediately.

In December 2022, the Sejm passed a law that would stop criminal proceedings of government officials who supplied voter lists to the post office without a legal basis before the 2020 presidential election. The law also provides for the erasure of already-rendered court convictions on the matter. The law was criticized for granting Parliament the power to supersede final court decisions, violating separation of powers.

F2. Does due process prevail in civil and criminal matters? 3 / 4

Defendants generally enjoy due process protections in Poland, though the law allows for extended pretrial detention, and a large backlog of cases exists. The use of pretrial detention has significantly increased since the PiS came to power.

The PiS government's decision to merge the roles of justice minister and prosecutor general "creates potential for misuses and political manipulation" of the justice system, according to the Venice Commission.

Legislation introduced in 2016 gave law enforcement agencies broad authority to monitor citizens' communications, including the ability to access metadata without a court order, monitor the movements of foreign citizens without prior court approval, and hold terrorism

suspects without charge for up to two weeks. It also contained ambiguous provisions on collecting individuals' data, arresting civilians, prohibiting demonstrations, and blocking internet access.

F3. Is there protection from the illegitimate use of physical force and freedom from war and insurgencies? 4 / 4

Civilians are largely free from extralegal violence, though incidents of abuse by police have been alleged particularly in the context of antigovernment demonstrations. Human rights groups have reported inadequate medical care in prison facilities.

People in Poland have generally remained unaffected by the Russian invasion of Ukraine. However, two people when a missile struck farmland near the village of Przewodów in November. Preliminary findings suggested the strike was unintentional and that the missile may have been launched by Ukrainian forces.

F4. Do laws, policies, and practices guarantee equal treatment of various segments of the population? 2 / 4

Women and ethnic minority groups generally enjoy equality before the law.

LGBT+ people continue to face discrimination. While public support for LGBT+ rights has risen in recent years, PiS has stoked fears of "imported LGBT ideology" by mounting an intense anti-LGBT+ campaign. By the end of 2020, more than 100 local governments had declared themselves "LGBT-ideology-free" zones or established "family charters," in resolutions without specific legal implications that rights groups described as hateful toward LGBT+ people. Warsaw asked local authorities to repeal their anti-LGBT+ resolutions in 2021, after the EU threatened to withdraw funding from towns that had adopted them. In June 2022, the Supreme Administrative Court ordered four municipalities to revoke their declarations, though many of them persist.

Because Poland's law against inciting hatred does not cover crimes motivated by sexuality or gender identity, public figures have been free to make slurs that would be prosecuted if targeted at other marginalized groups.

In October 2021, Parliament authorized border guards to forcibly expel migrants who had crossed into the country illegally, after Belarusian security forces stranded migrants and asylum seekers who then crossed the border into Poland. The situation, which the Belarusian regime engineered in an effort to force the EU to reverse sanctions against it, trapped thousands of people between the two countries. The United Nations and human rights organizations were denied access to the border zone and criticized Warsaw's policy of "illegal pushbacks." In June, the country's Commissioner for Human Rights reported that migrants' right to health care had been systematically violated in closed detention centers. At least 27 people died in the border zone as of November 2022.

The pushback policy continued for at least part of 2022, though Polish courts called it unlawful in June and September rulings. A border wall, which was largely completed when the state of emergency was lifted in July, was constructed to restrict the flow of people from Belarus.

The national government, local bodies, and citizens offered significant support to Ukrainians fleeing the Russian invasion of Ukraine. In March 2022, the Sejm passed legislation granting significant rights, including labor-market access, to Ukrainian refugees. However, the legislation does not apply to stateless persons arriving from Ukraine, who enjoy less protection. Warsaw attempted to cut allowances to refugees and to their Polish hosts in June, a policy that was not enacted due to widespread local opposition.

Under a government proposal announced in November, some Ukrainian refugees would be responsible for more housing and food costs beginning in March 2023. Some 1.4 million people registered for temporary protection in Poland as of October 2022, the highest figure among EU member states.

G. PERSONAL AUTONOMY AND INDIVIDUAL RIGHTS: 14 / 16

G1. Do individuals enjoy freedom of movement, including the ability to change their place of residence, employment, or education? 4 / 4

People in Poland typically enjoy freedom of travel and choice of residence, employment, and institution of higher education.

G2. Are individuals able to exercise the right to own property and establish private businesses without undue interference from state or nonstate actors? 4 / 4

Citizens have the right to own property and establish private businesses. However, a 2016 law imposed onerous restrictions on sale and ownership of agricultural land, ostensibly to protect small-scale farmers. State and religious institutions are not bound by the new restrictions.

G3. Do individuals enjoy personal social freedoms, including choice of marriage partner and size of family, protection from domestic violence, and control over appearance? 3 / 4

Under Polish law, abortion is permissible through the 12th week of pregnancy if a woman's health or life is in danger or if the pregnancy is a result of a criminal act such as rape. In January 2021, a TK ruling that abortion in cases where the fetus has a congenital disorder is unconstitutional—effectively restricting legal abortion to cases involving rape, incest, or danger to the life or health of the pregnant person—went into effect. UN experts said the ruling violates Poland's human rights obligations and effectively prevented access to legal and safe abortions within the country. Under regulations that took effect in October 2022, doctors must record pregnancies in a national register, sparking fears that it could be used to detect illegal abortions or prosecute people who survive miscarriages. By November, five women had died in Poland due to complications with their pregnancies and under circumstances where health-care providers did not perform abortions.

Since 2017, contraceptive pills have been available by prescription only. An NIK report found that in many, especially rural, parts of Poland, gynecologists are rare. Many must travel to obtain care, and reliable and timely access to contraception and other sexual-health services is limited.

Same-sex civil partnerships and marriages are not permitted, and same-sex couples are not legally allowed to adopt. The constitution places "marriage, as a union of a man and a woman," under the "care and protection" of the state.

Since 2020, government ministers have debated withdrawing from the Istanbul Convention, a treaty to combat domestic violence and violence against women, on grounds of its alleged promotion of "LGBT and gender ideology." As of the end of 2022, Poland remained a signatory.

In a 2021 report, the Council of Europe praised several initiatives to combat domestic violence, including a law mandating the immediate separation of perpetrators of domestic violence from their victims, but called for more progress. In October 2022, Parliament began work amending existing legislation that would allow law enforcement to issue restraining orders and contact bans in domestic violence cases.

G4. Do individuals enjoy equality of opportunity and freedom from economic exploitation? 3 / 4

The law provides meaningful protections against abusive working conditions and child labor, especially in the formal sector. The authorities work to combat human trafficking, but women and children are still subjected to trafficking for sexual exploitation and foreign migrant workers are vulnerable to conditions amounting to forced labor.

State-owned entities have expanded their already considerable presence in various sectors, such as banking, often by buying out foreign owners, as the government effectively renationalizes parts of the economy. Hiring for senior positions at such firms is often based on political loyalty or connections rather than merit, a longstanding issue that has grown more widespread under the current administration.

Portugal

Population: 10,300,000
Capital: Lisbon
Freedom Status: Free
Electoral Democracy: Yes

Overview: Portugal is a stable parliamentary democracy with a multiparty political system and regular transfers of power between rival parties. Civil liberties are generally protected. Ongoing concerns include corruption, certain legal constraints on journalism, poor or abusive conditions for prisoners, and the effects of racial discrimination and xenophobia. Prosecutors have pursued corruption cases against top officials in recent years.

KEY DEVELOPMENTS IN 2022

- General elections took place in January, and the governing Socialist Party (PS) won an absolute majority in the parliament. Prime Minister António Costa was confirmed for a new term in March.
- Portugal's defamation laws remained a concern during the year. The European Court of Human Rights (ECtHR) ruled in January that a journalist's freedom of expression had been violated by a 2012 defamation conviction.
- In September, the Supreme Court began hearing the trial of three former judges who were accused of corruption, abuse of power, and other offenses.

POLITICAL RIGHTS: 39 / 40

A. ELECTORAL PROCESS: 12 / 12

A1. Was the current head of government or other chief national authority elected through free and fair elections? 4 / 4

In Portugal's parliamentary system, the prime minister holds the most executive power, though the directly elected president can delay legislation through a veto and dissolve the parliament to trigger early elections. The president serves up to two five-year terms.

In January 2021, President Marcelo Rebelo de Sousa, supported by two center-right parties, won reelection with 61 percent of the vote. PS candidate Ana Gomes placed second with 13 percent, and André Ventura of the far-right Chega party secured 12 percent, with four others capturing the remainder.

António Costa of the PS, who has served as prime minister since 2015, was again confirmed in office in March 2022, after his party won the January parliamentary elections.

A2. Were the current national legislative representatives elected through free and fair elections? 4 / 4

The 230 members of the unicameral Assembly of the Republic are directly elected every four years using a system of proportional representation in 22 multimember constituencies.

In the January 2022 legislative elections, which were triggered early after lawmakers rejected the government's budget bill in November 2021, the governing PS reached an absolute majority with 120 seats. The center-right opposition Social Democratic Party (PSD) placed second with 77 seats. Chega took 12 seats, up from the 1 it had in the previous parliament. Liberal Initiative took 8 seats, Left Bloc (BE) took 5 seats, the leftist and green Unitary Democratic Coalition (CDU) won 6, and the People-Animals-Nature (PAN) party and the leftist and green Livre took 1 each.

In the September 2021 municipal council elections, the PS won in 147 out of 308 municipalities, but it lost control over the capital, where the PSD entered government after 14 years of PS rule. The PSD took 72 municipalities overall, while the People's Party led in 34. Chega secured just 4.2 percent of the vote and no municipalities.

A3. Are the electoral laws and framework fair, and are they implemented impartially by the relevant election management bodies? 4 / 4

Elections in Portugal are generally free and fair. The National Elections Commission oversees the process. An Organization for Security and Co-operation in Europe (OSCE) monitoring report issued in July 2022 generally praised that year's general elections, but recommended improvements on the transparency of campaign financing and other issues.

In February, the Constitutional Court voided some 80 percent of the mail-in ballots that were cast in the 2022 elections by Portuguese citizens living elsewhere in Europe, on the grounds that they were not accompanied by the proper identity documents. The elections had to be repeated at 139 voting stations across Europe, but the new balloting did not affect the overall results.

B. POLITICAL PLURALISM AND PARTICIPATION: 16 / 16

B1. Do the people have the right to organize in different political parties or other competitive political groupings of their choice, and is the system free of undue obstacles to the rise and fall of these competing parties or groupings? 4 / 4

Political parties operate and compete with equal opportunity. There is no legal vote threshold for representation in the parliament, meaning smaller parties can win a seat with little more than 1 percent of the overall vote. Parties espousing racist, fascist, or regionalist ideologies are constitutionally prohibited.

B2. Is there a realistic opportunity for the opposition to increase its support or gain power through elections? 4 / 4

Portugal has established a strong record of peaceful and regular power transfers between rival parties since it returned to democracy in the late 1970s. Opposition parties maintain a sizable presence in the parliament and govern important municipalities, including the capital since 2021.

B3. Are the people's political choices free from domination by forces that are external to the political sphere, or by political forces that employ extrapolitical means? 4 / 4

Both voters and politicians are free from undue interference by forces outside the political system.

B4. Do various segments of the population (including ethnic, racial, religious, gender, LGBT+, and other relevant groups) have full political rights and electoral opportunities? 4 / 4

Women and members of ethnic, religious, and other minority groups enjoy full political rights and participate in the political process. Women held 36 percent of the seats in parliament as of December 2022. Women of African descent who seek or hold public office have faced racist harassment from far-right politicians and on social media in recent years.

The autonomous regions of the Azores and Madeira—two island groups in the Atlantic—have their own political structures with legislative and executive powers.

C. FUNCTIONING OF GOVERNMENT: 11 / 12

C1. Do the freely elected head of government and national legislative representatives determine the policies of the government? 4 / 4

Elected officials are free to determine and implement laws and policies without improper interference by unelected groups.

C2. Are safeguards against official corruption strong and effective? 3 / 4

The country has struggled in recent years with major corruption scandals involving high-ranking politicians, officials, and businesspeople, though many such individuals have been duly prosecuted. In June 2022, former prime minister José Sócrates was ordered to report to the police twice monthly while awaiting trial on charges of money laundering and falsifying documents. He had originally been arrested in 2014.

While several laws to enhance accountability and transparency for elected officials were approved in 2019, enforcement and effectiveness remained unproven, and resources for auditors, police, and prosecutors were inadequate. A September 2022 report by the Council of Europe's Group of States against Corruption (GRECO) concluded that Portugal needs to strengthen its efforts to detect corruption and conflicts of interest, and to monitor and verify high-level officials' asset declarations. The European Commission's 2022 report on the rule of law also cited concerns regarding a lack of resources for the prevention, investigation, and prosecution of corruption-related cases. Government statistics showed a significant increase in the backlog of unresolved corruption cases over the past several years.

Whistleblower protections are in place, but controversy surrounded the case of Rui Pinto, a hacker-turned-whistleblower who leaked troves of documents related to the business activities of European soccer clubs. His trial on dozens of charges began in 2020 and continued in 2022.

C3. Does the government operate with openness and transparency? 4 / 4

Portuguese law provides for public access to government information and judicial proceedings, and state agencies generally respect this right.

CIVIL LIBERTIES: 57 / 60 (+1)

D. FREEDOM OF EXPRESSION AND BELIEF: 16 / 16

D1. Are there free and independent media? 4 / 4

Freedom of the press is constitutionally guaranteed. Public broadcasting channels are poorly funded and face strong competition from commercial television outlets, which provide a wide range of viewpoints, though this pluralism is threatened by ownership

concentration. Internet access is not restricted. Media groups suffered a series of cyberattacks during 2022, but the motives and perpetrators behind the attacks remained unclear.

Journalists occasionally face physical intimidation in the course of their reporting. Defamation is a criminal offense, and although prosecutions are uncommon, the ECtHR has repeatedly ruled against Portuguese authorities for their handling of both civil and criminal defamation cases involving journalists. In January 2022, the European court ruled that prominent journalist Emídio Arnaldo Freitas Rangel's 2012 defamation conviction—for criticizing associations of judges and prosecutors—had breached his right to freedom of expression.

D2. Are individuals free to practice and express their religious faith or nonbelief in public and private? 4 / 4

Portugal is overwhelmingly Roman Catholic, but the constitution guarantees freedom of religion and forbids religious discrimination. The Religious Freedom Act provides benefits for religions that have been established in the country for at least 30 years or recognized internationally for at least 60 years. However, other groups are free to register as religious corporations and receive benefits such as tax-exempt status, or to practice their faith without registering.

D3. Is there academic freedom, and is the educational system free from extensive political indoctrination? 4 / 4

Academic freedom is respected. Schools and universities operate without undue political or other interference.

D4. Are individuals free to express their personal views on political or other sensitive topics without fear of surveillance or retribution? 4 / 4

There are no significant restrictions on private discussion or the expression of personal views, although laws against defamation and discriminatory speech affect ordinary citizens, politicians, and other public figures. A judge determined in March 2022 that historian Maria de Fátima Bonifácio would have to stand trial for alleged discrimination due to a 2019 article in which she criticized Romany people. In June, the ECtHR ruled that a local politician's 2014 conviction for publishing satirical cartoons on his blog had violated his right to freedom of expression.

E. ASSOCIATIONAL AND ORGANIZATIONAL RIGHTS: 12 / 12 (+1)

E1. Is there freedom of assembly? 4 / 4 (+1)

Freedom of assembly is upheld by the authorities, and protests are common in practice. In 2022, demonstrations to support Ukraine, oppose COVID-19 measures, and advance women's rights proceeded without incident.

It was discovered in 2021 that authorities in Lisbon had for years been passing personal information about the organizers of protests against foreign governments to their respective embassies. In January 2022, the National Data Protection Commission identified 225 such infractions between 2018 and 2021 and fined Lisbon's municipal government €1.25 million ($1.3 million). The new mayor elected in late 2021 denounced the former government's practices.

Score Change: The score improved from 3 to 4 because Lisbon's municipal government no longer shared protesters' personal information with foreign governments and was punished for its past abuses.

E2. Is there freedom for nongovernmental organizations, particularly those that are engaged in human rights– and governance-related work? 4 / 4

Freedom of association is respected. National and international nongovernmental organizations (NGOs), including human rights groups, generally operate without interference. Civil society organizations whose work is focused on issues like racism or the rights of women and LGBT+ people have encountered harassment and threats from far-right groups in recent years.

E3. Is there freedom for trade unions and similar professional or labor organizations? 4 / 4

Workers enjoy the right to organize, bargain collectively, and strike, though there are some limits on the right to strike in a wide range of sectors and industries that are deemed essential. In 2022, union members mounted strikes to demand better working conditions at airports and in the railway system.

F. RULE OF LAW: 14 / 16

F1. Is there an independent judiciary? 4 / 4

The judiciary is generally independent, though GRECO and the European Commission in their 2022 reports called for more effective efforts to combat corruption and improve efficiency in the justice system. A series of scandals in the judiciary have led to prosecutions in recent years. In September 2022, for example, the Supreme Court began hearing the trial of three former judges who were accused of corruption and abuse of power, among other charges.

F2. Does due process prevail in civil and criminal matters? 4 / 4

The authorities generally observe legal safeguards against arbitrary arrest and detention, though court backlogs result in lengthy pretrial detention for some defendants. Due process rights are guaranteed during trial.

Controversy surrounding the government's 2020 appointment of José Guerra to the European Public Prosecutor's Office (EPPO) continued into 2022. Guerra had been supported by Portugal's High Council of Public Prosecutors, but a European committee of experts preferred another candidate, Ana Carla Almeida, for the post. Critics of the appointment alleged that it was politically motivated, noting that the government had included false information in its submission on Guerra's qualifications. The European Union's General Court in Luxembourg in 2021 rejected a request submitted by Almeida to annul Guerra's appointment. Almeida appealed the decision, but the court dismissed the appeal in June 2022.

F3. Is there protection from the illegitimate use of physical force and freedom from war and insurgencies? 3 / 4

While the population is generally free from serious threats to physical security, human rights groups and the Council of Europe have expressed concern over abuse of detainees and excessive use of force by police, particularly against members of racial and ethnic minority groups. Overcrowding in prisons remains a problem, as do poor health and safety conditions. SOS Racismo Portugal, an NGO, issued a statement in March 2022 to denounce the deaths of three inmates under unclear circumstances since September 2021. Separately, in January 2022, five military police officers were suspended for the alleged torture of migrant workers.

F4. Do laws, policies, and practices guarantee equal treatment of various segments of the population? 3 / 4

Equal treatment under the law is guaranteed by the constitution. Various laws prohibit discrimination based on factors including sex, race, disability, gender identity, and sexual orientation. Nevertheless, problems persist with respect to gender bias—including in employment and compensation—and discrimination against members of minority groups, particularly Roma and people of African descent.

Racism and racist violence have become more prominent issues in the public discourse, due in part to growing support for far-right groups. Among other obstacles, Black residents are subject to disparities in housing, education, and employment. A 2019 study from the European Network Against Racism (ENAR) found "deeply rooted institutional" discrimination at every stage of the judicial process, from reporting through sentencing.

Discrimination against Roma remains common and rarely punished. Living conditions in Romany communities are generally poor, Romany children face segregation and poor educational outcomes in schools, and Romany adults experience high rates of unemployment.

G. PERSONAL AUTONOMY AND INDIVIDUAL RIGHTS: 15 / 16

G1. Do individuals enjoy freedom of movement, including the ability to change their place of residence, employment, or education? 4 / 4

Freedom of movement and associated rights are protected in law and by the constitution, and the government generally respects these rights in practice. In 2022, authorities eased and finally lifted restrictions on entering the country that had been imposed in response to the COVID-19 pandemic. Separately, however, the country's ombudsperson reported lengthy delays in the processing of residency permits for immigrants and foreign citizens.

G2. Are individuals able to exercise the right to own property and establish private businesses without undue interference from state or nonstate actors? 4 / 4

The government does not interfere with the rights to own property, establish private businesses, and engage in commercial activity.

G3. Do individuals enjoy personal social freedoms, including choice of marriage partner and size of family, protection from domestic violence, and control over appearance? 4 / 4

There are no major restrictions on personal social freedoms. Same-sex marriage was legalized in 2010, and same-sex couples have had adoption rights since 2015. A 2018 law eliminated the need for transgender people to obtain a medical certificate to formally change their gender or first name. Domestic violence remains a problem despite government efforts aimed at prevention, education, and victim protection.

G4. Do individuals enjoy equality of opportunity and freedom from economic exploitation? 3 / 4

The authorities generally enforce legal safeguards against exploitative working conditions. However, Portugal remains a destination and transit point for victims of human trafficking, particularly from Eastern Europe, Asia, and West Africa. Although forced labor is prohibited by law, there have been some reports of the practice, especially in the agriculture, hospitality, domestic service, and construction sectors. Immigrant workers are especially vulnerable to economic exploitation.

Qatar

Population: 2,700,000
Capital: Doha
Freedom Status: Not Free
Electoral Democracy: No

Overview: Qatar's hereditary emir holds all executive and legislative authority and ultimately controls the judiciary. Political parties are not permitted, and the only elections are for an advisory municipal council. While Qatari citizens are among the wealthiest in the world, most of the population consists of noncitizens with no political rights, few civil liberties, and limited access to economic opportunity.

KEY DEVELOPMENTS IN 2022

- Qatar's human rights record came under intense global scrutiny during the year as the country prepared to host the 2022 FIFA World Cup, which took place in November and December. The infrastructure necessary for the tournament was largely built by migrant workers, many of whom were subjected to brutal working conditions, debt bondage, and unsanitary living conditions.
- In a closed-door trial in May, three Qatari citizens were sentenced to life in prison for protesting against a discriminatory electoral law in 2021.

POLITICAL RIGHTS: 7 / 40

A. ELECTORAL PROCESS: 2 / 12

A1. Was the current head of government or other chief national authority elected through free and fair elections? 0 / 4

The emir appoints the prime minister and cabinet and selects an heir-apparent after consulting with the ruling family and other notables. In 2013, Sheikh Hamad bin Khalifa al-Thani abdicated as emir, handing power to his fourth-born son, Sheikh Tamim bin Hamad al-Thani. In January 2020, Sheikh Khalid bin Khalifa al-Thani succeeded Sheikh Abdullah bin Nasser al-Thani, a fellow member of the ruling family, as both prime minister and interior minister.

A2. Were the current national legislative representatives elected through free and fair elections? 1 / 4

The 2003 constitution stipulates that 30 of the 45 seats on the Advisory Council should be filled through elections every four years, with the emir appointing the other 15 members. After years of delay, the emir announced in November 2020 that elections for two-thirds of the body's seats would take place in October 2021. Though official turnout for the election was 63.5 percent, in July 2021 Tamim signed a law restricting the voter franchise to "native" Qataris, whose families had settled in Qatar before 1930. The number of citizens denied voting rights due to the law is unclear. After public outcry and some small-scale protests, Emir Tamim supported amending the law to include all citizens for future votes.

Nonpartisan elections have been held since 1999 for the 29-member Central Municipal Council, a body designed to advise the minister for municipal affairs. Members serve four-year terms.

A3. Are the electoral laws and framework fair, and are they implemented impartially by the relevant election management bodies? 1 / 4

Electoral laws currently in force cover the Central Municipal Council and Advisory Council elections. Qatari citizens over the age of 18 who can demonstrate that their male ancestors were settled in Qatar prior to 1930 are eligible to vote, except those in the military or working for the Interior Ministry.

B. POLITICAL PLURALISM AND PARTICIPATION: 2 / 16

B1. Do the people have the right to organize in different political parties or other competitive political groupings of their choice, and is the system free of undue obstacles to the rise and fall of these competing parties or groupings? 0 / 4

The government does not permit the existence of political parties or other political groupings. All candidates for elections run as independents.

B2. Is there a realistic opportunity for the opposition to increase its support or gain power through elections? 0 / 4

The ruling family maintains a monopoly on political power, and the system excludes the possibility of a change in government through elections. Dissident members of the Qatari ruling family living abroad have at times advocated for political change in Qatar, though they have no organized public support.

B3. Are the people's political choices free from domination by forces that are external to the political sphere, or by political forces that employ extrapolitical means? 1 / 4

Public participation in the political arena is extremely limited. Voters and candidates who do take part in the municipal and Advisory Council elections are often influenced by tribal and family ties.

B4. Do various segments of the population (including ethnic, racial, religious, gender, LGBT+, and other relevant groups) have full political rights and electoral opportunities? 1 / 4

Up to 90 percent of Qatar's population is composed of noncitizens, including expatriates and migrant workers as well as some stateless residents, who have no political rights or electoral opportunities. Citizenship is inherited exclusively from a Qatari father; residents can apply for citizenship after 25 years in the country, but this is rarely granted. The July 2021 changes to the electoral law distinguished between "native" Qataris, whose families settled in Qatar before 1930, and naturalized citizens, who are unable to vote.

Qatari women enjoy some political rights, though they have little opportunity to organize independently and advocate for their interests. In the 2019 municipal council elections, 5 of the 85 candidates were women, and 2 of them—both incumbents—won seats. None of the 26 women candidates for the 30 open Advisory Council seats won in the 2021 elections. Emir Tamim appointed two women to the additional 15 seats.

C. FUNCTIONING OF GOVERNMENT: 3 / 12

C1. Do the freely elected head of government and national legislative representatives determine the policies of the government? 0 / 4

Decision-making authority is concentrated in the hands of the emir and his family, and the Advisory Council has only limited ability to offset executive power in certain areas. However, in July 2021, the emir granted the Advisory Council legislative powers, including the ability to propose laws and approve or reject the national budget.

C2. Are safeguards against official corruption strong and effective? 2 / 4

The authorities regularly punish lower-level public officials for bribery and embezzlement, but corruption remains a concern. No genuinely independent anticorruption mechanisms hold senior officials and members of the ruling family publicly accountable for the allocation of state resources. In May 2021, then finance minister Ali Sharif al-Emadi was removed from office and detained as part of an investigation into allegations of misuse of public funds and abuse of power.

C3. Does the government operate with openness and transparency? 1 / 4

Official information is tightly controlled, and critics complain of a lack of transparency in state procurement. Although the State Audit Bureau prepares budgets and accounts for government institutions, it does not share their full details with the public or the Advisory Council. A 2016 law empowered the bureau to make some aspects of its audit findings public, but the security ministries remained exempt from its oversight.

CIVIL LIBERTIES: 18 / 60

D. FREEDOM OF EXPRESSION AND BELIEF: 7 / 16

D1. Are there free and independent media? 1 / 4

Both print and broadcast media are influenced by leading families and subject to state censorship. The international television network Al Jazeera is privately held, but the government has reportedly paid to support its operating costs since its inception in 1996. All journalists in Qatar practice a degree of self-censorship and face possible jail sentences for defamation and other press offenses.

Shortly before the World Cup started in November 2022, a Dutch journalist was stopped by police and forced to delete videos and photos he had taken of migrant workers working as security guards outside one of the World Cup stadiums.

In January 2020, an amendment to the penal code made the sharing or publication of "false news" punishable with up to five years in prison or a maximum fine of 100,000 riyals ($27,500).

D2. Are individuals free to practice and express their religious faith or nonbelief in public and private? 2 / 4

Islam is the official religion, though the constitution explicitly provides for freedom of worship. The Ministry of Islamic Affairs oversees the construction of mosques, the hiring of imams, and guidance for sermons. Churches have been built for Qatar's growing Christian community, but non-Muslims are not allowed to proselytize or worship in public.

D3. Is there academic freedom, and is the educational system free from extensive political indoctrination? 2 / 4

The constitution guarantees academic freedom, but scholars often self-censor on politically sensitive topics. Foreign universities have established branches in Qatar under a program meant to strengthen the country's educational institutions.

D4. Are individuals free to express their personal views on political or other sensitive topics without fear of surveillance or retribution? 2 / 4

While residents enjoy some freedom of private discussion, security forces reportedly monitor personal communications, and noncitizens often self-censor to avoid jeopardizing their work and residency status. Social media users can face criminal penalties for posting politically sensitive content. However, citizens and residents have become more

active in debating current affairs and regional developments without apparent retribution in recent years.

E. ASSOCIATIONAL AND ORGANIZATIONAL RIGHTS: 2 / 12

E1. Is there freedom of assembly? 1 / 4

The constitutional right to freedom of assembly is limited by restrictive laws and does not apply to noncitizens. Organizers of public events must obtain a permit from the Interior Ministry, and protests are rare. In August 2022, at least 60 migrant workers were detained and deported after participating in a protest against their employer, who allegedly had not paid them for several months.

In May, three Qatari activists, including lawyers Hazza al-Marri and Rashed al-Marri, were sentenced to life in prison for protesting against a discriminatory electoral law in August 2021.

E2. Is there freedom for nongovernmental organizations, particularly those that are engaged in human rights– and governance-related work? 0 / 4

All nongovernmental organizations (NGOs) need state permission to operate, and the government closely monitors their activities. There are no independent human rights organizations, though a government-appointed National Human Rights Committee (NHRC) investigates alleged abuses. Independent activists are subject to state harassment.

In July 2022, several Qatari citizens who authorities have subjected to arbitrary travel bans announced the creation of the National Campaign for Travel-Banned Citizens to advocate for the lifting of such bans. Within weeks of launching the campaign, three of the group's cofounders were arrested by security forces. All three were detained for several months, but were released by year's end. According to the Gulf Centre for Human Rights (GCHR), all members of the group were still banned from traveling as of December.

E3. Is there freedom for trade unions and similar professional or labor organizations? 1 / 4

A 2005 labor law expanded worker protections, but the rights to form unions and to strike remain restricted. The only trade union allowed to operate is the General Union of Workers of Qatar, and the law prohibits union membership for noncitizens, government employees, and household workers.

F. RULE OF LAW: 5 / 16

F1. Is there an independent judiciary? 1 / 4

Despite constitutional guarantees, the judiciary is not independent in practice. Many judges are foreign nationals serving under temporary contracts that are renewed annually. The Supreme Council of the Judiciary, composed of senior judges, administers the courts and plays a role in nominating judges for appointment by the emir.

F2. Does due process prevail in civil and criminal matters? 1 / 4

Certain laws allow lengthy detentions without charge or access to a lawyer for suspects in cases involving national security or terrorism. Even under normal criminal procedure, judges can extend pretrial detention for up to half of the maximum prison term allowed for the alleged crime. Many laws contain ill-defined offenses and other language that gives prosecutors and judges broad discretion to determine guilt.

The 2021 arrests and 2022 prosecutions of Qatari human rights lawyers Hazza al-Marri and Rashed al-Marri were marked by pronounced due process violations. The brothers were reportedly denied access to legal representation while being interrogated, and were

ultimately sentenced to life in prison in a closed-door trial in May 2022. Their sentences were upheld upon appeal in October.

F3. Is there protection from the illegitimate use of physical force and freedom from war and insurgencies? 3 / 4

Violent crime is rare in Qatar, and prison conditions reportedly meet international standards. Legal bans on torture and other mistreatment of detainees have generally been respected in recent years, though international experts have called for further legislative and other improvements. The death penalty is permitted, including for crimes other than murder.

F4. Do laws, policies, and practices guarantee equal treatment of various segments of the population? 0 / 4

Noncitizens reportedly face discrimination in the courts and from police. Though the constitution bars gender-based discrimination, women are not legally guaranteed equal treatment, and their testimony is worth less than that of men in certain cases.

LGBT+ people are subject to legal and societal discrimination; vague wording in the penal code can be interpreted to criminalize same-sex sexual activity, and Sharia prohibits any sexual acts outside of heterosexual marriage. Same-sex relationships must be hidden in practice. LGBT+ people have reported being arbitrarily detained and violently assaulted by security officials.

Asylum seekers and recognized refugees are barred from engaging in political activity and need government approval to change their place of residence. An asylum committee began receiving applications in 2019, though some asylum seekers reportedly continued to be threatened with deportation, casting doubt on the implementation of the law.

G. PERSONAL AUTONOMY AND INDIVIDUAL RIGHTS: 4 / 16

G1. Do individuals enjoy freedom of movement, including the ability to change their place of residence, employment, or education? 1 / 4

Qataris face no major restrictions on freedom of movement within the country or on type or place of employment. Such freedoms, however, are not extended to noncitizens and foreign workers, who continue to face a variety of constraints. In 2020, the government expanded migrant workers' ability to leave the country without the permission of their employers. That August, the emir signed legislation allowing migrant workers to change employers before the end of their contract without their existing employer's permission, so long as they provide written notice.

Each year, up to 100 children and foreign spouses of Qatari women, as well as individuals who provide exceptional skills or services to the country, can receive permanent residency.

G2. Are individuals able to exercise the right to own property and establish private businesses without undue interference from state or nonstate actors? 1 / 4

Qataris are permitted to own property and start private businesses, although the process of obtaining necessary commercial permits can be cumbersome. With some exceptions, noncitizens are generally barred from owning property and require Qatari partners to own and operate businesses. Women do not have rights equal to those of men under inheritance laws.

G3. Do individuals enjoy personal social freedoms, including choice of marriage partner and size of family, protection from domestic violence, and control over appearance? 1 / 4

There are several legal constraints on marriage, and women are typically at a disadvantage to men under laws on personal status matters. Marriage contracts require the consent

of the woman's male guardian, and citizens must obtain government permission to marry foreigners. The foreign wives of Qatari men can obtain citizenship, but foreign husbands of Qatari women are eligible only for residency. Domestic violence and spousal rape are not specifically criminalized. Extramarital sex is illegal.

G4. Do individuals enjoy equality of opportunity and freedom from economic exploitation? 1 / 4

Many foreign nationals face economic abuses including the withholding of wages, contract manipulation, poor living conditions, and excessive working hours. However, fear of job loss and deportation often prevents them from asserting their limited rights. Women household workers are particularly vulnerable to abuse and exploitation.

The government has undertaken some reforms to mitigate these problems. A 2017 law guarantees household workers a maximum 10-hour working day, one rest day a week, three weeks of annual leave, and an end-of-service payment, among other provisions. A 2020 reform established a monthly minimum wage of 1,000 riyals ($275) for all workers, regardless of sector or nationality. Authorities introduced a nondiscriminatory minimum wage in March 2021—the first in the region. A May 2021 ministerial decision expanded the hours during which outside work is prohibited between June and September to mitigate the effects of heat stress.

However, labor exploitation remains a problem. Migrant workers who built the infrastructure for the 2022 FIFA World Cup were subjected to serious human rights violations; according to the *Guardian*, as many as 6,500 workers died in the 10-year period leading up to the tournament. Workers reportedly faced brutal working conditions, pervasive debt bondage, unsanitary living conditions, and wage theft. Additionally, in the run-up to the World Cup, thousands of migrant workers were reportedly evicted from apartment buildings, some with as little as two hours' notice.

Romania

Population: 19,000,000
Capital: Bucharest
Freedom Status: Free
Electoral Democracy: Yes

Overview: Romania's multiparty system has ensured regular rotations of power through competitive elections. Civil liberties are generally respected but have come under growing pressure as entrenched political interests push back against civic and institutional efforts to combat systemic corruption. Discrimination against ethnic and religious minorities and other vulnerable groups is a long-standing problem, as is control of key media outlets by businesspeople with political interests.

KEY DEVELOPMENTS IN 2022

- In November, the European Commission lifted the monitoring of Romania under a Cooperation and Verification Mechanism (CVM), acknowledging that the country had made sufficient progress on judicial reform and in fighting corruption.
- In December, Romania was denied a January 2023 entry to the Schengen Area. The Austrian government said it vetoed the accession over concerns about illegal migration through Romania.
- All remaining restrictions related to the COVID-19 pandemic were lifted in March.

POLITICAL RIGHTS: 35 / 40

A. ELECTORAL PROCESS: 12 / 12

A1. Was the current head of government or other chief national authority elected through free and fair elections? 4 / 4

The president, who holds some significant powers in Romania's semipresidential system, is directly elected for up to two five-year terms. The president appoints the prime minister in consultation with the parliamentary majority, and the prime minister's government requires the confidence of Parliament. Presidential and parliamentary elections held since 1990 have been generally free and fair. Klaus Iohannis, a centrist who had belonged to the National Liberal Party (PNL), won a second presidential term in November 2019, winning 66.1 percent of the vote in a runoff.

After parliamentary elections held in December 2020, Florin Cîțu of the PNL became prime minister. His government, which was originally supported by the Save Romania Union (USR) and the Democratic Alliance of Hungarians in Romania (UDMR), lost a no-confidence vote in October 2021; the USR had withdrawn its support in September. Nicolae Ciucă of the PNL became prime minister in November 2021, after he formed a coalition with the Social Democratic Party (PSD) and the UDMR.

A2. Were the current national legislative representatives elected through free and fair elections? 4 / 4

Members of the bicameral Parliament, consisting of a 136-seat Senate and a 330-seat Chamber of Deputies, are elected to four-year terms in a closed party-list proportional system.

Elections for both houses were held in December 2020, though electoral campaigns were affected by COVID-19-related restrictions. Turnout for the Chamber of Deputies contests stood at 33.3 percent, a record low. The PSD won 28.9 percent of the vote and 110 seats, while the ruling PNL won 25.2 percent and 93 seats. The 2020 USR–PLUS Alliance—which consisted of the USR and the Party of Liberty, Unity, and Solidarity before their merger was officially recognized in April 2021—won 15.4 percent and 55 seats. The UDMR won 5.7 percent and 21 seats. The nationalist Alliance for the Union of Romanians (AUR) entered Parliament for the first time, winning 9.1 percent and 33 seats.

In the concurrent Senate elections, the PSD won 29.3 percent of the vote and 47 seats, while the PNL won 25.6 percent and 41 seats. The 2020 USR–PLUS Alliance won 15.9 percent and 25 seats, the AUR won 9.2 percent and 14 seats, and the UDMR won 5.9 percent and 9 seats. Turnout for the Senate elections stood at 31.9 percent.

A3. Are the electoral laws and framework fair, and are they implemented impartially by the relevant election management bodies? 4 / 4

The legal framework generally provides for fair and competitive elections. The Romanian electoral framework relies on a Central Election Bureau, which includes judges and political representatives, and a Permanent Electoral Authority, which manages voter registration, campaign finance, and logistics.

Organization for Security and Co-operation in Europe (OSCE) observers who monitored the December 2020 parliamentary elections noted the complexity of the legal electoral framework. Observers criticized parliamentarians' fast-tracking of electoral-law amendments that September, limiting public debate. OSCE observers also voiced concerns over the electoral authorities' training efforts, which were affected by the COVID-19 pandemic.

B. POLITICAL PLURALISM AND PARTICIPATION: 14 / 16

B1. Do the people have the right to organize in different political parties or other competitive political groupings of their choice, and is the system free of undue obstacles to the rise and fall of these competing parties or groupings? 4 / 4

Romania's multiparty system features active competition between rival political parties. Under the 2015 electoral law, the number of signatures needed to create a new party decreased dramatically, leading to the registration of many new parties. Some 217 parties and alliances competed in the September 2020 local elections; 24 parties and individual candidates competed for Senate seats that December, while 82 groups and candidates, including ethnic minority groups, competed for lower-house seats.

Critics have argued that signature thresholds to register candidates for local and parliamentary elections still place new and smaller parties at a disadvantage.

B2. Is there a realistic opportunity for the opposition to increase its support or gain power through elections? 4 / 4

The country has established a record of peaceful transfers of power between rival parties. Since 1996, the PSD and the PNL, the two largest parties in the country, have alternated in government with the exception of two times when they governed together. So far, no political party has governed two full terms in a row. Governments often fall in no-confidence votes; the grand coalition government led by Nicolae Ciucă was sworn in in November 2021 and has remained in office throughout 2022.

B3. Are the people's political choices free from domination by forces that are external to the political sphere, or by political forces that employ extrapolitical means? 3 / 4

People are generally free to make political choices without undue pressure from unaccountable actors. However, clientelism in politics remains a problem both in local and national elections. In small towns and villages, mayors retain significant leverage over voters. Local mayors are known to switch parties to secure funding or other resources. Media reports documenting clientelism in national politics emerge regularly, implicating both government and opposition parties.

B4. Do various segments of the population (including ethnic, racial, religious, gender, LGBT+, and other relevant groups) have full political rights and electoral opportunities? 3 / 4

Ethnic, religious, and other minority groups enjoy full political rights under the law. The constitution grants one lower-house seat to each national minority whose representative party or organization wins no seats otherwise, with a maximum of 18 seats allotted in this fashion. President Iohannis, an ethnic German and a Lutheran, is the country's first president from either minority group. The UDMR, which represents the Hungarian minority, is part of the coalition government established in November 2021 and was a member of the previous coalition.

Roma, who make up 3.4 percent of the population, are underrepresented in politics. Social discrimination against LGBT+ people discourages political advocacy for their rights.

Data collection on gender representation is lacking, and there are no national-level policies to encourage female political participation. There are only two women in the 21-member Ciucă cabinet.

C. FUNCTIONING OF GOVERNMENT: 9 / 12

C1. Do the freely elected head of government and national legislative representatives determine the policies of the government? 4 / 4

Elected officials are generally able to craft and implement government policy without outside interference.

C2. Are safeguards against official corruption strong and effective? 2 / 4

High levels of corruption, bribery, and abuse of power persist. Romania maintains a comprehensive anticorruption action plan, though the European Anti-Fraud Office (OLAF) noted in a 2020 report that anticorruption bodies face pressure when pursuing high-level cases.

The National Anticorruption Directorate (DNA) previously won international praise for fairly investigating corruption cases and securing convictions of powerful figures. However, the 2018 dismissal of DNA chief Laura Codruţa Kövesi was seen as a blow to its independence. Kövesi won a European Court of Human Rights judgment over her dismissal in 2020. In a September 2022 ceremony marking 20 years of activity, the DNA noted that it had prosecuted more than 15,000 people accused of corruption. However, the institution has not had the power to investigate the judiciary since 2018.

C3. Does the government operate with openness and transparency? 3 / 4

Citizens have the legal right to obtain public information and can petition government agencies for it. However, processes for soliciting participation and input from various stakeholders and civil society experts are poorly defined, and the government widely utilizes emergency ordinances for legislating. COVID-19-related information was sometimes withheld, or was otherwise disseminated slowly, by authorities.

CIVIL LIBERTIES: 48 / 60

D. FREEDOM OF EXPRESSION AND BELIEF: 13 / 16

D1. Are there free and independent media? 3 / 4

Although the media environment is relatively free and pluralistic, key outlets remain controlled by businesspeople with political interests, and their coverage is highly distorted by their owners' priorities. Media outlets increasingly rely on publicly funded advertising and subsidies, jeopardizing the outlets' independence.

There are rising threats and intimidation from state institutions against some journalists. For example, in January 2022, the home of Alin Cristea, the editor in chief of an online news outlet, was raided by officers from the Directorate for Investigating Organized Crime and Terrorism (DIICOT). The officers said they were investigating the alleged possession or distribution of child sexual abuse images based on material published by the journalist about a case of brutality against a minor that had been captured on video. Free speech advocates expressed concern that the raid was a form of retaliation connected to Cristea's critical reporting about law enforcement. In November 2022, a court ruled that the case brought by DIICOT against Cristea was unjustified.

In April, a journalist involved in revealing cases of plagiarism in the doctoral theses of prominent politicians said that she was being harassed, intimidated, and threatened by unknown people as a result of her reporting, which led to the September 2022 resignation of the minister of education.

D2. Are individuals free to practice and express their religious faith or nonbelief in public and private? 3 / 4

Religious freedom is generally respected. While the Romanian Orthodox Church (BOR) remains dominant and politically powerful, the government formally recognizes 18 religions, each of which is eligible for proportional state support. Others can register as religious associations. There have been reports of discrimination and harassment against religious minorities, including vandalism in Jewish cemeteries and media articles referring to Islam and Muslim migrants as threats to Romania. The promotion of antisemitism was banned by legislation adopted in 2018.

Some religious ceremonies were impacted by COVID-19-related measures. In early 2021, the BOR criticized the government's decision to restrict or cancel major pilgrimages. All pandemic restrictions were lifted in March 2022, and religious activities returned to normal.

D3. Is there academic freedom, and is the educational system free from extensive political indoctrination? 3 / 4

The government generally does not restrict academic freedom, but the education system is weakened by widespread corruption and politically influenced appointments and financing. School principals are sometimes appointed politically and receive funding according to their political affiliation and allegiance.

D4. Are individuals free to express their personal views on political or other sensitive topics without fear of surveillance or retribution? 4 / 4

People are generally free to express their opinions without fear of retribution. In the past, some social media users received fines after they were accused of insulting police.

E. ASSOCIATIONAL AND ORGANIZATIONAL RIGHTS: 11 / 12

E1. Is there freedom of assembly? 4 / 4

Romania's constitution guarantees freedom of assembly. Public gatherings were restricted under pandemic-related measures in March 2020, but public-assembly restrictions were gradually loosened beginning in September 2020. In March 2022, all remaining restrictions were lifted.

E2. Is there freedom for nongovernmental organizations, particularly those that are engaged in human rights– and governance-related work? 4 / 4

Nongovernmental organizations (NGOs) operate without major formal restrictions. Nevertheless, many human rights and governance groups suffer from funding shortages and face hostility and smears from politicians and other actors.

E3. Is there freedom for trade unions and similar professional or labor organizations? 3 / 4

Workers have the right to form unions, have a limited right to strike, and can bargain collectively, though laws against the violation of these rights are not well enforced. There are legal constraints on the ability of unions to participate in political activity.

F. RULE OF LAW: 12 / 16

F1. Is there an independent judiciary? 3 / 4

The judiciary is generally independent and progress in this area was reflected in the lifting of the CVM by the European Commission in November 2022. Nevertheless, the judiciary continues to face pressure from the executive and legislative branches. A special prosecution unit focusing on magistrates was disbanded by a March 2022 law; the unit had been criticized by magistrates' associations and supranational bodies, who feared it would

allow for the intimidation of magistrates and other abuses. However, the European Commission for Democracy Through Law criticized the haste with which the law was passed and expressed concern about the efficacy of the systems replacing the controversial unit.

In August 2022, the government adopted new justice laws in spite of major criticism from the judiciary and civil society that the laws would diminish judicial independence. Prime Minister Ciucă pushed for the laws, saying they would bring the CVM for Romania to an end and would facilitate the country's accession to the Schengen Area.

F2. Does due process prevail in civil and criminal matters? 3 / 4

The law provides safeguards against arbitrary arrest and detention which are generally respected. However, the right to a fair and timely trial is often undermined by institutional problems including corruption, political influence, staffing shortages, and inefficient resource allocation. Many government officials and lawmakers have retained their positions despite criminal indictments or convictions by exploiting such weaknesses in the system. The hearing of noncriminal matters remained slower in 2022 than it was before the pandemic.

F3. Is there protection from the illegitimate use of physical force and freedom from war and insurgencies? 3 / 4

The population faces no major threats to physical security, but prisons and detention centers feature harsh conditions, and the abuse of detainees by police and fellow prisoners remains a problem.

F4. Do laws, policies, and practices guarantee equal treatment of various segments of the population? 3 / 4

The law provides broad protections against discrimination based on gender, race, ethnicity, sexual orientation, and other categories. However, people with disabilities, LGBT+ people, Roma, and HIV-positive children and adults face discrimination in education, employment, medical service provision, and other areas. In July 2021, the AUR, which entered Parliament in 2020, announced that it was drafting a bill that would restrict the discussion of sexual orientation or identity in educational settings. In April 2022, the Senate passed a similar bill initiated by the UDMR, but the Chamber of Deputies had not scheduled a vote on the measure by year's end.

The constitution guarantees women equal rights, but gender discrimination remains a problem in many aspects of life.

G. PERSONAL AUTONOMY AND INDIVIDUAL RIGHTS: 12 / 16

G1. Do individuals enjoy freedom of movement, including the ability to change their place of residence, employment, or education? 4 / 4

Citizens generally face no significant restrictions on freedom of movement, whether for internal or external travel, and can freely change their place of employment or education. In March 2022, all travel restrictions related to COVID-19 were removed.

G2. Are individuals able to exercise the right to own property and establish private businesses without undue interference from state or nonstate actors? 2 / 4

Property rights are protected by law, but there are still some problems with the restitution claims for property confiscated during the communist era. Bureaucratic barriers, corruption, and broader weaknesses in the rule of law hamper some private business activity. In

March 2022, the government issued rules that speed up the expropriation process for public development projects included in the National Recovery and Resilience Plan.

G3. Do individuals enjoy personal social freedoms, including choice of marriage partner and size of family, protection from domestic violence, and control over appearance? 3 / 4

While personal social freedoms are generally protected, domestic violence remains a serious problem, and laws meant to combat it are poorly enforced. Same-sex marriages are not permitted under Romanian law. However, in 2018, the Constitutional Court recognized the residency rights of same-sex couples married elsewhere, provided that one spouse is an EU citizen.

Some political actors, including the AUR, employ antigay rhetoric to galvanize conservative parts of society against political adversaries.

G4. Do individuals enjoy equality of opportunity and freedom from economic exploitation? 3 / 4

The law provides basic protections against exploitative working conditions, though they are unevenly enforced, particularly in the large informal economy. Economic opportunity varies widely between urban and rural areas, and such disparities limit social mobility for some. Human trafficking for the purpose of forced labor and prostitution remains a serious problem. Women and Roma children are especially vulnerable to forced begging.

Russia

Population: 144,300,000
Capital: Moscow
Freedom Status: Not Free
Electoral Democracy: No

Overview: Power in Russia's authoritarian political system is concentrated in the hands of President Vladimir Putin. With loyalist security forces, a subservient judiciary, a controlled media environment, and a legislature consisting of a ruling party and pliable opposition factions, the Kremlin manipulates elections and suppresses genuine dissent. Rampant corruption facilitates shifting links among state officials and organized crime groups. Russian forces invaded Ukraine in February 2022, with the government curtailing rights and individual liberties even further to stifle domestic dissent.

KEY DEVELOPMENTS IN 2022

- Russian forces launched an invasion of Ukraine in late February. Ukrainian forces repelled an early push against their capital of Kyiv and mounted a major counteroffensive in September. Russia, which illegally annexed four Ukrainian oblasts after orchestrating sham referendums there, maintained a foothold in the east at year's end. Evidence has emerged of Russian forces committing war crimes against Ukrainian civilians, including kidnapping, sexual violence, and murder.
- Russians left the country in large numbers after the war began, with the Federal Security Service (FSB) reporting that 3.9 million people departed in the first quarter of the year. The government launched a "partial mobilization" to bolster its war

effort in late September. Some Russian media outlets estimated that as many as 700,000 people, mostly military-aged men, left Russia in the following two weeks to avoid being drafted.

- Moscow cracked down on domestic dissent, including by criminalizing antiwar demonstrations in March. Protesters and bystanders faced arrest and physical mistreatment including torture. Some 13,500 people were arrested in early March, while nearly 2,400 more were detained within days of the September mobilization announcement.
- The government concealed information about the war and its effects on the country, withholding economic data and severely restricting media coverage. The Kremlin was similarly opaque about casualties.

POLITICAL RIGHTS: 5 / 40

A. ELECTORAL PROCESS: 0 / 12

A1. Was the current head of government or other chief national authority elected through free and fair elections? 0 / 4

The constitution establishes a strong presidency with the power to dismiss and appoint, pending parliamentary confirmation, the prime minister. The president is elected for as many as two consecutive six-year terms. Constitutional amendments approved in 2020 allow Putin, but not future presidents, to run for an additional two consecutive terms, potentially extending his rule to 2036.

As with past elections, Putin's 2018 reelection campaign benefited from advantages including preferential media treatment, numerous abuses of incumbency, and procedural irregularities during the vote count. His most influential rival, Aleksey Navalny, was disqualified before the campaign began due to a politically motivated criminal conviction, creating what the Organization for Security and Co-operation in Europe (OSCE) called "a lack of genuine competition." The funding sources for Putin's campaign were notably opaque.

A2. Were the current national legislative representatives elected through free and fair elections? 0 / 4

The Federal Assembly consists of the 450-seat State Duma and an upper chamber, the Federation Council. Half of Duma members are elected by nationwide proportional representation, and the other half are elected in single-member districts, with all serving five-year terms. Electoral rules are designed to benefit the ruling party, United Russia.

In the 2021 Duma elections, United Russia won 324 seats, maintaining its supermajority. The main Kremlin-approved opposition parties—the Communist Party, A Just Russia, the Liberal Democratic Party of Russia, and the New People party—won 118 seats combined. Three smaller parties and five independents won 8 seats. Turnout stood at 52 percent. The three-day election featured the first use of an opaque online voting system.

The OSCE was unable to observe the polls due to government-imposed restrictions on the number of observers. Russian election-monitoring group Golos and independent media reported violations including vote buying, pressure on voters, "clone" candidates, and ballot stuffing. Authorities pressured Apple and Google into removing the Navalny-backed Smart Voting mobile application from their online stores. Some opposition candidates were not permitted to register. After delayed online-voting results were released, pro-Kremlin candidates were declared the victors in Moscow districts where challengers had built early leads, prompting further accusations of fraud.

Gubernatorial elections were held in 15 regions in September 2022. Voters in 6 regions also participated in legislative polls, as did voters in 125 district councils in Moscow. United

Russia won four gubernatorial races, all six regional legislatures, and 1,100 seats in Moscow. The polls were marred by the absence of genuine opposition candidates, ballot stuffing, intimidation, and the use of prefilled ballots.

A3. Are the electoral laws and framework fair, and are they implemented impartially by the relevant election management bodies? 0 / 4

Russia's electoral system is designed to maintain the dominance of United Russia. The authorities frequently change electoral laws and the timing of elections in order to secure advantages for their preferred candidates. Opposition candidates have little chance of success in appealing these decisions or in securing a level playing field.

In March 2022, President Putin signed legislation mandating the use of an online voting system for referendums and elections nationwide. Online voting systems, which were used in the 2021 Duma elections, had raised concerns about ballot security and secrecy.

B. POLITICAL PLURALISM AND PARTICIPATION: 3 / 16

B1. Do the people have the right to organize in different political parties or other competitive political groupings of their choice, and is the system free of undue obstacles to the rise and fall of these competing parties or groupings? 1 / 4

The multiparty system is carefully managed by the Kremlin, which tolerates only superficial competition against United Russia. A 2012 law liberalized party-registration rules, allowing the creation of hundreds of new parties. However, none posed a significant political threat to the regime, and many seemed designed to encourage division and confusion among the opposition. The Justice Ministry has repeatedly refused to register Navalny's political party. In 2021, Navalny's Anti-Corruption Foundation was declared an extremist organization, effectively preventing anyone associated with it from running for office.

Three parties—New People, For Truth, and Green Alternative—qualified for the 2021 Duma polls after meeting a voting threshold in the 2020 local elections. However, each has links to United Russia, allowing Kremlin-friendly political figures to distance themselves from the ruling party and siphon off voters who might otherwise support genuine opposition parties.

B2. Is there a realistic opportunity for the opposition to increase its support or gain power through elections? 0 / 4

Russia has never experienced a democratic transfer of power between rival groups. Then prime minister Putin became acting president when Boris Yeltsin resigned in late 1999. Putin served two four-year presidential terms from 2000 to 2008, remained the de facto paramount leader when returning to the prime ministership, and again became president in 2012, violating the spirit if not the letter of the constitution's two-term limit. A 2008 constitutional amendment extended presidential terms to six years, and a 2020 amendment allowed Putin to run for an additional two terms, meaning he could remain in office until 2036.

Opposition politicians and activists are frequently targeted with fabricated criminal cases and other forms of administrative harassment designed to prevent their participation in the political process. Aleksey Navalny was poisoned with a toxic nerve agent in 2020, with evidence later emerging that the FSB poisoned him. Navalny, who sought medical attention in Germany, was arrested upon his return in January 2021 for violating probation. In January 2022, Navalny and eight prominent supporters were added to the government's terrorist-and-extremist registry. In March, Navalny—who was already imprisoned in a penal colony—received a nine-year sentence over embezzlement and contempt-of-court charges in a politically motivated trial.

Legislation enacted in 2021 banned individuals associated with extremist organizations from running for election. Among other restrictions, Russian citizens who hold a second citizenship or a foreign residence permit and people who have been found guilty of one of 400 criminal and administrative offenses were unable to run for office as of that year. Also in 2021, Golos reported that nearly one-tenth of all Russian adults had effectively been denied the right to run.

B3. Are the people's political choices free from domination by forces that are external to the political sphere, or by political forces that employ extrapolitical means? 1 / 4

Russia's numerous security agencies work to maintain tight control over society and prevent any political challenges to the regime. The country's leadership is also closely intertwined with powerful business magnates who benefit from government patronage in exchange for political loyalty and various forms of service. The Russian Orthodox Church similarly works to support the status quo, receiving financial support and a privileged status in return. Many employers—particularly in the public sector—pressure their employees to vote, partly to deliver the government's desired level of voter turnout.

B4. Do various segments of the population (including ethnic, racial, religious, gender, LGBT+, and other relevant groups) have full political rights and electoral opportunities? 1 / 4

The formation of parties based on ethnicity or religion is not permitted by law. In practice, many regions inhabited by distinct ethnic groups are carefully monitored and controlled by federal authorities. Most republics in the North Caucasus area and some autonomous districts in energy-rich western Siberia have opted out of direct gubernatorial elections; instead, their legislatures choose a governor from candidates proposed by the president.

Women are underrepresented in politics and government, holding only 16.2 percent of Duma seats and 21.9 percent of Federation Council seats. Few women serve as cabinet members, and many issues of importance to women are not prominent in Russian politics.

LGBT+ people face major challenges in pursuing their political interests. Marriage was defined as a union between a man and a woman under constitutional amendments enacted in 2021. In April 2022, a court effectively shuttered the LGBT Network and its parent nongovernmental organization (NGO), the Charitable Sphere Foundation; the Justice Ministry had accused the latter of engaging in "political activities using foreign property."

C. FUNCTIONING OF GOVERNMENT: 2 / 12

C1. Do the freely elected head of government and national legislative representatives determine the policies of the government? 0 / 4

President Putin dominates the political system, along with powerful allies in the security services and the business sector. These groups effectively control the output of the parliament, which is not freely elected. The 2020 constitutional amendments formalized the power of the president over the legislature and allow Putin to retain the presidency until 2036. Legislation passed in 2021 increased political centralization at the expense of regional autonomy. However, the federal authorities have limited ability to impose policy decisions in Chechnya, where Chechen leader Ramzan Kadyrov has been granted unchecked power in exchange for violently suppressing dissent and keeping the republic within the Russian Federation.

C2. Are safeguards against official corruption strong and effective? 1 / 4

Corruption in the government and the business world is pervasive, and a lack of accountability enables officials to engage in malfeasance with impunity. Many analysts have

argued that the political system is essentially a kleptocracy, a regime whose defining characteristic is the plunder of public wealth by ruling elites. Some of these elites openly work to fulfill President Putin's policy aims and receive government contracts and protection from prosecution in return for their loyalty.

In December 2022, Putin exempted government officials, including individuals deployed to Ukraine, from following a 2008 anticorruption law that mandated the disclosure of income and assets. Putin's decree also allowed Russian forces in Ukraine to receive "rewards and gifts" deemed humanitarian in nature.

C3. Does the government operate with openness and transparency? 1 / 4

There is little transparency and accountability in the day-to-day workings of the government, particularly at the federal level where decisions are adopted behind closed doors by a small group of individuals.

Official opacity further increased after the war in Ukraine began. The government restricted access to economic statistics, including trade data, as 2022 progressed, while the central bank allowed financial institutions to forgo publishing statements in March. In June, the Duma passed a bill that would make information on Russia's currency and gold reserves a state secret in its first reading. Russian authorities are similarly opaque about the war itself, providing infrequent updates on casualties and providing figures that observers believe are significant undercounts. Soldiers' relatives, meanwhile, report receiving misleading or false information about their loved ones.

CIVIL LIBERTIES: 11 / 60 (−3)

D. FREEDOM OF EXPRESSION AND BELIEF: 2 / 16 (−1)

D1. Are there free and independent media? 0 / 4

Although the constitution provides for freedom of speech, vague laws on extremism grant the authorities great discretion to crack down on any speech, organization, or activity that lacks official support. The government controls, directly or through state-owned companies and friendly business magnates, all national television networks and many radio and print outlets, as well as most of the media advertising market.

Laws on extremism, foreign agents, and undesirable organizations have been used to harass media outlets, curtailing their access to funding and forcing many to cease operations in Russia. In 2020, the foreign agents law was expanded to apply to individuals and informal organizations. Under a measure passed by the Duma in June 2022 and enforced beginning in December, anyone "under foreign influence" or who received any type of foreign support is considered a foreign agent. Under that measure, Roskomnadzor, the federal media and telecommunications agency, can block websites classified as foreign agents at the Justice Ministry's request.

As the war against Ukraine began, Roskomnadzor instructed outlets to only use Defense Ministry updates and to refrain from using words like "war" or "invasion" when discussing it. The government also began restricting access to a wide variety of websites, including those of domestic and foreign news outlets. Echo of Moscow, one of Russia's few remaining independent media outlets, closed that month after Roskomnadzor accused it of sharing "deliberately false" news. Later that month, after receiving a warning from Roskomnadzor, *Novaya Gazeta* said it would suspend its operations. In September, the newspaper's media license was stripped. By November, the websites of 175 domestic outlets and hundreds of foreign-based outlets were blocked.

A series of laws require social networks to remove "illegal" content, fine websites that fail to block such content, and enforce prison sentences for online "libel," among other provisions.

In March 2022, Roskomnadzor blocked access to Facebook, saying it discriminated against Russian media. Instagram was also blocked that month, after authorities said it hosted extremist content. Under criminal-code revisions passed in March, the dissemination of "false news" about the Russian military can be punished with prison terms as long as 15 years.

D2. Are individuals free to practice and express their religious faith or nonbelief in public and private? 1 / 4

Freedom of religion is upheld unevenly. A 1997 law on religion gives the state extensive control and makes it difficult for new or independent groups to operate. The Russian Orthodox Church has a privileged position, working closely with the government on foreign and domestic policy priorities. Antiterrorism legislation approved in 2016 grants authorities the power to suppress religious groups that are deemed extremist.

The Jehovah's Witnesses were declared an extremist organization in 2017, leading to a protracted campaign against worshippers marked by surveillance, property seizures, arrests, and torture. Over 600 Jehovah's Witnesses have since been charged with or convicted of extremism as of September 2022. In June, the European Court of Human Rights (ECtHR) declared the ban on Jehovah's Witnesses unlawful and ordered Russia to pay reparations, discontinue criminal proceedings, release imprisoned individuals, and return confiscated property. That same month, the Duma voted to end the ECtHR's jurisdiction over Russia retroactively to March. (Russia ceased to be party to the European Convention on Human Rights in September.)

Many Muslims have been detained in recent years for alleged membership in banned Islamist groups, including the peaceful Islamic movement Hizb ut-Tahrir.

Religious leaders have been pressured to support the war in Ukraine, with the authorities targeting figures who publicly opposed the invasion.

D3. Is there academic freedom, and is the educational system free from extensive political indoctrination? 0 / 4 (−1)

The higher education system and the government-controlled Academy of Sciences are hampered by bureaucratic interference, state-imposed international isolation, and pressure to toe the Kremlin line on politically sensitive topics. Several universities have banned student and faculty participation in antigovernment rallies or threatened students with expulsion should they participate. Educators have also been fired for attending or sharing information about protests on social media. Educators and academics must also receive permission from authorities for public "educational activities."

Russian authorities have further manipulated the country's education system after the war against Ukraine began. Schools and teachers have been ordered to hold "patriotic education" classes, use state-sanctioned language to describe the invasion, and openly defend the war in their classrooms. Educators who did not comply or expressed opposition to the war were fined or dismissed. Students who withdraw from a related class reportedly risk punishment. In November, the Education Ministry announced that Soviet-era compulsory military training would be introduced in high schools in 2023. Under legislative measures that took effect in December 2022, so-called foreign agents were banned from teaching in public schools.

After the invasion of Ukraine, the government forbade scientists from attending international conferences. In March 2022, it declared a science newspaper, *Troitsky Variant*, a foreign agent after it published a letter opposing the war. That same month, the Education Ministry announced that sociology, political science, and cultural studies would no longer

be taught at pedagogical institutes. Several academics have fled Russia for fear of persecution, some of whom have consequently have been fired or have otherwise faced retaliation.

Score Change: The score declined from 1 to 0 because the Russian government exposed students to propaganda related to its invasion of Ukraine, prohibited academics from attending international conferences, and has targeted educators and students who oppose or are perceived as opposing the invasion.

D4. Are individuals free to express their personal views on political or other sensitive topics without fear of surveillance or retribution? 1 / 4

Pervasive, hyperpatriotic propaganda and political repression have had a cumulative impact on open and free private discussion, which is exacerbated by state control over online expression.

A series of laws impose fines or prison sentences for insulting the state, spreading purportedly false news, committing libel, and using social media to discuss the personal information of judges and law enforcement officials or to share information on corruption. These laws have been expanded since Putin's regime launched its invasion of Ukraine and have been used along with other laws to punish and deter dissent. By September 2022, 100 individuals had faced prosecution or received convictions under criminal-code revisions on spreading "false" information about the Russian military.

In September 2022, the *New York Times* reported that Roskomnadzor actively monitors social networks and tracks internet users who share antigovernment content online, some of whom were subsequently arrested or fled the country.

Some Russians have been reported to authorities by fellow citizens for voicing opposition to the government.

E. ASSOCIATIONAL AND ORGANIZATIONAL RIGHTS: 2 / 12

E1. Is there freedom of assembly? 0 / 4

The government restricts freedom of assembly. Overwhelming police responses, the excessive use of force, routine arrests, and harsh fines and prison sentences have largely discouraged unsanctioned protests, while pro-Kremlin groups are able to demonstrate freely.

It is extremely difficult for the Kremlin's opponents to obtain permission to hold a protest or rally. At the regional level, extensive location-based restrictions prohibit assemblies in as much as 70 percent of public space. Authorities can ban rallies on vaguely defined "public interest" grounds. Those who are labeled foreign agents are prohibited from organizing public events under legislation that took effect in December 2022. In addition, authorities employ an expansive surveillance apparatus to monitor activists and use facial-recognition technology to identify and arrest demonstrators.

The government cracked down on public assemblies in 2022 as it waged war against Ukraine. Criminal-code revisions passed in March criminalized antiwar demonstrations. Security personnel used excessive force to disperse rallies, which were held nationwide as the war began. OVD-Info, a Russian human rights NGO, reported that 13,500 people were arrested, including at least 100 minors, by early March. Security personnel physically attacked demonstrators and bystanders while dispersing rallies; detainees were regularly mistreated, threatened with physical violence, and tortured after being taken into custody. OVD-Info also reported that at least 13 journalists who covered antiwar rallies were detained as of early March. Authorities were similarly harsh in dispersing protests against a September mobilization order; nearly 2,400 people were detained as of September 26.

E2. Is there freedom for nongovernmental organizations, particularly those that are engaged in human rights– and governance-related work? 0 / 4

The government has relentlessly persecuted NGOs, particularly those that work on human rights and governance issues. Civic activists are frequently arrested on politically motivated charges.

Authorities impede and block NGO work by requiring groups that receive foreign support and are deemed to engage in broadly defined "political activity" to register as foreign agents. This designation, which is interpreted by much of the Russian public as denoting a foreign spying operation, entails onerous registration requirements, obliges groups to tag their materials with a "foreign agent" label, and makes it extremely difficult for them to pursue their objectives. Authorities can designate individuals and practically all legal entities as foreign agents. Those who fail to comply with the law risk fines or prison time. Some 31 individual activists were counted as foreign agents in 2021, while 73 organizations were on the Justice Ministry's foreign agents list as of February 2022.

In 2021, Putin signed laws making it easier to open criminal cases for alleged affiliation with "undesirable" organizations.

The Russian government continued to curtail civil society activity in 2022. In February, the Supreme Court upheld its 2021 decision to shutter International Memorial, the parent organization of the Memorial Human Rights Center (PTM), for violating the law on foreign agents. PTM's dissolution was confirmed in an April appellate court ruling. Also in April, the Justice Ministry banned 15 foreign-based NGOs from Russia. Legislative measures that took effect in December, meanwhile, expanded the definition of a foreign agent to include any legal entity.

E3. Is there freedom for trade unions and similar professional or labor organizations? 2 / 4

While trade union rights are legally protected, they are limited in practice. Strikes and worker protests have occurred in prominent industries, including automobile manufacturing, but antiunion discrimination and reprisals are common. Employers often ignore collective bargaining rights. The largest labor federation works in close cooperation with the Kremlin, though independent unions are active in some industrial sectors and regions.

In August 2022, the Journalists and Media Workers' Union was found guilty of "discrediting the Russian armed forces" and fined after issuing a statement against the war in Ukraine in February. In September, a Moscow court dissolved it.

F. RULE OF LAW: 2 / 16

F1. Is there an independent judiciary? 1 / 4

The judiciary lacks independence from the executive branch, and judges' career advancement is effectively tied to compliance with Kremlin preferences. The Presidential Personnel Commission and court chairpersons control the appointment of the country's judges, who tend to be promoted from inside the judicial system rather than gaining independent experience as lawyers. The 2020 constitutional amendments empowered the president to remove judges from the Constitutional Court and the Supreme Court, with the support of the Federation Council, further narrowing the judiciary's already negligible autonomy.

F2. Does due process prevail in civil and criminal matters? 1 / 4

Safeguards against arbitrary arrest and other due process guarantees are regularly violated, particularly for individuals who oppose or are perceived as threatening to the interests of the regime and its allies. Many Russians have consequently sought justice from international courts, but a 2015 law authorizes the Russian judiciary to overrule the decisions of such

bodies. In June 2022, the Duma voted to retroactively end ECtHR jurisdiction, closing another legal option for Russians. Under legislation signed in 2021, police officers have broad authority to break into homes and vehicles and search personal belongings without a warrant.

The Parliamentary Assembly of the Council of Europe reported in May 2022 that there were 447 political prisoners in Russia, 360 of them held in connection with the exercise of religious freedom.

F3. Is there protection from the illegitimate use of physical force and freedom from war and insurgencies? 0 / 4

Use of excessive force by police is widespread, and rights groups have reported that law enforcement agents who carry out such abuses have deliberately employed electric shocks, suffocation, and the stretching of a detainee's body so as to avoid leaving visible injuries.

Chechen leader Kadyrov has been accused of using abductions, torture, extrajudicial killings, and other forms of violence to maintain control. Kadyrov is also suspected of arranging the assassination of asylum seekers and opponents-in-exile in other parts of Russia and abroad.

Many men conscripted to fight in Ukraine following the February 2022 invasion were reportedly coerced into signing service contracts, and there were reports of military personnel being misled about whether they would be sent to Ukraine. Those who refused to fight risked detention and mistreatment; some objectors were reportedly threatened with execution. In Chechnya, authorities have used threats, blackmail, and intimidation to force locals to "volunteer" for military service in Ukraine.

Violent incidents were also reported during the September mobilization drive. An officer was shot and gravely wounded at an enlistment office in the city of Ust-Ilimsk that month. In October, 11 soldiers were killed in a Belgorod facility, with the Defense Ministry claiming that 2 volunteers were responsible.

Russia proper was affected by the war during the year, with Ukrainian forces attacking military assets within Russian territory on several occasions. In December 2022, for example, three people were killed in a Ukrainian drone attack on the Engels air base in Saratov Oblast.

Prisons are overcrowded and unsanitary; inmates lack health-care access and are subject to abuse by guards. Prisoners have also been solicited and coerced to fight in Ukraine. In November, Putin signed amended legislation allowing for the conscription of recently released prisoners.

F4. Do laws, policies, and practices guarantee equal treatment of various segments of the population? 0 / 4

Immigrants and ethnic minorities—particularly those who appear to be from the Caucasus or Central Asia—face governmental and societal discrimination and harassment; local NGOs and officials reported that ethnic minorities were disproportionately targeted in the mobilization drive that began in September 2022. Constitutional amendments establish the primacy of the Russian language within the state, favoring ethnic Russians by implication.

LGBT+ people are subject to considerable discrimination. Under a 2013 law that was amended in December 2022, the promotion of "nontraditional sexual relations and/or preferences" is banned. The original law banned the promotion of "nontraditional lifestyles" to minors.

Chechnya remains particularly dangerous for LGBT+ people. In February 2022, two Chechen LGBT+ siblings received prison sentences for "aiding illegal armed groups." The siblings, who managed a Telegram channel critical of Chechen authorities, fled to the city

of Nizhny Novgorod in 2020 but were abducted by Chechen police in 2021. Their sentences were upheld in October 2022. In July, Chechen police were filmed detaining three people in Grozny and interrogating at least one about same-sex activity. Two acquaintances reportedly disappeared soon after.

In November 2022, Putin issued a decree allowing dual citizens, Russians with permanent-resident status in foreign countries, and stateless individuals to be conscripted.

G. PERSONAL AUTONOMY AND INDIVIDUAL RIGHTS: 5 / 16 (−2)

G1. Do individuals enjoy freedom of movement, including the ability to change their place of residence, employment, or education? 1 / 4 (−1)

The government restricts freedoms of movement and residence. Adults must carry internal passports while traveling and to obtain many government services. Some regional authorities impose registration rules that limit the right of citizens to choose their place of residence, typically targeting members of ethnic minorities and migrants from the Caucasus and Central Asia.

Russians have emigrated in large numbers after the invasion of Ukraine began. In May 2022, the FSB reported that 3.9 million people left in the first calendar quarter, though stated reasons included tourism and private business. More left after the partial mobilization was announced in September, with 700,000 leaving within two weeks of the announcement according to *Forbes Russia*. Some who tried to flee during the mobilization drive were met by security personnel who delivered conscription notices at border points.

Employees of the military and security services were banned from foreign travel in 2014. Following the September 2022 mobilization, reservists in many regions were prohibited from leaving their home districts, and men who received mobilization summons were refused passports. Authorities launched raids to locate military-age men during the mobilization, including those who were ostensibly exempt. Naturalized citizens who are considered opponents of the war also face restrictions; in November, Putin proposed legislative amendments that would allow for the revocation of their passports.

Ukrainians have been forcibly sent to Russia in large numbers. In August 2022, Interfax reported that over 3.4 million Ukrainians, including 556,000 children, were in Russia. The Office of the UN High Commissioner for Refugees, meanwhile, said 2.9 million Ukrainian refugees were in Russia in October. In September, the United Nations accused Moscow of forcing Ukrainian children into Russia with the aim of facilitating their adoptions there.

In late October, Putin approved an order imposing movement restrictions in several regions in Russia proper and Crimea.

Score Change: The score declined from 2 to 1 because the government restricts movement for Russians who receive mobilization orders, live in areas placed under wartime restrictions, or are perceived as opponents of the war against Ukraine, while Ukrainians have been forcibly deported to Russia proper or Russian-controlled territory.

G2. Are individuals able to exercise the right to own property and establish private businesses without undue interference from state or nonstate actors? 1 / 4

State power and private property are intimately connected, with senior officials often using their government positions to amass vast property holdings. State takeovers of key industries and large tax penalties imposed on select companies after dubious legal proceedings have illustrated the precarious nature of property rights under Putin's rule, especially when political interests are involved. Private businesses more broadly are routinely targeted for extortion or expropriation by law enforcement officials and organized criminal groups.

Two laws passed in July 2022 compel private businesses to supply the military with goods and services and force employees to work overtime to support the war effort.

G3. Do individuals enjoy personal social freedoms, including choice of marriage partner and size of family, protection from domestic violence, and control over appearance? 2 / 4

Constitutional amendments approved in 2020 define marriage as a union between a man and a woman; the changes were formally adopted in 2021, effectively barring any future law recognizing same-sex marriage.

Domestic violence receives little attention from the authorities. Survivors who kill their abusers in self-defense are commonly imprisoned. A 2017 law decriminalized acts of domestic violence that do not result in permanent physical harm. The measure also relieved police of the obligation to initiate cases, transferring that burden to survivors. Over 12,000 women may have died in domestic violence incidents between 2011 and 2019 according to a 2021 report published by the Russian Consortium of Women's NGOs.

Residents of certain regions, particularly in the North Caucasus, face tighter societal restrictions on personal appearance and relationships, and some so-called honor killings have been reported. In Chechnya, Kadyrov has spoken in favor of polygamy and sought to compel divorced couples to remarry.

G4. Do individuals enjoy equality of opportunity and freedom from economic exploitation? 1 / 4 (−1)

Legal protections against labor exploitation are poorly enforced. Migrant workers are often exposed to unsafe or exploitative working conditions. Both Russians facing economic hardship and migrants to Russia from other countries are vulnerable to sex and labor trafficking. Trafficking victims are routinely detained, deported, and prosecuted for activity they were forced to participate in.

As the war against Ukraine continued, Russian authorities began reaching out to employers, providing them with draft summons to deliver to particular workers. While some migrant workers have reportedly enlisted in order to receive citizenship after a "fast-track" decree was signed in September 2022, others have reportedly been manipulated into participating, as have prisoners. Individuals who do join report having to acquire their own supplies and going without promised payments.

Score Change: The score declined from 2 to 1 because prisoners and migrant workers are forced or coerced into military service, and because military recruits and draftees are forced to acquire supplies at their own expense and have not received promised pay.

Rwanda

Population: 13,800,000
Capital: Kigali
Freedom Status: Not Free
Electoral Democracy: No

Overview: The Rwandan Patriotic Front (RPF), led by President Paul Kagame, has ruled the country since 1994, when it ousted forces responsible for that year's genocide and ended a civil war. While the regime has maintained stability and economic growth, it has also

suppressed political dissent through pervasive surveillance, intimidation, arbitrary detention, torture, and renditions or suspected assassinations of exiled dissidents.

KEY DEVELOPMENTS IN 2022

- In June, as Rwanda hosted a Commonwealth summit, several foreign journalists were either denied accreditation or prevented from reporting freely on summit-related events.
- Kagame indicated in July that he intended to seek reelection in 2024, having already served as president since 2000.
- The 2021 conviction of political opposition figure Paul Rusesabagina, who was sentenced to 25 years in prison on terrorism charges after being forcibly repatriated in 2020 and subjected to a trial that lacked due process, was upheld by an appellate court in April.

POLITICAL RIGHTS: 8 / 40

A. ELECTORAL PROCESS: 2 / 12

A1. Was the current head of government or other chief national authority elected through free and fair elections? 0 / 4

Rwanda's 2003 constitution grants broad powers to the president, who has the authority to appoint the prime minister and dissolve the bicameral Parliament. Amendments passed in 2015 retained a two-term limit for the presidency and shortened terms from seven to five years. The changes also explicitly stated, however, that incumbent Paul Kagame was eligible for an additional seven-year term, after which he could run for two of the new five-year terms. This would extend Kagame's rule until 2034.

Kagame easily won the 2017 presidential election, taking 98.8 percent of the vote, according to official results. Frank Habineza of the Democratic Green Party of Rwanda (DGPR) and independent Philippe Mpayimana split the remainder. The electoral process was marred by numerous irregularities, including political intimidation, unfair registration practices, and alleged fraud during the balloting itself.

The National Electoral Commission (NEC) blocked the candidacies of other would-be challengers, including independent and Kagame critic Diane Rwigara, who was barred on the grounds that some of the required signatures she had collected were invalid. She claimed that her campaign's canvassers were harassed and jailed. The government also orchestrated media smears and intimidation against Rwigara, who was subsequently arrested along with her mother and sister. All three had been released by 2018.

Local authorities impeded the electoral campaigns of opposition presidential candidates, and some citizens were coerced into joining RPF rallies and voting for Kagame. Rwandans were also made to attend camps and listen to RPF propaganda, while local authorities tasked traditional leaders with persuading their communities to vote for Kagame. Access to the media and the content of electoral coverage were both skewed in favor of the RPF.

On election day, observers reported ballot stuffing, poll workers showing favoritism toward the RPF, and denial of access to the vote-counting process, among other violations. Ballot secrecy was not always respected.

A2. Were the current national legislative representatives elected through free and fair elections? 1 / 4

The 26-seat Senate, the upper house of Parliament, consists of 12 members elected by regional councils; 8 appointed by the president; 4 chosen by the National Consultative

Forum for Political Organizations (NCFPO), a public body meant to promote political consensus; and 2 elected by faculty at universities. Senators' terms were shortened from eight to five years as part of the 2015 constitutional reform. The 80-seat Chamber of Deputies, the lower house, includes 53 directly elected members, 24 women chosen by local councils, 2 members from the National Youth Council, and 1 member from the Federation of Associations of the Disabled, all serving five-year terms.

The RPF dominated the Chamber of Deputies elections held in 2018, capturing 40 of the 53 elected seats. The DGPR gained 2 seats, marking the first time under the current regime that a genuine opposition party had won representation in Parliament. Three other parties allied with the RPF—the Social Democratic Party, the Liberal Party, and the Social Party—won 5, 4, and 2 seats respectively. As with other elections in recent years, the government's repression of legitimate opposition parties and strict control of the media helped to ensure an overwhelming victory for the RPF.

A3. Are the electoral laws and framework fair, and are they implemented impartially by the relevant election management bodies? 1 / 4

The electoral laws are not impartially implemented by the NEC, whose members are proposed by the government and appointed by the RPF-dominated Senate. Rwandan elections routinely feature unfair barriers to registration, campaigning, poll monitoring, and media access for opposition parties and candidates, among other problems.

The 2015 constitutional amendments were adopted through a flawed petition and referendum process. Rights groups and news organizations cited reports that some signatures on the petition were not given voluntarily. The details of the amendments were not widely distributed or discussed ahead of the referendum, in which 98 percent of voters signaled their approval, according to the NEC. The government limited the political activities of groups opposed to the amendments, and the referendum itself was not monitored by any independent international observer groups.

B. POLITICAL PLURALISM AND PARTICIPATION: 2 / 16

B1. Do the people have the right to organize in different political parties or other competitive political groupings of their choice, and is the system free of undue obstacles to the rise and fall of these competing parties or groupings? 1 / 4

The constitution guarantees the right to organize and freely operate political parties within the bounds of the law. The government-controlled Rwanda Governance Board (RGB) is responsible for registering political parties, and in practice it can deny registration at its discretion without proper justification.

The government has a long history of repressing its political opponents, and members of opposition parties face the threat of disappearance, arbitrary arrest and detention, and assassination. Several members of the Dalfa-Umurinzi party, led by 2010 presidential candidate Victoire Ingabire, were convicted in 2020 of involvement with an "irregular armed force" and "offenses against the state," receiving prison terms ranging from 7 to 10 years. One defendant who was acquitted, Venant Abayisenga, was reported missing later that year and was believed to have been forcibly disappeared or killed.

B2. Is there a realistic opportunity for the opposition to increase its support or gain power through elections? 0 / 4

The RPF has ruled Rwanda without interruption since 1994, banning and repressing any opposition group that could mount a serious challenge to its leadership. All registered

parties currently belong to the NCFPO, which the RPF dominates. While the DGPR won two parliamentary seats in 2018, current conditions generally prevent it from gaining further positions of authority or viably competing with the RPF.

B3. Are the people's political choices free from domination by forces that are external to the political sphere, or by political forces that employ extrapolitical means? 0 / 4

Both voters and candidates face significant intimidation aimed at controlling their political choices. Rwandans living outside the country have been threatened, attacked, forcibly disappeared, or killed, apparently in retaliation for their public or suspected opposition to the regime.

The military was formally separated from the RPF after it won the civil war, but it retains close ties to the ruling party and is considered a key political stakeholder in practice.

B4. Do various segments of the population (including ethnic, racial, religious, gender, LGBT+, and other relevant groups) have full political rights and electoral opportunities? 1 / 4

The constitution calls on the president to ensure "representation of historically marginalized communities" in the Senate through his appointees. However, asserting one's ethnic identity in politics is banned, meaning the level of representation is unclear. The prohibition on discussion of ethnicity makes it nearly impossible for disadvantaged groups—including the Twa, an Indigenous group—to organize independently and advocate for their interests.

The constitution requires women to occupy at least 30 percent of the seats in each chamber of Parliament. While women currently hold more than a third of Senate seats and about 61 percent of the lower house seats, they have little practical ability to engage in politics outside the RPF structure. The promotion of gender equity disproportionately privileges English-speaking Tutsis over French-speaking Hutus and rural Tutsis. Societal discrimination, as well as the regime's general repression of dissent, prevents LGBT+ Rwandans from freely pursuing their communities' political interests.

C. FUNCTIONING OF GOVERNMENT: 4 / 12

C1. Do the freely elected head of government and national legislative representatives determine the policies of the government? 1 / 4

Government policy is largely set and implemented by the executive branch, with the security and intelligence services playing a powerful role, and the president is not freely elected. Parliament, which generally lacks the independence to serve as a check on executive authority, tends to merely endorse presidential initiatives; it is able to play more of an oversight role on issues that are less politically sensitive, such as women's rights, education, and public health.

C2. Are safeguards against official corruption strong and effective? 2 / 4

The government takes measures to limit corruption, including regular dismissals and prosecutions of officials who are suspected of malfeasance. In 2018, Parliament passed penal code revisions that expanded the list of corruption-related crimes and increased penalties for those convicted. Among other high-profile cases in recent years, a state minister responsible for cultural affairs at the Ministry of Youth and Culture was sentenced to four years in prison on corruption charges in September 2022. A lack of transparency surrounding such prosecutions makes it difficult to assess whether they are politically motivated.

There are a number of institutions dedicated to detecting and punishing misuse of public funds, including the Rwanda Public Procurement Authority, the Office of the Auditor

General, the Office of the Ombudsman, and specialized chambers for economic crimes. Nevertheless, graft remains a problem, and few independent organizations or media outlets are able to investigate or report on corruption issues due to the risk of government reprisals.

C3. Does the government operate with openness and transparency? 1 / 4

While a 2013 law provides for public access to government information, implementation has been weak. Data published on Sobanukirwa, a website created by the government to ease the process of requesting access to documents, suggest that only a small fraction of requests result in positive and timely responses. Given the government's active repression of any dissent in recent years, citizens do not have the ability in practice to obtain information about state operations, nor do they have a meaningful opportunity to comment on policy without the threat of punishment.

CIVIL LIBERTIES: 15 / 60 (+1)

D. FREEDOM OF EXPRESSION AND BELIEF: 3 / 16

D1. Are there free and independent media? 0 / 4

While the constitution nominally protects freedom of the press, the government imposes legal restrictions and informal controls on the media, and most outlets practice self-censorship. Progovernment coverage is also motivated by competition for state advertising revenue. The few journalists in the country who engage in independent reporting are subject to criminal charges and intimidation. The penal code revisions passed in 2018 criminalized cartoons and writings that "humiliate" Rwandan leaders, but also decriminalized defamation, which the Rwanda Journalists Association considered an improvement to the highly restrictive legal framework.

Many Rwandan journalists have fled the country and work in exile. Due in part to this phenomenon, the government has increasingly blocked access to news services and websites based abroad. In June 2022, several foreign correspondents were reportedly denied accreditation or otherwise obstructed from freely covering the Commonwealth summit hosted by Rwanda that month.

Authorities continued to target journalists and bloggers—particularly those broadcasting via the online video platform YouTube—for intimidation, arrest, or prosecution during 2022, using a broad interpretation of media laws that allow them to restrict content that is deemed offensive, false, or contrary to public safety and public morals. While three journalists with the YouTube-based outlet Iwacu TV were acquitted of several charges and released in October 2022, they had already spent four years in detention. Four other journalists remained behind bars in Rwanda as of December, according to the Committee to Protect Journalists.

D2. Are individuals free to practice and express their religious faith or nonbelief in public and private? 2 / 4

Religious freedom is constitutionally guaranteed, but the government has taken steps to assert greater control over religious institutions. A 2018 law requires religious organizations to obtain legal status from the RGB, to which they must submit extensive documentation. Thousands of places of worship, including churches and mosques, have been closed for allegedly violating health, safety, or noise regulations. Religious leaders must hold a degree in religious studies from a recognized educational institution, religious organizations must report grants to the RGB, and donations to faith-based groups must be deposited in Rwandan banks. Jehovah's Witnesses face arrest for refusing to participate in localized security duties like night patrols or oath-taking involving the national flag.

D3. Is there academic freedom, and is the educational system free from extensive political indoctrination? 1 / 4

The government restricts academic freedom by enforcing official views on the genocide and other sensitive topics. Any critical discussion of the RPF's actions during the war or its politicization of memorialization projects is heavily policed. Scholars and students are subject to suspension for "divisionism" and engage in self-censorship to avoid such penalties. Public and private universities generally lack any robust political debate.

Since 2008 the government has increasingly mandated the use of English as the language of instruction, including in primary schools as of 2019. The policy has raised concerns that it could disadvantage segments of society that speak only Kinyarwanda, the common national language, or French, previously the main language of higher education and administration.

D4. Are individuals free to express their personal views on political or other sensitive topics without fear of surveillance or retribution? 0 / 4

The constitution affirms freedom of speech within vaguely defined legal constraints. The practical space for free private discussion is limited in part by indications that the government monitors personal communications. Social media are heavily monitored, and the law allows for government hacking of telecommunications networks. In addition to electronic surveillance, the authorities reportedly use informants to infiltrate civil society, further discouraging citizens from voicing dissent. Individuals have been forcibly disappeared, arrested, detained, and assassinated for expressing their views.

Innocent Bahati, a popular poet who had shared his critical social commentary on social media, remained missing during 2022 following his 2021 disappearance; he had been arbitrarily detained by police in the past. Among other prominent cases, the trial of Aimable Karasira, a former university lecturer and YouTube commentator who was arrested in 2021 for alleged genocide denial and divisionism, was ongoing at year's end, and he reported being tortured and denied medical treatment in custody.

E. ASSOCIATIONAL AND ORGANIZATIONAL RIGHTS: 2 / 12

E1. Is there freedom of assembly? 0 / 4

Although the constitution guarantees freedom of assembly, this right is sharply limited and rarely exercised in practice. Fear of arrest or police violence serves as a deterrent to protests, and gatherings are sometimes disrupted even when organizers obtain official authorization. Police impose strict guidelines on approved events and can deny approval in the interest of public order and on other vaguely defined grounds.

E2. Is there freedom for nongovernmental organizations, particularly those that are engaged in human rights– and governance-related work? 1 / 4

Registration and reporting requirements for both domestic and foreign nongovernmental organizations (NGOs) are onerous, and activities that the government defines as divisive are prohibited. NGOs that focus on governance and human rights issues face particular scrutiny, with the risk of closure encouraging self-censorship. Many domestic organizations receive funds from the RGB, which challenges their independence, and those that operate freely tend to be led by RPF loyalists, as more critical activists have faced repression or fled the country.

E3. Is there freedom for trade unions and similar professional or labor organizations? 1 / 4

The constitution provides for the rights to form trade unions, engage in collective bargaining, and strike. However, free collective bargaining and strikes are limited by binding

arbitration rules and are rare in practice. Public-sector workers and employees in broadly defined "essential services" are generally not allowed to strike. Enforcement of rules against antiunion discrimination is weak. The country's largest union confederation has close ties to the RPF, and the government allegedly interferes in union elections.

F. RULE OF LAW: 3 / 16 (+1)

F1. Is there an independent judiciary? 0 / 4

Despite constitutional provisions that declare its independence, the Rwandan judiciary lacks autonomy from the executive in practice. Top judicial officials are appointed by the president and confirmed by the RPF-dominated Senate. Judges rarely rule against the government, especially in politically sensitive cases.

F2. Does due process prevail in civil and criminal matters? 1 / 4

The constitution affirms the right to due process, but the security services regularly engage in arbitrary arrests and detentions, targeting opposition figures and dissidents as well as homeless people, street vendors, and suspected petty criminals. Detainees are often held beyond the 72 hours allowed for those arrested without a warrant, denied access to legal counsel, and charged based on coerced confessions. Arbitrary detentions have intensified in Kigali ahead of international events such as the June 2022 Commonwealth summit, as authorities attempt to clear the streets of unhoused children, informal vendors, and sex workers, among others.

The government is known to pursue arbitrary detentions of political opponents living in exile. In 2020, Rwandan authorities effectively abducted Paul Rusesabagina—a Belgian citizen, US resident, and regime critic known for sheltering hundreds of people during the genocide—while he was visiting the United Arab Emirates. Upon arrival in Rwanda, he was charged with supporting terrorism due to his leadership role in the opposition Rwanda Movement for Democratic Change (MRCD) and alleged links to the group's armed wing. Rusesabagina was sentenced to 25 years in prison in 2021 after a trial that lacked due process, and the verdict was upheld on appeal in April 2022.

F3. Is there protection from the illegitimate use of physical force and freedom from war and insurgencies? 1 / 4 (+1)

Both ordinary criminal suspects and political detainees are routinely subjected to torture and other ill-treatment in custody. Extrajudicial executions of suspected criminals by security personnel have been reported, as have disappearances, physical assaults, and assassinations targeting journalists, opposition members, and other regime critics. While such abuses remain a serious threat, the worst forms of violence against dissidents within the country appear to have grown less common than in some previous years.

The Rwandan government allegedly supports rebel forces in the Democratic Republic of the Congo, and Rwandan authorities have reported occasional clashes with Congolese soldiers or rebel fighters along the border. However, insurgent activity and violent crime on Rwandan territory are extremely rare, and the population seldom faces threats to physical security from nonstate actors.

Score Change: The score improved from 0 to 1 because security forces have generally prevented violence along the border with the Democratic Republic of the Congo from spilling into Rwanda, and the incidence of enforced disappearances and extrajudicial killings of regime critics within the country appears to have decreased in recent years, although such abuses remain a problem.

F4. Do laws, policies, and practices guarantee equal treatment of various segments of the population? 1 / 4

Equal treatment for all citizens under the law is guaranteed, and there are legal protections against discrimination. However, the Tutsi minority group allegedly receives preferential treatment in employment and education under the pretext of an affirmative action program for "genocide survivors." There is a perception that English-speaking Tutsis are overrepresented in government. Members of the Hutu majority, who account for 85 percent of the population, reportedly face unofficial discrimination when seeking public employment or scholarships. The Twa, meanwhile, have long been marginalized and continue to suffer from de facto disadvantages in education, employment, and health care.

While women enjoy broad legal equality and have a significant presence in the economy as workers and business owners, gender-based discrimination persists, especially in rural areas, and gender-equality measures have largely favored English-speaking Tutsis in urban areas.

Same-sex sexual activity is not criminalized in Rwanda, though LGBT+ people face strong social stigma. No laws specifically provide protection against discrimination based on sexual orientation or gender identity, and police can arrest individuals using public morality laws.

G. PERSONAL AUTONOMY AND INDIVIDUAL RIGHTS: 7 / 16

G1. Do individuals enjoy freedom of movement, including the ability to change their place of residence, employment, or education? 2 / 4

The constitution affirms the right of Rwandans to move freely within the country, with exceptions for public order and national security. Changing one's residence requires registration with local authorities using an easily obtainable national identity card. All government officials must receive approval from the president or prime minister's office before traveling for personal or professional reasons; some current and former security officials have been arrested for unauthorized travel. Members of opposition groups have also reported restrictions on foreign travel or reentry to Rwanda.

G2. Are individuals able to exercise the right to own property and establish private businesses without undue interference from state or nonstate actors? 2 / 4

While the government is generally supportive of economic growth through private business activity, it has been criticized for seizing land for infrastructure and urban development projects without proper compensation, and for imposing agricultural and land-consolidation policies without adequate input from farmers. Business owners who are seen as critical of the government have sometimes faced politically motivated investigations and asset seizures.

The law grants the same property and inheritance rights to men and women, though women are not always able to assert their rights in practice.

G3. Do individuals enjoy personal social freedoms, including choice of marriage partner and size of family, protection from domestic violence, and control over appearance? 2 / 4

The law generally grants equal rights to men and women regarding marriage and divorce, but informal marriages under customary law, including polygamous unions, lack such protections, and same-sex marriages are illegal. The penalties for spousal rape are much lighter than that for other forms of rape. Domestic violence remains widespread and seldom reported despite numerous government programs intended to combat it.

Abortion is a criminal offense unless the pregnancy is the result of rape, incest, or forced marriage, or it poses a health risk. Abortion convictions can lead to significant prison

terms. Penal code revisions in 2018 removed language requiring all abortions to be approved by a judge, leaving the final decision in the hands of the patient and doctor.

G4. Do individuals enjoy equality of opportunity and freedom from economic exploitation? 1 / 4

Regulations governing wage levels and conditions of work in the formal sector are poorly enforced, particularly among private employers. Children are trafficked internally for domestic service under abusive conditions, or for commercial sex work, and few internal traffickers are held to account. Many children work informally in the agricultural sector. Young Congolese and Burundian refugees are vulnerable to sexual exploitation and coerced recruitment into armed groups linked to Rwandan security forces. While Rwanda has increased prosecutions for transnational trafficking in recent years, the number of convictions remains low, and victim and witness support programs are lacking.

Samoa

Population: 200,000
Capital: Apia
Freedom Status: Free
Electoral Democracy: Yes

Overview: Samoa has a democratic political system with regular elections, though the same political party had been in government for decades until 2021, and only traditional heads of families are eligible to run as candidates. The judiciary is independent, and civil liberties are generally respected.

KEY DEVELOPMENTS IN 2022

- Opposition leader and former prime minister Tuila‘epa Sa‘ilele Malielegaoi and the secretary of the Human Rights Protection Party (HRPP) Lealailepule Rimoni Aiafi were suspended indefinitely from Parliament in May for breaching parliamentary privileges. Though the suspension was declared void by the Supreme Court in August, Parliament reimposed their suspensions, for two years, in October on the same grounds.
- In November, Prime Minister Fiame Naomi Mata‘afa announced the appointment of a new Lands and Titles Court president, Lesatele Rapi Vaai, who was formerly a Supreme Court justice. Fepuleai Attiila Ropati, who was replaced as court president by Vaai, filed a legal challenge with the Supreme Court, claiming that he had been unduly removed without following proper protocols. The dispute had not been resolved by year’s end.

POLITICAL RIGHTS: 31 / 40 (−1)

A. ELECTORAL PROCESS: 9 / 12

A1. Was the current head of government or other chief national authority elected through free and fair elections? 3 / 4

The parliament elects a largely ceremonial head of state every five years; a limit of two terms was adopted through a 2019 constitutional amendment. By custom rather than constitutional requirement, the position is given to one of the country’s four paramount

chiefs. In August 2022, parliament elected Tuimaleali‘ifano Va‘aletoa Sualauvi II for a second term as head of state.

The head of government is the prime minister, who must have the parliament’s support. In July 2021, following parliamentary elections, Fiame Naomi Mata‘afa, of the Fa‘atuatua I le Atua Samoa ua Tasi (FAST), began work as prime minister after the courts resolved a lengthy dispute over the legality of her swearing-in ceremony outside the parliament months earlier.

A2. Were the current national legislative representatives elected through free and fair elections? 3 / 4

Under rules that took effect in 2021, the Legislative Assembly consists of 51 members elected in single-member constituencies. If less than 10 percent of the members elected by ordinary means are women, the highest-polling women candidates are declared elected until the required quota is reached. Elections are held every five years.

In the 2021 elections, the ruling Human Rights Protection Party (HRPP) captured 25 seats, as did the newly formed opposition FAST party. The remaining seat was won by an independent, Tuala Iosefo Ponifasio, who decided to support FAST. However, the Office of the Electoral Commissioner announced an extra seat for the HRPP on the grounds that the five women elected constituted 9.8 percent of the 51 members, short of the required 10 percent. This would give each side 26 seats. Citing the supposed tie, the head of state called for fresh elections.

Both the electoral commissioner’s interpretation of the gender quota and the head of state’s effort to call snap elections were struck down by the Supreme Court in May 2021. The new parliament was ordered to sit that month to select a new government. With the incumbent leadership still refusing to concede, the outgoing speaker prevailed upon the parliamentary clerk to lock the doors of the legislature, prompting FAST lawmakers to gather outside the building and participate in Mata‘afa’s impromptu swearing-in ceremony, which was eventually upheld by the courts in July 2021.

FAST made further gains in November 2021 by-elections, solidifying its governing majority. After the by-elections, two additional women parliamentarians were declared elected under Samoa’s minimum 10 percent gender quota. In May 2022, the Supreme Court ruled a third woman elected under that quota, bringing the total number of women in Parliament to seven (four of whom were elected by ordinary means). However, this last ruling was reversed on appeal in November, reducing the number of women in Parliament to six. Independent candidate Fo‘isala Lilo Tu‘u Ioane won a June 2022 by-election and subsequently joined the ruling FAST. At the end of 2022, due to internal party defections, FAST held 31 of the 53 seats.

A3. Are the electoral laws and framework fair, and are they implemented impartially by the relevant election management bodies? 3 / 4

The constitutional and legal framework for elections is largely democratic and fairly implemented. However, only *matai* (family heads who hold honorific customary titles) are allowed to stand as candidates. There are currently at least 60,000 matai titles recognized by the Land and Titles Court, though individuals often hold multiple titles. Only about 2 percent of matai titleholders are women. Candidates are also subject to residency and traditional village service requirements. All adult citizens over 21 years of age have the right to vote, which had previously been limited to matai before 1990.

Legislation adopted in September 2021 allowed absentee voting within Samoa, meaning voters in the imminent by-elections would not have to travel to their home constituencies to cast ballots.

B. POLITICAL PLURALISM AND PARTICIPATION: 13 / 16 (−1)

B1. Do the people have the right to organize in different political parties or other competitive political groupings of their choice, and is the system free of undue obstacles to the rise and fall of these competing parties or groupings? 4 / 4

There are no major constraints on the formation and operation of political parties, but parties must win a minimum of eight seats to qualify for formal recognition within the legislature. The opposition Tautua Samoa Party fell from 13 seats to two after the 2016 elections, leaving the parliament with just one recognized party. However, several other parties registered in the years leading up to the April 2021 elections, including FAST in 2020, and the elections themselves confirmed that there were no significant obstacles to party formation and competition.

B2. Is there a realistic opportunity for the opposition to increase its support or gain power through elections? 3 / 4 (−1)

There are no obvious obstacles that prevent the opposition from increasing its support and gaining power through elections. The former HRPP government, having been in power since the 1980s, developed an effective campaign machinery during its incumbency, but it harmed its own interests in the 2021 elections by allowing multiple candidates to run in single districts, splitting its vote and facilitating opposition victories.

In 2020, two smaller opposition parties—Tumua ma Puleono and the Samoa National Democratic Party—had announced that they would contest the 2021 elections as an alliance under the FAST banner. The opposition benefited from a number of preelection defections from the HRPP, including that of Fiame Naomi Mata'afa herself, who had served as a deputy prime minister until September 2020.

Although the HRPP incumbents contested the FAST victory in 2021, the courts ultimately ensured a democratic transfer of power. The opposition leader and former HRPP prime minister, Tuila'epa Sa'ilele Malielegaoi, and the secretary of the HRPP, Lealailepule Rimoni Aiafi, were suspended indefinitely from Parliament in May 2022 for contempt of court charges, but the suspension was declared void by the Supreme Court in August. In the aftermath of the Supreme Court ruling, FAST used its majority in parliament in October to suspend them for two years, on the same grounds.

In March 2022, former prime minister Tuila'epa and several of his HRPP colleagues were found guilty of contempt of court for their actions and statements in the aftermath of the 2021 general election, but no penalty was imposed.

Score Change: The score declined from 4 to 3 due to persistent efforts by the governing majority to suspend two leading opposition members of the parliament.

B3. Are the people's political choices free from domination by forces that are external to the political sphere, or by political forces that employ extrapolitical means? 3 / 4

While voters and candidates are largely free from undue interference with their political choices, traditional village councils consisting of local leaders with matai titles exercise considerable influence through candidate endorsements. Those who use the electoral laws to challenge the councils' preferred candidates in court have sometimes faced customary penalties such as banishment.

B4. Do various segments of the population (including ethnic, racial, religious, gender, LGBT+, and other relevant groups) have full political rights and electoral opportunities? 3 / 4

While women and members of ethnic minority groups have full voting rights, individuals must hold a matai title to qualify as electoral candidates, meaning fewer women are eligible

in practice. A sizeable minority of villages still do not allow women to hold matai titles, and few women participate in village council meetings. Members of the fa'afafine community—Samoans who are assigned male gender at birth but have a fluid or feminine gender identity—can also be matai, though they have generally not run as candidates in elections to date.

The 2016 elections marked the first application of the gender quota ensuring that at least 10 percent of parliamentary seats are held by women. If fewer than that number are elected in normal constituency contests, the unsuccessful women candidates with the most votes are awarded additional seats. One extra seat was consequently added to the 2016 parliament, two were added after the 2021 by-elections, and a third was added because of a Supreme Court ruling in May 2022, though this was reversed on appeal in November.

C. FUNCTIONING OF GOVERNMENT: 9 / 12

C1. Do the freely elected head of government and national legislative representatives determine the policies of the government? 3 / 4

The prime minister and cabinet determine and implement government policies without improper interference by outside groups. The reluctance of the new FAST government to swear in opposition members of Parliament in the wake of the postelection crisis in 2021 suggested ongoing political dysfunction.

The FAST government encountered considerable resistance from within the senior echelons of the public service, which had long worked closely with the HRPP. The clerk of the Legislative Assembly and the attorney general, both of whom were involved in the constitutional crisis, were dismissed in September 2021, as was a top official at the Finance Ministry that August. An "open letter" that month from "affected and concerned public servants" criticized their treatment by the new government and was referred to the Public Service Commission.

The FAST government has been restricted in its ability to determine government policy owing to a two-thirds requirement for constitutional amendments. For example, the previous HRPP government passed three laws in December 2020 that greatly alter the legal standing of the Land and Titles Court and reduce the powers of the Supreme Court. Owing to the absence of a two-thirds majority, the FAST government has instead insisted that a procedural technicality allows for the law to be reconsidered, which they began to do in August 2022.

C2. Are safeguards against official corruption strong and effective? 3 / 4

Independent entities including the Office of the Ombudsman, the Public Service Commission, and law enforcement agencies pursue allegations of corruption by public officials. However, corruption remains a problem and a cause of public discontent, and the government has at times resisted calls for a stronger response.

C3. Does the government operate with openness and transparency? 3 / 4

While the government generally operates with transparency, the effectiveness of the state auditing system remains the subject of public debate, and the country lacks a freedom of information law. Journalists report difficulties in getting information out of government, although government ministries often release "puff pieces."

CIVIL LIBERTIES: 52 / 60 (+1)

D. FREEDOM OF EXPRESSION AND BELIEF: 14 / 16

D1. Are there free and independent media? 3 / 4

Several public and privately owned print and broadcast news outlets operate in Samoa, and internet access has expanded rapidly in recent years. While press freedom is generally respected, politicians and other powerful actors have used libel or defamation suits to

respond to critical remarks or stories about them. In 2017, the parliament passed legislation that reintroduced criminal libel. Artistic works are also subject to government restrictions; in 2019, the feature film *Rocketman* was banned for depicting same-sex sexual activity, which is illegal in Samoa. During the 2021 general elections campaign, journalists were banned from attending some gatherings in villages or districts.

In May 2022, Lagi Keresoma, the President of the Journalists Association of Western Samoa (JAWS), said that journalists face challenges because of "the belief that freedom of expression is not part of the Samoan culture," especially in villages and districts.

D2. Are individuals free to practice and express their religious faith or nonbelief in public and private? 3 / 4

Freedom of religion is constitutionally guaranteed and mostly respected in practice. However, a 2017 constitutional amendment shifted references to Samoa being a Christian nation from the constitution's preamble to its body text, meaning it can potentially be used in legal action. There is strong societal pressure at the village level—including from village councils—to participate in the activities of the main local church.

In April and May 2020, the Samoan Law Society and the country's ombudsman expressed concerns that provisions in three government-backed bills—the Constitution Amendment Bill 2020, the Lands and Titles Court Bill 2020, and the Judicature Amendment Bill 2020—could limit religious freedom by removing the Land and Titles Court from the jurisdiction of the Supreme Court, meaning the latter could no longer review decisions on village customary matters that violated individual rights. The bills were subsequently passed in December 2020 and received the head of state's assent in January 2021. The current FAST government is opposed to those laws, but it does not have the two-thirds majority required to overturn them in the parliament.

D3. Is there academic freedom, and is the educational system free from extensive political indoctrination? 4 / 4

There are no significant restrictions on academic freedom.

D4. Are individuals free to express their personal views on political or other sensitive topics without fear of surveillance or retribution? 4 / 4

Most Samoans face no serious practical constraints on private discussion or the expression of personal views, though the threat of criminal defamation charges remains a problem for some prominent critics of the government or of powerful individuals.

E. ASSOCIATIONAL AND ORGANIZATIONAL RIGHTS: 12 / 12 (+1)

E1. Is there freedom of assembly? 4 / 4

Freedom of assembly is protected by law and respected in practice. Beginning in March 2020, the government restricted public gatherings in response to the COVID-19 pandemic. Demonstrators nevertheless continued to engage in protests, avoiding the health restrictions in part by organizing processions of vehicles. Among other demonstrations held during 2021, HRPP supporters repeatedly protested unfavorable court rulings during the postelection crisis.

E2. Is there freedom for nongovernmental organizations, particularly those that are engaged in human rights– and governance-related work? 4 / 4 (+1)

Nongovernmental organizations (NGOs), including human rights groups, operate freely, though the civil society sector in Samoa remains relatively small and underfunded.

For example, the country's only NGO focused on sexual orientation and gender identity issues reported in 2021 that it received no direct government funding and had just one paid staff member.

Score Change: The score improved from 3 to 4 because NGOs are generally free to engage in human rights–related work.

E3. Is there freedom for trade unions and similar professional or labor organizations? 4 / 4

Workers have the right to form and join trade unions, bargain collectively, and strike. Multiple unions exist, representing both public- and private-sector employees; these are often called "associations." The Samoa Workers Congress (SWC) is an umbrella body for all workers' unions.

Union members' rights are governed by the constitution and the 2013 Labour and Employment Relations Act; the latter recognizes unions and employees' roles and rights, the right to collective bargaining, and rights to maternity and paternity leave, and mandates the establishment of a National Tripartite Forum, which provides for workers' benefits and consults on employment policies and conditions. However, some cultural factors hinder the ability of workers and unions to pursue their rights.

Samoa has ratified the International Labour Organization's eight fundamental conventions.

F. RULE OF LAW: 14 / 16

F1. Is there an independent judiciary? 4 / 4

The judiciary is independent, as demonstrated by its rulings during the postelection crisis in 2021. The head of state, on the recommendation of the prime minister, appoints the chief justice. Other Supreme Court judges are appointed by the head of state on the advice of the Judicial Service Commission, which is chaired by the chief justice and includes the attorney general and a Justice Ministry appointee. Judges typically serve until they reach retirement age and cannot be removed arbitrarily.

The three reform bills adopted in December 2020 featured several provisions that could undermine judicial independence and the rule of law. One component allows the head of state, on the advice of the Judicial Service Commission, to dismiss Supreme Court judges; this had previously required a two-thirds vote in the parliament, which is still required to remove the chief justice. The legislation also separates the judicial system into two distinct and potentially conflicting structures, with one, headed by the Supreme Court, handling civil and criminal matters and the other, the Land and Titles Court, overseeing customary matters including communal land. The Land and Titles Court would have its own appellate body, and individuals would no longer be able to appeal its decisions to the Supreme Court.

The impasse over the legal status of the Land and Titles Court (LTC) has rendered that court unable to validate new judicial and administrative appointments. In February 2022, the president of the LTC sought Supreme Court intervention to validate the swearing-in of three of its judges. In April 2022, the Supreme Court granted the LTC president the ability to conduct affairrs, but left the ultimate resolution of the judges' appointments to Parliament. In November, Prime Minister Fiame Naomi Mata'afa announced the appointment of a new LTC president, Lesatele Rapi Vaai, who was formerly a Supremem Court justice. Fepuleai Attiila Ropati, who was replaced as court president by Vaai, filed a legal challenge with the Supreme Court, claiming that he had been unduly removed without following proper protocols.

F2. Does due process prevail in civil and criminal matters? 3 / 4

The authorities generally observe due process safeguards against arbitrary arrest and detention, and the courts provide defendants with the conditions necessary for a fair trial. However, village councils settle many disputes, and their adherence to due process standards varies; they have the authority to impose penalties including fines and banishment. The December 2020 legal reforms appeared to eliminate individuals' ability to appeal village council decisions to the Supreme Court, raising doubts about how conflicts between customary communal authority and the constitutional rights of individuals would be resolved.

F3. Is there protection from the illegitimate use of physical force and freedom from war and insurgencies? 4 / 4

Violent crime rates are relatively low. Police officers are occasionally accused of physical abuse. Prisons lack adequate resources, resulting in poor conditions including overcrowding, as well as breakdowns in security.

F4. Do laws, policies, and practices guarantee equal treatment of various segments of the population? 3 / 4

The constitution prohibits discrimination based on descent, sex, religion, and other categories. The Labour and Employment Relations Act also prohibits discrimination against employees on such grounds as ethnicity, race, color, sex, gender, religion, political opinion, sexual orientation, social origin, marital status, pregnancy, HIV status, and disability. However, these protections are enforced unevenly. In practice women face some discrimination in employment and other aspects of life, and same-sex sexual activity remains a criminal offense for men. Ethnic Chinese residents at times encounter societal bias and restrictions on the location of their businesses.

Fa'afafine were previously subject to a rarely enforced criminal code provision that prohibited the "impersonation" of a woman. A 2013 amendment removed that provision, but fa'afafine and other gender-diverse Samoans continue to face a degree of societal discrimination in practice.

G. PERSONAL AUTONOMY AND INDIVIDUAL RIGHTS: 12 / 16

G1. Do individuals enjoy freedom of movement, including the ability to change their place of residence, employment, or education? 3 / 4

While there are few constraints on freedom of movement, village councils still occasionally banish individuals from their communities as a penalty for serious violations of their bylaws.

G2. Are individuals able to exercise the right to own property and establish private businesses without undue interference from state or nonstate actors? 3 / 4

Private business activity is encouraged, and property rights are generally protected, though roughly 80 percent of the country's land is communally owned, meaning it is overseen by matai titleholders and other village leaders. The rest consists of freehold and state-owned land.

G3. Do individuals enjoy personal social freedoms, including choice of marriage partner and size of family, protection from domestic violence, and control over appearance? 3 / 4

While personal social freedoms are generally not restricted by law, domestic violence against women and children is a serious problem. The Crimes Act of 2013 made spousal rape a crime, and the Family Safety Act of 2013 empowers the police, public health officials,

and educators to assist victims of domestic violence. Nevertheless, many victims do not report abuse due to strong social biases and fear of reprisal.

G4. Do individuals enjoy equality of opportunity and freedom from economic exploitation? 3 / 4

Individuals generally enjoy equality of opportunity and fair working conditions. However, most adults engage in subsistence agriculture, and local custom obliges residents to perform some labor on behalf of the community; those who fail to do so can be compelled.

San Marino

Population: 30,000
Capital: San Marino
Freedom Status: Free
Electoral Democracy: Yes

Overview: San Marino is a parliamentary democracy in which political rights and civil liberties are generally upheld. Corruption is a problem, and while investigative journalists are active, the risk of heavy fines for defamation can encourage self-censorship. Women are underrepresented in politics.

KEY DEVELOPMENTS IN 2022

- In March, an appellate court issued rulings in the so-called Conto Mazzini case, involving a group of high-ranking Sammarinese officials who in 2017 were convicted of bribery, corruption, money laundering, and vote buying. In almost every judgment, the appellate court significantly reduced the defendants' initial sentences.
- Also that month, the parliament and the Judicial Council adopted codes of conduct for lawmakers and judges, respectively. The reforms were recognized as an important step forward by the Council of Europe's Group of States against Corruption (GRECO).
- In September, the parliament adopted a law that legalized abortion up to the 12th week of pregnancy, and when the pregnant woman's life or health is at risk. The legislation implemented the results of a 2021 referendum in which more than 75 percent of Sammarinese voters endorsed the change.

POLITICAL RIGHTS: 39 / 40 (+1)

A. ELECTORAL PROCESS: 12 / 12

A1. Was the current head of government or other chief national authority elected through free and fair elections? 4 / 4

Executive power rests with the 10-member State Congress (cabinet), which is accountable to the parliament and is headed by two captains regent. As the joint heads of state with largely ceremonial roles, the captains are elected every six months by the legislature from among its own members. Although there is no official prime minister, the secretary of state for foreign and political affairs is regarded as the head of government. Following the legislative elections in late 2019, Luca Beccari of the Sammarinese Christian Democratic Party (PDCS) was elected to the post in early 2020.

A2. Were the current national legislative representatives elected through free and fair elections? 4 / 4

The 60 members of the unicameral Great and General Council are elected for five-year terms. The 2019 elections were considered credible and free, and the results were accepted by stakeholders and the public. The PDCS, then in opposition, won with 21 seats. The left-wing Tomorrow in Motion (DML) coalition placed second with 15 seats, followed by Libera San Marino (LSM) with 10 seats, We for the Republic (NplR) with 8 seats, and Future Republic (RF) with 6 seats. After the elections, the PDCS formed a governing coalition with DML and NplR.

A3. Are the electoral laws and framework fair, and are they implemented impartially by the relevant election management bodies? 4 / 4

The electoral laws provide a sound basis for the organization of free and fair elections. In a compliance report published in 2021, GRECO indicated that San Marino had enacted adequate legislation to regulate the financing of political parties.

B. POLITICAL PLURALISM AND PARTICIPATION: 15 / 16

B1. Do the people have the right to organize in different political parties or other competitive political groupings of their choice, and is the system free of undue obstacles to the rise and fall of these competing parties or groupings? 4 / 4

Parties are free to form and operate in San Marino, and a great number of them contest elections. Many parties participate in larger electoral coalitions, as the electoral law gives the largest political grouping the right to take the initiative in government formation.

B2. Is there a realistic opportunity for the opposition to increase its support or gain power through elections? 4 / 4

There are no restrictions preventing the opposition from increasing support through elections, and the country has undergone transfers of power between rival party groupings in recent years. Multiple opposition groups are currently represented in the Great and General Council.

B3. Are the people's political choices free from domination by forces that are external to the political sphere, or by political forces that employ extrapolitical means? 4 / 4

The political choices of voters and candidates are free from undue pressure by unaccountable groups.

B4. Do various segments of the population (including ethnic, racial, religious, gender, LGBT+, and other relevant groups) have full political rights and electoral opportunities? 3 / 4

While citizens generally enjoy full political rights, women are underrepresented in the Great and General Council, where they held 19 of 60 seats after the 2019 elections, and in politics generally. An assessment mission from the Organization for Security and Co-operation in Europe (OSCE) that was deployed ahead of the 2019 polls noted that gender quotas on candidate lists were undercut by the preferential voting system. Women are better represented in the country's Electoral Council and in polling administration.

LGBT+ citizens have advanced their interests in the political sphere in recent years, and in April 2022 Paolo Rondelli was elected as one of the two captains regent, becoming the world's first openly gay head of state.

About 16 percent of the population consists of noncitizens who do not have political rights in the country; most are Italian nationals. Under San Marino's strict naturalization

criteria, individuals without a citizen spouse, parent, or grandparent generally must live in the country for over 30 years to be eligible for citizenship.

C. FUNCTIONING OF GOVERNMENT: 12 / 12 (+1)

C1. Do the freely elected head of government and national legislative representatives determine the policies of the government? 4 / 4

The government and legislature exercise their powers without improper interference from unelected entities.

C2. Are safeguards against official corruption strong and effective? 4 / 4 (+1)

In response to scandals involving high-ranking officials, San Marino has launched a series of programs to combat corruption and money laundering. However, GRECO's 2020 report called for structural changes to San Marino's judicial sector in order to prevent unwarranted political influence and to strengthen the country's anticorruption framework. The report also highlighted the need to adopt a code of conduct for members of parliament. In response, in March 2022 the parliament adopted legislation that introduced a code of conduct for lawmakers, with provisions designed to better manage conflicts of interest and improve transparency through asset declarations. Also that month, the Judicial Council adopted a code of ethics for judges. GRECO officials expressed their approval of these reforms in June.

In 2017, several former officials were convicted of bribery, corruption, money laundering, and vote buying as part of their involvement in the so-called Conto Mazzini case. Multiple former captains regent and ministers received prison sentences ranging from two to eight years. In March 2022, after years of hearings, an appellate court upheld most of the convictions but reduced nearly all of the penalties.

Score Change: The score improved from 3 to 4 because the parliament and Judicial Council adopted codes of conduct for public officials that included asset-declaration rules and protections against conflicts of interest.

C3. Does the government operate with openness and transparency? 4 / 4

Laws providing for the accessibility of government information are in place, and the rules are generally respected in practice. The codes of conduct for public officials that were adopted in 2022 were expected to provide additional transparency.

CIVIL LIBERTIES: 58 / 60 (+3)

D. FREEDOM OF EXPRESSION AND BELIEF: 15 / 16

D1. Are there free and independent media? 3 / 4

Freedom of the press is generally upheld. Local media are pluralistic, and journalists investigate important topics, including financial crimes. However, the risk of heavy fines or civil damages under San Marino's strict defamation laws can prompt self-censorship among journalists. News consumers also have access to Italian media, and internet access is not restricted.

D2. Are individuals free to practice and express their religious faith or nonbelief in public and private? 4 / 4

Religious freedom is broadly upheld in San Marino. Religious discrimination is prohibited by law. There is no state religion, although Roman Catholicism is dominant. Catholic religious instruction is offered in schools but is not mandatory.

D3. Is there academic freedom, and is the educational system free from extensive political indoctrination? 4 / 4

Academic freedom is generally respected.

D4. Are individuals free to express their personal views on political or other sensitive topics without fear of surveillance or retribution? 4 / 4

Freedom of expression is legally safeguarded, and people are generally free to discuss their views on politics and other sensitive topics, though the law prohibits hate speech based on various characteristics.

E. ASSOCIATIONAL AND ORGANIZATIONAL RIGHTS: 12 / 12

E1. Is there freedom of assembly? 4 / 4

Freedom of assembly is upheld in practice. Demonstrations routinely proceed without incident.

E2. Is there freedom for nongovernmental organizations, particularly those that are engaged in human rights– and governance-related work? 4 / 4

Nongovernmental organizations (NGOs) may operate without undue restrictions, and a number of human rights groups are active in the country.

E3. Is there freedom for trade unions and similar professional or labor organizations? 4 / 4

Workers are free to strike, organize in trade unions, and bargain collectively, unless they work in military occupations. Approximately half of the workforce is unionized. The law prohibits antiunion discrimination and provides avenues of recourse for workers who are penalized for union activity.

F. RULE OF LAW: 15 / 16 (+2)

F1. Is there an independent judiciary? 4 / 4 (+1)

Judicial affairs are managed by a Judicial Council made up of judges and lay members. In 2020, the government adopted legislation that altered the voting structure within the Judicial Council, giving greater influence to members of parliament sitting on the council. The body subsequently removed three judges who had been investigating the Conto Mazzini case.

In response, GRECO called for structural changes to limit political interference with the judiciary. The parliament adopted reforms in December 2021 that were designed to strengthen judicial independence, including provisions that prohibited lawmakers from serving on the Judicial Council, required the council's lay members to have specific legal education or experience, and called for those members to be elected by a two-thirds majority in the parliament; the judges on the council are elected by their peers. In June 2022, GRECO expressed its satisfaction with these reforms as well as the judicial code of ethics that was adopted by the reorganized Judicial Council in March.

Score Change: The score improved from 3 to 4 due to recent reforms that strengthened the judiciary's independence, in part by preventing elected lawmakers from serving on the Judicial Council.

F2. Does due process prevail in civil and criminal matters? 4 / 4 (+1)

Due process rights surrounding charges and trials are generally upheld in practice. The authorities respect legal safeguards against arbitrary arrest and detention. The 2020 GRECO

report on San Marino's judiciary expressed concerns about the lack of professionalism and transparency in the system, and called for a more consistent, objective, and transparent allocation of cases. In March 2022, the parliament passed amendments to the Code of Criminal Procedure and other legislation that provided for an objective and systematic allocation of cases, strengthened the protection of defendants' rights, and set rules for the recusal of judges who have conflicts of interest.

Score Change: The score improved from 3 to 4 because the parliament amended the criminal procedure code to bolster safeguards for the due process rights of defendants.

F3. Is there protection from the illegitimate use of physical force and freedom from war and insurgencies? 4 / 4

The population does not face any major threats to physical security. There is one prison in San Marino, and the inmate population is small, with no reports of serious mistreatment. Law enforcement officers generally operate with professionalism.

F4. Do laws, policies, and practices guarantee equal treatment of various segments of the population? 3 / 4

San Marino law criminalizes the dissemination of ideas related to racial or ethnic superiority; acts of violence or discrimination on various grounds, including sexual orientation and gender identity; and incitement to such acts. However, discrimination based on skin color and language are not covered by these provisions, and the country lacks a strong and comprehensive legal framework for combating discrimination more broadly. A 2019 constitutional amendment banned all forms of discrimination based on sexual orientation, but it does not cover gender identity, and it is not supported by specific, enforceable laws addressing employment and other forms of discrimination affecting LGBT+ people. Women continue to face societal prejudices that limit their access to employment and economic opportunity.

G. PERSONAL AUTONOMY AND INDIVIDUAL RIGHTS: 16 / 16 (+1)

G1. Do individuals enjoy freedom of movement, including the ability to change their place of residence, employment, or education? 4 / 4

There are no restrictions on freedom of movement, and individuals in San Marino may freely change their place of residence, employment, and education.

G2. Are individuals able to exercise the right to own property and establish private businesses without undue interference from state or nonstate actors? 4 / 4

The rights to own property and operate private businesses are upheld.

G3. Do individuals enjoy personal social freedoms, including choice of marriage partner and size of family, protection from domestic violence, and control over appearance? 4 / 4 (+1)

Personal social freedoms are generally safeguarded in San Marino. A law adopted in 2018 allows civil unions for same-sex couples. However, same-sex marriage is not recognized, and same-sex couples do not have the right to adopt children together. Reports of domestic violence, which is prohibited by law, are rare.

In a 2021 referendum, more than 75 percent of participants voted in favor of legalizing abortion up to the 12th week of pregnancy or if a pregnancy poses a danger to the woman's life or health. The parliament passed legislation implementing these results in September 2022. Abortion had previously been a criminal offense unless it was necessary to save the pregnant woman's life.

Score Change: The score improved from 3 to 4 because the parliament adopted legislation to implement a 2021 referendum in which voters approved the legalization of abortion.

G4. Do individuals enjoy equality of opportunity and freedom from economic exploitation? 4 / 4

The government generally upholds labor protections for workers and provides assistance to low-income individuals. The Council of Europe and the European Commission against Racism and Intolerance have called on San Marino to improve its efforts to prevent abusive or exploitative conditions for foreign women employed as caregivers or household workers.

São Tomé and Príncipe

Population: 200,000
Capital: São Tomé
Freedom Status: Free
Electoral Democracy: Yes

Overview: São Tomé and Príncipe holds regular, competitive elections and has undergone multiple transfers of power between rival parties. Civil liberties are generally respected, but poverty and corruption have weakened some institutions and contributed to dysfunction in the justice system. Threats to judicial independence have been a growing concern in recent years.

KEY DEVELOPMENTS IN 2022

- In April, an Angolan journalist reported that $20 million in investments routed through Angola in the 2010s went missing, implicating President Carlos Vila Nova, Independent Democratic Action (ADI) party leader Patrice Trovoada, and a former minister. In June, the attorney general called for a probe to determine why authorities did not pursue the matter in the past.
- The opposition ADI won the September parliamentary elections, with Trovoada becoming prime minister in November. The elections were marred by allegations of irregularities, the electoral commission's inability to quickly report provisional results, and disenfranchisement due to the commission's inability to update the voter roll.
- In late November, Prime Minister Trovoada said the government repelled an apparent coup attempt. Four suspects were killed; images depicting their apparent torture prompted the army chief of staff to resign in December. The government ordered an investigation into the incident.

POLITICAL RIGHTS: 35 / 40

A. ELECTORAL PROCESS: 11 / 12

A1. Was the current head of government or other chief national authority elected through free and fair elections? 4 / 4

The president is directly elected for up to two consecutive five-year terms. Executive elections are typically considered free and fair.

Carlos Vila Nova of ADI was elected president in September 2021, winning 57.5 percent of the vote in a delayed second round. The election was marred by irregularities, including allegations of first-round vote-counting errors. The Constitutional Court, meanwhile, issued multiple rulings in response to third-place candidate Delfim Nevès's request before ultimately denying it. The second round was not affected by fraud allegations, and both domestic and international observers ultimately assessed the elections as largely free and fair.

The prime minister, who holds most day-to-day executive authority, is appointed by the president based on the results of legislative elections. Patrice Trovoada of ADI became prime minister in November 2022, after ADI won a majority in that September's elections.

A2. Were the current national legislative representatives elected through free and fair elections? 4 / 4

Members of the unicameral, 55-seat National Assembly are elected by popular vote to four-year terms. The opposition ADI won 30 seats in September 2022; ADI displaced the ruling Liberation of São Tomé and Príncipe–Social Democratic Party (MLSTP-PSD), which won 18. A coalition of the Movement of Independent Citizens/Socialist Party and the Party of National Unity won 5, while the Basta Movement won 2. Turnout stood at 65.4 percent.

The vote was marred by allegations of irregularities, including vote buying. Demonstrators blocked access to polling stations near a hospital in São Tomé to protest a lack of drinking water. The National Electoral Commission (CEN) took over a day to report provisional results and delegated the reporting of final results to the Constitutional Court; ADI supporters protested at CEN headquarters in response to the delay, burning tires. European Union (EU) observers called the polls themselves as "peaceful and orderly" but criticized the absence of campaign spending limits and "difficult enforcement of the ban on foreign funding."

Local and regional elections, including for Príncipe's regional assembly, were concurrently held with the parliamentary elections. ADI won most local seats under a new majoritarian system. The ruling Union for Change and Progress of Príncipe topped the regional polls there.

A3. Are the electoral laws and framework fair, and are they implemented impartially by the relevant election management bodies? 3 / 4

The electoral laws and framework are generally fair, but their implementation suffers from the lack of resources and staff. In May 2022, the Constitutional Court presented a new map for parliamentary districts ahead of the September elections, including the two seats for members of the diaspora.

In April 2022, ADI criticized the tardy seating of CEN members. EU observers reported that electoral-roll updates were not conducted ahead of the elections because of that delay, leading to significant disenfranchisement.

B. POLITICAL PLURALISM AND PARTICIPATION: 15 / 16

B1. Do the people have the right to organize in different political parties or other competitive political groupings of their choice, and is the system free of undue obstacles to the rise and fall of these competing parties or groupings? 4 / 4

The multiparty system features free and vigorous competition among political parties, though they are known to fracture. After the September 2022 elections, the Constitutional Court declared four parties that did not receive at least 0.5 percent of votes "extinct" per electoral law.

B2. Is there a realistic opportunity for the opposition to increase its support or gain power through elections? 4 / 4

The MLSTP-PSD ruled São Tomé and Príncipe as a one-party state from independence in 1975 until 1991. Multiple democratic transfers of power have occurred since. Individual governments have tended to be short-lived, as a proportional-representation system encourages coalition or minority governments. However, the 2014–18 and 2018–22 governments completed full terms.

B3. Are the people's political choices free from domination by forces that are external to the political sphere, or by political forces that employ extrapolitical means? 3 / 4

Voters and politicians are generally free from undue interference with their decisions. The practice of vote buying by political parties and candidates remains a problem. Military coups occurred in 1995 and 2003 but civilian rule was swiftly restored in both cases.

B4. Do various segments of the population (including ethnic, racial, religious, gender, LGBT+, and other relevant groups) have full political rights and electoral opportunities? 4 / 4

Women and minority groups enjoy full political rights. While women have made advances in the political sphere, societal discrimination and disparities in access to education inhibit women's participation. In September 2022, the president signed a gender parity law establishing that women should hold 40 percent of decision-making posts at the national and regional levels; it took effect after that month's elections.

Some 30 percent of elected positions should be held by women per the preexisting Political Party Law but only 14.5 percent of the parliament's seats were won by women in September 2022. Four women were included in the 11-member cabinet announced in November; the new government also established the Ministry of Women's Rights after taking power.

C. FUNCTIONING OF GOVERNMENT: 9 / 12

C1. Do the freely elected head of government and national legislative representatives determine the policies of the government? 4 / 4

The prime minister and cabinet determine policy under the supervision of the National Assembly and the president. They implement laws and policies without improper interference from unelected entities.

In April 2022, then prime minister Bom Jesus requested the dismissal of central bank governor Américo Barros, arguing that he had become politically active as a MLSTP-PSD presidential candidate. The president refused the request and was criticized by Bom Jesus for interfering with the government's decision-making authority.

C2. Are safeguards against official corruption strong and effective? 2 / 4

Corruption is a major problem. Oversight mechanisms, the opposition, and the media have repeatedly uncovered evidence of official malfeasance, sometimes resulting in dismissals and other repercussions. However, anticorruption laws are poorly enforced. In March 2022, President Vila Nova announced the creation of a committee of "wise men" to curb corruption.

In April 2022, an Angolan journalist reported that $20 million in investments routed through Angola and directed to São Tomé and Príncipe went unaccounted for after 2015. The journalist implicated Vila Nova, Trovoada, and a former minister. In June, Attorney General Kelve Nobre de Carvalho requested a new audit into why an inquiry into the matter had been closed.

C3. Does the government operate with openness and transparency? 3 / 4

The government generally does not restrict access to information about its operations. However, there is no specific law guaranteeing public access to government information. Officials rarely disclose their assets and income.

CIVIL LIBERTIES: 49 / 60

D. FREEDOM OF EXPRESSION AND BELIEF: 15 / 16

D1. Are there free and independent media? 3 / 4

Freedom of the press is constitutionally guaranteed and largely respected in practice. Public media convey opposition views and grant some access to opposition leaders, but only a handful of private outlets are available, and a degree of self-censorship is reported at both public and private outlets. The public television, radio, and wire outlets are under the prime minister's office.

There are no restrictions on online media, though the sector is poorly developed. Some 30 percent of the population has internet access, and the government is working to expand coverage.

D2. Are individuals free to practice and express their religious faith or nonbelief in public and private? 4 / 4

The constitution provides for freedom of religion. Religious groups are required to register with the Justice Ministry and can face penalties for failing to do so, but the process is not reported to be biased or restrictive.

D3. Is there academic freedom, and is the educational system free from extensive political indoctrination? 4 / 4

The constitution prohibits political indoctrination in education, and academic freedom is generally respected in practice. However, the quality of education is considered poor. Inequality in access to education and poor infrastructure are persistent problems.

D4. Are individuals free to express their personal views on political or other sensitive topics without fear of surveillance or retribution? 4 / 4

There are no restrictions on freedom of expression, which is constitutionally guaranteed. The government is not known to engage in improper surveillance of personal communications or monitoring of online content. Social media is used to express private and political opinions.

E. ASSOCIATIONAL AND ORGANIZATIONAL RIGHTS: 11 / 12

E1. Is there freedom of assembly? 4 / 4

The constitution protects freedom of assembly, which the government generally observes in practice. However, organizers are obliged to give authorities two days' notice before public gatherings.

E2. Is there freedom for nongovernmental organizations, particularly those that are engaged in human rights– and governance-related work? 4 / 4

Nongovernmental organizations, including those focusing on human rights and governance issues, are free to operate. A lack of funding limits their activities.

E3. Is there freedom for trade unions and similar professional or labor organizations? 3 / 4

Workers can legally organize, strike, and bargain collectively. These rights are mostly respected, though there are no provisions to regulate bargaining or punish antiunion

practices by employers. Most union negotiations are conducted with the government, the country's dominant formal-sector employer.

F. RULE OF LAW: 12 / 16

F1. Is there an independent judiciary? 3 / 4

The constitution provides for an independent judiciary. Courts are relatively autonomous in practice, but they are susceptible to political influence and corruption.

In 2020, the government launched a three-year modernization program of the justice system designed, in part, to bolster judicial and prosecutorial independence. That program is ongoing.

Judges have complained of the use of "discriminatory" criteria, including a seniority requirement, to fill Supreme Court of Justice vacancies in 2021. Judges held a strike days before the September 2022 elections, asking for better wages and workplace conditions.

F2. Does due process prevail in civil and criminal matters? 3 / 4

Law enforcement authorities generally observe legal safeguards against arbitrary arrest and detention as well as guarantees for a fair trial, but police corruption is a problem, and indigent defendants are sometimes denied access to a lawyer. Nearly a third of prisoners are in pretrial detention, which can sometimes be lengthy.

F3. Is there protection from the illegitimate use of physical force and freedom from war and insurgencies? 3 / 4

Police are sometimes accused of physically attacking suspects during arrest. Prisons are known to suffer from overcrowding and other harsh conditions. In March 2022, the government opened a new prison wing constructed with UN support. In December, Justice Minister Ilza Amado Vaz warned that crime had increased in the country and conceded that prison conditions were inadequate.

In November 2022, Prime Minister Trovoada said that government forces repelled an apparent coup attempt after a group of fighters attacked a military barracks. Former presidential candidate Delfim Nevès was arrested for allegedly participating. Four suspects reportedly died in custody but images depicting the suspects' apparent torture surfaced, prompting the December resignation of army chief of staff Olinto Paquete. The government ordered an investigation into the incident in December.

F4. Do laws, policies, and practices guarantee equal treatment of various segments of the population? 3 / 4

Equal treatment is legally guaranteed, but a degree of societal discrimination against women persists, hampering their access to economic and educational opportunities. Although same-sex sexual activity is not criminalized, discrimination against LGBT+ people is sometimes reported, and the law does not specifically address such bias.

G. PERSONAL AUTONOMY AND INDIVIDUAL RIGHTS: 11 / 16

G1. Do individuals enjoy freedom of movement, including the ability to change their place of residence, employment, or education? 4 / 4

The constitution establishes the freedom of internal movement, foreign travel, emigration, and repatriation. The government generally respects these rights.

G2. Are individuals able to exercise the right to own property and establish private businesses without undue interference from state or nonstate actors? 3 / 4

The legal framework and government policies are generally supportive of property rights and private business activity, though bureaucratic obstacles and corruption pose challenges in practice.

G3. Do individuals enjoy personal social freedoms, including choice of marriage partner and size of family, protection from domestic violence, and control over appearance? 2 / 4

There are few formal restrictions on personal social freedoms. However, domestic violence is reportedly common and rarely prosecuted, and femicide and sexual violence remain concerns.

The minimum age for marriage with parental consent is 14 for girls and 16 for boys, as opposed to 18 without parental consent for both. Roughly a third of girls marry before age 18. Child sexual abuse is prevalent.

G4. Do individuals enjoy equality of opportunity and freedom from economic exploitation? 2 / 4

Forced labor is prohibited and child labor is restricted by law. There are also basic legal protections against exploitative or dangerous working conditions. However, the government lacks the capacity to enforce these rules effectively, particularly in the informal agricultural sector. The economy is heavily reliant on foreign aid.

Saudi Arabia

Population: 36,700,000
Capital: Riyadh
Freedom Status: Not Free
Electoral Democracy: No

Overview: Saudi Arabia's absolute monarchy restricts almost all political rights and civil liberties. No officials at the national level are elected. The regime relies on pervasive surveillance, the criminalization of dissent, appeals to sectarianism and ethnicity, and public spending supported by oil revenues to maintain power. Women and members of religious minority groups face extensive discrimination in law and in practice. Working conditions for the large expatriate labor force are often exploitative.

KEY DEVELOPMENTS IN 2022

- In an unusually large mass execution in March, the authorities put to death 81 men who had been convicted on terrorism charges. As of late November, at least 147 people had been executed in the kingdom during the year.
- In August, two Saudi women received draconian prison sentences for allegedly criticizing the government via social media. Salma al-Shehab was sentenced to 34 years in prison for following and sharing the posts of activists and dissidents on Twitter, and for being in possession of a banned book. Noura al-Qahtani was sentenced to 45 years in prison for using social media to allegedly "spread lies," among other purported crimes.
- In September, Crown Prince Mohammad bin Salman was promoted by royal decree from deputy prime minister and defense minister to prime minister, a position previously occupied by his father, King Salman.

POLITICAL RIGHTS: 1 / 40

A. ELECTORAL PROCESS: 0 / 12

A1. Was the current head of government or other chief national authority elected through free and fair elections? 0 / 4

Saudi Arabia's king is chosen by his predecessor from among male descendants of the country's founder, though the choice must be approved by a council of senior princes, the Allegiance Council. The king rules for life. King Salman bin Abdulaziz al-Saud appointed his son, Mohammed bin Salman, as crown prince in 2017, displacing the prince's older cousin, Mohammed bin Nayef, who was stripped of all official positions. Bin Nayef was detained along with a sibling of King Salman in 2020 on charges of treason over an alleged plot to overthrow both the king and the crown prince.

The cabinet, which is appointed by the king, passes legislation that becomes law once ratified by royal decree. King Salman doubled as prime minister until September 2022, when Mohammed bin Salman, who had been deputy prime minister and minister of defense, was appointed to the premiership. The move was expected to provide the crown prince with sovereign immunity from a US lawsuit related to his role in the 2018 murder of US-based journalist Jamal Khashoggi by Saudi agents in Turkey. Mohammed bin Salman's younger brother Khalid bin Salman, who had been the deputy defense minister, became defense minister.

A2. Were the current national legislative representatives elected through free and fair elections? 0 / 4

The king appoints the 150 members of the Majlis al-Shura (Consultative Council), who serve in an advisory capacity and wield no legislative authority, for four-year terms. King Salman appointed new members in 2020.

Limited nonpartisan elections for advisory councils at the municipal level were introduced in 2005. In the 2015 elections, two-thirds of the seats on the 284 councils were open to voting, while the rest were filled through appointment by the minister of municipal and rural affairs. Women were allowed to vote and run as candidates for the first time, and a small number won seats. Elections due in 2019 were postponed indefinitely without any clear official explanation.

A3. Are the electoral laws and framework fair, and are they implemented impartially by the relevant election management bodies? 0 / 4

The electoral framework lacks constitutional protections, and the 2015 municipal elections were subject to onerous restrictions. The kingdom's rules on gender segregation were applied to campaigns, meaning no candidates could produce posters showing their faces or meet in person with voters of the opposite sex. Candidates were also barred from giving media interviews, leading many to campaign via social media. Several candidates were disqualified for unclear reasons, though some were reinstated after appeals. Ultimately, a small fraction of the citizen population participated in the elections, reflecting doubts about the effectiveness of the advisory councils.

B. POLITICAL PLURALISM AND PARTICIPATION: 0 / 16

B1. Do the people have the right to organize in different political parties or other competitive political groupings of their choice, and is the system free of undue obstacles to the rise and fall of these competing parties or groupings? 0 / 4

Political parties are forbidden, and political dissent is effectively criminalized. Some of the country's most prominent political rights organizations and activists, including founding

members of the banned Saudi Civil and Political Rights Association (ACPRA), have been arrested and sentenced to prison in recent years; one founder, Abdullah al-Hamid, died in custody in 2020. Many other political activists continue to serve lengthy prison sentences.

The National Assembly Party (NAAS), which was founded abroad by Saudi exiles in 2020, claimed in July 2022 that one of its key members, Manea al-Yami, had been killed in Beirut under suspicious circumstances. Lebanese security forces issued a statement alleging that al-Yami's brothers had stabbed him to death for "family reasons." The official Saudi Press Agency did not report on al-Yami's death.

B2. Is there a realistic opportunity for the opposition to increase its support or gain power through elections? 0 / 4

The monarchy is explicitly opposed to democracy in the country. Opposition movements are banned, and the government is increasingly intolerant even of moderate critics. The Muslim Brotherhood, a Sunni Islamist political organization, is believed to have the sympathy of a substantial minority of Saudis but has been designated a terrorist group since 2014.

Other groups and individuals that criticize the regime or call for political reform—whether Sunni or Shiite, Islamist or secularist—are subject to arbitrary detention. Prominent reformist clerics Salman al-Awdah, Awad al-Qarni, and Ali al-Omari were arrested in 2017 for "plotting against the state," seemingly because they were perceived as sympathetic to the Qatari government and the Muslim Brotherhood. All three remained detained without basic due process rights at the end of 2022, pending trials that have been repeatedly and arbitrarily delayed, and they potentially face the death penalty.

B3. Are the people's political choices free from domination by forces that are external to the political sphere, or by political forces that employ extrapolitical means? 0 / 4

The monarchy generally excludes the public from any meaningful political participation. In the absence of political parties, voters in Saudi Arabia's limited municipal elections have been heavily influenced by tribal and religious leaders, many of whom benefit from close ties to the ruling establishment.

B4. Do various segments of the population (including ethnic, racial, religious, gender, LGBT+, and other relevant groups) have full political rights and electoral opportunities? 0 / 4

Although political rights are curtailed for all Saudi citizens, women, members of religious minorities, and LGBT+ people face additional obstacles to participation given the kingdom's strict laws and customs on matters including gender segregation and sexual activity, and its intolerance of religious groups that deviate from the state-sanctioned interpretation of Sunni Islam. Women make up 30 of the 150 members of the appointed Majlis al-Shura. Members of religious minorities and women are largely excluded from the council's leadership positions, though a woman was appointed as deputy speaker in 2020. Women secured about 1 percent of the seats in the 2015 municipal council elections. Shiites reportedly hold a small number of Majlis al-Shura seats and many municipal council seats in Shiite-majority areas. In 2022, several women were appointed to or continued to serve in relatively high-ranking positions in bodies such as cabinet, the stock exchange, and the sovereign wealth fund.

Tribes that have close kinship ties with King Salman, especially from the Najd region, have historically held privileged positions in government. The Majlis al-Shura includes members of prominent tribal groups, and the National Guard, one of the country's military forces, has relied on tribal loyalties. However, the political influence of tribal networks has ostensibly waned, as the king and the crown prince seek to modernize the state, curb the

influence of potentially autonomous social forces, and consolidate an elite whose political loyalty is independent of social identity.

Noncitizens, who make up roughly one-third of the population in Saudi Arabia, have no political rights, and citizenship can only be directly transmitted by a citizen father whose marriage is recognized by the state.

C. FUNCTIONING OF GOVERNMENT: 1 / 12

C1. Do the freely elected head of government and national legislative representatives determine the policies of the government? 0 / 4

The kingdom's only elected officials serve on local advisory councils and have little or no influence over national laws and policies.

C2. Are safeguards against official corruption strong and effective? 1 / 4

Corruption remains a significant problem. Although the government generates massive revenue from the sale of oil, which it redistributes through social welfare programs and as patronage, little is known about state accounting or the various direct ways in which public wealth becomes a source of private privilege for the royal family and its clients. Nontribal nepotism in government is also a challenge.

The government has taken some steps to combat corruption and recover misappropriated assets, but its opaque methods have raised serious concerns about politicization and lack of due process. The crown prince heads an anticorruption committee, which in 2017 ordered the detention of more than 300 people, many of whom were coerced into turning over billions of dollars in assets to the state in out-of-court settlements. Mohammed bin Salman's campaign initially targeted potential rivals within the royal family, leading observers to suggest that these crackdowns are meant to consolidate his political and economic control. Since 2020, the government has shifted its focus to offenses by lower-level officials. In July 2022, the national anticorruption body announced that it had arrested 78 officials accused of bribery, forgery, and money laundering, and 116 were investigated for several other crimes.

C3. Does the government operate with openness and transparency? 0 / 4

The functioning of government is not transparent. The availability of some economic and financial data is improving, including data on the government budget, but overall, whether or how state funds are disbursed and the internal decision-making process that allocates them are unclear. There is no public mechanism for holding senior officials accountable for their decisions. The defense budget is especially shielded from public scrutiny, and the sovereign wealth fund, called the Public Investment Fund, is largely opaque.

The state's oil revenues make up most of its financial resources. In 2019, the state oil company, Saudi Aramco, listed shares on the domestic stock exchange, which requires little transparency, after questions about the company's relationship with the royal family deterred it from pursuing a public offering on a major international exchange.

CIVIL LIBERTIES: 7 / 60 (+1)

D. FREEDOM OF EXPRESSION AND BELIEF: 2 / 16

D1. Are there free and independent media? 0 / 4

The government controls domestic media content and heavily influences regional print and satellite-television coverage. Journalists can be imprisoned for a variety of vaguely defined crimes. The Committee to Protect Journalists reported that 11 journalists were imprisoned in Saudi Arabia as of December 2022.

A 2011 royal decree amended the press law to criminalize, among other things, any criticism of the country's grand mufti, the Council of Senior Religious Scholars, or government officials; violations can result in fines and forced closure of media outlets. All blogs and websites must have a Ministry of Information license or face fines and possible closure.

Jamal Khashoggi, a prominent self-exiled Saudi journalist who was working for the *Washington Post* in the United States, was killed by Saudi agents in Istanbul in 2018. Some of the perpetrators were sentenced to prison in Saudi Arabia, but no senior officials were held accountable despite evidence that the murder was coordinated by the then deputy head of the general intelligence presidency and by a senior adviser to the crown prince.

The government maintains an extensive system of social media surveillance and regulation and invests considerable resources in automated "bot" and other accounts that influence and distort the social media environment and target prominent users. It also uses a vaguely worded and broad-ranging cybercrime law as a means of cracking down on the sharing of critical news and commentary online.

In May 2022, the General Commission for Audiovisual Media (GCAM) fined two female social media celebrities for violating a law against content that would harm the kingdom's relations with friendly countries. The names of the influencers and of the country in question were not disclosed by the commission. In July, Saudi authorities requested that YouTube delete advertisements that they considered contradictory to Islamic values, and in September, the Saudi government joined its counterparts in the Gulf Cooperation Council to demand that Netflix remove video content related to LGBT+ people.

D2. Are individuals free to practice and express their religious faith or nonbelief in public and private? 0 / 4

The 1992 Basic Law declares that the Quran and the Sunna are the country's constitution. Islam is the official religion, and all Saudis are required by law to be Muslims. A 2014 royal decree punishes atheism with up to 20 years in prison. The government prohibits the public observance of any religion other than Islam and restricts Shiite and Sufi Muslims' religious practices. The construction of Shiite mosques is constrained through licensing rules and prohibited outside of Eastern Province, where most Shiites live. Although the government recognizes the right of non-Muslims to worship in private, it does not always respect this right in practice. In July 2022, a Saudi citizen was arrested for having helped a non-Muslim to illegally enter Mecca, Islam's holiest city.

The government exercises significant influence over Muslim clerics—both officially appointed figures who depend on government patronage and independent religious scholars who need a measure of official goodwill to function openly, appear on television, and avoid penalties.

Online commentary that touches on religion can be harshly punished.

D3. Is there academic freedom, and is the educational system free from extensive political indoctrination? 1 / 4

Academic freedom is restricted, and informers monitor classrooms for compliance with curriculum rules, including a ban on teaching secular philosophy and religions other than Islam. Despite changes to textbooks in recent years, intolerance in the classroom remains a significant problem, as some educators continue to espouse discriminatory and hateful views of non-Muslims and Muslim minority sects.

Academics and researchers have faced punishment for being perceived as criticizing government policies.

D4. Are individuals free to express their personal views on political or other sensitive topics without fear of surveillance or retribution? 1 / 4

Saudis can engage in some degree of private discussion on political and other topics, including criticism of certain aspects of government performance, but the climate for free expression has deteriorated sharply since the 2018 killing of Jamal Khashoggi and the arrests of many prominent writers and activists, which served as warnings to ordinary Saudis to avoid dissent. Self-censorship is virtually ubiquitous.

Surveillance is extensive within Saudi Arabia, and Saudis living and traveling abroad are also subject to spying and intimidation. The government is known to have purchased Pegasus spyware, which allows users to secretly hack into a target's phone and spy on their whereabouts and communications in real time. Investigations in 2021 by foreign journalists and technology researchers uncovered a new form of surveillance tool used by the Saudi government that needed no interaction with the targeted user to access their personal devices.

There are severe criminal penalties for criticism of the regime and free discussion on topics like religion or the royal family. Laws are often vaguely worded, giving the state considerable discretion to determine what constitutes illegal expression. In August 2022, two women received long prison sentences for using Twitter to share posts by dissidents or make remarks that were critical of the government: Salma al-Shehab, a doctoral student in Britain who was arrested while visiting her family in the kingdom, was sentenced to 34 years in prison and a 34-year travel ban. Nourah al-Qahtani was sentenced to 45 years in prison. Neither had a large online following or was known for political activism.

In addition to criminal penalties, individuals can face dismissal from employment in reprisal for their online activity. In February 2022, two expatriate workers were fired in separate incidents after they posted content that was deemed offensive to the kingdom.

E. ASSOCIATIONAL AND ORGANIZATIONAL RIGHTS: 0 / 12

E1. Is there freedom of assembly? 0 / 4

Freedom of assembly is not respected, and the government has imposed harsh punishments—including at times the death penalty—on those who lead or participate in public protests.

E2. Is there freedom for nongovernmental organizations, particularly those that are engaged in human rights– and governance-related work? 0 / 4

Nongovernmental organizations (NGOs) must obtain a government license to operate. Until the adoption of an NGO law in 2015, officials had approved licenses only for charitable groups; authorities have expressed a desire to encourage the growth of civil society but discourage independent work on human rights and governance issues. Reformist organizations have been denied licenses in practice, in some cases through arbitrary delays. No domestic NGO openly advocates for LGBT+ rights in the country. Individual human rights activists and other civil society representatives face regular harassment and detention.

E3. Is there freedom for trade unions and similar professional or labor organizations? 0 / 4

No laws protect the rights to form independent labor unions, bargain collectively, or engage in strikes. Workers who engage in union activity are subject to dismissal or detention.

F. RULE OF LAW: 3 / 16 (+1)

F1. Is there an independent judiciary? 1 / 4

The judiciary has very little independence in practice. Judges are appointed by the king and overseen by the Supreme Judicial Council, whose chairman is also the justice minister.

A special commission of judicial experts issues opinions that serve as guidelines for judges on the interpretation of Sharia (Islamic law), which forms the basis of Saudi law. Judges have significant discretion over how they interpret Sharia and do not have to publish an explanation of their judgments.

In what appeared to be a political purge of the judiciary in April 2022, state security officials arrested nine prominent judges on charges of "high treason."

F2. Does due process prevail in civil and criminal matters? 1 / 4

Defendants' rights are poorly protected by law. Detainees are often denied access to legal counsel during interrogation, and lengthy pretrial detention and detention without charge are common. Due process is notably deficient in death penalty cases. Statistics and other information on prisoners, sometimes including their whereabouts or reason for arrest, are lacking. The number of political prisoners is difficult to assess, with some cases never reported due to fears that publicity will incur retribution from the authorities. Conditional releases sometimes require prisoners not to speak about their experiences.

A 2014 antiterrorism law includes lengthy prison sentences for criticizing the monarchy or the government. Among other provisions, it expanded the power of police to conduct raids targeting suspected antigovernment activity without judicial approval.

The hundreds of people arrested in the 2017 anticorruption crackdown did not pass through the judicial system but were instead compelled to hand over assets to the government in return for their release. Government supporters claimed that the judicial process would have taken several years due to a lack of capacity.

F3. Is there protection from the illegitimate use of physical force and freedom from war and insurgencies? 0 / 4

Allegations of torture by police and prison officials are common, and access to prisoners by independent human rights and legal organizations is extremely limited. In 2019, international media published leaked prison medical records indicating that many political prisoners suffered from cuts, bruises, burns, and malnutrition. Detained women's rights activists were reportedly given electric shocks, whipped, beaten, sexually abused, and threatened with rape. Conditions in migrant detention centers are notoriously poor.

Corporal punishment, most often flogging, is common in criminal sentencing, though the government ended its use for some crimes in 2020.

Capital punishment is applied to a wide range of crimes beyond murder, including drug and protest-related offenses. Defendants facing the death penalty are known to confess under torture, but courts do not consistently investigate subsequent retractions. In March 2022, the Interior Ministry announced that 81 people had been executed on terrorism charges, marking the largest mass execution in the country's recent history; about half of them were Shiites. In November, another 20 men were executed after being convicted of drug crimes, ending a two-year moratorium on use of the death penalty for such offenses. The European Saudi Organization for Human Rights estimated in late November that there had been a total of 147 executions to date that year.

Saudi Arabia has faced cross-border military attacks from Yemen since 2015, when it entered a war against that country's Shiite-led and Iranian-backed Houthi movement, also known as Ansar Allah (Supporters of God). The incidents have included drone and missile attacks on key infrastructure such as airports. The kingdom has also experienced waves of domestic terrorism from Al-Qaeda in the past.

F4. Do laws, policies, and practices guarantee equal treatment of various segments of the population? 1 / 4 (+1)

The courts engage in routine discrimination against various groups, citing their interpretations of Sharia. A woman's testimony is generally given half the weight of a man's testimony, and the testimony of anyone other than observant Sunni Muslims can be disregarded by judges. Shiites, who make up 10 to 15 percent of the population, face socioeconomic disadvantages, discrimination in employment, and underrepresentation in government positions and the security forces.

Women are still subject to extensive legal and societal discrimination, most notably through the guardianship system, in which women must rely on a close male relative to approve many basic activities. Although legal reforms have recently reduced the scope of the guardianship system, it remains deeply entrenched in societal practices and customs, and an individual woman's degree of freedom depends to a large extent on the attitudes of her family.

Despite these enduring obstacles, education and economic rights for Saudi women have improved significantly in recent years. Reforms announced in 2019 included a ban on gender-based discrimination in employment, and job sectors that were previously reserved for men have been gradually opened to women. Women's rate of participation in the labor force has grown rapidly in tandem with the legal changes, rising from 19 percent in 2016 to 37 percent in 2022.

Same-sex sexual activity is generally understood to be prohibited under Sharia, and LGBT+ people are at risk of harassment, discrimination, criminal punishment, and violence. Saudi Arabia's grand mufti stated in May 2022 that homosexuality is punishable by up to five years in prison and a fine of $800,000. In June, authorities conducted raids on stores selling rainbow-colored products that were thought to be associated with LGBT+ identity.

Score Change: The score improved from 0 to 1 due to the removal in recent years of some legal barriers that had prevented women from entering the workforce and obtaining employment in certain sectors of the economy.

G. PERSONAL AUTONOMY AND INDIVIDUAL RIGHTS: 2 / 16

G1. Do individuals enjoy freedom of movement, including the ability to change their place of residence, employment, or education? 0 / 4

The government punishes activists and critics by limiting their ability to travel outside the country, and reform advocates are routinely stripped of their passports. Family members of activists can also be banned from travel or imprisoned.

Gender segregation restricts freedom of movement for both men and women, but male guardianship and other factors have historically imposed onerous constraints on women. The long-standing ban on women driving was lifted in 2018, and since 2019 adult women have been able to apply for a passport independently. Gender-segregation norms are easing in some places, but unevenly and informally.

In 2021, the kafala visa-sponsorship system was modified so that certain foreign workers no longer need their employer's permission to leave their job, take a new job, or leave the country; they instead need to seek permission from the Saudi government.

G2. Are individuals able to exercise the right to own property and establish private businesses without undue interference from state or nonstate actors? 1 / 4

While a great deal of business activity in the kingdom is dominated by or connected to members of the government, the ruling family, or other elite families, officials have given

assurances that special industrial and commercial zones are free from interference by the royal family.

Women face legal discrimination regarding property rights, with daughters typically receiving half the inheritance awarded to sons. Women are no longer legally required to obtain permission from a male guardian to apply for business licenses.

G3. Do individuals enjoy personal social freedoms, including choice of marriage partner and size of family, protection from domestic violence, and control over appearance? 0 / 4

There are several official restrictions on marriage. For example, Muslim women may not marry non-Muslims, citizens require the Interior Ministry's permission to marry noncitizens, and men are barred from marrying women from certain countries. All sexual activity outside of marriage is criminalized, and the death penalty can be applied in certain circumstances. In March 2022, Saudi Arabia adopted a personal status law that codifies matters such as a divorced woman's rights to child custody, alimony, and child support, reducing the scope of judicial discretion. It also prohibits girls under 18 from being forcibly married, and allows a woman to appeal to a court if her male guardian rejects a proposed marriage. The law nevertheless retains the system of male guardianship and leaves women at a disadvantage on a variety of topics.

A 2013 law broadly defined and criminalized domestic abuse, prescribing fines and up to a year in prison for perpetrators. However, enforcement remains problematic, with some officials prioritizing privacy and family integrity over safety and justice for victims. Prosecutions are extremely rare. Women's practical ability to leave abusive relationships is severely limited. While women are no longer legally required to live with their husbands under the 2019 reforms to the guardianship system, social taboos and other obstacles often deter them from leaving their family home. There are a limited number of shelters for women escaping abuse, but women are not allowed to leave them without their guardians' permission.

The religious police's authority to enforce gender-segregation and personal-attire rules was sharply curtailed in law and practice in 2016. Women's dress is now less tightly controlled, though some Saudis have faced penalties for breaching norms of perceived "modesty" on social media. In February 2022, authorities indicated that men would be fined for wearing shorts only if they did so in mosques or government offices.

G4. Do individuals enjoy equality of opportunity and freedom from economic exploitation? 1 / 4

Saudi citizens generally enjoy generous welfare benefits from the government. State programs give preferential treatment to companies that hire certain percentages of Saudi citizens, while penalizing those that fail to meet such targets.

Foreign workers—who make up more than half of the active labor force—enjoy limited legal protections and remain vulnerable to trafficking and forced labor, primarily through employers' exploitation of the kafala system. They also lack pathways to become citizens and face discrimination, including lower wages. The 2021 reforms to the kafala system ended the requirement that foreign workers obtain their employer's permission to leave the country or to take another job, a rule that had been criticized for enabling forced labor. However, foreign workers do need to obtain permission from the government to take those actions. Moreover, the changes do not apply to the nearly 3.6 million people employed as domestic workers, personal security guards, or chauffeurs, as they are governed by separate regulations that provide fewer safeguards against exploitative working conditions.

Senegal

Population: 17,900,000
Capital: Dakar
Freedom Status: Partly Free
Electoral Democracy: Yes

Overview: Senegal is one of Africa's most stable electoral democracies and has undergone peaceful transfers of power between rival parties since 2000. However, politically motivated prosecutions of opposition leaders and changes to the electoral laws have reduced the competitiveness of the opposition in recent years. The country is known for its relatively independent media, though restrictive laws and intimidation continue to constrain press freedom. Other ongoing challenges include corruption in government, weak rule of law, and inadequate protections for the rights of women and LGBT+ people.

KEY DEVELOPMENTS IN 2022

- In July National Assembly elections, the ruling United in Hope (BBY) coalition lost seats but narrowly retained power. Several opposition politicians were excluded from candidacy, including opposition leader Ousmane Sonko, contributing to a tense atmosphere ahead of the vote.
- Over the course of the year, the government banned several politically sensitive demonstrations, including opposition-organized rallies. In June, 3 people were killed and around 200 arrested when demonstrators defied a protest ban in response to the disqualification of opposition candidates. Opposition politicians were among those arrested, and one went on to be convicted for his role in organizing the demonstration.
- Press freedom was under pressure throughout the year, with journalists and others arrested for disseminating "fake news." In March, the government briefly suspended two opposition-affiliated television channels.
- The year saw intensified fighting in the low-level separatist conflict in the Casamance region. The Senegalese government launched a new military offensive in March, and in August signed a peace agreement with one of the separatist factions.

POLITICAL RIGHTS: 29 / 40

A. ELECTORAL PROCESS: 9 / 12

A1. Was the current head of government or other chief national authority elected through free and fair elections? 3 / 4

The president is chief of state and head of government, and is directly elected to a maximum of two consecutive terms. In 2016, the presidential term was reduced via referendum from seven years to five, effective after the end of President Macky Sall's first term in 2019.

In the February 2019 presidential election, Sall, of the Alliance for the Republic (APR), defeated four challengers including former prime minister Idrissa Seck of the Rewmi Party and Ousmane Sonko of the Patriots of Senegal for Ethics, Work, and Fraternity (PASTEF) party.

While international observers declared the election credible, it was marred by the exclusion of two prominent opposition politicians, Khalifa Sall and Karim Wade, who might have seriously challenged President Sall. In January 2019, just weeks before the polls, the

Constitutional Council ruled they were both ineligible to run for president because they had been convicted in separate, politically fraught corruption cases.

In September 2022, following the National Assembly elections, President Sall appointed Amadou Ba as prime minister. Ba became the first to hold the role since it was reinstated by constitutional changes in 2021, after having been abolished in May 2019. Further constitutional changes adopted in December 2021 reintroduced the accountability of the government to the National Assembly—a provision that had also been removed in 2019—and restored the president's power to dissolve the legislative body.

A2. Were the current national legislative representatives elected through free and fair elections? 3 / 4

Members of Senegal's 165-seat National Assembly are elected to five-year terms, with 112 elected in single-member districts, and 53 by proportional representation. In the July 2022 election, the ruling United in Hope (BBY) coalition won 82 seats, a decrease from the previous 125. Liberate the People, a new coalition led by Ousmane Sonko, won 56, and former president Abdoulaye Wade's coalition Wallu Sénégal (Save Senegal) came in third with 24 seats, an improvement from the previous 19. Three smaller coalitions each won a single seat.

Both BBY and Liberate the People initially claimed victory immediately following the July election, with Liberate the People joining forces with Wallu Sénégal in an effort to control the assembly. However, although BBY lost the absolute majority it had previously enjoyed, it successfully formed the narrowest possible majority coalition with the support of the representative from one of the single-seat coalitions.

International observers described the parliamentary elections as peaceful, transparent, and successfully administered, despite significant procedural errors and logistical challenges. They noted the exclusion of opposition candidates as a particular concern in the election lead-up. The first-choice candidates list put forth by Liberate the People was rejected in June on technical grounds. The Constitutional Council upheld the decision, effectively excluding opposition leaders including Sonko from standing as candidates.

The July 2022 elections were the first under an electoral code change that increased the number of single-member districts from 105 to 112 and decreased the number of seats elected under a national-level proportional system from 60 to 53.

Local elections were held in January 2022 after having been repeatedly delayed since 2019. The delays created logistical problems that negatively impacted voter registration and the number of first-time voters. Opposition candidates won in key cities.

A3. Are the electoral laws and framework fair, and are they implemented impartially by the relevant election management bodies? 3 / 4

The National Autonomous Electoral Commission (CENA) administers elections. Although the CENA is nominally independent, its members are appointed by the president. The opposition criticized the government for making important changes ahead of the 2017 legislative balloting, including the introduction of a new biometric voting system, without engaging in dialogue or building political consensus.

An electoral law passed in 2018 requires all aspiring presidential candidates to collect signatures from at least 0.8 percent of the overall electorate before their names could appear on the ballot, and all groups presenting National Assembly lists to obtain signatures from 0.5 percent of voters in at least seven regions. Of the 27 candidates who submitted the required signatures prior to the 2019 presidential election, only 5 were approved by the Constitutional Council. That June, a European Union (EU) election observation mission said

the controversial requirement could pose "serious political and organizational problems" in upcoming local elections. In April 2021, the Economic Community of West African States (ECOWAS) Court of Justice found that the provision violated the right to free participation in elections and ordered Senegal to "remove all obstacles" within six months. Despite the ECOWAS ruling and further domestic legal challenges, the government proceeded with the electoral sponsorship requirement for the July 2022 elections.

In May 2019, opposition parties and the Sall administration entered a national dialogue aimed at resolving voter-roll concerns and reviewing the overarching voting process, but major disagreements persisted.

B. POLITICAL PLURALISM AND PARTICIPATION: 12 / 16

B1. Do the people have the right to organize in different political parties or other competitive political groupings of their choice, and is the system free of undue obstacles to the rise and fall of these competing parties or groupings? 3 / 4

Registration requirements for new political parties are not onerous, and registered parties can organize and operate without government interference. There are over 300 registered parties, and the proliferation of parties was raised as a concern during the national dialogue. However, opposition candidates still face major financial inequities when competing with incumbents. There is no public financing for political parties, but the ruling party deploys a vast set of state resources to garner support, whereas opposition leaders are often forced to rely on personal wealth to finance party operations or on political alliances to access power.

B2. Is there a realistic opportunity for the opposition to increase its support or gain power through elections? 3 / 4

The opposition can increase its support or gain power through elections, though the government has taken steps—including prosecuting opposition politicians—that appear designed to interfere with their ability to do so.

Several opposition politicians were barred from running in the 2022 legislative elections, most notably Sonko. The 2018 electoral law was criticized by opposition leaders for making it more difficult for candidates to appear on the ballot, and was widely seen as a move to clear the field and ensure President Sall's 2019 reelection.

The prosecutions of some of Sall's most prominent political opponents in recent years has also reduced the competitiveness of the opposition. In March 2021, Sonko was arrested on charges of rape, leading to widespread protests. Sonko repeatedly denied the allegations, saying that the charge was a politically motivated attempt to exclude him from the 2024 presidential race. Sonko remained under judicial supervision and was denied permission to leave the country.

In June 2022, opposition member of parliament Dethie Fall received a six-month suspended sentence for his role in organizing an unauthorized protest following the opposition list disqualification. Also in June, another member of parliament, Abdou Bara Dolly, was arrested on charges of insulting the president and disseminating false news at an opposition rally.

In January 2019, the Constitutional Council ruled that Khalifa Sall, a former mayor of Dakar, and Karim Wade, the son of former president Abdoulaye Wade, were both ineligible to run in the 2019 presidential election because both had previously been sentenced to prison terms for corruption.

The opposition's ability to compete with President Sall was also lessened by the president's decision to appoint opposition figures from the Rewmi Party to government posts in November 2020.

B3. Are the people's political choices free from domination by forces that are external to the political sphere, or by political forces that employ extrapolitical means? 3 / 4

People's political choices are largely free from domination by groups that are not democratically accountable. Despite the constitutional separation of religion and state, Sufi Muslim marabouts exercise some influence on voters and politicians, particularly on subjects like homosexuality, marriage, and abortion rights.

B4. Do various segments of the population (including ethnic, racial, religious, gender, LGBT+, and other relevant groups) have full political rights and electoral opportunities? 3 / 4

Female representation in the cabinet is relatively poor. Women are better represented in the National Assembly, holding 73 seats and representing over 44 percent of the body after the 2022 legislative elections. This is partially due to a 2010 law requiring gender parity on candidate lists. Women's overall rate of participation in politics, such as voting and engaging in local political activities, is nevertheless lower than men's, and gender parity is less respected at the local level.

Due to high levels of discrimination and social stigma, LGBT+ people have no meaningful political representation.

C. FUNCTIONING OF GOVERNMENT: 8 / 12

C1. Do the freely elected head of government and national legislative representatives determine the policies of the government? 3 / 4

President Sall, his cabinet, and national legislators determine government policies. However, power is concentrated in the executive branch, and the National Assembly is limited in its ability to check the president. The executive has blocked certain parliamentary inquiries into its activities. In May 2019, lawmakers approved a controversial measure to abolish the post of prime minister, which Sall promptly signed. In late 2021, the National Assembly voted to reinstate the position of prime minister, and a Sall appointee gained the post in September 2022.

C2. Are safeguards against official corruption strong and effective? 2 / 4

Corruption remains a serious problem. Anticorruption laws are unevenly enforced and enforcement actions are sometimes viewed as politically motivated. The corruption case against Khalifa Sall, for example, was widely perceived as an effort to neutralize one of the president's most powerful opponents.

In July 2022, the National Office for the Fight against Fraud and Corruption (OFNAC), a government anticorruption watchdog, signed an agreement with several civil society organizations establishing cooperation in implementing the national anticorruption strategy.

In December 2022, the Court of Auditors (CDCS) published an audit of public funds allocated to the COVID-19 response. The report identified extensive misuse of funds by the government, prompting public outcry and protests in favor of legal consequences.

C3. Does the government operate with openness and transparency? 3 / 4

The government generally operates with openness. However, authorities frequently award contracts without any formal tender process, and do not always publicly release contracts or bilateral agreements before they are signed.

Some decisions related to COVID-19 policies were also made opaquely. In 2020, following complaints to OFNAC over the nontransparent process for distributing pandemic-related food aid, then–community development minister Mansour Faye vowed to refuse any

OFNAC summons. Faye was nevertheless appointed infrastructure minister in November 2020, and later became minister for water and sanitation.

A 2014 law requires confidential asset disclosures by cabinet members, top National Assembly officials, and the managers of large public funds; the president's asset disclosures are made public.

CIVIL LIBERTIES: 39 / 60

D. FREEDOM OF EXPRESSION AND BELIEF: 13 / 16

D1. Are there free and independent media? 2 / 4

The constitution guarantees freedom of speech, and Senegal is home to many independent television and radio stations and print outlets. Although the overall media situation has improved considerably since President Sall was first elected in 2012, several subsequent developments have constrained press freedom.

Reporters Without Borders warned of an increasingly threatening press environment ahead of the 2022 legislative elections, citing several incidents including a June interview in which a ruling party youth leader called to "burn down" media company Walfadjri and "attack" its journalists. The youth leader, Talla Sylla, apologized for the remarks in July.

A controversial law enacted in January 2021 allows for prison terms of up to two years for defamation and three years for publishing "fake news" likely to "discredit public institutions" or "prejudice public decency." The law was applied multiple times in 2022 against journalists and activists. In one case, Pape Alé Niang, who runs the news website Dakarmatin, was arrested in November 2022 on charges of violating the false news law and publishing antistate information; the charges relate to Niang's reporting about a leaked government report that allegedly exonerates Sonko of the rape charge against him. Niang was released on bail in mid-December before being rearrested days later for allegedly violating a bail condition. He remained in detention at year's end.

In an earlier arrest connected to the charges against Sonko, television journalist Pape Malick Thiam was arrested by gendarmes and reportedly beaten severely while covering court proceedings in April 2022. Thiam was allegedly filming in a restricted area and contested an officer's decision to confiscate his phone.

On March 31, 2022, the Audiovisual Regulatory Council (CNRA) suspended two opposition-affiliated television channels for three days for "breaches of ethics." A year earlier, the CNRA had briefly suspended one of the same two stations and another station for their coverage of the March 2021 protests, saying that the coverage "could threaten national stability or social cohesion." Also during the March 2021 protests, the government disrupted internet service and partially blocked major social media outlets such as WhatsApp and YouTube.

D2. Are individuals free to practice and express their religious faith or nonbelief in public and private? 4 / 4

There is no state religion, and freedom of worship is constitutionally protected and respected in practice. Muslims constitute 96 percent of the population.

D3. Is there academic freedom, and is the educational system free from extensive political indoctrination? 4 / 4

Academic freedom is guaranteed by the constitution and generally respected in practice.

D4. Are individuals free to express their personal views on political or other sensitive topics without fear of surveillance or retribution? 3 / 4

Private discussion is generally open and free. However, individuals have occasionally been arrested for social media posts deemed offensive by the government.

In 2018, the National Assembly passed an electronic-communications bill, which included a vaguely worded provision expanding the regulatory power of the government over social media companies. Rights activists expressed concern that the law could be used to shut down, tax, or surveil communications on popular social media platforms. In May 2022, President Sall expressed interest in expanding government oversight of social media.

In June 2021, the National Assembly amended the penal code and the code of criminal procedure, allegedly to combat terrorism. Opposition parties and civil society groups protested against the laws, saying they were too broad and could be used to silence dissent and expand police surveillance powers.

E. ASSOCIATIONAL AND ORGANIZATIONAL RIGHTS: 7 / 12

E1. Is there freedom of assembly? 1 / 4

The constitution guarantees freedom of assembly and peaceful demonstrations, but the Ministry of the Interior must approve protests in advance. The government has often cracked down on assembly rights by banning protests around tense political moments and violently dispersing some demonstrations. In March 2022, the ECOWAS Court of Justice called for the repeal of a 2011 ban on political demonstrations in central Dakar.

On June 17, 2022, three people were killed and approximately 200 arrested, including two opposition members of parliament, during demonstrations in Dakar and elsewhere against the rejection of Liberate the People's candidate list. The government had denied permission for the Dakar demonstration. When the opposition called for more demonstrations against the rejection of the candidate list in late June, the authorities again forbade the protests from taking place, citing concerns about public order. The organizers eventually canceled the protests, though Sonko said the decision to cancel was not due to the ban.

The March 2021 arrest of Sonko had sparked large protests across the country. The demonstrations, which lasted several days, were marked by violent clashes between protesters and security forces. Numerous human rights violations were committed by security forces during the demonstrations, with an estimated 14 people killed and approximately 590 injured.

In November 2022, around 20 people were arrested during a banned protest in support of the release of political prisoners, and a journalist covering the demonstration was assaulted.

Even after most COVID-19-related assembly restrictions were lifted in March 2021, the government continued to ban demonstrations citing the possible spread of COVID-19. In September 2021, civil society group Noo Lank defied the ban to hold a protest against Dakar's high cost of living, resulting in the arrest of several protesters.

Assembly rights of LGBT+ groups and nongovernmental organizations (NGOs) that support people living with HIV and AIDS are limited.

E2. Is there freedom for nongovernmental organizations, particularly those that are engaged in human rights– and governance-related work? 3 / 4

NGOs generally operate without interference from state or nonstate actors, though the ability of LGBT+ groups to function is impeded by assembly restrictions. Though anti-LGBT+ draft legislation introduced in 2021 was defeated in January 2022, the operation and effectiveness of LGBT+-rights NGOs is impeded by homophobia and the criminalization of homosexuality.

In June 2021, the National Assembly passed revisions to the penal code and code of criminal procedure—ostensibly intended to strengthen Senegal's antiterrorism laws—that

include provisions allowing NGO leaders to be criminally charged for alleged offenses committed by their organizations. Local and international rights groups have condemned the legislation, saying that the amendments are overly broad and could lead NGOs and their employees to self-censor in fear of being targeted for their work.

E3. Is there freedom for trade unions and similar professional or labor organizations? 3 / 4

Workers, apart from security employees, have rights to organize, bargain collectively, and strike, though the right to strike is impinged by legal provisions that ban pickets and sit-down strikes, among other activities. Trade unions must be authorized by the Ministry of the Interior, and unions lack legal recourse if registration is denied.

F. RULE OF LAW: 8 / 16

F1. Is there an independent judiciary? 2 / 4

The judiciary is formally independent and enjoys a relatively good reputation, but the president controls appointments to the Constitutional Council, the Court of Appeal, and the Council of State. Judges are prone to pressure from the government on matters involving high-level officials. The Higher Council of the Judiciary, which recommends judicial appointments to the executive branch, is headed by the president and minister of justice, which critics argue compromises its independence. Numerous prosecutions of opposition politicians in the last several years underscore concerns about political influence. However, ahead of the 2022 local elections, the Court of Appeal reinstated candidates who had previously been disqualified.

F2. Does due process prevail in civil and criminal matters? 2 / 4

The law guarantees fair public trials and defendants' rights, but arbitrary arrest and extended detention remain a concern. Though the government is obligated to supply attorneys to felony defendants who cannot afford them, this representation is inconsistent in practice. Lengthy pretrial detention remains a problem. The judicial system's reach does not consistently extend to rural areas, which more often rely on traditional methods of conflict resolution.

F3. Is there protection from the illegitimate use of physical force and freedom from war and insurgencies? 2 / 4

Individuals are generally protected from the illegitimate use of physical force. However, security forces have used violence against protesters, killing over a dozen and injuring hundreds in the past two years. Senegalese prisons are overcrowded, and human rights groups have documented incidents of excessive force and cruel treatment by prison authorities. In an effort to limit the spread of COVID-19 through the prison system, President Sall pardoned over 2,000 prisoners—a fifth of the prison population—in April 2020.

A low-level separatist conflict in the Casamance region is ongoing, though attacks by the Movement of Democratic Forces of Casamance (MFDC) have lessened since a de facto cease-fire was reached in 2012. However, fighting intensified again in 2022. The Senegalese government launched a new military offensive in March, following the January killing of four Senegalese soldiers and kidnapping of seven others by separatists. The government and one of the MFDC separatist factions signed a peace agreement in August 2022.

F4. Do laws, policies, and practices guarantee equal treatment of various segments of the population? 2 / 4

The caste system is still prevalent among many of Senegal's ethnic groups. Individuals of lower castes are subject to discrimination in employment. Women face persistent inequities in employment, health care, and education.

Same-sex sexual activity remains criminalized and is punishable by up to five years in prison and a fine. While these laws are rarely enforced, LGBT+ people risk violence, threats, and mob attacks, as well as discrimination in housing, employment, and health care. Some are forced to flee the country for their safety; the majority of Senegalese asylum applications in France in 2021 pertained to persecution over sexual orientation. In January 2022, parliament rejected a draft law that proposed increasing prison sentences for those found guilty of same-sex sexual activity and introducing criminal penalties for those who contribute to "any activity relating to the LGBT+ agenda." Demonstrators rallied in support of increased criminal penalties for homosexuality throughout 2021 and 2022.

G. PERSONAL AUTONOMY AND INDIVIDUAL RIGHTS: 11 / 16

G1. Do individuals enjoy freedom of movement, including the ability to change their place of residence, employment, or education? 3 / 4

Citizens generally enjoy freedom of movement and can change their residence, employment, and educational institution without serious restrictions, though the threat of land mines and rebel activity has hindered travel through parts of the Casamance region. The intensification of the Casamance conflict in early 2022 displaced several thousand people.

Movement was restricted in 2020 and 2021 by COVID-19-related emergency measures. At least 10 people died in March 2021 during several days of antilockdown demonstrations.

G2. Are individuals able to exercise the right to own property and establish private businesses without undue interference from state or nonstate actors? 3 / 4

The civil code facilitates ownership of private property, and property rights are generally respected. Commercial dispute-resolution processes can be drawn out. Property title and land-registration protocols are inconsistently applied, though the government has worked to ease property acquisition and registration. Husbands are legally regarded as heads of households. Traditional customs limit women's ability to purchase property, and local rules on inheritance make it difficult for women to become beneficiaries.

G3. Do individuals enjoy personal social freedoms, including choice of marriage partner and size of family, protection from domestic violence, and control over appearance? 3 / 4

Rates of female genital mutilation (FGM) have declined due in part to campaigns to discourage the practice, but it remains a problem. The government launched a plan to reduce early marriage in 2016, given that almost one in three Senegalese girls married before age 18.

Rape was considered a misdemeanor before President Sall signed into law a measure criminalizing it in January 2020; this followed 2019 demonstrations that were prompted by the murder of a 23-year-old woman during an attempted rape.

The law allows abortion only to save a woman's life, and abortions for medical reasons are difficult to obtain in practice. Several groups that consider abortion contrary to national values, including religious organizations, campaigned against legalizing abortion in cases of rape and incest.

G4. Do individuals enjoy equality of opportunity and freedom from economic exploitation? 2 / 4

Child labor remains a problem, particularly in the informal economy, and laws restricting the practice are inadequately enforced. Forced begging by students at religious schools is common, and teachers suspected of abuse are rarely prosecuted.

According to the 2022 edition of the US State Department's *Trafficking in Persons Report*, the Senegalese government has engaged in efforts to pursue trafficking investigations and train relevant officials. However, the report also noted that the authorities inconsistently applied penalties to alleged traffickers, did not investigate or prosecute traffickers who orchestrate forced begging, and offered minimal resources to adult trafficking victims.

Serbia

Population: 6,800,000
Capital: Belgrade
Freedom Status: Partly Free
Electoral Democracy: Yes

Overview: Serbia is a parliamentary democracy with competitive multiparty elections, but in recent years the ruling Serbian Progressive Party (SNS) has steadily eroded political rights and civil liberties, putting pressure on independent media, the political opposition, and civil society organizations.

KEY DEVELOPMENTS IN 2022

- Regular presidential elections and local elections in 13 municipalities were held in April. The elections saw incumbent president Aleksandar Vučić win his second term in office with 58.6 percent of the vote; Vučić's SNS also retained local-level control, with the SNS and SNS-led coalitions winning in all 13 municipalities.
- In February, President Vučić dissolved the parliament and called for early legislative elections to be held in April. The April elections saw the SNS win the most seats in the National Assembly, but lose an absolute majority; after six months of talks, the SNS formed a government with its long-standing coalition partner, the Socialist Party of Serbia (SPS), in October.
- Numerous infringements on freedom of assembly occurred during the year, including the forcible repression of activist gatherings and protests by private security agencies and masked individuals allegedly linked to the government. In August, President Vučić announced that EuroPride—an international LGBT+ rights event set to be held in Belgrade in September—had been canceled, due in part to "threats from right-wing groups." Despite the ban, thousands of LGBT+ activists participated in an unofficial march.

POLITICAL RIGHTS: 20 / 40 (−1)

A. ELECTORAL PROCESS: 6 / 12 (−1)

A1. Was the current head of government or other chief national authority elected through free and fair elections? 2 / 4 (−1)

The president is directly elected for up to two five-year terms. Incumbent president Aleksandar Vučić won reelection to a second term in April 2022 with 58.6 percent of the vote in a field of eight candidates.

The campaign was characterized by media bias and allegations of misuse of public resources. President Vučić's media engagement as both head of state and SNS leader afforded him unparalleled public exposure, and lacked clear differentiation between his

roles. Altogether, Vučić received 74 percent of the media time designated for all presidential candidates.

The prime minister is elected by the parliament. Since 2017, Ana Brnabić, a former local government minister, has served in the role. Brnabić was reelected prime minister in October 2022, following a six-month delay in forming a government after the April elections.

Score Change: The score declined from 3 to 2 because of undue electoral advantages afforded to the ruling party, including significant media bias and misuse of public resources.

A2. Were the current national legislative representatives elected through free and fair elections? 2 / 4

The National Assembly is a unicameral, 250-seat legislature whose deputies are elected to four-year terms under a system of proportional representation with a single nationwide constituency. Regular parliamentary elections were scheduled to be held in 2024; however, in February 2022, President Vučić dissolved the parliament and called for early parliamentary elections to take place in April alongside the planned presidential and local elections.

Though the 2022 parliamentary elections were characterized by significant polarization between the ruling government and the opposition, all political parties participated in the polls, including the opposition parties that boycotted the 2020 parliamentary election. Seven electoral lists crossed the three percent electoral threshold to enter the parliament, increasing the body's pluralism following the 2020 boycott. Four ethnic minority lists, which did not have to surpass the parliamentary threshold to attain representation, also entered the parliament. The incumbent SNS-led coalition won 44.3 percent of vote, taking 120 seats but losing its majority. After six months of negotiations, the SNS formed a government with its long-standing coalition partner, the SPS, in October. Voter turnout was 58.6 percent, the largest turnout since the 2008 elections. Local elections were also held in 13 locations in April; SNS-led coalitions won the most votes in all 13 municipalities.

Observers reported numerous irregularities during the campaign and on election day. The Organization for Security and Co-operation in Europe's (OSCE) Office for Democratic Institutions and Human Rights (ODIHR) noted in its final election observation report released in August that a "number of shortcomings resulted in an uneven playing field, favoring the incumbents." During the campaign, essential freedoms were generally respected, but the effect of disproportionately high media access afforded to progovernment parties; pressure on public sector employees and minority and socio-economically at-risk residents, particularly the Romany population, to support the incumbents; notable campaign finance inconsistencies; and the abuse of administrative resources resulted in an unequal electoral environment for candidates, and provided undue advantages to the SNS. Parallel voter lists were used to track voters during the poll; vote buying was also reported.

A3. Are the electoral laws and framework fair, and are they implemented impartially by the relevant election management bodies? 2 / 4

Electoral laws largely correspond to international standards, but aspects of the electoral process are poorly regulated, and implementation of existing rules is flawed in some respects. In its report on the 2022 elections, the ODIHR noted persistent concerns over the lack of autonomy and efficacy of the Regulatory Body for Electronic Media (REM), administrative resource misuse and voter coercion, campaign finance transparency, and voter list availability.

In 2021, members of the European Parliament started mediating interparty talks on election conditions between the government and the opposition, resulting in presidential and parliamentary electoral framework changes adopted in February 2022. Among other

things, the amendments include provisions for increasing opposition representation in election commissions; expanding the dispute resolution period; and modifying campaign media coverage regulations. While generally well-received, the changes were widely assessed to have been limited and adopted too close to the April elections to be effective.

Electoral management—and in particular the work of independent state institutions, namely the REM and the Anti-Corruption Agency (ACA)—is often nontransparent; laws, mechanisms, and regulations regarding campaign finance, compliance with related financial restrictions, candidates' use of their own funds, and the public hearing of electoral challenges are either opaque or lacking.

B. POLITICAL PLURALISM AND PARTICIPATION: 9 / 16

B1. Do the people have the right to organize in different political parties or other competitive political groupings of their choice, and is the system free of undue obstacles to the rise and fall of these competing parties or groupings? 3 / 4

Political parties may be established freely and can typically operate without encountering formal restrictions. However, campaign finance regulations are weakly enforced and place no overall cap on the private funds raised and spent by parties and candidates. The Balkan Investigative Reporting Network (BIRN) found that the SNS had orchestrated the use of thousands of proxy donors to bypass legal limits on individual donations and disguise the true source of funding.

B2. Is there a realistic opportunity for the opposition to increase its support or gain power through elections? 1 / 4

There have been peaceful transfers of power between rival parties over the past two decades, and the political system remains somewhat competitive. However, the SNS has used various tactics to unfairly reduce the opposition's electoral prospects. These include manipulating the timing of snap elections, exerting pressure on independent state institutions, and mobilizing public resources to support its campaigns.

The SNS has expanded its influence over the media through both state-owned enterprises and an array of private outlets that are dependent on government funding, and has harnessed this influence to strengthen its political position and discredit its rivals, further reducing opposition parties' competitiveness. Opposition figures have also faced escalating harassment and violence in recent years.

Pervasive harassment, intimidation, and manipulation has resulted in suppressed political representation of opposition parties at any level. In April 2022, local elections were held in 13 municipalities, including the city of Belgrade. Following the elections, the SNS maintained nearly complete dominance over state governance—SNS-led coalitions took or held power in all 13 locations—and retained local-level control of all but 7 of 168 towns and municipalities. Nevertheless, a number of opposition parties, including a new green-left coalition, We Must (Moramo), which formed in January 2022, were able to cross the electoral threshold and enter the parliament following the April elections.

B3. Are the people's political choices free from domination by forces that are external to the political sphere, or by political forces that employ extrapolitical means? 2 / 4

Voters enjoy a significant degree of freedom to make political decisions without undue interference, though the ruling party and allied private businesses allegedly use patronage networks to influence political outcomes.

Various incentives have also been employed in recent years to convince hundreds of local elected officials to form alliances with the SNS or change their party affiliation after

elections. SNS electoral campaigns have allegedly benefited from the misuse of public resources, such as the use of public buses to transport loyalists to rallies. Local observers reported that workers at state-owned enterprises were pressured to support the ruling SNS during the April 2022 elections. SNS operatives have also been known to intimidate voters directly, by appearing at their homes and pressuring them to support the party.

Separately, Russia has been accused of attempting to influence Serbian politics through its state-owned media and an array of small pro-Russian parties, media outlets, and civil society groups in Serbia.

B4. Do various segments of the population (including ethnic, racial, religious, gender, LGBT+, and other relevant groups) have full political rights and electoral opportunities? 3 / 4

The country's electoral threshold for parliamentary representation does not apply to parties representing ethnic minorities. Groups centered on the ethnic Albanian, Bosniak, Croatian and Hungarian communities won 13 parliamentary seats in the April 2022 elections. Nevertheless, ethnic minorities have a relatively muted voice in Serbian politics in practice.

Women enjoy equal political rights and benefit from a party-list gender quota. Ana Brnabić became Serbia's first woman and first gay prime minister in 2017, but critics argued that her appointment was a superficial bid to showcase claims of openness toward the LGBT+ community without systematic engagement on issues important to LGBT+ people.

C. FUNCTIONING OF GOVERNMENT: 5 / 12

C1. Do the freely elected head of government and national legislative representatives determine the policies of the government? 2 / 4

Vučić's move to the presidency in 2017 raised new concerns about the personalization of governance and politicization of state institutions. Vučić has remained the dominant figure in government despite the presidency's limited executive powers under the constitution, creating a *de facto* presidential system. In August 2022, before a new government took office, Vučić announced that the prime minister's new mandate would extend only until 2024, rather than a full four-year term, due to unspecified "changes to the government."

The executive largely controls the legislative process, and opposition lawmakers are sidelined through the disproportionate use of disciplinary measures, frequent use of accelerated legislative procedures, and late changes to the legislative agenda, among other tactics.

C2. Are safeguards against official corruption strong and effective? 1 / 4

Although the number of arrests and prosecutions for corruption has risen in recent years, high-profile convictions are very rare. Critics have credibly accused Vučić and the SNS government of having ties to organized crime, and cronyism—in the form of jobs provided to allies of the president and the ruling party—is reportedly common. The responsibility for prosecuting corruption cases has been passed among different public prosecutors, who typically fault the police for supplying insufficient evidence in cases against government ministers. The work of the ACA is also undermined in part by the ambiguous division of responsibilities among other entities tasked with combating corruption.

Notable cases that came to light in recent years without being resolved include those of Nenad Popović, a politician who was implicated in a questionable privatization that caused an electrical transformer manufacturer to declare bankruptcy; finance minister Siniša Mali, whom anticorruption agencies have investigated for suspected money laundering; and former health minister Zlatibor Lončar, who allegedly has links to an organized crime group.

Senior officials' close relatives and associates have also faced corruption allegations. For example, a series of reports and leaked documents since 2018 tied the father of then

interior minister Nebojša Stefanović to an arms-trading scheme and other malfeasance. Aleksandar Obradović, a whistleblower who implicated Stefanović's father in the purchase of arms from the state at reduced rates, was arrested in September 2019, potentially deterring others with knowledge of corruption from coming forward.

C3. Does the government operate with openness and transparency? 2 / 4

The government has received sustained criticism for a lack of transparency in large-scale infrastructure projects and for secrecy surrounding public tenders. For example, details about the state-funded Belgrade Waterfront project, which includes the construction of hotels and luxury apartments and has been beset by controversy since its announcement in 2012, have not been made available to the public. Serbian defense spending is also opaque.

Legislators do not have adequate opportunities to ask questions about government activities and legislation, and the vast majority of parliamentary questions go unanswered by the government.

Public officials are subject to asset disclosure rules overseen by the ACA, but penalties for violations are uncommon. While a 2004 freedom-of-information law empowers citizens and journalists to obtain information of public importance, authorities frequently obstruct requests in practice.

CIVIL LIBERTIES: 40 / 60 (−1)

D. FREEDOM OF EXPRESSION AND BELIEF: 12 / 16

D1. Are there free and independent media? 2 / 4

Despite a constitution that guarantees freedom of the press and a penal code that does not treat libel as a criminal offense, media freedom is undermined by the threat of lawsuits or criminal charges against journalists for other offenses, lack of transparency in media ownership, editorial pressure from politicians and politically connected media owners, direct pressure and threats against journalists, and high rates of self-censorship. The incumbent political parties generally receive the majority of media coverage from public broadcasters.

The REM has been criticized for a lack of independence, particularly when deciding on allocation of national broadcast frequencies. Reporters without Borders (RSF) characterized the media environment as "polluted by propaganda, influence peddling and fake news" after four national broadcast frequencies were awarded to progovernment media in July 2022. A potential fifth frequency had not been allocated as of year's end, causing two TV channels that were denied a national frequency, N1 and Nova S, to temporarily go off-air in protest.

The state and ruling party exercise influence over private media in part through advertising contracts and other indirect subsidies. Many private outlets are owned by SNS supporters. Some privately owned national broadcasters and popular tabloids regularly participate in smear campaigns against the political opposition and other perceived government opponents. The authorities regularly ignore or reject information requests, impeding the work of journalists.

Independent investigative groups have been increasingly subjected to harassment, intimidation, and violence by authorities and progovernment groups. Several members of the ruling party have openly threatened journalists, and Vučić regularly and publicly disparages independent media outlets. Journalists have faced physical attacks, smear campaigns, online harassment, and punitive tax inspections. The Independent Journalists' Association of Serbia counted 132 attacks directed at journalists during 2022.

D2. Are individuals free to practice and express their religious faith or nonbelief in public and private? 4 / 4

The constitution guarantees freedom of religion, which is generally respected in practice.

D3. Is there academic freedom, and is the educational system free from extensive political indoctrination? 3 / 4

Academic freedom has largely been upheld, though recent practice and legal changes have raised concerns about political influence. The Law on Higher Education, adopted by the National Assembly in 2017, increased the presence of state-appointed members on the National Council for Higher Education and a national accreditation body; another education law, also adopted in 2017, gave the education minister centralized control over the appointment of school principals.

D4. Are individuals free to express their personal views on political or other sensitive topics without fear of surveillance or retribution? 3 / 4

Private discussion is generally free and vibrant, but a pattern of retribution against high-profile critics of the government has contributed to an increasingly hostile environment for free expression and open debate. Perceived government opponents, including journalists, university professors, civil society leaders, celebrities, and ordinary citizens, have faced smear campaigns in progovernment media outlets, criminal investigations, and other retaliatory measures in recent years. In some cases, the government's highest-ranking officials took part in discrediting nonpolitical figures based on their public criticism of government policies.

E. ASSOCIATIONAL AND ORGANIZATIONAL RIGHTS: 7 / 12 (−1)

E1. Is there freedom of assembly? 2 / 4 (−1)

Citizens are generally able to exercise freedom of assembly, though several ongoing prosecutions were launched against activists associated with the Don't Drown Belgrade (NDB) movement, which organized demonstrations against the contentious development project on Belgrade's waterfront, in recent years.

Numerous peaceful demonstrations, including large-scale protests against government environmental policies, were held during 2022. Many of these demonstrations, however, were met with force by private security agencies and masked individuals allegedly linked to the government, resulting in the violent assaults of several protesters.

In August, President Vučić announced that EuroPride—an international event promoting equality for the LGBT+ community and set to be held in Belgrade in September—had been canceled, due in part to "threats from right-wing groups" that could pose a danger to "peace and stability" in the country. Rights groups condemned the cancelation, which Vučić called a "violation of minority rights," saying it represents undue government infringement on freedom of assembly. Despite the ban, thousands of LGBT+ activists participated in an unofficial EuroPride march as originally planned in September. The march largely proceeded peacefully, but was met with counterprotests from anti-LGBT+ groups, leading to some violent confrontations between counterprotesters and police and the detention of more than 60 counterprotesters.

Score Change: The score declined from 3 to 2 due to a pattern of intimidation by police, private security groups, and paramilitary organizations against demonstrations disfavored by the authorities.[20]

E2. Is there freedom for nongovernmental organizations, particularly those that are engaged in human rights– and governance-related work? 2 / 4

Foreign and domestic nongovernmental organizations (NGOs) generally operate freely, but those that take openly critical stances toward the government or address sensitive or controversial topics have faced threats and harassment in recent years.

In 2020, UN human rights experts warned that the broad and inconsistent implementation of money laundering laws and antiterrorist financing mechanisms were misused to access the banking information of over 50 NGOs and human rights groups monitoring and investigating the government's work. In 2022, the Lawyers' Committee for Human Rights (YUCOM) registered a total of 43 incidents involving attacks against and harassment of individuals and organizations that defend human rights.

E3. Is there freedom for trade unions and similar professional or labor organizations? 3 / 4

Workers may legally join unions, engage in collective bargaining, and strike, but the International Trade Union Confederation has reported that organizing efforts and strikes are often restricted in practice, with employers allegedly retaliating against workers and union activists. According to Serbian trade union federation Independence (Nezavisnost), employers in Serbia regularly establish and register their own trade unions to undermine independent unions.

F. RULE OF LAW: 9 / 16

F1. Is there an independent judiciary? 2 / 4

The independence of the judiciary is compromised by political influence over judicial appointments, and many judges have reported facing external pressure regarding their rulings. Politicians regularly comment on judicial matters, including by discussing ongoing cases or investigations with the media.

F2. Does due process prevail in civil and criminal matters? 2 / 4

Due process guarantees are upheld in some cases, but corruption, lack of capacity, and political influence often undermine these protections. Among other problems, rules on the random assignment of cases to judges and prosecutors are not consistently observed, and mechanisms for obtaining restitution in civil matters are ineffective. High-profile, politically sensitive cases are especially vulnerable to interference.

F3. Is there protection from the illegitimate use of physical force and freedom from war and insurgencies? 3 / 4

The population is generally free from major threats to physical security, though some prison facilities suffer from overcrowding, abuse, and inadequate health care. Radical right-wing organizations and violent sports fans who target ethnic minorities, the LGBT+ community, and other perceived enemies also remain a concern.

F4. Do laws, policies, and practices guarantee equal treatment of various segments of the population? 2 / 4

Legal safeguards for socially vulnerable groups are poorly enforced. For example, though women are legally entitled to equal pay for equal work, this rule is not widely respected. The Romany minority is especially disadvantaged by discrimination in employment, housing, and education. LGBT+ people continue to face hate speech, threats, and even physical violence, and perpetrators are rarely punished despite laws addressing hate crimes and discrimination.

Individuals living with disabilities are among those who live in social care institutions, and have faced protracted periods of isolation as the COVID-19 pandemic progressed. Disability rights groups have warned this situation violates the Convention on the Rights of Persons with Disabilities, to which Serbia is a signatory.

G. PERSONAL AUTONOMY AND INDIVIDUAL RIGHTS: 12 / 16

G1. Do individuals enjoy freedom of movement, including the ability to change their place of residence, employment, or education? 4 / 4

There are no formal restrictions on freedom of movement. Serbians are free to change their place of employment and education, and have the right to travel.

G2. Are individuals able to exercise the right to own property and establish private businesses without undue interference from state or nonstate actors? 3 / 4

In general, property rights are respected, but adjudication of disputes is slow, and problems such as illegal construction and fraud persist. An estimated two million buildings in Serbia are not registered. Romany residents are often subject to forced evictions, and those evicted are generally not offered alternative housing or access to legal remedies to challenge eviction notices.

G3. Do individuals enjoy personal social freedoms, including choice of marriage partner and size of family, protection from domestic violence, and control over appearance? 3 / 4

Personal social freedoms are generally respected, and men and women have equal legal rights on personal status matters like marriage and divorce. A new law aimed at preventing domestic violence took effect in 2017, but such violence remains a problem.

G4. Do individuals enjoy equality of opportunity and freedom from economic exploitation? 2 / 4

Residents generally have access to economic opportunity, but factors such as weak macroeconomic growth and a relatively high rate of unemployment contribute to labor exploitation in some industries. Several reports in recent years have described worsening conditions in factories, particularly those that produce shoes and garments, including low wages, unpaid overtime, and hazardous work environments. Legal protections designed to prevent such abuses are not well enforced. Serbian and international NGOs have also issued reports regarding persistent human rights violations of migrant workers across the country, which often go unaddressed by authorities.

Seychelles

Population: 100,000
Capital: Victoria
Freedom Status: Free
Electoral Democracy: Yes

Overview: Seychelles has seen an increase in political pluralism in recent years, with an opposition coalition winning a parliamentary majority in 2016 and an opposition presidential candidate winning in 2020. However, government corruption remains a problem, as does lengthy pretrial detention. Migrant workers remain vulnerable to abuse.

KEY DEVELOPMENTS IN 2022

- In June, the National Assembly amended the constitution to give the Seychelles Defence Forces (SDF) the right to enforce domestic law, in effect removing the separation between the police and the military.
- The Seychelles Human Rights Commission (SHRC), the Bar Association of Seychelles, and the country's ombudsman petitioned the Constitutional Court for a review of the new amendment's constitutionality in September, expressing concern that the amendment would undermine due process, the rule of law, and human rights. The court did not issue a ruling before year's end.

POLITICAL RIGHTS: 34 / 40

A. ELECTORAL PROCESS: 12 / 12

A1. Was the current head of government or other chief national authority elected through free and fair elections? 4 / 4

The president is chief of state and head of government; the winning candidate is directly elected for up to two five-year terms. The president nominates cabinet ministers and a vice president, all of whom require approval from the National Assembly.

Then vice president Danny Faure became president when James Michel of the People's Party (PL) resigned as president in 2016. In late 2019, Faure was endorsed by the PL, renamed United Seychelles (US), to contest the October 2020 presidential election. Faure lost to Seychelles Democratic Alliance (LDS) candidate Wavel Ramkalawan. The election marked the first opposition victory in a presidential contest in Seychellois history.

A2. Were the current national legislative representatives elected through free and fair elections? 4 / 4

Members of the unicameral National Assembly are directly elected in 26 constituencies, while up to 9 additional seats are assigned by parties according to a proportional calculation of the vote.

The LDS won 25 seats in the October 2020 elections, which were held concurrently with the presidential contest. US won the remaining 10. Observers called the elections free and fair, though they did receive reports alleging misuse of state resources.

A3. Are the electoral laws and framework fair, and are they implemented impartially by the relevant election management bodies? 4 / 4

The Electoral Commission (EC) has faced criticism from opposition parties and others for enforcing its mandates inconsistently. In 2018, then president Faure approved an Elections Act amendment establishing a permanent chief electoral officer. The amendment was intended to alleviate concerns about the efficiency of the previous system, in which a chief electoral officer was appointed a few months before an election.

Electoral-law amendments that, among other things, provide a clearer definition of what is considered a spoiled ballot, were approved in 2020.

B. POLITICAL PLURALISM AND PARTICIPATION: 13 / 16

B1. Do the people have the right to organize in different political parties or other competitive political groupings of their choice, and is the system free of undue obstacles to the rise and fall of these competing parties or groupings? 4 / 4

There are no restrictions on the right to organize political parties or other competitive political groupings. However, during the 2015 presidential election, several opposition parties claimed the government was engaged in systematic harassment and intimidation of candidates.

Political party One Seychelles, which was founded in 2019, fielded presidential and legislative candidates in the 2020 elections.

B2. Is there a realistic opportunity for the opposition to increase its support or gain power through elections? 4 / 4

The LDS, an alliance of opposition parties, became the first political group to defeat the PL and gain a legislative majority in 2016, reflecting increasing political pluralism in Seychelles. In October 2020, Ramkalawan became the first non–US candidate to win a presidential election.

B3. Are the people's political choices free from domination by forces that are external to the political sphere, or by political forces that employ extrapolitical means? 3 / 4

Political choices are generally free from domination by powerful groups that are not democratically accountable. However, vote buying and voter intimidation by political parties have been reported.

B4. Do various segments of the population (including ethnic, racial, religious, gender, LGBT+, and other relevant groups) have full political rights and electoral opportunities? 2 / 4

The constitution mandates equal suffrage for adult citizens. Early voting procedures are designed to encourage the participation of some groups, including pregnant people, the elderly, and those with disabilities.

There are still no mechanisms to allow citizens living abroad to vote. Few women hold senior political office because of factors including longstanding traditional beliefs about the role of women. Women hold approximately 23 percent of National Assembly seats. Political life is dominated by people of European and South Asian origin.

C. FUNCTIONING OF GOVERNMENT: 9 / 12

C1. Do the freely elected head of government and national legislative representatives determine the policies of the government? 4 / 4

The head of government and national legislative representatives are generally able to determine policy, though widespread corruption can influence policymaking. Executive and legislative officials were elected under freer and fairer circumstances in 2020, bolstering the democratic legitimacy of their decisions.

C2. Are safeguards against official corruption strong and effective? 3 / 4

Concerns about government corruption persist, but significant improvements have been made in recent years. In 2016, the National Assembly passed an anticorruption law that established the country's first independent Anti-Corruption Commission (ACC) and strengthened Seychelles's legal anticorruption framework. In 2019, the National Assembly amended the anticorruption law to increase the number of ACC commissioners, clarify its strength, explicitly give it investigative powers, and enhance its law enforcement provisions.

Seychelles, which was previously included in an EU list of foreign tax havens, was removed from that list in October 2021. At the time, EU finance ministers cited the government's progress regarding the country's taxation regime.

In November 2021, Seychellois authorities arrested businessman Mukesh Valabhji and his wife on suspicion of embezzling a $50-million donation provided by the United Arab Emirates (UAE) in 2002. Former first lady Sarah Zarqani-René also faces charges related to her alleged involvement in the scheme. The case was ongoing at year-end 2022.

C3. Does the government operate with openness and transparency? 2 / 4

Laws allowing public access to government information have been inconsistently followed. Some government officials are required to declare assets, but they do not always comply. However, since the passing of the Access to Information Act in 2018; the creation of the Information Commission in 2019; and the election of President Ramkalawan in 2020, the government has made significant progress in operating with openness and transparency. The Information Commission published guidelines for citizens on how to obtain public information under the Access to Information Act in 2020.

CIVIL LIBERTIES: 45 / 60

D. FREEDOM OF EXPRESSION AND BELIEF: 14 / 16

D1. Are there free and independent media? 3 / 4

The Seychelles Media Commission Act of 2010 establishes relatively strict guidelines for journalists. Several newspapers exist besides the state-owned daily, the *Seychelles Nation*. A publicly owned broadcaster provides television and radio programming alongside a private television station and two private radio stations. The law prohibits political parties and religious organizations from operating public radio broadcasts.

In the past, media workers practiced a degree of self-censorship to protect their advertising earnings and to avoid the application of strict—but rarely enforced—defamation laws. However, self-censorship has declined in recent years. In October 2021, the National Assembly decriminalized defamation.

D2. Are individuals free to practice and express their religious faith or nonbelief in public and private? 4 / 4

Religious freedom is generally respected. The government grants larger religious groups programming time on state radio, subject in most cases to advance review and approval. Smaller religious groups do not have access to dedicated broadcast time. Non-Catholic students in public schools providing Catholic instruction have no access to alternative activities during those classes.

D3. Is there academic freedom, and is the educational system free from extensive political indoctrination? 4 / 4

The charter of the University of Seychelles enshrines academic freedom, while the constitution indirectly references academic freedom. A 2016 study from the International Labour Organization (ILO) and the United Nations Education, Scientific, and Cultural Organization (UNESCO) recognized Seychelles as having high compliance in institutional autonomy, tenure, individual rights, and democratic structure in the country's two universities.

In the past, some activists have claimed that educators have had to demonstrate at least nominal loyalty to the PL, which previously controlled the executive and legislative branches, to reach senior bureaucratic positions. Since the 2020 transition of power, no reports of such behavior have emerged.

D4. Are individuals free to express their personal views on political or other sensitive topics without fear of surveillance or retribution? 3 / 4

As the government seeks to protect the tourism sector, many sensitive subjects are considered off limits. Individuals who criticize the government publicly or privately sometimes suffer reprisals, such as harassment by police or the loss of jobs or contracts.

E. ASSOCIATIONAL AND ORGANIZATIONAL RIGHTS: 9 / 12

E1. Is there freedom of assembly? 3 / 4

The freedom of assembly is protected by the constitution. Additionally, the government passed a revised public-assembly law in 2015, which several observers credited with allowing a more open and free political environment. However, the law still contains some restrictive provisions, including the need to give five days' notice to the police for assemblies. It also empowers the head of police to disperse public meetings on grounds of preserving public health, morality, and safety, and sets conditions on the timing and location of large gatherings.

E2. Is there freedom for nongovernmental organizations, particularly those that are engaged in human rights– and governance-related work? 3 / 4

Human rights groups and other nongovernmental organizations (NGOs) operate without restriction. However, some groups lack the resources necessary to operate and advocate effectively.

E3. Is there freedom for trade unions and similar professional or labor organizations? 3 / 4

Unions are permitted, but only about 15 percent of the workforce is unionized, and collective bargaining is relatively rare. Workers have the right to strike, but only if all other arbitration procedures have been exhausted.

F. RULE OF LAW: 11 / 16

F1. Is there an independent judiciary? 2 / 4

Judges sometimes face interference in cases involving major commercial or political interests. Seychelles, which has few legal professionals, relies on expatriate judges who serve fixed-term contracts on the Supreme Court. The government controls the negotiations and renewal of expatriate contracts, potentially allowing officials to compromise the impartiality of the non-Seychellois magistrates. The judiciary also lacks budgetary independence from the executive and can be subject to external influence. The Supreme Court remains a target of political threats and intimidation.

F2. Does due process prevail in civil and criminal matters? 3 / 4

While constitutional rights to due process are generally respected, prolonged pretrial detention is common. The courts introduced new systems in 2016 to expedite the processing of cases, but their effect has been limited.

In June 2022, the National Assembly voted in favor of a 10th amendment to the constitution, giving the Seychelles Defence Forces (SDF) the right to enforce domestic law. In effect, this amendment removes the separation between the police and the military. The country's Ombudsman, the Seychelles Human Rights Commission (SHRC), and the Bar Association of Seychelles expressed concern that the amendment may undermine due process, the rule of law, and human rights; the groups petitioned the Constitutional Court in September for a review of the new amendment's constitutionality. The court had not issued a ruling on the case as of year's end.

F3. Is there protection from the illegitimate use of physical force and freedom from war and insurgencies? 3 / 4

Security forces have occasionally been accused of using excessive force, and impunity for such offenses remains a problem. Police corruption continues, particularly the solicitation of bribes. Prisons remain overcrowded.

F4. Do laws, policies, and practices guarantee equal treatment of various segments of the population? 3 / 4

Same-sex sexual activity was decriminalized in 2016, though societal discrimination against LGBT+ activists remains a problem. Prejudice against foreign workers has been reported.

G. PERSONAL AUTONOMY AND INDIVIDUAL RIGHTS: 11 / 16

G1. Do individuals enjoy freedom of movement, including the ability to change their place of residence, employment, or education? 3 / 4

The government does not restrict domestic travel but may deny passports for arbitrary reasons based on "national interest."

G2. Are individuals able to exercise the right to own property and establish private businesses without undue interference from state or nonstate actors? 3 / 4

Individuals may generally exercise the right to own property and establish private business without undue interference from state or nonstate actors. An underdeveloped legal framework can hamper business activities, as can corruption.

G3. Do individuals enjoy personal social freedoms, including choice of marriage partner and size of family, protection from domestic violence, and control over appearance? 2 / 4

Inheritance laws do not discriminate against women, and the government does not impose explicit restrictions on personal social freedoms. However, domestic violence against women remains a problem.

G4. Do individuals enjoy equality of opportunity and freedom from economic exploitation? 3 / 4

Economic life is dominated by people of European and South Asian origin. The government has made only some progress in preventing or prosecuting instances of human trafficking and labor exploitation. Worker rights in the Seychelles International Trade Zone are different from the rest of the islands, and migrant laborers are vulnerable to abuse there.

Bangladeshi workers have faced human trafficking abuses like the seizure of travel documents, unpaid work, and extreme labor exploitation. In 2019, the Seychellois and Bangladeshi governments signed an agreement to regulate the recruitment of Bangladeshi workers.

Sierra Leone

Population: 8,700,000
Capital: Freetown
Freedom Status: Partly Free
Electoral Democracy: Yes

Overview: Sierra Leone has held regular multiparty elections since the end of its civil war in 2002. However, demonstrators and opposition parties have faced police violence and restrictions on assembly. Civic groups are constrained and corruption remains pervasive.

KEY DEVELOPMENTS IN 2022

- In August, security officers and demonstrators clashed violently as cost-of-living protests were held in Freetown and the north, with 6 officers and at least 20 protesters being killed. The government imposed a three-day nighttime curfew immediately after the clashes, while authorities arrested over 500 people as the month progressed.
- The opposition All People's Congress (APC) sued in November to halt the government's proposed transition to a proportional-representation electoral system, though no ruling was made by year's end. The APC previously said the constitution did contain a provision allowing for such a shift.
- Also in November, Parliament passed a bill that would impose a gender quota for elected and appointed positions, mandate equal pay, and extend paid maternity leave. President Julius Maada Bio had not signed it by year's end.

POLITICAL RIGHTS: 27 / 40 (−1)

A. ELECTORAL PROCESS: 9 / 12 (−1)

A1. Was the current head of government or other chief national authority elected through free and fair elections? 3 / 4

The president is elected by popular vote for up to two five-year terms. In the March 2018 presidential election, Julius Maada Bio of the Sierra Leone People's Party (SLPP) defeated Samura Kamara of the APC and succeeded term-limited predecessor Ernest Bai Koroma. Allegations of violence and voter intimidation marred the campaign period. Nevertheless, international observers called the contest credible, praising electoral officials for effectively fulfilling their duties despite budget constraints, logistical challenges, and pressure from the government.

A2. Were the current national legislative representatives elected through free and fair elections? 3 / 4

In the unicameral Parliament, 132 members are popularly elected and 14 seats are reserved for indirectly elected paramount chiefs. Parliamentary elections are held every five years, concurrently with presidential elections.

Following the March 2018 polls, the APC initially retained control of Parliament. But in May 2019, the High Court ruled in favor of a SLPP petition alleging electoral fraud on the part of the APC; 10 members of Parliament (MPs) were removed and the SLPP was awarded 9 seats, giving the latter party a slender majority. Several by-elections have taken place since 2018 but have been marred by violence.

A3. Are the electoral laws and framework fair, and are they implemented impartially by the relevant election management bodies? 3 / 4 (−1)

Members of the Electoral Commission for Sierra Leone (ECSL) are selected by the president, though Parliament must approve appointments.

In October 2022, President Bio instructed the ECSL to introduce a proportional-representation electoral system, replacing a first-past-the-post system. The opposition criticized the shift, saying the constitution contained no provision to allow such a transition. The APC sued over the proposed shift in late November, though no ruling was issued by year's end.

The APC also criticized the ECSL's September-to-October 2022 voting registration exercise and the November verification process, saying that its supporters were being disenfranchised. Local stakeholders, meanwhile, reported that the verification process was marred by administrative difficulties. Some 257,000 voters were removed from the roll

because entries were purportedly duplicated; the APC criticized their removal as opaque in nature and called for an audit in December.

Score Change: The score declined from 4 to 3 because a voter registration process was marred by administrative difficulties and accusations of partisan disenfranchisement, while a related shift in the country's voting system was met with concerns over its constitutionality.

B. POLITICAL PLURALISM AND PARTICIPATION: 11 / 16

B1. Do the people have the right to organize in different political parties or other competitive political groupings of their choice, and is the system free of undue obstacles to the rise and fall of these competing parties or groupings? 2 / 4

Although people have the right to organize in different political parties, opposition parties and leaders have faced intimidation and harassment. In July 2022, Unity Party chairwoman Femi Claudius-Cole and National Grand Coalition chair Dennis Bright were held for several days for allegedly inciting an unlawful demonstration before being released without charge.

While candidate nomination fees are subsidized, the costs of running for office and a rule requiring public-sector personnel to resign 12 months ahead of an election serve as barriers to entry for many candidates, giving an advantage to larger parties and those with greater resources.

B2. Is there a realistic opportunity for the opposition to increase its support or gain power through elections? 3 / 4

The SLPP's presidential victory in 2018, despite the APC's continued use of public resources during the campaign, marked the second peaceful transfer of power between rival parties since the end of the civil war in 2002.

B3. Are the people's political choices free from domination by forces that are external to the political sphere, or by political forces that employ extrapolitical means? 3 / 4

Sierra Leoneans generally enjoy freedom in their political choices, although traditional chiefs and religious leaders exercise influence on voters. Local elites from both major parties often control the selection of parliamentary candidates.

B4. Do various segments of the population (including ethnic, racial, religious, gender, LGBT+, and other relevant groups) have full political rights and electoral opportunities? 3 / 4

Ethnic and religious minorities typically enjoy full political rights and electoral opportunities. Societal impediments to women's political participation remain a challenge, with women holding only 13 percent of Parliament's seats as of December 2022. In November, Parliament passed the 2021 Gender Equality and Women's Empowerment Bill (GEWEB), which would impose a 30 percent gender quota for elected and appointed positions. President Bio did not sign the bill by year's end.

Sierra Leoneans who are not of African descent do not have birthright citizenship and must be naturalized to be able to vote.

The SLPP and APC have accused each other of engaging in ethnic discrimination when appointing employees to government agencies.

C. FUNCTIONING OF GOVERNMENT: 7 / 12

C1. Do the freely elected head of government and national legislative representatives determine the policies of the government? 3 / 4

The elected president and Parliament generally determine government policy, but more power lies with the executive.

Sierra Leone has relied on Chinese and Turkish support for the construction of large-scale infrastructure in recent years. International organizations also influence policymaking, with the government withdrawing fuel subsidies in order to receive support from the International Monetary Fund in 2018.

C2. Are safeguards against official corruption strong and effective? 1 / 4

The Bio administration has made efforts to tackle systemic corruption and hold perpetrators from the previous government accountable. However, the Anti-Corruption Commission's efforts have largely focused on recouping stolen wealth over securing convictions, and corruption remains prevalent.

In late 2021, the government suspended Auditor General Lara Taylor-Pearce and committed to form a tribunal over her performance, weeks before her office was expected to report on government corruption. A tribunal meant to hear accusations of misconduct began in 2022 and sat as recently as October.

C3. Does the government operate with openness and transparency? 3 / 4

Sierra Leone has an uneven record on transparency. The Right to Access Information Commission was created in 2013 to facilitate transparency and openness in government, but its effectiveness has been hampered by lack of funding and limited public outreach. The Audit Service Sierra Leone, meanwhile, has highlighted concerns over transparency and procurement in recent reports.

The government continues to review and make public all mining and lease agreements, retaining its Extractive Industries Transparency Initiative (EITI) compliance designation. The EITI's October 2022 validation report assessed Sierra Leone as having made good progress on all requirements, awarding it a "high overall score."

CIVIL LIBERTIES: 36 / 60 (−1)

D. FREEDOM OF EXPRESSION AND BELIEF: 12 / 16

D1. Are there free and independent media? 2 / 4

Numerous independent newspapers circulate freely and dozens of public and private radio and television outlets operate. Many favor of one of the leading political parties in their coverage, however. Part V of the 1965 Public Order Act, which criminalized libel and sedition, was repealed in 2020 and was replaced by Independent Media Commission (IMC) Act.

In May 2022, officers detained Sorie Saio Sesay of Okentuhun Radio FM for nearly a week after sharing a message via WhatsApp; the message discussed a police officer's reported killing of a taxi driver. The journalist was released without charge. Also in May, the Office of National Security filed a complaint against Chernoh Alpha Bah of the Africanist Press at the IMC, claiming that the outlet was seeking to "cause unrest in the country" through its coverage. Bah also faced death threats and accusations of treason on social media.

D2. Are individuals free to practice and express their religious faith or nonbelief in public and private? 4 / 4

Freedom of religion is constitutionally protected and respected in practice.

D3. Is there academic freedom, and is the educational system free from extensive political indoctrination? 3 / 4

Academic freedom is generally upheld, but strained resources within the university system have led to strikes by professors. Student protests have been violently dispersed by security forces in recent years.

D4. Are individuals free to express their personal views on political or other sensitive topics without fear of surveillance or retribution? 3 / 4

Private discussion remains largely open, though freedom of personal expression may be affected by the threat of violence from powerful interests. While authorities reportedly monitor discussions on social media platforms, including WhatsApp, few arrests have been made for online discussions under the 2021 Cyber Security and Cyber Crimes Act.

E. ASSOCIATIONAL AND ORGANIZATIONAL RIGHTS: 5 / 12 (−1)

E1. Is there freedom of assembly? 1 / 4 (−1)

While freedom of assembly is constitutionally guaranteed, the police have repeatedly refused to grant permission to organizers planning protests.

Authorities responded forcefully to major protests in 2022. In July, hundreds of women protested over economic concerns in Freetown; officers were seen physically attacking demonstrators. Dozens were reportedly arrested, along with party leaders Claudius-Cole and Bright.

Cost-of-living protests were held in Freetown and the north in August 2022. Protesters clashed with police officers in several areas, while authorities deployed tear gas and fired live ammunition; 6 officers and at least 20 protesters died nationwide. Internet connectivity was disrupted at least twice as the demonstrations took place, while the government imposed a three-day nighttime curfew. Police had arrested over 500 people nationwide for allegedly engaging in violence or violating the curfew as of late August, a majority of whom were still in detention by then.

Score Change: The score declined from 2 to 1 because police violently clashed with protesters in August, resulting in the deaths of nearly 30 people.[25]

E2. Is there freedom for nongovernmental organizations, particularly those that are engaged in human rights– and governance-related work? 2 / 4

A variety of nongovernmental organizations and civic groups operate in the country. Stricter regulations took effect in 2018, requiring annual renewal of registrations and ministerial approval for projects.

E3. Is there freedom for trade unions and similar professional or labor organizations? 2 / 4

While workers have the right to join independent trade unions, there are no laws preventing discrimination against union members or prohibiting employers from interfering with the formation of unions. Some unions have been suspended from the umbrella Sierra Leone Labour Congress after the ruling SLPP manipulated and effectively captured them.

F. RULE OF LAW: 9 / 16

F1. Is there an independent judiciary? 2 / 4

While the constitution provides for an independent judiciary, the courts are prone to executive interference. A lack of clear procedures for appointing and dismissing judges leaves those processes vulnerable to abuse. Judicial corruption, poor salaries, and inadequate resources also undermine judicial autonomy.

F2. Does due process prevail in civil and criminal matters? 2 / 4

Resource constraints and a shortage of lawyers hinder access to legal counsel. The constitutional right to a fair trial is sometimes limited in practice. Pretrial and remand prisoners are held for between three and five years before their cases are adjudicated on average. Police can hold criminal suspects for several days without charge and engage in arbitrary arrests.

The death-penalty provision in the 1991 constitution was removed in 2021.

F3. Is there protection from the illegitimate use of physical force and freedom from war and insurgencies? 3 / 4

Detention facilities are under strain. Prisons fail to meet basic health-and-hygiene standards, and infectious disease is prevalent.

Police, who are poorly paid and minimally trained, are rarely held accountable for their actions, even when they turn to violence. Civilians can report ill-treatment to the Police Complaints, Discipline, and Internal Investigations Department or the Independent Police Complaints Board, though these agencies have very limited capacity and efficacy.

Concerns over extrajudicial violence persisted in 2022. In April, the Institute for Human Rights and Development in Africa called on the government to release a report on the 2020 Pademba Road Prison riot, noting concerns that officers killed more inmates than was officially reported. In August, political leader Femi Claudius-Cole alleged that "death squads" were engaging in extrajudicial killings as the government imposed its August 2022 curfew.

F4. Do laws, policies, and practices guarantee equal treatment of various segments of the population? 2 / 4

LGBT+ people face discrimination in employment and health-care access and are vulnerable to violence. Sex between men is criminalized under a colonial-era law.

Women experience discrimination in employment, education, and access to credit. Parliament passed the Customary Land Rights Act (CLRA) in August 2022 and President Bio signed it in September; the new law is meant to improve land rights for women. The GEWEB, which was passed in November, includes provisions mandating equal pay and extending the length of paid maternity leave.

G. PERSONAL AUTONOMY AND INDIVIDUAL RIGHTS: 10 / 16

G1. Do individuals enjoy freedom of movement, including the ability to change their place of residence, employment, or education? 3 / 4

Sierra Leoneans generally enjoy freedom of movement. However, authorities imposed a three-day nighttime curfew immediately after the August 2022 protests.

G2. Are individuals able to exercise the right to own property and establish private businesses without undue interference from state or nonstate actors? 3 / 4

The government has sought to reduce regulatory barriers to private business in recent years. Property rights are constitutionally guaranteed, though the laws do not effectively protect those rights. There is no land titling system. Outside of Freetown, land falls under customary law; its use was heavily determined by chiefs, but their ability to influence the use of land was reduced by the CLRA. Land rights for women were also bolstered by the CLRA.

The government does not effectively regulate the activities of international investors, exacerbating threats to property rights.

G3. Do individuals enjoy personal social freedoms, including choice of marriage partner and size of family, protection from domestic violence, and control over appearance? 2 / 4

Reports of rape and domestic violence rarely result in conviction, despite the introduction of a Sexual Offences Amendment Act in 2019. The police unit responsible for investigating and prosecuting these crimes remains underfunded and understaffed.

Female genital mutilation, which is widespread, is not prohibited by law.

In a 2019 report, the UN Children's Fund (UNICEF) noted that there are as many as 800,000 child brides in Sierra Leone. In an October 2022 document, UNICEF and the UN Population Fund reported that child marriage had declined between 2006 and 2016; however, the agencies noted that domestic evidence detailing the prevalence of the practice was lacking.

G4. Do individuals enjoy equality of opportunity and freedom from economic exploitation? 2 / 4

Reports of economic exploitation among workers in the natural-resource sector are common. Human trafficking remains a problem, although the government is focused on improving its ability to convict traffickers. The first trafficking convictions in 15 years were secured in 2020. In the 2022 edition of its *Trafficking in Persons Report*, the US State Department noted that authorities secured another three convictions during its coverage period.

Singapore

Population: 5,500,000
Capital: Singapore
Freedom Status: Partly Free
Electoral Democracy: No

Overview: Singapore's parliamentary political system has been dominated by the ruling People's Action Party (PAP) and the family of current prime minister Lee Hsien Loong since 1959. The electoral and legal framework that the PAP has constructed allows for some political pluralism, but it constrains the growth of opposition parties and limits freedoms of expression, assembly, and association.

KEY DEVELOPMENTS IN 2022

- In November, the parliament voted to repeal a decades-old law criminalizing same-sex sexual relations. However, lawmakers also separately voted to amend the constitution to prevent any legal challenge to the current definition of marriage as between a man and a woman.
- In July, Malaysian lawyer Zaid Malek traveled to Singapore to assist Malaysian death-row inmate Kalwant Singh; Malek was detained and interrogated by the police for approximately eight hours. He claimed to have experienced harassment and intimidation at the hands of the authorities, as well as a warning to not leave the country.

POLITICAL RIGHTS: 19 / 40

A. ELECTORAL PROCESS: 4 / 12

A1. Was the current head of government or other chief national authority elected through free and fair elections? 1 / 4

The government is led by a prime minister and cabinet formed by the party that controls Parliament. Prime Minister Lee Hsien Loong of the PAP has been in power since 2004. While polling-day procedures are generally free of irregularities, numerous structural factors that favor the PAP impede viable electoral competition.

The president, whose role is largely ceremonial, is elected by popular vote for six-year terms, and a special committee is empowered to vet candidates. None of Singapore's three main ethnic groups (Chinese, Malays, and Indians or others) may be excluded from the presidency for more than five consecutive terms, and presidential candidates from the private sector, as opposed to senior officials with at least three years of service, must have experience leading a company with at least S$500 million (US$359 million) in shareholder equity. PAP-backed Halimah Yacob was the only eligible candidate in the 2017 presidential election, making her the winner by default.

A2. Were the current national legislative representatives elected through free and fair elections? 2 / 4

Following a March 2020 recommendation by the Electoral Boundaries Review Committee (EBRC), the number of directly elected seats in the unicameral Parliament was increased from 89 to 93. The Parliament elected that July consequently included 14 members from single-member constituencies and 79 members from Group Representation Constituencies (GRCs). The top-polling party in each GRC wins all of its four to five seats, which has historically bolstered the PAP's majority. As many as nine additional, nonpartisan members can be appointed by the president, and a maximum of another 12 can come from a national compensatory list meant to ensure a minimum of opposition representation. Members serve five-year terms, with the exception of appointed members, who serve for two and a half years.

In the 2020 elections, the PAP secured 61.2 percent of the popular vote and 83 of the 93 directly elected seats. The largest opposition group, the Workers' Party, won 10 seats and received 2 compensatory seats to achieve the minimum of 12 for the opposition.

Elections are largely free of fraud or other irregularities but are unfair due to the advantages enjoyed by the PAP, including a progovernment media sector, the GRC system, high financial barriers to electoral candidacy, and legal restrictions on free speech.

A3. Are the electoral laws and framework fair, and are they implemented impartially by the relevant election management bodies? 1 / 4

Singapore lacks an independent election commission; the country's Elections Department (ELD) is a government body attached to the Prime Minister's Office. The secretary to the prime minister is the head of the EBRC, which reviews and redraws constituency boundaries. In the past, the PAP-controlled boundaries process has ensured an advantage for the party. The electoral districts for the 2020 elections were announced in mid-March, just four months before the polls were held. The electoral framework suffers from other flaws—including the GRC system and the onerous eligibility rules for presidential candidates—that favor the PAP-dominated political establishment.

B. POLITICAL PLURALISM AND PARTICIPATION: 8 / 16

B1. Do the people have the right to organize in different political parties or other competitive political groupings of their choice, and is the system free of undue obstacles to the rise and fall of these competing parties or groupings? 2 / 4

Singapore has a multiparty political system, and 11 parties contested the 2020 parliamentary elections. However, a variety of factors have helped to ensure the PAP's dominant position, including an electoral framework that favors incumbents, restrictions on political films and television programs, the threat of defamation suits, the PAP's vastly larger financial resources, and its influence over the mass media and the courts.

The Protection from Online Falsehoods and Manipulation Act (POFMA)—which allows any government minister to order correction notices or restrict access to content they deem false or contrary to the public interest—was repeatedly invoked to require corrections regarding comments by opposition candidates during the 2020 campaign period. Separately, the ELD banned large public rallies during that period, citing the COVID-19 pandemic.

B2. Is there a realistic opportunity for the opposition to increase its support or gain power through elections? 2 / 4

The PAP has governed without interruption since 1959; changes in the country's leadership can be prompted by shifts within the ruling party. In June 2022, Finance Minister Lawrence Wong was promoted to deputy prime minister, further cementing his standing as Prime Minister Lee's eventual successor.

The opposition mounts stronger election campaigns than in the past. Opposition factions collectively put forward candidates for all directly elected Parliament seats in 2020, having done so for the first time in 2015, and ultimately gained four.

B3. Are the people's political choices free from domination by forces that are external to the political sphere, or by political forces that employ extrapolitical means? 2 / 4

The corporatist structure of the economy creates dense ties between business and political elites that have been criticized as oligarchic in nature. These networks contribute to the PAP's political dominance.

Many senior government officials formerly served as military officers, and the military has a close relationship with the PAP, but it does not directly engage in politics.

B4. Do various segments of the population (including ethnic, racial, religious, gender, LGBT+, and other relevant groups) have full political rights and electoral opportunities? 2 / 4

Ethnic Chinese Singaporeans make up a majority of the population. Members of minority groups, including Malays and people of Indian descent, have full voting rights, but critics—including academics and nongovernmental organizations (NGOs)—have questioned whether the GRC system achieves its stated aim of ensuring minority representation. Separately, the rules for presidential candidacy have been criticized for excluding non-Malays from the 2017 election. Malays are generally underrepresented in leadership positions.

Women remain underrepresented in senior government and political positions, though women candidates won 27 of the 93 directly elected parliamentary seats in 2020, up from 21 out of 89 in 2015, and the president who took office in 2017 is a woman. LGBT+ rights interest groups operate and are generally tolerated but have no vocal parliamentary representation. LGBT+ people experience discrimination and thus face barriers to being elected and open about their identity.

C. FUNCTIONING OF GOVERNMENT: 7 / 12

C1. Do the freely elected head of government and national legislative representatives determine the policies of the government? 2 / 4

Elected officials determine the government's policies, but the PAP's political and institutional dominance ensures its victory at the polls, and the party leadership maintains discipline among its members. The constitution stipulates that lawmakers lose their seats if they resign or are expelled from the party for which they stood in elections, inhibiting Parliament's ability to serve as an effective check on the executive.

C2. Are safeguards against official corruption strong and effective? 3 / 4

Singapore has been lauded for its lack of bribery and corruption. However, its corporatist economic structure entails close collaboration between the public and private sectors that may produce conflicts of interest. Lawmakers often serve on the boards of private companies: for example, Ho Ching, Prime Minister Lee's wife, served as chief executive of Temasek Holdings, a government-linked corporation and sovereign wealth fund, for 17 years. After leaving her position in 2021, Ho joined the board of the Temasek Trust, the corporation's philanthropic arm.

C3. Does the government operate with openness and transparency? 2 / 4

The government provides limited transparency on its operations. The Singapore Public Sector Outcomes Review is published every two years and includes metrics on the functioning of the bureaucracy; regular audits of public-sector financial processes are also made accessible to the public. However, other data, including key information on the status of the national reserves, are not made publicly available, and there is no freedom of information law giving citizens the right to obtain government records.

The activities and salary of Ho Ching in her role at Temasek Holdings, and subsequently as a board member of Temasek Trust, have been nontransparent and a point of controversy.

CIVIL LIBERTIES: 28 / 60

D. FREEDOM OF EXPRESSION AND BELIEF: 7 / 16

D1. Are there free and independent media? 1 / 4

All domestic newspapers, radio stations, and television channels are owned by government-linked companies. Editorials and news coverage generally support state policies, and self-censorship is common, though newspapers occasionally publish critical content. The government uses racial or religious tensions and the threat of terrorism to justify restrictions on freedom of speech. Media outlets, bloggers, and public figures have been subjected to harsh civil and criminal penalties for speech deemed to be seditious, defamatory, or injurious to religious sensitivities. Major online news sites must obtain licenses and respond to regulators' requests to remove prohibited content. However, foreign media and a growing array of online domestic outlets—including news sites and blogs—are widely consumed and offer alternative views.

The last prominent independent media outlet, The Online Citizen, was forced to close in September 2021 after the Infocomm Media Development Authority (IMDA), the country's media regulator, canceled the site's license over its alleged failure to report on its funding sources. In September 2022, The Online Citizen chief editor Terry Xu relocated to Taiwan and reactivated the outlet's website and social media accounts, providing commentary and analysis of events throughout Asia without daily news coverage.

Members of independent media face threats of legal lawsuits and criminal charges. For example, Xu was sentenced to three weeks in jail on defamation charges in April

2022 for publishing a 2018 letter by Daniel De Costa Augustin on his site that alleged corruption among government ministers. De Costa was also sentenced to three months in jail for defamation and breaking computer crime law by using another person's email account without their consent.

D2. Are individuals free to practice and express their religious faith or nonbelief in public and private? 3 / 4

The constitution guarantees freedom of religion if its practice does not violate any other regulations, and most groups worship freely. However, religious actions perceived as threats to racial or religious harmony are not tolerated, and the Jehovah's Witnesses and the Unification Church are banned. Religious groups are required to register with the government under the 1966 Societies Act.

Muslim religious teachers must be certified by the Asatizah Recognition Board, a body of religious scholars under the purview of the state's Islamic Religious Council of Singapore. The system is seen as an effort to ensure that only state-approved forms of Islam are taught. Since August 2021, the government has allowed public sector nurses who are Muslim to wear a headscarf while on duty.

D3. Is there academic freedom, and is the educational system free from extensive political indoctrination? 1 / 4

Public schools include a national education component that has been criticized for presenting a history of Singapore that focuses excessively on the role of the PAP. All public universities and political research institutions have direct government links that enable political influence and interference in hiring and firing; recent faculty turnover at two major universities has increased concerns about political pressure. Self-censorship on Singapore-related topics is common among academics, who can face legal and career consequences for critical speech.

A study by AcademiaSG, a network of Singaporean academics, published in August 2021 found that 16 percent of respondents did not feel free to select their preferred research area. In addition, more female respondents said they were unable to pursue certain projects than their male counterparts.

D4. Are individuals free to express their personal views on political or other sensitive topics without fear of surveillance or retribution? 2 / 4

While there is some space for personal expression and private discussion, legal restrictions on topics that involve race and religion constrain dialogue. The threat of defamation suits and related charges are also deterrents to free speech, including on social media. A 2019 ruling effectively allowed defamation charges for criticism of the government in general.

POFMA provides for criminal penalties including fines and up to a year in prison for failure to comply with removal or correction orders. POFMA has been invoked against opposition figures, activists, and social media users.

Online expression is also affected by FICA, which allows the home affairs minister to remove online content, while ISPs and social media operators can be compelled to provide information on their users. Access to applications can also be restricted under FICA.

E. ASSOCIATIONAL AND ORGANIZATIONAL RIGHTS: 3 / 12

E1. Is there freedom of assembly? 1 / 4

Public assemblies are subject to extensive restrictions by the 2017 amended Public Order Act (POA). Police permits are required for assemblies that occur outdoors; limited

restrictions apply to indoor gatherings. Speakers' Corner at Hong Lim Park is the designated site for open assembly, though events there can likewise be restricted if they are deemed disruptive. Non-Singaporeans are generally prohibited from participating in or attending public assemblies that are considered political or sensitive.

The Public Order and Safety (Special Powers) Act of 2018 granted the home affairs minister and police enhanced authority in the context of a vaguely defined "serious incident," which could include scenarios ranging from terrorist attacks to peaceful protests. Officials would be permitted to potentially use lethal force and to halt newsgathering and online communications in the affected area. The special powers could be invoked in advance of a likely or threatened incident.

Authorities punish activists for holding unauthorized events, including even the smallest possible "assemblies."

E2. Is there freedom for nongovernmental organizations, particularly those that are engaged in human rights– and governance-related work? 1 / 4

The Societies Act requires most organizations of more than 10 people to register with the government; the government enjoys full discretion to register or dissolve such groups. Only registered parties and associations may participate in organized political activity. Despite these restrictions, some NGOs engage in human rights and governance-related work, advocating policy improvements and addressing the interests of constituencies including migrant workers and women. Prominent activists are subject to police questioning, criminal charges, civil lawsuits, and other forms of harassment in reprisal for their work. In July 2022, Malaysian lawyer Zaid Malek traveled to Singapore to assist Malaysian death row inmate Kalwant Singh; Malek was detained and interrogated by the police for approximately eight hours. He claimed to have experienced harassment and intimidation at the hands of the authorities, as well as a warning to not leave the country.

Under the Foreign Interference (Countermeasures) Act (FICA), organizations that are designated "politically significant" are obligated to disclose foreign funding.

E3. Is there freedom for trade unions and similar professional or labor organizations? 1 / 4

Unions are granted some rights under the Trade Unions Act, though restrictions include a ban on government employees joining unions. Union members are prohibited from voting on collective agreements negotiated by union representatives and employers. Strikes must be approved by a majority of members, as opposed to the internationally accepted standard of at least 50 percent of the members who vote. Workers in essential services are required to give 14 days' notice to an employer before striking. In practice, many restrictions are not applied. Nearly all unions are affiliated with the National Trade Union Congress, which is openly allied with the PAP.

F. RULE OF LAW: 7 / 16

F1. Is there an independent judiciary? 1 / 4

The country's top judges are appointed by the president on the advice of the prime minister. The government's consistent success in court cases that have direct implications for its agenda has cast serious doubt on judicial independence. The problem is particularly evident in defamation cases and lawsuits against government opponents. While judgments against the government are rare, the judiciary is perceived to act more professionally and impartially in business-related cases, which has helped to make the country an attractive venue for investment and commerce.

F2. Does due process prevail in civil and criminal matters? 2 / 4

Defendants in criminal cases enjoy most due process rights; political interference does not occur in a large majority of cases. However, the colonial-era Internal Security Act (ISA) allows warrantless searches and arrests to preserve national security. ISA detainees can be held without charge or trial for two-year periods that can be renewed indefinitely. In recent years it has primarily been used against suspected Islamist militants. The Criminal Law Act, which is mainly used against suspected members of organized crime groups, similarly allows warrantless arrest and preventive detention for renewable one-year periods. The Misuse of Drugs Act empowers authorities to commit suspected drug users, without trial, to rehabilitation centers for up to three years.

F3. Is there protection from the illegitimate use of physical force and freedom from war and insurgencies? 2 / 4

Singaporeans are largely protected against the illegitimate use of force and are not directly exposed to war or insurgencies. Prisons generally meet international standards. However, the penal code mandates corporal punishment in the form of caning, in addition to imprisonment, for about 30 offenses, and it can also be used as a disciplinary measure in prisons.

Singapore authorities continues to impose the death penalty for crimes including drug trafficking; 11 people were executed during 2022. Executions had been halted in 2020 and 2021 due to the COVID-19 pandemic.

F4. Do laws, policies, and practices guarantee equal treatment of various segments of the population? 2 / 4

The law forbids ethnic discrimination, though it persists in private sector or public sector employment. Women enjoy the same legal rights as men on most issues, and many are well-educated professionals, but there is no legal ban on gender-based discrimination in employment. In general, people with disabilities, LGBT+ people, and women experience more workplace discrimination than others. An August 2022 survey by gender equality group AWARE and consumer research company Milleu Insight found that one in two people in Singapore had experienced workplace discrimination; cases involving race were the most common, followed by age and gender.

The LGBT+ community faces significant legal obstacles and discriminatory attitudes. In November 2022, the parliament voted to repeal a decades-old law criminalizing same-sex sexual relations. However, lawmakers also separately voted to amend the constitution to prevent any legal challenge to the current definition of marriage as between a man and a woman.

The government has an official position to refuse to grant political asylum or refugee status.

G. PERSONAL AUTONOMY AND INDIVIDUAL RIGHTS: 11 / 16

G1. Do individuals enjoy freedom of movement, including the ability to change their place of residence, employment, or education? 2 / 4

Citizens enjoy freedom of movement and the ability to change their place of employment. Policies aimed at fostering ethnic balance in subsidized public housing, in which most Singaporeans live, entail some restrictions on place of residence, but these do not apply to open-market housing.

There are practical limits on freedom of movement for foreign migrant workers, especially since the COVID-19 pandemic. Even though the government has lifted restrictions

for Singaporean citizens, some movement restrictions are still selectively applied on foreign workers.

G2. Are individuals able to exercise the right to own property and establish private businesses without undue interference from state or nonstate actors? 3 / 4

Individuals face no extensive restrictions on property ownership, though public housing units are technically issued on 99-year leases rather than owned outright. While the state is heavily involved in the economy through its investment funds and other assets, private business activity is generally facilitated by a supportive legal framework.

G3. Do individuals enjoy personal social freedoms, including choice of marriage partner and size of family, protection from domestic violence, and control over appearance? 3 / 4

Men and women generally have equal rights on personal status matters such as marriage and divorce, though same-sex marriage and civil unions are not recognized. Although the government decriminalized same-sex sexual relations in November 2022, they reiterated opposition to same-sex marriage by amending the constitution to officially define marriage as between a man and a woman. Social pressures deter some interreligious marriages and exert influence on personal appearance. The government allowed public-sector Muslim nurses to wear headscarves in August 2021; President Yacob herself wears a headscarf. Spousal immunity from rape charges was eliminated through a 2019 penal code amendment.

G4. Do individuals enjoy equality of opportunity and freedom from economic exploitation? 3 / 4

Singapore's inhabitants generally benefit from considerable economic opportunity, but some workers face disadvantages. The country's roughly 246,000 household workers (as of 2021) are excluded from the Employment Act and are regularly exploited. Illegal practices such as passport confiscation by employers remain common methods of coercion, and foreign workers are vulnerable to exploitation and debt bondage in the sex trade or industries including construction and manufacturing.

Slovakia

Population: 5,400,000
Capital: Bratislava
Freedom Status: Free
Electoral Democracy: Yes

Overview: Slovakia's parliamentary system features regular multiparty elections and peaceful transfers of power between rival parties. While civil liberties are generally protected, entrenched discrimination against Roma and political hostility toward migrants and refugees persist. Political corruption remains a problem.

KEY DEVELOPMENTS IN 2022

- In December, the parliament passed a no-confidence vote against the governing coalition. President Zuzana Čaputová dismissed the government, which will operate in a caretaker capacity until early elections are held in 2023.

- In October, a gunman opened fire on a gay bar in Bratislava, killing two people. The crime was classified as a terrorist attack and drew condemnation from most political leaders.
- While public support for legal same-sex partnerships increased after the attack, in October the parliament failed to pass legislation that would recognize greater rights for individuals in same-sex unions, including in inheritance and rights related to health care. In a decision the same month, a district court granted a same-sex couple who had legally married in another country the same automatic right to permanent residency as enjoyed by couples married in Slovakia.
- The prosecutor general invoked a controversial legal power to halt investigations in several high-profile corruption cases, including one against former prime minister Robert Fico. Police nevertheless reinitiated some of them, citing new evidence.

POLITICAL RIGHTS: 37 / 40

A. ELECTORAL PROCESS: 12 / 12

A1. Was the current head of government or other chief national authority elected through free and fair elections? 4 / 4

Slovakia is a parliamentary republic whose prime minister leads the government. A directly elected president has limited executive powers. In March 2019, environmental activist Zuzana Čaputová became the first woman elected president of Slovakia.

A four-party coalition government formed after the 2020 parliamentary elections, headed first by Igor Matovič, and from April 2021 by Eduard Heger, both of the Ordinary People and Independent Personalities (OL'aNO) party. In September 2022, junior coalition partner Freedom and Solidarity (SaS) left the government, and in December the parliament passed a vote of no confidence against the Heger government. It will continue in a caretaker capacity until early elections are held in 2023.

A2. Were the current national legislative representatives elected through free and fair elections? 4 / 4

The 150 members of the unicameral parliament, the National Council, are directly elected to four-year terms in a single national constituency by proportional representation. In the February 2020 parliamentary elections, the liberal-conservative OL'aNO party received a plurality of votes (25 percent), defeating the previously dominant incumbent Slovak Social Democracy Party (Smer–SD). OL'aNO entered a coalition government with three other parties to control a three-fifths majority in Parliament (enough to pass constitutional amendments): the conservative We Are Family party, the liberal Freedom and Solidarity, and the newly formed For the People Formation. The vote took place peacefully, and its results were accepted by stakeholders and the public and certified by the state's election management body. Voter turnout was 65 percent.

A3. Are the electoral laws and framework fair, and are they implemented impartially by the relevant election management bodies? 4 / 4

The legal framework for elections is considered fair.

B. POLITICAL PLURALISM AND PARTICIPATION: 15 / 16

B1. Do the people have the right to organize in different political parties or other competitive political groupings of their choice, and is the system free of undue obstacles to the rise and fall of these competing parties or groupings? 4 / 4

Citizens can freely organize in political parties and movements. In 2020, 24 parties competed in the year's elections and 6 of them entered the parliament.

B2. Is there a realistic opportunity for the opposition to increase its support or gain power through elections? 4 / 4

There have been regular transfers of power between parties in the last three decades.

In August 2022, the opposition Smer–SD presented a petition to the president, asking her to hold a referendum on two questions: whether the government should immediately resign, and whether it should be constitutionally possible to shorten the four-year electoral term of the parliament either by a popular vote or by a resolution of the parliament. The top court ruled that the first question violated the constitution. The president then scheduled a referendum on the second question for January 21, 2023.

B3. Are the people's political choices free from domination by forces that are external to the political sphere, or by political forces that employ extrapolitical means? 4 / 4

The citizens of Slovakia are generally able to make political choices free from external pressures.

B4. Do various segments of the population (including ethnic, racial, religious, gender, LGBT+, and other relevant groups) have full political rights and electoral opportunities? 3 / 4

The political rights of various minority groups are generally protected, though some groups experience serious societal discrimination that hampers their ability to achieve meaningful representation. The rights of LGBT+ individuals came to the fore in October 2022, when a gunman killed two LGBT+ people in an attack on a Bratislava gay bar. The police classified the attack as a terrorist act. The perpetrator, found dead after the attack, had published a White supremacist manifesto indicating his homophobic and antisemitic stance. The parliament passed a resolution condemning the Bratislava shooting, but the same month failed to pass a legislative proposal that would have increased the legal standing of same-sex partnerships by expanding inheritance and other rights. Fifty members voted in favor, short of the 76 votes needed for the measure to pass. Members of nearly all political parties in Parliament have expressed bias against LGBT+ people, who are poorly represented in politics. Roma are also poorly represented, and there have been reports of vote-buying in Romany settlements for local and regional elections.

Women hold 32 of 150 elected seats and are underrepresented in politics generally. The government has worked to implement action plans aimed at increasing parliamentary gender parity, but no significant change has been achieved.

In April 2022, the leader of the far-right Peoples' Party Our Slovakia (ĽSNS), Marian Kotleba, was found guilty by the Supreme Court of promoting an ideology that aims to suppress democratic rights and freedoms in connection with his use of neo-Nazi symbols. He was given a six-month suspended sentence and 18 months of probation, meaning that did not have to go to prison but lost his parliamentary seat.

C. FUNCTIONING OF GOVERNMENT: 10 / 12

C1. Do the freely elected head of government and national legislative representatives determine the policies of the government? 4 / 4

Democratically elected politicians determine public policy.

C2. Are safeguards against official corruption strong and effective? 3 / 4

Though corruption has long riddled Slovak institutions, the government has made a significant effort to address the problem in recent years. Since 2020, dozens of state

officials have been arrested and charged with corruption, bribery, and misuse of power; though many deny the charges against them, several have pled guilty. In April 2022, former prime minister Robert Fico and his interior minister, Robert Kaliňák, were charged with establishing an organized criminal group. In November, however, prosecutor general Maroš Žilinka used a controversial paragraph of the Criminal Code to scrap charges against the two, citing lack of evidence for the crimes. Nevertheless, police were ordered to further investigate the matter.

The prosecutor general used the same prerogative to scrap charges in several other high-profile cases, including ones against former finance minister Peter Kažimír, currently the head of the National Bank of Slovakia; the former head of the Slovak Information Service, Vladimír Pčolinský, who was nominated by the Matovič's government; and the tycoon Jaroslav Haščák. All had been charged with bribery and misuse of power. Police reopened each of the three investigations and charged the suspects again.

C3. Does the government operate with openness and transparency? 3 / 4

Slovak law obliges mandatory publication of all contracts in which a state or public institution is a party, but enforcement is inconsistent. Many business leaders believe that corruption was the main reason behind their failure to secure public tenders.

The 2006 Freedom of Information Act (FOIA) allows citizens to request information from state and public institutions. Slovak authorities often disclose minimal information in response to FOIA requests, citing the European Union's General Data Protection regulation (GDPR) legislation as a pretext.

CIVIL LIBERTIES: 53 / 60

D. FREEDOM OF EXPRESSION AND BELIEF: 15 / 16

D1. Are there free and independent media? 3 / 4

Slovak media are generally free, but the sector remains shaken by the 2018 murder of Ján Kuciak, an investigative reporter who was working on corruption and tax fraud cases. In September 2020, a court convicted and sentenced two men for carrying out the murder, but acquitted well-known businessman Marian Kočner and his associate, who had been charged with ordering Kuciak's killing. In June 2021, the Supreme Court overturned the acquittal and ordered a retrial that was ongoing throughout 2022.

In June 2022, the parliament passed a media law that increases media transparency by mandating that online and traditional media make their ownership structures public. It also requires outlets to publicly identify all donors and investors. Online media also gained the right to information, and to enjoy protection of their sources. However, the broadly interpreted and widely criticized "right to reply," whereby politicians may demand space in media to react to coverage about them, was left intact.

Over the course of 2022, tensions increased between OL'aNO party leader and finance minister Igor Matovič, and the media. International media freedom and journalists' organizations issued a statement in October condemning Matovič's aggressive rhetoric against journalists, as did editors in chiefs of Slovak media outlets, who issued a joint statement to the same effect.

D2. Are individuals free to practice and express their religious faith or nonbelief in public and private? 4 / 4

Religious freedom is guaranteed by the constitution and generally upheld by state institutions. Registered churches and religious societies are eligible for tax exemptions and government subsidies.

D3. Is there academic freedom, and is the educational system free from extensive political indoctrination? 4 / 4

Academic freedom is guaranteed by the constitution and upheld by authorities.

D4. Are individuals free to express their personal views on political or other sensitive topics without fear of surveillance or retribution? 4 / 4

People may discuss sensitive or political topics without fear of retribution or surveillance.

E. ASSOCIATIONAL AND ORGANIZATIONAL RIGHTS: 12 / 12

E1. Is there freedom of assembly? 4 / 4

Freedom of assembly is constitutionally guaranteed and upheld by state authorities, and peaceful demonstrations are common. A number of antigovernment demonstrations took place in 2022, often initiated or attended by prominent opposition politicians. Protesters criticized various policies of the government, including its support for Ukraine amid the Russian regime's full-scale military invasion, and authorities' slow reaction to an energy crisis.

E2. Is there freedom for nongovernmental organizations, particularly those that are engaged in human rights– and governance-related work? 4 / 4

Nongovernmental organizations (NGOs) are free to operate and to scrutinize state authorities. In the wake of the 2022 Ukraine refugee crisis, tens of thousands of Ukrainian refugees crossed the Ukrainian-Slovak border. Humanitarian NGOs criticized state authorities for their inability to provide effective help.

E3. Is there freedom for trade unions and similar professional or labor organizations? 4 / 4

Trade unions in Slovakia are pluralistic and operate freely.

F. RULE OF LAW: 12 / 16

F1. Is there an independent judiciary? 3 / 4

The constitution provides for an independent judiciary. However, there is a widespread perception of a lack of transparency and of corruption within the judicial system. In January 2022, the Council of Europe's Group of States against Corruption (GRECO) issued a compliance report concluding that that Slovak authorities had satisfactorily implemented only 2 of 21 recommendations it issued in 2019; that 3 been partly implemented, and 16 had not been implemented at all. The report also criticized the government's slow progress in introducing measures to prevent corruption in Slovakia's judiciary and prosecutorial systems.

Recent measures intended to enhance the quality of judicial decisions and to strengthen the judiciary's efficiency include creation of a new specialized court—the Supreme Administrative Court—in August 2021. In addition to hearing cases on matters of administrative law, the newly established court will carry out disciplinary proceedings against judges and prosecutors.

F2. Does due process prevail in civil and criminal matters? 3 / 4

Due process usually prevails in civil and criminal matters. However, there have been reports of warrantless detentions or detentions otherwise carried out without other appropriate authorization.

F3. Is there protection from the illegitimate use of physical force and freedom from war and insurgencies? 3 / 4

While Slovakia is free from war, insurgencies, and high rates of violent crime, police abuse of suspects is a persistent problem. Reports of police violence against Roma emerge frequently.

F4. Do laws, policies, and practices guarantee equal treatment of various segments of the population? 3 / 4

Roma face persistent discrimination in many forms, including from public officials and in employment. Romany children in primary schools are regularly segregated into Roma-only classes, and many are educated in schools meant to serve children with cognitive disabilities. In May 2022, a district court ruled in favor of giving financial compensation to a Romany man with special needs who was illegally detained for several weeks in 2013. Roma have been among the most visible victims of rising far right White-supremacist sentiment in Slovak society. Extremist opinions and hate speech against ethnic and religious minorities, including Roma, have grown more vitriolic in recent years.

Women are underrepresented in senior-level business and government positions. A 2021 report by the Gender Equality Index, issued by the European Institute for Gender Equality, indicated that the private-sector pay gap between men and women in Slovakia has closed modestly, but remained among the worst in the European Union.

Though there are antidiscrimination laws in place, discrimination against members of minority groups often goes unreported. Police do not always investigate or take action in cases of discrimination on the basis of gender identity or sexual orientation. A 2022 poll by Slovakia's Institute for Public Issues (IVO) showed that almost a third of respondents had witnessed or experienced discrimination on the basis of age, typically in the labor market, in health care, and in the provision of social services.

Slovakia receives very few asylum applications, and primarily functions as a transit country for asylum seekers. However, Slovak authorities apply asylum protections restrictively: just 23 of 547 applicants were granted asylum in 2022.

G. PERSONAL AUTONOMY AND INDIVIDUAL RIGHTS: 14 / 16

G1. Do individuals enjoy freedom of movement, including the ability to change their place of residence, employment, or education? 4 / 4

The government respects the freedom of movement and the right of citizens to freely change their place of residence, employment, and education.

G2. Are individuals able to exercise the right to own property and establish private businesses without undue interference from state or nonstate actors? 4 / 4

In general, the government does not arbitrarily interfere with citizens' rights to own property and to establish private businesses.

G3. Do individuals enjoy personal social freedoms, including choice of marriage partner and size of family, protection from domestic violence, and control over appearance? 3 / 4

Personal social freedoms, including choice of marriage partner and size of family, are guaranteed and upheld by the state authorities, but a 2014 constitutional amendment defines marriage as a "unique bond" between one man and one woman. Laws neither allow nor recognize same-sex marriages or civil unions. Parliament failed in October 2022 to pass a legislative proposal that would increase legal standing of same-sex partnerships. However, in a landmark October 2022 decision, a district court granted a same-sex couple who had legally married in another country the same automatic right to permanent residency as enjoyed by couples married in Slovakia. And, following the October 2022 terrorist attack on a

Bratislava gay bar, in which a bisexual man and an individual who identified as nonbinary were killed, public support for so-called registered partnership reached 48 percent, surpassing the number of those opposed by a narrow margin. Some 12 percent of respondents stated that they had changed their mind and supported same-sex unions after the terrorist attack.

Slovakia permits abortions, although conservative and far-right groups in parliament have repeatedly proposed restrictions.

G4. Do individuals enjoy equality of opportunity and freedom from economic exploitation? 3 / 4

Severe marginalization of Roma harms their opportunities for social mobility. Human trafficking is a problem, and mainly involves the transport of victims to countries in Western and Central Europe, where they are engaged in forced labor, sex work, and begging.

Slovenia

Population: 2,100,000
Capital: Ljubljana
Freedom Status: Free
Electoral Democracy: Yes

Overview: Slovenia is a parliamentary republic with a freely elected government that generally respects political rights and civil liberties. A right-wing government that sought to undermine the rule of law was replaced by a left-liberal coalition after the April 2022 parliamentary elections. Corruption remains an issue, while cases of economic exploitation have become more prominent. The judiciary has established a record of independent rulings.

KEY DEVELOPMENTS IN 2022

- The ruling Slovenian Democratic Party (SDS) was defeated in the April parliamentary elections, with the Freedom Movement (GS) becoming the lower house's single largest party. Robert Golob of the GS became prime minister in May, succeeding Janez Janša of the SDS; a GS-led coalition was formally seated in June.
- In July, the Constitutional Court ruled that legislation banning same-sex marriage and adoption was unconstitutional, immediately legalizing both. The parliament amended the family code to comply with the ruling in October.
- Lawyer Nataša Pirc Musar, who was backed by center-left parties, won the two-round presidential election that concluded in November. Pirc Musar defeated former foreign minister Anže Logar, who was backed by the SDS. Pirc Musar, the first woman to become head of state, took office in late December.
- In November, Slovenian voters backed a government proposal that would create a single supervisory board for public broadcaster Radio-television Slovenia (RTV SLO); its members would be selected by the broadcaster's staff and civil society instead of the parliament. The proposal is due for implementation in 2023.

POLITICAL RIGHTS: 39 / 40 (+1)

A. ELECTORAL PROCESS: 12 / 12

A1. Was the current head of government or other chief national authority elected through free and fair elections? 4 / 4

The president holds the ceremonial position of head of state and is directly elected for up to two five-year terms. Slovenian voters participated in a two-round presidential election in October and November 2022. Former foreign minister Anže Logar won a plurality in the first round but was defeated by lawyer Nataša Pirc Musar in the November runoff. Both candidates ran as independents, though center-left parties backed Pirc Musar and the SDS endorsed Logar. Pirc Musar took office in late December, succeeding the term-limited Borut Pahor.

The prime minister heads the executive branch and is appointed by the National Assembly (Državni Zbor) for a four-year term. Janez Janša of the SDS became prime minister in early 2020 but his government was ousted in the April 2022 parliamentary elections. Robert Golob of the GS was formally selected by the new parliament to succeed Janša in May.

A2. Were the current national legislative representatives elected through free and fair elections? 4 / 4

The legislature is composed of the 40-seat National Council (Državni Svet) elected indirectly, and a 90-seat National Assembly. Of the National Assembly members elected to four-year terms, 88 are elected by a system of proportional representation. Two additional seats are reserved for lawmakers representing Hungarian and Italian minorities.

The GS became the National Assembly's largest party in the April 2022 elections, winning 41 seats and 34.5 percent of the vote. The SDS won 27 seats and 23.5 percent of the vote. The New Slovenia–Christian Democrats won 8 seats and 6.9 percent, the Social Democrats (SD) won 7 seats and 6.7 percent, and the Left (Levica) won 5 seats and 4.5 percent. Turnout stood at 71 percent, far higher than the 52.6 percent turnout seen in the 2018 polls. A GS-SD-Left coalition formally took power in June. In their December report, Organization for Security and Co-operation in Europe (OSCE) monitors deemed the parliamentary elections free and fair.

Slovenian voters participated in local elections in November and December 2022. Independent and conservative candidates reportedly performed well. Council of Europe observers called the November round orderly. Turnout for that round stood at 47.5 percent. A runoff was held in 47 municipalities in December.

A3. Are the electoral laws and framework fair, and are they implemented impartially by the relevant election management bodies? 4 / 4

The National Election Commission (DVK) is an independent and impartial body that supervises free and fair elections and ensures electoral laws are properly implemented.

Slovenian voters residing abroad have encountered difficulties in receiving and returning postal ballots. In April 2022, DVK director Dušan Vučko called for electoral-law revisions to account for postal return times. That same month, the DVK disclosed that several hundred ballots meant for voters residing in Argentina were lost; it sent electronic versions to affected individuals.

B. POLITICAL PLURALISM AND PARTICIPATION: 16 / 16

B1. Do the people have the right to organize in different political parties or other competitive political groupings of their choice, and is the system free of undue obstacles to the rise and fall of these competing parties or groupings? 4 / 4

The constitutional right to organize in different political parties is upheld in practice. Parties need to pass a 4 percent threshold to win a seat in the parliament. Parties winning more than 1 percent of the vote are eligible for a proportional share of funds from the national budget.

B2. Is there a realistic opportunity for the opposition to increase its support or gain power through elections? 4 / 4

Political power frequently rotates between parties.

B3. Are the people's political choices free from domination by forces that are external to the political sphere, or by political forces that employ extrapolitical means? 4 / 4

People's political choices are free from domination by powerful groups that are not democratically accountable.

B4. Do various segments of the population (including ethnic, racial, religious, gender, LGBT+, and other relevant groups) have full political rights and electoral opportunities? 4 / 4

Citizens enjoy full political rights and electoral opportunities. Hungarian and Italian minorities each elect their own lawmaker to the National Assembly. Roma councilors sit on 20 municipal councils.

A 35 percent gender quota is mandated by law. Noncompliant political parties have had their lists rejected. Gender quotas are enforced at the precinct level. Newer parties have included more women in their party lists, while older parties' lists include men more often. Female political representation markedly improved after the 2022 parliamentary and presidential elections. Some 40 percent of National Assembly members elected in April are women, the highest share in Slovenian history. Urška Klakočar Zupančič of the GS became the National Assembly's first female president in May. President Pirc Musar, meanwhile, is the first woman to serve as head of state.

C. FUNCTIONING OF GOVERNMENT: 11 / 12 (+1)

C1. Do the freely elected head of government and national legislative representatives determine the policies of the government? 4 / 4

Elected officials are free to set and implement government policy without undue interference.

C2. Are safeguards against official corruption strong and effective? 3 / 4

Corruption in Slovenia largely takes the form of conflicts of interest between public officials and private businesses. Anticorruption efforts had been diminished by the Janša government's failure to appoint public prosecutors, though the Golob government appointed 13 in June 2022. Journalists proactively expose allegations of corruption.

Concerns over corruption persisted in 2022. In April, the Commission for the Prevention of Corruption (KPK) said that then prime minister Janša did not follow conflict-of-interest procedures when making one of his associates a nonexecutive director of the Bank Assets Management Company. The Slovenian chapter of Transparency International (TI) called on officials to address conflict-of-interest concerns in response to the KPK report. Also in April, the KPK criticized officials for implying that anticorruption legislation could be ignored. In July, TI's Slovenian chapter publicly supported a bill protecting whistleblowers—a draft of which was accepted by the Golob government in October—and called for greater integrity in local government. In December, Interior Minister Tatjana Bobnar resigned, accusing Prime Minister Golob of undue interference over her desired appointments to the police force. Bobnar vowed to share allegations with the KPK and prosecutors.

C3. Does the government operate with openness and transparency? 4 / 4 (+1)

The government generally operates with openness.

In July 2022, the European Commission (EC) reported that Slovenia placed ahead of the average for European Union (EU) member states in its Digital Economy and Society Index; the EC specifically noted that Slovenia's share of e-government users was larger than the EU average.

The GS-led coalition sought to improve government transparency on health-care issues in 2022. In June, the National Assembly backed an amended Communicable Diseases Act (ZNB) that allowed for greater parliamentary oversight over health-related restrictions; the Janša government had amended the ZNB to pass coronavirus-related restrictions by decree and without public consultation in 2021. In July 2022, the National Assembly abolished public procurement rules dating back to 2021 via new health care legislation. The Janša-era rules were criticized for reducing the transparency of public tenders.

Score Change: The score improved from 3 to 4 because the new government amended problematic procurement legislation that had been passed by decree and has otherwise strengthened parliamentary oversight of government actions.

CIVIL LIBERTIES: 56 / 60 (+4)

D. FREEDOM OF EXPRESSION AND BELIEF: 14 / 16

D1. Are there free and independent media? 2 / 4

Press freedom is constitutionally guaranteed, but defamation remains a criminal offense. State-owned enterprises maintain stakes in several media outlets, leaving them vulnerable to government intervention. Media ownership is sometimes opaque, and local outlets have been abused as propaganda tools favoring incumbent mayors. Journalists are subject to pressure from powerful business interests and occasional harassment due to their coverage.

In recent years, public media outlets have faced persistent interference by Janša-era appointees. In late December 2021, the Janša government secured a majority on the RTV SLO Programming Council through a tranche of appointments, despite opposition concerns over their legality. In March 2022, RTV SLO director general Andrej Grah Whatmough, a Janša appointee, named Jadranka Rebernik editor in chief of the flagship news program at TV Slovenia, RTV SLO's television arm, over near-unanimous staff objections. In a video that surfaced in May, Slavko Kmetič, a member of the RTV SLO Programming Council and an SDS activist, was recorded discussing purges of journalists deemed critical of the party. In July, Uroš Urbanija, who led the Government Communication Office under Janša and had voiced hostility towards public media, was named director of TV Slovenia. In September, a group of RTV SLO employees said that managers were applying partisan pressure on them, including through disciplinary action.

After taking office, the Golob government introduced a bill that would replace RTV SLO's two governing boards with a single supervisory board. Its members would be selected by staff members and civil society instead of the National Assembly. The SDS provided enough signatures to force a referendum on the matter in October 2022. The government's proposal was backed by voters in November and is due for implementation in 2023.

D2. Are individuals free to practice and express their religious faith or nonbelief in public and private? 4 / 4

The Slovenian constitution guarantees religious freedom and contains provisions prohibiting incitement of religious intolerance or discrimination. The government dissolved the Office for Religious Communities in 2021, leaving no overarching framework for dialogue between the government and many religious communities.

D3. Is there academic freedom, and is the educational system free from extensive political indoctrination? 4 / 4

Academic freedom is generally respected.

D4. Are individuals free to express their personal views on political or other sensitive topics without fear of surveillance or retribution? 4 / 4

Individuals are generally free to express their personal beliefs without fear of reprisal. Defamation remains a criminal offense, though officials may no longer press charges through the state prosecutor.

E. ASSOCIATIONAL AND ORGANIZATIONAL RIGHTS: 12 / 12 (+2)

E1. Is there freedom of assembly? 4 / 4 (+1)

Assembly and association rights are guaranteed by the constitution and generally respected in practice. Assemblies must be registered with the authorities in advance and sometimes require permits.

After taking office, the Golob government sought to reverse the previous administration's assembly restrictions. In June 2022, it announced that it would not pursue the previous administration's lawsuits seeking reimbursement from the organizers of spontaneous rallies. That same month, the National Assembly amended the ZNB, which had been used to restrict public assembly. In August, an inquiry found that Slovenian police acted disproportionately in response to antigovernment protests held in 2021 and substantiated four complaints lodged that year. The Interior Ministry reversed the previous government's guidelines in response, underlining that spontaneous assemblies enjoy equal protection under the law. In a December report, the Interior Ministry noted that police officers had engaged in misconduct and used excessive crowd control tactics during an antigovernment protest held in October 2021, making a referral to public prosecutors.

Score Change: The score improved from 3 to 4 because the new government rejected the previous administration's assembly restrictions under health care legislation and sought to address security forces' misconduct during rallies.

E2. Is there freedom for nongovernmental organizations, particularly those that are engaged in human rights– and governance-related work? 4 / 4 (+1)

Nongovernmental organizations (NGOs) operate freely and play a role in policymaking.

While the Janša government maintained an adversarial relationship with civil society, the current government has refrained from imposing restrictions on NGOs. In June 2022, it established a working group for civil society collaboration.

Score Change: The score improved from 3 to 4 because the new government has not imposed restrictions on NGO activities.

E3. Is there freedom for trade unions and similar professional or labor organizations? 4 / 4

Workers may establish and join trade unions, strike, and bargain collectively. RTV SLO staff held three strikes in 2022, citing partisan pressure as well as concerns over pay.

F. RULE OF LAW: 15 / 16 (+1)

F1. Is there an independent judiciary? 4 / 4 (+1)

The constitution provides for an independent judiciary. Since taking office, the GS-led coalition has declared its intention to respect the branch's independence. In September 2022,

the government proposed a constitutional amendment that would empower the president to provide final approval for many judicial appointments, though the National Assembly would retain the power to approve Constitutional Court judges.

Public perception of the judiciary has improved in recent years; according to a survey conducted in 2021 and released in September 2022, 28 percent of respondents voiced distrust in the branch, an improvement over the 43 percent figure recorded in 2019. The 2022 edition of the EU Justice Scoreboard also showed that public increasingly trusts the Slovenian judiciary.

Judicial efficiency has also improved, though minimal progress in addressing a backlog has been achieved. Judges usually rule in a timely manner. Those working in the judicial branch have complained about inadequate infrastructure and working conditions.

Score Change: The score improved from 3 to 4 because the new government has not resisted independent judicial rulings.

F2. Does due process prevail in civil and criminal matters? 4 / 4

The rule of law is respected in civil and criminal matters. Programs aimed at reducing court backlogs have seen some success.

F3. Is there protection from the illegitimate use of physical force and freedom from war and insurgencies? 4 / 4

People in Slovenia are generally free from threats of physical force. However, the national police noted an increase in murder and manslaughter in its August 2022 report, which covered the first half of the year. Prison conditions meet international standards, though overcrowding has been reported.

F4. Do laws, policies, and practices guarantee equal treatment of various segments of the population? 3 / 4

Some deficiencies impede the protection of equal rights in Slovenia. Roma face widespread poverty, are subjected to hate speech, are socially marginalized, and lack access to early and secondary education, legal housing, and basic utilities.

Though legal protections against discrimination based on sexual orientation exist, anti-LGBT+ discrimination remains a challenge. Ahead of the June 2022 Ljubljana pride parade, posters from an LGBT+ outreach campaign were defaced with anti-LGBT+ messages, some of which called for violence against LGBT+ people. Organizers also reported that threatening messages were shared on social media ahead of the parade.

Students with disabilities have difficulty accessing educational services. In July 2022, the Advocate of the Principle of Equality reported that only a quarter of the country's high schools were fully accessible to those with impaired mobility.

In February 2022, then president Pahor offered a formal apology to the Erased, referring to 25,000 people whose residency documents were deleted by authorities in 1992; the affected people were citizens of the former Yugoslavia who had not applied for Slovenian citizenship after independence. The Slovenia Peace Institute welcomed Pahor's apology but noted that some of the Erased have not received compensation.

While the previous government restricted the rights of refugees and asylum seekers, the current administration has begun consultation on a new migration policy, which it says will address asylum practices. Some 8,200 Ukrainian refugees and 7,800 Ukrainians registered for temporary protection resided in Slovenia as of September 2022, according to the Office of the UN High Commissioner for Refugees (UNHCR). The UNHCR lauded Slovenia as a

"welcoming environment for refugees," but warned that the country was under strain due to the number of refugees and asylum seekers. In November, the government extended its temporary protection scheme for Ukrainians through March 2024.

G. PERSONAL AUTONOMY AND INDIVIDUAL RIGHTS: 15 / 16 (+1)

G1. Do individuals enjoy freedom of movement, including the ability to change their place of residence, employment, or education? 4 / 4

Citizens enjoy the right to change their residence, employment, and place of education.

G2. Are individuals able to exercise the right to own property and establish private businesses without undue interference from state or nonstate actors? 4 / 4

Individuals may exercise the right to own property and establish private business in practice.

G3. Do individuals enjoy personal social freedoms, including choice of marriage partner and size of family, protection from domestic violence, and control over appearance? 4 / 4 (+1)

Individuals generally enjoy personal social freedoms. In July 2022, the Constitutional Court ruled that legislation banning same-sex marriages and adoptions was unconstitutional, immediately legalizing both practices. The court instructed the National Assembly to amend the family code within six months, which it did in October.

In its August 2022 report, the national police reported a slight decrease in domestic violence cases but noted increases in other forms of sexual violence and harassment. Also in August, police launched an investigation into Dušan Josip Smodej, a Ljubljana artist who was accused of sexually abusing several women, after allegations surfaced on an Instagram channel; the police called on survivors to notify the authorities. In September, the public e-administration portal was updated to allow individuals to report incidents anonymously.

Score Change: The score improved from 3 to 4 because same-sex marriage and adoption were legalized during the year, and because few other restrictions on personal social freedoms exist.

G4. Do individuals enjoy equality of opportunity and freedom from economic exploitation? 3 / 4

Authorities actively prosecute suspected human traffickers and work to identify victims.

Foreign workers are at risk of exploitation in Slovenia. Migrant workers lack an effective framework for protection, and civil society has warned that official statistics on the state of migrant workers are lacking. In June 2022, prosecutors filed charges against the owners of a fish-packing plant who were accused of exploiting their workers. In August, TV Slovenia reported that Indian workers employed at a Ljubljana car-washing business were paid less than the minimum wage and had their passports confiscated. In September, Labor Minister Luka Mesec announced that the head of a labor rights NGO would join a restructured management team at the Labour Inspectorate.

Trade unions have criticized the treatment and pay of gig workers. In July 2022, unions called on the parliament to better protect their rights via legislation.

Solomon Islands

Population: 700,000
Capital: Honiara
Freedom Status: Free
Electoral Democracy: Yes

Overview: Political rights and civil liberties are generally respected in the Solomon Islands. There are weaknesses in the rule of law, unrest occasionally arises in the capital, and corruption remains a serious concern, though recent governments have taken steps to address it. Violence against women is also a significant problem.

KEY DEVELOPMENTS IN 2022

- In September, Parliament passed a constitutional amendment to extend parliamentarians' terms by seven months, until 2024. The prime minister justified the delay by claiming the financial burden of holding national elections and the Pacific Games in the same year was too high. An offer from the Australian government to help fund the upcoming elections was rejected weeks before the amendment was passed, condemned by the prime minister as an attempt to interfere in the affairs of a sovereign state.
- In August, the government announced it would more directly control the Solomon Islands Broadcasting Corporation (SIBC). Staff at the station reported that the changes required a government representative vet all news programs before broadcast to protect citizens from "lies and misinformation." Five days later, the government claimed no censors were vetting stories, despite reports to the contrary.

POLITICAL RIGHTS: 29 / 40 (−1)

A. ELECTORAL PROCESS: 8 / 12 (−1)

A1. Was the current head of government or other chief national authority elected through free and fair elections? 3 / 4

The prime minister, who serves as the head of government, is elected by the National Parliament. Irregularities are frequent in the run-up to prime ministerial elections, known as "second elections." Leading contenders usually separate into camps in Honiara's major hotels and seek the support of other members of Parliament with promises of cash or ministerial portfolios.

Following the 2019 elections, Manasseh Sogavare won a fourth nonconsecutive term as prime minister. Solomon Islands Democratic Party (SIDP) leader Matthew Wale attempted to stop Sogavare's selection, saying that he had relaunched the Ownership, Unity, and Responsibility Party (OUR Party) too late, failing to meet the requirement that prime ministerial candidates maintain party membership. The High Court ruled Sogavare's election lawful.

The National Parliament selects a governor general to represent the British monarch as head of state for five-year terms. The governor general appoints cabinet members on the advice of the prime minister. David Vunagi, a retired Anglican bishop, began his term in 2019.

A2. Were the current national legislative representatives elected through free and fair elections? 3 / 4

The National Parliament's 50 members are directly elected in single-seat constituencies by a simple majority vote to serve four-year terms.

In the 2019 elections, the SIDP and the Kadere Party each won 8 seats, while independents won another 21. Another six parties won the remainder. Days after the polls, support among parliamentarians shifted to OUR Party—party-switching is a frequent practice among members of Parliament—which formed a governing coalition with Kadere, the Democratic Alliance, and the Solomon Islands People First Party. Commonwealth observers commended the poll's overall conduct but called for voter-registration improvements and expanded early-voting options.

A3. Are the electoral laws and framework fair, and are they implemented impartially by the relevant election management bodies? 2 / 4 (–1)

The legal framework generally provides for democratic elections. The Solomon Islands Electoral Commission (SIEC) had fallen under the jurisdiction of the Home Affairs Ministry but was placed under the prime minister's office in 2020. The electoral rolls have been improved since the 2013 introduction of a biometric voter registration system.

In September 2022, Parliament passed a constitutional amendment to delay the conclusion of parliamentarians' terms by seven months, from 2023 to 2024. Prime Minister Sogavare justified the delay by claiming the financial burden of holding national elections and the Pacific Games in the same year was too high. Weeks before the amendment passed, Sogavare rejected an offer from the Australian government to help fund the upcoming elections, condemning it as an attempt to interfere in the affairs of a sovereign state.

Score Change: The score declined from 3 to 2 because the government's parliamentary majority pushed through a constitutional amendment that arbitrarily postponed the next general elections from 2023 to 2024.

B. POLITICAL PLURALISM AND PARTICIPATION: 14 / 16

B1. Do the people have the right to organize in different political parties or other competitive political groupings of their choice, and is the system free of undue obstacles to the rise and fall of these competing parties or groupings? 4 / 4

There are no restrictions on the right to organize political parties, but political alliances are driven more by personal ties and local allegiances than formal policy positions or ideology. Party affiliations shift frequently, often as part of efforts to dislodge incumbent governments. Parliamentarians shifted their support to OUR Party days after the 2019 polls were held. In August 2022, OUR Party claimed 34 of the 50 members of Parliament.

The 2014 Political Parties Integrity Act was meant to encourage a stronger party system through more formalized registration mechanisms. Many formerly party-aligned legislators stood as independents in the 2019 elections, calculating that doing so left them with greater flexibility under the legislation. Of the 333 candidates who took part in those polls, 170 ran as party candidates, while another 163 ran as independents.

B2. Is there a realistic opportunity for the opposition to increase its support or gain power through elections? 4 / 4

Opposition parties and candidates may campaign freely, and power shifts frequently between rival groups. Since 1978, three governments have been ousted in opposition-led no-confidence votes, and prime ministers have resigned to fend off no-confidence challenges on two occasions. Sogavare survived a no-confidence vote in December 2021; Matthew Wale lodged the motion after riots took place in Honiara in late November of that year.

No incumbent prime minister has ever been able to win reelection, although both Sogavare and former prime minister Solomon Mamaloni were repeatedly able to return to power after a period in opposition.

B3. Are the people's political choices free from domination by forces that are external to the political sphere, or by political forces that employ extrapolitical means? 3 / 4

People's political choices are generally unconstrained, though church and tribal leaders exert strong influence in some areas.

China has sought to deepen ties with the Solomon Islands and won Honiara's diplomatic recognition in 2019. Malaita Province premier Daniel Suidani, who has denounced Honiara's relations with Beijing, had aimed to hold an independence referendum in 2022, though that did not occur and subsequent plans are unclear. Suidani's key advisor, Celsus Irokwato Talifilu, raised concerns that Sogavare could deploy Chinese armed police to quell democratic dissent and remain in office. In December 2021, the organization Malaita for Democracy (M4D) was declared illegal, alleging that individuals linked to the group played a key role in the November riots of that year. In April 2022, the Solomon Islands government signed a security deal with China that reportedly allows deployment of Chinese security forces to quell disorder and to protect foreign-owned assets.

Beijing provides financial backing for the Rural Constituency Development Fund (RCDF), which is disbursed by Solomon Islands parliamentarians. In July 2022, government reports revealed that the RCDF had expended SBD$2.26 billion (US$272.3 million) between 2015 and 2022.

B4. Do various segments of the population (including ethnic, racial, religious, gender, LGBT+, and other relevant groups) have full political rights and electoral opportunities? 3 / 4

Women and ethnic minorities enjoy full political rights under the law, but discrimination limits political opportunities for women in practice. Only 4 seats out of 50 in Parliament were held by women in 2022.

C. FUNCTIONING OF GOVERNMENT: 7 / 12

C1. Do the freely elected head of government and national legislative representatives determine the policies of the government? 3 / 4

Solomon Islands governments have generally been able to determine national policy without outside interference, but the country's fractious politics hamper efficient policymaking. Prime ministers have struggled to sustain legislative majorities, and cabinet splits are frequent.

Critics have raised concerns that the Solomon Islands has increasingly aligned itself with the Chinese government after Prime Minister Sogavare switched diplomatic recognition from Taipei to Beijing in 2019, opening up opportunities for the Chinese government to influence policy decisions.

C2. Are safeguards against official corruption strong and effective? 3 / 4

Corruption and abuse of office are serious problems. The Hou government secured passage of the Anti-Corruption Act, which established an independent anticorruption commission, and the Whistleblowers Protection Act. Some opposition members of Parliament considered the laws ineffective, as they allowed the use of local custom as a defense in corruption cases and restricted retroactive application.

Under both the Sogavare and Hou governments, a number of senior officials were investigated or arrested on corruption charges due to the efforts of Task Force Janus, a joint anticorruption initiative between the police force and the Finance Ministry. However, prosecutors have had difficulty winning convictions against politicians accused of corruption. Task Force Janus operations slowed between 2020 and 2022, and the Solomon Islands Independent Commission Against Corruption (SIICAC) has been slow to commence operations, though efforts began to accelerate in the final months of 2022.

C3. Does the government operate with openness and transparency? 1 / 4

Successive governments have not operated transparently. State dealings with foreign logging companies and mining companies are not open to scrutiny. There is no law stipulating a formal process by which the public may request official information. Commonwealth observers who monitored the 2019 elections voiced concern over the possible misuse of the RCDF ahead of the campaign.

In March 2022, Transparency Solomon Islands chief executive Ruth Liloqula condemned the decision to sign a security agreement with China for having been taken without sufficient public consultation. Sogavare was particularly furious about the March 2022 leaking of the draft security agreement with China, calling those responsible "lunatics" and "agents of foreign regimes."

Local journalists report increasing secrecy among officials and difficulties in obtaining information from government ministries.

CIVIL LIBERTIES: 47 / 60 (−2)

D. FREEDOM OF EXPRESSION AND BELIEF: 14 / 16 (−2)

D1. Are there free and independent media? 2 / 4 (−2)

Press freedom has usually been respected, but the Sogavare government has taken steps to exert significantly greater control over the media. There are several print newspapers. Subscription television services offer some local content in addition to foreign broadcasts. The government operates a national radio station, and subnational and private radio stations are also available.

On August 3, 2022, the government announced that it would be taking more direct control over the Solomon Islands Broadcasting Corporation (SIBC). Staff at SIBC reported that the policy change required a government representative to vet all news programs before broadcast to protect citizens from "lies and misinformation." Five days later, the government claimed that no censors were vetting stories, though they had pushed SIBC editorial decision-makers to "balance" their stories. The prime minister's office defended the move on the grounds that the SIBC is a state-owned entity and thus should be managed by the state.

Later in August, the government threatened to ban foreign journalists following an Australian Broadcasting Corporation (ABC) investigative documentary into the Solomon Islands relationship with the Chinese government.

Score Change: The score declined from 4 to 2 because the government asserted greater financial and editorial control over the public broadcaster and threatened to prevent critical foreign journalists from entering the country.

D2. Are individuals free to practice and express their religious faith or nonbelief in public and private? 4 / 4

Freedom of religion is generally respected. Registration requirements for religious groups are not onerous, and religious education is not mandatory.

D3. Is there academic freedom, and is the educational system free from extensive political indoctrination? 4 / 4

Academic freedom is generally respected.

D4. Are individuals free to express their personal views on political or other sensitive topics without fear of surveillance or retribution? 4 / 4

While social taboos persist regarding the open discussion of topics including domestic violence, rape, and child abuse, individuals have historically been free to express their views on politics and other sensitive matters.

E. ASSOCIATIONAL AND ORGANIZATIONAL RIGHTS: 10 / 12

E1. Is there freedom of assembly? 3 / 4

Freedom of assembly is constitutionally guaranteed and generally upheld. However, peaceful demonstrations can give way to civil unrest, particularly during contentious parliamentary debates, elections, or large-scale labor actions.

In August 2021, protesters in Honiara called for Prime Minister Sogavare's resignation; businesses in the city, including in its Chinatown, shuttered during the protest. Riots took place in Honiara over three days in November 2021, reportedly after Sogavare declined to meet with antigovernment demonstrators. Buildings in the city's eastern areas and in Chinatown were damaged and destroyed, and four people were killed during the unrest. Peacekeepers were sent by Australia, New Zealand, and Papua New Guinea at Sogavare's request.

E2. Is there freedom for nongovernmental organizations, particularly those that are engaged in human rights– and governance-related work? 4 / 4

Nongovernmental organizations (NGOs) often operate informally, and the government is not always receptive to the viewpoints of governance-focused groups. Locally based NGOs often lack resources and reportedly grow dependent on the funds and priorities of international donors. Nevertheless, there are no major constraints on NGO activities in the Solomon Islands.

E3. Is there freedom for trade unions and similar professional or labor organizations? 3 / 4

Workers are free to organize, and strikes are permitted with certain restrictions. Laws against antiunion discrimination by employers are reportedly ineffective. Though the country's main labor union, the Solomon Islands National Union of Workers, was disbanded by court order in 2013, activists registered a new entity in 2014, the Workers Union of Solomon Islands (WUSI).

F. RULE OF LAW: 11 / 16

F1. Is there an independent judiciary? 4 / 4

The judiciary has a reputation for independence, though a severe lack of resources has contributed to case backlogs. Judges are appointed by the governor general on the advice of an impartial Judicial and Legal Service Commission. The Court of Appeal is mainly reliant on foreign judges.

F2. Does due process prevail in civil and criminal matters? 2 / 4

Limited resources and capacity restraints are responsible for somewhat common due-process deficiencies. Half of the country's prison inmates are on remand awaiting trial due to case backlogs.

F3. Is there protection from the illegitimate use of physical force and freedom from war and insurgencies? 3 / 4

There are few major threats to physical security, though crime remains a problem in some areas. While the country has a history of internal conflict, the threat has subsided over the past two decades, thanks in large part to security aid from international partners.

The police force, which was disarmed in 2003, has been entirely rebuilt with the help of the Australian-led Regional Assistance Mission to the Solomon Islands (RAMSI), which launched that year. Mostyn Mangau became the first locally appointed police commissioner in 19 years when he took the post in 2020.

In the wake of the November 2021 riots, Chinese police were deployed in March 2022 to train Solomon Islands police officers in combat skills and emergency crowd management. The unpublished security agreement reached with China in April 2022 reportedly allows for the deployment of Chinese armed police to help control disturbances in the country and protect foreign-owned capital assets.

F4. Do laws, policies, and practices guarantee equal treatment of various segments of the population? 2 / 4

The constitution prohibits discrimination based on race, place of origin, sex, and some other categories, but the legal framework does not provide robust protections. De facto discrimination limits economic opportunities for women. Same-sex sexual activity can be punished with up to 14 years' imprisonment. While cases are reportedly rare, the government has resisted international pressure to decriminalize such activity.

Discrimination based on regional differences also remains a factor. The Guadalcanal Plains Palm Oil Ltd. (GPPOL) operation on northern Guadalcanal, one of the country's biggest employers, avoids employing laborers from Malaita, even on a casual basis, for fear of antagonizing local communities.

Ethnic Chinese residents also face discrimination. Businesses and buildings owned or operated by ethnic Chinese were targeted during the unrest following Sogavare's appointment in 2019, while Honiara's Chinatown was largely destroyed during the November 2021 riots.

G. PERSONAL AUTONOMY AND INDIVIDUAL RIGHTS: 12 / 16

G1. Do individuals enjoy freedom of movement, including the ability to change their place of residence, employment, or education? 3 / 4

Residents generally enjoy freedom of movement, but some impediments exist, particularly in parts of rural Guadalcanal where people from Malaita were expelled during unrest in 1999–2000. Hostility to Malaitan settlement also persists in parts of Western Province.

G2. Are individuals able to exercise the right to own property and establish private businesses without undue interference from state or nonstate actors? 3 / 4

The legal and regulatory framework largely supports property ownership and private business activity. However, property rights are frequently contested. GPPOL administrative buildings have been attacked in the past. Logging concessions have been disputed by local groups, as have tourism operations.

In 2020, Prime Minister Sogavare voiced his intention to restrict the sale of land to foreign buyers and bolster Indigenous land rights via constitutional amendments.

G3. Do individuals enjoy personal social freedoms, including choice of marriage partner and size of family, protection from domestic violence, and control over appearance? 3 / 4

Individual freedoms on personal status issues such as marriage and divorce are generally protected. However, the legal age of marriage is 15, and about a fifth of women are married by age 18. Despite the 2014 Family Protection Act, which formally criminalized domestic violence and enabled victims to apply for protection orders, domestic violence and rape are serious and underreported problems. Victims are reluctant to take their cases to court.

G4. Do individuals enjoy equality of opportunity and freedom from economic exploitation? 3 / 4

Legal protections against exploitative working conditions are not consistently enforced, though authorities have made efforts to update and implement laws against human trafficking in recent years. Local and foreign women and children are vulnerable to sex trafficking and domestic servitude, including through forced marriages or "adoptions" to pay off debts. Migrant workers sometimes face forced labor in the mining, logging, and fishing industries.

Somalia

Population: 17,600,000
Capital: Mogadishu
Freedom Status: Not Free
Electoral Democracy: No

Note: The numerical scores and status listed above do not reflect conditions in Somaliland, which is examined in a separate report. *Freedom in the World* reports assess the level of political rights and civil liberties in a given geographical area, regardless of whether they are affected by the state, nonstate actors, or foreign powers. Disputed territories are sometimes assessed separately if they meet certain criteria, including boundaries that are sufficiently stable to allow year-on-year comparisons. For more information, see the report methodology.

Overview: Somalia has struggled to reestablish a functioning state since the collapse of an authoritarian regime in 1991. Limited, indirect elections brought a federal government to power in 2012. By 2016, it had established five federal member states, though these semiautonomous regions are often at odds with the central government. The government's territorial control is also contested by a separatist government in Somaliland and by the Shabaab, an Islamist militant group. No direct national elections have been held to date, and political affairs remain dominated by clan divisions. Amid ongoing insecurity, human rights abuses by both state and nonstate actors occur regularly.

KEY DEVELOPMENTS IN 2022

- Indirect, clan-based elections for the lower house of Parliament concluded in April, and in May lawmakers chose former president Hassan Sheikh Mohamud to replace incumbent president Mohamed Abdullahi Mohamed (known as Farmaajo), resulting in an orderly transfer of power.
- A new prime minister was appointed in June, and Parliament approved a new, 75-member council of ministers in August.
- The Shabaab carried out multiple terrorist attacks during the year, including a 30-hour assault on a hotel in Mogadishu that killed more than 20 people in August. The new government stepped up efforts to curtail the group's activities, but coordinated Shabaab car bombings in October killed more than 120 people who had gathered at the Ministry of Education for a graduation ceremony.

POLITICAL RIGHTS: 2 / 40 (+1)

A. ELECTORAL PROCESS: 0 / 12

A1. Was the current head of government or other chief national authority elected through free and fair elections? 0 / 4

Under the 2012 provisional constitution, the president is elected by a two-thirds vote in the Federal Parliament to serve a four-year term. The president shares executive power with a prime minister, who must have the support of Parliament.

Farmaajo's term expired in early 2021, but he controversially remained in office amid repeated electoral postponements. In May 2022, a month after the indirect lower house elections finally concluded, former president Hassan Sheikh Mohamud (2012–17) was chosen to serve another term after three rounds of voting by lawmakers. He took 214 votes, compared with 110 for Farmaajo, who ultimately conceded defeat.

Hamza Abdi Barre took office as prime minister in June 2022, replacing Mohamed Hussein Roble, and a new cabinet consisting of 75 ministers, deputy ministers, and state ministers was appointed in August.

A2. Were the current national legislative representatives elected through free and fair elections? 0 / 4

Somalia has not held direct legislative elections since 1969. Members of the 54-seat Upper House are elected by state assemblies. The lower house, the House of the People, is elected under a system in which clan elders choose delegates, who in turn select lawmakers. Upper House elections were begun in July 2021 and completed that November after months of political disputes. Elections for the lower house started in November 2021 and were also highly divisive, finally concluding in late April 2022. That month, 40 out of 54 Upper House members and 250 out of 275 lower house members were officially sworn in. Opposition groups and observers criticized both sets of elections, alleging political manipulation, improper interference, and vote buying.

Federal member states similarly employ clan-based power-sharing systems rather than direct popular elections to form their legislatures.

A3. Are the electoral laws and framework fair, and are they implemented impartially by the relevant election management bodies? 0 / 4

The electoral framework does not provide for universal suffrage. Balloting is the result of an ad-hoc process based on lengthy negotiations among the country's main clans.

B. POLITICAL PLURALISM AND PARTICIPATION: 2 / 16 (+1)

B1. Do the people have the right to organize in different political parties or other competitive political groupings of their choice, and is the system free of undue obstacles to the rise and fall of these competing parties or groupings? 1 / 4

Legislation enacted in 2016 allowed the first formal registration of political parties since 1969. The National Independent Electoral Commission (NIEC) has since registered more than 100 parties. However, because the 2021–22 parliamentary elections maintained a clan-based system and plans for direct voting were further postponed, the significance and role of political parties remains unclear.

B2. Is there a realistic opportunity for the opposition to increase its support or gain power through elections? 1 / 4 (+1)

The lack of direct elections prevents any group from gaining power through democratic means. However, the 2022 indirect presidential balloting resulted in defeat for the

incumbent, who ultimately conceded and allowed a transfer of power to his rival, Hassan Sheikh Mohamud.

Score Change: The score improved from 0 to 1 because an opposition candidate won the indirect presidential election, leading to an orderly rotation of power.

B3. Are the people's political choices free from domination by forces that are external to the political sphere, or by political forces that employ extrapolitical means? 0 / 4

Ordinary citizens are largely unable to participate in the political process as voters, and clan delegates are generally expected to vote based on their clan affiliation rather than their own political choice.

B4. Do various segments of the population (including ethnic, racial, religious, gender, LGBT+, and other relevant groups) have full political rights and electoral opportunities? 0 / 4

Presidential candidates are required to be Muslim, according to the provisional constitution.

The current political system is designed to ensure some representation for the country's many clans, but the prevailing "4.5" formula gives the four largest groups—the Hawiye, Darod, Dir, and Rahanweyn—eight out of every nine positions, marginalizing all other clans. The system is also affected by intraclan rivalries and dominated by clan leaders, who do not necessarily represent the common interests of their respective groups.

Women's political participation is limited by discriminatory attitudes and hostility from incumbent elites, and the interests of women are poorly represented in practice. The parliamentary framework mandates a 30 percent quota for women's representation, but the elections that ended in April 2022 resulted in only 54 women in the House of the People (less than 20 percent); there are 14 women in the Upper House (less than 26 percent).

C. FUNCTIONING OF GOVERNMENT: 0 / 12

C1. Do the freely elected head of government and national legislative representatives determine the policies of the government? 0 / 4

The government, which is not democratically elected, has little practical ability to implement its laws and policies even in parts of the country it controls. Relations between the federal government and the administrations of the federal member states remain poor.

Responding to claims that Farmaajo had attempted to centralize power at the expense of the prime minister and other institutional checks, President Hassan promised to focus on political reconciliation in 2022, but the practical effects of these pledges remained uncertain at year's end.

C2. Are safeguards against official corruption strong and effective? 0 / 4

Corruption is rampant in Somalia, and state agencies tasked with combating it do not function effectively. Impunity is the norm for public officials accused of malfeasance.

A 2019 law called for the creation of state and national anticorruption commissions; the members of the national commission were appointed in 2021. The government ratified the African Union (AU) Convention on Preventing and Combating Corruption in 2020. However, these steps have yet to result in tangible progress toward accountability and deterrence.

C3. Does the government operate with openness and transparency? 0 / 4

Government transparency is limited. Officials are not required to make public declarations of their income and assets, and oversight procedures for public contracts are not well enforced. There is no law guaranteeing public access to government information.

In October 2022, the new administration decided—with no public consultation—to approve an oil deal with the US firm Coastline Exploration. An earlier version of the agreement, signed and then disavowed by the previous government, had drawn accusations that it did not protect Somalia's financial interests.

CIVIL LIBERTIES: 6 / 60

D. FREEDOM OF EXPRESSION AND BELIEF: 3 / 16

D1. Are there free and independent media? 1 / 4

While the provisional constitution calls for freedom of the press, journalists regularly face harassment, arbitrary detention, suspension, fines, and violence from both state and nonstate actors. In 2020, the president signed amendments to the media law that included ostensible protections for journalists' rights but also featured vaguely worded provisions criminalizing the dissemination of "false information," reports that conflict with the "national interest," and incitement to violence and clan divisions. The law grants the Ministry of Information broad powers to regulate the media.

Journalists continued to face arrests and physical violence during 2022. Abdalle Ahmed Mumin, head of the Somali Journalists Syndicate, was arrested in October after his organization criticized a government directive banning the "dissemination of extremist ideology," which it said could limit free speech. Abdalle was charged with bringing the state into contempt, among other offenses, and the case was pending at year's end. Separately, the Committee to Protect Journalists documented the deaths of two journalists as a result of bomb blasts in September and October.

D2. Are individuals free to practice and express their religious faith or nonbelief in public and private? 0 / 4

Nearly all Somalis are Sunni Muslims, though there is a very small Christian community whose members generally do not practice their religion in public. Conversion from Islam is illegal in some areas, and suspicions of conversion can draw societal harassment throughout the country. Despite containing clauses that promote religious freedom and outlaw religious discrimination, the provisional constitution recognizes Islam as the state religion and forbids the promotion of any other faith.

In areas under their control, the Shabaab use violence to enforce their interpretation of Islam, including execution as a penalty for alleged apostasy.

D3. Is there academic freedom, and is the educational system free from extensive political indoctrination? 1 / 4

Despite limited funding and infrastructure, as well as other challenges, universities operate in major cities. Academics reportedly practice self-censorship on sensitive topics. Islamic instruction is required in all schools except those operated by non-Muslim minority groups. Schools under Shabaab control integrate radical interpretations of Islam into the curriculum.

D4. Are individuals free to express their personal views on political or other sensitive topics without fear of surveillance or retribution? 1 / 4

Individuals enjoy some freedom of expression in more secure areas of the country, but criticism of powerful figures in the state and society can draw reprisals, and social media posts that touch on sensitive political or religious topics are subject to criminal punishment. Open debate is severely restricted in areas controlled or threatened by the Shabaab.

E. ASSOCIATIONAL AND ORGANIZATIONAL RIGHTS: 3 / 12

E1. Is there freedom of assembly? 1 / 4

Although the provisional constitution guarantees freedom of assembly, security officials require approval for demonstrations and have used violence—including gunfire—to suppress unauthorized protests.

E2. Is there freedom for nongovernmental organizations, particularly those that are engaged in human rights– and governance-related work? 1 / 4

Local civil society groups, international nongovernmental organizations (NGOs), and UN agencies have been able to conduct a wide range of activities in some parts of the country, but they face difficult and often dangerous working conditions. Regional authorities and security forces have reportedly harassed, extorted, obstructed, and attempted to control NGOs and aid groups, and the Shabaab generally do not allow such organizations to operate in their territory.

E3. Is there freedom for trade unions and similar professional or labor organizations? 1 / 4

Independent labor unions are active in Somalia and have worked to expand their operations and capacity. However, constitutional and legal protections for union activity are not always respected. The Federation of Somali Trade Unions has reported threats, dismissals, attempts at co-optation, and other forms of repression and interference from both government officials and private employers.

F. RULE OF LAW: 0 / 16

F1. Is there an independent judiciary? 0 / 4

The judicial system in Somalia is fractured, understaffed, and rife with corruption. Its authority is not widely respected, with state officials ignoring court rulings and citizens often turning to Islamic or customary law as alternatives.

In 2020, the cabinet approved the appointment of five members to the Judicial Service Commission, a constitutionally required body tasked with overseeing the federal courts. Political opposition and civil society groups argued that the appointments were made without proper authority or consideration of the candidates' qualifications and independence.

F2. Does due process prevail in civil and criminal matters? 0 / 4

The country's police, intelligence, and military services do not observe safeguards against arbitrary arrest and detention, and their work is undermined by corruption. Clan politics and other external factors often play a role in the outcome of court cases. Military courts routinely try civilians, including for terrorism-related offenses, and do not respect basic international standards for due process.

F3. Is there protection from the illegitimate use of physical force and freedom from war and insurgencies? 0 / 4

The ongoing armed conflict with the Shabaab has featured numerous terrorist attacks on government, international, and civilian targets, as well as indiscriminate lethal violence and excessive force against civilians by government security services, international troops, and local militias. The Shabaab also engage in public executions of those they suspect of working with the government or international forces.

Hundreds of civilians were killed by the Shabaab in 2022, whether through bombings, assassinations, or clashes between Shabaab militants and villagers. The Shabaab stepped

up attacks during the elections period in 2022, assassinating at least five candidates and disrupting voting in several areas. In March, 48 people, including a legislator, were killed in an attack on the seat of government in Beledweyne, capital of the Hiran region.

The AU Transition Mission in Somalia (ATMIS) began operations in April 2022, replacing the AU Mission in Somalia (AMISOM), the force that had been assisting Mogadishu in its fight against the Shabaab.

Tensions increased in Galmudug State in 2021 following fighting between the Ahlu Sunna Wal Jama (ASWJ) militia and state and federal security forces. Negotiations to resolve the ASWJ's political status within the Galmudug administration continued in 2022.

Government authorities carry out executions ordered by military courts after flawed proceedings. Detainees in government custody are at risk of torture, and perpetrators generally enjoy impunity.

F4. Do laws, policies, and practices guarantee equal treatment of various segments of the population? 0 / 4

While the provisional constitution and legal system offer some formal protections against discrimination based on sex, clan, and other categories, they have little force in practice. Women face widespread disadvantages in areas including housing, education, and employment, and members of marginalized clans and some non-Somali ethnic groups suffer disproportionately from economic exclusion and violence.

LGBT+ people generally do not make their identity public. Same-sex sexual activity can be punished with up to three years in prison under the penal code, and individuals accused of engaging in such activity are subject to execution in Shabaab-controlled areas.

G. PERSONAL AUTONOMY AND INDIVIDUAL RIGHTS: 0 / 16

G1. Do individuals enjoy freedom of movement, including the ability to change their place of residence, employment, or education? 0 / 4

Travel throughout Somalia is dangerous due to periodic combat, attacks on civilians, and the presence of checkpoints controlled by security forces, militias, the Shabaab, and other armed groups that commonly extract arbitrary fees and bribes from travelers.

Approximately 2.9 million people were internally displaced in Somalia as of December 2022, having been forced to move due to conflict and insecurity as well as drought, flooding, and other disasters.

G2. Are individuals able to exercise the right to own property and establish private businesses without undue interference from state or nonstate actors? 0 / 4

The provisional constitution guarantees property rights, but securing ownership is complicated by a mixture of formal and informal or traditional systems governing land rights. Procedures for registering property and businesses are impeded by corruption and other barriers, and disputes can lead to intimidation and violence. The Shabaab and other extremist groups manage elaborate extortion and "taxation" schemes, placing tremendous pressure on business owners.

Women do not enjoy equal rights to inherit property and are often denied the assets to which they are legally entitled due to discriminatory social norms.

G3. Do individuals enjoy personal social freedoms, including choice of marriage partner and size of family, protection from domestic violence, and control over appearance? 0 / 4

Forced and child marriages are widespread, and the Shabaab impose forced marriages with their fighters. Individuals can face strong societal pressure to marry or not marry within certain clans. Female genital mutilation is extremely common despite a formal ban.

Sexual violence remains a major problem, especially for displaced persons. Perpetrators include government troops and militia members.

G4. Do individuals enjoy equality of opportunity and freedom from economic exploitation? 0 / 4

Child labor and trafficking in persons for the purposes of sexual exploitation or forced labor are common. Refugees and internally displaced people are particularly vulnerable to exploitation. Children are abducted or recruited to serve as fighters by the Shabaab and to a lesser extent by government and militia forces.

South Africa

Population: 60,600,000
Capital: Pretoria
Freedom Status: Free
Electoral Democracy: Yes

Overview: South Africa is a constitutional democracy. Since the end of apartheid in 1994, it has been regarded globally as a proponent of human rights and a leader on the African continent. However, reports of corruption among government officials often emerge, and in recent years, the ruling African National Congress (ANC) has been accused of undermining state institutions to protect corrupt officials and preserve its power as its support base has begun to wane. Gender-based violence is a severe challenge.

KEY DEVELOPMENTS IN 2022

- Raymond Zondo, chair of an inquiry into high-level corruption and state capture that began in 2018, was appointed chief justice in April. Zondo submitted the commission's final report, which recommends that the government investigate and prosecute several high-level ANC politicians, to President Cyril Ramaphosa in June.
- President Ramaphosa was implicated in numerous corruption cases during the year, including in June, when a former intelligence officer claimed that the president had unlawfully hidden at least $4 million in cash—the origin of which is unknown—at his Phala Phala farm, as well as covered up the theft of the money in 2020. Several corruption investigations involving Ramaphosa were ongoing as of December.
- In September, the Constitutional Court ruled that officials in senior executive positions in government, including cabinet ministers and the president, should disclose the receipt of intraparty campaign funding. This ruling comes as part of ongoing transparency-enhancing reforms.

POLITICAL RIGHTS: 33 / 40

A. ELECTORAL PROCESS: 12 / 12

A1. Was the current head of government or other chief national authority elected through free and fair elections? 4 / 4

The National Assembly, the main legislative house of South Africa's bicameral Parliament, elects the president to serve concurrently with its five-year terms, and can vote to replace him or her at any time. Presidents can serve a maximum of two terms of five years each.

In 2018, the National Assembly selected Cyril Ramaphosa, who had replaced former president Jacob Zuma as head of the African National Congress (ANC), to serve as acting president. In the most recent national elections, held in May 2019, the ANC won 57.5 percent of the vote, and the National Assembly selected Ramaphosa to serve a full term as president later that month.

A2. Were the current national legislative representatives elected through free and fair elections? 4 / 4

The 400-seat National Assembly is elected by party-list proportional representation. The 90 members of the upper chamber, the National Council of Provinces, are selected by provincial legislatures. Parliamentary and provincial elections were concurrently held in May 2019. The ANC won 230 National Assembly seats with 57.5 percent of the vote. The opposition Democratic Alliance (DA) won 84 seats with 20.8 percent of the vote and maintained control over Western Cape Province. The Economic Freedom Fighters (EFF) won 44 seats, the Inkatha Freedom Party (IFP) won 14, Freedom Front Plus (FF+) won 10, and smaller parties won the remaining 18 seats.

Municipal elections are held separately from the national and provincial elections. The November 2021 municipal elections were declared credible by independent observer missions. The ANC recorded its worst outcome since the end of apartheid, taking only 46 percent of the vote.

A3. Are the electoral laws and framework fair, and are they implemented impartially by the relevant election management bodies? 4 / 4

The Independent Electoral Commission (IEC) is largely considered independent, and the electoral framework is considered fair. In October 2022, President Ramaphosa appointed elections manager Mosotho Simon Moepya as the IEC's new chairman after the previous chairman's term expired.

In recent years, concerns have been raised about the integrity of the IEC's leadership and internal biases. Due to the COVID-19 pandemic, the IEC proposed that the November 2021 municipal elections be postponed to 2022. The ruling ANC agreed to the postponement, as they had not yet submitted their list of candidates. However, the Constitutional Court upheld a court challenge by the opposition requiring the elections to be held by the originally scheduled date. The DA also initiated an unsuccessful court challenge to prevent the ANC from fielding candidates after the deadline, which they claimed was only allowed because of bias within the IEC.

In 2020, the Constitutional Court ruled that electoral laws preventing individuals from contesting legislative elections without belonging to a political party were unconstitutional. The parliament was given until June 2022 to amend the laws to comply with the ruling. In June 2022, the court approved the government's request to extend the deadline to December. That month, the parliament requested that the deadline be extended again, and the court moved the deadline to early 2023.

B. POLITICAL PLURALISM AND PARTICIPATION: 13 / 16

B1. Do the people have the right to organize in different political parties or other competitive political groupings of their choice, and is the system free of undue obstacles to the rise and fall of these competing parties or groupings? 3 / 4

The ANC, which is part of a tripartite governing alliance with the Congress of South African Trade Unions (COSATU) and the South African Communist Party (SACP), has won every national election since 1994. Nevertheless, the political environment is generally

free from formal constraints, and opposition parties, including newer political groups, have gained ground in recent elections.

Violent incidents in some parts of the country affected the process of choosing candidates for the ANC list in the 2021 municipal elections. That September, an ANC incumbent candidate in Pretoria, Tshepo Motaung, was shot and killed by unknown gunmen suspected to be linked to a rival faction. Three ANC supporters were shot and killed during a meeting to nominate candidates in KwaZulu-Natal. Killings linked to corruption and ANC intraparty factional battles to access state contracts continued after the elections and into 2022. There are strong indications that the August 2021 murder of whistleblowing civil servant Babita Deokaran was linked to corruption within the party.

B2. Is there a realistic opportunity for the opposition to increase its support or gain power through elections? 3 / 4

Though the ANC has won every national election since 1994, it recorded its poorest performances since the end of apartheid in the May 2019 national elections and the November 2021 municipal elections. Opposition parties continued to gain traction in 2022, and the ANC again lost voter support in the December municipal by-elections. In its May 2022 policy discussion document, the ANC stated that the party faces the prospect of losing its majority in the 2024 national elections.

B3. Are the people's political choices free from domination by forces that are external to the political sphere, or by political forces that employ extrapolitical means? 3 / 4

People's political choices in South Africa are largely free from domination by external actors, and the military generally stays out of politics. However, there is widespread corruption within the ANC; party officials have been accused of buying delegates' votes to the party conference and paying bribes to influence political appointments. There have also been reports of individuals buying party membership cards in bulk to hold full control of specific branches of the party.

In September 2022, the Constitutional Court ruled that it was unconstitutional for officials in senior executive positions, including the president and government ministers, not to declare funding they had received for intraparty campaigns. Some observers say that the ruling has the potential to enhance transparency and reduce excessive spending within political parties. Amendments to the Executive Ethics Code in line with the ruling had not been made before year's end, but according to the court must be made by September 2023.

B4. Do various segments of the population (including ethnic, racial, religious, gender, LGBT+, and other relevant groups) have full political rights and electoral opportunities? 4 / 4

The constitution prohibits discrimination and provides full political rights for all adult citizens. Women are well represented in government, holding 46 percent of seats in the National Assembly and 3 of 9 provincial premierships. South Africa has one of the world's most liberal legal environments for LGBT+ people. However, discrimination and the threat of violence can discourage LGBT+ people from political participation in practice.

C. FUNCTIONING OF GOVERNMENT: 8 / 12

C1. Do the freely elected head of government and national legislative representatives determine the policies of the government? 3 / 4

Pervasive corruption and apparent interference by nonelected actors have hampered the proper functioning of government, particularly during the Zuma administration. In 2018, Zuma was forced by the High Court to appoint a Judicial Commission of Inquiry into

state capture (external influence held over an administration). When he came into power, President Ramaphosa amended the terms of the state capture inquiry to enable the evidence gathered by the Commission—headed by then deputy chief justice Raymond Zondo and commonly known as the Zondo Commission—to be used in prosecutions. Zuma has since been waging a legal fight to fend off the Commission's demands after he had been implicated by over 30 witnesses in several instances of wrongdoing. Zuma was arrested in July 2021 for failing to appear before Commission meetings.

President Ramaphosa testified twice at the Judicial Commission of Inquiry, first in his capacity as ANC president and secondly as president and former deputy president of the republic. He admitted in his testimony that there had been significant state capture during Zuma's presidency.

The final report of the Zondo Commission was released in June 2022, and recommends that the government investigate and prosecute several high-level ANC politicians on criminal corruption charges. According to the report, the governing ANC enabled corruption on a large scale during the Zuma administration, especially through the awarding of government contracts to businesses owned by or linked to the Gupta business family. Among other things, the report also found that numerous political actors had participated in the theft of state resources during the Zuma administration, and that Zuma had awarded government appointments in return for protection from investigations.

C2. Are safeguards against official corruption strong and effective? 2 / 4

Comprehensive anticorruption laws and several agencies tasked with combating corruption exist, but enforcement has historically been inadequate. Several former and current government officials accused of corruption have not been prosecuted. The Auditor General has outlined in past annual reports that accountability failures have not been addressed. The August 2021 murder of Babita Deokaran, a whistleblower who tipped off the Special Investigations Unit (SIU) to corruption in the Gauteng health department, suggests that protection measures for whistleblowers are weak. A 2022 media investigation into Deokaran's death revealed extensive corruption within the public procurement processes of the local government in Gauteng, the country's wealthiest province.

In October 2022, partially in response to the findings of the Zondo Commission, President Ramaphosa announced that his administration plans to introduce far-reaching reforms to combat corruption within the government, including establishing an independent public procurement agency and creating new mechanisms to protect whistleblowers.

President Ramaphosa was the subject of a number of corruption-related investigations during 2022, including by the country's Public Protector's office, which investigates complaints of government misconduct. In June, public protector Busisiwe Mkhwebane began an investigation into claims made by former intelligence officer Arthur Fraser that Ramaphosa had unlawfully hidden at least $4 million in cash—the origin of which is unknown—at his Phala Phala farm, as well as covered up the theft of the money in 2020. One day after the investigation was announced, the president suspended Mkhwebane on grounds of her alleged "incapacity and misconduct." Mkhwebane's suspension was lifted in September by a High Court ruling that it could "reasonably be seen as retaliation" for her investigation into the so-called Phala Phala scandal. Investigations into Ramaphosa were ongoing as of December; he has repeatedly denied any wrongdoing.

C3. Does the government operate with openness and transparency? 3 / 4

Section 32(1) of the South African constitution states that everyone has the right to access "any information held by the state" and requires that private bodies release information

necessary for the exercise and protection of rights. The 2000 Promotion of Access to Information Act created a framework for access to information procedures in both public and private entities. However, in practice the procedure of accessing information is laborious and bureaucratic. A lack of transparency and a lack of competitive bidding have affected the awarding of government contracts. President Ramaphosa promised to reform the government's procurement system after evidence of wide-scale corruption emerged during the coronavirus pandemic in 2020; he again promised reforms in 2022 in response to the findings of the Zondo Commission on state capture.

CIVIL LIBERTIES: 46 / 60

D. FREEDOM OF EXPRESSION AND BELIEF: 15 / 16

D1. Are there free and independent media? 3 / 4

Freedoms of expression and the press are constitutionally protected and generally respected in practice. South Africa features a vibrant and adversarial media landscape, including independent civic groups that help expose government malpractice and efforts to encroach on freedom of expression. However, journalists face harassment for critical reporting and occasional attacks, with ruling and opposition parties exerting pressure on both state-run and independent outlets.

In September 2022, former president Zuma launched a private criminal prosecution against journalist Karyn Maughan, who had published information about Zuma's health that he later claimed was accessed unlawfully. However, several reports identify the information published by Maughan as having been filed in court during Zuma's corruption trial, making it public information; the matter was pending as of year's end. Media freedom groups have condemned the proceedings, saying that prosecuting Maughan for her work could have a chilling effect on South African journalism more broadly. The South African National Editors' Forum (SANEF), which has condemned Zuma's attempt to intimidate journalists, applied to join the proceedings in support of Maughan in December.

D2. Are individuals free to practice and express their religious faith or nonbelief in public and private? 4 / 4

Freedom of religion is constitutionally guaranteed and actively protected by the government. Religious leaders are largely free to engage in discussions of a political nature without fear of adverse consequences.

D3. Is there academic freedom, and is the educational system free from extensive political indoctrination? 4 / 4

Academic freedom in South Africa is constitutionally guaranteed and actively protected by the government.

D4. Are individuals free to express their personal views on political or other sensitive topics without fear of surveillance or retribution? 4 / 4

South Africans are generally free to engage in private conversations of a political nature without harassment. In September 2019, the High Court found that parts of the Regulation of Interception of Communications Act (RICA), the law governing surveillance, were unconstitutional because it did not, among other things, have sufficient safeguards against state organs abusing intercepted private communication between citizens. The National Assembly was given two years to rectify the defects. In February 2021, the Constitutional Court declared that the provisions of RICA regarding the bulk interception of data for surveillance purposes were unlawful and invalid.

E. ASSOCIATIONAL AND ORGANIZATIONAL RIGHTS: 12 / 12

E1. Is there freedom of assembly? 4 / 4

Freedom of assembly is constitutionally guaranteed and generally respected. South Africa has a vibrant protest culture. Demonstrators must notify police of events ahead of time, but are rarely prohibited from gathering; in 2018, the Constitutional Court ruled that a failure to notify authorities of intent to protest could not be classified as a crime. Protests over the government's shortcomings in the provision of public services are common in South Africa, though they sometimes turn violent. Police have faced accusations of provoking some protest violence.

E2. Is there freedom for nongovernmental organizations, particularly those that are engaged in human rights– and governance-related work? 4 / 4

South Africa hosts a vibrant civil society. Nongovernmental organizations (NGOs) can register and operate freely, and lawmakers regularly accept input from NGOs on pending legislation.

E3. Is there freedom for trade unions and similar professional or labor organizations? 4 / 4

South African workers are generally free to form, join, and participate in independent trade unions, and the country's labor laws offer unionized workers a litany of protections. Contract workers and those in the informal sector enjoy fewer safeguards. Strike activity is very common, and unionized workers often secure above-inflation wage increases. Union rivalries, especially in mining, sometimes result in the use of violent tactics to recruit and retain members and to attack opponents.

F. RULE OF LAW: 9 / 16

F1. Is there an independent judiciary? 3 / 4

The constitution guarantees judicial independence, and courts operate with substantial autonomy in practice. Courts have ruled against the government in several high-profile cases, including in September 2022, when the High Court ruled against the government to order that Ramaphosa's June suspension of the public protector, who had been investigating several corruption allegations made against the president, could "reasonably be seen as retaliation" and must be lifted.

However, prosecutorial independence in South Africa has been undermined in recent years, with the National Prosecuting Authority (NPA) experiencing a string of politically motivated appointments and ousters. In 2018, President Ramaphosa appointed a new NPA head who has worked to reform the institution. In October 2019, the NPA further bolstered its capacity when it hired several private lawyers to prosecute state capture cases.

In April 2022, President Ramaphosa appointed Raymond Zondo, head of the state capture inquiry that found extensive evidence of corruption within the government and the ruling ANC, as Chief Justice of South Africa.

F2. Does due process prevail in civil and criminal matters? 2 / 4

Shortages of judicial staff and a lack of financial resources undermine defendants' due process rights, including the right to a timely trial and state-funded legal counsel. Many detainees wait months for their trials to begin, and some are held beyond the legal maximum of two years.

F3. Is there protection from the illegitimate use of physical force and freedom from war and insurgencies? 2 / 4

Despite constitutional prohibitions, police torture and use of excessive force during arrests, interrogations, and detention are commonly reported. The Independent Police Investigative Directorate (IPID) is legally required to investigate allegations of police offenses or misconduct. In its report for 2021–22, the IPID reported 633 cases of death either in police custody or as a result of police action, 99 cases of rape by police officers, 192 incidents of torture, and 3,407 cases of assault. Official statistics released in 2022 continued to show a high rate of violent crimes in some parts of the country.

In July 2021, riots and looting broke out in KwaZulu-Natal and Gauteng provinces, sparked by the jailing of former president Zuma. Though security forces were largely restrained in their response, more than 350 people were killed in the violence.

F4. Do laws, policies, and practices guarantee equal treatment of various segments of the population? 2 / 4

The constitution prohibits discrimination based on a range of categories, including race, sexual orientation, and culture. State bodies such as the South African Human Rights Commission (SAHRC) and the Office of the Public Protector are empowered to investigate and prosecute discrimination cases. Affirmative-action legislation has benefited previously disadvantaged racial groups in public and private employment and in education, but racial imbalances in the workforce persist. White people, constituting a small minority, still own a majority of the country's business assets. The Khoikhoi and Khomani San peoples suffer from social and legal discrimination.

The constitution guarantees equal rights for women, which are actively promoted by the Commission on Gender Equality. Nevertheless, women are subject to wage discrimination in the workplace and are poorly represented in top management positions.

Xenophobic violence against immigrants from other African countries has broken out in recent years. The government's 2019 National Action Plan to Combat Racism, Racial Discrimination, Xenophobia, and Related Intolerance (NAP) has largely failed to improve accountability for perpetrators of xenophobic abuse and provide justice for their victims. Political leadership on countering xenophobic violence has been lacking, and in some cases political leaders have blamed foreign nationals for their own failure to deliver on political promises. Then state security minister Ayanda Dlodlo announced in July 2021 that authorities were investigating attacks on foreign nationals during the violence in Gauteng and KwaZulu-Natal that month.

South Africa's asylum system is hampered by delays and administrative errors, leading to a backlog of hundreds of thousands of applications. Asylum seekers living in the country often lack official documentation that guarantees access to local services, and asylum applications are almost always rejected when they are processed.

Services and accommodations for disabled people remain generally inadequate, especially in the education sector. Human Rights Watch (HRW) has reported that disabled schoolchildren are often excluded from the mainstream education system and are instead enrolled in special schools that do not consistently support their developmental needs.

G. PERSONAL AUTONOMY AND INDIVIDUAL RIGHTS: 10 / 16

G1. Do individuals enjoy freedom of movement, including the ability to change their place of residence, employment, or education? 3 / 4

While there are no official restrictions on housing, employment, or freedom of movement for most South Africans, travel and some other personal freedoms are inhibited by the country's high crime rate. For many foreigners, the threat of xenophobic violence impedes freedom of movement as well. The legacy of apartheid continues to segregate the population

and restrict nonwhite opportunity for employment and education. Rising crime rates compromise citizens' safety when traveling.

G2. Are individuals able to exercise the right to own property and establish private businesses without undue interference from state or nonstate actors? 3 / 4

The state generally protects citizens from arbitrary deprivation of property. However, the incidents of looting in July 2021 suggests that authorities lack the capacity to protect private property from violent responses to tense political moments. The vast majority of farmland remains in the hands of White South Africans, who make up some 9 percent of the population. Illegal squatting on White-owned farms is common, as are attacks on White farm-owners.

In a 2017 party conference, the ANC resolved there was a need to expropriate land without compensation for redistribution purposes, on the condition that such expropriation should not negatively affect the economy or compromise food security. In September 2022, the National Assembly passed the Expropriation Bill, which would enable the expropriation of property with "nil compensation" where it is in the "public interest" to do so. The government contends that the bill, which had not been signed into law before year's end, does not violate property rights provided in the constitution.

G3. Do individuals enjoy personal social freedoms, including choice of marriage partner and size of family, protection from domestic violence, and control over appearance? 2 / 4

Despite a robust legal framework criminalizing domestic violence and rape, gender-based violence remains a grave challenge in South Africa. The South Africa Police Service (SAPS) reported 36,330 rapes during the agency's 2020–21 reporting period. The police recorded 20,106 cases of rape between April and September 2022. There are frequent reports of physical attacks against LGBT+ people, including instances of so-called corrective rape, in which men rape lesbians, claiming that the action can change the victim's sexual orientation. Sexual harassment is common, and reports of forced marriages persist.

Femicide is also a severe problem, with government statistics reporting that more than 1,800 women were murdered between April and September 2022; many were raped or sexually assaulted before their deaths. In April 2020, police minister Bheki Cele reported that the police had received more than 2,300 complaints of gender-based violence in the first week that COVID-19 restrictions were implemented. Cele reported in 2022 that there were more than 25,100 reports of gender-based violence against women made between April and September 2022. In January 2022, President Ramaphosa enacted numerous legal reforms intended to fight gender-based violence; among other things, provisions in the reforms include introducing "sexual intimidation" as a criminal offense.

Same-sex couples have the same adoption rights as heterosexual married couples, and same-sex marriage is legal.

G4. Do individuals enjoy equality of opportunity and freedom from economic exploitation? 2 / 4

South Africa's deteriorating economic position has triggered some politicians to consider limiting the involvement of foreigners in some business sectors. In September 2020, the province of Gauteng published a draft provincial ordinance, the Gauteng Township Economic Development Bill, to curtail foreigners from establishing certain types of businesses. The bill triggered intense public debate, but was passed by the Gauteng legislature and signed by the provincial premier in April 2022. In recent years, some opposition parties—notably the EFF and the Patriotic Alliance—have initiated unauthorized searches at restaurants in an attempt to enforce regulations governing the employment of foreign nationals.

Inequality levels in South Africa are among the highest in the world. Only a small percentage of the population benefits from large state industries, and the economy is controlled by a relatively small number of people belonging to the political and business elite.

South Africans—predominantly those from rural regions—as well as foreign migrants, are vulnerable to sex trafficking and forced labor. Organized criminal syndicates are responsible for the bulk of trafficking.

South Korea

Population: 51,600,000
Capital: Seoul
Freedom Status: Free
Electoral Democracy: Yes

Overview: South Koreans benefit from regular rotations of power and robust political pluralism. Civil liberties are generally respected, though the country struggles with minority rights and social integration. Legal bans on pro–North Korean activity affect legitimate political expression, and journalists can face pressure from the government over their coverage of or commentary on inter-Korean relations. Corruption and misogyny are persistent problems, with scandals implicating successive governments and company executives in recent years.

KEY DEVELOPMENTS IN 2022

- Yoon Suk-yeol of the conservative People Power Party (PPP) won the March presidential election, defeating liberal Democratic Party (DP) candidate Lee Jae-myung with the narrowest margin in South Korean history. Yoon's predecessor, Moon Jae-in, was term-limited.
- In October, a former Seoul Metro employee was indicted for murdering a female colleague whom he had stalked. That murder led to calls for stronger antistalking punishments and greater protections for women.
- In October, 158 people visiting the Itaewon section of Seoul for Halloween festivities died in a crush. Arrest warrants for three police officers over their performance during the incident were issued in early December, while another two were arrested later that month. A legislative probe into the incident had not begun by year's end.

POLITICAL RIGHTS: 33 / 40

A. ELECTORAL PROCESS: 11 / 12

A1. Was the current head of government or other chief national authority elected through free and fair elections? 4 / 4

The 1988 constitution vests executive power in a directly elected president, who is limited to a single five-year term. Executive elections in South Korea are largely free and fair. In March 2022, PPP candidate Yoon Suk-yeol, who served as prosecutor general under term-limited Moon Jae-in of the DP, was elected to succeed Moon. Yoon defeated DP candidate Lee Jae-myung with the narrowest margin in South Korean history; Yoon won 48.6 percent while Lee won 47.8 percent.

A2. Were the current national legislative representatives elected through free and fair elections? 4 / 4

The unicameral National Assembly has 300 members serving four-year terms, with 253 elected in single-member constituencies and 47 through national party lists. The DP won a majority in the April 2020 legislative elections; after by-elections in June 2022, the DP held 169 seats and PPP 115.

In June 2022, voters participated in local elections, including for 17 metropolitan mayoralties and provincial governorships. The PPP won 12 of those posts. Turnout stood at 50.9 percent, the second-lowest recorded for local polls.

A3. Are the electoral laws and framework fair, and are they implemented impartially by the relevant election management bodies? 3 / 4

Elections are managed by the National Election Commission (NEC), an independent nine-member body appointed for six-year terms. The president, National Assembly, and Supreme Court each chooses three members. Elections are generally considered free and fair. While laws have been enacted to address malapportionment, complaints on this issue persist.

In July 2022, the Board of Audit and Inspection (BAI) began investigating the NEC for reportedly using unofficial containers to collect early-voting ballots from COVID-19 patients and quarantined individuals, which prompted vote-rigging concerns.

B. POLITICAL PLURALISM AND PARTICIPATION: 13 / 16

B1. Do the people have the right to organize in different political parties or other competitive political groupings of their choice, and is the system free of undue obstacles to the rise and fall of these competing parties or groupings? 3 / 4

Political pluralism is robust, with multiple parties competing for power, though party structures and coalitions are very fluid. In addition to the two main parties, several smaller groups and independent members hold legislative seats.

The 1948 National Security Law (NSL) bans pro–North Korean activities. In 2014, the Constitutional Court dissolved the United Progressive Party for violating it.

B2. Is there a realistic opportunity for the opposition to increase its support or gain power through elections? 4 / 4

There have been multiple transfers of power between rival conservative and liberal parties since the early 1990s. The orderly election and inauguration of Moon Jae-in in 2017 after the impeachment of his predecessor, Park Geun-hye, reinforced this pattern, as did Yoon Suk-yeol's 2022 victory.

B3. Are the people's political choices free from domination by forces that are external to the political sphere, or by political forces that employ extrapolitical means? 3 / 4

Family-controlled business empires known as *chaebol* dominate the economy and wield significant political influence, which has historically protected their interests despite calls for reform. Corruption scandals involving chaebol bribery have affected almost all of South Korea's former presidents. In August 2022, President Yoon pardoned a number of chaebol executives who were involved in bribery scandals during Park Geun-hye's 2013–17 administration.

The National Intelligence Service (NIS) has been implicated in a series of scandals in recent years, including allegations of election tampering. A 2020 reform bill limited the NIS's mandate to collecting information related to North Korea and overseas interests and prohibited it from conducting domestic surveillance.

In July 2022, the Ministry of Gender Equality and Family (MGEF) was raided over accusations that MGEF officials had assisted the DP in electoral activities ahead of the March polls.

B4. Do various segments of the population (including ethnic, racial, religious, gender, LGBT+, and other relevant groups) have full political rights and electoral opportunities? 3 / 4

Although citizens of non-Korean ethnicity have enjoyed full political rights, they rarely win political representation. In December 2022, Justice Minister Han Dong-hoon suggested that the government would limit voting rights for permanent foreign residents, who can currently vote in some local elections. Residents who are not ethnic Koreans face extreme difficulties obtaining citizenship, which is based on parentage. North Korean defectors are eligible for citizenship; two won National Assembly seats in 2020.

Women enjoy legal equality but remain underrepresented in politics, holding 19 percent of National Assembly seats as of December 2022. Female representation in the cabinet is also low.

In June 2022, Cha Hae-yeong of the DP won a council seat in a district of Seoul, becoming the country's first openly LGBT+ elected official.

C. FUNCTIONING OF GOVERNMENT: 9 / 12

C1. Do the freely elected head of government and national legislative representatives determine the policies of the government? 4 / 4

Elected officials generally determine and implement state policy without undue interference from unelected actors.

C2. Are safeguards against official corruption strong and effective? 3 / 4

Despite government anticorruption efforts and robust investigations and prosecutions, practices such as bribery, influence peddling, and extortion persist in politics, business, and everyday life. The 2016 Improper Solicitation and Graft Act establishes stiff punishments for those convicted of accepting bribes and applies to government officials as well as their spouses, journalists, and educators. The Corruption Investigation Office for High-Ranking Officials investigates corruption allegations against public officials and can unilaterally indict police officers, prosecutors, and judges. Conflict-of-interest legislation for public servants took effect in May 2022.

Officials appointed during the Moon administration came under scrutiny for their conduct during 2022. In August, the BAI began an audit of the Anti-Corruption and Civil Rights Commission over absenteeism allegations that included chairperson Jeon Hyun-heui, a Moon appointee; Jeon reported she was facing pressure to resign. As of December, the BAI was considering whether to question Hong Jang-pyo, a Moon administration official, over allegations that the previous administration manipulated economic data.

DP aides and officials, including Lee Jae-myung, came under scrutiny over their conduct relating to a land-development project in Seongnam, where Lee served as mayor between 2010 and 2018. Lee was indicted for violating election laws by allegedly disseminating false information over the affair in September 2022. A staff member of a DP-affiliated think tank was arrested over bribery allegations in October, while a Lee ally in the DP was indicted in December. Authorities raided the offices of the think tank in October, searching for evidence that Lee accepted illegal funds related to the land project.

An investigation into speculative land purchases based on insider information via the Korea Land and Housing Corporation ended in March 2022; a total of 4,251 people were referred to prosecutors, 64 were arrested, and 150.7 billion won ($116.3 million) in profits were seized.

In December 2022, Yoon said he would pardon former president Lee Myung-bak, who received a corruption-related prison sentence in 2018 and exhausted his appeals in 2020.

C3. Does the government operate with openness and transparency? 2 / 4

A 1998 public-disclosure law allows citizens and resident foreigners to request access to the records of public agencies, except those related to national security. Access to some documents has been denied despite lawsuits seeking their disclosure.

While President Yoon has vowed to fight corruption and improve transparency, his administration has also suffered from a series of scandals on matters including nepotism and favoritism.

CIVIL LIBERTIES: 50 / 60

D. FREEDOM OF EXPRESSION AND BELIEF: 14 / 16

D1. Are there free and independent media? 3 / 4

The news media are generally free and competitive, reporting aggressively on government policies and allegations of official and corporate wrongdoing. However, a defamation law authorizes prison sentences or fines, encouraging some self-censorship, and journalists have faced political interference from managers and government officials.

The Yoon administration has signaled that media criticism of its activities could result in retaliation. In September 2022, the PPP filed a defamation suit against the Munhwa Broadcasting Corporation (MBC) for publishing a video of President Yoon apparently cursing while speaking to aide after meeting with US president Biden. In November, MBC journalists were denied access to the president's plane and presidential media briefings were suspended. Also in November, the PPP-controlled Seoul City Council legislated to cut funding for Traffic Broadcasting System (TBS) starting in 2024. TBS radio host Kim Ou-joon had been accused of demonstrating an on-air left-wing bias and breached broadcasting rules during the 2022 electoral period; Kim left TBS in late December.

Access to North Korean media is banned. News coverage or commentary deemed to favor Pyongyang can be censored and lead to prosecution under the NSL. In July 2022, the Unification Ministry published a report recommending a loosening of restrictions.

The Korea Communications Standards Commission (KCSC) evaluates online content and blocks or deletes material according to vaguely defined standards; most of the affected content is reportedly related to illegal sex work, pornography, gambling, promotion of illegitimate food and medicine, or other criminal activity.

In September 2022, prosecutors raided the offices of the country's broadcasting regulator, the Korea Communications Commission, over concerns that it manipulated the broadcast-renewal process for two television outlets in 2020.

D2. Are individuals free to practice and express their religious faith or nonbelief in public and private? 4 / 4

Freedom of religion is constitutionally guaranteed and generally respected in practice. However, the National Human Rights Commission of Korea stated that the suspension of a mosque construction project in Daegu—still on hold as of December 2022—was due to discrimination and prejudice.

Until recently, the military conscription system did not permit conscientious objection, and hundreds of men were imprisoned each year for refusing military service on religious grounds. A 2018 Constitutional Court ruling found that the government had to provide alternative forms of service for conscientious objectors. The current options for alternative service, which lasts twice as long as active military service, have been criticized as being punitive.

D3. Is there academic freedom, and is the educational system free from extensive political indoctrination? 3 / 4

Academic freedom is mostly unrestricted, though the NSL limits statements supporting Pyongyang and restricts access to material related to North Korea. Separately, a 2016 anti-corruption law subjects teachers and administrators to the same tight restrictions as public officials. Certain portrayals of sensitive historical issues—such as imperial Japan's wartime sexual enslavement of Korean women—can be subject to government censorship or prosecution under defamation laws and other statutes.

D4. Are individuals free to express their personal views on political or other sensitive topics without fear of surveillance or retribution? 4 / 4

Private discussion is typically free and open, and the government generally respects citizens' right to privacy. However, the government's capacity for surveillance remains robust. An antiterrorism law grants the NIS expansive authority to monitor private communications. The NIS, police, prosecutors, and investigative agencies can also access metadata without a warrant; this includes internet users' national identification numbers, postal addresses, and telephone numbers.

The NSL restricts speech that is considered pro–North Korean. In September 2022, the Constitutional Court began reviewing the constitutionality of Articles 2 and 7 of the NSL, which define and punish "anti-state" organizations and proscribe the production or possession of material considered rebellious. In June, a UN special rapporteur had recommended abolishing Article 7.

E. ASSOCIATIONAL AND ORGANIZATIONAL RIGHTS: 11 / 12

E1. Is there freedom of assembly? 4 / 4

The government generally respects freedom of assembly, which is protected under the constitution. However, several legal provisions conflict with this guarantee, sometimes creating tension between the police and protesters over the application of the law.

Bans on large public gatherings fluctuated throughout 2022 due to COVID-19, though many social distancing rules were relaxed beginning in March. Despite these restrictions, union rallies and antigovernment and antimilitary protests were held in 2022.

LGBT+ pride events are held but have sometimes been disrupted by counterprotesters.

E2. Is there freedom for nongovernmental organizations, particularly those that are engaged in human rights– and governance-related work? 3 / 4

Human rights groups and other nongovernmental organizations (NGOs) are active and generally operate freely, despite the risk of political pressure when they criticize the government or other powerful interests. Many South Korean NGOs rely on government grants even as they pursue independent agendas.

In 2020, NGOs were banned from sending balloons carrying leaflets across the Demilitarized Zone. Debate is ongoing on whether to overturn the ban. Such launches still occur; in October 2022, a group of activists claimed they sent several balloons before being intercepted by police.

E3. Is there freedom for trade unions and similar professional or labor organizations? 4 / 4

Workers have the right to form independent unions and engage in strikes and collective bargaining. The country's independent labor unions advocate for workers' interests in practice, organizing high-profile strikes and demonstrations that sometimes lead to arrests. Many unions held strikes in 2022 in response to inflation and fuel prices.

However, labor unions have diminished in strength as more South Koreans work on a temporary or part-time basis. Workplaces with fewer than 30 employees are not obligated

to establish or operate collective agreements, and major employers sometimes engage in antiunion activity.

F. RULE OF LAW: 12 / 16

F1. Is there an independent judiciary? 3 / 4

The chief justice and justices of the Supreme Court are appointed by the president with the consent of the National Assembly. Appointments are made based on recommendations from the chief justice, who is assisted by an expert advisory committee. The chief justice is also responsible for lower-court appointments, with the consent of the other Supreme Court justices. The president, National Assembly, and chief justice each nominate three members of the Constitutional Court. The judiciary is generally considered to be independent, but senior judges were ensnared in corruption scandals in recent years.

F2. Does due process prevail in civil and criminal matters? 3 / 4

Judges render verdicts in all cases. While there is no trial by jury, an advisory jury system has been in place since 2008, and judges largely respect juries' decisions. Ordinary legal proceedings are generally considered fair, but the courts have sometimes been accused of denying due process and impartiality to defendants in NSL cases.

In April and May 2022, the National Assembly passed amendments to the Prosecutors' Office Act and the Criminal Procedure Act that would limit prosecutors' ability to directly conduct investigations. The Justice Ministry and prosecutors petitioned the Constitutional Court in June to void the amendments, while the Yoon administration sought to expand prosecutors' investigative powers through presidential decrees. The court did not rule by year's end.

F3. Is there protection from the illegitimate use of physical force and freedom from war and insurgencies? 3 / 4

Reports of abuse by prison guards are infrequent. Prison conditions generally meet international standards.

Violent crime is relatively rare, but the country remains at war with North Korea, resulting in a heavy military presence in some areas and the constant threat of renewed combat. Minor incidents of violence near the de facto border are not uncommon.

Several police officers were arrested or faced warrants over the October 2022 Itaewon disaster, in which 158 people died in a crush. A legislative inquiry had not begun by year's end.

In December 2022, Moon Jae-in–era national security advisor Suh Hoon was arrested for allegedly mishandling the repatriation of two North Korean fishermen in 2019 and the death of a South Korean fishery official at the hands of North Korean soldiers in 2020.

F4. Do laws, policies, and practices guarantee equal treatment of various segments of the population? 3 / 4

South Korea lacks a comprehensive antidiscrimination law. Members of the country's small non-Korean population face legal and societal discrimination, especially in the workforce. Children of foreign-born residents and single foreign parents are systematically excluded from education and medical systems, though in 2021 the government began granting temporary stay permits and related benefits to children of undocumented migrants who were born in the country.

Approximately 33,900 North Korean defectors have entered South Korea since 1998. While the government aims to socially integrate defectors, they can face months of

detention and questioning upon arrival. Some defectors have reported abuse in custody and societal discrimination.

North Korean defectors need not apply for asylum using the same process as other applicants. Those from other countries are far more likely to have their claims rejected or mishandled by immigration officials; the country's refugee recognition rate has stood below one percent for several years. Afghan evacuees have reported religious discrimination and difficulty finding jobs in their respective fields.

Women generally enjoy legal equality but face significant social and employment discrimination; when compared to men, they enjoy a lower employment rate and suffer a pay gap. Sexual harassment of women, including in the workplace, is common; a number of political figures have been accused as part of the #MeToo movement. Digital sex crimes against women in 2021 increased by 82 percent when compared to 2020 according to the KCSC. Neither "semen terrorism"—the act of spreading semen onto another individual or their property—nor the theft of personal objects for sexual purposes are considered sex crimes.

Nearly 80 percent of stalking victims are women according to civil society. Few measures are taken to stop assailants from repeatedly approaching victims. In October 2022, Jeon Joo-hwan, a former Seoul Metro employee, was indicted for murdering a female colleague whom he had stalked. That murder led to calls for stronger antistalking punishments and greater protections for women.

Same-sex relations are not restricted for the general population, but soldiers are subject to a "disgraceful conduct" provision of the Military Criminal Act (MCA) and typically face two-year prison terms for such activity. But in April 2022, the Supreme Court overturned two men's MCA convictions; they had engaged in same-sex activity off-duty in a private residence. Existing human rights legislation bars discrimination based on sexual orientation but lacks specific penalties for violations; transgender people are not explicitly protected. In a survey released by Dawoom, an LGBT+ rights NGO, in May 2022, 66.9 percent of transgender respondents said they experienced discrimination in the previous year, 41.5 percent of all respondents considered suicide, and 8.2 percent attempted it.

G. PERSONAL AUTONOMY AND INDIVIDUAL RIGHTS: 13 / 16

G1. Do individuals enjoy freedom of movement, including the ability to change their place of residence, employment, or education? 4 / 4

Internal movement and travel abroad are typically unrestricted. Travel to North Korea requires government approval.

The government maintained some COVID-19-related movement restrictions during 2022, but restrictions for most incoming travelers were lifted as of October.

G2. Are individuals able to exercise the right to own property and establish private businesses without undue interference from state or nonstate actors? 3 / 4

Property rights are respected. A well-developed body of law governs the establishment of commercial enterprises. However, the economy remains dominated by chaebol that have colluded with political figures to pursue their own interests, and property ownership for individuals has become especially difficult due to fluctuating housing prices.

G3. Do individuals enjoy personal social freedoms, including choice of marriage partner and size of family, protection from domestic violence, and control over appearance? 3 / 4

Personal social freedoms are largely respected, and women and men generally have equal rights in divorce and custody matters. Abortion was decriminalized in 2021. Same-sex

marriage is not legal in South Korea. Same-sex couples are not allowed to register for health insurance as spouses, with a court ruling denying benefits to a couple in January 2022.

Domestic violence is prevalent despite laws meant to combat such activity; 16.1 percent of women surveyed in 2021 reported violence, emotional abuse, or other coercive behavior by intimate partners. Arrest and prosecution rates for such cases are low, while sexual offenses against women and children carry weak penalties. Foreign-born brides also suffer high rates of domestic violence.

President Yoon vowed to abolish the MGEF during his presidential campaign. The MGEF currently provides services for victims of sexual and domestic abuse, support for single parents, who headed 1.5 million households as of 2020, and other "family-related projects" such as youth counseling.

G4. Do individuals enjoy equality of opportunity and freedom from economic exploitation? 3 / 4

While protections against exploitative working conditions are enforced, foreign migrant workers, who number 480,000, remain vulnerable to illegal debt bondage and forced labor, including sex trafficking. Migrant workers' groups have denounced the employment permit system and legislation that makes it difficult for individuals to change their employment, which can expose workers to abuses. Couriers, some of whom have died from overwork, typically lack the labor protections of full-time employees.

Women in South Korea are vulnerable to recruitment by international marriage brokers and sex traffickers. Many foreign women who have suffered sexual violence face language barriers and are reluctant to come forward due to their employment status. Although the government actively prosecutes human trafficking cases, those convicted often receive light punishments. In its *Trafficking in Persons Report 2022*, the US State Department noted that authorities initiated fewer trafficking prosecutions than in its previous reporting period.

South Sudan

Population: 10,900,000
Capital: Juba
Freedom Status: Not Free
Electoral Democracy: No

Overview: South Sudan gained independence from Sudan in 2011. A civil war began in 2013, when a rift between President Salva Kiir Mayardit and the vice president he dismissed, Riek Machar, triggered fighting among their supporters and divided the country along ethnic lines. Since a peace agreement was reached in 2018, elections have been delayed; elites preside over an uneasy power-sharing arrangement. South Sudan suffers from rampant corruption and dire economic circumstances. Civilians, journalists, and aid workers have been targeted with atrocities.

KEY DEVELOPMENTS IN 2022

- In August, parties to the country's transitional governing agreement agreed to extend the transitional period to February 2025. Elections were consequently delayed to December 2024.

- Infighting between factions of the Sudan People's Liberation Movement/Army in Opposition (SPLM/A-IO) occurred during the year. In July, for example, two factions' supporters clashed in Upper Nile State, leading to 18 deaths.
- In November, the White Army, which is composed of armed fighters belonging to the ethnic Nuer group, reportedly attacked a camp for internally displaced persons (IDPs) in Upper Nile State, killing 3,000.

POLITICAL RIGHTS: −3 / 40

A. ELECTORAL PROCESS: 0 / 12

A1. Was the current head of government or other chief national authority elected through free and fair elections? 0 / 4

Salva Kiir Mayardit was elected president of the semiautonomous region of Southern Sudan in 2010 and remained president when it became independent. A revised version of Southern Sudan's 2005 interim constitution, adopted at independence, gives sweeping powers to the chief executive. The president cannot be impeached but can dismiss state governors and dissolve the legislature and state assemblies. A permanent constitution has not been published. Elections due in 2015 were postponed due to the civil war, and Kiir's mandate has been extended on several occasions.

In 2020, parties to the 2018 Revitalized Agreement on the Resolution of the Conflict in South Sudan (R-ARCSS) implemented its power-sharing arrangements, with Kiir serving as president of the transitional government and Machar as first vice president. Incumbent vice presidents, including Machar, received three-year terms in 2020. That March, ministerial posts were allocated to the previous government, the SPLM/A-IO, the Sudan People's Liberation Movement–Former Detainees (SPLM-FD), the South Sudan Opposition Alliance (SSOA), and the Other Political Parties (OPP) coalition.

In August 2022, the parties extended the transitional period by 24 months, envisioning a February 2025 conclusion. Kiir, Machar, and other incumbents would remain in post until after elections planned for December 2024.

A2. Were the current national legislative representatives elected through free and fair elections? 0 / 4

The last election for the bicameral National Legislature was held in 2010. Its original mandate expired in 2015; polls have been regularly rescheduled or delayed since, most recently to December 2024.

President Kiir dissolved and reconstituted the National Legislature in May 2021. The lower house, the Transitional National Legislative Assembly (TNLA), was expanded to hold 550 seats. Some 332 people were nominated by the Kiir administration along with 128 from the SPLM/A-IO, 50 from the SSOA, 30 from the OPP, and 10 from the SPLM-FD. The upper house, the Council of States, was also reconstituted, expanding from 50 seats to 100.

A3. Are the electoral laws and framework fair, and are they implemented impartially by the relevant election management bodies? 0 / 4

The R-ARCSS called for a new, impartial National Elections Commission to be established by the end of the first year of the transition. The 2012 Electoral Act was updated in 2019 to bring it in line with international standards.

The government has otherwise made little progress constructing an electoral framework. Neither a census nor a constitution, which are required to facilitate polling, have been finalized. In May 2022, legislators enacted a bill amending the 2012 Political Parties Act (PPA). In October, the parliament passed a bill meant to guide the development of a constitution.

B. POLITICAL PLURALISM AND PARTICIPATION: 1 / 16

B1. Do the people have the right to organize in different political parties or other competitive political groupings of their choice, and is the system free of undue obstacles to the rise and fall of these competing parties or groupings? 1 / 4

The SPLM dominates the political landscape. Most competition takes place within the movement, which splintered at the outbreak of the civil war. Kiir's hostility toward dissent within the SPLM contributed to the conflict.

Non-SPLM parties have legislative representation under the R-ARCSS but have neither the resources to operate effectively nor the experience to formulate policy and set party platforms. Under the amended PPA, parties must have at least 500 members in two-thirds of the states and administrative areas.

B2. Is there a realistic opportunity for the opposition to increase its support or gain power through elections? 0 / 4

If fully implemented, the R-ARCSS would eventually provide an opportunity for opposition groups to contest long-overdue elections. However, the 2010 elections featured violence and intimidation against opposition parties and SPLM members whose loyalty to Kiir was in doubt.

B3. Are the people's political choices free from domination by forces that are external to the political sphere, or by political forces that employ extrapolitical means? 0/4

The South Sudan People's Defence Forces (SSPDF) and the autonomous National Security Service (NSS) exercise significant political influence. The activities of other armed groups tied to partisan and ethnic factions have created an inhospitable climate for political participation by civilians.

B4. Do various segments of the population (including ethnic, racial, religious, gender, LGBT+, and other relevant groups) have full political rights and electoral opportunities? 0 / 4

Women are underrepresented in South Sudanese politics. Women held only 32.4 percent of the TNLA seats and 32.1 percent of the Council of States after the National Legislature was reconstituted in 2021.

C. FUNCTIONING OF GOVERNMENT: 0 / 12

C1. Do the freely elected head of government and national legislative representatives determine the policies of the government? 0 / 4

The government and legislature, which lack electoral legitimacy, are unable to exercise control over the country's territory.

A clique of Dinka leaders and close allies surround Kiir and exert undue influence on decision-making.

The Sudanese and Ugandan governments helped broker the 2018 peace deal but supported opposing sides during the civil war and have remained involved in South Sudanese affairs.

C2. Are safeguards against official corruption strong and effective? 0 / 4

State resources, including oil revenues, are concentrated among elites associated with the president. Military commanders have gained enormous wealth through corrupt procurement deals. Kiir has facilitated corruption by appointing officials who were previously accused of embezzlement.

C3. Does the government operate with openness and transparency? 0 / 4

Under the interim constitution, citizens have the right to access public information and records held by state entities. In practice, the government is hostile to scrutiny and lacks functional capacity. This is notably true for oil revenue, which accounts for a majority of the government's receipts. A 2020 UN report stated that natural resources were illicitly extracted due to nontransparent management.

ADDITIONAL DISCRETIONARY POLITICAL RIGHTS QUESTION

Add Q. Is the government or occupying power deliberately changing the ethnic composition of a country or territory so as to destroy a culture or tip the political balance in favor of another group? −4 / 0

Both sides in the civil war have committed atrocities against civilians from rival ethnic groups, but government-aligned forces have been responsible for the worst attacks. The United Nations and the African Union (AU) have documented numerous incidents of murder, torture, rape, looting, ethnic displacement, and forced starvation. The AU and United Nations have both accused Kiir's leadership of planning and coordinating such attacks. UN observers have noted the use of hate speech by senior officials including Kiir.

CIVIL LIBERTIES: 4 / 60

D. FREEDOM OF EXPRESSION AND BELIEF: 2 / 16

D1. Are there free and independent media? 0 / 4

The transitional constitution guarantees freedom of the press, but this right is not respected in practice. The government censors, harasses, and arrests journalists, especially those who criticize it or report on corruption or sanctions. According to the Committee to Protect Journalists (CPJ), at least six journalists have been killed in the course of their work since 2015.

In May 2022, local authorities suspended Radio Jonglei, saying that it was "undermining the state leadership." The station reopened later that month. In August, Diing Magot, a Voice of America–affiliated journalist who was covering a protest in Juba, was detained along with several protesters. Magot was later bailed.

D2. Are individuals free to practice and express their religious faith or nonbelief in public and private? 1 / 4

The interim constitution guarantees religious freedom, but houses of worship used as places of refuge for civilians have been attacked by gunmen seeking members of rival ethnic groups. In 2021, police arrested Prophet Abraham Chol Maketh of the Kush International Church for saying that Kiir and Machar would be deposed. In December 2022, Chol received a 31-month prison term.

D3. Is there academic freedom, and is the educational system free from extensive political indoctrination? 1 / 4

The education system was seriously disrupted by the civil war, with many schools closed or commandeered for military use. Some schools have reopened in recent years, but some teachers have not returned due to poor pay or delays in receiving pay. Planned campus activities require NSS permission; the NSS is known to send undercover agents to universities, prompting self-censorship at institutions.

D4. Are individuals free to express their personal views on political or other sensitive topics without fear of surveillance or retribution? 0 / 4

The NSS has extensive, unchecked powers to conduct surveillance, monitor communications, and infiltrate nongovernmental organizations (NGOs). According to the United Nations, agents have intimidated, detained, and murdered journalists, opposition activists, civil society representatives, and members of faith-based organizations, forcing many to flee the country.

In September 2022, the Justice Ministry created a special prosecutor's office and court to address cybercrime. The prosecutor will help enforce a 2021 provisional order on cybercrime, which contains vague definitions for "computer misuse" and "offensive communication" according to Human Rights Watch (HRW).

E. ASSOCIATIONAL AND ORGANIZATIONAL RIGHTS: 2 / 12

E1. Is there freedom of assembly? 1 / 4

The government restricts freedom of assembly, despite commitments made in the interim constitution. In practice, organizers must seek NSS permission to hold public meetings. Authorities responded harshly to an August 2022 cost-of-living protest in Juba. Six protesters were detained and one of them was injured.

E2. Is there freedom for nongovernmental organizations, particularly those that are engaged in human rights– and governance-related work? 0 / 4

The government is hostile toward NGOs. A 2016 law requires NGOs to get written permission from the authorities to conduct activities and hold a bank account in South Sudan, and at least 80 percent of staff must be South Sudanese. Aid organizations have been criticized for hiring too few local residents.

E3. Is there freedom for trade unions and similar professional or labor organizations? 1 / 4

A 2018 labor law, which enshrines trade-union participation, collective bargaining, and the right to strike in certain conditions has not been effectively implemented. Legal protections for workers are poorly enforced in practice. The country's limited union activity has historically been concentrated in the public sector.

F. RULE OF LAW: 0 / 16

F1. Is there an independent judiciary? 0 / 4

South Sudan's judiciary is not independent in practice. There is a severe shortage of judges, partly due to poor pay and working conditions.

F2. Does due process prevail in civil and criminal matters? 0 / 4

Authorities arbitrarily arrest individuals suspected of affiliating with armed organizations that oppose the peace deal.

The NSS Law gives that agency almost unlimited powers to detain and interrogate suspects. It is known to hold detainees extrajudicially, arbitrarily, and incommunicado. A bill that would limit some of its powers exists, though the president's office referred it to the Justice Ministry in August 2022.

F3. Is there protection from the illegitimate use of physical force and freedom from war and insurgencies? 0 / 4

South Sudanese have faced continued insecurity since the end of the civil war, in which nearly 400,000 people died. Intercommunal violence is common.

There is near-total impunity for perpetrators of wartime violence and sexual abuse. Little progress has been made establishing an AU-led hybrid court to address such offenses, as mandated in the 2015 and 2018 peace agreements.

Armed groups that are not party to the transitional agreement remain active in South Sudan. The first trainees of a unified military force graduated in August 2022, but that force is reportedly weak compared to other security services.

Infighting within the SPLM/A-IO contributed to insecurity during the year, with the leaders of two factions entering a power struggle. In July 2022, the factions' supporters reportedly clashed in Upper Nile State, leading to 18 deaths.

In July 2022, the Mayom county commissioner was killed along with several relatives. The government blamed the South Sudan People's Movement/Army (SSPM/A), an armed group, for the killings. SSPM/A forces were also blamed for killing government troops in an ambush in Mayom that month. SSPDF forces executed four people associated with the SSPM/A in early August.

The White Army, which backs an SPLM/A-IO faction led by Simon Gatwech Dual—who had once served as Machar's military chief of staff—was also active in 2022, attacking civilians and causing displacement. In November, White Army fighters reportedly attacked an IDP camp in Upper Nile State, killing 3,000 civilians.

F4. Do laws, policies, and practices guarantee equal treatment of various segments of the population? 0 / 4

International monitors have documented repeated, deliberate attacks by government forces against members of non-Dinka ethnic groups, most of them civilians. The perpetrators have not been brought to justice.

While the interim constitution includes gender-equality guarantees, women are routinely exposed to discriminatory customary practices and gender-based violence.

While same-sex sexual conduct is not explicitly illegal in South Sudan, "carnal intercourse against the order of nature" is punishable by up to 10 years' imprisonment. LGBT+ people face widespread discrimination and social stigma, including harassment and abuse by security forces.

G. PERSONAL AUTONOMY AND INDIVIDUAL RIGHTS: 0 / 16

G1. Do individuals enjoy freedom of movement, including the ability to change their place of residence, employment, or education? 0 / 4

The interim constitution enshrines free movement and residence, as well as the right to an education. The civil war, multiple local conflicts, and poor-to-nonexistent service delivery have made it impossible for many people to exercise these rights in practice. The Office of the UN High Commissioner for Refugees said 2 million IDPs were receiving its support in South Sudan as of March 2022.

G2. Are individuals able to exercise the right to own property and establish private businesses without undue interference from state or nonstate actors? 0 / 4

Land-use and ownership disputes frequently cause conflict, and the return of refugees has exacerbated the problem. Property rights are weak and not respected in practice. Customary practices often deny women their legal rights to property and inheritance.

Armed groups and influential politicians prosper through corrupt business deals and activities, including through illicit natural-resource extraction.

G3. Do individuals enjoy personal social freedoms, including choice of marriage partner and size of family, protection from domestic violence, and control over appearance? 0 / 4

Domestic violence is common but is not legally addressed. Rape and other forms of sexual violence have been used extensively as weapons of war against both men and women, without legal consequence for perpetrators. A UN panel of experts' November 2022 report on the country warned that conflict-related sexual violence remained widespread.

Customary law puts women at a disadvantage in matters of divorce and child custody. Forced and early marriages are common, with about half of girls marrying by age 18. Spousal rape is not a crime.

G4. Do individuals enjoy equality of opportunity and freedom from economic exploitation? 0 / 4

Essential goods are unaffordable for ordinary people due to rampant inflation.

Trafficking in persons for forced labor and sexual exploitation is widespread. Rural women and girls, IDPs, and migrants from neighboring countries are among the most vulnerable to mistreatment. The use of child soldiers is also a serious problem. Girls have increasingly been forced to provide labor, including sex work.

Spain

Population: 47,400,000
Capital: Madrid
Freedom Status: Free
Electoral Democracy: Yes

Overview: Spain's parliamentary system features competitive multiparty elections and peaceful transfers of power between rival parties. The rule of law prevails, and civil liberties are generally respected. Although political corruption remains a concern, high-ranking politicians and other powerful figures have been successfully prosecuted. Restrictive legislation adopted or enforced in recent years poses a threat to otherwise robust freedoms of expression and assembly. A persistent separatist movement in Catalonia represents the leading challenge to the country's constitutional system and territorial integrity.

KEY DEVELOPMENTS IN 2022

- Regional elections took place in Castilla y León and Andalucía in February and June, respectively. The regional leader of the conservative Popular Party (PP) was elected president of Castilla y León with the support of the far-right nationalist party Vox, marking the latter's first inclusion in a regional government. The PP won an outright majority in Andalucía, its first such victory there since the transition to democracy.
- In December, the parliament adopted a revised penal code that eliminated the crime of sedition and reduced sentences for misuse of public funds. The changes were expected to benefit Catalan separatist leaders who had been convicted of those offenses, though they also raised concerns about a potential impact on anticorruption efforts.
- A political impasse over judicial appointments escalated in December, when the Constitutional Court blocked the center-left government's attempts to streamline

the appointment process through legislative action. The court, previously led by conservatives, ultimately cleared the way for appointments that gave it a progressive majority, but an older logjam preventing the renewal of the judiciary's governing council remained unresolved.

- One a single day in June, nearly 2,000 people tried to cross irregularly from Morocco into the Spanish exclave of Melilla by scaling a lofty border fence. At least 23 migrants died and dozens more were injured as Moroccan and Spanish security personnel used force to block the mass crossing.

POLITICAL RIGHTS: 37 / 40

A. ELECTORAL PROCESS: 12 / 12

A1. Was the current head of government or other chief national authority elected through free and fair elections? 4 / 4

Following legislative elections, the monarch selects a candidate for prime minister, generally the leader of the party or coalition with a majority in the lower house. The parliament then votes on the selected candidate.

Prime Minster Pedro Sánchez of the Spanish Socialist Workers' Party (PSOE) formed a new government in early 2020. Although his party fell short of a majority in the 2019 elections, Sánchez reached a coalition deal with the left-wing party Unidas Podemos and secured the abstentions of Basque and Catalan nationalist lawmakers.

A2. Were the current national legislative representatives elected through free and fair elections? 4 / 4

The lower house of Spain's bicameral parliament, the Congress of Deputies, is composed of 350 members elected in multimember constituencies for each of Spain's provinces, with the exception of the North African exclaves of Ceuta and Melilla, each of which has one single-member constituency. The Senate has 266 members, 208 of whom are elected directly, and 58 of whom are chosen by regional legislatures. Members of both chambers serve four-year terms.

Spain's legislative elections are generally considered free and fair. In the November 2019 balloting, the PSOE secured 120 seats, followed by the PP with 88, Vox with 52, Unidas Podemos with 35, and the center-right Ciudadanos with 10. Among several other parties, the Basque Nationalist Party (PNV) and the Republican Left of Catalonia–Sovereigntists (ERC-Sobiranistes) won 7 and 13 seats, respectively. In the Senate, the PSOE took 92 seats and the PP won 84.

In 2022, the regions of Castilla y León and Andalucía held elections for their autonomous legislatures in February and June, respectively. The PP secured a governing majority in Castilla y León with the support of Vox, marking the first time that the far-right nationalist party entered a regional government. In Andalucía, traditionally a left-wing stronghold, the PP won an absolute majority for the first time since Spain's transition to democracy.

A3. Are the electoral laws and framework fair, and are they implemented impartially by the relevant election management bodies? 4 / 4

Spain's constitution and electoral laws provide the legal framework for democratic elections, and they are generally implemented fairly.

The initiation and conduct of a 2017 independence referendum in Catalonia featured a number of fundamental flaws. The exercise was prohibited by the courts on constitutional grounds, and the actions of both regional authorities and the PP-led central government at the time contributed to a chaotic environment that did not allow for fair and transparent

balloting. Regional elections held later that year largely restored normal electoral and constitutional conditions in Catalonia, even if the underlying dispute remained unresolved.

B. POLITICAL PLURALISM AND PARTICIPATION: 16 / 16

B1. Do the people have the right to organize in different political parties or other competitive political groupings of their choice, and is the system free of undue obstacles to the rise and fall of these competing parties or groupings? 4 / 4

Citizens are free to organize political parties, which are able to function without interference in practice. While the PP and the PSOE once dominated the political system, corruption scandals, persistent economic woes, and the dispute over Catalonia have aided the rise of new alternatives in recent years, including Unidas Podemos on the left and Ciudadanos and Vox on the right.

B2. Is there a realistic opportunity for the opposition to increase its support or gain power through elections? 4 / 4

There have been multiple democratic transfers of power between rival parties since Spain returned to democracy in the late 1970s. By forming a ruling coalition with the PSOE in 2020, Unidas Podemos became the first party other than the PSOE and the PP to enter national government during the democratic era.

B3. Are the people's political choices free from domination by forces that are external to the political sphere, or by political forces that employ extrapolitical means? 4 / 4

Voting and political affairs in general are largely free from undue interference by unelected or external forces. However, disinformation and other such manipulation in elections is a growing concern. In 2021, the social media platform Twitter temporarily suspended Vox's account for inciting hatred against immigrants, and the Supreme Court upheld the move in a March 2022 ruling. Separately during the year, law enforcement authorities continued to investigate an alleged campaign by the former PP government to obtain and disseminate compromising information about Catalan separatist leaders and other political opponents. At the same time, officials were investigating possible ties between the Catalan independence movement and the Russian government.

It was reported in April that Spain's intelligence services had used the commercial spyware system Pegasus to surveil Catalan politicians and other targets between 2015 and 2020. Although the spyware was apparently used in accordance with the law, a European Parliament committee found that the monitoring affected people who were not part of an official investigation or criminal proceeding, and that a lack of information from the Spanish authorities left it unclear whether the targets posed a genuine threat to national security. The director of Spain's National Intelligence Center (CNI) was dismissed in May as a result of the scandal.

B4. Do various segments of the population (including ethnic, racial, religious, gender, LGBT+, and other relevant groups) have full political rights and electoral opportunities? 4 / 4

Women and minority groups enjoy full political rights. Women are free to advocate for their political interests, and they are relatively well represented in practice, holding 43 and 38 percent of the seats in the Chamber of Deputies and the Senate, respectively.

Spain's system of regional autonomy grants significant powers of self-governance to the country's traditional national minorities, including Catalans and Basques.

Nine Catalan officials were sentenced to prison on sedition charges in 2019 for their roles in the illegal 2017 independence referendum. They were released in 2021 under a

conditional pardon, which can be revoked if they commit any other crime within a certain period of time, and they remain banned from holding public office. In August 2022, the UN Human Rights Committee found that Spain had violated several Catalan leaders' political rights in the wake of the referendum by suspending them from public duties prior to conviction. The offense of sedition was eliminated from the penal code as part of a revision adopted by the parliament in December.

C. FUNCTIONING OF GOVERNMENT: 9 / 12

C1. Do the freely elected head of government and national legislative representatives determine the policies of the government? 3 / 4

Elected officials are generally free to make and implement laws and policies without undue interference. However, the political system has failed to produce a stable governing majority in the parliament since 2015, resulting in frequent and inconclusive elections, a sharp decline in the passage of legislation, and an increased use of mechanisms like executive decrees to advance the government's agenda without the approval of lawmakers.

C2. Are safeguards against official corruption strong and effective? 3 / 4

Concerns about official corruption often center on party financing. Most party expenses are funded by the state, but political parties can access commercial bank loans. Over the past decade, lawmakers have imposed some restrictions on such private sources of funding, prohibited banks from forgiving party debt, strengthened rules on asset disclosure and conflicts of interest for high-ranking officials, and enacted more severe penalties for corruption-related crimes. Nevertheless, the Council of Europe's Group of States against Corruption (GRECO) has called for additional efforts. The penal code revisions that were adopted in December 2022 included reduced sentences for misuse of public funds, raising concerns that it could harm anticorruption efforts.

Although the courts have a solid record of investigating and prosecuting corruption cases, the system is often overburdened, and cases move slowly. Among other high-profile proceedings during 2022, the Supreme Court in July ratified the sentences of several former PSOE officials from Andalucía's regional government who had overseen a fraudulent system for distributing social and labor benefits, with one defendant, a former regional president, receiving six years in prison.

In March, prosecutors dropped a series of investigations into possible tax evasion and money laundering by former king Juan Carlos I, citing a lack of evidence as well as legal obstacles including the statute of limitations.

C3. Does the government operate with openness and transparency? 3 / 4

Legal safeguards to ensure government transparency include asset-disclosure rules for public officials and laws governing conflicts of interest. The Transparency Act, which took effect in 2014, is meant to facilitate public access to government records, though freedom of information activists have reported onerous procedures and called for improvements to the law, as well as mechanisms to access more judicial and parliamentary documents.

GRECO has noted that the Council of Transparency and Good Governance (CTBG), the body tasked with monitoring compliance with transparency obligations, lacks adequate training and financial and human resources. Moreover, civil society organizations continue to report that the Sánchez government frequently resists complying with requests or orders to disclose information in practice.

In March 2022, the Supreme Court suspended the appointment of new leaders for the Spanish Agency for Data Protection (AEPD), which had been led by an interim director

since the incumbent's mandate expired in 2019. The court found that a political agreement on the appointments between the PSOE and PP had violated legal requirements for an open selection process, and that the effort would have to start again from the beginning.

CIVIL LIBERTIES: 53 / 60

D. FREEDOM OF EXPRESSION AND BELIEF: 14 / 16

D1. Are there free and independent media? 3 / 4

Spain has a free press that covers a wide range of perspectives and actively investigates high-level corruption. However, consolidation of private ownership poses a threat to media independence, and ownership in the print and online media sectors is less transparent than in broadcast media. In recent years, the media have become more polarized and increasingly replace factual reporting with opinion and commentary, a trend that fuels public mistrust of journalists.

In 2021, after a years-long process, a new board of directors was elected to govern the public broadcaster, the Spanish Radio and Television Corporation (RTVE). The changes were intended to strengthen RTVE's independence, but several information rights organizations argued that most of the board members were chosen based on political agreements between the government and opposition rather than on merit. In September 2022, the president of RTVE resigned after his performance faced criticism from both staff and the board.

Media outlets have encountered a proliferation of lawsuits intended to obstruct their coverage of private-sector wrongdoing, and journalists are sometimes subject to harassment and physical assaults in the course of their work, especially during protests. The level of violence against journalists has fallen considerably in comparison with previous years, but continued harassment of journalists by far-right elements on social media has been widely reported.

A controversial public safety law that took effect in 2015, nicknamed the "gag law" by its critics, established large fines for offenses including spreading images that could endanger police officers or protected facilities. Journalists have faced penalties for alleged violations of the law while reporting on police actions.

D2. Are individuals free to practice and express their religious faith or nonbelief in public and private? 4 / 4

Religious freedom is guaranteed in the constitution and respected in practice. As the country's dominant religion, Roman Catholicism enjoys benefits not afforded to others, such as financing through the tax system. However, the religious organizations of Jews, Muslims, and Protestants also have certain privileges through agreements with the state, including tax exemptions and permission to station chaplains in hospitals and other institutions. Other groups that choose to register can obtain a legal identity and the right to own or rent property. The penal code contains a provision to punish blasphemy, but prosecutions are rare in practice.

D3. Is there academic freedom, and is the educational system free from extensive political indoctrination? 4 / 4

The government does not restrict academic freedom in law or in practice.

D4. Are individuals free to express their personal views on political or other sensitive topics without fear of surveillance or retribution? 3 / 4

Private discussion remains open and vibrant, but more aggressive enforcement of laws banning the glorification of terrorism has begun to threaten free speech, with dozens of

people—including social media users and several performers—found guilty in recent years for what often amounts to satire, artistic expression, or political commentary. In 2017, the Supreme Court ruled that a person could violate the law even if there was no intention to "glorify" a terrorist group or "humiliate" its victims. Individuals have also been prosecuted for insulting the monarchy, the flag, and other state institutions.

E. ASSOCIATIONAL AND ORGANIZATIONAL RIGHTS: 11 / 12

E1. Is there freedom of assembly? 3 / 4

The constitution provides for freedom of assembly, and the authorities typically respect this right. However, the public safety act that took effect in 2015 imposed a number of restrictions, including fines of up to €600,000 ($630,000) for participating in unauthorized protests near key buildings or infrastructure. Participants in protests on a variety of local concerns have been ordered to pay smaller but still substantial fines under the law in practice.

In recent years, several protesters have been prosecuted for participating in demonstrations that resulted in clashes with police, facing up to seven years in prison for allegedly attacking the authorities or causing public disturbances. At the same time, human rights organizations have reported an escalation in police violence during demonstrations.

Despite these concerns, a number of protests took place across Spain in 2022, including demonstrations by human rights activists, Catalan separatist groups, workers' rights organizations, and advocates for social benefits and the public health system.

E2. Is there freedom for nongovernmental organizations, particularly those that are engaged in human rights– and governance-related work? 4 / 4

Domestic and international nongovernmental organizations operate without significant government restrictions.

E3. Is there freedom for trade unions and similar professional or labor organizations? 4 / 4

With the exception of members of the military and national police, workers are free to organize in unions of their choice, engage in collective bargaining, and mount legal strikes.

F. RULE OF LAW: 13 / 16

F1. Is there an independent judiciary? 3 / 4

The constitution provides for an independent judiciary, and the courts operate autonomously in practice. However, the Council of Europe has criticized the fact that under current law, the 12 judges who sit on the 20-member General Council of the Judiciary (CGPJ)—which oversees the courts and is responsible for appointing, transferring, and promoting judges—are not directly elected by their peers, but appointed through a three-fifths vote in the parliament, as with the other eight members who are not judges. This arrangement has exposed the body to political disruptions.

The CGPJ's membership was due to be renewed in late 2018, but the opposition PP denied the governing parties the necessary supermajority; the incumbent council has continued to operate on an interim basis, raising concerns about the legitimacy of its judicial appointments and other decisions. In 2022, the conservative wing of the council blocked the appointment of four new judges to replace members of the 12-seat Constitutional Court whose terms expired in June; the appointments would give the court a progressive majority. In December, when the government attempted to break the deadlock with legislation that reduced the majorities and approvals needed for judicial appointments, the Constitutional Court itself—including its outgoing members—ordered a halt to the legislative process. The unprecedented constitutional crisis ended days later, when the Constitutional Court

and CGPJ agreed to move forward with the four pending appointments. However, the older impasse over renewal of the CGPJ remained unresolved.

The ECHR, ruling in June 2022 on a case that dated to 2014, found that Spain had violated the privacy rights of several Catalan judges after it was proven that the police had kept files on them based on their expressed views about the legality of a possible independence referendum. The materials included photographs and personal details, and some of the information had been leaked to the press.

F2. Does due process prevail in civil and criminal matters? 3 / 4

The authorities generally observe legal safeguards against arbitrary arrest and detention, though judges can authorize special restrictions on communication and delayed arraignment for detainees held in connection with acts of terrorism. Defendants typically enjoy full due process rights during trial. However, high-profile cases related to Basque and Catalan nationalism in recent years have featured flaws—including disproportionate charges and penalties as well as unjustified pretrial detention—that drew criticism from international organizations.

F3. Is there protection from the illegitimate use of physical force and freedom from war and insurgencies? 4 / 4

The population faces no major threats to physical security. The potential for terrorist attacks by radical Islamist groups remains a concern, though Basque Fatherland and Freedom (ETA), a separatist group that carried out terrorist attacks for decades, formally dissolved in 2018.

Prison conditions generally meet international standards, but reception centers for irregular migrants suffer from overcrowding and other problems.

F4. Do laws, policies, and practices guarantee equal treatment of various segments of the population? 3 / 4

Women, members of racial minority groups, and LGBT+ people enjoy legal protections against discrimination and other mistreatment, though a degree of societal bias persists. A year after the July 2021 murder of a young man by a group of people who were allegedly shouting homophobic slurs, two suspects had pleaded guilty and five others were awaiting trial. Members of some minority populations—including Roma—remain economically marginalized and are allegedly subject to police profiling.

Spain is a major point of entry to Europe for irregular migrants and refugees, with most making the crossing by sea; in 2022, nearly 30,000 people arrived in the country in this way. International human rights groups have criticized the response by Spanish authorities, stating that migrants and asylum seekers are often housed in poor conditions, including improvised camps that allegedly violate human rights standards.

Separately, thousands of migrants and refugees regularly congregate at the land border between Morocco and the Spanish exclaves of Ceuta and Melilla. In 2020, the grand chamber of the ECHR upheld the legality of a controversial practice in which Spanish authorities summarily return people who cross the exclaves' borders unlawfully, for example by scaling high fences. On June 24, 2022, nearly 2,000 people tried to cross irregularly into Spanish territory through Melilla. At least 23 migrants died and dozens more were injured in the attempt. Spanish authorities denied that any deaths—which were largely attributed to falls or the press of the crowd—occurred on Spanish soil, but investigations by media and human rights organizations detailed beatings by Moroccan police and pushbacks by security forces on the Spanish side.

G. PERSONAL AUTONOMY AND INDIVIDUAL RIGHTS: 15 / 16

G1. Do individuals enjoy freedom of movement, including the ability to change their place of residence, employment, or education? 4 / 4

There are few significant restrictions on individuals' freedom to travel within the country or abroad, or to change their place of residence, employment, or education. However, the authorities have been criticized for failing to grant documented asylum seekers free movement within Spanish territory, despite multiple court rulings on the matter.

G2. Are individuals able to exercise the right to own property and establish private businesses without undue interference from state or nonstate actors? 4 / 4

The legal framework supports property rights, and there are no major restrictions on private business activity.

G3. Do individuals enjoy personal social freedoms, including choice of marriage partner and size of family, protection from domestic violence, and control over appearance? 4 / 4

Personal social freedoms are generally respected. Same-sex marriage has been legal in Spain since 2005, and same-sex couples may adopt children. In December 2022, the Congress of Deputies passed a bill allowing people aged 16 or older to change the gender on their official documents without a medical diagnosis or proof of hormone treatment. The bill, which had yet to win Senate approval at year's end, would also ban so-called conversion therapies.

There are legal protections against domestic abuse and rape, including spousal rape; while both remain problems in practice, the government and civil society groups work actively to combat them. A law that took effect in October 2022 defined rape as nonconsensual sex, eliminating the need to show that the crime featured physical violence or intimidation, but critics denounced an unintentional loophole that allowed people convicted under the old law to apply for reduced sentences. Abortion is legal but can be difficult to access in practice: in five of Spain's 17 autonomous regions, no public hospital offers the procedure.

G4. Do individuals enjoy equality of opportunity and freedom from economic exploitation? 3 / 4

Residents generally have access to economic opportunity and protection from exploitative working conditions. Despite strong antitrafficking efforts by law enforcement agencies, however, migrant workers remain vulnerable to debt bondage, forced labor, and sexual exploitation.

The government continued to increase the country's minimum wage in 2022, aiming to raise the figure to 60 percent of the average salary in Spain by the end of 2023 as part of an effort to reduce the level of income inequality in the country, which is among the worst in the European Union.

Sri Lanka

Population: 22,400,000
Capital: Colombo
Freedom Status: Partly Free
Electoral Democracy: Yes

Overview: Sri Lanka experienced improvements in political rights and civil liberties after the 2015 election of President Maithripala Sirisena. However, the Sirisena administration

was slow to address the aftermath of a 26-year civil war between government forces and ethnic Tamil rebels, who were defeated in 2009. Gotabaya Rajapaksa's election as president in 2019 and the Sri Lanka Podujana Peramuna's (SLPP) victory in the 2020 parliamentary polls emboldened the Rajapaksa family. While Gotabaya and Mahinda Rajapaksa resigned from their posts in the face of the *Aragalaya* ("Struggle") protests—prompted by economic troubles, government mismanagement, and corruption—in 2022, the family appears to maintain significant control through the SLPP.

KEY DEVELOPMENTS IN 2022

- Prime Minister Mahinda Rajapaksa resigned on May 9, the same day SLPP supporters attacked protesters in Colombo. Ranil Wickremesinghe was named prime minister several days later.
- Protesters forced their way into the presidential mansion on July 9, forcing Gotabaya Rajapaksa to flee. The president left Sri Lanka on July 13 and resigned from abroad on July 14. Wickremesinghe, who was named president on July 20, presided over a crackdown against the Aragalaya.
- In September, the International Monetary Fund reached a preliminary agreement to provide a $2.9 billion loan to Sri Lanka, which is facing a foreign currency shortage and high inflation. Subsequent talks were delayed, however, and a final agreement was not reached by year's end.

POLITICAL RIGHTS: 23 / 40

A. ELECTORAL PROCESS: 9 / 12

A1. Was the current head of government or other chief national authority elected through free and fair elections? 3 / 4

The president is directly elected for up to two five-year terms. Under the 19th Amendment, the president also has the power to select the cabinet. The prime minister and cabinet must maintain the confidence of Parliament.

Gotabaya Rajapaksa won the November 2019 presidential election but resigned in July 2022 in the face of widespread antigovernment protests. Ranil Wickremesinghe was named interim president by Parliament that month and will serve the remainder of Rajapaksa's term. Janatha Vimukthi Peramuna leader Anura Kumara Dissanayake noted allegations that lawmakers were bribed to support Wickremesinghe.

Mahinda Rajapaksa, Gotabaya's brother, was prime minister until he resigned in May 2022, also in the face of antigovernment protests. Wickremesinghe succeeded Mahinda Rajapaksa as prime minister before becoming president in July. Dinesh Gunawardena of the SLPP then succeeded Wickremesinghe as prime minister.

A2. Were the current national legislative representatives elected through free and fair elections? 3 / 4

The 225-member unicameral Parliament is elected for five-year terms, with 196 members elected through an open list system at the district level, and 29 members appointed via a national list.

In the 2020 elections, the SLPP-led coalition won 145 seats, and secured a supermajority with partners outside that coalition. Samagi Jana Balawegaya (SJB) won 54 seats. The United National Party, from which the SJB had split, acquired 1 national-list seat. Sri Lanka's other major party, the Sri Lanka Freedom Party (SLFP), also secured 1 seat, although most of its candidates sought office under the SLPP's banner. While the polls were mainly

free and fair and saw lower levels of violence compared to previous elections, women, Muslims, and Tamil voters faced intimidation.

Provincial council elections were repeatedly postponed due to disputes over the delimitation of voting districts. The last rounds were held in 2012–14, meaning the councils' five-year terms expired in 2017–19. Prominent nationalists, including leading members of the Buddhist clergy, want the councils abolished, citing issues including council spending. In December 2022, opposition lawmakers called on the Election Commission (EC) to organize local polls when they petitioned the Supreme Court.

A3. Are the electoral laws and framework fair, and are they implemented impartially by the relevant election management bodies? 3 / 4

The EC, which administers and oversees all elections in the country, has built a reputation for independence.

In October 2022, the 21st Amendment of the constitution took effect; it repealed some of the 20th Amendment, which had vested considerable power in the presidency. The new amendment also reestablished a Constitutional Council, which will name nominees for the EC and other government bodies. Sri Lankans with dual citizenship can no longer hold a seat in Parliament.

B. POLITICAL PLURALISM AND PARTICIPATION: 10 / 16

B1. Do the people have the right to organize in different political parties or other competitive political groupings of their choice, and is the system free of undue obstacles to the rise and fall of these competing parties or groupings? 3 / 4

A range of political parties operate freely and participate in elections. However, political debates between parties sometimes involve an element of violence and intimidation.

B2. Is there a realistic opportunity for the opposition to increase its support or gain power through elections? 3 / 4

Opposition groupings are generally free to carry out peaceful political activities and can win power through elections. The SLPP, then in opposition, won control of 231 out of 340 local councils in the 2018 elections and took the presidency in 2019, leading to a peaceful transfer of executive power. The SLPP-led coalition also won the 2020 parliamentary elections by a wide margin.

B3. Are the people's political choices free from domination by forces that are external to the political sphere, or by political forces that employ extrapolitical means? 2 / 4

Vote buying and political bribery persist as issues that distort the free choices of voters.

The military has backed the Rajapaksas in recent years, with active and former military officials openly supporting Gotabaya Rajapaksa's presidential candidacy in 2019. Since then, the government has undergone increasing militarization, which President Wickremesinghe appears disinclined to reverse.

B4. Do various segments of the population (including ethnic, racial, religious, gender, LGBT+, and other relevant groups) have full political rights and electoral opportunities? 2 / 4

Several parties explicitly represent the interests of ethnic and religious minority groups. Systemic discrimination, including via language laws and naturalization procedures, negatively affects Tamils' political participation. Since 2020, the government has prevented the national anthem from being sung in Tamil at the official Independence Day celebration,

though the previous government had reintroduced the practice. Muslim voters have also faced intimidation, limiting their ability to participate in the political process.

While a 25 percent local-level gender quota exists, women are severely underrepresented in national politics, holding only 5.3 percent of seats in Parliament. The cabinet announced by Gotabaya Rajapaksa in May 2022 included only four women and no one outside the country's ethnic majority. Wickremesinghe decided to retain much of Rajapaksa's cabinet in July.

C. FUNCTIONING OF GOVERNMENT: 5 / 12

C1. Do the freely elected head of government and national legislative representatives determine the policies of the government? 2 / 4

Members of the Rajapaksa family, who have held posts including the presidency and premiership, enjoyed nearly complete decision-making authority before the Aragalaya. The family is still believed to wield significant control via the SLPP.

Legislative scrutiny was impacted by a disagreement over who should be appointed to two parliamentary committees in 2022. President Wickremesinghe was accused of reneging on a promise to appoint opposition lawmakers to chair those committees due to SLPP objections.

In 2021, the SLPP passed a bill creating a Special Economic Zone (SEZ) around Colombo Port City, a large development project largely funded by Chinese companies. Opposition politicians criticized the bill, which would prevent parliamentary oversight of the SEZ and grant a 40-year tax exemption for foreign companies, saying it could jeopardize Sri Lanka's sovereignty.

C2. Are safeguards against official corruption strong and effective? 1 / 4

A culture of impunity regarding official corruption appears to exist in Sri Lanka, in which politicians do not prosecute political opponents on corruption allegations lest they risk scrutiny in the future. Corruption has also impacted the delivery of vital goods; a former chief executive of state-owned Litro Gas noted that corruption was rampant in that sector. Lanka Sathosa, a state-owned retail chain, has also faced corruption allegations in recent years, with the sales of staple goods reportedly being rigged.

In May 2022, Australian and Indian news outlets reported that Namal Rajapaksa, Gotabaya's nephew, was linked to a money laundering scheme along with an Australian company and a Sri Lankan firm owned by a family associate. In June, Housing Minister Prasanna Ranatunga was fined and received a suspended prison term over a bribe demand he made in 2015. Also in 2022, the Colombo High Court indicted lawmaker Johnston Fernando, his secretary, and another official over allegations that Fernando made Lanka Sathosa employees perform election-related work.

In 2020, Gotabaya Rajapaksa established the Presidential Commission of Inquiry to Investigate Allegations of Political Victimization, which opposition leaders and rights groups said helped the Rajapaksa family and their associates evade criminal investigations and prosecution. In an October 2022 report, the UN High Commissioner for Human Rights reported that the inquiry had "actively intervened in police investigations and court proceedings in several high-profile human rights cases."

C3. Does the government operate with openness and transparency? 2 / 4

Individuals have used the 2017 Right to Information Act to access government records, but transparency is lacking in procurement and contracting decisions, including for large

contracts with Chinese and other foreign companies. The auditor general in recent years has also noted major discrepancies in the government's assessments of public debt.

ADDITIONAL DISCRETIONARY POLITICAL RIGHTS QUESTION

Is the government or occupying power deliberately changing the ethnic composition of a country or territory so as to destroy a culture or tip the political balance in favor of another group? −1 / 0

Following the end of the civil war in 2009, the military presence in the Tamil-populated areas of the north and east increased. The election of Gotabaya Rajapaksa as president in 2019 and the creation of the Presidential Task Force for Archeological Heritage Management in the Eastern Province in 2020 led to concerns that the government would employ the military to back claims pertaining to Buddhist heritage, to further change the region's demographics.

In November 2022, President Wickremesinghe offered to meet Tamil representatives to discuss a potential federal state and its implications for the north and east; while the Tamil National Alliance welcomed the offer, some Tamil lawmakers questioned the president's sincerity.

CIVIL LIBERTIES: 31 / 60 (−1)

D. FREEDOM OF EXPRESSION AND BELIEF: 8 / 16

D1. Are there free and independent media? 2 / 4

Freedom of the press is constitutionally guaranteed, though news outlets and civil society were cautious in challenging the government during the Rajapaksas' time in power; media had largely muted coverage of corruption issues, for example.

In May 2022, a former detective who investigated the 2009 killing of journalist Lasantha Wickrematunge testified that Gotabaya Rajapaksa, who was defense minister at the time, may have been involved in Wickrematunge's murder. Rajapaksa denied the allegations.

Media were more critical when reporting on the 2022 antigovernment protests, and journalists faced arrest and physical assault while covering them. In March, police and security forces arrested journalists who covered a protest near Gotabaya Rajapaksa's home. On July 9, paramilitary forces attacked a team of reporters near then prime minister Wickremesinghe's home; the officer who ordered the attack was suspended. Later that month, security forces assaulted journalists who were covering a raid on a Colombo protest site.

D2. Are individuals free to practice and express their religious faith or nonbelief in public and private? 2 / 4

While anti-Muslim riots have taken place in the past, relatively little interreligious conflict was reported in 2022. In March, however, several hundred people entered a Christian church, threatening to kill its pastor if he did not stop services.

The Roman Catholic clergy has criticized the government for perceived faults in the official investigation into the 2019 Easter terrorist bombings, which had targeted three Christian churches.

D3. Is there academic freedom, and is the educational system free from extensive political indoctrination? 2 / 4

Academic freedom is generally respected, but there are occasional reports of politicization at universities and intolerance of dissenting views among both professors and students. Students and faculty feel pressure to avoid discussing sensitive topics, including

alleged war crimes, human rights for marginalized groups, Islamophobia, or extremist activities by Buddhist clergy.

D4. Are individuals free to express their personal views on political or other sensitive topics without fear of surveillance or retribution? 2 / 4

The civil war remains a sensitive topic. Awareness of state officials' harassment of civil society activists working on human rights issues in the north and east has deterred open discussion of such subjects among ordinary citizens. Antigovernment protesters active in 2022 reportedly avoided those issues and discouraged discourse on those subjects.

Sri Lankan authorities targeted internet users who discussed other matters in 2022. In April, an activist who administered a Facebook group called "Go Home Gota" was arrested and detained by police. In July, an internet user was accused of hate speech after criticizing the military in a Facebook post.

E. ASSOCIATIONAL AND ORGANIZATIONAL RIGHTS: 8 / 12 (−1)

E1. Is there freedom of assembly? 2 / 4 (−1)

Although authorities sometimes restrict freedom of assembly, assemblies occur regularly, though demonstrations on sensitive topics like security laws and impunity for forced disappearances may be surveilled by authorities.

The Aragalaya protests, which were prompted by the country's severe economic difficulties, government mismanagement, and corruption, were held for much of 2022. The protests escalated on March 31, when protesters set fire to an army vehicle near Gotabaya Rajapaksa's private residence and authorities responded with force. Rajapaksa declared a state of emergency and imposed a curfew days later.

On May 9, the day Mahinda Rajapaksa resigned as prime minister, SLPP supporters attacked antigovernment demonstrators in Colombo, injuring at least 20 people. Antigovernment protesters also targeted SLPP members, with several lawmakers' homes and vehicles being destroyed. In total, 5 people were reportedly killed from clashes on May 9, while 150 were injured.

On July 9, protesters occupied the presidential mansion, breaking through security barriers and forcing Gotabaya Rajapaksa to flee. Wickremesinghe's home and several other buildings were reportedly destroyed by protesters that day.

The government maintained a crackdown on the Aragalaya after Gotabaya Rajapaksa's resignation. Soldiers dismantled a Colombo protest camp on July 21; over 50 people were reportedly injured during the operation. Authorities also targeted perceived Aragalaya participants, with over 100 people being arrested by early August. Also in August, three student activists were arrested under the Prevention of Terrorism Act (PTA). In September, the government used the Official Secrets Act to briefly restrict assembly rights in parts of Colombo, which were declared "high security zones."

Score Change: The score declined from 3 to 2 because the government used draconian legislation and deployed security forces to crack down on the Aragalaya protest movement, which had forced Gotabaya Rajapaksa out of the presidency.[29]

E2. Is there freedom for nongovernmental organizations, particularly those that are engaged in human rights– and governance-related work? 3 / 4

Nongovernmental organizations (NGOs) are generally free to operate without interference, but some NGOs and activists—particularly those in the north and east that focus on sensitive topics such as military impunity—have been subjected to denial of registration,

surveillance, harassment, and assaults. Intelligence personnel has attended civil society meetings and questioned NGOs about their personnel and funding sources. Civil society was nevertheless active during the 2022 antigovernment protests.

E3. Is there freedom for trade unions and similar professional or labor organizations? 3 / 4

Trade unions are legally allowed to organize and engage in collective bargaining. Except for civil servants, most workers can strike, though the 1989 Essential Services Act allows the president to declare any strike illegal. Harassment of labor activists and official intolerance of union activities, particularly in export processing zones, is regularly reported. Larger unions are often affiliated with political parties. Trade unions protested the government's handling of the country's economic crisis throughout much of 2021 and 2022.

F. RULE OF LAW: 7 / 16

F1. Is there an independent judiciary? 3 / 4

Political interference in and intimidation of the judiciary abated somewhat under the Sirisena administration, and the courts have asserted their independence amid political turbulence in recent years, including during the 2018 constitutional crisis.

In May 2022, the Supreme Court suspended the pardon Gotabaya Rajapaksa granted former legislator Duminda Silva, who had murdered another legislator in 2011. Silva was rearrested in June 2022.

F2. Does due process prevail in civil and criminal matters? 1 / 4

Due process rights are undermined by the PTA, which was expanded in 2021 to allow suspects to be detained for up to two years without trial. The law has been used to hold perceived enemies of the government, particularly Tamils. Many detained under the PTA's provisions have been kept in custody for longer than the law allows. Following the 2019 Easter Sunday bombings, hundreds of Muslim suspects were arrested under the act, while Sinhalese anti-Muslim rioters were charged under standard civilian statutes that allowed bail.

The government amended the PTA in March 2022 through an accelerated parliamentary process. UN human rights experts warned that the legislation's most severe provisions remained, however. The PTA has since been used against antigovernment protesters, with three student activists being detained under the law in August.

The police routinely treat government officials and those closely associated with them favorably. Military personnel accused of committing war crimes during the civil war later held prominent government roles, while others remain in senior military posts.

F3. Is there protection from the illegitimate use of physical force and freedom from war and insurgencies? 2 / 4

Police and security forces have engaged in extrajudicial executions, forced disappearances, custodial rape, and torture, all of which disproportionately affect Tamils. Due to backlogs and a lack of resources, independent commissions have been slow to investigate allegations of police and military misconduct. Aragalaya protesters who were arrested were reportedly tortured while in custody.

F4. Do laws, policies, and practices guarantee equal treatment of various segments of the population? 1 / 4

Tamils report systematic discrimination in areas including government employment, university education, and access to justice. Ethnic and religious minorities are vulnerable to violence and mistreatment by security forces and Sinhalese Buddhist extremists.

LGBT+ people face societal discrimination, occasional instances of violence, and some official harassment. A rarely enforced article of the penal code prescribes up to 10 years in prison for same-sex sexual activity. Sexual harassment and employment discrimination against women are common, as are discriminatory legal provisions.

The government does not grant asylum or refugee status under its own laws, nor does it provide services or work permits to asylum seekers and refugees. These individuals rely instead on aid from NGOs, informal employment, and third-country resettlement by the Office of the UN High Commissioner for Refugees.

G. PERSONAL AUTONOMY AND INDIVIDUAL RIGHTS: 8 / 16

G1. Do individuals enjoy freedom of movement, including the ability to change their place of residence, employment, or education? 2 / 4

Free movement is restricted by security checkpoints, restricted military areas, and military occupation of public and private land. Security checkpoints erected in Northern Province after Gotabaya Rajapaksa became president have been mostly dismantled, though Tamil areas remain under surveillance.

Women with children younger than five years old are not allowed to travel abroad for work. Access to educational institutions is impeded by corruption, with bribes often required to obtain primary school admission.

G2. Are individuals able to exercise the right to own property and establish private businesses without undue interference from state or nonstate actors? 2 / 4

Ongoing occupations and other forms of land grabbing remain serious problems, especially for Tamils in the northeast. Members of minority groups have been targeted by criminals using forged land deeds in Colombo, leading to an investigation in October 2022. Corruption sometimes hinders the effective enforcement of property rights in general. Some women face gender-based disadvantages regarding inheritance under the customary laws of their ethnic or religious group, and Muslims reportedly encounter discrimination in property transactions.

G3. Do individuals enjoy personal social freedoms, including choice of marriage partner and size of family, protection from domestic violence, and control over appearance? 2 / 4

Although women have equal rights under civil and criminal law, matters related to the family—including marriage, divorce, and child custody—are adjudicated under the customary laws of each ethnic or religious group, and the application of these laws sometimes entails discrimination against women. Rape of women and children and domestic violence remain serious problems, and perpetrators often act with impunity.

Some very young girls are forced into marriages under Islamic personal law, which the Gotabaya Rajapaksa government sought to change by altering the Muslim Marriage and Divorce Act (MMDA). However, the government was criticized for attempting to revise the MMDA without adequate input from the Muslim community. In 2021, the All Ceylon Jamiyyathul Ulama objected to the cabinet's decision to amend the MMDA, in part because it would ban polygamous marriages for Muslims.

G4. Do individuals enjoy equality of opportunity and freedom from economic exploitation? 2 / 4

Although the government has increased penalties for employing minors, many children continue to work as household servants and face abuse from employers. Women and children in certain communities are vulnerable to forced sex work.

In the 2022 edition of its *Trafficking in Persons Report*, the US State Department noted that the government was making significant attempts to address human trafficking and to implement a 2021–25 antitrafficking action plan. However, prosecutions of traffickers and sentences for those convicted were reported as insufficient.

While most of the mainly Tamil workers on tea plantations are unionized, employers routinely violate their rights. Migrant workers recruited in Sri Lanka are often exposed to exploitative labor conditions abroad.

St. Kitts and Nevis

Population: 50,000
Capital: Basseterre
Freedom Status: Free
Electoral Democracy: Yes

Overview: St. Kitts and Nevis has a history of competitive and credible elections, and civil liberties are generally upheld. There are some concerns about government corruption and transparency. Authorities in recent years have seen some success in addressing a high rate of violent crime. LGBT+ people face discrimination and are politically marginalized.

KEY DEVELOPMENTS IN 2022

- In the August elections, the opposition St. Kitts and Nevis Labour Party (SKNLP) won 6 of the 11 seats in the National Assembly and formed a government, replacing a multiparty ruling coalition.
- Also in August, the Eastern Caribbean Supreme Court (ECSC) ruled that sections of the Offences against the Person Act (OPA) that prohibited same-sex relations were unconstitutional, striking them down.

POLITICAL RIGHTS: 35 / 40

A. ELECTORAL PROCESS: 10 / 12

A1. Was the current head of government or other chief national authority elected through free and fair elections? 4 / 4

The prime minister, usually the leader of the largest party in the parliament, is head of government. Prime ministers are normally appointed after legislative elections by the governor general, who represents the British monarch as the largely ceremonial head of state.

Terrance Drew of the SKNLP became prime minister in August 2022, succeeding Timothy Harris of the Team Unity coalition.

A2. Were the current national legislative representatives elected through free and fair elections? 3 / 4

There are 14 seats in the unicameral National Assembly, comprising 8 representatives from St. Kitts, 3 from Nevis, and 3 for senators appointed by the governor general. Two senators are selected on the advice of the prime minister and one on the advice of the opposition leader. All serve five-year terms.

The Team Unity coalition, which included the People's Labour Party (PLP), Concerned Citizens Movement (CCM), and People's Action Movement (PAM), was defeated in the

August 2022 elections by the SKNLP. The SKNLP won 6 seats, the CCM won 3, and the PLP and PAM each won 1. The Team Unity government fell after members of the coalition filed a no-confidence motion against then prime minister Harris in April, prompting him to dissolve the parliament in May. The polls were credible but suffered shortcomings including the absence of campaign finance legislation.

Nevis has its own local legislature, with five elected and three appointed members. The incumbent CCM won the December 2022 local elections, taking three elected seats. The Nevis Reformation Party took two.

A3. Are the electoral laws and framework fair, and are they implemented impartially by the relevant election management bodies? 3 / 4

Electoral laws are generally fair and usually implemented impartially by the Electoral Commission. In its August 2022 report, Organization of American States observers called on the government to redraw legislative constituencies to ensure better voter distribution; the country's constituency boundaries were last changed in 1983.

B. POLITICAL PLURALISM AND PARTICIPATION: 15 / 16

B1. Do the people have the right to organize in different political parties or other competitive political groupings of their choice, and is the system free of undue obstacles to the rise and fall of these competing parties or groupings? 4 / 4

There are no major constraints on the right to organize in different political parties and to form new parties.

B2. Is there a realistic opportunity for the opposition to increase its support or gain power through elections? 4 / 4

Opposition candidates are generally able to campaign without restrictions or interference.

There are realistic opportunities for opposition parties to increase their support or gain power through elections. In 2015, the Team Unity coalition unseated the SKNLP, which had been in government since 1995. The SKNLP returned to power in the August 2022 polls.

B3. Are the people's political choices free from domination by forces that are external to the political sphere, or by political forces that employ extrapolitical means? 4 / 4

Candidates and voters can make political choices without undue interference. However, concerns have been raised about the lack of transparency of party and campaign financing, which could enable improper forms of political influence.

B4. Do various segments of the population (including ethnic, racial, religious, gender, LGBT+, and other relevant groups) have full political rights and electoral opportunities? 3 / 4

All citizens are formally entitled to equal political rights and electoral opportunities. While women play an active role in political parties and as grassroots organizers, representation in the National Assembly is poor. Only one woman won a seat in the August 2022 polls, though another four were appointed. Some 38 percent of seats in the cabinet formed after the elections were held by women. Discrimination, sexist rhetoric, and intimidation toward women and their families discourage many from engaging in the political environment.

The population of St. Kitts is primarily Afro-Caribbean and Anglican, but other ethnic and religious groups engage in the political process.

LGBT+ people are marginalized and discriminated against, affecting their ability to engage in frontline politics.

C. FUNCTIONING OF GOVERNMENT: 10 / 12

C1. Do the freely elected head of government and national legislative representatives determine the policies of the government? 4 / 4

The elected prime minister, cabinet, and national legislative representatives freely determine the policies of the government.

C2. Are safeguards against official corruption strong and effective? 3 / 4

St. Kitts and Nevis's anticorruption laws are mostly implemented effectively. The Integrity in Public Life Act (IPLA) was adopted in 2013, establishing a code of conduct for public officials and financial disclosure guidelines. However, its implementation rules were not issued until 2018. In September 2022, Justice Minister Garth Wilkin said that the government would operationalize the IPLA and introduce anticorruption legislation.

In recent years, concerns have been raised about the country's Citizenship by Investment and Residence by Investment programs. The government has introduced reforms to address criticism, including expanded background checks and enacting stricter escrow-account rules.

C3. Does the government operate with openness and transparency? 3 / 4

The government generally operates with transparency, though it long lacked a freedom of information law, which was finally passed in 2018. The Freedom of Information Act had yet to be implemented by the end of 2022 due to inadequate resources, though Justice Minister Wilkin vowed to make that law operational in a September statement. Legal exemptions protect information related to national security, court proceedings, trade secrets, intellectual property rights, and international relations.

CIVIL LIBERTIES: 54 / 60

D. FREEDOM OF EXPRESSION AND BELIEF: 16 / 16

D1. Are there free and independent media? 4 / 4

Freedom of expression is constitutionally guaranteed, and the government generally respects press freedom in practice. However, the state owns the sole local television station, and the opposition faces some restrictions on access to it. Defamation is a criminal offense that can potentially carry a prison sentence. Some journalists reportedly self-censor in order to avoid pressure from government officials. Radio news coverage is relatively vibrant and pluralistic.

D2. Are individuals free to practice and express their religious faith or nonbelief in public and private? 4 / 4

Freedom of religion is constitutionally protected and generally respected in practice.

D3. Is there academic freedom, and is the educational system free from extensive political indoctrination? 4 / 4

The government generally respects academic freedom.

D4. Are individuals free to express their personal views on political or other sensitive topics without fear of surveillance or retribution? 4 / 4

There are no significant constraints on individuals' ability to express their personal views regarding political or other sensitive topics.

E. ASSOCIATIONAL AND ORGANIZATIONAL RIGHTS: 12 / 12

E1. Is there freedom of assembly? 4 / 4

Freedom of assembly is constitutionally guaranteed and generally respected in practice. Demonstrations on various topics routinely proceed without incident.

E2. Is there freedom for nongovernmental organizations, particularly those that are engaged in human rights– and governance-related work? 4 / 4

Nongovernmental organizations generally operate without restrictions.

E3. Is there freedom for trade unions and similar professional or labor organizations? 4 / 4

While workers may legally form unions, employers are not bound to recognize them. A union can engage in collective bargaining only if more than 50 percent of the company's employees are members. Antiunion discrimination is prohibited, and the right to strike, while not protected by law, is generally respected in practice. However, employers, if found guilty of union-based discrimination, are not compelled to rehire employees that had been fired.

F. RULE OF LAW: 13 / 16

F1. Is there an independent judiciary? 4 / 4

The judiciary is largely independent. The highest court is the ECSC, but under certain circumstances there is a right of appeal to the Trinidad-based Caribbean Court of Justice and the Privy Council in London.

F2. Does due process prevail in civil and criminal matters? 3 / 4

Defendants are guaranteed a range of due process rights, which are mostly respected in practice; legal provisions for a fair trial are generally observed. Arbitrary arrests are prohibited, and security forces generally operate professionally. However, extended pretrial detention is a problem, with some detainees remaining in custody for more than two years before facing trial or having their cases dismissed.

F3. Is there protection from the illegitimate use of physical force and freedom from war and insurgencies? 3 / 4

While the country is free of war and other such threats to physical security, the government in recent years has struggled to contain a high rate of violent crime, which is linked primarily to criminal groups fighting for territory and control of the domestic drug trade. The government has attempted to address the problem through various means, including a "Peace Initiative," whereby members of criminal groups were encouraged to move out of crime and into legal activities. Police have employed stop-and-search methods extensively.

The government claims that violent crime has been decreasing; there were 11 recorded homicides in 2022, down significantly from the 2011 high of 35. Prisons remain overcrowded.

F4. Do laws, policies, and practices guarantee equal treatment of various segments of the population? 3 / 4

The law protects individuals against discrimination on various grounds, including race, sex, and religion, and these provisions are generally upheld. However, sexual orientation and gender identity are not similarly protected, and societal discrimination against LGBT+ people is pervasive.

Until recently, same-sex relations between men were illegal and punishable with imprisonment of up to 10 years under colonial-era laws. In August 2022, the ECSC ruled

against two parts of the OPA that prohibited same-sex relations, saying that they violated the freedom of expression and right to privacy.

No law specifically prohibits workplace sexual harassment.

Rastafarians at times experience barriers to employment and other disadvantages due to discrimination.

G. PERSONAL AUTONOMY AND INDIVIDUAL RIGHTS: 13 / 16

G1. Do individuals enjoy freedom of movement, including the ability to change their place of residence, employment, or education? 4 / 4

There are no significant restrictions on freedom of movement in St. Kitts and Nevis, and individuals freely change their place of residence, employment, and education.

G2. Are individuals able to exercise the right to own property and establish private businesses without undue interference from state or nonstate actors? 3 / 4

The legal framework generally supports private business activity, though there have been complaints about timely compensation for land confiscated via eminent domain and delays in registering property.

G3. Do individuals enjoy personal social freedoms, including choice of marriage partner and size of family, protection from domestic violence, and control over appearance? 3 / 4

There are few restrictions on individual freedoms pertaining to personal status issues, though same-sex marriage is not recognized. Domestic violence is criminalized but remains widespread. Spousal rape is not specifically prohibited by law.

G4. Do individuals enjoy equality of opportunity and freedom from economic exploitation? 3 / 4

The law provides safeguards against exploitative working conditions, though lack of resources reportedly affects enforcement. The 2021 edition of the US State Department's *Trafficking in Persons Report*, the most recent edition to cover St. Kitts and Nevis, reported that the country served as a destination for human trafficking; victims arrived there through other Caribbean ports. Local human rights activists have alleged that human smugglers transit through the country regularly and have brought in sex workers and laborers.

In an October 2022 session of the UN Committee on the Elimination of Discrimination against Women, a social development minister reported that sex trafficking may have affected immigrant populations but that no official report on sex trafficking was available for the committee's perusal.

St. Lucia

Population: 200,000
Capital: Castries
Freedom Status: Free
Electoral Democracy: Yes

Overview: St. Lucia is a parliamentary democracy that holds competitive elections and has long experienced peaceful transfers of power between rival parties. Persistent challenges

include government corruption and inadequate transparency, police brutality and a perception of impunity for such abuses, and discrimination against LGBT+ people.

KEY DEVELOPMENTS IN 2022

- In March, Parliament passed the Domestic Violence Act (DVA), which addresses physical, emotional, and financial forms of abuse. The DVA also prohibits authorities and service providers from discriminating against survivors on a variety of grounds, including sexual orientation.
- In October, police arrested Senate president Stanley Felix for perverting the course of justice; Felix was accused of telling another individual to withhold evidence of a homicide. Felix's appointment to the Senate was rescinded after he was charged, with Alvina Reynolds becoming Senate president in November.

POLITICAL RIGHTS: 38 / 40

A. ELECTORAL PROCESS: 11 / 12

A1. Was the current head of government or other chief national authority elected through free and fair elections? 4 / 4

The prime minister, usually the leader of the majority party in Parliament, is appointed as head of government by the governor general, who represents the British monarch as the largely ceremonial head of state. Phillip Pierre was chosen as prime minister following the free and fair July 2021 parliamentary elections.

A2. Were the current national legislative representatives elected through free and fair elections? 4 / 4

The bicameral Parliament consists of the 18-seat House of Assembly, with 17 members directly elected to five-year terms and a speaker elected by the members, and the 11-seat Senate, whose members are appointed. The prime minister chooses 6 senators, the opposition leader selects 3, and 2 are chosen in consultation with civic and religious organizations.

In the July 2021 House of Assembly elections, the St. Lucia Labour Party (SLP) won over 50 percent of the vote and secured 13 seats, defeating the then governing United Workers Party (UWP). Voter turnout was 51 percent.

A3. Are the electoral laws and framework fair, and are they implemented impartially by the relevant election management bodies? 3 / 4

Electoral laws are generally fair and applied impartially by the Electoral Commission. However, differences in the sizes of constituencies have resulted in unequal voting power among citizens. According to 2016 enrollment data from the St. Lucia Electoral Department, 20,600 voters were enrolled in the country's largest constituency, Gros Islet, while only 5,000 were enrolled in Dennery South, the country's smallest. Constituency boundaries were last redrawn in 2001.

After the 2021 elections, the Commonwealth Observer Group criticized the outdated voters' registry, noting that the Electoral Commission had not consistently removed deceased and ineligible people from the roll since 1979. Further, they noted that arrangements were not made for some groups of eligible voters to cast ballots, specifically those in quarantine or on remand. The Organization of American States observer mission highlighted the absence of campaign finance laws and raised concerns that the lack of oversight and accountability in the financing of politics impacts the equity and transparency of elections.

B. POLITICAL PLURALISM AND PARTICIPATION: 16 / 16

B1. Do the people have the right to organize in different political parties or other competitive political groupings of their choice, and is the system free of undue obstacles to the rise and fall of these competing parties or groupings? 4 / 4

Political parties may organize and operate freely. Several small parties operate, though the SLP and UWP have dominated politics since the 1960s, aided in part by the country's first-past-the-post electoral system. Campaigns are financed entirely through private funds, which can also disadvantage new and small parties.

B2. Is there a realistic opportunity for the opposition to increase its support or gain power through elections? 4 / 4

The country has a long record of democratic transfers of power, with the SLP and UWP regularly alternating in government.

B3. Are the people's political choices free from domination by forces that are external to the political sphere, or by political forces that employ extrapolitical means? 4 / 4

Voters and candidates are generally free to make political choices without undue influence. However, there are few legal controls on the source of funds or on spending by candidates and parties, raising concerns about the potential for improper influence by unaccountable foreign and domestic interests.

B4. Do various segments of the population (including ethnic, racial, religious, gender, LGBT+, and other relevant groups) have full political rights and electoral opportunities? 4 / 4

All citizens are formally entitled to equal political rights and electoral opportunities. Some 85 percent of the population is of African descent, while Afro-European, East Indian, and other minorities are present.

Women are underrepresented in politics, with only two women serving in the House of Assembly. However, five women sat in the appointed Senate as of August 2021, and a woman became that chamber's president in November 2022. More women have recently assumed roles as electoral officials and within party structures.

The LGBT+ community is marginalized, affecting its ability to engage fully in political processes.

C. FUNCTIONING OF GOVERNMENT: 11 / 12

C1. Do the freely elected head of government and national legislative representatives determine the policies of the government? 4 / 4

The elected prime minister, cabinet, and Parliament determine the policies of the government without improper interference from unelected entities.

C2. Are safeguards against official corruption strong and effective? 3 / 4

Several state institutions are responsible for combating corruption, including the parliamentary commissioner, the auditor general, and the Public Service Commission, but their effectiveness is limited somewhat by a lack of resources. Under the Special Prosecutor Act, which took effect in August 2022, a special prosecutor is empowered to initiate civil or criminal proceedings against current or former public officials accused of corruption.

In 2018, an Organization for Economic Co-operation and Development report criticized the operation of the country's Citizenship by Investment (CBI) program. In response, St. Lucia has made several improvements. In November 2022, Investment Minister Ernest Hilaire

said the government was reviewing the country's CBI program to bolster its competitiveness but vowed that it would rigorously vet applicants.

C3. Does the government operate with openness and transparency? 4 / 4

The government generally operates transparently. Access to information is guaranteed, and government officials are required to declare their financial assets to the Integrity Commission. However, the commission lacks the enforcement powers necessary to ensure full compliance.

CIVIL LIBERTIES: 54 / 60

D. FREEDOM OF EXPRESSION AND BELIEF: 15 / 16

D1. Are there free and independent media? 3 / 4

The constitution guarantees freedom of expression and communication, and press freedom is largely upheld in practice. A number of private and independent news outlets carry content on a range of issues.

Criminal libel laws remain on the books, with convictions potentially drawing heavy fines and a jail sentence of up to five years. Civil suits are more common, however.

D2. Are individuals free to practice and express their religious faith or nonbelief in public and private? 4 / 4

Freedom of religion is protected under the constitution and other laws, and these safeguards are largely upheld in practice. However, Rastafarians face some systemic disadvantages in practicing their beliefs, and Muslims have reported occasional harassment.

D3. Is there academic freedom, and is the educational system free from extensive political indoctrination? 4 / 4

Academic freedom is generally respected.

D4. Are individuals free to express their personal views on political or other sensitive topics without fear of surveillance or retribution? 4 / 4

There are no significant restrictions on individuals' ability to express their personal views on political or other sensitive topics.

E. ASSOCIATIONAL AND ORGANIZATIONAL RIGHTS: 12 / 12

E1. Is there freedom of assembly? 4 / 4

The government generally respects the constitutionally protected right to free assembly.

E2. Is there freedom for nongovernmental organizations, particularly those that are engaged in human rights– and governance-related work? 4 / 4

Independent nongovernmental organizations are free to form and operate.

E3. Is there freedom for trade unions and similar professional or labor organizations? 4 / 4

Most workers have the legal right to form and join independent unions, strike, and bargain collectively. Antiunion discrimination is prohibited.

F. RULE OF LAW: 13 / 16

F1. Is there an independent judiciary? 4 / 4

The judicial system is independent and includes a high court under the Eastern Caribbean Supreme Court (ECSC). Judges are appointed through an impartial Judicial and Legal Services Commission. The London-based Privy Council is the final court of appeal.

F2. Does due process prevail in civil and criminal matters? 3 / 4

Detainees and defendants are guaranteed a range of legal rights, which are mostly respected in practice. However, police corruption is a concern, and court backlogs contribute to lengthy pretrial detention. In mid-2022, Prime Minister Pierre said that his government would spend more to address the backlog.

F3. Is there protection from the illegitimate use of physical force and freedom from war and insurgencies? 3 / 4

While the population is mostly free from pervasive threats to physical security, violent crime is a major concern. There were 76 homicides in 2022, an all-time record; the country's homicide rate per 100,000 people, which stood at 42.3, is among the highest in the Caribbean.

St. Lucia has relied on the Regional Security System (RSS), a security initiative that includes St. Lucia and several other Caribbean states, to support law enforcement efforts. Personnel attached to the RSS were deployed in July 2022.

Police brutality has been seen as a significant problem in St. Lucia. Members of the Royal St. Lucia Police Force (RSLPF) are perceived to enjoy impunity for abusive behavior. In 2013, the United States cut aid to the RSLPF over allegations related to extrajudicial killings. Aid was restored in 2021 when Washington renewed security cooperation and assistance with some RSLPF units. The RSLPF participated in a US military–led regional joint exercise between March and May 2022, the first time it had done so since 2012.

F4. Do laws, policies, and practices guarantee equal treatment of various segments of the population? 3 / 4

While discrimination on the basis of race, sex, religion, and other such grounds is generally prohibited, the law does not provide full protection to LGBT+ people. The labor code prohibits dismissal of employees based on sexual orientation. Under an ECSC directive, murders committed when sexual orientation is a motive can be punishable with a life sentence. Same-sex relations can draw up to 10 years in prison, though this criminal-code provision is reportedly not enforced. LGBT+ people face significant societal prejudice.

Rastafarians face societal disadvantages due to their beliefs, and Muslims have reported harassment.

G. PERSONAL AUTONOMY AND INDIVIDUAL RIGHTS: 14 / 16

G1. Do individuals enjoy freedom of movement, including the ability to change their place of residence, employment, or education? 4 / 4

There are no serious impediments to freedom of movement in St. Lucia, and individuals are generally free to change their place of residence, employment, or education.

G2. Are individuals able to exercise the right to own property and establish private businesses without undue interference from state or nonstate actors? 4 / 4

The legal and regulatory framework is supportive of property rights and private business activity. The government has actively encouraged investors to do business in the country.

G3. Do individuals enjoy personal social freedoms, including choice of marriage partner and size of family, protection from domestic violence, and control over appearance? 3 / 4

The law largely guarantees individual rights with respect to personal status issues like marriage and divorce, but the civil code distinguishes between "legitimate" and "illegitimate" children, which can lead to discrimination against unmarried women and their children in civil and family law cases.

Domestic and gender-based violence are serious concerns and often go unreported. In March 2022, Parliament passed the DVA, which addresses physical, emotional, and financial forms of abuse. The DVA also prohibits authorities and service providers from discriminating against survivors on a variety of grounds, including sex, marital status, sexual orientation, and gender identity.

G4. Do individuals enjoy equality of opportunity and freedom from economic exploitation? 3 / 4

Safety rules and other protections against worker exploitation are typically upheld. While the government has made increased efforts to combat human trafficking, investigations and prosecutions are rare. Authorities in St. Lucia have never convicted anyone of trafficking.

St. Vincent and the Grenadines

Population: 100,000
Capital: Kingstown
Freedom Status: Free
Electoral Democracy: Yes

Overview: St. Vincent and the Grenadines is a parliamentary democracy that holds regular elections and has seen numerous transfers of power between parties. While civil liberties are generally upheld, journalists face the possibility of criminal defamation charges, and same-sex relations remain illegal. Violent crime is a concern.

KEY DEVELOPMENTS IN 2022

- Hundreds of people reportedly lost their jobs for failing to comply with a COVID-19 vaccine mandate introduced by the government in late 2021. In March, the High Court permitted public sector employees who had lost their jobs after refusing to be vaccinated to file a lawsuit against the state; a ruling in the case had not been issued as of year's end.
- In a May interview, Prime Minister Ralph Gonsalves mentioned the idea of reintroducing the death penalty—last carried out in St. Vincent in 1995—in response to increased levels of violent crime in the country. According to official figures, a record 42 homicides were committed during the year.

POLITICAL RIGHTS: 36 / 40

A. ELECTORAL PROCESS: 11 / 12

A1. Was the current head of government or other chief national authority elected through free and fair elections? 4 / 4

The prime minister, usually the leader of the majority party in the parliament, is appointed by the governor general, who represents the British monarch as the largely ceremonial head of state. Ralph Gonsalves remained prime minister following the victory of his incumbent Unity Labour Party (ULP) in the 2020 legislative elections, which were considered free and fair.

A2. Were the current national legislative representatives elected through free and fair elections? 4 / 4

The constitution provides for the direct election of 15 representatives to the unicameral House of Assembly. In addition, the governor general appoints six senators to the chamber: four selected on the advice of the prime minister and two on the advice of the opposition leader. All serve five-year terms.

The ULP won its fifth consecutive electoral victory in November 2020, taking nine seats. Although the party increased its majority by one seat, it won around 500 votes less than the New Democratic Party (NDP), which won six seats. It was the first time since 1998 that the party winning the most votes did not win the most seats. Voter turnout was 67 percent.

A3. Are the electoral laws and framework fair, and are they implemented impartially by the relevant election management bodies? 3 / 4

Electoral laws are generally fair and impartially implemented. Ahead of the 2015 elections, legislators passed an election law amendment that removed over 20,000 names from the voter lists. The Organization of American States (OAS) election monitoring mission welcomed the change, but recommended continuous updating and verification processes, which have not been enacted. The mission also called for better standardization of voting procedures across polling sites. The 2020 elections were deemed free and fair.

B. POLITICAL PLURALISM AND PARTICIPATION: 15 / 16

B1. Do the people have the right to organize in different political parties or other competitive political groupings of their choice, and is the system free of undue obstacles to the rise and fall of these competing parties or groupings? 4 / 4

Political parties can organize freely. While there are a number of smaller political parties in the country, only the ULP and NDP have won parliamentary seats since 1998. The first-past-the-post electoral system has contributed to this pattern, but there are also concerns that unregulated private campaign financing puts smaller parties at a disadvantage. The limited state funding that is available goes only to parties represented in the previous parliament.

B2. Is there a realistic opportunity for the opposition to increase its support or gain power through elections? 4 / 4

The country has experienced multiple peaceful transfers of power between rival parties after elections, including two since it gained full independence in 1979. The ULP has been in government since 2001, but it has had only a narrow majority over the opposition NDP since 2010.

B3. Are the people's political choices free from domination by forces that are external to the political sphere, or by political forces that employ extrapolitical means? 4 / 4

The political choices of candidates and voters are generally free from interference by extrapolitical forces. However, the OAS raised concerns in 2015 about the lack of transparency regarding party and campaign financing. Little has been done since to address these concerns.

B4. Do various segments of the population (including ethnic, racial, religious, gender, LGBT+, and other relevant groups) have full political rights and electoral opportunities? 3 / 4

All citizens are formally entitled to full political rights and electoral opportunities, but women remain significantly underrepresented in the legislature and in politics generally. In its report on the 2015 elections, the OAS noted "pervasive reluctance" on the part of

potential women candidates to participate in harsh political campaigns. No women were elected to the House of Assembly in the 2015 or 2020 elections. The ULP selected women to hold the legislative speakership and deputy speakership after the 2020 elections.

LGBT+ people are marginalized, and this affects their ability to engage fully in political processes. There are no openly LGBT+ legislators. The St. Vincent population is largely Afro-Caribbean and of mixed African-European descent, and most identify as Protestant or Roman Catholic. These segments of the population and others can engage in the political process. The small Rastafarian community does not engage fully with politics.

C. FUNCTIONING OF GOVERNMENT: 10 / 12

C1. Do the freely elected head of government and national legislative representatives determine the policies of the government? 4 / 4

The elected prime minister, cabinet, and House of Assembly members determine the policies of the government without improper interference from unelected entities.

C2. Are safeguards against official corruption strong and effective? 3 / 4

The independent judiciary and media provide checks on government corruption. However, there is no specialized national anticorruption agency, and claims of petty corruption continue to be reported.

C3. Does the government operate with openness and transparency? 3 / 4

The government generally operates with openness and transparency. Nevertheless, freedom of information legislation that was passed in 2003 has yet to be implemented, and there is no active legislation requiring government officials to disclose assets, income, or gifts. In July 2021, the NDP claimed that audit reports were five years behind schedule.

In December 2022, the government announced that a planned 2018 poverty assessment report, which allegedly showed that poverty had increased in the preceding decade, would not be released; a new study is reportedly planned for 2025.

CIVIL LIBERTIES: 55 / 60

D. FREEDOM OF EXPRESSION AND BELIEF: 15 / 16

D1. Are there free and independent media? 3 / 4

The constitution guarantees the freedoms of expression and communication, which are usually upheld in practice. The state owns the main local broadcaster, and concerns have been raised, most recently by the NDP in 2020, about the level of access to the broadcaster given to the political opposition. However, several private newspapers operate consistently, and consumers also have access to foreign media and online outlets.

Journalists remain subject to criminal and civil defamation laws, and the 2016 Cybercrime Act broadened the definition and scope of defamation to include online publications; violation of its often vaguely worded provisions can carry a fine of as much as $500,000 East Caribbean dollars ($185,000) and up to seven years' imprisonment.

D2. Are individuals free to practice and express their religious faith or nonbelief in public and private? 4 / 4

Freedom of religion is constitutionally protected and respected in practice.

D3. Is there academic freedom, and is the educational system free from extensive political indoctrination? 4 / 4

Academic freedom is generally upheld.

D4. Are individuals free to express their personal views on political or other sensitive topics without fear of surveillance or retribution? 4 / 4

There are no significant restrictions on individuals' ability to express their personal views on political or other sensitive topics. However, the threat of defamation is used by politicians.

E. ASSOCIATIONAL AND ORGANIZATIONAL RIGHTS: 12 / 12

E1. Is there freedom of assembly? 4 / 4

Freedom of assembly is constitutionally protected and generally upheld in practice. However, some protests were met with forceful rhetoric or were violent in 2021. That July, an NDP legislator accused a senior police officer of ordering subordinates to shoot protesters if they removed a barricade during a Kingstown rally, though another senior officer told protesters the police would not open fire.

In August 2021, Prime Minister Gonsalves was struck by an object when attempting to enter the legislature while a demonstration against the government's COVID-19 policies was being held in front of the House of Assembly. The prime minister later traveled to Barbados for follow-up medical tests.

E2. Is there freedom for nongovernmental organizations, particularly those that are engaged in human rights– and governance-related work? 4 / 4

Nongovernmental organizations (NGOs) operate freely.

E3. Is there freedom for trade unions and similar professional or labor organizations? 4 / 4

The constitution protects the right to form or join trade unions and other such associations. Unions are permitted to strike and engage in collective bargaining. The law prohibits antiunion discrimination and dismissal for engaging in union activities. The right to collective bargaining is generally upheld.

F. RULE OF LAW: 14 / 16

F1. Is there an independent judiciary? 4 / 4

The judiciary generally operates independently. Judges are appointed through an impartial Judicial and Legal Services Commission and cannot be dismissed arbitrarily. The country is subject to the Eastern Caribbean Supreme Court and recognizes the original jurisdiction of the Caribbean Court of Justice, though the London-based Privy Council remains the final court of appeal.

F2. Does due process prevail in civil and criminal matters? 3 / 4

There is due process in civil and criminal matters. Detainees and defendants are guaranteed a range of legal rights, which are mostly respected in practice. However, there is a significant case backlog, which leads to prolonged pretrial detention.

F3. Is there protection from the illegitimate use of physical force and freedom from war and insurgencies? 4 / 4

The population is free from war and other acute threats to physical security. Homicide rates remain relatively high; there were 42 recorded homicides in 2022, exceeding the 2016 record of 40. In a May interview, Prime Minister Ralph Gonsalves mentioned the idea of reintroducing the death penalty—which was last carried out in St. Vincent in 1995—in response to increased levels of violent crime in the country.

Prison conditions have improved since a new correctional facility was opened in 2012, but the old prison in Kingstown is still in use and features substandard conditions.

F4. Do laws, policies, and practices guarantee equal treatment of various segments of the population? 3 / 4

The constitution prohibits discrimination based on race, sex, religion, and other such categories, but sexual orientation and gender identity are not similarly protected. Same-sex sexual activity is illegal and carries penalties of up to 10 years in prison. While the law is rarely enforced, societal discrimination against LGBT+ people persists. In 2019, two gay Vincentian men filed a legal challenge to the law; the government said it would oppose the challenge and received the backing of several Christian groups. No further updates on the case were reported during 2022.

Women reportedly face sexual harassment in the workplace, which is not specifically addressed by law.

G. PERSONAL AUTONOMY AND INDIVIDUAL RIGHTS: 14 / 16

G1. Do individuals enjoy freedom of movement, including the ability to change their place of residence, employment, or education? 4 / 4

There are no significant restrictions on freedom of movement, and individuals can freely change their place of residence, employment, and education. The April 2021 La Soufrière volcanic eruption caused significant displacement, especially in the north. Over 13,300 people were displaced. In April 2022, the International Federation of Red Cross and Red Crescent Societies (IFRC) reported that more than 100 homes remained uninhabitable.

Public sector employment was affected by a government mandate requiring some workers to receive COVID-19 vaccinations, which was announced in October 2021 and took effect that December. It was reported that over 500 workers lost their jobs after refusing to comply with the mandate. In March 2022, the High Court allowed those dismissed to file a lawsuit against the state. The case was ongoing at year's end.

G2. Are individuals able to exercise the right to own property and establish private businesses without undue interference from state or nonstate actors? 4 / 4

Individuals are free to own property and to establish and operate businesses. The government has actively encouraged investors to do business in the country, though there are some regulatory difficulties.

G3. Do individuals enjoy personal social freedoms, including choice of marriage partner and size of family, protection from domestic violence, and control over appearance? 3 / 4

Individual rights with respect to personal status matters like marriage and divorce are generally protected by law, though same-sex marriage is not recognized. The Domestic Violence Act of 2015, which went into effect in 2016 and provides for protective orders, offers some tools and resources to victims of domestic violence. However, such violence remains a serious and widespread problem, as does sexual assault.

G4. Do individuals enjoy equality of opportunity and freedom from economic exploitation? 3 / 4

The law provides safety and other basic protections against labor exploitation, and these are typically upheld, though there are some reports of inadequate enforcement. The Prevention of Trafficking in Persons Act of 2011 criminalizes forced labor and sex trafficking, and the government has increased its efforts to investigate violations and improve prevention and victim protection, but it has yet to secure any trafficking convictions.

Sudan

Population: 46,900,000
Capital: Khartoum
Freedom Status: Not Free
Electoral Democracy: No

Overview: After military commanders and a prodemocracy protest movement ousted the repressive regime of longtime president Omar al-Bashir and his National Congress Party (NCP) in 2019, Sudan was ruled by a transitional government in which military and civilian leaders agreed to share power until national elections could be held. The government began to enact reforms, and space for the exercise of civil liberties slowly opened. However, the process was thrown into turmoil in late 2021 when the military leadership dissolved the transitional government in a coup and cracked down on the ensuing prodemocracy protests. Throughout the transition period, violence involving security forces, other armed groups, and rival ethnic communities has persisted in many parts of the country.

KEY DEVELOPMENTS IN 2022

- In January, civilian prime minister Abdulla Hamdok resigned, following weeks of protests by those opposing the military government, as well as the November 2021 deal that reinstated Hamdok as prime minister. The Forces of Freedom and Change coalition, the Umma party—Sudan's largest political organization—and Sudanese people across the country rejected the November 2021 agreement, staging regular protests throughout the year to demand a full civilian government.
- In October, more than 50 Sudanese prodemocracy resistance committees—grassroots neighborhood networks of Sudanese residents that emerged during the 2019 uprising—signed a draft constitution, created as a hybrid of two separate proposals written by committees from Wad Madani and Khartoum. The document calls for a decentralized civilian government, the resignation of current military leaders, the abolition of the 2019 Constitutional Declaration, and the establishment of a new transitional constitution and legislative council. In December, the military signed a framework agreement to enable cooperation with civilian groups to draft a transitional government.
- In August, the Darfur Bar Association and its partners reported that security forces had arrested and forcibly disappeared almost 200 people in West Darfur, including local leaders who refused to partake in reconciliation efforts led by the Rapid Support Forces (RSF), as well as other activists and civilians. Localized ethnic or communal conflicts and accompanying violence surged across Sudan throughout the year. Hundreds died and hundreds of thousands were displaced in communal clashes between Hausa, Berti, Hamar, Misseriya, and Hamaj tribes in the Blue Nile, Kordofan, and Darfur areas.

POLITICAL RIGHTS: 0 / 40

A. ELECTORAL PROCESS: 0 / 12

A1. Was the current head of government or other chief national authority elected through free and fair elections? 0 / 4

On October 25, 2021, Lieutenant General Abdel Fattah al-Burhan, commander of the Sudanese Armed Forces (SAF), staged a coup, declared a state of emergency, and dissolved

the Transitional Sovereign Council (TSC) and transitional government that had been in place since the overthrow of Omar al-Bashir's regime in 2019. The SAF detained civilian prime minister Abdulla Hamdok and several other government ministers and advisors. On November 11, 2021, al-Burhan reconstituted the Sovereign Council, with himself as chair, including old members, new members, and Juba Peace Agreement (JPA) signatories in the body. On November 21, Hamdok was reinstated as prime minister after signing an agreement with al-Burhan that provided for the release of political detainees, a new technocratic government, and the restructuring of the Empowerment Removal Committee (ERC). However, it also retains the Sovereign Council's "oversight" role in government and excluded the civilian political coalition called the Forces of Freedom and Change (FFC) from participating in the Sovereign Council. These provisions allow the military and al-Burhan to maintain significant control over the transitional government.

In January 2022, Prime Minister Hamdok resigned, following weeks of protests by those opposing the military government, as well as the November 2021 deal that reinstated Hamdok as prime minister. The FFC, the Umma party—Sudan's largest political organization—and Sudanese people across the country rejected the November agreement, staging regular protests throughout 2022 to demand a full civilian government. In December 2022, the military signed a framework agreement to enable cooperation with civilian groups to draft a transitional government.

A2. Were the current national legislative representatives elected through free and fair elections? 0 / 4

The former parliament was dissolved as part of the 2019 revolution. The transitional constitution called for a 300-seat Transitional Legislative Council (TLC), which was to hold office until elections could be held. As of year-end 2022, the TLC was yet to be formed.

A3. Are the electoral laws and framework fair, and are they implemented impartially by the relevant election management bodies? 0 / 4

In September 2021, the Ministry of Justice presented and held public consultations on a draft electoral commission law. However, the draft law was not passed, and an electoral commission was not created prior to the October 2021 coup.

B. POLITICAL PLURALISM AND PARTICIPATION: 2 / 16

B1. Do the people have the right to organize in different political parties or other competitive political groupings of their choice, and is the system free of undue obstacles to the rise and fall of these competing parties or groupings? 1 / 4

The transitional constitution guaranteed the right to form political parties, subject to legal regulation. Security forces arrested procivilian political party, resistance committee, and FFC leaders and members following the October 2021 coup, including the heads of the Sudanese Congress Party and the Arab Socialist Ba'ath Party, as well as a leader in the Umma Party. The leaders have been gradually released, with the last ones leaving prisons in May 2022, after being held incommunicado and having allegedly been tortured. In December 2022, unidentified assailants fired tear gas to break up an FFC public meeting to discuss plans to counter the coup.

In the months following the 2021 coup, imprisoned allies of al-Bashir, leaders of his National Congress Party, and other Islamists have been released from detention.

B2. Is there a realistic opportunity for the opposition to increase its support or gain power through elections? 0 / 4

General al-Burhan dissolved the TSC and transitional government in the October 2021 coup, and security forces detained more than 100 government ministers and advisors and procivilian political party, resistance committee, and FFC leaders. He later reconstituted the Sovereign Council with himself as chairman and extended its oversight authority. In April and May 2022, the military government released civilian leaders and ended the state of emergency.

B3. Are the people's political choices free from domination by forces that are external to the political sphere, or by political forces that employ extrapolitical means? 0 / 4

The October 2021 coup was led by the SAF and supported by the Rapid Support Forces (RSF) and leaders of armed movements that had signed the JPA. International media organizations reported that General al-Burhan spoke with Egyptian officials prior to the coup, seeking their support for the military takeover. It followed a coup attempt on September 21, 2021, when soldiers loyal to the former regime tried to seize control of the state media building.

B4. Do various segments of the population (including ethnic, racial, religious, gender, LGBT+, and other relevant groups) have full political rights and electoral opportunities? 1 / 4

The interim constitution commits Sudan to a decentralized political system in which citizens are free to exercise their rights without discrimination based on race, religion, gender, regional affiliation, or other such grounds. The new constitution proposed by the Sudan Bar Association in September 2022 kept the same provisions.

Women played an influential role in the 2019 protest movement and have since demanded greater representation at all levels of government and in peace negotiations. Although two women were named to the TSC in 2019, one resigned in May 2021 protesting the military's dominance of the Council.

LGBT+ people remain politically marginalized and same-sex sexual relations are still criminalized.

C. FUNCTIONING OF GOVERNMENT: 0 / 12

C1. Do the freely elected head of government and national legislative representatives determine the policies of the government? 0 / 4

In October 2021, General al-Burhan staged a coup, dissolved the TSC and transitional government, and detained Prime Minister Hamdok and several government ministers and advisors. Following the coup, local and regional government officials were removed and replaced, and General al-Burhan reconstituted the Sovereign Council with himself as chair. Although Prime Minister Hamdok was later released, reinstated, and attempted to replace officials appointed by coup leaders, the military continued to control the government as of year-end 2022.

In January 2022, Prime Minister Hamdok resigned following widespread protests against his acceptance of the military's November deal that returned him to power. In May, General al-Burhan lifted the state of emergency imposed since the coup, ostensibly to prepare for a stable transition period. In October, more than 50 Sudanese resistance committees signed a draft constitution, created as a hybrid of two separate proposals written by the committees of Wad Madani and Khartoum. The document calls for a decentralized civilian government, the resignation of current military leaders, the abolition of the 2019 Constitutional Declaration, and the establishment of a new transitional constitution and legislative council. In December, the military signed a framework agreement to enable cooperation with civilian groups to draft a transitional government.

Per the JPA, in April 2021, Sudan Liberation Army (SLA) leader Minni Minawi was appointed governor of the Darfur region.

C2. Are safeguards against official corruption strong and effective? 0 / 4

Sudan is a signatory to but has not ratified the UN Convention Against Corruption and the African Union Convention on Preventing and Combating Corruption. Transparency International ranked Sudan 162 of 180 countries in its 2022 global Corruption Perceptions Index.

Following the October 2021 coup, General al-Burhan suspended the ERC, which was created by transitional authorities to investigate financial crimes by former regime officials.

In April 2021, the TSC approved the Anti-Corruption National Commission Law that sets forth an anticorruption commission's powers. In September, the minister of justice issued an open invitation for nominations to the commission, though it was not established prior to the coup.

C3. Does the government operate with openness and transparency? 0 / 4

The interim constitution required members of the TSC and TLC, the cabinet, and governors to file disclosures about their personal assets, but there are no clear mechanisms for enforcement, and compliance is reportedly poor in practice.

ADDITIONAL DISCRETIONARY POLITICAL RIGHTS QUESTION:

Is the government or occupying power deliberately changing the ethnic composition of a country or territory so as to destroy a culture or tip the political balance in favor of another group? −2 / 0

Former president al-Bashir faces outstanding arrest warrants from the International Criminal Court (ICC) on charges of war crimes, crimes against humanity, and genocide in Darfur, where an insurgency by members of local ethnic minority groups began in 2003. The transitional government reached an agreement with Darfuri rebel groups in February 2020 to turn over to the ICC five Sudanese suspects accused of war crimes, including al-Bashir, and signed the JPA with the Sudan Revolutionary Front (SRF) alliance and another rebel group, the SLA Minni Minnawi faction. In August 2021, the ICC and the transitional government signed a Memorandum of Understanding that allows the international body to open an office in Sudan. Terms for al-Bashir's extradition to The Hague were in discussion at the end of 2022.

The October 2020 Juba Peace Agreement, which was meant to end ethnic insurgencies and alleged government war crimes in South Kordofan and Blue Nile States as well as in Darfur, includes provisions to establish a transitional justice commission, a special court for war crimes, economic and land rights, the integration of rebels into security forces and political institutions, and a 10-year, $750 million fund to address social and economic marginalization in the conflict areas and support the return of displaced persons. Implementation of these measures remained a challenge throughout 2022. Prior to the October 2021 coup, the transitional government continued negotiations with the Sudan's People Liberation Movement-North around issues of unification of their armed forces, ethnic and religious diversity, minority rights, government decentralization, and a secular state.

However, localized ethnic or communal conflicts and accompanying violence surged across Sudan in 2022. Hundreds died and hundreds of thousands were displaced in communal clashes between Hausa, Berti, Hamar, Misseriya, and Hamaj tribes in the Blue Nile, Kordofan, and Darfur areas. The government deployed additional security forces, declared states of emergencies, imposed curfews, and engaged in peacebuilding initiatives. However, government responses have at times worsened the humanitarian situation, as security forces

detain and abduct people arbitrarily, and authorities are not held accountable. In August, the Darfur Bar Association and its partners reported that the RSF had arrested and forcibly disappeared almost 200 people in West Darfur, mostly local leaders who refused to partake in RSF-led reconciliation efforts, as well as other activists and civilians.

CIVIL LIBERTIES: 10 / 60

D. FREEDOM OF EXPRESSION AND BELIEF: 5 / 16

D1. Are there free and independent media? 1 / 4

The interim constitution guarantees freedom of the press, and the transitional government pledged to draft legislation that increases protections for journalists. In August 2021, the Ministry of Culture and Information published draft media reform laws for public consultations. The draft laws address the creation of a commission to support and protect the right to information; the independence of journalists and media organizations; the establishment of a Press Council to protect press freedom and oversee professionalism; and the creation of a Board of Governors of the Radio and Television Corporation. The laws were not approved prior to the October 2021 coup and their future remained unclear at the end of 2022.

Following the October 2021 coup, the Sudanese Journalists Association reported that coup leaders arrested journalists, shut down radio news outlets' broadcasting stations, and harassed editors, pressuring them to abstain from critical reporting. Arrests of journalists were particularly violent in 2022 after General al-Burhan imposed a state of emergency at the end of 2021.

The 2018 Law on Combating Cybercrimes, which increased the prison sentences for crimes such as disseminating false information, remains in effect.

D2. Are individuals free to practice and express their religious faith or nonbelief in public and private? 2 / 4

Sudan's population is mostly Muslim, with a small Christian minority. The 2019 interim constitution guarantees freedom of worship and does not give Islam an official status. The TSC pledged to issue clear guidelines for those seeking permission to build new churches, and Christians welcomed the appointment of a Coptic Christian judge to one of the TSC's civilian seats.

In 2020, the transitional government adopted the Miscellaneous Amendments Act, which repealed the criminalization of apostasy, abolished corporal punishment for blasphemy, and permitted non-Muslims to trade and consume alcohol, among other provisions.

D3. Is there academic freedom, and is the educational system free from extensive political indoctrination? 1 / 4

Following the October 2021 coup, authorities arrested deans and professors at al-Gezira University who had criticized the military takeover. In addition, security forces attacked student protesters on university campuses. In November of that year, several universities closed their campuses and suspended classes, citing political instability.

In 2019, transitional authorities moved to disband NCP groups in higher education and dismissed 28 university chancellors and 35 vice chancellors, many of whom were affiliated with the NCP. The administrators were replaced with more independent figures.

D4. Are individuals free to express their personal views on political or other sensitive topics without fear of surveillance or retribution? 1 / 4

The interim constitution affirmed the right to freedom of expression and privacy, including citizens' right to engage in private correspondence without interference. The transitional

government began to dismantle the surveillance apparatus associated with the former regime, notably by replacing the National Intelligence and Security Service (NISS) with the General Intelligence Service (GIS)—which has more restricted powers and responsibilities—in 2019. The transitional government increased penalties for disseminating false information and other such offenses in July 2020, and officials have arrested and harassed activists for critical speech. In March 2021, activist Waad Bahjat was sentenced to a six-month suspended prison sentence and fined 10,000 Sudanese pounds ($22) after being found guilty of "public annoyance" and "use of criminal force." She had been arrested in 2020 after she livestreamed video on her Facebook page documenting women being harassed by police and SAF soldiers. She was initially charged with defamation, insult to a public servant exercising judicial proceedings, publishing false news, and public nuisance under the Sudanese Criminal Act of 1991, though some of these charges were dropped.

After the October 2021 coup, General al-Burhan issued a December decree expanding security forces' and intelligence agencies' powers to conduct home raids, surveil citizens, and detain suspects. Neighborhood resistance committees and human rights groups have claimed that the decree violates citizens' rights to privacy and due process.

E. ASSOCIATIONAL AND ORGANIZATIONAL RIGHTS: 2 / 12

E1. Is there freedom of assembly? 0 / 4

The TSC reaffirmed the right to assemble in the interim constitution, and citizens regularly participated in demonstrations during 2021, calling for more rapid democratic reforms, the advancement of women's rights, accountability for a 2019 massacre of protesters in Khartoum, and more.

However, violence by the authorities increased following the October 2021 coup, when NRCs began to organize regular countrywide demonstrations against the military takeover and demand civilian rule. In 2022, security forces repeatedly used tear gas, rubber bullets, and live ammunition to break up demonstrations. Over 120 protesters have died since protests began after the coup. Women protesting reported being raped by security officers, who also blocked demonstrators' access to medical care, including by arresting doctors and patients, shooting tear gas into hospitals, and blocking access to ambulances and hospitals. To prevent demonstrations, General al-Burhan shut down the internet, blocked bridges and roads in Khartoum, arrested organizers, and banned trade unions following the coup.

In East Sudan, demonstrators engaged in months-long protests in 2021 demanding more political and economic reforms for the region and a new negotiated Eastern Sudan Track of the Juba Peace Agreement. The protesters blocked highways, closed ports, and temporarily shut the oil pipeline. The highway blockage was lifted following the October 2021 coup.

Sit-ins across the Darfur region were common in 2021 as citizens protested ongoing violence in that region, attacks on internally displaced persons (IDPs), and lack of government support. Security forces routinely responded to these acts of protest with excessive and disproportionate violence.

E2. Is there freedom for nongovernmental organizations, particularly those that are engaged in human rights– and governance-related work? 2 / 4

The transitional government has loosened the restrictions and impediments placed on civil society organizations during the al-Bashir regime. Local nongovernmental organizations (NGOs) are able to register, and organizations that had operated in exile are able to return to and register in Sudan. International humanitarian entities that had been denied access to conflict zones under al-Bashir have similarly been allowed to resume

some activities. However, following the October 2021 coup, NGOs have reportedly been increasingly surveilled.

Though the outgoing minister of labor and social development issued a series of regulations in February 2021 that restricted the work of civil society organizations registered under the Sudan Voluntary and Humanitarian Works Act of 2006, the new minister suspended their enforcement a month later until a new legal framework was drafted and approved.

E3. Is there freedom for trade unions and similar professional or labor organizations? 0 / 4

Independent trade unions were largely absent under al-Bashir; his government banned them after taking power in 1989, and instead co-opted the Sudan Workers' Trade Unions Federation (SWTUF). The independent Sudanese Professionals Association (SPA), founded in late 2016, was instrumental in the protest movement that led to al-Bashir's ouster, and it has since played a role in the transitional government, with one of its members named to the TSC.

The interim constitution affirmed workers' right to form and join trade unions. In June 2021, the TSC approved the Trade Unions Law of 2021, after months of consultations, which lays the groundwork for union organizing. As part of the transitional government's efforts to dismantle the former ruling party and affiliated institutions, it controversially dissolved the SWTUF and the Sudan Journalists Union in late 2019. In February 2021, the World Federation of Trade Unions condemned the arrest and detention of union leaders and the creation of government-appointed steering committees to oversee union affairs.

However, following the October 2021 coup, General al-Burhan dissolved all trade unions and professional associations to limit their organizing capabilities. Multiple union and association leaders were detained and assaulted during anticoup protests.

F. RULE OF LAW: 0 / 16

F1. Is there an independent judiciary? 0 / 4

The interim constitution envisaged the establishment of an independent judiciary to replace the politically influenced judiciary of the al-Bashir era. In May 2021, the TSC removed Chief Justice Nemat Abdullah Khair and accepted the resignation of Attorney General Taj al-Ser Ali al-Hebr, who complained of a lack of independence. That month, the ERC removed more than 20 public prosecutors from office.

Following the October 2021 coup, General al-Burhan replaced the acting public prosecutor and chief justice with former NCP officials. Al-Burhan's replacement head judge, Chief Justice Abdulaziz Fath al-Rahman Abdeen, issued a directive in December ordering the reinstatement of all judges dismissed by the ERC.

F2. Does due process prevail in civil and criminal matters? 0 / 4

Although the interim constitution enshrined the right to due process, it also contained a provision allowing the government to invoke emergency powers and suspend some due process rights. In practice, security forces continued to engage in arbitrary arrests and detentions during 2022 after the October 2021 coup and related protests. Political detainees, activists, and journalists were held incommunicado without access to legal representation and were likely subject to torture and inhumane treatment.

The interim constitution called for the establishment of a new public prosecutor's office, though the public prosecutor appointed in 2019 resigned in May 2021. In August, the new public prosecutor issued Circular No. 1 (2021), a directive that outlines measures to protect witnesses, victims, and others involved in serious criminal cases. Under this directive

prosecutors are advised to use pseudonyms for witnesses and victims, include psychiatrists in sensitive interviews, and provide witnesses security if necessary.

F3. Is there protection from the illegitimate use of physical force and freedom from war and insurgencies? 0 / 4

In 2020, the transitional government banned forced confessions and the "infliction of torture" on suspects, prohibited the death penalty for defendants under age 18, and abolished the penalty of flogging for some criminal offenses, although flogging and other forms of corporal punishment were still prescribed for other crimes. In August 2021, it ratified the UN Convention Against Torture and the International Convention for the Protection of All Persons from Enforced Disappearances. Court cases to hold perpetrators of state violence accountable continued or were resolved in 2021, and a few leaders of the police force responsible for allowing violence against protesters were dismissed throughout the year.

However, demonstrators protesting the October coup were violently repressed and detained by security forces. Political detainees released following the November 21 agreement to restore the transitional government reported being tortured or experiencing inhumane treatment while in detention. An advisor to former prime minister Hamdok, Faisal Saleh, reported he was held in solitary confinement in a military prison.

In 2019, Prime Minister Hamdok announced the creation of an independent committee to investigate the June 3 Massacre of 2019; this committee was dissolved following the coup.

Despite the Juba Peace Agreement, civilians continue to be killed and tens of thousands of people were displaced by violence in several parts of the country throughout 2021. Controversies about the disposal of the bodies of victims of ethnic violence were pressing political issues, as mass graves were discovered in Central Darfur in July, following the discovery of other mass graves in Khartoum in 2020. Hundreds of decomposed bodies were found in morgues in April 2021; some believe they are the bodies of people who disappeared during the December Revolution of 2018. In response, the National Commission for Human Rights and the public prosecutor's office both formed investigative committees.

The violence in Darfur and neighboring states continued in 2022 with hundreds dying. The fighting is caused by unresolved land ownership issues but also the increasing militarization of tribal militias.

F4. Do laws, policies, and practices guarantee equal treatment of various segments of the population? 0 / 4

The 2019 interim constitution commits the transitional government to upholding the human rights of all citizens without discrimination and ensuring their equal treatment under the law. The charter also calls for accountability for war crimes, crimes against humanity, and other serious violations of human rights.

Despite guarantees of equal treatment in the interim constitution and some legal improvements adopted as part of the July 2020 reforms, women continue to face disadvantages in many areas of the law, and perpetrators of widespread crimes against women—including during armed conflicts—have generally enjoyed impunity. The transitional government in April 2021 ratified the Convention on the Elimination of All Forms of Discrimination Against Women but failed to endorse provisions recognizing equality in marriage, divorce, and parenting. Women are also still targeted unduly by marriage laws. In June 2022, a court sentenced a woman to death by stoning for committing adultery. (The sentence was overturned in November on procedural grounds; in December she was retried and sentenced to prison.)

Same-sex relations are illegal in Sudan, though 2020 reforms eliminated flogging and execution as potential punishments under an antisodomy law that is used to target LGBT+

people. Discrimination against LGBT+ people remains common. In 2022, the Sudanese government continued to welcome refugees; the Office of the UN High Commissioner for Refugees (UNHCR) reported that the country hosted more than 1.1 million refugees as of December 2022.

G. PERSONAL AUTONOMY AND INDIVIDUAL RIGHTS: 3 / 16

G1. Do individuals enjoy freedom of movement, including the ability to change their place of residence, employment, or education? 1 / 4

The 2019 interim constitution affirms freedom of movement and the right to travel—including overseas—for all citizens, but these rights are still impeded in practice by state security forces and other armed groups across the country, including those engaged in clashes between ethnic communities. Most of the more than 3.7 million IDPs in Sudan (as of July 2022) were concentrated in the long-standing conflict areas of Darfur, South Kordofan, and Blue Nile States.

In 2020, the transitional government abolished the need for exit permits, as well as a rule that had required women to obtain permission from a male guardian to travel abroad with children.

In 2022, the government began to limit the movement of people in some of the states affected by intercommunal conflicts. Several reports indicate that the decision has mostly affected already vulnerable and marginalized communities.

G2. Are individuals able to exercise the right to own property and establish private businesses without undue interference from state or nonstate actors? 1 / 4

Weak land rights have been a chronic driver of conflict in Sudan. In a succession of opaque deals, al-Bashir's regime leased large parcels of arable land to foreign countries for export crop production. In some cases, local populations were forced from their land or had their water supplies depleted.

The 2019 interim constitution guarantees the right to own property and protects citizens from expropriation by the state without compensation. The government has stated its intention to address land-related grievances, but property seizures by security forces and communal conflicts over land rights continue to be reported.

Women are denied equal rights to property and inheritance under laws based on Sharia (Islamic law) and through discriminatory customary practices.

G3. Do individuals enjoy personal social freedoms, including choice of marriage partner and size of family, protection from domestic violence, and control over appearance? 1 / 4

Although the transitional government ratified the Convention on the Elimination of All Forms of Discrimination Against Women in April 2021, it failed to endorse provisions recognizing equality in marriage, divorce, and parenting, which Sharia-based laws deny women. Among other restrictions, a Muslim woman cannot marry a non-Muslim man.

In 2019, the transitional government repealed the Public Order Act, which had been used in part to punish women for dress or behavior deemed indecent. However, the Strategic Initiative for Women in the Horn of Africa, an Indigenous African women's rights advocacy group, reported in September 2021 that women continued to be punished for "morality transgressions."

Sexual violence against women remains a major problem. A UN report released in August 2021 claimed there were high numbers of incidents of domestic and sexual violence in households; family sexual violence against women, in informal jobs, displaced and refugee women outside of camps, children in Quranic schools, and people with disabilities; forced,

arranged, and child marriages; female genital mutilation (FGM); and restricted access to financial resources and educational opportunities. In 2020, the transitional government criminalized FGM.

G4. Do individuals enjoy equality of opportunity and freedom from economic exploitation? 0 / 4

Bleak economic conditions, mass unemployment, and high prices for basic goods were among the root causes of the revolution that helped topple al-Bashir's regime in 2019. Prime Minister Hamdok's government voiced a commitment to reversing these trends. In 2020, the International Monetary Fund (IMF) approved a 12-month program to support the government in its efforts to eliminate large fuel subsidies, increase spending for health and social programs, increase its tax base, reduce corruption, and improve the business environment. Though the country officially met the requirements to receive debt relief under the Heavily Indebted Poor Countries Initiative (HIPC) in June 2021, international financial institutions paused assistance to the Sudanese government after the October 2021 coup, including $500 million from the World Bank and $150 million from the IMF.

The transitional government took early steps to clamp down on hazardous practices and working conditions in the gold-mining sector. Migrants, refugees, asylum seekers, and IDPs remain especially vulnerable to exploitation, including by criminal networks engaged in human trafficking. Some armed groups in the country have allegedly recruited children as fighters. In August 2021, the Sudanese government launched the 2021–23 National Action Plan to Combat Human Trafficking.

Suriname

Population: 600,000
Capital: Paramaribo
Freedom Status: Free
Electoral Democracy: Yes

Overview: Suriname is a constitutional democracy that holds generally free and fair elections. However, corruption and clientelism are pervasive problems in society and government, undermining the rule of law.

KEY DEVELOPMENTS IN 2022

- In July, a Surinamese court began hearing an appeal from former president Désire "Dési" Bouterse. In 2019, he was convicted of abducting and murdering political opponents in 1982, when he was Suriname's military ruler. A decision is expected in 2023.
- Major protests over official corruption, nepotism, and the cost of living were held in July. Subsequent demonstrations were reportedly smaller.

POLITICAL RIGHTS: 34 / 40

A. ELECTORAL PROCESS: 11 / 12

A1. Was the current head of government or other chief national authority elected through free and fair elections? 4 / 4

The president is chief of state and head of government and is elected to five-year terms by a two-thirds majority of the National Assembly. If no such majority can be reached, a United People's Assembly—consisting of national-, regional-, and local-level lawmakers—chooses the president by a simple majority. President Chandrikapersad Santokhi and Vice President Ronnie Brunswijk were selected in July 2020, in accordance with the law.

A2. Were the current national legislative representatives elected through free and fair elections? 4 / 4

The 1987 constitution provides for a unicameral, 51-seat National Assembly. Representatives are elected for five-year terms via proportional representation. In the May 2020 elections, the Progressive Reform Party (VHP) won 20 seats, Bouterse's National Democratic Party (NDP) won 16, the General Liberation and Development Party (ABOP) won 8, and three smaller parties split the remaining 7.

Observers from the Caribbean Community and the Organization of American States (OAS) described the elections as free and fair. The OAS noted some administrative problems, including ballot misprints and deliveries of ballot papers to the wrong polling stations. Nonetheless, no serious concerns were raised about the announced results.

A3. Are the electoral laws and framework fair, and are they implemented impartially by the relevant election management bodies? 3 / 4

Electoral laws generally meet international standards of fairness. However, electoral districts have become unequal in size, as boundaries have not been redrawn to account for population growth since being established in 1987. In August 2022, the Supreme Court ruled the electoral system unconstitutional.

B. POLITICAL PLURALISM AND PARTICIPATION: 14 / 16

B1. Do the people have the right to organize in different political parties or other competitive political groupings of their choice, and is the system free of undue obstacles to the rise and fall of these competing parties or groupings? 4 / 4

Suriname's many political parties, which often reflect ethnic cleavages, generally form and operate freely.

B2. Is there a realistic opportunity for the opposition to increase its support or gain power through elections? 4 / 4

The opposition has a realistic opportunity to increase its support or enter government through elections. Suriname has experienced multiple democratic transfers of power.

B3. Are the people's political choices free from domination by forces that are external to the political sphere, or by political forces that employ extrapolitical means? 3 / 4

People's political choices are generally not subject to undue coercion. However, opposition parties have raised concerns about campaign financing—which is unregulated and lacks transparency—and the resulting influence that special interest groups can have on parties and candidates. During the 2020 election campaign, the NDP was accused of engaging in clientelism by distributing food to citizens. Other parties use similar tactics, including distribution of money and funding of community projects using politicians' personal wealth.

Under the Santokhi government, relatives of high-ranking officials have received significant positions in government and in major enterprises, including first lady Mellisa Santokhi-Seenacherry and Leo Brunswijk, the vice president's brother. In July, the vice president said that Leo Brunswijk would step down from most of his positions at state-owned

firms. In October, Santokhi-Seenacherry and Leo Brunswijk left the board of the Suriname State Oil Company. In late 2022, the government denied that Leo was made general manager of Energy Companies Suriname.

The period preceding the 2020 elections was characterized by intimidation of opposition supporters. No reported cases of political intimidation have occurred since Santokhi's inauguration.

B4. Do various segments of the population (including ethnic, racial, religious, gender, LGBT+, and other relevant groups) have full political rights and electoral opportunities? 3 / 4

In general, parties are often formed along ethnic lines, meaning most ethnic groups have political representation. Women have historically played a limited role in politics and are underrepresented; 15 of the 51 National Assembly members elected in 2020 were women. Women were included in the Santokhi cabinet, however.

The interests of Maroons, the descendants of escaped slaves, are represented by the ABOP of Vice President Brunswijk, who is the first Maroon to hold that post. Indigenous people are poorly represented in politics. There are no openly gay politicians in Suriname, as LGBT+ people face discrimination.

C. FUNCTIONING OF GOVERNMENT: 9 / 12

C1. Do the freely elected head of government and national legislative representatives determine the policies of the government? 4 / 4

The country's freely elected representatives determine laws and government policies without undue interference. In June 2022, however, Richano Santokhi, the president's son, asserted that ministers ignore the president's input.

While the Bouterse government used its narrow parliamentary majority to avoid accountability for actions that appeared to exceed its legitimate authority, the Santokhi administration has refrained from executive overreach.

C2. Are safeguards against official corruption strong and effective? 2 / 4

Government corruption is pervasive. In 2017, the National Assembly adopted a new anticorruption law that was yet to be implemented as of 2022.

In 2020, former finance minister Gillmore Hoefdraad was accused of perpetrating multiple fraud and embezzlement schemes. Hoefdraad fled just after that year's elections and was the subject of both a domestic arrest warrant and an Interpol detention request. The Interpol request was withdrawn in May 2022 amid allegations that the process was politically motivated.

The former head of the Surinamese central bank, Robert van Trikt, was detained for fraud in the same affair in February 2020. He was convicted in a trial that proceeded quickly despite its complexity, and received an eight-year prison term in February 2022. Van Trikt's lawyers said the trial was political in nature. An appeal was heard beginning in October. In November, van Trikt was conditionally released; the case was ongoing at year's end.

In April and June 2022, individuals used false documents to withdraw a total of SRD 40.9 million ($1.8 million) from the central bank. The NDP claimed more was stolen, though the government denied this. In September, outgoing finance minister Armand Achaibersing said the funds had been recovered.

C3. Does the government operate with openness and transparency? 3 / 4

The Santokhi government promised to improve transparency and communication with the public and has conducted somewhat regular press conferences. Officials are not required

to disclose information about their finances in practice, despite disclosure provisions in the 2017 anticorruption law. Suriname has no law to facilitate access to public information, and access is limited in practice.

CIVIL LIBERTIES: 45 / 60

D. FREEDOM OF EXPRESSION AND BELIEF: 15 / 16

D1. Are there free and independent media? 3 / 4

The constitution guarantees press freedom, and the media sector is fairly diverse. The press frequently publishes stories that are critical of the government, though some journalists self-censor in response to pressure and intimidation from authorities. The Santokhi government has generally adopted an open relationship with the media.

Journalists do face violence, however. In late 2021, guards protecting Vice President Brunswijk assaulted journalist Jason Pinas and illegally seized and damaged his phone, after Pinas used his device to take photos of Brunswijk. Three guards received suspended sentences for assaulting Pinas in July 2022.

D2. Are individuals free to practice and express their religious faith or nonbelief in public and private? 4 / 4

Freedom of religion is constitutionally guaranteed and generally upheld.

D3. Is there academic freedom, and is the educational system free from extensive political indoctrination? 4 / 4

Academic freedom is generally respected.

D4. Are individuals free to express their personal views on political or other sensitive topics without fear of surveillance or retribution? 4 / 4

Freedom of expression is enshrined in the constitution. There are no formal constraints on the expression of personal views.

Government officials' verbal intimidation of perceived critics, which had deterred open discussion of sensitive topics, declined following the 2020 election.

E. ASSOCIATIONAL AND ORGANIZATIONAL RIGHTS: 11 / 12

E1. Is there freedom of assembly? 4 / 4

The constitution guarantees freedom of assembly, which is generally respected. Major protests—motivated by corruption, nepotism, and the cost of living—were held in July 2022. Antigovernment protests were held later in the year but were reportedly smaller.

E2. Is there freedom for nongovernmental organizations, particularly those that are engaged in human rights– and governance-related work? 4 / 4

Nongovernmental organizations function freely in Suriname.

E3. Is there freedom for trade unions and similar professional or labor organizations? 3 / 4

Workers are free to join independent trade unions, which are actively involved in politics. There have been isolated reports of private-sector employers denying collective bargaining rights to unions.

F. RULE OF LAW: 9 / 16

F1. Is there an independent judiciary? 2 / 4

The judiciary has enjoyed improved autonomy since the change of government in 2020. However, judicial independence is still undermined by corruption due to a lack of

resources and economic pressure. Critics, among them the NDP, claim that the judiciary is not independent.

In October 2022, Lilian Ferrier, the mother of former central bank governor van Trikt, accused Judge Maytrie Kuldip Singh of presiding over a politically motivated trial against him; Ferrier also alleged that Kuldip Singh's subsequent nomination to the Inter-American Court of Human Rights was an effective reward.

F2. Does due process prevail in civil and criminal matters? 2 / 4

Obstacles to due process include a lack of capacity and resources that contributes to corruption, trial delays, and long waits for appeals. Pretrial detention, even for minor crimes, is common and can sometimes last years.

Low wages for police encourage bribery and extortion. Payments are sometimes made to obtain favorable outcomes in criminal and civil proceedings.

In 2019, the Military Court convicted former president Bouterse for the abduction and murder of 15 political opponents in 1982, when he was Suriname's military ruler. That conviction was upheld in 2021, but Bouterse appealed later that year. An appeals court began hearing the case in July 2022 and sat as recently as mid-December; a decision is expected in 2023.

F3. Is there protection from the illegitimate use of physical force and freedom from war and insurgencies? 3 / 4

The population is generally free from major threats to physical security, though Surinamese are at risk of violent crime including armed robbery. The use of excessive force by law enforcement officials is prohibited although incidental police violence occurs.

Temporary detention facilities are unhygienic, understaffed, and overcrowded. Suriname lies on a major drug-trafficking route, giving rise to some trafficking-related violence. Major smuggling activity is frequently uncovered by the police.

Both former president Bouterse and current vice president Brunswijk have been convicted by Dutch courts in absentia of drug trafficking.

F4. Do laws, policies, and practices guarantee equal treatment of various segments of the population? 2 / 4

The constitution prohibits race-based or ethnic discrimination. Nevertheless, Maroon and Indigenous people in the hinterland face inequality in areas such as education and employment. Residents of the interior were affected by floods in May 2022, which caused extensive damage to schools and disrupted access to education; access was also limited due to the slow flow of aid.

Same-sex sexual relations are legal, though the age of consent differs from that applied to opposite-sex couples. Despite legal protections adopted in 2015, LGBT+ people face societal discrimination, harassment, and abuse by police.

The constitution bars gender discrimination, but women experience disadvantages in access to employment and education in practice.

G. PERSONAL AUTONOMY AND INDIVIDUAL RIGHTS: 10 / 12

G1. Do individuals enjoy freedom of movement, including the ability to change their place of residence, employment, or education? 3 / 4

The government generally upholds constitutional freedoms of internal movement and residence, though the lack of protections for Indigenous and Maroon lands leaves those communities vulnerable to displacement.

G2. Are individuals able to exercise the right to own property and establish private businesses without undue interference from state or nonstate actors? 2 / 4

Property rights are constitutionally guaranteed but are sometimes inadequately protected. Corruption, especially regarding land policy, government contracts, and licensing, can hinder private business activity. Indigenous and other minority groups face illegal land expropriation, including by illegal logging and mining operations.

Indigenous peoples and Maroons' traditional land rights are not guaranteed by law. A draft bill to regulate collective rights was introduced in 2020 but was not decided upon in 2022.

Women face inequality related to inheritance and property due to discriminatory cultural customs.

G3. Do individuals enjoy personal social freedoms, including choice of marriage partner and size of family, protection from domestic violence, and control over appearance? 3 / 4

Individuals are generally free of undue constraints on personal status decisions such as marriage and divorce, though those decisions are impacted by cultural forces. Despite efforts of the Santokhi government to address it, gender-based violence remains a serious problem; laws that criminalize it are not well enforced.

G4. Do individuals enjoy equality of opportunity and freedom from economic exploitation? 2 / 4

Despite continuous government efforts to combat it, human trafficking remains a serious problem. Corruption has facilitated traffickers' criminal activities.

Women and migrant workers are especially at risk of sexual exploitation and forced labor in various industries. Construction and mining work often receives inadequate attention from labor inspectors.

The deteriorating economy in Venezuela has increased the vulnerability of Venezuelan women to sex trafficking in Suriname.

Sweden

Population: 10,500,000
Capital: Stockholm
Freedom Status: Free
Electoral Democracy: Yes

Overview: Sweden hosts free and fair elections and a strong multiparty system. Civil liberties and political rights are legally guaranteed and generally respected in practice, and the rule of law prevails. Recent challenges include increases in violent crime; religiously motivated hate speech and vandalism against Muslim, Jewish, and other targets; and struggles to integrate and create opportunities for foreign-born residents.

KEY DEVELOPMENTS IN 2022

- National elections took place in September, resulting in a right-wing government with a slim three-seat majority. The Moderate Party, the Christian Democrats, and the Liberal Party formed a ruling coalition in October, with support from the far-right Swedish Democrats via a "confidence and supply" agreement.

- Gun violence continued to rise during the year, with a record 60 people killed by gunfire. The new government indicated it will pursue a "tough-on-crime" agenda to reduce gun violence.
- Several police officers and civilians were injured in violent clashes across several cities in April, which erupted after a far-right-wing extremist group held demonstrations at which participants said they intended to burn the Quran. Authorities said the violence appeared to target police and was perpetrated by known criminals.

POLITICAL RIGHTS: 40 / 40

A. ELECTORAL PROCESS: 12 / 12

A1. Was the current head of government or other chief national authority elected through free and fair elections? 4 / 4

The prime minister is the head of government and is appointed by the speaker of the freely elected parliament, or Riksdag, and confirmed by the body as a whole. Prime Minister Ulf Kristersson was appointed in October 2022 following parliamentary elections in September. King Carl XVI Gustaf, crowned in 1973, is ceremonial head of state.

A2. Were the current national legislative representatives elected through free and fair elections? 4 / 4

The unicameral Riksdag is composed of 349 members who are elected every four years by proportional representation. A party must receive at least 4 percent of the vote nationwide or 12 percent in an electoral district to win a seat. Swedish elections are broadly free and fair.

A right-wing bloc won a thin majority in the September 2022 parliamentary elections, taking 176 seats; the center-left bloc won 173. The populist, anti-immigrant Sweden Democrats (SD), is now the largest right-wing party with 73 seats, up from 62 previously. The Moderates, usually the largest party in the right-wing bloc, won 68 seats.

Following a month of negotiations, the Moderate Party, Christian Democrats, and Liberal Party formed a ruling coalition, including support from Swedish Democrats via a "confidence-and-supply" agreement.

A3. Are the electoral laws and framework fair, and are they implemented impartially by the relevant election management bodies? 4 / 4

Elections are regulated by the Swedish Election Authority, which effectively upholds its mandates. The Election Authority is headed by a government-appointed committee. Members of the board are appointed for a specific period and are not political appointments.

B. POLITICAL PLURALISM AND PARTICIPATION: 16 / 16

B1. Do the people have the right to organize in different political parties or other competitive political groupings of their choice, and is the system free of undue obstacles to the rise and fall of these competing parties or groupings? 4 / 4

Political parties may form and operate without restriction.

B2. Is there a realistic opportunity for the opposition to increase its support or gain power through elections? 4 / 4

Sweden has a strong multiparty system with a robust opposition. Eight political parties secured representation in the Riksdag in 2022.

B3. Are the people's political choices free from domination by forces that are external to the political sphere, or by political forces that employ extrapolitical means? 4 / 4

People's political choices are generally free from domination by actors that are not democratically accountable.

B4. Do various segments of the population (including ethnic, racial, religious, gender, LGBT+, and other relevant groups) have full political rights and electoral opportunities? 4 / 4

The range of Sweden's religious, ethnic, and immigrant groups are represented in the parliament. There are 162 women (out of 349 members) in Parliament and 11 women cabinet members. However, some parties maintain greater gender parity than others.

Since 1993, the Indigenous Sami community has elected its own legislature, which has significant powers over community education and culture, and serves as an advisory body to the government. There are calls for greater political autonomy of the Sami Parliament.

C. FUNCTIONING OF GOVERNMENT: 12 / 12

C1. Do the freely elected head of government and national legislative representatives determine the policies of the government? 4 / 4

Sweden's freely elected representatives are able to develop and implement policy.

C2. Are safeguards against official corruption strong and effective? 4 / 4

Corruption is relatively low in Sweden, and anticorruption mechanisms are generally effective. However, as of 2021 it had only satisfactorily addressed 2 out of 15 recommendations made by the Council of Europe's Group of States against Corruption (GRECO). Recommendations that have yet to be fulfilled involve the establishment of a code of conduct and ethics training for senior officials, guidelines for transitioning from ministerial positions to the private sector, police anticorruption training, and a mechanism for publishing corruption complaints, among others.

C3. Does the government operate with openness and transparency? 4 / 4

The country has one of the most robust freedom of information statutes in the world, and state authorities generally respect the right of both citizens and noncitizens to access public information.

CIVIL LIBERTIES: 60 / 60

D. FREEDOM OF EXPRESSION AND BELIEF: 16 / 16

D1. Are there free and independent media? 4 / 4

Sweden's media are independent. Most newspapers and periodicals are privately owned, and media ownership is concentrated in the hands of a small group of individuals. The government subsidizes daily newspapers regardless of their political affiliation. Public broadcasters air weekly radio and television programs in several minority languages.

In a 2021 government survey, 67 percent of women journalists and 41 percent of men journalists reported experiencing online hate speech and abuse.

D2. Are individuals free to practice and express their religious faith or nonbelief in public and private? 4 / 4

Religious freedom is constitutionally guaranteed and generally respected. While the state makes efforts to record and investigate religiously motivated hate crimes, they often go unreported. The UN Universal Periodic Review of Sweden in 2020 highlighted numerous such incidents, mainly targeting Muslims and Jews. The US State Department's 2022 report on religious freedom noted vandalism against Muslim and Orthodox Christian graveyards, antisemitic graffiti on a government building, and antisemitic harassment

online. Members of the second-largest political party, the Swedish Democrats, have expressed anti-Islamic views.

In December, the Supreme Administrative Court overturned two municipalities' 2020 bans on hijabs, burqas, niqabs, and other face- and hair-covering garments in preschools and elementary schools. The court ruled that the prohibitions unconstitutionally restricted freedom of expression.

Since 2019 the government has closed most Islamic schools, citing concerns about radicalization.

D3. Is there academic freedom, and is the educational system free from extensive political indoctrination? 4 / 4

Academic freedom is generally respected.

D4. Are individuals free to express their personal views on political or other sensitive topics without fear of surveillance or retribution? 4 / 4

Private discussion is open and vibrant.

E. ASSOCIATIONAL AND ORGANIZATIONAL RIGHTS: 12 / 12

E1. Is there freedom of assembly? 4 / 4

Freedom of assembly is generally respected in law and in practice. However, in April 2022, violence erupted in several cities after a far-right extremist group held demonstrations, sanctioned by the police, at which participants indicated that they planned to burn the Quran. Several police officers and private individuals were reportedly injured during two days of clashes, which the national police commissioner blamed on "criminal individuals" who targeted police and were known to authorities.

E2. Is there freedom for nongovernmental organizations, particularly those that are engaged in human rights– and governance-related work? 4 / 4

Nongovernmental organizations of all kinds function freely.

E3. Is there freedom for trade unions and similar professional or labor organizations? 4 / 4

The rights to strike and organize in labor unions are guaranteed. Trade union federations, which represent approximately 70 percent of the workforce, are strong and well organized.

F. RULE OF LAW: 16 / 16

F1. Is there an independent judiciary? 4 / 4

The judiciary is independent under the constitution, and it enjoys relatively high support among civilians according to recent polls. Permanent judges are appointed by the government following proposals by the Judges Proposal Board. A permanent judge cannot be dismissed other than for corruption or other wrongdoing. Every district court, court of appeal, administrative court, and administrative court of appeal has lay judges. Lay judges are appointed at the local level and are formally apolitical, though they are appointed by political parties.

F2. Does due process prevail in civil and criminal matters? 4 / 4

The rule of law prevails in civil and criminal matters. Defendants are presumed innocent until proven guilty, and the state must provide legal counsel to people accused of criminal offenses.

F3. Is there protection from the illegitimate use of physical force and freedom from war and insurgencies? 4 / 4

While Sweden is free from large-scale insurgencies, rising street violence has emerged as a growing concern. Deadly shootings, arson attacks, and explosions caused by hand grenades have taken place in many Swedish cities in recent years, mainly in poor neighborhoods with large immigrant populations. In 2022, at least 60 people were killed by gun violence, a record high. Although shootings are increasing, according to the Swedish Crime Survey, in 2021 only around 2.8 percent of the population were exposed to assault, and only 0.5 percent exposed to serious assault. The new government and in particular the Swedish Democrats are expected to promote a "tough-on-crime" approach to containing gun violence; the party has called for measures such as stripping citizenship from gang members.

In July 2022, Sweden convicted an Iranian official of war crimes and sentenced him to life imprisonment for his participation in the mass execution in Iran of opposition supporters in 1988.

F4. Do laws, policies, and practices guarantee equal treatment of various segments of the population? 4 / 4

The Swedish state works to ensure equal protection and rights for all members of the population. An equality ombudsman oversees efforts to prevent discrimination based on gender, ethnicity, disability, and sexual orientation. However, the United Nations has called for the ombudsman's powers to be strengthened and has noted problems with discrimination by police and correctional personnel.

In recent years, multiple reports have emerged of members of the Swedish Democrats and other parties making antisemitic and anti-Muslim remarks.

G. PERSONAL AUTONOMY AND INDIVIDUAL RIGHTS: 16 / 16

G1. Do individuals enjoy freedom of movement, including the ability to change their place of residence, employment, or education? 4 / 4

Freedom of movement is legally guaranteed and generally respected in practice. Sweden continues to maintain checkpoints on its external borders that were instituted during the 2015 refugee crisis.

G2. Are individuals able to exercise the right to own property and establish private businesses without undue interference from state or nonstate actors? 4 / 4

The government respects the rights of individuals to own property and establish private businesses. A 2011 Supreme Court ruling granted Sami reindeer herders common-law rights to disputed lands.

G3. Do individuals enjoy personal social freedoms, including choice of marriage partner and size of family, protection from domestic violence, and control over appearance? 4 / 4

Same-sex couples are legally allowed to marry and adopt; lesbian couples have the same rights to artificial insemination and in vitro fertilization as heterosexual couples. An individual can legally change their gender identity, though doing so requires a medical assessment.

There are persistently high levels of rape and sexual assault in the country, although the relatively high rates may be due to how rape is recorded and defined compared to other countries.

G4. Do individuals enjoy equality of opportunity and freedom from economic exploitation? 4 / 4

People in Sweden generally enjoy equality of opportunity. However, unemployment is higher among immigrants, and particularly immigrant women, than it is among people who were born in Sweden. Increasing violence in the less affluent, ethnically diverse suburbs points to a frustration among those residents, many of whom are immigrants, that they do not enjoy the same equality of opportunity as ethnic Swedish citizens. According to the 2022 Labor Force Survey from Statistics Sweden, the employment rate for foreign-born residents was 64.2 percent compared with 70.5 percent for Swedish-born residents. The United Nations has also noted that the performance gap between foreign-born and native-born children in school remains high.

Sweden is a destination and, to a lesser extent, a transit point for women and children trafficked for the purpose of sexual exploitation. The Swedish government has a proactive antitrafficking program, but the United Nations has pointed out that Sweden lacks robust methods to prevent individuals, especially unaccompanied immigrant children, from falling victim to human trafficking.

Switzerland

Population: 8,800,000
Capital: Bern
Freedom Status: Free
Electoral Democracy: Yes

Overview: Switzerland's political system is characterized by decentralization and direct democracy, and broad coalition governments are common. Political rights and civil liberties are generally respected, though laws and policies adopted in recent years have reflected a growing wariness of immigration and minority groups, which face societal and systemic discrimination.

KEY DEVELOPMENTS IN 2022

- The year was marked by concerns about rising inflation (which reached an annual average rate of 2.8 percent for the year), rising living costs, the energy crisis resulting from the Russian military's war of aggression against Ukraine, and Switzerland's support for Ukraine, which sparked renewed debates about Switzerland's tradition of neutrality.
- In August, the Federal Council passed new legislation that requires Swiss political parties to disclose the sources of their party and campaign financing, starting with the elections in 2023.

POLITICAL RIGHTS: 39 / 40

A. ELECTORAL PROCESS: 12 / 12

A1. Was the current head of government or other chief national authority elected through free and fair elections? 4 / 4

Executive power is exercised by the seven-member Federal Council, with each member elected by the bicameral Federal Assembly to four-year terms. The Federal Council

represents a consensus-based coalition among most large parties in the Federal Assembly. The presidency is largely ceremonial and rotates annually among the Federal Council's members. Ignazio Cassis of the Free Democratic Party of Switzerland (FDP) assumed the post in January 2022, succeeding Guy Parmelin of the Swiss People's Party (SVP).

A2. Were the current national legislative representatives elected through free and fair elections? 4 / 4

The constitution provides for a Federal Assembly with two directly elected chambers: the 46-member Council of States, in which each canton has two members and each half-canton has one, and the 200-member National Council, whose seats are apportioned among the cantons based on population. All lawmakers serve four-year terms. Switzerland's electoral process is vibrant and pluralistic, garnering high levels of confidence from the public.

The October 2019 elections resulted in a minor shake-up in Swiss politics. In the National Council, the right-wing SVP remained the largest party but lost ground, taking 54 seats, down from 65 in the last parliament. The Social Democratic Party (SP) won 39 seats (losing 4), the FDP took 28 seats (losing 4), and the Christian Democratic People's Party (CVP) took 25 seats (losing 2). The biggest winners of the election were the Green Party (GPS), which won 28 seats (gaining 17), and the Green Liberal Party (GLP), which won 16 seats (gaining 9). No other party won more than 10 seats.

In the Council of States, the CVP won 13 seats, the FDP secured 12, the SP took 9, the SVP took 6, and the GPS won 5. The GPS made gains, while the SP sustained losses.

A3. Are the electoral laws and framework fair, and are they implemented impartially by the relevant election management bodies? 4 / 4

Swiss elections are free and fair, and the Election Commission, which administers them, is considered impartial.

Swiss voters took part in three referendums in 2022, voting on 11 policy issues in total. Among them, in May, voters approved increased spending on Frontex (the European Border and Coast Guard Agency). Human rights organizations and members of the SP and the Greens had jointly put the proposed funding increase on the referendum agenda in hopes that Swiss voters would reject it out of concerns about the agency's human rights record.

B. POLITICAL PLURALISM AND PARTICIPATION: 15 / 16

B1. Do the people have the right to organize in different political parties or other competitive political groupings of their choice, and is the system free of undue obstacles to the rise and fall of these competing parties or groupings? 4 / 4

Political parties are free to form and operate, and a wide range of parties are active at the federal and regional levels. The political system, while stable, remains open to new groups. In January 2021, the CVP and the Conservative Democratic Party, which held three lower-house seats, merged to form the Center Party.

Transparency International and other organizations have long criticized Swiss party financing and lobbying regulations for being opaque. In August 2022, the Federal Council passed legislation that requires parties in Switzerland to disclose party financing sources and campaign donations starting with the 2023 elections.

B2. Is there a realistic opportunity for the opposition to increase its support or gain power through elections? 4 / 4

While most parties govern together by common agreement in the country's consociational political system, they compete vigorously in elections and can gain or lose influence

depending on their performance at the polls. Contentious policy issues are often decided in referendums.

The seven-seat Federal Council currently comprises two members each from the FDP, the SP, and the SVP, along with one Center Party member. After the 2019 elections, the GPS, which now holds more seats than the CVP and as many as the FDP, petitioned the parliament to change the Federal Council's composition to accommodate their electoral success. The GPS lost a parliamentary vote over the issue but will likely renew their bid should they repeat their strong performance in the next election. A GPS seat was effectively denied based on an interpretation of the "magic formula," whereby Federal Council seats are distributed according to the approximate strength of the four largest parties in the parliament.

B3. Are the people's political choices free from domination by forces that are external to the political sphere, or by political forces that employ extrapolitical means? 4 / 4

People's political choices are generally free from domination by democratically unaccountable entities.

B4. Do various segments of the population (including ethnic, racial, religious, gender, LGBT+, and other relevant groups) have full political rights and electoral opportunities? 3 / 4

Restrictive citizenship laws and procedures tend to exclude immigrants from political participation. Noncitizens represent 26 percent of the Swiss population yet cannot vote in federal elections. As a consequence of the Swiss *jus sanguinis*, this includes around 350,000 people born in Switzerland.

The 2019 elections saw a record number of women elected to the National Council. Women currently represent 41.7 percent of the body but made up 50.3 percent of the Swiss population as of 2022. Switzerland was one of the last countries in the world to introduce women's suffrage, doing so at the federal level only in 1971. At the cantonal level, women in the canton of Appenzell Innerrhoden were denied the right to vote until 1990.

People with disabilities and living under full guardianship have the automatic right to vote on local and cantonal matters in Geneva and can request the right to vote in Ticino and Vaud. However, Switzerland does not fully comply with the UN Convention on the Rights of Persons with Disabilities, which it ratified in 2014. In 2022, some canton-level initiatives developed with the aim of combatting this disability-based discrimination; however, no electoral reforms had been passed by year's end.

C. FUNCTIONING OF GOVERNMENT: 12 / 12

C1. Do the freely elected head of government and national legislative representatives determine the policies of the government? 4 / 4

Switzerland's freely elected officials determine and implement national and local policy through a decentralized governance system. 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. Extensively used referendums are mandatory for any federal constitutional amendments, the joining of international organizations, and major changes to federal laws.

C2. Are safeguards against official corruption strong and effective? 4 / 4

Safeguards against corruption are generally effective. Pierre Maudet, a former Geneva cantonal government head who had accepted benefits from Abu Dhabi's crown prince in 2015, was convicted of receiving an undue financial advantage and received a suspended sentence in 2021. He ran again in cantonal elections in March 2021, but lost.

A law to improve whistleblower protection was rejected in 2019 and again in 2020 by the National Council. The failed reform effort came in response to the Organization for Economic Cooperation and Development (OECD) criticizing Switzerland for failing to fully implement its Anti-Bribery Convention recommendations.

C3. Does the government operate with openness and transparency? 4 / 4

The government is generally transparent in its operations. In recent years, an increasing number of cantonal governments have passed transparency laws making government data more accessible.

In June 2021, the Council of Europe's Group of States against Corruption (GRECO) reported that Swiss authorities did not fully adopt its previous recommendations regarding legislators' financial declarations and liabilities. In response, the Federal Council in August 2022 passed new legislation that requires Swiss political parties to disclose the sources of their party and campaign financing, starting with the elections in 2023.

CIVIL LIBERTIES: 57 / 60

D. FREEDOM OF EXPRESSION AND BELIEF: 14 / 16

D1. Are there free and independent media? 4 / 4

Press freedom is generally respected. Switzerland has an open media environment, though the state-owned, editorially independent Swiss Broadcasting Corporation (SRG/SSR) dominates the market. Consolidation of newspaper ownership in the hands of large conglomerates has forced the closure of some smaller newspapers in recent years.

In 2020, the telecommunications committee of the Council of States voted to support a revision to Article 93 of the constitution that would impose regulations that already existed for radio and television outlets onto other, new forms of media. Reporters Without Borders (RSF) criticized the proposal, warning it would impact the freedom of those outlets.

D2. Are individuals free to practice and express their religious faith or nonbelief in public and private? 3 / 4

Freedom of religion is constitutionally guaranteed and the penal code prohibits discrimination against any religion. However, Muslims face legal and practical discrimination. The construction of new minarets and mosques is prohibited as the result of a 2009 referendum. In 2018, St. Gallen became the second canton to pass a ban on burqas, after Ticino in 2016. In 2020, the National Council rejected a proposal to ban burqas. In March 2021, however, Swiss voters narrowly approved a proposal to restrict their public use nationwide.

Antisemitic incidents and hate crimes have increased. A report on antisemitism released by the Swiss Federation of Jewish Communities (SIG) in February 2022 recorded 806 hate postings on social media platforms in 2021, an increase of two-thirds compared to the previous year; the report also documented threats against Jews and attacks on synagogues.

D3. Is there academic freedom, and is the educational system free from extensive political indoctrination? 4 / 4

Academic freedom is largely respected.

D4. Are individuals free to express their personal views on political or other sensitive topics without fear of surveillance or retribution? 4 / 4

Individuals are generally able to express their personal views on political issues without fear of retribution.

The Federal Intelligence Service (FIS) was granted wider surveillance powers in 2017, allowing it to monitor internet usage, bug private property, and tap phone lines of suspected terrorists. A 2018 law required mobile and internet service providers to retain user data, including information on which websites users visited, for six months.

E. ASSOCIATIONAL AND ORGANIZATIONAL RIGHTS: 12 / 12

E1. Is there freedom of assembly? 4 / 4

Freedom of assembly is constitutionally guaranteed. The government lifted many pandemic-related restrictions in February 2022, and all remaining restrictions in April. The state of emergency ("special situation"), which allowed the Federal Council to quickly respond to rising infections, expired in March 2022.

E2. Is there freedom for nongovernmental organizations, particularly those that are engaged in human rights– and governance-related work? 4 / 4

Nongovernmental organizations (NGOs) generally operate without undue restrictions, though some groups face surveillance. In 2021, it came to light that the FIS had been monitoring Solidarity Without Borders, which advocates for the interests of migrants and asylum seekers, along with other NGOs. In June 2022, it emerged that the FIS had also been monitoring leading Green politicians, the NGO Public Eye, and other groups. The revelations were particularly explosive because they came as the Federal Council was proposing to expand the purview of the intelligence service.

E3. Is there freedom for trade unions and similar professional or labor organizations? 4 / 4

Workers are generally free to form trade unions and other professional organizations. The right to engage in collective bargaining and strikes is respected. However, Switzerland ranks among those countries with relatively weak job protection for unionized employees, according to the International Labour Organization (ILO). The Swiss Trade Union Federation reports regular breaches of labor law including unlawful dismissal for union activity.

F. RULE OF LAW: 15 / 16

F1. Is there an independent judiciary? 4 / 4

While the judiciary is largely independent in practice, judges are selected based on a system of proportional party, linguistic, and regional representation in the Federal Assembly. Two Federal Supreme Court members were selected under this system in June 2021. Green and SP judges are underrepresented within the court.

Campaigners advocating for judges to be selected by lottery collected the needed signatures for their proposal in 2019. The Federal Council rejected the proposal in 2020, and Swiss voters rejected it in November 2021.

F2. Does due process prevail in civil and criminal matters? 4 / 4

Authorities generally observe legal safeguards against arbitrary arrest and detention. The constitution's due process clause guarantees fair trial proceedings. In 2020, however, members of parliament approved legislation allowing police to preventively detain and surveil individuals suspected of terrorist activities. Swiss voters approved the legislation in June 2021. Amnesty International heavily criticized the law, warning it could be employed against children as young as 12 years old and is vague in its definition of terrorism.

F3. Is there protection from the illegitimate use of physical force and freedom from war and insurgencies? 4 / 4

Switzerland is free from war and other major threats to physical security, though violent incidents do occur. Occasional instances of excessive force by police have been documented. Conditions in prisons and detention centers generally meet international standards, and the Swiss government permits visits by independent observers.

F4. Do laws, policies, and practices guarantee equal treatment of various segments of the population? 3 / 4

Although the law prohibits discrimination on the basis of race, gender, or religion, anti-immigrant attitudes have grown in recent years. A 2016 immigration law included measures meant to curb mass migration from the EU and required employers to give preference to Swiss citizens in hiring practices. In 2020, voters rejected an SVP proposal to end the free movement agreement with the EU.

The rights of cultural, religious, and linguistic minorities are legally protected, but minority groups—especially Roma, Sinti, and non-White people—face societal discrimination.

Women generally enjoy equal rights but face pay and workplace discrimination. According to government figures released in November 2022, the gender pay gap in 2020 was 18.4 percent, roughly 5 percent wider than the EU average.

G. PERSONAL AUTONOMY AND INDIVIDUAL RIGHTS: 15 / 16

G1. Do individuals enjoy freedom of movement, including the ability to change their place of residence, employment, or education? 4 / 4

Freedom of movement is respected, and there are no undue limitations on the ability to change one's place of residence, employment, or education. Movement within Switzerland and internationally was limited by COVID-19 measures in 2020 and 2021, but such restrictions were lifted later in 2021.

G2. Are individuals able to exercise the right to own property and establish private businesses without undue interference from state or nonstate actors? 4 / 4

The rights to own property and operate private businesses remain unrestricted. However, rising COVID-19 infections in early 2022 again forced some businesses to reduce their activity or even close temporarily.

G3. Do individuals enjoy personal social freedoms, including choice of marriage partner and size of family, protection from domestic violence, and control over appearance? 4 / 4

Personal social freedoms are protected for most people. In a 2005 referendum, voters approved same-sex civil unions. Recognized since 2007, these unions granted many of the legal benefits of marriage. Limited adoption rights for same-sex civil partners were granted in 2018. Members of parliament voted to approve same-sex marriage and allow transgender and intersex people to update identity documents more easily in 2020. Voters also supported same-sex marriage and adoption rights in a September 2021 referendum. The right to easily update identity documents, meanwhile, was included in the civil code and took effect in January 2022.

G4. Do individuals enjoy equality of opportunity and freedom from economic exploitation? 3 / 4

The Swiss government does not fully comply with international antitrafficking standards, according to the US State Department's 2022 *Trafficking in Persons Report*. Swiss authorities made some efforts to support international trafficking investigations during the department's reporting period, but sentencing of convicted traffickers was considered

"lenient." In April 2021, Switzerland signed on to an ILO framework to combat forced labor, modern slavery, human trafficking, and child labor.

Labor regulations are generally enforced, but migrant workers are more vulnerable to exploitation. No nationwide minimum wage exists and voters rejected an initiative to introduce one in 2014. The cantons of Geneva, Jura, Neuchâtel, Ticino, and the half-canton of Basel-Stadt do maintain minimum wages.

Syria

Population: 22,100,000
Capital: Damascus
Freedom Status: Not Free
Electoral Democracy: No

Overview: Political rights and civil liberties in Syria are severely compromised by one of the world's most repressive regimes and by other belligerent forces in an ongoing civil war. The regime prohibits genuine political opposition and harshly suppresses freedoms of speech and assembly. Corruption, enforced disappearances, military trials, and torture are rampant in government-controlled areas. Residents of contested regions or territory held by nonstate actors are subject to additional abuses, including intense and indiscriminate combat, sieges and interruptions of humanitarian aid, and mass displacement.

KEY DEVELOPMENTS IN 2022

- Intermittent fighting continued among regime forces, local insurgents, Islamist militants, Kurdish-led militias, and groups backed by the Turkish army, killing dozens of civilians.
- In late January, the Islamic State (IS) militant group attacked a prison in northeastern Syria to release fighters who had been detained by Kurdish-led forces. Some 45,000 civilians were displaced by the ensuing combat, as Kurdish troops regained control with US and British military support.
- In February, the de facto authorities in the Kurdish-controlled region, led by the Democratic Union Party (PYD), suspended the license of a media group based in Iraqi Kurdistan. The following month, local officials began requiring journalists to join the Union of Free Media, which is under the influence of the PYD-led administration.
- In April, Syrian president Bashar al-Assad signed a new decree-law on cybercrime, imposing harsh penalties for online activity that undermines the "prestige of the state" or "national unity," among other vague provisions. Also that month, the government announced an amnesty for those accused of terrorist crimes, but it was implemented in an opaque manner and ultimately covered only a small fraction of the country's numerous political prisoners.

POLITICAL RIGHTS: −3 / 40

A. ELECTORAL PROCESS: 0 / 12

A1. Was the current head of government or other chief national authority elected through free and fair elections? 0 / 4

The president, who dominates the executive branch, is empowered to appoint and dismiss the prime minister and cabinet. In May 2021, President Bashar al-Assad won a fourth seven-year term, with the government reporting that he received 95.1 percent of the vote. Balloting was conducted under highly repressive conditions and only in government-controlled areas, as opposed to rebel- or Kurdish-held areas. The millions of Syrians living abroad largely refrained from voting.

The election featured an uncompetitive slate of candidates. In early May 2021, the Supreme Constitutional Court allowed only three aspiring candidates, including Assad, to participate. Potential opposition challengers were also obstructed by a law requiring candidates to have lived within Syria for 10 years, effectively disqualifying those in exile. Major democratic states denounced the election as illegitimate.

A2. Were the current national legislative representatives elected through free and fair elections? 0 / 4

Elections for the 250-seat People's Council were held in July 2020, though only in areas with a regime presence. These elections were also affected by the widespread displacement of the population. The balloting featured no meaningful competition, as exiled opposition groups did not participate, and the authorities do not tolerate independent political activity in the territory they control. The ruling Baath Party and its National Progressive Front coalition won 183 seats. The remaining 67 seats went to candidates running as independents, though all were considered government loyalists.

A3. Are the electoral laws and framework fair, and are they implemented impartially by the relevant election management bodies? 0 / 4

There is no transparency or accountability surrounding the official electoral process. The executive authorities, acting through the military-security apparatus, effectively grant or withhold permission to participate in elections in government-held areas. Although some provisional local councils outside government-controlled areas have organized rudimentary elections since the outbreak of civil war in 2011, ongoing attacks by progovernment forces and militant groups have made such processes untenable.

Kurdish-held areas have a provisional constitution that allows local elections, but the PYD exercises ultimate control.

B. POLITICAL PLURALISM AND PARTICIPATION: 0 / 16

B1. Do the people have the right to organize in different political parties or other competitive political groupings of their choice, and is the system free of undue obstacles to the rise and fall of these competing parties or groupings? 0 / 4

A 2011 decree allowed new political parties to register but also imposed significant obstacles to party formation and prohibited parties based on religion, regional affiliation, and other criteria. In practice, all legally recognized political groups and independents are either part of, allied with, or heavily vetted by the regime.

In Kurdish-held areas, politics are dominated in practice by the most powerful group, the PYD, whose affiliated security forces frequently detain political opponents. In April 2022, the offices of the rival Kurdistan Democratic Party, the Kurdish National Council, and the Yekiti Kurdistan Party were attacked by unidentified assailants, with at least one of the targeted groups reportedly blaming a PYD-linked youth movement for the incidents.

B2. Is there a realistic opportunity for the opposition to increase its support or gain power through elections? 0 / 4

The Baath Party has governed Syria without interruption since the 1960s, led by Assad or his late father for nearly all of that time. The 2011 decree and 2012 constitutional reforms formally relaxed rules regarding the participation of non-Baathist parties. In practice, the government maintains a powerful intelligence and security apparatus to monitor and punish opposition movements that could meaningfully challenge Assad's rule.

B3. Are the people's political choices free from domination by forces that are external to the political sphere, or by political forces that employ extrapolitical means? 0 / 4

In the territory it controls, the regime's security and intelligence forces, militias, and business allies actively suppress the autonomy of voters and politicians. Foreign actors including the Russian and Iranian regimes and the Lebanese Shiite militia Hezbollah also exert heavy influence over politics in government-held areas. In other areas, civilian politics are generally subordinated to locally dominant armed groups, including the Islamist militant group Hayat Tahrir al-Sham (HTS), the PYD, and forces allied with the Turkish military.

B4. Do various segments of the population (including ethnic, racial, religious, gender, LGBT+, and other relevant groups) have full political rights and electoral opportunities? 0 / 4

The largely Alawite-led regime presents itself as a protector of that and other religious minority populations. In practice, political access depends not on sect but on proximity and loyalty to Assad and his associates. Alawites, Christians, Druze, and members of other smaller sects who are outside Assad's inner circle are politically disenfranchised. The political elite includes members of the Sunni sect, but the country's Sunni majority makes up most of the rebel movement and has borne the brunt of state repression as a result.

The opposition's dwindling territory is divided among Turkish-backed rebels, Islamist militias, and radical jihadist militants, with varying implications for ethnic and religious minority groups. In Kurdish-held areas, the PYD nominally ensures political representation for Arabs but has been accused of mistreating non-Kurdish residents.

Women have equal formal political rights in Syria, holding 11.2 percent of the legislature's seats after the 2020 elections as well as some senior government positions. However, they are typically excluded from political decision-making and have little ability to organize independently amid state and militia repression. All leadership positions in Kurdish-held areas are reportedly shared between a man and a woman, though they have limited political autonomy outside PYD-led structures.

C. FUNCTIONING OF GOVERNMENT: 0 / 12

C1. Do the freely elected head of government and national legislative representatives determine the policies of the government? 0 / 4

De facto authority in government-controlled Syria lies with the president—who is not freely elected—and his political, security, and business allies rather than with formal institutions such as the cabinet and parliament. Foreign states like Iran and Russia also wield considerable influence over regime policy. Opposition forces and Kurdish-led fighters have held large swaths of territory with the help of military forces from countries including Turkey and the United States, respectively.

C2. Are safeguards against official corruption strong and effective? 0 / 4

The regime and its allies are said to control much of the Syrian economy. The civil war has created new opportunities for corruption among the government, loyalist armed forces, and the private sector. Foreign allies have also benefited from opaque government contracts

and trade deals. Basic state services and humanitarian aid are reportedly extended or withheld based on recipients' demonstrated political loyalty to the Assad regime.

Individuals in government-held territory who seek to expose or criticize official corruption face reprisals including dismissal from employment and detention.

Corruption is also widespread in opposition-held areas. Turkish-backed militias have been accused of looting, extortion, and theft. Local administrators and activists complain that little of the international aid reportedly given to opposition representatives abroad seems to reach them, raising suspicions of graft. HTS monopolizes trade in fuel and key services in its territory, regularly confiscates or destroys goods, and seizes the property of absentee owners, often for redistribution to its own commanders.

C3. Does the government operate with openness and transparency? 0 / 4

The government has long operated with minimal transparency and public accountability, and conditions have worsened during the civil war amid the rise of militias that are nominally loyal to the regime but often free to exploit the population. Officials have broad discretion to withhold government information, and they are not obliged to disclose their assets. Independent civil society groups and media outlets are harshly suppressed and cannot influence or shed light on state policies.

ADDITIONAL DISCRETIONARY POLITICAL RIGHTS QUESTION

Is the government or occupying power deliberately changing the ethnic composition of a country or territory so as to destroy a culture or tip the political balance in favor of another group? −3 / 0

The Syrian government, Kurdish forces, Turkish-backed opposition militias, and Islamist extremist groups have all sought to alter the ethnic composition of their territories, compelling civilians to seek safety among their respective religious or ethnic communities and contributing to the demographic shifts wrought by the civil war.

Sunni Arab civilians bear the brunt of attacks by the Alawite-led government and loyalist militias. In 2018–19, the regime forcibly displaced as many as 900,000 civilians—most of them Sunni Arabs—from captured opposition areas to Idlib Governorate after bombing and besieging their cities.

In late 2019, the Turkish military launched an offensive into northeastern Syria, aiming to create a buffer zone by pushing out its Kurdish adversaries in the area. Turkish-backed militias were subsequently accused of expropriating land and homes.

Sunni Islamist and jihadist groups often persecute religious minority groups and Muslims whom they accuse of impiety or apostasy. Kurdish militias have been accused of displacing Arab and Turkmen communities.

CIVIL LIBERTIES: 4 / 60

D. FREEDOM OF EXPRESSION AND BELIEF: 3 / 16

D1. Are there free and independent media? 0 / 4

The constitution nominally guarantees freedom of the press, but in practice the media are heavily restricted in government-held areas, and journalists who report critically about the state are subject to censorship, detention, torture, and death in custody. All media must obtain permission to operate from the Interior Ministry. Private media in government-controlled territory are generally owned by figures associated with the regime.

Media freedom varies in territory held by other groups, but local outlets are typically under heavy pressure to support the dominant militant faction in their area. In February

2022, the PYD-led de facto authorities in northeastern Syria suspended the license of the Rudaw media group, an outlet based in Iraqi Kurdistan, and accused it of misinformation and incitement. In mid-March, the same authorities began requiring journalists to join the Union of Free Media, which is under the influence of the local administration. HTS regularly harasses perceived critics in its area, including journalists.

Journalists face physical danger throughout Syria, especially from regime forces and extremist groups. According to the Committee to Protect Journalists (CPJ), 142 journalists and media workers were killed in connection with their work between 2011 and 2022. Another five were imprisoned and eight were missing as of December 2022.

D2. Are individuals free to practice and express their religious faith or nonbelief in public and private? 2 / 4

While the constitution mandates that the president be a Muslim, there is no state religion, and the regime has generally allowed different confessional groups to practice their faiths as long as their religious activities are not deemed politically subversive. The government monitors mosques and controls the appointment of Muslim religious leaders. Jehovah's Witnesses are banned, proselytizing is restricted, and conversion of Muslims to other faiths is prohibited. The dominance of extremist groups in opposition-held areas of western Syria has threatened freedom of worship for local residents and displaced people. IS, which remains active as a terrorist and guerrilla force, persecutes religious activity that does not conform to its version of Sunni Islam.

D3. Is there academic freedom, and is the educational system free from extensive political indoctrination? 0 / 4

Academic freedom is severely restricted. University professors in government-held areas have been dismissed or imprisoned for expressing dissent, and some have been killed for supporting regime opponents. Combatants on all sides have regularly attacked or commandeered schools. Groups including the PYD and Islamist militants have set up education systems in their territories that feature pervasive political indoctrination.

D4. Are individuals free to express their personal views on political or other sensitive topics without fear of surveillance or retribution? 1 / 4

The government engages in heavy surveillance of private and online discussion and harshly punishes dissent in areas it controls, though it has employed its surveillance tools inconsistently in recent years amid deepening criticism from traditionally loyal segments of the population. In April 2022, Assad signed a new decree-law on cybercrime, Law No. 20 of 2022, which replaced an earlier law and imposed harsh penalties for any online activity that undermines the "prestige of the state" or "national unity," among other vague provisions. The maximum sentence under the law is 15 years in prison.

The environment is somewhat more open in areas where neither the government nor an extremist group has a dominant presence, though the PYD and some opposition factions have allegedly suppressed freedom of speech.

E. ASSOCIATIONAL AND ORGANIZATIONAL RIGHTS: 0 / 12

E1. Is there freedom of assembly? 0 / 4

Freedom of assembly is severely restricted across Syria. Opposition protests in government-held areas have been met with gunfire, mass arrests, and torture of those detained. Jihadist groups, the PYD, and some rebel factions have also used force to quash civilian dissent and demonstrations.

Residents of Sweida Governorate, where the Druze community forms a majority, continued to mount sporadic protests against worsening economic conditions during 2022, leading to the deaths of at least one protester and a police officer in December.

E2. Is there freedom for nongovernmental organizations, particularly those that are engaged in human rights– and governance-related work? 0 / 4

The regime generally denies registration to nongovernmental organizations (NGOs) with reformist or human rights missions and regularly conducts raids and searches to detain civic and political activists. Grassroots civil society networks that monitor human rights abuses face violence, intimidation, and detention by armed groups and often must operate secretly. In June 2022, a known humanitarian worker was killed by a car bomb in Al-Bab, in northwestern Syria.

E3. Is there freedom for trade unions and similar professional or labor organizations? 0 / 4

Professional syndicates in state-held areas are controlled by the Baath Party, and all labor unions must belong to the General Federation of Trade Unions, a nominally independent grouping that the government uses to control union activity. The war's economic and political pressures have made functioning labor relations virtually impossible across the country.

F. RULE OF LAW: 0 / 16

F1. Is there an independent judiciary? 0 / 4

The constitution forbids government interference in the civil judiciary, but judges and prosecutors are essentially required to belong to the Baath Party and are in practice beholden to the political leadership.

F2. Does due process prevail in civil and criminal matters? 0 / 4

Military officers can try civilians in both conventional military courts and field courts, which lack due process guarantees. Civilians may appeal military court decisions to the military chamber of the Court of Cassation, though its judges are ultimately subordinate to the military. Extremist groups have set up religious courts in their territories, imposing harsh punishments for perceived religious offenses by civilians. The general breakdown of state authority and the proliferation of militias in much of the country has led to arbitrary detentions, summary justice, and extrajudicial penalties by all sides in the civil war.

F3. Is there protection from the illegitimate use of physical force and freedom from war and insurgencies? 0 / 4

An estimated 500,000 people have been killed in the civil war since 2011. While fighting has subsided somewhat since the defeat of IS in 2019 and a 2020 cease-fire in Idlib, the regime and insurgents frequently target civilians, including through indiscriminate bombardment, extrajudicial killings, and torture of detainees, with the government responsible for most abuses. The regime has been accused of repeatedly using chemical weapons on civilian targets, and its forces have detained and tortured tens of thousands of people since the war began, with many dying or disappearing in custody. In April 2022, the government announced an amnesty for people accused of terrorist crimes, but the decree's text was vague in places, excluded crimes that led to deaths, and allowed civil cases against the accused to proceed. The amnesty effectively excluded thousands of political prisoners, including the many held without charge, and its implementation was opaque and disorderly.

Ongoing fighting across northern Syria involves regime forces, the PYD-affiliated Syrian Democratic Forces (SDF), HTS, and the Turkish army and its allied militias. Turkish

military operations have displaced tens of thousands of people and posed a serious threat to civilians living in the affected area. Infighting among Turkish-backed groups during 2022 enabled HTS advances in the northwest. Separately, in the southern governorate of Daraa, violence involving regime forces and local insurgents continued into 2022 despite a nominal regime victory in 2018 and a Russian-brokered reconciliation deal. A general deterioration of the rule of law has also reportedly contributed to violent criminality in the area.

Since losing control of its last population center in 2019, IS has used guerrilla and terrorist tactics to attack security forces and local civilian leaders. In January 2022, IS attacked an SDF-defended prison in the northeast, attempting to free its detained fighters. Some 45,000 civilians were displaced in the ensuing combat, but the SDF recaptured the facility with military support from the United States and Britain. The SDF reported that about 500 IS fighters, SDF soldiers and prison staff, and civilians were killed. Residents of large detention camps for women and children who were displaced by past campaigns against IS remain at risk of violence, including murders and intimidation by extremists within the camps.

F4. Do laws, policies, and practices guarantee equal treatment of various segments of the population? 0 / 4

Families and networks with ties to the ruling elite receive preferential treatment in legal matters, and are disproportionately Alawite, though Alawites without such connections are less likely to benefit from any special advantages. Similarly, the armed opposition is overwhelmingly Sunni Arab, and members of this population are consequently likely to face discrimination by the state unless they enjoy close ties with the regime.

The Kurdish minority population has faced decades of state discrimination, including restrictions on the Kurdish language and persecution of Kurdish activists, though conditions for Kurds have improved dramatically in areas controlled by Kurdish militias since 2011.

Women are subject to legal and societal inequities, including gender-based disadvantages in social benefits and a severe gender gap in labor force participation. Official mechanisms meant to safeguard women's rights are reportedly not functional, and the general deterioration of law and order has left women exposed to a range of abuses, particularly at the hands of extremist groups that impose their own interpretations of religious law.

Syrian law discriminates against LGBT+ people. According to the 1949 penal code, "unnatural sexual intercourse" is punishable with up to three years in prison. Individuals suspected of same-sex relations are at risk of execution in areas held by extremist groups.

G. PERSONAL AUTONOMY AND INDIVIDUAL RIGHTS: 1 / 16

G1. Do individuals enjoy freedom of movement, including the ability to change their place of residence, employment, or education? 0 / 4

Ongoing combat and the proliferation of regime and militia checkpoints have severely restricted freedom of movement.

The Office of the UN High Commissioner for Refugees reported in December 2022 that there were 5.3 million internally displaced persons (IDPs) in Syria. More than 5.5 million Syrians have sought refuge abroad. Some Syrians have begun returning to their homes in areas where fighting has subsided, though new violence and displacements continued to occur in 2022.

G2. Are individuals able to exercise the right to own property and establish private businesses without undue interference from state or nonstate actors? 0 / 4

Property rights have been routinely disregarded throughout the civil war. Businesses are frequently required to bribe officials to operate and complete bureaucratic procedures.

Access to markets dominated by regime members or allies is restricted. Militias extort businesses and confiscate private property to varying degrees.

Law No. 10 of 2018 allows the state to designate areas for reconstruction and redevelopment by decree; individuals who cannot meet a number of criteria to prove ownership of affected property risk losing it without compensation.

Personal status laws based on Sharia (Islamic law) discriminate against women on inheritance matters, and societal practices further discourage land ownership by women.

G3. Do individuals enjoy personal social freedoms, including choice of marriage partner and size of family, protection from domestic violence, and control over appearance? 1 / 4

Perpetrators of "honor crimes" can receive reduced sentences under the penal code, and rapists can avoid punishment by marrying their victims. Women cannot pass citizenship on to their children. Personal status laws for Muslims put women at a disadvantage regarding marriage, divorce, and child custody. Church law governs personal status issues for Christians, in some cases barring divorce. Early and forced marriages are a problem, with displaced families in particular marrying off young daughters as a perceived safeguard against endemic sexual violence or due to economic pressure. Personal social freedoms for women are uneven in areas outside government control, ranging from onerous codes of dress and behavior in extremist-held areas to formal equality under the PYD in Kurdish-held areas. However, the 2019 defeat of IS, setbacks for other extremist groups, and a decline in the scale of fighting over time has reduced the population's exposure to the most egregious violations of personal social freedoms.

G4. Do individuals enjoy equality of opportunity and freedom from economic exploitation? 0 / 4

Many armed groups forcibly conscript or use child soldiers. Children are also subject to forced labor in the context of severe economic hardship. IDPs and refugees are especially vulnerable to sexual and labor exploitation and human trafficking, even in relatively stable government-controlled areas, as access to employment and investment is often dependent on personal, political, or communal affiliations.

Taiwan

Population: 23,200,000
Capital: Taipei
Freedom Status: Free
Electoral Democracy: Yes

Overview: Taiwan's vibrant and competitive democratic system has allowed for regular peaceful transfers of power since 2000, and protections for civil liberties are generally robust. Ongoing concerns include inadequate safeguards against the exploitation of migrant workers and the Chinese government's efforts to influence policymaking, media, and the democratic infrastructure.

KEY DEVELOPMENTS IN 2022

- Chinese forces mounted large-scale military exercises in August as then US House of Representatives speaker Nancy Pelosi visited Taiwan. The Chinese military fired

missiles, aircraft and warships made incursions into Taiwan's air and naval space, and pro-China actors launched cyberattacks and disseminated disinformation.
- Widespread transmission of COVID-19 was detected in April, the same month the government began to pivot away from its "zero-COVID" strategy, with transmission peaking in May. Coronavirus-related rules were loosened as the year progressed, though migrant workers continued to face restrictions.
- In the November local elections, the conservative opposition Kuomintang (KMT) won top posts in 13 of 22 contested cities, counties, and special municipalities. President Tsai Ing-wen of the ruling Democratic Progressive Party (DPP) resigned as party chairwoman over the results.
- Also in November, a proposed constitutional amendment that would have lowered the age requirement to vote in elections and run for office to 18 years failed in a referendum.

POLITICAL RIGHTS: 38 / 40

A. ELECTORAL PROCESS: 12 / 12

A1. Was the current head of government or other chief national authority elected through free and fair elections? 4 / 4

The president, who is directly elected for up to two four-year terms, appoints the premier with the consent of the legislature. Members of the Executive Yuan, or cabinet, are appointed by the president on the recommendation of the premier. In practice, the president holds most executive authority.

Presidential elections have generally been considered credible. In January 2020, President Tsai Ing-wen of the DPP was reelected with 57.1 percent of the vote. KMT candidate Han Kuo-yu won 38.6 percent. James Soong of the center-right People First Party won 4.3 percent. The campaign period featured online disinformation and influence operations that were attributed to the Chinese government, with negative or misleading content targeting Tsai, the DPP, and the democratic process. However, the Taiwanese government, civil society projects, and social media platforms worked to counter Beijing's efforts, which largely failed to shape the outcome.

A2. Were the current national legislative representatives elected through free and fair elections? 4 / 4

The unicameral Legislative Yuan's 113 members serve four-year terms; 73 are directly elected in single-member constituencies, 34 are elected by proportional representation, and 6 are elected by Indigenous voters in two multiseat constituencies. In the free and fair January 2020 polls, the DPP secured 61 seats, the KMT won 38, the Taiwan People's Party (TPP) won 5, the New Power Party won 3, and the Taiwan Statebuilding Party (TSP) took 1. Independents won the remainder.

In the November 2022 local elections, KMT candidates won top posts in 13 of 22 contested cities, counties, and special municipalities, including Taipei City and Keelung City. The TPP candidate won the Hsinchu City mayoral race, succeeding a term-limited DPP incumbent. President Tsai resigned as DPP chairwoman over the party's performance but remained as chief executive.

A3. Are the electoral laws and framework fair, and are they implemented impartially by the relevant election management bodies? 4 / 4

The Central Election Commission (CEC) administers elections in Taiwan. No political party may hold more than one-third of the CEC's seats, and it operates impartially in practice.

The 2018 Referendum Act lowered thresholds to permit citizen-initiated ballot measures and decreased the voting age for referendums from 20 to 18 years. Taiwanese must otherwise be at least 20 to vote in elections and 23 to run for office. A constitutional amendment to lower both age requirements to 18 did not surpass the needed threshold in a November 2022 referendum.

B. POLITICAL PLURALISM AND PARTICIPATION: 15 / 16

B1. Do the people have the right to organize in different political parties or other competitive political groupings of their choice, and is the system free of undue obstacles to the rise and fall of these competing parties or groupings? 4 / 4

The multiparty political system features vigorous competition between the two major parties, the DPP and KMT. Third parties also play a significant role in national and local contests. Outgoing Taipei mayor Ko Wen-je formed the TPP in 2019, which won 5 Legislative Yuan seats in 2020 and the Hsinchu City mayoralty in November 2022. The TSP also entered the Legislative Yuan for the first time in 2020.

B2. Is there a realistic opportunity for the opposition to increase its support or gain power through elections? 4 / 4

Taiwan enjoys regular democratic transfers of power between rival parties. Parties in opposition at the national level often control key municipal governments, and power regularly rotates at the local level.

B3. Are the people's political choices free from domination by forces that are external to the political sphere, or by political forces that employ extrapolitical means? 3 / 4

Major business owners with interests in China remain an influential force in Taiwanese politics, largely through their close relationship with the KMT. The KMT, which ruled Taiwan as an authoritarian, one-party state for decades until democratic reforms took hold in the 1980s and 90s, long enjoyed a considerable financial advantage over rivals like the DPP, which has traditionally placed a stronger emphasis on resisting Beijing's moves toward unification. However, that advantage has been lost in recent years; many KMT accounts were frozen after investigations into allegations that the KMT improperly acquired public assets during its rule.

Chinese interference in Taiwan's elections, largely through disinformation campaigns and influence over certain media outlets, remains a serious concern. Beijing has been effective in supporting the election of pro-China politicians and seeks to undermine public confidence in the Taiwanese political system, though such interference was reportedly less prevalent during the November 2022 local elections.

The Anti-Infiltration Act prohibits foreign powers from funding or directing lobbying efforts, election campaigns, or election-related disinformation in Taiwan, providing for penalties of up to five years in prison.

B4. Do various segments of the population (including ethnic, racial, religious, gender, LGBT+, and other relevant groups) have full political rights and electoral opportunities? 4 / 4

Taiwan's constitution grants all citizens the right to vote, regardless of gender, ethnicity, religion, sexual orientation, or gender identity. The constitution and electoral laws also include gender quotas for local councils and at-large Legislative Yuan seats. In addition to the presidency, women won 42 percent of the legislature's seats in 2020. Audrey Tang, who is nonbinary, remained a minister in 2022.

Taiwanese living abroad do not benefit from absentee voting but must instead return to their home county or registered household to vote.

Six Legislative Yuan seats are reserved for Indigenous candidates elected by Indigenous voters. An additional two Indigenous candidates won seats in 2016 via party-list voting, but none did so in 2020. Members of Taiwan's 16 Indigenous groups make up roughly 2 percent of the population.

C. FUNCTIONING OF GOVERNMENT: 11 / 12

C1. Do the freely elected head of government and national legislative representatives determine the policies of the government? 4 / 4

Elected officials set and implement policy without undue interference from foreign or other unelected actors, though consideration of China plays a significant role in Taiwanese policymaking.

Pressure from Beijing continues to threaten Taiwan's sovereignty and its open democratic system. Eight countries have severed diplomatic relations with Taiwan since late 2016, largely as a result of financial incentives offered by Beijing. At the end of 2022, Taiwan had diplomatic recognition from just 14 countries, including the Holy See.

C2. Are safeguards against official corruption strong and effective? 3 / 4

Corruption is significantly less pervasive than in the past, but it remains a concern. Corruption charges have been lodged against current and former officials from multiple parties in recent years.

According to a 2020 Transparency International survey, 90 percent of people in Taiwan think corruption in government is a problem. Political and business interests are closely intertwined, leading to malfeasance in government procurement. The DPP has moved to reduce these practices, including through 2019 amendments to the Government Procurement Act. Corruption and criminal behavior are perceived to persist in local government.

In November 2022, prosecutors accused a senior army officer of accepting bribes from a former soldier who was acting as a Chinese agent.

C3. Does the government operate with openness and transparency? 4 / 4

The 2005 Freedom of Government Information Law enables public access to financial audit reports, documents about administrative guidance, and other officially held documents. Nongovernmental organizations (NGOs) are typically able to comment on and influence pending policies and legislation. In recent years, the open digital platform vTaiwan has gained acceptance among policymakers as a means for the public to debate and contribute to legislative proposals.

The government is widely considered to be transparent regarding COVID-19. However, observers criticized authorities' lack of clarity in public communications as the government transitioned away from its zero-COVID strategy beginning in April 2022. Trust in public authorities nevertheless contributed to high vaccination rates as the year progressed.

CIVIL LIBERTIES: 56 / 60

D. FREEDOM OF EXPRESSION AND BELIEF: 16 / 16

D1. Are there free and independent media? 4 / 4

The news media are generally free, reflecting a diversity of views and reporting aggressively on government policies, though many outlets display strong party affiliation in their coverage.

The Chinese Communist Party (CCP) exerts significant influence on the Taiwanese media environment and maintains a well-funded, large-scale disinformation campaign. Pro-China companies and businessmen with significant interests in China, namely the Want

Want China Times Media Group and owner Tsai Eng-meng, own media outlets that self-censor or otherwise avoid subjects Beijing deems sensitive, like human rights. The National Communications Commission (NCC) has at times blocked the expansion of such enterprises to ensure competition and pluralism and has fined television news channels for airing false reports. In 2020, the NCC rejected the broadcast license renewal of pro-Beijing CTi News. The NCC has also sought to regulate Chinese-owned over-the-top services.

Under Taiwan's libel laws, those who disseminate a fact that will "injure the reputation of another" can face criminal prosecution, with sentences of up to two years in prison or a fine. The risk of criminal libel charges or demands for compensation could inhibit journalists in their reporting, even if courts ultimately rule in their favor.

D2. Are individuals free to practice and express their religious faith or nonbelief in public and private? 4 / 4

Individuals of all faiths can worship freely. Religious organizations that choose to register with the government receive tax-exempt status.

D3. Is there academic freedom, and is the educational system free from extensive political indoctrination? 4 / 4

Educators in Taiwan generally operate without interference, and past practices—including prosecutions—aimed at restricting academics' political activism have become rare. However, some university professors have alleged pressure from administrators to curb speech that could offend Chinese students in the past.

D4. Are individuals free to express their personal views on political or other sensitive topics without fear of surveillance or retribution? 4 / 4

Personal expression and private discussion are largely free of improper restrictions, and the government is not known to illegally monitor online communications. However, the government faces the growing challenge of combating online disinformation—usually disseminated via social media from China or by pro-China actors in Taiwan—while upholding freedom of expression.

Human rights experts have recommended improvements to laws meant to combat false information, which contain vague terms that have the potential to limit legitimate speech. Such laws are enforced against social media users, though cases rarely lead to convictions, and those found guilty are typically ordered to pay small fines. In May 2022, however, two social media users received suspended prison sentences for spreading COVID-19-related misinformation under a pandemic-related law.

E. ASSOCIATIONAL AND ORGANIZATIONAL RIGHTS: 11 / 12

E1. Is there freedom of assembly? 4 / 4

The 1988 Assembly and Parade Act enables authorities to prosecute protesters who fail to obtain a permit or follow orders to disperse and includes some restrictions on the location of protests. Nevertheless, freedom of assembly is respected in practice and protests are regularly held.

E2. Is there freedom for nongovernmental organizations, particularly those that are engaged in human rights– and governance-related work? 4 / 4

Registration for NGOs is freely granted. NGOs typically operate without harassment or undue interference.

E3. Is there freedom for trade unions and similar professional or labor organizations? 3 / 4

Trade unions are independent and most workers enjoy freedom of association, though the government strictly regulates the right to strike. Among other barriers, teachers, defense-industry workers, and government employees are prohibited from striking. Workers hired through temporary agencies cannot organize or participate in collective bargaining.

Under the Labor Incident Act, special courts can adjudicate labor issues, including union disputes.

F. RULE OF LAW: 15 / 16

F1. Is there an independent judiciary? 4 / 4

Taiwan's judiciary is independent. Court rulings are generally free from political or other improper interference.

Under the Citizen Judges Act, which will take effect in January 2023, laypeople will serve as judges alongside professional judges in cases involving intentional killings; laypeople will hear more cases beginning in 2026. Critics have maintained a long-standing call for the introduction of jury trials.

F2. Does due process prevail in civil and criminal matters? 4 / 4

Constitutional guarantees concerning due process and defendants' rights are generally upheld, and police largely respect safeguards against arbitrary detention. Although prosecutors and other law enforcement officials have engaged in abusive practices in the past, such violations have been less common in recent years.

F3. Is there protection from the illegitimate use of physical force and freedom from war and insurgencies? 4 / 4

Both criminal violence and excessive use of force by police are rare, and attorneys are allowed to monitor interrogations to prevent torture.

Capital punishment is rarely implemented in Taiwan. Three people have been put to death since 2016, and none in 2022. All of those executed were found guilty of murder or other offenses resulting in death, such as arson. Condemned inmates are hooded and sedated before being shot.

F4. Do laws, policies, and practices guarantee equal treatment of various segments of the population? 3 / 4

The constitution provides for the equality of all citizens before the law, although Indigenous people continue to face social and economic discrimination, leading to high unemployment, lower wages, and barriers to education and social services. The 2017 Indigenous Languages Development Act designated the languages spoken by 16 officially recognized Indigenous groups as national languages and authorized their formal use in legislative and legal affairs.

Despite constitutionally enshrined equal-rights protections, women face discrimination in employment and compensation. Taiwanese law prohibits discrimination in employment and education based on sexual orientation, and violence against LGBT+ people is adequately addressed by police.

The National Human Rights Commission receives complaints on issues including discrimination, investigates violations, reviews laws and policies, and works with other entities to promote human rights protections.

Taiwanese law does not allow for asylum or refugee status. The government has provided temporary visas and humanitarian services to people fleeing persecution in Hong Kong, but has reportedly been more restrictive in granting permanent-residency requests.

G. PERSONAL AUTONOMY AND INDIVIDUAL RIGHTS: 14 / 16

G1. Do individuals enjoy freedom of movement, including the ability to change their place of residence, employment, or education? 4 / 4

Taiwan's residents enjoy freedom of movement, and the government has gradually eased restrictions on travel between Taiwan and China in recent years. However, despite laws and guidelines meant to protect them, some migrant workers routinely experience illegitimate movement restrictions, such as the withholding of travel documents by employers. Contractual restrictions make it difficult in practice for many migrant workers to change employers.

Coronavirus-related restrictions were relaxed in 2022 as the government ended its zero-COVID strategy. In October, for example, travelers were no longer required to enter quarantine. Migrant workers continued to face some restrictions in 2022, however. Coronavirus-related rules have been applied against migrant workers in a discriminatory manner during the pandemic.

G2. Are individuals able to exercise the right to own property and establish private businesses without undue interference from state or nonstate actors? 3 / 4

Although property rights are generally respected, urban renewal and industrial projects have been criticized for unfairly displacing residents. Housing advocates have called for legal amendments to clarify residency rights, including protections against forced eviction, and the establishment of an appeals system to review alleged violations.

Indigenous groups argue that government efforts to recognize their claims to ancestral lands are inadequate, as the project applies only to state-owned land and excludes large segments of privately owned territory.

G3. Do individuals enjoy personal social freedoms, including choice of marriage partner and size of family, protection from domestic violence, and control over appearance? 4 / 4

There are no major restrictions on personal status matters such as marriage and divorce, although Chinese nationals who are married to Taiwanese nationals must wait six years before becoming eligible for citizenship; spouses of other nationalities need only wait four years. Same-sex marriages have been legal in Taiwan since 2019.

Rape and domestic violence remain serious problems. While the law permits authorities to investigate complaints without victims pressing charges, cultural norms inhibit many women from reporting these crimes to the police. Reforms have improved protections for accusers and encouraged reporting of rape and sexual assault, which appears to have increased prosecution and conviction rates.

G4. Do individuals enjoy equality of opportunity and freedom from economic exploitation? 3 / 4

Protections against exploitative working conditions in Taiwan are relatively strong overall, and NGOs actively expose abuses and advocate for policy improvements. Amendments to the Labor Standards Act (LSA) instituted in 2018 allowed employers to schedule more consecutive workdays and shorter breaks between shifts than previously, in what was considered a setback for workers.

Many of Taiwan's 700,000 migrant workers are mistreated or exploited by employers, despite 2018 amendments to the Employment Services Act that were meant to address abuses. These workers are often indebted to brokers. The LSA does not cover foreign domestic workers or fishery workers; they are subjected to the withholding of wages, long working hours, physical and sexual abuse, lack of food or medical care, denial of sleep, substandard safety equipment, poor living conditions, and extortion or fraud by recruitment and brokerage agencies.

Abuses are particularly prevalent aboard distant fishing vessels, with crewmembers being physically assaulted, working excessive hours, and having their wages withheld.

Some skilled foreign workers and students are encouraged to seek permanent residency under a Labor Ministry initiative.

For-profit universities have reportedly recruited foreign students—especially from Indonesia—and then placed them into exploitative labor conditions under the pretense of educational opportunity.

Tajikistan

Population: 10,000,000
Capital: Dushanbe
Freedom Status: Not Free
Electoral Democracy: No

Overview: The authoritarian regime of President Emomali Rahmon, who has ruled since 1992, severely restricts political rights and civil liberties. The political opposition and independent media have been devastated by a sustained campaign of repression, and the government exerts tight control over religious expression and activity. Wealth and authority are concentrated in the hands of Rahmon and his family.

KEY DEVELOPMENTS IN 2022

- In May, Dushanbe launched a violent crackdown in the Gorno-Badakhsan Autonomous Oblast (GBAO), cutting off the region's communications and deploying military forces in response to months of sporadic protests. Dozens were killed, including three prominent community figures.
- Tajikistani and Kyrgyzstani forces sporadically fought along their shared border throughout the year, with particularly severe fighting in September, leading to several dozen deaths and displacing more than 100,000 people.

POLITICAL RIGHTS: 0 / 40

A. ELECTORAL PROCESS: 0 / 12

A1. Was the current head of government or other chief national authority elected through free and fair elections? 0 / 4

The president is head of state and is elected for up to two seven-year terms under current rules. However, constitutional amendments ratified in 2016 removed term limits for President Rahmon, who holds the official status of "leader of the nation."

A presidential election due in November 2020 was held ahead of schedule in October. Rahmon of the ruling People's Democratic Party of Tajikistan (PDPT) won a fifth term with

90.9 percent of the vote according to the Central Commission for Elections and Referendums (CCER). Four candidates from progovernment parties won a combined 7.8 percent, while the Social Democratic Party of Tajikistan (SDPT) boycotted the contest.

The European Council called the election orderly but noted that previous Organization for Security and Co-operation in Europe (OSCE) recommendations on the media and political environment remained unfulfilled. Independent media outlets were largely unable to observe polling stations; Radio Free Europe/Radio Liberty (RFE/RL) reported incidents of ballot stuffing and of voters submitting ballots on behalf of family members.

A2. Were the current national legislative representatives elected through free and fair elections? 0 / 4

The bicameral Supreme Assembly is composed of an upper house, the National Assembly, and a lower house, the Assembly of Representatives. The National Assembly comprises 25 members chosen by local assemblies and 8 appointed by the president; former presidents are also entitled to a seat. The 63-member Assembly of Representatives is popularly elected through a mixed system of 41 single-member constituencies and 22 proportional-representation seats. Supreme Assembly members serve five-year terms.

In the March 2020 legislative elections, the PDPT won 47 lower-house seats, while progovernment parties divided the remainder. The SDPT did not exceed the 5 percent threshold for representation according to the CCER. OSCE monitors reported that the elections did not meet democratic standards. Media outlet Asia-Plus reported that officials offered multiple ballots to reporters claiming to represent relatives.

A3. Are the electoral laws and framework fair, and are they implemented impartially by the relevant election management bodies? 0 / 4

The CCER is subservient to the government and enforces electoral laws in an inconsistent and nontransparent manner.

Despite reforms made prior to the 2015 elections, constituencies vary considerably in population, undermining equal suffrage.

B. POLITICAL PLURALISM AND PARTICIPATION: 0 / 16

B1. Do the people have the right to organize in different political parties or other competitive political groupings of their choice, and is the system free of undue obstacles to the rise and fall of these competing parties or groupings? 0 / 4

The government consistently marginalizes independent or opposition parties, which are excluded from the political process. The Islamic Renaissance Party of Tajikistan (IRPT)—which had been the country's most significant opposition group—lost its legal registration and was declared a terrorist organization in 2015. The 2016 constitutional amendments banned faith-based parties, effectively preventing the IRPT from reforming. The National Alliance of Tajikistan, a Europe-based refugee opposition coalition, was declared a terrorist organization in 2019.

Government officials have continued to harass and arrest current and former IRPT members, their families, and other opponents throughout 2022.

B2. Is there a realistic opportunity for the opposition to increase its support or gain power through elections? 0 / 4

Tajikistan has no record of peaceful transfers of power between rival parties. Rahmon first became chief executive in 1992, during the country's 1992–97 civil war, and has held the presidency since the office's creation in 1994. Under 2016 constitutional revisions, he is

entitled to run for reelection indefinitely; can overrule cabinet decisions even after leaving office; and has set up his son, Rustam Emomali, to succeed him.

Years of unrelenting repression of independent political activity have left opposition parties unable to compete in elections.

B3. Are the people's political choices free from domination by forces that are external to the political sphere, or by political forces that employ extrapolitical means? 0 / 4

Political affairs in Tajikistan are controlled almost exclusively by Rahmon and his extended family, leaving citizens with few avenues to participate in the political process. Relatives of Rahmon hold numerous public positions and control key sectors of the private economy.

Dushanbe increasingly relies on the Chinese government for external security.

B4. Do various segments of the population (including ethnic, racial, religious, gender, LGBT+, and other relevant groups) have full political rights and electoral opportunities? 0 / 4

No segment of the population enjoys full political rights or electoral opportunities in practice. The regime, which seeks to suppress any genuine dissent, does not permit women, ethnic or racial minorities, LGBT+ individuals, or religious groups to organize independently to advance their political interests. Women remain underrepresented as voters and elected politicians.

C. FUNCTIONING OF GOVERNMENT: 0 / 12

C1. Do the freely elected head of government and national legislative representatives determine the policies of the government? 0 / 4

President Rahmon, who is not freely elected, and his inner circle are virtually unopposed in determining and implementing policy and have strengthened their grip on power. The PDPT-controlled legislature does not offer a meaningful check on the executive's expansive constitutional authority. Officials from Rahmon's native Kulob District dominate the government.

C2. Are safeguards against official corruption strong and effective? 0 / 4

Patronage networks and regional affiliations are central to political life. Corruption is pervasive and anticorruption legislation is routinely ignored. Major irregularities have been reported at the National Bank of Tajikistan and the country's largest industrial firm, the state-owned Tajik Aluminum Company.

C3. Does the government operate with openness and transparency? 0 / 4

Government decision-making and budgetary processes lack transparency, and public officials are not required to disclose financial information. Crackdowns on the media, the opposition, and civil society have further reduced independent scrutiny of state operations. In recent years, the government has concluded extensive infrastructure and resource-extraction agreements with Beijing and Chinese companies, with little consultation or transparency.

CIVIL LIBERTIES: 8 / 60

D. FREEDOM OF EXPRESSION AND BELIEF: 1 / 16

D1. Are there free and independent media? 0 / 4

The government controls nearly all media outlets and broadcasting facilities. The state shuts out independent outlets and encourages self-censorship. Independent journalists face harassment and intimidation. Civil libel charges have been used to incapacitate outlets that

criticize the government. Authorities routinely block critical websites, news portals, and social media platforms, while using periodic wholesale blackouts of internet and messaging services to suppress criticism.

In 2021, authorities ordered bloggers to register with tax authorities, a demand that observers noted stifled the few remaining independent voices.

In October 2022, authorities brought extremism charges against two of the last remaining critical journalists and bloggers, Abdullo Gurbati and Daler Imomali. Gurtabi and Imomali were sentenced to 7.5 and 10 years in prison, respectively, after their reporting covered corruption, police brutality, and other social issues.

D2. Are individuals free to practice and express their religious faith or nonbelief in public and private? 0 / 4

The government imposes severe restrictions on religious freedom, in part by limiting religious activities to state-approved venues and registered organizations. Authorities continue to prosecute individuals for alleged membership in banned religious organizations, including Christian and Muslim groups. Minors are generally barred from attending religious services in mosques, as are women in most cases.

Laws to discourage religious clothing (like the hijab) and an unofficial ban on beards are arbitrarily and sometimes violently enforced.

Following the May 2022 military operation in GBAO, religious and secular institutions associated with the Ismaili religious minority and the philanthropic Aga Khan Development Network were shut down or pressured to close, including bookstores, religious schools, secular schools, and a university-run kindergarten.

D3. Is there academic freedom, and is the educational system free from extensive political indoctrination? 0 / 4

The government exerts significant political pressure on universities and academic personnel. In recent years, international scholars have noted the self-exile of Tajikistani academics who faced harassment and surveillance from security services.

Opportunities to study abroad, especially for religious education, are tightly restricted.

D4. Are individuals free to express their personal views on political or other sensitive topics without fear of surveillance or retribution? 1 / 4

Restrictive laws and government surveillance deter open discussion of sensitive topics, including criticism of the country's leadership. A 2017 law allows authorities to monitor citizens' online behavior and prescribes fines and prison sentences for those who visit "undesirable websites," among other provisions. An antiextremism law amended in 2020 allows the government to block websites without a court order.

E. ASSOCIATIONAL AND ORGANIZATIONAL RIGHTS: 2 / 12

E1. Is there freedom of assembly? 0 / 4

The government strictly limits freedom of assembly. Local government approval is required to hold demonstrations but is rarely granted.

In November 2021, protesters rallied in Khorog, the capital of GBAO, after police killed local resident Gulbidin Ziyobekov. Two protesters died when security officers fired into a crowd of demonstrators. In May 2022, a military operation began in response to a resurgence of protests, and police used rubber bullets and tear gas against demonstrators. Hundreds of activists and protesters were arrested and according to the UN Special Rapporteur, as many as 40 people may have been killed. Among those killed was Mamadbokir

Mamadbokirov, a prominent community figure in GBAO, who was reportedly assassinated in May. Local leaders Khursand Mazorov and Zoir Rajabov were also reported killed in an operation in June.

E2. Is there freedom for nongovernmental organizations, particularly those that are engaged in human rights– and governance-related work? 0 / 4

Nongovernmental organizations (NGOs) must register with the Justice Ministry and are vulnerable to closure for minor technical violations. NGOs must disclose funding from foreign sources. Foreign funds must be logged in a state registry before organizations can access them, and the government oversees operations supported by those funds. Under legislation implemented in 2019, NGOs must maintain their own websites and publish reports that comply with vaguely worded financial reporting to prove they have no "terrorist financing" or "money laundering" links.

Persecution of activists and lawyers from GBAO reached unparalleled levels in 2022. In May, as the military operation in GBAO unfolded, police arrested journalist and human rights activist Ulfathonim Mamadshoeva. Police claimed that a short meeting Mamadshoeva attended in a café with US Embassy staff members was part of a plot sponsored by the United States to unleash unrest in the Pamir region. Shortly after her arrest, many of the members of Commission 44—an independent group established in 2021 to investigate police killings during protests in GBAO—were also arrested and charged in a criminal conspiracy allegedly related to the same plot. By December, Mamadshoeva was sentenced to 21 years in prison for incitement to overthrow the government, her brother Khursand Mamadshoev received 18 years on related charges, her former husband Kholbash Kholbashov received a life sentence, and four other members of Commission 44 received sentences of up to 29 years. By the end of the year, hundreds of members of the Pamiri ethnic group—activists, journalists, community leaders, and lawyers—had been arrested and sentenced to up to 30 years in prison following similar summary trials.

Arrests were not limited to GBAO: Shaftola Bekdavlatov and Khujamri Pirmamadov, activists in Dushanbe from Commission 44, were each sentenced to 18 years' imprisonment in June on charges of organizing a criminal group and receiving financial assistance from abroad. They were defended at their trial by Faromuz Irgashov, another Commission 44 member who was himself detained on the same charges. In July, Pamiri activists Oraz and Ramzi Vazirbekov were detained in Russia and summarily extradited to Tajikistan in violation of Russian law. In November, Oraz was sentenced to 16 years in prison and Ramzi to 13 years on charges of membership in an "organized criminal group."

Score Change: The score declined from 1 to 0 because the government has imposed increasingly harsh restrictions on civil society organizations, including limits on the activities of humanitarian organizations[20] and arbitrary detentions and prosecutions of Pamiri rights activists.[21]

E3. Is there freedom for trade unions and similar professional or labor organizations? 1 / 4

Citizens have the legal right to form and join trade unions and to bargain collectively, but these rights and the right to strike are effectively undermined by restrictions on freedoms of assembly and association. There are no laws against antiunion discrimination by employers, and the country's trade union federation is government-controlled.

F. RULE OF LAW: 1 / 16

F1. Is there an independent judiciary? 0 / 4

The judiciary lacks independence. Many judges are poorly trained and inexperienced, and bribery is widespread. The courts' opaque and biased adjudication of cases against opposition figures and other dissidents, particularly since 2015, has demonstrated their subordination to the regime.

F2. Does due process prevail in civil and criminal matters? 0 / 4

Arbitrary arrests and detentions are common, as is corruption among law enforcement agencies. Defendants are often denied timely access to an attorney, and politically fraught trials are frequently closed to the public. Nearly all defendants are found guilty. In January 2022, Russian police extradited Amriddin Alovatshoev to Tajikistan after he organized protests in Moscow against police brutality in GBAO. In April, Alovatshoev was sentenced to 18 years in prison following a trial that lasted only two hours.

F3. Is there protection from the illegitimate use of physical force and freedom from war and insurgencies? 0 / 4

Civilians are subject to physical abuse by security forces and have no meaningful recourse against such abuse. Detainees are reportedly beaten in custody to extract confessions.

Tajikistani and Kyrgyzstani forces fought sporadically on their shared border throughout 2022, with particularly severe fighting in September. There were hundreds of injuries and a number of deaths as peaceful citizens were subjected to shelling.

Overcrowding and disease contribute to life-threatening conditions in prisons.

F4. Do laws, policies, and practices guarantee equal treatment of various segments of the population? 1 / 4

Women face bias and disparate treatment in the workplace. LGBT+ people face discrimination and abuse by security forces. There is no legislation against discrimination based on sexual orientation or gender identity.

Throughout 2022, ethnic Pamiri citizens and activists faced arbitrary arrest and prosecution, and Pamiri cultural and religious institutions were pressured and closed.

G. PERSONAL AUTONOMY AND INDIVIDUAL RIGHTS: 4 / 16

G1. Do individuals enjoy freedom of movement, including the ability to change their place of residence, employment, or education? 1 / 4

Most citizens can travel domestically but must register their permanent residence with local authorities. Students interested in studying Islamic theology are forbidden from seeking education abroad. Some areas, particularly GBAO and other areas bordering Afghanistan, feature a heavier security presence, which hampers travel and provides opportunities for extortion and other abuses. The closure of the border between Tajikistan and Kyrgyzstan since 2021 has prevented citizens who are ethnically Kyrgyz from traveling to the Kyrgyz Republic.

G2. Are individuals able to exercise the right to own property and establish private businesses without undue interference from state or nonstate actors? 1 / 4

By law, all land belongs to the state. Corruption and regulatory dysfunction affect enterprises of varying sizes. The president's extended family and others from Kulob District maintain extensive business interests and dominate key economic sectors, impeding business activity by those without such connections.

G3. Do individuals enjoy personal social freedoms, including choice of marriage partner and size of family, protection from domestic violence, and control over appearance? 1 / 4

Although forced marriage and polygamy are legally prohibited, marriages arranged by parents and religious marriages that allow polygamy are both common in practice. Women are often unable to exercise their rights to divorce. Domestic violence is widespread, but cases are underreported and seldom investigated.

G4. Do individuals enjoy equality of opportunity and freedom from economic exploitation? 1 / 4

Safeguards against labor exploitation and hazardous working conditions are poorly enforced. Economic conditions have compelled citizens to seek work abroad in large numbers; these migrant workers are at risk of exploitation by human traffickers.

Tanzania

Population: 65,500,000
Capital: Dodoma
Freedom Status: Partly Free
Electoral Democracy: No

Overview: Tanzania has held regular multiparty elections since its transition from a one-party state in the early 1990s, but the opposition remains relatively weak. The ruling Chama cha Mapinduzi (CCM) has retained power for over 60 years. After the late John Magufuli became president in 2015, the government cracked down on its critics in the political opposition, the press, and civil society. Opposition, media, and civil society activity has somewhat increased under Samia Suluhu Hassan, who became president in 2021 upon Magufuli's death.

KEY DEVELOPMENTS IN 2022

- In February, the government restored the licenses of *Mseto*, *Mawio*, *Mwanahalisi*, and *Tanzania Daima*, major newspapers which were subject to Magufuli-era bans or suspensions.
- In March, Freeman Mbowe, chairman of the opposition Chama cha Demokrasia na Maendeleo (Chadema), was released from detention after terrorism charges dating back to 2021 were dropped. Mbowe went on to meet President Hassan twice before year's end.
- In June, authorities in Ngorongoro arrested 10 Maasai leaders after villagers protested the government's plan to create a game reserve in the area. One day later, security forces used live ammunition in clashes with protesters; one police officer died while as many as 2,100 Maasai residents fled for Kenya in the immediate aftermath.

POLITICAL RIGHTS: 12 / 40

A. ELECTORAL PROCESS: 3 / 12

A1. Was the current head of government or other chief national authority elected through free and fair elections? 1 / 4

The president is elected by direct popular vote for up to two five-year terms. In the event of the president's death, the vice president assumes the post and completes their predecessor's term. Samia Suluhu Hassan, vice president since 2015, became chief executive

in March 2021 after President John Magufuli died. In September 2021, she announced her plans to run in 2025.

The late president won the October 2020 presidential election with 84.5 percent of the vote in a contest that was markedly less free and fair than the 2015 election. The 2020 election was marred by widespread fraud and vote-rigging, threats of violence against opposition figures, the use of force by police against opposition demonstrators, the suspension of media outlets and social media, the obstruction and dispersal of opposition candidate Tundu Lissu's rallies, and other irregularities. International and local observers were denied accreditation, as were many international media outlets. Turnout stood at 50 percent. Opposition parties rejected the results and called for protests but organizers were arrested and a widespread protest movement never emerged. Lissu fled to Belgium in November 2020 with assistance from several European governments and the United States.

The semiautonomous region of Zanzibar elects its own president, who serves no more than two five-year terms. The 2020 Zanzibar presidential poll, held concurrently with the October general elections, was also marred in controversy. The Zanzibar Electoral Commission (ZEC) announced that CCM candidate Hussein Mwinyi defeated Alliance for Change and Transparency (ACT-Wazalendo) candidate Seif Sharif Hamad, taking 76.3 percent to Hamad's 19.9 percent. The ACT-Wazalendo rejected the results. Before the polls opened, the regime mobilized the army to Zanzibar; Hamad was detained by police and remained in custody during the election period. The army and police were accused of firing into a crowd days before the election, killing several people; members of the crowd were reportedly attempting to stop the delivery of ballots suspected to be fraudulent. Reports of further detentions, killings, and torture emerged after the election. The ACT-Wazalendo agreed to form a unity government in Zanzibar that November, with Hamad becoming vice president. The development prompted co-optation accusations.

A2. Were the current national legislative representatives elected through free and fair elections? 1 / 4

Legislative authority lies with a unicameral, 393-seat National Assembly (the Bunge) whose members serve five-year terms. There are 264 seats filled through direct elections in single-member constituencies, while 113 are reserved for women elected by political parties, 10 are filled by presidential appointment, and 5 members are elected by the Zanzibar legislature. The attorney general holds an ex officio seat.

Unlike the 2015 poll, the 2020 legislative election was marred by extensive fraud and intimidation allegations. Widespread interference in nomination processes, both bureaucratic and physical, led to around 30 opposition candidates being kept off the ballot. Numerous legislative and local government candidates were detained during the campaign period, including high-profile Chadema lawmakers. On election day, opposition politicians complained of election interference and fraud; 97 percent of the directly elected seats went to the CCM, which substantially increased its majority.

The opposition was granted a small number of women's special seats in line with their share of the vote. Chadema refused to take those seats but a group of 19 female Chadema legislators defected, were seated in the legislature, and were then formally expelled from the party. Several women took their seats upon being released from police custody, prompting speculation of coercion.

Members of Zanzibar's 85-seat House of Representatives serve five-year terms and are installed through a mix of direct elections and appointments. The 2015 legislative elections were annulled along with the concurrent Zanzibari presidential vote, and an opposition

boycott of the 2016 rerun left the CCM with full control of the regional legislature. The 2020 legislative elections in Zanzibar were also marred by allegations of fraud.

A3. Are the electoral laws and framework fair, and are they implemented impartially by the relevant election management bodies? 1 / 4

The National Electoral Commission (NEC) is responsible for overseeing countrywide elections, while the ZEC conducts elections for Zanzibar's governing institutions.

The structures of both bodies contribute to doubts about their independence. The Tanzanian president appoints NEC members. Magufuli's appointment of a former CCM candidate as NEC director in 2019 was criticized by the Chadema and ACT-Wazalendo leaders. The NEC was criticized for poor administration of voter-registration processes ahead of the 2020 elections, and it oversaw the rejection of dozens of legislative and local candidates on technicalities. The NEC also ordered the temporary suspension of Lissu's presidential campaign, saying Lissu had used incendiary language. Opposition parties accused the NEC of complicity in widespread ballot stuffing and use of "ghost voters" to benefit the CCM. The NEC did not release the full results of local government or legislative elections in 2020.

Opposition parties and nongovernmental organizations (NGOs) have called for constitutional reform, saying the current constitution favors the ruling CCM. While the Hassan administration initially resisted those calls, a CCM official went on to say that the party "insists" on a new constitution in a June 2022 statement. In its October report, a government-appointed task force supported the formation of an independent electoral body but noted public disagreements over constitutional reform.

The Zanzibari president appoints most ZEC members, though the opposition nominates two of the seven members. Some observers criticized then president Ali Mohamed Shein's 2018 appointees, calling them CCM partisans. Hamad of the ACT-Wazalendo accused the ZEC of failing to register over 100,000 young voters who reached voting age between 2015 and 2020.

B. POLITICAL PLURALISM AND PARTICIPATION: 5 / 16

B1. Do the people have the right to organize in different political parties or other competitive political groupings of their choice, and is the system free of undue obstacles to the rise and fall of these competing parties or groupings? 1 / 4

Tanzanians have the right to organize into political parties, but the ruling CCM enjoys considerable incumbency advantages that stifle competition. The system of state funding for parties under the Political Parties Act (PPA) of 2015 disproportionately benefits the CCM. Political parties are regulated by a presidentially appointed registrar whom the opposition criticizes for partisan bias.

Authorities have constrained opposition parties in recent years. In 2016, the government banned all political rallies and demonstrations outside election periods, sharply curtailing parties' ability to mobilize public support. In 2019, opposition groups' rights were further constrained by PPA amendments that empower a government minister to regulate party coalition formation, ban internationally sourced political fundraising, prohibit parties from "activism," and introduce tools that the registrar can use to investigate and interfere with targeted parties' internal operations. The amendments also gave the registrar legal immunity, further reducing that office's accountability.

The Hassan administration has also targeted opposition activities, though it has more recently opened dialogue with prominent opposition figures. In February 2022, President Hassan met with Tundu Lissu in Belgium. Chadema chairman Freeman Mbowe was released from custody in March 2022; in 2021, he and at least 10 other Chadema members

were arrested before Mbowe was to give a speech on constitutional reform. Mbowe was charged with terrorism but those charges were dropped. Hassan and Mbowe went on to hold two meetings during the year. Relatively few opposition figures were arrested or detained in 2022, though local-level activists and those working for constitutional reform were targeted.

Opposition groups' day-to-day activities are severely curtailed due to a Magufuli-era ban on public meetings, which remained in place at year's end. While opposition leaders have been able to hold meetings and give speeches to party members in regional capitals, police and security forces delayed or disrupted these meetings.

B2. Is there a realistic opportunity for the opposition to increase its support or gain power through elections? 1 / 4

The CCM has governed without interruption for over 60 years. The opposition's electoral prospects are limited due to interference, harassment, co-optation, deadly violence against activists, and criminal prosecutions. Opposition candidates posted their best-ever electoral performance in the 2015 legislative elections, winning 45 percent of the vote, but secured only 29 percent of the National Assembly's seats. The political space for opposition parties narrowed due to repression in the 2020 election.

Opposition prospects have not markedly improved under Hassan. Prominent CCM figures still describe the opposition as the enemy; in October 2022, National Assembly speaker Tulia Ackson called on CCM members to "deal with" Hassan's critics in remarks that were interpreted as a call to violence.

Tundu Lissu, who traveled abroad to recover after a 2017 attempted assassination, returned to Tanzania to stand as Chadema's presidential candidate in 2020. Lissu fled for Belgium after the polls and remained in exile at the end of 2022.

B3. Are the people's political choices free from domination by forces that are external to the political sphere, or by political forces that employ extrapolitical means? 1 / 4

Tanzanian voters and politicians are subject to significant undue influence from unaccountable entities using antidemocratic tactics. During his tenure, Magufuli exerted pressure through local administrative authorities, particularly presidentially appointed regional and district commissioners. These officials are technically nonpartisan, but most are CCM loyalists or former security personnel. They have significant power within their jurisdictions and have been especially repressive when overseeing opposition-oriented areas. President Hassan appointed new regional and district commissioners in 2021; some appointees came from opposition groups or were nonpartisan, though hardliners maintained some posts.

Civil servants in opposition-controlled councils are under significant pressure to follow directives from CCM officials, rather than elected opposition politicians. The government has sought to remove elected municipal leaders, and arbitrarily threatened and barred the movements and activities of critical NGOs and human rights advocates. The 2019 local elections, which the opposition boycotted due to widespread candidate disqualifications, were managed by the government ministry that also supervises regional and district commissioners.

B4. Do various segments of the population (including ethnic, racial, religious, gender, LGBT+, and other relevant groups) have full political rights and electoral opportunities? 2 / 4

Members of ethnic, religious, and other minority groups ostensibly have full political rights, but the participation of some groups is limited in practice. Magufuli, a member of the Sukuma ethnic group, often appointed fellow Sukuma to government positions during his tenure. This represented a departure from predecessors who balanced ethnic and religious groups. This Magufuli-era imbalance remains to a lesser extent under President Hassan.

Women hold 36.8 percent of legislative seats; the constitution requires that 30 percent of seats are held by women. However, women are underrepresented in directly elected seats, which are consistently won by male candidates. Women who run for office face mistreatment.

Hassan, Tanzania's first female president, has promoted women's representation in her own government. After the October 2022 cabinet reshuffle, about half of its posts were held by women. Tulia Ackson was elected National Assembly speaker in February, making her only the second woman to hold this position. However, misogynistic discourse and behavior have persisted in politics.

LGBT+ people, who face the risk of arrest and harsh discrimination, cannot openly advance their political interests.

C. FUNCTIONING OF GOVERNMENT: 4 / 12

C1. Do the freely elected head of government and national legislative representatives determine the policies of the government? 1 / 4

Magufuli consolidated political power in the presidency, sidelining the legislature—in part by suppressing dissent within the CCM—and exerting greater control over cabinet ministers through dismissals and reshuffles. The CCM government actively manages the activities of legislators and has threatened those who are frequently absent. Bills are sometimes passed using "certificates of urgency," which accelerates the legislative process.

Hassan has sought to consolidate her own hold on power after becoming president. Hassan has moved Magufuli loyalists out of government and CCM posts in 2022 via cabinet reshuffles and internal party elections. In October, Hassan dismissed Foreign Affairs Minister Liberata Mulamula over perceived disloyalty and concerns that Mulamula did not abide by the government's diplomatic positions.

C2. Are safeguards against official corruption strong and effective? 2 / 4

Corruption remains a problem in Tanzania, and reform efforts have yielded mixed results. The Prevention and Combating of Corruption Bureau has been accused of focusing on low-level corruption and doing little to address graft committed by senior officials, who have been ensnared in corruption scandals in recent years. Recent audits have revealed that public funds were misappropriated or unaccounted for.

C3. Does the government operate with openness and transparency? 1 / 4

A weak access to information act was adopted in 2016. The law imposes prison terms on officials who improperly release information but assigns no clear penalties for those who improperly withhold information. The Statistics Act was amended in 2019 to remove criminal liability for publishing information that conflicts with the National Bureau of Statistics, but the government continued to resist transparency efforts and punish journalists and civil society groups that attempted to expose official wrongdoing.

The government does not accurately report official data. President Hassan warned ministers against sharing government information after she reshuffled the cabinet in October 2022. In November, she contended that it was inappropriate to make government documents available online. The government was opaque about the COVID-19 pandemic under Magufuli, though it openly endorsed COVID-19 mitigation measures after Magufuli's death.

Officials were also not transparent about the circumstances surrounding the November crash of a passenger aircraft in November, in which 19 people died. The government claimed that the preliminary report into the incident was not official; an opposition leader circulated it instead.

The government was additionally opaque when discussing Magufuli's health. When Hassan announced her predecessor's death, for example, she blamed heart disease; opposition politicians and Kenyan press reports contradicted the government's account, saying Magufuli was instead sent to Nairobi for COVID-19 treatment before dying in Tanzania.

CIVIL LIBERTIES: 24 / 60 (+2)

D. FREEDOM OF EXPRESSION AND BELIEF: 7 / 16

D1. Are there free and independent media? 1 / 4

Independent journalists and media outlets are subject to harsh repression in Tanzania. The 2016 Media Services Act grants the government broad authority over media content and the licensing of outlets and journalists. It also prescribes severe penalties, including prison terms, for publication of defamatory, seditious, or other illegal content.

Sustained legal and regulatory pressure on journalists and other public figures has contributed to self-censorship and other suppression of news coverage. In a December 2021 report, the University of Dar es Salaam cited government pressure as a factor in the media sector's pro-CCM bias during the 2020 elections. The government also threatened to arrest journalists who reported on Magufuli's health.

The Hassan administration's record on media freedom is mixed. In April 2021, Hassan lifted a ban on some online media outlets. In February 2022, the government restored the licenses of *Mawio*, *Mseto*, *Mwanahalisi*, and *Tanzania Daima*, newspapers which had received bans or suspensions under Magufuli. There has been an increase in qualified criticism of the government in both English- and Swahili-language newspapers. However, self-censorship and progovernment bias remain prevalent.

Authorities have also continued to target journalists under Hassan. The government suspended two newspapers for short periods in 2021 for publishing news deemed false. In February 2022, six journalists were detained and questioned by guards in the Ngorongoro Conservation Area after they covered a local meeting; the local authority later said they were questioned for lack of accreditation.

The 2018 Electronic and Postal Communications (Online Content) Regulations require bloggers and owners of online discussion platforms and streaming services to pay annual registration fees.

D2. Are individuals free to practice and express their religious faith or nonbelief in public and private? 3 / 4

Freedom of religion is generally respected and interfaith relations are largely peaceful, though sectarian violence has periodically occurred. Muslims are believed to be a minority nationwide, but almost all Zanzibaris practice Islam. Political tensions between mainland Tanzania and Zanzibar often play out along religious lines. The government occasionally raises the specter of interreligious conflict as an excuse to detain political rivals, contributing to a sense that Muslims are sometimes treated unfairly by authorities.

D3. Is there academic freedom, and is the educational system free from extensive political indoctrination? 2 / 4

The 2015 Statistics Act requires data released publicly to be first approved by the National Bureau of Statistics and prescribes fines, imprisonment, or both for anyone who disputes official government figures, harming academic freedom. The law was amended in 2019 to remove criminal liability for publishing independent data. Tanzanian academics engage in self-censorship, though scholars sometimes release reports critical of the government.

D4. Are individuals free to express their personal views on political or other sensitive topics without fear of surveillance or retribution? 1 / 4

The government historically monitored the population through a neighborhood-level CCM cell structure and has policed personal expression on social media in recent years. Under laws including the 2015 Cybercrimes Act and the 2018 Electronic and Postal Communications (Online Content) Regulations, social media users have been prosecuted for offenses such as insulting the president. Vague prohibitions on communication that "causes annoyance" or "leads to public disorder" have confused users as to what constitutes a violation and empowered authorities to suppress unfavorable speech at their discretion. The Electronic and Postal Communications (Online Content) Regulations 2020 prohibits "spreading rumors" or insulting the nation online.

In August 2022, a government official was dismissed for criticizing a mobile money policy on social media. In September, Information Minister Nape Nnauye warned that those publishing and promoting pro-LGBT+ material online face arrest.

E. ASSOCIATIONAL AND ORGANIZATIONAL RIGHTS: 5 / 12 (+1)

E1. Is there freedom of assembly? 1 / 4

The constitution guarantees freedom of assembly, but the government limits this right through legal mechanisms, restrictions on social media platforms used to organize, and outright violence. Organizers must notify the police 48 hours in advance of any demonstration, and police have broad discretion to prohibit gatherings that could threaten public safety or public order. A ban on political rallies has been in place since mid-2016 and remained in effect at the end of 2022. The 2019 amendments to the PPA further restricted public assembly, in part by broadening the scope of activities that are deemed "political." The government has used heavy-handed tactics to disperse and prevent opposition meetings or events related to constitutional reform, though fewer high-profile arrests occurred in 2022.

Tanzanian authorities used force against Maasai protesters in the Loliondo division of the Ngorongoro in June 2022. Maasai from four villages protested the demarcation of land for a planned game reserve, with police arresting at least 10 Maasai leaders in response. A day after the arrests, security forces fired on protesters in clashes; one police officer was killed and a Maasai man later died of injuries sustained during the clashes. At least 20 people were charged with the police officer's death, including the leaders detained earlier in June (murder charges against 24 people were ultimately dropped in November). Authorities also raided Maasai homes in June, reportedly detaining dozens of individuals. As many as 2,100 Maasai fled for Kenya after the clashes, with some injured people seeking medical treatment there.

E2. Is there freedom for nongovernmental organizations, particularly those that are engaged in human rights– and governance-related work? 2 / 4 (+1)

Tanzania has a diverse and active civil society sector, but NGOs are subject to laws that give the government broad authority to deregister them. Human rights organizations and activists been subject to restrictions, deregistration, legal harassment, and unlawful arrests. In 2020, the Tanzania Human Rights Defenders Coalition and the Legal and Human Rights Centre (LHRC) were threatened with deregistration and banned from election-related activities they had overseen in previous elections. NGOs are prohibited from filing public-interest litigation and are subject to onerous financial reporting requirements.

The Hassan administration worked to improve its relationship with civil society in 2022. In April, President Hassan attended an LHRC conference. Civil society leaders have also been more outspoken in their criticism of the government's past mistreatment

of activists and the political opposition, without facing reprisal. However, NGOs have not restarted election-related work, which was a particular target under Magufuli.

Score Change: The score improved from 1 to 2 because NGOs have engaged in more civil activity under the current administration, though organizations still refrain from addressing issues the government considers sensitive.

E3. Is there freedom for trade unions and similar professional or labor organizations? 2 / 4

Trade unions are nominally independent of the government and are coordinated by the Trade Union Congress of Tanzania and the Zanzibar Trade Union Congress. The Tanzania Federation of Cooperatives represents most of Tanzania's agricultural sector. The government has significant discretion to deny union registration, and many private employers engage in antiunion activities. Essential public-sector workers are barred from striking, and other workers are restricted by complex notification and mediation requirements. Strikes are infrequent on both the mainland and Zanzibar.

F. RULE OF LAW: 4 / 16

F1. Is there an independent judiciary? 1 / 4

Judges are political appointees. The underfunded judiciary does not have an independent budget, making it vulnerable to political pressure. The results of such pressure have been particularly evident in cases involving opposition figures and government critics, as well as legal changes that suppress free and fair competition and protect the regime from prosecution. Politicized courts have enforced laws that attack human rights and are selectively invoked to keep the government in power. Lower-level courts are especially affected by political influence and corruption. Under a 2020 Court of Appeal ruling, the government can hold suspects without bail for several offenses including money laundering—a charge commonly levied against political opponents.

In February 2022, a judge ruled that Chadema chairman Freeman Mbowe and three codefendants had to stand trial on terrorism charges in what was viewed as a politically motivated case. But in March, the charges were dropped and the individuals were released.

F2. Does due process prevail in civil and criminal matters? 1 / 4

Due process guarantees are poorly upheld in civil and criminal matters. Policies and rules governing arrest and pretrial detention are often ignored, and pretrial detention commonly lasts years due to case backlogs and inadequate funding for prosecutors. Legal activists have been known to suffer repercussions for seeking justice through courts. Arbitrary and often violent arrests of opposition politicians, journalists, and civil society leaders have been commonplace. In September 2022, the LHRC called on the government to amend the Criminal Procedure Act, saying that the current code violated suspects' rights.

Security officers and militia members engaged in violence against opposition activists and civilians in Zanzibar after being deployed during the 2020 election but have not faced justice since.

F3. Is there protection from the illegitimate use of physical force and freedom from war and insurgencies? 1 / 4

Reports of abuse and torture of suspects in police custody are common, and police have been accused of extrajudicial killings and other violence in recent years. In 2021, a lawyer representing Mbowe told a court that Mbowe was tortured while in custody. That same year, Chadema activist Mdude Nyangali disclosed that he was tortured.

Tanzanian villages have sometimes been raided by armed groups that are active in Mozambique, which is grappling with an Islamist insurgency. In September 2022, the Tanzanian and Mozambican governments signed a security agreement to address terrorism and criminal activity on the border.

F4. Do laws, policies, and practices guarantee equal treatment of various segments of the population? 1 / 4

Women's rights are constitutionally guaranteed but not uniformly protected. Women face de facto discrimination in employment, including sexual harassment, which is rarely addressed through formal legal channels. Women's socioeconomic disadvantages are more pronounced in rural areas and in the informal economy.

Same-sex sexual relations are punishable by lengthy prison terms, and LGBT+ people face discrimination and police abuse, leading most to hide aspects of their identities. Men who are suspected of same-sex sexual activity have been arrested and forced to undergo anal examinations.

Over 126,000 Burundian refugees resided in Tanzania as of December 2022. Burundian refugees have been forcibly repatriated and tortured with collaboration from the Tanzanian government according to Human Rights Watch (HRW).

Pastoralist ethnic groups do not enjoy equal treatment, particularly when it comes to land disputes. These groups often live near lucrative national parks, and the government has engaged in heavy-handed treatment of those who refuse to comply with government directives to move. In June 2022, thousands of people were displaced after police violently tried to evict Maasai villagers in the Loliondo division of Ngorongoro, in order to clear land for a game reserve. In October, the East African Court of Justice ruled that the government's 2017 attempt to evict Maasai from the Serengeti National Park was legal.

G. PERSONAL AUTONOMY AND INDIVIDUAL RIGHTS: 8 / 16 (+1)

G1. Do individuals enjoy freedom of movement, including the ability to change their place of residence, employment, or education? 2 / 4

Residents enjoy some basic freedoms pertaining to travel and changes of residence, employment, and education. The government has wide discretion in enforcing laws that can limit movement, particularly in Zanzibar, where the approval of local government appointees is often required for changes in employment, personal banking, and residency. Separately, the authorities in recent years have arbitrarily arrested and deported some Kenyans, many of whom had been granted Tanzanian citizenship. The government imposes travel restrictions on activists, human rights researchers, opposition figures, and other prominent individuals. Opposition politicians who were under threat of violence struggled to leave Tanzania after the 2020 election.

G2. Are individuals able to exercise the right to own property and establish private businesses without undue interference from state or nonstate actors? 2 / 4

Tanzanians have the right to establish private businesses but are often required to pay bribes to license and operate them. The state owns all land and leases it to individuals and private entities, leading to clashes over land rights between citizens and companies engaged in extractive industries. These laws have been used to expropriate the resources and lands of opposition politicians. President Hassan has sought to reassure domestic and international investors that the government would take a less active role in the economy and has courted investors since taking office.

G3. Do individuals enjoy personal social freedoms, including choice of marriage partner and size of family, protection from domestic violence, and control over appearance? 2 / 4 (+1)

Rape, domestic violence, and female genital mutilation (FGM) are common but rarely prosecuted. Laws and practices regarding marriage, divorce, and other personal status issues favor men over women, particularly in Zanzibar. Tanzania's adolescent fertility rate is more than twice the global average. In 2019, the government encouraged women to help increase the country's birth rate and spur the economy.

In 2017, the government prohibited those who had given birth from returning to school. President Hassan overturned this ban in 2021. In October 2022, she called on families to use contraceptives. The government is still working to increase family-planning funding annually through 2030.

Score Change: The score improved from 1 to 2 because pregnant students can attend classes, in a reversal from the previous administration's policies, and because the government has vowed to improve funding for family planning services.

G4. Do individuals enjoy equality of opportunity and freedom from economic exploitation? 2 / 4

Sexual and labor exploitation remain problems, especially for children living in poor rural areas who are drawn into domestic service, agricultural labor, mining, and other activities. Child labor in gold mines, where working conditions are often dangerous, is common.

Most Tanzanians do not benefit from the country's extensive natural-resource wealth. Tanzania has one of the world's highest levels of income inequality, and the poverty rate remains high.

Thailand

Population: 66,800,000
Capital: Bangkok
Freedom Status: Not Free
Electoral Democracy: No

Overview: Following five years of military dictatorship, Thailand transitioned to a military-dominated, semielected government in 2019. The combination of democratic deterioration and frustrations over the role of the monarchy in Thailand's governance triggered massive demonstrations in 2020 and 2021. In response, the regime has employed authoritarian tactics, including arbitrary arrests, intimidation, lèse-majesté charges, and harassment of activists. Press freedom is constrained, due process is not guaranteed, and there is impunity for crimes committed against activists.

KEY DEVELOPMENTS IN 2022

- In May, former transport minister Chadchart Sittipunt, running as an independent, won the Bangkok governor's election in a landslide. Chadchart's victory reflected public discontent with the military-backed government, as well as a somewhat more open political environment in which opposition candidates could pose a meaningful challenge to authorities.

- In July, the Thai nongovernmental organization (NGO) iLaw published a report documenting widespread use of the powerful Pegasus spyware against activists, political party members, journalists, and academics. The government admitted to using the spyware in "limited" cases.
- Prime Minister Prayuth Chan-ocha was suspended from office in late August while the Constitutional Court considered an opposition-backed lawsuit arguing that he had exceeded the constitutionally stipulated eight-year term limit. While Prayuth had designated himself prime minister in 2014 after staging a coup against the elected government, the Constitutional Court later ruled that Prayuth's term began when the constitution was promulgated in 2017, enabling him to return to office.
- In September, the government announced it would not renew the Emergency Decree declared in response to the COVID-19 pandemic; it was allowed to expire in October. In addition to granting the government powers to contain the spread of the virus, the decree was also used to limit public assembly and quash dissent by political reform activists.

POLITICAL RIGHTS: 6 / 40 (+1)

A. ELECTORAL PROCESS: 1 / 12

A1. Was the current head of government or other chief national authority elected through free and fair elections? 0 / 4

Thailand is a constitutional monarchy ruled by King Maha Vajiralongkorn, who serves as head of state. Although the monarchy has limited formal power, the king has significant influence over Thai politics and specifically over the military.

The constitution, which was developed by a committee appointed by the military's National Council for Peace and Order (NCPO), was approved in a tightly controlled 2016 referendum. According to the charter, the prime minister is selected by a majority vote of the combined 500-seat elected House of Representatives and the 250-seat Senate, whose members are entirely appointed by the military.

The promilitary Palang Pracharat Party (PPP), which won only 115 lower-house seats in the 2019 elections, nominated incumbent prime minister Prayuth Chan-ocha to retain his position. In 2014, as army chief, Prayuth had staged a coup against the democratically elected government and declared himself prime minister. Prayuth retained his post in 2019 through the support of a promilitary bloc in the lower house and votes from 249 military-appointed senators.

Prayuth was suspended as prime minister in August 2022 while the Constitutional Court considered a petition brought by the opposition Pheu Thai Party (PTP); the PTP argued that by declaring himself prime minister in 2014, Prayuth had exceeded the constitutionally stipulated eight-year term limit. In late September 2022, the Constitutional Court ruled that Prayuth's term began in 2017 when Thailand promulgated its current constitution, allowing him to return to office.

A2. Were the current national legislative representatives elected through free and fair elections? 1 / 4

Under the military-drafted constitution, the bicameral National Assembly consists of the 250-seat Senate, whose members are appointed to five-year terms by the military, and the 500-seat House of Representatives.

In 2019, after five years of postponements, a House of Representatives election was contested by 77 political parties, most of which fell into promilitary or antimilitary camps.

The campaign period was marred by political repression, media censorship, unequal media access, and a lack of independent and impartial oversight from the Election Commission of Thailand (ECT). The results were tainted by irregularities, with ballots "lost" and initial vote tallies changed. Additionally, the formula for distributing party seats was altered after the election to redistribute seats won by opposition parties to military-aligned parties. This electoral manipulation granted promilitary parties a supermajority in the lower house.

The Asian Network for Free Elections (ANFREL), an international election monitoring body, was permitted to observe the election; two domestic organizations, P-Net and We Watch, were also granted permission. All three experienced severely restricted access to the polls and voting procedures.

Under a 2021 constitutional amendment, 400 lower-house members will be directly elected to four-year terms in single-seat constituencies by simple majority vote in future elections. Another 100 members will be elected in one nationwide constituency via party-list proportional representation. This "two-ballot" system favors larger parties more capable of crossing the voting threshold to win party-list seats.

In 2020, Thailand held its first provincial elections since the 2014 coup. Candidates associated with locally dominant groups fared well, while those linked to the reform movement made few gains. Municipal elections and subdistrict contests were held in 2021. ANFREL called the subdistrict elections smooth but noted the occurrence of vote buying.

A3. Are the electoral laws and framework fair, and are they implemented impartially by the relevant election management bodies? 0 / 4

The military-drafted 2017 constitution was designed to weaken political parties and elected officials while strengthening unelected institutions. All 250 senators were appointed by the military in 2019. The prime minister is selected through a combined vote of both houses, granting the unelected Senate a powerful role in the selection process. The current unelected Senate's five-year term will end in 2024, a full year after the next House of Representatives is elected. This design grants the military significant political power to form the next government even if it loses the popular vote in the 2023 election by a wide margin.

The 2019 elections were overseen by the ECT, whose members were appointed by the military. Throughout the electoral process, the ECT was criticized for its lack of independence and willingness to intervene on behalf of the military and promilitary parties. For instance, the ECT's postelection change of the seat distribution formula reassigned seats won by the opposition to military-aligned parties, which subsequently voted with the PPP and the Senate to retain Prayuth as prime minister.

B. POLITICAL PLURALISM AND PARTICIPATION: 3 / 16 (+1)

B1. Do the people have the right to organize in different political parties or other competitive political groupings of their choice, and is the system free of undue obstacles to the rise and fall of these competing parties or groupings? 1 / 4

From 2014 to 2018, Thailand's military government effectively banned political parties from meeting and conducting activities. In late 2018, the NCPO lifted many restrictions on political parties, allowing them to hold meetings, recruit members, select candidates, and meet with the public. A slew of parties from across the political spectrum began organizing and campaigning in preparation for the 2019 elections, though those opposed to military rule experienced official harassment.

In 2019, after the success of the Future Forward Party (FFP) in that year's elections, party leader Thanathorn Juangroongruangkit was charged with crimes including sedition

for allegedly "assisting" democracy activists after a 2015 protest. He was subsequently suspended by the Constitutional Court from taking his seat over a complaint that he had held shares in a media company while applying to serve in the legislature. In early 2020, the FFP was abolished following a Constitutional Court ruling that a loan it received from Thanathorn constituted an illegal donation. Opposition parties aligned with exiled former prime minister Thaksin Shinawatra have also experienced harassment by authorities.

The military-drafted constitution imposes rules designed to weaken established parties like the PTP, which led the pre-2014 government. To circumvent these limitations, PTP leaders established like-minded parties, including Thai Raksa Chart (TRC), to better compete in the 2019 elections. However, after TRC nominated Princess Ubolratana—the monarch's older sister—as its prime ministerial candidate, the party was dissolved by the Constitutional Court and its candidates were disqualified.

B2. Is there a realistic opportunity for the opposition to increase its support or gain power through elections? 1 / 4 (+1)

After an effective military ban on political parties from 2014 to 2018, opposition parties were able to compete in the 2019 polls and won a large number of seats in the House of Representatives. However, constitutional restraints greatly limited the ability of these opposition parties to effectively campaign. Postelectoral manipulation on the part of the government also reduced the total number of seats won by the opposition.

While parties opposed to military rule, most prominently the PTP and the FFP, won a combined 245 lower-house seats, they have been unable to advance legislation due to the military's control of the unelected Senate and legislative processes. The 2020 dissolution of the FFP, whose 80 seats had made it the third-largest force in the House of Representatives, was accompanied by a 10-year ban on political participation for 16 party leaders, including party leader Thanathorn and 10 other elected representatives. Following the ruling, FFP's remaining elected representatives established a new political party called Move Forward.

In late 2021, the National Assembly passed an amendment reducing the number of lower-house party-list seats from 150 to 100, increasing the threshold needed to win them and making it more difficult for smaller opposition parties to win representation.

In May 2022, former PTP transport minister Chadchart Sittipunt, running as an independent, won the Bangkok governor's election in a landslide. His victory reflected public discontent with the military-backed government and an improving political environment for opposition candidates.

Score Change: The score improved from 0 to 1 because opposition candidates have been able to meaningfully compete in some elections, including the Bangkok gubernatorial race that saw the landslide election of an opposition-aligned candidate.

B3. Are the people's political choices free from domination by forces that are external to the political sphere, or by political forces that employ extrapolitical means? 0 / 4

While Thai citizens were able to vote in 2019, the resulting government did not reflect election results due to a rigged outcome enabled by the military-drafted constitution and postelection manipulation. Thailand's cabinet is stacked with former members of the military, leaders of the 2014 coup, and ministerial holdovers from the junta, including Prime Minister Prayuth.

The 2019 polls were subject to repeated interventions by the monarchy, which exerts tremendous influence over Thai politics. For instance, the Constitutional Court's dissolution

order targeting TRC came soon after King Maha Vajiralongkorn made a televised announcement condemning his sister Princess Ubolratana's prime ministerial bid as "extremely inappropriate." On the eve of the 2019 election, King Vajiralongkorn released an unprecedented statement urging citizens to vote for "good people" to prevent "chaos," a message widely understood as a royal endorsement of promilitary parties.

In late 2021, the Constitutional Court issued a ruling stating that activists' calls for political reform, including of the monarchy, amounted to an attempt to overthrow the state. No charges were consequently issued against the dissenters, but the ruling was viewed as an assertion by the courts of the monarchy's sovereign power over the country.

B4. Do various segments of the population (including ethnic, racial, religious, gender, LGBT+, and other relevant groups) have full political rights and electoral opportunities? 1 / 4

In 2019, some political rights denied to the population during military rule were restored with the election of a semicivilian government. Nevertheless, members of minority groups, particularly ethnic minorities and stateless residents, are generally unable to choose their representatives or organize independently to assert their interests in the political sphere. Malay Muslims in southern Thailand remain marginalized.

Women are underrepresented in government at all levels, composing only 15.8 percent of the House of Representatives and 10.5 percent of the Senate. Few women hold leadership roles in political parties. Women's interests are generally not prioritized in political life, although recent antigovernment protests included demands for greater attention to these issues.

The interests of LGBT+ people are increasingly represented in national politics.

C. FUNCTIONING OF GOVERNMENT: 2 / 12

C1. Do the freely elected head of government and national legislative representatives determine the policies of the government? 0 / 12

Since 2019, the policies of the Thai government have been determined by the prime minister and the National Assembly. Even as opposition parties won a significant share of lower-house seats in that year's elections, the government remains largely authoritarian due to the unelected Senate, which votes with the lower house to determine the government's long-term strategy and selects the prime minister. In effect, government policies and legislation are decided and implemented by a clique of former military leaders and their allies.

In recent years, the king has consolidated and expanded the monarchy's political and military powers. In 2019, King Vajiralongkorn ordered the transfer of two elite army units to the palace's direct command, citing Article 172 of the constitution, which allows a royal decree to be issued when an emergency threatens national security and the monarchy. A 2021 Constitutional Court ruling reasserted the monarchy's preeminent role in the Thai state.

C2. Are safeguards against official corruption strong and effective? 1 / 4

Thailand's anticorruption legislation is inadequately enforced, and bribes and gifts are common practice in business, law enforcement, and the legal system.

C3. Does the government operate with openness and transparency? 1 / 4

Parliamentary oversight of the government that took power in 2019 has resulted in an increase in overall government openness and transparency. However, due to the military's continued sway over government operations and its legislative majority, high-level decisions continue to be made, and legislation passed, opaquely. Procurement decisions are similarly opaque.

CIVIL LIBERTIES: 24 / 60

D. FREEDOM OF EXPRESSION AND BELIEF: 6 / 16

D1. Are there free and independent media? 1 / 4

In 2019, several NCPO orders limiting free speech and independent media were lifted, including those banning reports considered to threaten national security and the NCPO's credibility. However, the government elected that year retained several laws introduced by the junta that restrict free and independent media, including criminal defamation laws and an expanded Computer Crime Act (CCA).

Pressure and attacks against media workers covering antigovernment protests continued in 2022. In February, two Thai citizen journalists were charged with lèse-majesté and sedition for live streaming an event addressing the impact of royal motorcades on Bangkok city residents. Several journalists were physically attacked by police while covering the Asia-Pacific Economic Cooperation (APEC) protests in Bangkok in November.

D2. Are individuals free to practice and express their religious faith or nonbelief in public and private? 3 / 4

There is no state religion, and religious freedom is respected in the majority of the country. However, some restrictions exist. Speech considered insulting to Buddhism is prohibited by law. The vast majority of Thais are Buddhist and the king is considered the protector of Buddhism in Thailand, which carries spoken and unspoken authority.

A long-running civil conflict in the south involving ethnic Malay Muslims and ethnic Thai Buddhists continues to undermine citizens' ability to practice their religions there.

D3. Is there academic freedom, and is the educational system free from extensive political indoctrination? 1 / 4

Academic freedom is constrained in Thailand. University discussions and seminars on topics regarded as politically sensitive are subject to monitoring or outright cancellation by government authorities. Activist activities on university campuses remain constrained by the government, including through prosecutions for sedition and violations of draconian lèse-majesté laws. Academics working on sensitive topics face oppressive tactics including summonses for questioning, home visits by security officials, surveillance of their activities, and arbitrary detention for the purpose of questioning.

Thailand's public education system is rife with propaganda aimed at instilling obedience to the country's monarchy and military. In February 2022, prominent student activist Netiwit Chotiphatphaisal was removed as head of the Chulalongkorn University student union by university officials, who claimed he had been engaged in activities that undermined public order and the institution's reputation. The student union in recent months had canceled a traditional university ritual members criticized as promoting authoritarianism, criticized a businessman who received an honorary degree from Chulalongkorn University, and selected an antimonarchy protest leader to speak at an event.

D4. Are individuals free to express their personal views on political or other sensitive topics without fear of surveillance or retribution? 1 / 4

Perceived critics of the government, military, or the monarchy remain at high risk of surveillance, arrest, imprisonment, harassment, and physical attack. Thailand's current government retained 140 NCPO laws, including laws that restrict freedom of expression. It also retained the CCA, which gives authorities broad powers to restrict online expression, impose censorship, and enforce surveillance, and extends enforcement of lèse-majesté provisions online.

Between November 2020 and November 2022, more than 221 people were charged with violating lèse-majesté laws, including 17 minors. In September 2022, prodemocracy activist Jatuporn Sae-Ung was sentenced to two years in prison after she was convicted of lèse-majesté for allegedly dressing as the Thai queen at a 2020 protest. She was released on bail pending appeal.

E. ASSOCIATIONAL AND ORGANIZATIONAL RIGHTS: 3 / 12

E1. Is there freedom of assembly? 1 / 4

Freedom of assembly is restricted. Authorities have used considerable force against prodemocracy demonstrators, including live ammunition; tolerated violence against protesters by progovernment sympathizers; and employed lèse-majesté laws to quell dissent.

Prodemocracy street demonstrations that were frequently held in 2020 and 2021 receded in 2022—the combined result of the criminalization of activists, the jailing of movement leaders, public fatigue, and internal movement fractures. During the November APEC summit, police violently dispersed prodemocracy protesters, seriously injuring several, and arrested more than 25 people.

E2. Is there freedom for nongovernmental organizations, particularly those that are engaged in human rights– and governance-related work? 1 / 4

Thailand has a vibrant civil society, but groups focused on defending human rights and freedom of expression, and promoting democracy, continue to face restrictions, surveillance, criminalization, and prosecution, including under sedition and lèse-majesté laws. Civil society groups holding republican views, such as the Organization for Thai Federation, remain forbidden. Human rights NGOs have faced considerable government pressure since antigovernment protests began in 2020. Several prominent Thai human rights organizations reported increased official harassment in 2022, including allegations of tax avoidance and money laundering. Amnesty International Thailand was the target of intense harassment from right-wing royalist groups and the government during the year.

In July 2022, the Thai NGO iLaw published a report documenting widespread use of the powerful Pegasus spyware against activists, political party members, journalists, and academics; following the report, the Thai government admitted using the spyware in "limited cases."

Land and environmental activists risk serious and even deadly violence; the environmental rights NGO Global Witness has described Thailand as among the most dangerous countries in Asia for such activists. Perpetrators of attacks generally enjoy impunity.

E3. Is there freedom for trade unions and similar professional or labor organizations? 1 / 4

Thai trade unions are nominally independent and have the right to collectively bargain. However, most formal-sector workers are not unionized. Employers engage in antiunion activity, employing lockouts and launching defamation cases against union members and organizers. Non-Thai nationals are prohibited from establishing unions. Migrant workers are also legally prohibited from establishing unions or leading officially recognized unions. Unions and union leaders have faced criminal charges for their activities that have resulted in severe fines and prison terms.

F. RULE OF LAW: 5 / 16

F1. Is there an independent judiciary? 1 / 4

While judicial independence is constitutionally guaranteed, courts are politicized and corrupt. The Constitutional Court has sweeping powers, including the ability to dissolve

political parties, overthrow elected officials, and veto legislation. In 2018, the government enacted a law making criticism of the Constitutional Court with "rude, sarcastic, or threatening words" a criminal offense, further shielding the body from accountability. The court in 2020 abolished the FFP after what observers characterized as a highly politicized trial; in late 2021, it ruled that three activists who had called for reforms had intended to overthrow the monarchy. The court issued no explicit penalty against them but ordered protest groups to cease such activity.

In September 2022, the Constitutional Court ruled that Prayuth, who declared himself prime minister after leading the 2014 coup, had not exceeded an eight-year term limit, allowing him to return to that post following a five-week suspension.

F2. Does due process prevail in civil and criminal matters? 1 / 4

Restrictions implemented by the NCPO and retained by the semicivilian government severely undermine due process rights; these include provisions allowing forms of warrantless detention.

Over 1,880 individuals—283 of them minors—have faced criminal prosecution for protest-related activity between July 2020 and October 2022, according to Thai Lawyers for Human Rights. Charges against them include sedition and lèse-majesté violations. Many were kept in pretrial detention for prolonged periods, were denied bail, or were offered bail under extremely stringent conditions.

F3. Is there protection from the illegitimate use of physical force and freedom from war and insurgencies? 1 / 4

The police and military often operate with impunity, which is exacerbated by the absence of any law that explicitly prohibits torture. Legislators passed a bill in September 2022 outlawing torture and forced disappearance, which is expected to be ratified in 2023. Amnesty International and the International Commission of Jurists characterized the bill as a significant step, but stated that it nevertheless failed to fully meet human rights obligations under rights treaties to which Thailand is a signatory and lacks effective enforcement measures.

While most of Thailand is free from terrorism or insurgency, a combination of martial law and emergency rule has been in effect for over a decade in the four southernmost provinces, where Malay Muslims form a majority and a separatist insurgency has been ongoing since the 1940s. Civilians are regularly targeted in shootings, bombings, and arson attacks, and insurgents have focused on schools and teachers as symbols of the Thai state. Thousands of suspected militants and sympathizers have been indiscriminately detained in counterinsurgency operations. Long-standing and credible reports of human rights violations, including extrajudicial killings, by government forces and insurgents also exist.

Following the 2019 elections, physical attacks on prodemocracy activists by masked assailants widely assumed to have government ties increased, with the authorities conducting no credible investigations. Authorities continued to use excessive force to disperse antigovernment protesters in 2022.

Extraterritorial executions and disappearances of Thai dissidents-in-exile have taken place in recent years. In June 2020, Wanchalerm Satsaksit, an exiled Thai activist living in Cambodia, was disappeared from Phnom Penh, presumably by agents of the Thai state; he remains missing.

F4. Do laws, policies, and practices guarantee equal treatment of various segments of the population? 2 / 4

In Thailand's north, so-called hill tribes are not fully integrated into society. Many individuals lack formal citizenship, which renders them ineligible to vote, own land, attend state schools, or receive protection under labor laws.

Thailand is known for its tolerance of LGBT+ people, though societal acceptance is higher for tourists and expatriates than for nationals, and unequal treatment and stigmatization remain challenges. Women face discrimination in employment, a problem that was highlighted the Royal Police Cadet Academy's 2018 decision to ban female cadets.

Thailand has not ratified the UN convention on refugees, who risk detention as unauthorized migrants and often lack access to asylum procedures. The government continues to treat Rohingya refugees from Myanmar as illegal immigrants. These individuals are denied access to refugee status determination procedures and either detained in detention camps or, if arriving by boat, pushed back out to sea and onward to Indonesia and Malaysia.

G. PERSONAL AUTONOMY AND INDIVIDUAL RIGHTS: 10 / 16

G1. Do individuals enjoy freedom of movement, including the ability to change their place of residence, employment, or education? 3 / 4

Thai citizens generally have freedom of travel and choice of residence. However, travel may be restricted in areas affected by civil conflict. The Thai government's COVID-19 emergency decree, which had curtailed freedom of movement, was allowed to expire at the end of September 2022.

G2. Are individuals able to exercise the right to own property and establish private businesses without undue interference from state or nonstate actors? 2 / 4

The rights to property and to establish businesses are protected by law, though in practice business activity is affected by bureaucratic delays, and at times by the influence of security forces and organized crime. Court cases related to land and natural resources, particularly those deemed by the junta to be vital to the country's economic development, are susceptible to political interference.

G3. Do individuals enjoy personal social freedoms, including choice of marriage partner and size of family, protection from domestic violence, and control over appearance? 3 / 4

While women have the same legal rights as men, they are vulnerable to domestic abuse and rape. Victims rarely report attacks to authorities, who frequently discourage women from pursuing criminal charges against perpetrators.

In late 2021, the National Assembly amended the penal code to decriminalize first-trimester abortions. The articles had been ruled unconstitutional by the Constitutional Court in early 2020. The Public Health Ministry issued regulations in September 2022 allowing abortions through the 20th week of pregnancy.

In late 2021, the Constitutional Court ruled that the existing civil code did not extend marriage rights to same sex-couples. However, the court recommended an expansion of gender rights via legislation. In June 2022, the National Assembly passed four bills on same-sex unions at their first reading. Domestic LGBT+ groups characterized the development as meaningful progress, though the bills still require discussion in legislative committees, and additional rounds of approval by the House of Representatives, Senate, and monarchy.

G4. Do individuals enjoy equality of opportunity and freedom from economic exploitation? 2 / 4

Exploitation and trafficking of Thailand's large migrant worker population and refugees from Myanmar, Cambodia, and Laos are serious and ongoing problems, as are child and sweatshop labor. Migrant workers are regularly deported from Thailand.

Sex trafficking remains a problem in which some state officials are complicit. However, the government has made some efforts to prosecute and seize the assets of those suspected of involvement in human trafficking, including police officers and local officials.

Thai companies facing criticism for human rights violations, labor rights abuses, and migrant rights violations continue to file libel lawsuits against activists and human rights defenders.

The Gambia

Population: 2,700,000
Capital: Banjul
Freedom Status: Partly Free
Electoral Democracy: No

Overview: The Gambia was ruled for over two decades by President Yahya Jammeh, who consistently violated political rights and civil liberties. The 2016 election resulted in a surprise victory for opposition candidate Adama Barrow, who was reelected in 2021. Respect for fundamental freedoms including the rights to free assembly, association, and expression have improved under the Barrow administration, but it has faced criticism for continued corruption. Among other ongoing concerns, LGBT+ people face severe discrimination, and violence against women remains a serious problem.

KEY DEVELOPMENTS IN 2022

- In March, the conflict in the Casamance region of Senegal caused instability in southern Gambia, with over 5,600 Gambians forced to leave their homes.
- In April, legislative elections resulted in President Adama Barrow's National People's Party (NPP) winning 18 of the 53 elected seats in the National Assembly, making it the largest party but falling short of a majority.
- In May, the Barrow government released its white paper on the recommendations of the Truth, Reconciliation, and Reparations Commission (TRRC) that had been established to address the abuses of the Jammeh era. The government accepted most of the TRRC recommendations, including that the prosecution of Jammeh should be a goal.
- In late December, the government arrested several members of The Gambia's armed forces over an alleged coup attempt.

POLITICAL RIGHTS: 21 / 40

A. ELECTORAL PROCESS: 8 / 12

A1. Was the current head of government or other chief national authority elected through free and fair elections? 3 / 4

The president is directly elected to a five-year term and faces no term limits. In December 2021, Adama Barrow won a second term with about 53 percent of the vote in a field of six candidates. Ousainou Darboe of the United Democratic Party (UDP) placed second with 28 percent. Domestic and international observers found the results to be credible. However, some irregularities were reported, and a number of deficiencies in the legal framework affected the campaign environment. Two of the opposition candidates rejected

the outcome and filed a legal suit that was subsequently dismissed by the Supreme Court on procedural grounds.

A2. Were the current national legislative representatives elected through free and fair elections? 3 / 4

Of the 58 members of the unicameral National Assembly, 53 are elected by popular vote and the remainder are appointed by the president; members serve five-year terms. The April 2022 parliamentary elections, in which Barrow's NPP won a plurality of seats, were deemed transparent, peaceful, and orderly by international observers. Weaknesses included low turnout and some confusion in the lead-up to the election over the number of constituencies. The NPP won 18 seats, with the UDP winning 15. Three smaller parties and twelve independent candidates also won seats.

A3. Are the electoral laws and framework fair, and are they implemented impartially by the relevant election management bodies? 2 / 4

The Independent Electoral Commission (IEC) adequately managed the 2021 presidential election and the 2022 National Assembly elections. However, it faces chronic challenges related to its finances, training of personnel, and access to supplies. International observers have highlighted weaknesses in the electoral framework, including poor regulation of campaign financing and the use of state resources in campaigns, though they praised key aspects of the election-day polling processes. A nationwide registration campaign conducted by the IEC ahead of the presidential election was widely seen as a success despite significant financial and logistical obstacles; in all, over 960,000 Gambians were registered to vote when the presidential election occurred.

B. POLITICAL PLURALISM AND PARTICIPATION: 9 / 16

B1. Do the people have the right to organize in different political parties or other competitive political groupings of their choice, and is the system free of undue obstacles to the rise and fall of these competing parties or groupings? 2 / 4

There were 20 political parties registered in The Gambia as of 2022. Organizers must pay a one million–dalasi ($15,000) registration fee and garner the signatures of 10,000 registered voters, with at least 1,000 from each of the country's regions. Parties centered on a particular religion, ethnicity, or region are banned. Parties are required to submit annual audits to the IEC.

Candidate nomination requirements present an obstacle to party competition. Ruling parties have historically benefited from the advantages of incumbency, including misuse of state resources.

B2. Is there a realistic opportunity for the opposition to increase its support or gain power through elections? 3 / 4

Despite Barrow winning the 2021 presidential election, his party is not as dominant in the legislature as previous ruling parties have been. The NPP only has a majority with the support of two smaller parties—the Alliance for Patriotic Reorientation and Construction (APRC), which was the ruling party under Jammeh, and the National Reconciliation Party (NRP)—and of the five nominated members of the National Assembly. The NPP has poached members from other parties' leadership.

B3. Are the people's political choices free from domination by forces that are external to the political sphere, or by political forces that employ extrapolitical means? 2 / 4

Gambians have become more free from improper influences on their political choices since Jammeh's 22-year rule ended in 2017, but abuses such as the politicized distribution of money and goods to benefit the ruling party continued to be reported ahead of the 2021 election. An alleged coup plot by members of the Gambian military was thwarted in December 2022.

A military mission of the Economic Community of Western African States' (ECOWAS) initially deployed to enforce the 2016 election was extended in The Gambia until January 2024. In 2022, members of ECOWAS' Mission in The Gambia (ECOMIG) clashed with rebels from Senegal's Casamance region. The ECOMIG force has not had a discernible impact on the decisions of Gambian voters or politicians, though there are unproven allegations to the contrary.

B4. Do various segments of the population (including ethnic, racial, religious, gender, LGBT+, and other relevant groups) have full political rights and electoral opportunities? 2 / 4

There is concern that Gambian politics are being defined by ethnic divisions, as major parties draw much of their support from particular ethnic groups. Women remain underrepresented in politics. Only five women held National Assembly seats after the 2022 legislative elections, unchanged from the number before the elections. A bill to reserve 16 National Assembly seats for women was introduced in 2021 but has stalled.

C. FUNCTIONING OF GOVERNMENT: 4 / 12

C1. Do the freely elected head of government and national legislative representatives determine the policies of the government? 2 / 4

The Barrow government does not appear to be subject to undue influence from nonstate actors, armed forces, or foreign governments. However, its critics have alleged that the government is under the influence of Senegal, citing the continued presence of the ECOWAS military mission and the preponderance of Senegalese commercial interests in the country. The parliament's limited ability to check executive authority remains a concern.

C2. Are safeguards against official corruption strong and effective? 1 / 4

Allegations of corruption are frequently lodged against officials at all levels of government, and both state and semiofficial agencies have been accused of improperly funneling money to private citizens. An anticorruption bill introduced in the National Assembly in 2019 has yet to be adopted, and a proposed anticorruption commission has not yet been established. Other anticorruption bodies, such as the Financial Intelligence Unit of The Gambia (FIU), have weak enforcement powers.

C3. Does the government operate with openness and transparency? 1 / 4

Government operations are generally opaque. Officials must make asset declarations to the ombudsman, but the declarations are not open to public and media scrutiny. There are widespread allegations of corruption in public procurement. Key licensing processes, especially for industries that rely on natural resources, are not transparent.

The National Assembly passed and President Barrow signed the Access to Information Act in 2021. Civil society groups had championed the legislation as a means to improve transparency and accountability, but its effects in practice remained unclear. In September 2022, the Gambia Ports Authority (GPA) declined a request from the Public Petitions Committee of the National Assembly to release an internal report about alleged corruption among staff, despite significant pressure from civil society.

CIVIL LIBERTIES: 27 / 60 (+1)

D. FREEDOM OF EXPRESSION AND BELIEF: 8 / 16

D1. Are there free and independent media? 2 / 4

The media environment has improved under Barrow's presidency. More people are entering the profession, exiled journalists have returned to the country, and there has been a proliferation of private media outlets. Nevertheless, a number of laws that restrict freedom of expression remain in effect. Media outlets have been subject to arbitrary suspensions and journalists have at times faced arrest or physical assault in the course of their work.

D2. Are individuals free to practice and express their religious faith or nonbelief in public and private? 2 / 4

The Barrow government has maintained that The Gambia is a secular society in which adherents of all faiths can worship freely. In practice, non-Sunni Muslim groups experience discrimination. Traditional authorities have made disparaging comments about the Christian community—which comprises less than 5 percent of the population—in connection with the construction of churches and cemeteries.

D3. Is there academic freedom, and is the educational system free from extensive political indoctrination? 2 / 4

Academic freedom at the University of The Gambia has improved since Barrow took office, with a more open environment for the exchange of ideas among students and professors than under Jammeh. Lecturers still face political pressure, however, and other challenges persist. In 2021, university staff went on strike over pay and working conditions, but returned to work days later after the university agreed to meet several of their demands.

D4. Are individuals free to express their personal views on political or other sensitive topics without fear of surveillance or retribution? 2 / 4

Gambians have greater freedom to express political views under the Barrow administration. However, sedition laws that remain on the books could be used to criminalize criticism of the government, including on social media. In April 2021, a leader of the Three Years Jotna movement, which had called for Barrow to honor his earlier pledge to remain in office for only three years, was charged with sedition and violations of the Public Order Act (POA) after allegedly insulting the president and the judiciary. He was eventually cleared of the charges. In December 2022, a few days after the alleged coup attempt, the UDP's campaign manager was arrested over a video in which he claimed Barrow would be unseated prior to the next election. He was subsequently released.

E. ASSOCIATIONAL AND ORGANIZATIONAL RIGHTS: 6 / 12

E1. Is there freedom of assembly? 2 / 4

The constitution guarantees freedom of assembly, but the POA requires event organizers to obtain police permits for public assemblies. In the white paper it released in May 2022 on the findings of the Truth, Reconciliation, and Reparations Commission (TRRC), the government accepted the commission's recommendation to review the POA to ensure that it aligned with international human rights standards. During 2022, protests over deteriorating environmental conditions were denied permits, ostensibly over security concerns. When the protests proceeded without permits, they were met with an armed police presence. In September 2022, commercial drivers protesting bridge-crossing fees were arrested.

E2. Is there freedom for nongovernmental organizations, particularly those that are engaged in human rights– and governance-related work? 2 / 4

There are several nongovernmental organizations (NGOs) in The Gambia that focus on human rights and governance issues. NGO workers faced detention and other reprisals under Jammeh, and restrictive legislation remains on the books, but since 2017 NGOs have operated with less interference in practice, and some groups have successfully challenged the government on policy and legal matters without repercussion. International NGOs have also increased their presence in the country and are able to operate without interference.

E3. Is there freedom for trade unions and similar professional or labor organizations? 2 / 4

Workers—except for civil servants, household workers, and security forces—may form unions, strike, and bargain for wages, but the labor minister has the discretion to exclude other categories of workers. The Gambia has multiple trade unions that operate without government restrictions, though several lack organization and funds.

F. RULE OF LAW: 7 / 16 (+1)

F1. Is there an independent judiciary? 2 / 4

The Barrow government has taken steps to improve the judiciary, which was hampered by corruption and inefficiency under Jammeh. These steps include ending the use of contract judges, establishing additional courts to address case backlogs, and giving courts greater budgetary autonomy. The government also reconstituted the Judicial Service Commission, which appoints lower-court magistrates and advises the president on higher-level appointments, court efficiency, and operations. While executive dominance remains a concern, the judiciary has shown some independence from the other branches of government in recent years.

F2. Does due process prevail in civil and criminal matters? 2 / 4 (+1)

Constitutional due process guarantees remain unevenly upheld, though political dissidents face less risk of persecution than during the Jammeh era. The government has pledged to arrest and prosecute security officers responsible for past human rights abuses. In 2022, five former officers from Jammeh's National Intelligence Agency were sentenced to death for the murder of political activist Ebrima Solo Sandeng in 2016, while two other defendants were acquitted.

Other Jammeh-era officials accused of human rights violations and abuses have been suspended in accordance with TRRC recommendations. In the white paper it released in May 2022, the government pledged to prosecute Jammeh in accordance with TRRC recommendations, but did not offer a timeline for doing so. The announcement of a special investigative panel to examine the December 2022 alleged coup attempt has been criticized by some members of civil society for potentially undermining the rule of law.

Score Change: The score improved from 1 to 2 because the government has begun investigating and prosecuting perpetrators of rights abuses during the Jammeh era, including former president Jammeh himself.

F3. Is there protection from the illegitimate use of physical force and freedom from war and insurgencies? 2 / 4

The use of illegitimate physical force by security agents has been less frequent under the Barrow administration. There have been some attempts to improve prison conditions, which remain dire. The recommendations of the TRRC have yielded several prosecutions

and suspensions of security officials for using illegitimate force, and the government has acknowledged the need to strengthen laws protecting individuals from abuse by security services. In March 2022, the escalating conflict in Senegal's Casamance region displaced around 5,600 Gambians.

F4. Do laws, policies, and practices guarantee equal treatment of various segments of the population? 1 / 4

Several groups in Gambian society encounter serious difficulties in exercising their human rights. Women enjoy less access to higher education, justice, and employment than men. Legal protections for people with disabilities require strengthening and enforcement. LGBT+ people face severe societal discrimination, and same-sex sexual relations remain criminalized. The constitution prohibits discrimination, but this "does not apply in respect to adoption, marriage, divorce, burial, and devolution of property upon death." Caste-based discrimination remains an issue in parts of the country.

G. PERSONAL AUTONOMY AND INDIVIDUAL RIGHTS: 6 / 16

G1. Do individuals enjoy freedom of movement, including the ability to change their place of residence, employment, or education? 2 / 4

There are no legal restrictions on the freedom to change one's place of residence or employment. In practice, the endurance of strong kinship networks, unclear land-ownership rules, and economic speculation affect Gambians' ability to change residence. In September 2022, the government suspended all unofficial checkpoints across the country, citing a desire to improve freedom of movement.

As of August 2022, coronavirus-related restrictions imposed on internal and external travel during 2020 have been lifted, though face masks remain mandatory in some public spaces.

G2. Are individuals able to exercise the right to own property and establish private businesses without undue interference from state or nonstate actors? 2 / 4

Gambian law provides formal protections for property rights, but enforcement is weak. Sharia (Islamic law) provisions on family law and inheritance can facilitate discrimination against women. Corruption hampers legitimate business activity. Land ownership is a contentious issue, with disputes sometimes escalating into violence. The problem is exacerbated by unclear division of responsibilities between traditional and state authorities.

G3. Do individuals enjoy personal social freedoms, including choice of marriage partner and size of family, protection from domestic violence, and control over appearance? 1 / 4

Rape and domestic violence are illegal but common. There are no laws prohibiting polygamy or levirate marriage, in which a widow is married off to the younger brother of her spouse. Female genital mutilation is still practiced despite a legal ban. The Barrow government has undertaken steps to address child marriage and gender-based violence. In 2021, it advocated repealing a ban on skin bleaching, originally enacted under Jammeh, arguing that it discriminated against women; however, a bill to repeal the ban failed to pass the National Assembly.

G4. Do individuals enjoy equality of opportunity and freedom from economic exploitation? 1 / 4

Enforcement of labor laws is inconsistent but has seen modest improvement in the last two years. Some women and children are subject to sex trafficking, domestic servitude, and

forced begging. In the 2022 edition of its *Trafficking in Persons Report*, the US State Department noted that the government had taken steps to support trafficking victims and that there had been an increase in prosecutions.

Timor-Leste

Population: 1,300,000
Capital: Dili
Freedom Status: Free
Electoral Democracy: Yes

Overview: Timor-Leste has held competitive elections and undergone peaceful transfers of power since gaining independence in 2002, but its democratic institutions remain fragile and disputes among leaders from the independence struggle dominate political affairs. Due process is undermined by serious capacity and budgetary deficits.

KEY DEVELOPMENTS IN 2022

- Timorese voted in a two-round presidential election in March and April. Former president José Ramos-Horta defeated incumbent Francisco Guterres, known as Lú-Olo, of the Revolutionary Front for an Independent East Timor (Fretilin). Ramos-Horta was backed by National Congress for the Reconstruction of Timor-Leste (CNRT) leader Xanana Gusmão.
- In November, the Association of Southeast Asian Nations (ASEAN) agreed in principle to add Timor-Leste as its 11th member. ASEAN is expected to show a roadmap to full membership in 2023.

POLITICAL RIGHTS: 33 / 40

A. ELECTORAL PROCESS: 11 / 12

A1. Was the current head of government or other chief national authority elected through free and fair elections? 4 / 4

The directly elected president is a largely symbolic figure, with formal powers limited to the right to veto legislation and make certain appointments. The president may serve up to two five-year terms. Timorese participated in a two-round presidential election in 2022. Sixteen candidates competed in first round, a record. Former president José Ramos-Horta defeated the incumbent, Lú-Olo of Fretilin, in the April run-off with 62.1 percent of the vote. Turnout stood at 77.3 percent in the first round and 75.2 percent in the second. Ramos-Horta was supported by Xanana Gusmão of the CNRT.

The leader of the majority party or coalition in Parliament becomes prime minister and serves as head of government. In June 2018, former independence fighter and former president José Maria Vasconcelos, popularly known as Taur Matan Ruak, was sworn in as prime minister. He remained in that post when Fretilin, the People's Liberation Party (PLP), and the Party for the Enhancement of Timorese National Unity (KHUNTO) formed a governing coalition in May 2020.

A2. Were the current national legislative representatives elected through free and fair elections? 4 / 4

Members of the 65-seat, unicameral Parliament are directly elected and serve five-year terms. Following a minority government's failure to pass a budget, the president dissolved Parliament in January 2018. Polls were held that May. The sitting opposition parties—the CNRT, KHUNTO, and the PLP—formed the Change for Progress Alliance (AMP) coalition and won an outright majority of 34 seats. Fretilin won 23, the Democratic Party won 5, and the Democratic Development Front won 3. European Union (EU) observers called elections "transparent, well-managed and credible." Polls were generally peaceful and orderly, despite a few violent incidents during the campaign period.

A new governing coalition of the PLP, KHUNTO, and Fretilin was formed in May 2020, three months after Parliament failed to approve a budget. The CNRT triggered that failure by abstaining but was ultimately unable to muster a new coalition of its own.

A3. Are the electoral laws and framework fair, and are they implemented impartially by the relevant election management bodies? 3 / 4

EU observers present for the 2022 presidential election noted that the National Election Commission (CNE) benefited from legal changes introduced after the last parliamentary election. The observers also reported that local stakeholders viewed the CNE and the Technical Secretariat for Electoral Administration as professional and independent.

Provisions governing elections are found across several pieces of legislation. EU observers reported that some of these laws "are not organised coherently" and that some of the framework is ambiguous in practice.

B. POLITICAL PLURALISM AND PARTICIPATION: 14 / 16

B1. Do the people have the right to organize in different political parties or other competitive political groupings of their choice, and is the system free of undue obstacles to the rise and fall of these competing parties or groupings? 4 / 4

Political parties are generally free to operate. Some campaign-finance regulations favor larger parties. These include a lack of spending caps and a system in which government campaign subsidies are awarded after elections, according to the number of votes a party has won.

Two new parties, youth-aligned KHUNTO and the PLP, won 13 parliamentary seats between them in 2017. They joined AMP in the 2018 elections and formed a governing coalition with Fretilin in 2020.

B2. Is there a realistic opportunity for the opposition to increase its support or gain power through elections? 4 / 4

Democratic transfers of power occur regularly in Timor-Leste.

While some smaller parties hold parliamentary seats, parties associated with the independence movement dominate. Fretilin, the CNRT, and the PLP have regularly participated in governments in recent years.

B3. Are the people's political choices free from domination by forces that are external to the political sphere, or by political forces that employ extrapolitical means? 3 / 4

Politics continue to be dominated by independence-movement figures who have formed political parties. Veterans often serve as power brokers and organizers, while local village leaders are known to mobilize voters despite their ostensible nonpartisan status.

B4. Do various segments of the population (including ethnic, racial, religious, gender, LGBT+, and other relevant groups) have full political rights and electoral opportunities? 3 / 4

Ethnic minorities are generally well represented in politics.

While male independence leaders often hold key political roles and dominate elite political circles, 40 percent of parliamentarians are women. Four women ran for president in the 2022 elections. One-third of electoral-list candidates must be female. Women are massively underrepresented at the local level. Observers suggest that few women would seek office except for the existence of gender-parity legislation.

C. FUNCTIONING OF GOVERNMENT: 8 / 12

C1. Do the freely elected head of government and national legislative representatives determine the policies of the government? 4 / 4

Elected officials generally determine government policy, though two governments have fallen over their inability to pass budgets in recent years. Xanana Gusmão of the CNRT retains influence over the government, though he is not in the parliamentary coalition. The Roman Catholic Church maintains significant influence over government policy.

C2. Are safeguards against official corruption strong and effective? 2 / 4

Anticorruption bodies lack enough funding to operate effectively. The independent Anti-Corruption Commission (CAC) was established in 2009 with no powers of arrest or prosecution. It relies on the prosecutor general, with input from police and the courts, to prosecute corruption cases. An anticorruption law including protections for whistleblowers and witnesses came into force in 2021. That same year, the UN Office on Drugs and Crime provided manuals for the CAC to help it enforce the new law.

C3. Does the government operate with openness and transparency? 2 / 4

Despite attempts to make budgets more accessible, procurement processes remain largely opaque. Requests for public information are not always granted and may require applicants to undertake inconvenient travel. Information may be issued in Portuguese, which most Timorese do not speak. An anticorruption law includes rules on wealth and asset declarations that apply to civil servants, state agents, and their relatives.

CIVIL LIBERTIES: 39 / 60

D. FREEDOM OF EXPRESSION AND BELIEF: 14 / 16

D1. Are there free and independent media? 3 / 4

While media freedom is constitutionally protected, domestic media outlets are vulnerable to political pressure and self-censorship due to the small media market with limited nongovernmental sources of support. However, journalists still produce articles critical of the government.

In May 2022, government minister Francisco Martins da Costa Pereira Jerónimo filed a defamation claim against Francisco Belo Simões da Costa, editor in chief of the Hatutan news outlet. Hatutan had published an article alleging that a government project was affected by corruption. In October, the national police summoned the editor in chief and another journalist at the *Jornal Independente* after it published articles discussing misconduct allegations against National Intelligence Service official Gastão Pereira.

Journalists reporting on allegations of abuse within the Roman Catholic Church have faced official scrutiny. In January 2022, the Tempo Timor outlet said it was subpoenaed over its coverage of a Roman Catholic priest's report on abuse which openly identified victims. In June, journalist Raimundos Oki was placed under investigation for violating judicial secrecy after he interviewed girls who said they were abused by defrocked priest Richard Daschbach; Daschbach was convicted of child sexual abuse in 2021.

D2. Are individuals free to practice and express their religious faith or nonbelief in public and private? 3 / 4

Timor-Leste is a secular state where freedom of religion is constitutionally protected. Some 97.6 percent of the population is Roman Catholic. Religious tolerance is practiced, though Protestants and Muslims have reported some cases of discrimination and harassment.

D3. Is there academic freedom, and is the educational system free from extensive political indoctrination? 4 / 4

Academic freedom is generally respected.

D4. Are individuals free to express their personal views on political or other sensitive topics without fear of surveillance or retribution? 4 / 4

There are few constraints on private discussion, and citizens are free to discuss political and social issues. Topics related to the 2006 unrest, where armed clashes between the police and mobilized civilian groups resulted in deaths and significant displacement, remain sensitive.

E. ASSOCIATIONAL AND ORGANIZATIONAL RIGHTS: 8 / 12

E1. Is there freedom of assembly? 3 / 4

While freedom of assembly is constitutionally guaranteed and generally respected in practice, some laws can be invoked to restrict peaceful gatherings. Demonstrations must be authorized in advance, and those deemed to be "questioning constitutional order" or disparaging the reputations of the head of state and other government officials are prohibited.

In November 2022, the National Maubere Alliance began holding regular protests in front of Parliament, calling for increased spending for public services. Police detained 37 protesters in mid-November; 26 were later charged with a penal-code violation, but they were reportedly acquitted.

E2. Is there freedom for nongovernmental organizations, particularly those that are engaged in human rights– and governance-related work? 3 / 4

Nongovernmental organizations (NGOs) generally operate without interference, although all registered NGOs receiving government or donor funds are under the oversight of the Ministry of Planning and Finance. Few NGOs operate outside of Dili. The government is generally receptive to NGOs' input.

E3. Is there freedom for trade unions and similar professional or labor organizations? 2 / 4

Workers may form and join labor unions and bargain collectively, though a 2011 law requires written notification of demands and a response from employers in advance of striking. If employers do not respond or if an agreement is not reached within 20 days, then five days' notice is required for a strike. In practice, few workers are unionized due to high unemployment and informal economic activity.

F. RULE OF LAW: 8 / 16

F1. Is there an independent judiciary? 2 / 4

Concerns over judicial independence remain for politically sensitive cases. Political and religious interference in the judicial system has been reported.

In 2021, Richard Daschbach was convicted of child sexual abuse and sentenced to 12 years in prison in proceedings that were considered a significant test of judicial independence. His conviction was upheld in July 2022.

F2. Does due process prevail in civil and criminal matters? 1 / 4

Due process rights are often restricted or denied, owing in part to a dearth of resources and personnel leading to case backlogs. Use of Portuguese for court administration poses an obstacle, and shortages of interpreters have sometimes forced adjournment of trials.

Cases involving past human rights abuses require a panel including two international judges. The 2014 dismissals of international judges interrupted these cases and no new cases have been brought since.

Alternative methods of dispute resolution and customary law are widely used, though they lack enforcement mechanisms and have other shortcomings, including gender discrimination.

Many municipalities have no fixed courts and rely on mobile services established as an interim measure. Plans for a hybrid justice system, with more harmonization between formal and customary dispute resolution mechanisms, have been announced.

F3. Is there protection from the illegitimate use of physical force and freedom from war and insurgencies? 3 / 4

Police officers and soldiers are regularly accused of excessive force and abuse of power, though the courts have had some success in prosecuting offenders. Public perception of the police has improved in recent years, as have general feelings of security.

F4. Do laws, policies, and practices guarantee equal treatment of various segments of the population? 2 / 4

While hate crimes based on sexual orientation are considered an aggravating circumstance in the penal code, other protections against discrimination for LGBT+ people are lacking. Gay men and transgender women have trouble accessing employment opportunities due to low rates of access to education and discrimination. Lesbian, bisexual, and transgender individuals report cases of extreme physical violence from strangers and relatives, including cases of "corrective" rape and forced marriage. Equal rights for women are constitutionally guaranteed, but discrimination and gender inequality persist in practice and in customary law.

Religious minorities have reported difficulties in authorities' acceptance of marriage and birth certificates issued by religious entities. Muslims have reported discrimination in civil service hiring.

Timor-Leste is a signatory to the 1951 Refugee Convention. However, asylum seekers must apply for asylum within 72 hours of arriving under the 2017 Migration and Asylum Law.

G. PERSONAL AUTONOMY AND INDIVIDUAL RIGHTS: 9 / 16

G1. Do individuals enjoy freedom of movement, including the ability to change their place of residence, employment, or education? 3 / 4

Citizens generally enjoy unrestricted travel, though travel by land to the enclave of Oecusse is hampered by visa requirements and Indonesian and Timorese checkpoints. Individuals enjoy free choice of residence and employment, but unemployment rates are high, especially among youth, and most of the population relies on subsistence farming.

G2. Are individuals able to exercise the right to own property and establish private businesses without undue interference from state or nonstate actors? 2 / 4

Timorese have the right to establish businesses but practical aspects of doing business are complicated by inefficiencies in issuing permits, enforcing contracts, and accessing credit.

Property rights are complicated by past conflicts, ongoing disagreements, and unclear status of customary land rights. A national land law designed to establish formal tenure and to help resolve disputes through arbitration was enacted in 2017.

G3. Do individuals enjoy personal social freedoms, including choice of marriage partner and size of family, protection from domestic violence, and control over appearance? 2 / 4

Gender-based violence is widespread. Civil society groups have criticized the courts' use of prison sentences for only the most severe cases, and few reported cases are investigated. A lack of training hampers investigatory procedures, including investigators' failure to recognize or collect evidence.

G4. Do individuals enjoy equality of opportunity and freedom from economic exploitation? 2 / 4

Timor-Leste is a source and destination country for human trafficking. Timorese from rural areas are vulnerable to sexual exploitation and domestic servitude, and children are sometimes placed in bonded labor.

Despite government efforts, including promulgation of a 2017 antitrafficking law, investigations declined for several years. However, the US State Department noted in its *Trafficking in Persons 2022* report that investigations increased in its 2021–22 coverage period. The first trafficking conviction since 2018 was secured during that period.

Togo

Population: 8,800,000
Capital: Lomé
Freedom Status: Partly Free
Electoral Democracy: No

Overview: While regular multiparty elections have taken place since 1992, the late Gnassingbé Eyadéma and his son, current president Faure Gnassingbé, have controlled Togolese politics since a 1963 coup. Gnassingbé maintains control in part through a security apparatus dominated by his ethnic group and malapportioned election districts that benefit the ruling party. Opposition calls for reform have been harshly repressed.

KEY DEVELOPMENTS IN 2022

- In March, the National Assembly passed a bill establishing new regional authorities and laying the groundwork for subnational elections in 2023.
- Also in March, the Economic Community of West African States (ECOWAS) Court of Justice ruled that the arrest and detention of 2020 presidential candidate Agbeyome Kodjo was arbitrary and illegal.
- In May, an armed group affiliated with al-Qaeda killed eight soldiers near the border with Burkina Faso. In July, at least 25 people were killed when several northern villages were attacked. The government declared a state of emergency in Savanes Region in June; it remained in effect at year's end.

POLITICAL RIGHTS: 15 / 40

A. ELECTORAL PROCESS: 4 / 12

A1. Was the current head of government or other chief national authority elected through free and fair elections? 1 / 4

The president, who serves as head of state and holds most executive power, is elected for five-year terms. The president appoints the prime minister, who serves as head of

government. Term limits were eliminated in 2002, then restored through a constitutional amendment in 2019; they did not apply retroactively, meaning Faure Gnassingbé could seek two additional terms. A second-round runoff can be held if no candidate wins a first-round majority.

Gnassingbé—initially installed as president by the military in 2005 after his father's death—secured a fourth term in 2020, ostensibly with 71 percent of the vote. Permits for domestic civil society groups to observe the polls were denied or revoked and representatives of the US-based National Democratic Institute were expelled before the election. A small number of observers from the African Union (AU) and ECOWAS were granted entry and produced largely uncritical reports.

The runner-up, former prime minister Agbeyome Kodjo of the opposition Patriotic Movement for Democracy and Development, was credited with 19 percent of the vote. He and other opposition members alleged that the election was stolen, accusing the government of using fake polling stations and stuffing ballot boxes. Kodjo and others were arrested for asserting that he was the legitimate president; he was later released and is currently living in exile. In March 2022, the ECOWAS Court of Justice ruled that Kodjo's arrest and detention was arbitrary and illegal.

A2. Were the current national legislative representatives elected through free and fair elections? 2 / 4

The constitution calls for a bicameral legislature, but the Senate has never been established. Members of the 91-seat National Assembly, which exercises all legislative powers, are elected for five-year terms through proportional representation in multimember districts. In the 2018 elections, the main opposition parties led a boycott, citing several unmet demands regarding constitutional and electoral reform. Gnassingbé's Union for the Republic (UNIR) won 59 seats. The Union of Forces for Change (UFC), which led the opposition before aligning itself with the government in 2010, won 7. AU and ECOWAS observers said the elections had been held "properly" in a "calm environment," though opposition protests had been violently suppressed ahead of polling day and turnout was low in opposition-leaning areas.

The UNIR won over 60 percent of council seats contested in 2019, in what were the first local polls since 1987. Regional elections scheduled for 2021 were postponed. In March 2022, the National Assembly passed a law establishing territorial authorities in preparation for 2023 elections. Elected regional councilors and municipal officials will elect two-thirds of the Senate; the president will appoint the remainder.

A3. Are the electoral laws and framework fair, and are they implemented impartially by the relevant election management bodies? 1 / 4

Elections are organized and supervised by the Independent National Electoral Commission (CENI), whose membership by law should be balanced with appointments by the ruling party and the opposition. However, only 2 of the 19 members were from the opposition for the 2020 election. Among other irregularities on election day, opposition members were reportedly denied access to some polling places to monitor the vote, and the CENI refused to publish detailed results for each precinct. The Constitutional Court, responsible for verifying election results, is stacked with close allies of Gnassingbé.

Prominent civil society groups and major opposition parties have called for a reliable electoral register, fairly apportioned legislative districts, a reorganized CENI, a more independent Constitutional Court, and the announcement of precinct-based election results.

B. POLITICAL PLURALISM AND PARTICIPATION: 6 / 16

B1. Do the people have the right to organize in different political parties or other competitive political groupings of their choice, and is the system free of undue obstacles to the rise and fall of these competing parties or groupings? 2 / 4

Opposition parties are generally free to form and operate; candidates can also run as independents. However, the dominance of the UNIR undermines the visibility and competitiveness of other parties. Opposition members are sometimes arrested in connection with peaceful political activities.

Since 2017, authorities have suppressed opposition protests with deadly force and have arrested and tortured opposition supporters. The court system is used to sideline prominent opposition members.

B2. Is there a realistic opportunity for the opposition to increase its support or gain power through elections? 1 / 4

Gnassingbé's family has held the presidency since the 1960s. Gnassingbé and the UNIR have retained power thanks in large part to the structure of the electoral system, malapportionment, and de facto control over electoral institutions.

Political leaders have sought exile or otherwise lived abroad. Tikpi Atchadam, who led massive antigovernment demonstrations in 2017, remains in exile. UFC leader Gilchrist Olympio, meanwhile, resides in France, and the party has suffered from division in his absence.

Genuine opposition parties have no legislative presence following their boycott of the 2018 elections, though they did gain mayoralties and municipal council seats in 2019.

B3. Are the people's political choices free from domination by forces that are external to the political sphere, or by political forces that employ extrapolitical means? 1 / 4

In 2005, the military installed Gnassingbé as president, in violation of the constitution. While security forces defend the regime through intimidation, the UNIR has been accused of relying on patronage and financial incentives, including the distribution of benefits for vote-buying purposes.

B4. Do various segments of the population (including ethnic, racial, religious, gender, LGBT+, and other relevant groups) have full political rights and electoral opportunities? 2 / 4

The Éwé, Togo's largest ethnic group, have historically been excluded from positions of influence; they are prominent within the opposition. Since 2010, the community has been politically split, as the Éwé-dominated UFC reached a power-sharing agreement with the government while the majority remained loyal to opposition forces. The government and security apparatus are dominated by members of Gnassingbé's Kabyé ethnic group.

Women face some societal pressure that discourages their active and independent political participation. Only 16 percent of the National Assembly members elected in 2018 were women. Candidate registration fees were halved for women ahead of the 2019 local elections. In 2020, Victoire Tomegah Dogbé became the first woman to serve as prime minister.

C. FUNCTIONING OF GOVERNMENT: 5 / 12

C1. Do the freely elected head of government and national legislative representatives determine the policies of the government? 2 / 4

The president holds most policymaking power. The UNIR-controlled National Assembly does not effectively check the executive. A pattern of flawed elections has undermined the legitimacy of both branches.

C2. Are safeguards against official corruption strong and effective? 1 / 4

Corruption is a serious and long-standing problem. The government has adopted legislation ostensibly designed to reduce corruption, such as a 2018 law on money laundering and funding terrorism, but these legal changes have not been effectively enforced, nor have high-ranking officials been convicted. Most members of the High Authority for the Prevention and Fight against Corruption and Related Offenses (HAPLUCIA) are presidential appointees, raising concerns about the body's independence. HAPLUCIA cannot prosecute cases itself and must make referrals to the public prosecutor. In September 2022, HAPLUCIA and the West African Development Bank signed a memorandum of understanding to cooperate in anticorruption efforts.

C3. Does the government operate with openness and transparency? 2 / 4

A 2016 freedom-of-information law guarantees the right to access government information, though some information is exempted, and the government does not always respond to requests. Most public officials are not required to disclose their assets. There is a lack of transparency regarding state tenders.

CIVIL LIBERTIES: 27 / 60

D. FREEDOM OF EXPRESSION AND BELIEF: 9 / 16

D1. Are there free and independent media? 2 / 4

Freedom of the press is constitutionally guaranteed but inconsistently upheld in practice. Although numerous independent media outlets offer a variety of viewpoints, restrictive press laws and a history of impunity for those who commit crimes against journalists encourage self-censorship. Police have used violence and disrupted communications services to discourage and hamper press coverage of opposition protests. Togolese journalists have also been targeted by Pegasus spyware. There is no mechanism to appeal decisions made by the High Authority for Audiovisual and Communication (HAAC), which can suspend outlets for violating broadly worded regulations.

L'Alternative editor Ferdinand Ayité and *Fraternité* editor Joël Egah were released on December 31, 2021, after they were imprisoned for allegedly insulting and defaming ministers. The two had to surrender their passports and refrain from commenting on the case. Egah died in March 2022, while the case against Ayité remained unresolved at year's end. In October, a court suspended the publication of *Liberté* for reporting that a security officer guarding Prime Minister Dogbé had killed someone in September. *Liberté* published an apology but Dogbé's office pursued the matter in court; the publication vowed to appeal.

D2. Are individuals free to practice and express their religious faith or nonbelief in public and private? 3 / 4

Religious freedom is constitutionally protected and generally respected in practice. Islam, Catholicism, and Protestant Christianity are recognized by the state; other groups must register as religious associations to receive similar benefits. The registration process has been subject to lengthy delays and a large backlog; no new applications have been accepted since 2013. Senior Catholic clergy are among the government critics who have reportedly been targeted with surveillance software.

D3. Is there academic freedom, and is the educational system free from extensive political indoctrination? 2 / 4

Academics are generally able to engage in political discussions. However, security forces have repeatedly used violence and arrests to quell student protests. The government may have used spyware to target critical academics.

D4. Are individuals free to express their personal views on political or other sensitive topics without fear of surveillance or retribution? 2 / 4

Though citizens engage in private discussion, they may be arrested on incitement or other charges for speaking critically about the government to journalists or human rights organizations.

A 2018 cybersecurity law criminalized publication of false information and breaches of public morality. The law also granted police greater authority to conduct electronic surveillance. In 2021, reporters identified 300 Togolese phone numbers belonging to civil society advocates and political opposition members as potential targets of Pegasus.

E. ASSOCIATIONAL AND ORGANIZATIONAL RIGHTS: 5 / 12

E1. Is there freedom of assembly? 1 / 4

While the constitution provides for freedom of assembly, several laws allow for its restriction. Police periodically use deadly violence to disperse assemblies. A 2015 revision of the criminal code penalized participation in and organization of protests that had not gone through the necessary administrative procedures. In 2019, the parliament imposed new limits on the timing and location of public demonstrations and allowed authorities to restrict protests.

In June 2022, Security Minister Yark Damehame banned an assembly planned by an opposition alliance, in what was reportedly the government's first security-related ban on a public assembly.

E2. Is there freedom for nongovernmental organizations, particularly those that are engaged in human rights– and governance-related work? 2 / 4

Nongovernmental organizations (NGOs) are subject to registration rules that have sometimes been enforced arbitrarily to suppress activism on sensitive topics, such as torture and LGBT+ rights. Several civil society leaders have been arrested and detained for their roles in the protest movement that began in 2017. The mobile phones of prodemocracy activists have been targeted with surveillance software.

In January 2022, the government issued a decree that will require NGOs to align their activities to its own development priorities and notify local officials of their activities. The decree will take effect in 2023.

E3. Is there freedom for trade unions and similar professional or labor organizations? 2 / 4

The government generally protects workers' rights to form and join labor unions, though unions have fewer legal protections in the country's special export-processing zone. Police at times forcibly disperse union gatherings.

In March 2022, 137 teachers were dismissed for participating in strikes; the union that organized the strikes is not recognized by the government. Three unionists were arrested in April.

F. RULE OF LAW: 6 / 16

F1. Is there an independent judiciary? 2 / 4

The constitution provides for an independent judiciary, but in practice courts are heavily influenced by the presidency. The Constitutional Court is seen as partial to the UNIR. Judges on other courts are appointed by the executive based on the recommendations of a judicial council dominated by senior judges.

F2. Does due process prevail in civil and criminal matters? 1 / 4

Executive influence and judicial corruption limit constitutional rights to a fair trial. Dozens of people arrested for participating in antigovernment protests in recent years

have been charged, tried, and convicted in hasty proceedings. Detainees often have no access to counsel.

The police are corrupt, inefficient, and are known to engage in arbitrary arrest. The 2018 cybersecurity law contains vague terrorism and treason provisions with heavy prison sentences and grants additional powers to the police without adequate judicial oversight.

F3. Is there protection from the illegitimate use of physical force and freedom from war and insurgencies? 2 / 4

Prisons suffer from overcrowding and inadequate food and medical care, sometimes resulting in deaths among inmates from preventable or curable diseases. The government periodically releases prisoners to address overcrowding, but in an opaque manner.

Security forces reportedly torture detainees despite laws that ban the practice in line with the UN Convention against Torture.

Islamist militants present a growing security threat in Togo, particularly in the north. In May 2022, eight soldiers were killed near the border with Burkina Faso by an organization affiliated with al-Qaeda. Assailants killed at least 25 people when they attacked northern villages in July. Also in July, the army disclosed that an aircraft targeting militant fighters attacked civilians in error; local media reported that seven children died in that incident. The government declared a state of emergency in Savanes Region in June and renewed it in September; it remained in effect at year's end.

F4. Do laws, policies, and practices guarantee equal treatment of various segments of the population? 1 / 4

Though ostensibly equal under the law, women continue to experience discrimination, and their opportunities for employment and education are limited. Official and societal discrimination persist against people with disabilities, certain regional and ethnic groups, and LGBT+ people, to whom antidiscrimination laws do not apply. Same-sex sexual activity is a criminal offense, and while the law is rarely enforced, LGBT+ people face police harassment.

G. PERSONAL AUTONOMY AND INDIVIDUAL RIGHTS: 7 / 16

G1. Do individuals enjoy freedom of movement, including the ability to change their place of residence, employment, or education? 2 / 4

The law provides for freedom of internal movement and foreign travel, but these rights are sometimes restricted by the authorities. Domestic travel can involve arbitrary traffic stops at which police collect bribes. The government imposed some movement restrictions in Savanes when it declared a state of emergency in June 2022.

G2. Are individuals able to exercise the right to own property and establish private businesses without undue interference from state or nonstate actors? 2 / 4

The government has made regulatory improvements to ease processes such as credit availability for the private sector, but in general the business environment is poorly administered, creating opportunities for corruption and driving much economic activity into the informal sector. Women do not have equal inheritance rights under customary law, which is observed mainly in rural areas.

G3. Do individuals enjoy personal social freedoms, including choice of marriage partner and size of family, protection from domestic violence, and control over appearance? 1 / 4

Customary law puts women at a disadvantage regarding matters such as widowhood, divorce, and child custody. Polygamy is widely practiced and legally recognized. Child

marriage remains a problem in some regions. Rape is illegal but rarely reported and, if reported, often ignored by authorities. Domestic violence, which is widespread, is not specifically addressed by the law. Female genital mutilation, though illegal, is known to occur.

G4. Do individuals enjoy equality of opportunity and freedom from economic exploitation? 2 / 4

Protections against exploitative labor conditions, including rules on working hours, are poorly enforced, and much of the workforce is informally employed. Child labor is common in the agricultural sector and in certain urban trades; some children are subjected to forced labor. According to the US State Department's *Trafficking in Persons Report 2022*, the government has convicted more traffickers than in previous years but identified fewer child victims and no adult victims.

Tonga

Population: 100,000
Capital: Nuku'alofa
Freedom Status: Free
Electoral Democracy: Yes

Overview: Tonga's constitutional monarchy has featured a prime minister backed by a majority popularly elected parliament since 2010. However, the king retains important powers, including the authority to veto legislation, dissolve the parliament, and appoint judicial officials. While civil liberties are generally protected, ongoing concerns include official corruption and land laws that discriminate against women.

KEY DEVELOPMENTS IN 2022

- Numerous high-profile politicians were convicted of corruption charges during the year. In May, three high-ranking politicians were found guilty of bribing voters during the 2021 election campaign; all three legislators, including deputy prime minister Poasi Tei, were removed from their parliamentary seats in August after the Supreme Court dismissed their appeals.
- The January eruption of the Hunga Tonga–Hunga Ha'apai volcano and the resulting tsunamis caused significant destruction and led to the displacement of nearly 2,400 people.

POLITICAL RIGHTS: 31 / 40 (+1)

A. ELECTORAL PROCESS: 9 / 12

A1. Was the current head of government or other chief national authority elected through free and fair elections? 3 / 4

Though the monarch is no longer the chief executive authority, he retains significant powers, including the ability to veto legislation and dissolve the parliament. King 'Aho'eitu Tupou VI came to the throne in 2012 and is known to hold more conservative views than his late brother and predecessor, George Tupou V.

The prime minister, who chooses the cabinet, is formally appointed by the monarch on the recommendation of the parliament. Veteran democracy campaigner 'Akilisi Pōhiva,

who initially took office in 2014, died in 2019 after a long illness; he was succeeded by then finance minister Pōhiva Tu'i'onetoa, who formed a cabinet that included commoners and members of the nobility.

Following the November 2021 general elections, a 16-member majority in the new parliament chose Siaosi Sovaleni as prime minister. He defeated 'Aisake Eke, a candidate supported by outgoing prime minister Tu'i'onetoa. The new 12-member cabinet included only one member from the nobility.

A2. Were the current national legislative representatives elected through free and fair elections? 3 / 4

The unicameral Legislative Assembly (Fale Alea) consists of 17 members who are directly elected by commoners in single-member districts, nine noble members elected by their peers across five districts, and up to four additional members whom the prime minister may appoint to the cabinet from outside the parliament and who hold their seats ex officio. The speaker is appointed from among the noble members on the recommendation of the assembly.

Seventy-five candidates registered to contest the 2021 general elections, which were the country's fourth since the democratic reforms of 2010. Nine of the 17 people's representatives elected were new members, as were three of the nine nobles' representatives.

By-elections were held in November 2022 to fill seats that had been vacated earlier in the year after three members of Parliament were convicted on bribery charges.

A3. Are the electoral laws and framework fair, and are they implemented impartially by the relevant election management bodies? 3 / 4

The Electoral Commission administers elections competently and fairly, though the framework for parliamentary elections reserves nine seats for the holders of noble titles.

B. POLITICAL PLURALISM AND PARTICIPATION: 14 / 16

B1. Do the people have the right to organize in different political parties or other competitive political groupings of their choice, and is the system free of undue obstacles to the rise and fall of these competing parties or groupings? 4 / 4

There are no major restrictions on political competition. Lawmakers are also known to shift their allegiances; after former prime minister Pōhiva's death in 2019, four lawmakers who were associated with the Democratic Party of the Friendly Islands defected to the new Tonga People's Party, effectively leaving the Democratic Party in opposition by year's end.

B2. Is there a realistic opportunity for the opposition to increase its support or gain power through elections? 4 / 4

Rival coalitions led by Pōhiva's popularly elected allies and more conservative politicians from the nobility have alternated in government in recent years, though Tu'i'onetoa governed with support from a mixture of popularly elected and noble members. Sovaleni's election as prime minister in 2021 represented another change of government, as his only opponent, 'Aisake Eke, was backed by the outgoing prime minister.

B3. Are the people's political choices free from domination by forces that are external to the political sphere, or by political forces that employ extrapolitical means? 3 / 4

The monarchy, the nobility, and the country's churches exert considerable political influence. In the months leading up to the 2021 elections, Tonga's king repeatedly expressed his displeasure with the performance of the parliament. That September, the king criticized

officials for lack of action in response to the illegal drug trade, and that October he addressed a national symposium on the drug crisis, potentially signaling an increase in the monarch's political involvement. However, such public criticisms of the government have not continued under the Sovaleni administration.

B4. Do various segments of the population (including ethnic, racial, religious, gender, LGBT+, and other relevant groups) have full political rights and electoral opportunities? 3 / 4

Women have the same formal political rights as men, but no women won seats in the 2021 parliamentary elections, down from two in the previous legislature. One woman was appointed in December to serve as minister of foreign affairs and tourism. Cultural biases tend to discourage women's political participation, and women cannot inherit noble titles, meaning the seats reserved for nobility in the parliament are effectively reserved for men.

Members of ethnic minority groups face similar obstacles, though the population is mostly homogeneous, and many members of the small Chinese minority have been able to obtain citizenship and its associated political rights.

C. FUNCTIONING OF GOVERNMENT: 8 / 12 (+1)

C1. Do the freely elected head of government and national legislative representatives determine the policies of the government? 3 / 4

The elected prime minister and his cabinet largely control the formulation and implementation of government policy, but the king continues to rely on the Privy Council—whose members he appoints himself—for advice regarding the use of his constitutional powers. The Privy Council operates like a shadow government, facilitating a continuing political role for the monarch.

C2. Are safeguards against official corruption strong and effective? 3 / 4 (+1)

Corruption and abuse of office are serious problems. While public officials and leaders of state-owned companies are sometimes held to account for bribery and other malfeasance, anticorruption mechanisms are generally weak and lacking in resources.

Numerous high-profile politicians and government officials were convicted of corruption charges during 2022. In May, Tongan courts convicted three high-ranking politicians of bribing voters during the 2021 election campaign and declared their elections void. All three ministers—deputy prime minister Poasi Tei, finance minister Tatafu Moeaki, and internal affairs minister Sangster Saulala—were removed from their parliamentary seats after the Supreme Court dismissed their appeals in August.

In April 2022, former prime minister Pōhiva Tu'i'onetoa was convicted of bribing voters during the 2021 election period; following the verdict, the court voided Tu'i'onetoa's 2021 election. Tu'i'onetoa was convicted of additional bribery charges in June 2022. Both convictions were overturned on appeal in August, allowing Tu'i'onetoa to keep his seat in the parliament.

Score Change: The score improved from 2 to 3 due to a pattern of successful prosecutions against high-ranking politicians for election-related bribery and other offenses.

C3. Does the government operate with openness and transparency? 2 / 4

Tonga does not have a law to guarantee public access to government information, which can be difficult to obtain in practice, and officials are not legally obliged to disclose their assets and income. The government has at times resisted public scrutiny of pending policies or auditor general's reports.

CIVIL LIBERTIES: 50 / 60 (+1)

D. FREEDOM OF EXPRESSION AND BELIEF: 14 / 16

D1. Are there free and independent media? 2 / 4

The constitution guarantees freedom of the press, and a variety of news outlets operate independently, including online. However, politicians have a history of exerting pressure on the media in response to critical coverage.

In 2020, the parliament passed a law on cyberbullying known as the Electronic Communication Abuse Offences Act, to which the king gave his formal assent in 2021. The law called for fines and prison terms of up to three years for the use of a communication platform to abuse, harass, or otherwise harm another person, raising concerns that it could be enforced in a way that restricts journalistic activity or personal expression.

D2. Are individuals free to practice and express their religious faith or nonbelief in public and private? 4 / 4

Constitutional protections for religious freedom are generally upheld in practice. Religious groups are not required to register, but those that do receive various benefits. There are some restrictions on commercial activity on Sundays in keeping with a constitutional recognition of the Christian sabbath.

D3. Is there academic freedom, and is the educational system free from extensive political indoctrination? 4 / 4

Academic freedom is generally unrestricted. While there have been reports of self-censorship to avoid friction with the government in the past, no incidents of political interference have been reported in recent years. In 2021, the parliament passed legislation to merge existing publicly owned tertiary institutions into Tonga's first national university.

D4. Are individuals free to express their personal views on political or other sensitive topics without fear of surveillance or retribution? 4 / 4

The government is not known to monitor personal communications.

E. ASSOCIATIONAL AND ORGANIZATIONAL RIGHTS: 11 / 12 (+1)

E1. Is there freedom of assembly? 4 / 4

The constitution protects freedom of assembly, and demonstrations in recent years have generally proceeded peacefully.

E2. Is there freedom for nongovernmental organizations, particularly those that are engaged in human rights– and governance-related work? 4 / 4 (+1)

Nongovernmental organizations (NGOs) have not reported harassment or other restrictions by the authorities, but the civil society sector in Tonga remains relatively small and has limited influence.

Score Change: The score improved from 3 to 4 because NGOs are generally free to engage in human rights– and democracy-related work.

E3. Is there freedom for trade unions and similar professional or labor organizations? 3 / 4

Workers have the legal right to organize in trade unions, but implementing regulations have never been issued, meaning the country's various de facto unions generally operate as associations.

F. RULE OF LAW: 12 / 16

F1. Is there an independent judiciary? 3 / 4

The king retains authority over judicial appointments and dismissals. The Judicial Appointments and Discipline Panel, a committee of the Privy Council, provides advice on appointments, including for the lord chancellor, who has responsibility for administering the courts. The king in Privy Council has final jurisdiction over cases in the land court relating to hereditary estates and titles.

The judiciary is regarded as largely independent, but the royally appointed attorney general has previously been accused of interfering with judicial rulings.

F2. Does due process prevail in civil and criminal matters? 3 / 4

Due process provisions and safeguards against arbitrary arrest and detention are typically respected by the authorities. However, there is no mechanism to guarantee access to counsel for indigent defendants.

The police commissioner, Shane McLennan, an Australian, was sworn into office in May 2022. The Police Act of 2010 gives control over the appointment of the police commissioner to the king's Privy Council, which has raised tensions with elected officials.

F3. Is there protection from the illegitimate use of physical force and freedom from war and insurgencies? 3 / 4

Prison conditions are generally adequate, police brutality is rare, but crime rates have risen in recent years, largely due to the country's drug crisis. A number of police officers accused of misconduct have been investigated, dismissed, or convicted of crimes in recent years. However, public concern has increasingly focused on security problems including organized crime affecting the Chinese community, drug-related petty crime, and the country's growing role as a destination and production point—not just a transit point—for illegal drug trafficking.

F4. Do laws, policies, and practices guarantee equal treatment of various segments of the population? 3 / 4

The constitution includes a general provision for equality before the law, and this is upheld in many respects. However, women still face some forms of discrimination, including in land and inheritance laws and with regard to employment.

Same-sex sexual activity is criminalized, though the ban is not actively enforced. The May 2021 murder of an LGBT+ rights activist prompted renewed calls for a repeal of the law; the man suspected of committing the murder pleaded guilty and was sentenced to life in prison.

G. PERSONAL AUTONOMY AND INDIVIDUAL RIGHTS: 13 / 16

G1. Do individuals enjoy freedom of movement, including the ability to change their place of residence, employment, or education? 4 / 4

There are no significant constraints on freedom of movement or the ability to change one's place of residence or employment. Beginning in March 2020, police enforced temporary movement restrictions to prevent the spread of COVID-19; the first confirmed case in the country was reported in October 2021. More than 16,000 confirmed cases and 12 deathswere recorded in 2022.

The January 2022 eruption of the Hunga Tonga–Hunga Ha'apai volcano and the resulting tsunamis caused significant destruction and led to the displacement of nearly 2,400 people.

G2. Are individuals able to exercise the right to own property and establish private businesses without undue interference from state or nonstate actors? 3 / 4

The legal framework generally supports private business activity. However, individuals cannot own or sell land outright, as all land is technically the property of the king. Land rights, once granted by nobles or directly by the crown through an allotment system, can only be leased or inherited, and while women can obtain leases, they are not eligible to receive or inherit land allotments.

G3. Do individuals enjoy personal social freedoms, including choice of marriage partner and size of family, protection from domestic violence, and control over appearance? 3 / 4

Personal social freedoms are typically respected. However, domestic violence remains a problem despite state and civil society efforts to prevent it, and girls as young as 15—the legal minimum age for marriage with parental permission—are sometimes compelled by their parents to marry. The law does not recognize same-sex marriages or unions.

G4. Do individuals enjoy equality of opportunity and freedom from economic exploitation? 3 / 4

The population generally has access to economic opportunities and protection from abusive working conditions, though enforcement of labor laws is affected by resource limitations, and some employers have violated workers' rights.

Trinidad and Tobago

Population: 1,400,000
Capital: Port of Spain
Freedom Status: Free
Electoral Democracy: Yes

Overview: The Republic of Trinidad and Tobago is a parliamentary democracy with vibrant media and civil society sectors. However, organized crime contributes to high levels of violence, and corruption among public officials remains a challenge. Discrimination against LGBT+ people and violence against women persist, and human trafficking is a significant concern.

KEY DEVELOPMENTS IN 2022

- In May, Trinidad and Tobago's final court of appeal, the London-based Privy Council, ruled that the country's mandatory application of the death penalty for those convicted of murder was constitutional, and that according to the constitution, only Parliament can amend the law. However, no executions were carried out during the year.
- In August, the Trinidadian government called the illegal flow of arms and ammunition into the country the greatest threat to its national security. During the year, police and security experts expressed concern about corruption in the Customs and Excise Division and its possible role in facilitating the illegal import of arms.

POLITICAL RIGHTS: 33 / 40

A. ELECTORAL PROCESS: 11 / 12

A1. Was the current head of government or other chief national authority elected through free and fair elections? 4 / 4

The president, the largely ceremonial head of state, is elected to a five-year term by a majority in the combined houses of Parliament. Paula-Mae Weekes, an independent former judge, was elected unopposed in 2018.

The prime minister, who serves as head of government and is typically the leader of the majority party in Parliament, is appointed by the president. Keith Rowley became prime minister in 2015, after that year's parliamentary elections resulted in a victory for his party, the center-right PNM (People's National Movement). Rowley and the PNM retained power in 2020.

A2. Were the current national legislative representatives elected through free and fair elections? 4 / 4

Parliament consists of the directly elected 41-member House of Representatives and the 31-member Senate, with members of both houses serving five-year terms. Of the 31 senators, 16 are appointed on the advice of the prime minister, 6 are appointed on the advice of the opposition leader, and 9 are appointed at the president's discretion based on merit.

In the 2020 parliamentary elections, the incumbent PNM won 49 percent of the vote and 22 seats. The United National Congress (UNC) took 47 percent of the vote and 19 seats.

The semiautonomous island of Tobago has its own House of Assembly (THA), with 15 members elected directly, 3 members appointed on the advice of the chief secretary (the island's head of government), and 1 appointed on the advice of the minority leader. In elections held in December 2021, the Progressive Democratic Patriots (PDP), a local proindependence party, won 58 percent of the votes and 14 seats. The PNM won the remaining seat.

A3. Are the electoral laws and framework fair, and are they implemented impartially by the relevant election management bodies? 3 / 4

Electoral laws are largely fair. The Elections and Boundaries Commission (EBC) organizes elections and is generally trusted by the public to fulfill its mandate impartially. However, electoral reforms suggested by 2015 observer missions went unimplemented ahead of the 2020 elections.

B. POLITICAL PLURALISM AND PARTICIPATION: 13 / 16

B1. Do the people have the right to organize in different political parties or other competitive political groupings of their choice, and is the system free of undue obstacles to the rise and fall of these competing parties or groupings? 3 / 4

Several political parties operate in Trinidad and Tobago. While the PNM dominated the political landscape in the decades following independence, it has weakened in recent years; the national political arena is now largely divided between the PNM and the UNC, while the December 2021 elections in Tobago marked an end to the PNM's long-running dominance there.

Various factors, including the country's first-past-the-post voting system, have made it difficult for less established parties to gain seats in Parliament.

B2. Is there a realistic opportunity for the opposition to increase its support or gain power through elections? 4 / 4

Rival parties consistently transfer power peacefully, with multiple changes in government through elections since the 1980s.

B3. Are the people's political choices free from domination by forces that are external to the political sphere, or by political forces that employ extrapolitical means? 3 / 4

People's political choices are generally free from external pressure. However, observers have raised concerns about lack of transparency in campaign financing, which may enable improper influence and disadvantage opposition parties.

B4. Do various segments of the population (including ethnic, racial, religious, gender, LGBT+, and other relevant groups) have full political rights and electoral opportunities? 3 / 4

All ethnic groups enjoy full political rights, and political parties are technically multiethnic, though the PNM is favored by Afro-Trinidadians and the UNC is affiliated with Indo-Trinidadians.

Women's political participation has increased in recent years, though they remain generally underrepresented. The speaker of the House of Representatives and 10 of the body's 41 members are women. In 2018, Paula-Mae Weekes became the first woman to be elected president. In 2021, Tracy Davidson-Celestine of the PNM became the first female party leader in Tobago.

Discrimination against LGBT+ people is widespread, affecting their ability to fully engage in political and electoral processes.

C. FUNCTIONING OF GOVERNMENT: 9 / 12

C1. Do the freely elected head of government and national legislative representatives determine the policies of the government? 4 / 4

Freely elected executive and legislative officeholders generally determine and implement government policies without undue interference.

C2. Are safeguards against official corruption strong and effective? 2 / 4

Corruption remains a pervasive problem, especially within the police force and among high-ranking government officials and immigration officers. Several pieces of anticorruption legislation exist but are generally poorly enforced.

In 2019, former attorney general Anand Ramlogan and former senator Gerald Ramdeen, both of the UNC, were arrested on suspicion of money laundering. However, the charges against both men were dropped in October 2022. At the time the charges were dropped, the key witness in the case was pursuing a civil case against the government. The civil case was based on the witness's claims that former PNM attorney general Faris Al-Rawi had offered him an indemnity agreement before he agreed to implicate Ramlogan and Ramdeen, but that the agreement was later breached.

Other alleged cases of official corruption and mismanagement emerged in 2022, including wide-scale fraud in the Ministry of Social Development and Family Services, which allegedly involved the misuse of state grants; and in the Ministry of Agriculture, Land, and Fisheries, which came under investigation following allegations of illegal land transactions. Additionally, both public and private sector stakeholders, including the police and security experts, have expressed concern about corruption in the Customs and Excise Division, which is under the control of the Ministry of Finance, and the division's possible role in facilitating the illegal gun trade.

C3. Does the government operate with openness and transparency? 3 / 4

Public officials are required to disclose their assets, income, and liabilities, but penalties against those who fail to comply are limited. The Integrity Commission, which is tasked with overseeing these financial disclosures, has been criticized for being ineffective.

The public has the right to access government documents by law, although numerous public institutions are exempt. Furthermore, there is no enforcement of a provision that requires the government to respond to information requests within 30 days. A 2015 law regulating public procurements was implemented in 2020, but with significant exemptions.

CIVIL LIBERTIES: 49 / 60

D. FREEDOM OF EXPRESSION AND BELIEF: 16 / 16

D1. Are there free and independent media? 4 / 4

Freedom of the press is constitutionally guaranteed and generally upheld in practice. Media outlets are privately owned and vigorously pluralistic. However, those regarded as most favorable to the government receive the bulk of state advertising. Under the 2013 Defamation and Libel Act, "malicious defamatory libel known to be false" is punishable by up to two years in prison as well as a fine, but prosecutions are uncommon.

D2. Are individuals free to practice and express their religious faith or nonbelief in public and private? 4 / 4

Religious freedom is constitutionally guaranteed and generally honored.

D3. Is there academic freedom, and is the educational system free from extensive political indoctrination? 4 / 4

Academic freedom is generally upheld.

D4. Are individuals free to express their personal views on political or other sensitive topics without fear of surveillance or retribution? 4 / 4

Individuals are free to express their opinions in private conversations. The government has refrained from monitoring online communications; however, in 2019 the national police launched a Social Media Monitoring Unit charged with monitoring social networks to detect evidence of child pornography, prostitution, and human trafficking.

E. ASSOCIATIONAL AND ORGANIZATIONAL RIGHTS: 11 / 12

E1. Is there freedom of assembly? 4 / 4

The constitution provides for freedom of assembly, and the government generally respects this right. COVID-19-related measures that had placed limits on the size and length of public gatherings were lifted in April 2022.

E2. Is there freedom for nongovernmental organizations, particularly those that are engaged in human rights– and governance-related work? 4 / 4

Civil society is robust, with a range of domestic and international groups operating freely.

E3. Is there freedom for trade unions and similar professional or labor organizations? 3 / 4

Labor unions are well organized and politically active, though union membership has declined in recent years. Strikes are legal and occur frequently. The law contains a provision allowing the labor minister to petition the courts to end any strike deemed detrimental to national interests. Walkouts by workers considered essential, including hospital staff, firefighters, and telecommunication workers, are punishable by up to three years in prison and fines.

F. RULE OF LAW: 9 / 16

F1. Is there an independent judiciary? 3 / 4

The judicial branch is generally independent but is subject to some political pressure and corruption.

F2. Does due process prevail in civil and criminal matters? 2 / 4

Due process rights are constitutionally provided for but are not always upheld. Rising crime rates and institutional weakness have produced a severe backlog in the court system. Corruption in the police force, which is often linked to the illegal drugs trade, is endemic, and inefficiencies have resulted in the dismissal of some criminal cases. Intimidation of witnesses and jurors has been reported by judicial officials.

F3. Is there protection from the illegitimate use of physical force and freedom from war and insurgencies? 2 / 4

The government has struggled to address criminal violence, which is mostly linked to organized crime and drug trafficking. The US State Department issued a travel advisory for Port of Spain, Trinidad's capital, in October 2022, due to the high rates of violent crime in the city. Parliament passed a law meant to combat criminal gang activity in 2021, but its impact has been limited. In August 2022, the Trinidadian government called the illegal flow of arms and ammunition into the country the greatest threat to its national security.

The country recorded 601 murders in 2022—an all-time record. The 2021 figure was 448. Police have been criticized for excessive use of force. According to a Police Complaints Authority (PCA) report submitted to Parliament in November 2022, between October 2020 and September 2021, 115 police officers were implicated in murders, fatal shootings, and nonfatal shootings.

In May 2022, the London-based Privy Council, Trinidad and Tobago's final court of appeal, ruled that the country's mandatory imposition of the death penalty on those convicted of murder was constitutional, further saying that according to the constitution, only Parliament can amend the law. No executions were carried out during 2022.

Trinidadians have reportedly sought to join the Islamic State (IS) militant group in recent years.

F4. Do laws, policies, and practices guarantee equal treatment of various segments of the population? 2 / 4

Despite legal protections against discrimination on various grounds, racial disparities persist, with Indo-Trinidadians accounting for a disproportionate share of the country's economic elite. Women continue to face discrimination in employment and compensation.

Human rights groups have criticized the government's unwillingness to address discrimination and violence against LGBT+ people. However, in 2018, the High Court ruled that the provisions of the Sexual Offences Act that criminalized same-sex relations were unconstitutional. The government vowed to appeal that ruling to the Privy Council; the case remains pending.

Immigration law does not adequately protect refugees, and Trinidad specifically lacks a system to process asylum claims. As many as 40,000 Venezuelan asylum seekers and refugees have entered the country in recent years, but authorities regularly seek to detain and deport these individuals as illegal immigrants. Local courts have intervened to block deportations. Officials have espoused derogatory rhetoric when discussing refugees. There are regular reports of Venezuelans drowning en route to Trinidad and Tobago.

Trinidadians were among those held by Kurdish forces in the al-Hol camp in Syria after IS lost its territorial holdings there in 2019. Some 24 women and 74 children reportedly remain in Syrian camps as of August 2022. Efforts to repatriate those in the camps back to Trinidad are ongoing.

G. PERSONAL AUTONOMY AND INDIVIDUAL RIGHTS: 13 / 16

G1. Do individuals enjoy freedom of movement, including the ability to change their place of residence, employment, or education? 4 / 4

Trinidadians and Tobagonians do not face significant constraints on freedom of movement or on their ability to change their place of residence, employment, or education.

G2. Are individuals able to exercise the right to own property and establish private businesses without undue interference from state or nonstate actors? 3 / 4

While the government actively supports investment in the country, corruption and weak state institutions can make it more difficult to start and operate businesses.

G3. Do individuals enjoy personal social freedoms, including choice of marriage partner and size of family, protection from domestic violence, and control over appearance? 3 / 4

Most individual rights with respect to personal status issues like marriage and divorce are protected by law.

Rape, including spousal rape, is illegal, and domestic violence is addressed by specific legislation. However, enforcement of these provisions remains inadequate. Other forms of gender-based violence also occur: local media outlets reported that 57 women and girls were murdered in 2022. Most missing persons are women.

Abortion is illegal in most cases, and there is reportedly little public awareness of legal exemptions for abortions to save a woman's life or preserve her physical or mental health. A woman can be imprisoned for up to four years for obtaining an illegal abortion.

G4. Do individuals enjoy equality of opportunity and freedom from economic exploitation? 3 / 4

The law provides basic protections against exploitative working conditions. Official efforts have been stepped up to combat human trafficking, but convictions are rare. The US State Department's 2022 *Trafficking in Persons Report* noted that corruption and official complicity in trafficking crimes continue to be significant concerns.

Tunisia

Population: 11,800,000
Capital: Tunis
Freedom Status: Partly Free
Electoral Democracy: No

Overview: After the ouster of a longtime autocrat in 2011, Tunisia held a series of free multiparty elections, and citizens enjoyed considerable political rights and civil liberties under a constitution promulgated in 2014. However, endemic corruption, economic challenges, security threats, and unresolved problems related to gender equality and transitional justice remained obstacles to full democratic consolidation. In 2021, President Kaïs Saïed took a number of emergency measures aimed at transforming the political system and expanding his own executive power. Having unilaterally replaced the prime minister and suspended the parliament, in 2022 Saïed formally dissolved the old legislature, issued a

new constitution and electoral law, and continued campaigns of legal harassment against his political opponents.

KEY DEVELOPMENTS IN 2022

- In March, after a majority of lawmakers from the suspended parliament attempted to convene online for a vote against President Saïed's emergency measures, he formally dissolved the body, leaving the country without a legislature.
- Saïed issued the draft of a new constitution in June, with further modifications added in early July. The constitution, which shifted power from the parliament to the presidency, won approval in a flawed referendum later that month, with a voter turnout of roughly 31 percent.
- In September, Saïed issued a new electoral law by presidential decree, and the first round of elections for a new parliament were held in late December. Amid an opposition boycott and a lack of candidates for some constituencies, voter turnout was extremely low at 11 percent, and a second round of voting was scheduled to take place in January 2023.
- Tunisia's social and economic crisis continued to worsen during the year, with food insecurity linked to the Russian invasion of Ukraine adding to the hardships faced by much of the population.

POLITICAL RIGHTS: 20 / 40 (−6)

A. ELECTORAL PROCESS: 6 / 12 (−3)

A1. Was the current head of government or other chief national authority elected through free and fair elections? 3 / 4

The 2014 constitution laid out a semipresidential system in which a popularly elected president served as head of state and exercised circumscribed powers, while the majority party in the parliament selected a prime minister, who served as head of government. The president was directly elected for up to two five-year terms.

The last presidential election held under the 2014 constitution took place in October 2019, following the death of President Beji Caid Essebsi that July. Kaïs Saïed, an independent candidate and former constitutional law professor, won a runoff against businessman and media owner Nabil Karoui with 73 percent of the vote. Local observers concluded that the election was generally competitive and credible, but raised some concerns about Karoui's inability to campaign while in prison.

Claiming emergency authority under Article 80 of the 2014 constitution, President Saïed took the unilateral decision to dismiss Prime Minister Hichem Mechichi in July 2021, and in October 2021 he installed a new government headed by Prime Minister Najla Bouden without parliamentary approval. Bouden remained prime minister during 2022. Under the new constitution adopted in July 2022, the prime minister and cabinet are appointed and dismissed by the president and responsible to him rather than to the parliament. The presidential term limit remained in place.

A2. Were the current national legislative representatives elected through free and fair elections? 1 / 4 (−1)

Tunisia's 2014 constitution established a unicameral parliament, the 217-seat Assembly of the Representatives of the People (ARP); 199 members were directly elected in domestic multimember constituencies, while 18 represented multimember constituencies abroad via a party-list system. All members served five-year terms.

The last legislative elections under the old constitution took place in October 2019. International and national observers declared the balloting to be generally competitive and credible. The Islamist party Ennahda placed first with 52 seats, Karoui's Qalb Tounes (Heart of Tunisia) party took 38 seats, the progressive Democratic Current took 22, and Al-Karama (Dignity) Coalition took 21. The remaining seats were won by 11 other parties and 17 independent candidates.

In July 2021, President Saïed unilaterally suspended the parliament and revoked lawmakers' legal immunity, and several members later faced house arrest or detention and trials in military courts. Saïed formally dissolved the body in March 2022, after a majority of legislators met online and attempted to reverse several of the president's emergency measures.

In the fall of 2022, Saïed announced legislative elections scheduled to begin in late December under a new constitution and electoral law. The new parliament would have 161 members elected in single-member constituencies, including 10 representing Tunisians living abroad. Due in large part to onerous candidacy restrictions and a boycott led by major opposition parties, turnout in the first round of voting was extremely low at just 11 percent. Only 1,058 candidates campaigned for office—a steep drop-off from prior legislative elections. Ten constituencies attracted only one approved candidate, and seven of the seats for expatriate voters had no candidates at all. Following the first round of voting, just 21 candidates were declared as winners, and a second round was scheduled to take place in January 2023. As of December 28, at least 57 appeals of the initial results had been submitted to the Independent High Authority for Elections (ISIE).

The new constitution envisioned the creation of a second legislative chamber, the indirectly elected National Council of Regions and Districts, but this body had yet to be formed at the end of 2022.

Score Change: The score declined from 2 to 1 because the parliament elected in 2019 and suspended in 2021 was formally dissolved in March, and the first round of voting for a new legislature in December was marred by problems including opposition boycotts, extremely low voter turnout, and a lack of candidates for several districts.

A3. Are the electoral laws and framework fair, and are they implemented impartially by the relevant election management bodies? 2 / 4 (−2)

From the 2011 revolution through the last elections under the 2014 constitution in 2019, the ISIE's supervision of parliamentary and presidential balloting was well regarded by Tunisian and international observers, and the authority itself was seen as politically independent.

In May 2022, Saïed replaced the ISIE's executive committee, and the newly appointed body was tasked with organizing the referendum on his draft constitution in July. Watchdog groups including I Watch and Mourakiboun criticized the ISIE's handling of the referendum, citing computational errors and a lack of transparency regarding the release of station-level results. The referendum was also marred by a low turnout of some 31 percent and complaints that opponents of the new charter were unable to campaign freely. The new constitution left the ISIE open to greater presidential interference in its composition, as it removed a clause from the 2014 constitution that stipulated the process by which ISIE members must be appointed, meaning the process could be set through ordinary legislation or presidential decrees.

Saïed issued a new electoral law by decree in September 2022, setting the stage for the parliamentary elections that began in December. In addition to replacing the proportional-representation system with voting in single-member districts, the law imposed new

requirements on candidates. For example, each potential candidate must collect 400 signatures of registered voters who do not endorse any other candidate. The decree also eliminated public funding for campaigns, removed a ceiling on private fundraising, barred anyone ever charged with a legal violation from candidacy, and revoked prior laws promoting gender parity and youth representation on electoral lists. Finally, the decree ramped up punishments for vaguely defined "electoral crimes," including receiving illegal donations or "intentionally exploiting another candidate's honor or familial or geographic affiliation."

Score Change: The score declined from 4 to 2 due to the president's unilateral replacement of the election authority's leadership, the flawed July referendum on a new constitution, and the new charter's lack of protections for the election authority's independence.

B. POLITICAL PLURALISM AND PARTICIPATION: 10 / 16 (−3)

B1. Do the people have the right to organize in different political parties or other competitive political groupings of their choice, and is the system free of undue obstacles to the rise and fall of these competing parties or groupings? 2 / 4 (−1)

Tunisia's numerous political parties represent a wide range of ideologies and interests, but since the president seized extraordinary powers in July 2021, parties have experienced serious restrictions on their ability to operate. After the suspension of the old parliament and parliamentary immunity, some lawmakers and political figures were immediately subjected to repressive measures, including travel bans, detention, and house arrest. Such judicial harassment continued during 2022. For example, Rached Ghannouchi, the former parliament speaker and leader of the Ennahda party, faced a travel ban, asset freezes, questioning by antiterrorism police, and legal charges ranging from money laundering to the promotion of "jihadist" activity. Former prime minister Ali Laarayedh, also of the Ennahda party, was placed in detention on terrorism charges shortly after the December 2022 elections.

The new electoral law issued in September 2022, with its changes to funding and candidacy rules and the switch to single-member districts, was widely seen as a blow to the strength of political parties as opposed to individual candidates with access to private resources.

Score Change: The score declined from 3 to 2 due to legal changes that weakened the role of political parties, in part by imposing procedural barriers on prospective candidates and eliminating public funding of campaigns.

B2. Is there a realistic opportunity for the opposition to increase its support or gain power through elections? 3 / 4 (−1)

Opposition parties and political independents have generally participated actively in political processes since 2011, resulting in multiple rotations of power at the executive and legislative levels. However, major opposition parties boycotted the December 2022 parliamentary elections to protest adverse conditions created by the authorities' restrictions on opposition leaders beginning in 2021, the new constitution, and the new electoral law. The lack of meaningful competition in the elections contributed to their extremely low level of voter turnout.

Score Change: The score declined from 4 to 3 because a combination of constitutional and legal changes, government restrictions, and electoral boycotts undermined the ability of opposition parties and candidates to win seats in the 2022 legislative elections.

B3. Are the people's political choices free from domination by forces that are external to the political sphere, or by political forces that employ extrapolitical means? 3 / 4

Voters are generally able to exercise their political choices without undue interference. However, powerful domestic economic interests have exercised a high degree of influence over politics. Foreign groups also reportedly supply funds to preferred parties and candidates, though these channels of support are opaque.

In 2021, the president's critics accused him of colluding with the regimes of the United Arab Emirates and Egypt to carry out his seizure of power, particularly in light of their common enmity toward Ennahda. However, the precise nature of foreign influence on recent political events remained unclear in 2022.

B4. Do various segments of the population (including ethnic, racial, religious, gender, LGBT+, and other relevant groups) have full political rights and electoral opportunities? 2 / 4 (−1)

Nongovernmental organizations (NGOs) and international organizations have worked to increase the political participation of marginalized groups. A 2017 law required an equal number of men and women at the top of candidate lists, as well as at least one candidate with a disability and three people under the age of 35 on each list. Representation of women in subsequent elections was comparatively high, and legislation aimed at protecting the rights of women has been passed. Fifty-four women held parliamentary seats after the 2019 elections, while 11 women and one openly gay man requested nomination to stand as candidates in the 2019 presidential election. The prime minister since 2021, Najla Bouden, is a woman.

However, the September 2022 electoral law eliminated the 2017 quotas, and in the December 2022 parliamentary elections, only 11 percent of the candidates were women, 4 percent were aged 35 or younger, and two were people with disabilities.

Other segments of the population, including the Amazigh ethnic community, Black Tunisians, and LGBT+ people, remain underrepresented in electoral politics. The first party dedicated to addressing Amazigh interests, the Akal Movement, was formed in 2019. Black Tunisians have achieved some progress in advancing their political interests, including passage of an antiracism law in 2018, but they are largely excluded from leadership positions and often conflated with foreign migrants. Societal discrimination and laws criminalizing same-sex sexual activity impede active political participation for LGBT+ people, and political parties largely fail to address LGBT+ issues.

Both the 2014 constitution and the new charter adopted in 2022 state that the president must be a Muslim.

Score Change: The score declined from 3 to 2 because the elimination of laws promoting political representation for women, young people, and people with disabilities contributed to reduced participation by those constituencies in practice.

C. FUNCTIONING OF GOVERNMENT: 4 / 12

C1. Do the freely elected head of government and national legislative representatives determine the policies of the government? 1 / 4

Conflict over the division of powers between the legislative and executive branches has undermined policymaking and governance since 2011. Late president Essebsi manipulated the national budget in such a way that the parliament was deeply underfunded, leaving it with limited ability or resources to craft legislation on its own or check executive authority. Clashes between the executive and legislative branches continued under Saïed, culminating in his emergency powers declaration on July 25, 2021. The move to suspend the parliament effectively allowed Saïed to rule by decree, with elected lawmakers playing no role. The new government of Prime Minister Bouden took office that October without the constitutionally required approval from parliament, and it remained responsible only to the president.

In 2022, Saïed and his appointed government continued to govern unilaterally, without input from an elected legislature, and the new constitution adopted in July 2022 formally concentrated power in the presidency. Among other changes, it eliminated the parliament's ability to impeach the president and requires a two-thirds majority for the parliament to remove the prime minister and cabinet.

C2. Are safeguards against official corruption strong and effective? 1 / 4

Tunisia's anticorruption legislation has historically been considered weak. The Economic Reconciliation Law of 2017 effectively offered amnesty for those implicated in corruption under the pre-2011 regime of President Zine el-Abidine Ben Ali, though its initial provisions were partly rolled back due to public disapproval. President Saïed issued a decree in March 2022 that expanded the concept of "criminal reconciliation," allowing businesspeople facing corruption charges to avoid punishment by repaying allegedly stolen funds or investing them in designated regional development projects. The process was to be managed by a commission appointed by the president.

The National Commission for the Fight against Corruption (INLUCC) was established in 2011, and a permanent body, the Commission on Good Governance and the Fight against Corruption (IBGLCC), was meant to replace it under the 2014 constitution. While legislation intended to establish the IBGLCC was passed in 2017, the new body remained inactive. INLUCC thus continued its operations with inadequate funding and little authority to compel legal action.

President Saïed justified his seizure of power in July 2021 in part by arguing that it was necessary to uproot corruption in the political establishment, but his administration's subsequent steps led critics to accuse the president of instrumentalizing anticorruption efforts to eliminate his political enemies. Police shut down INLUCC's headquarters in August 2021, and in March 2022 INLUCC employees organized a sit-in to protest the nonpayment of their salaries and the freezing of their work. In October 2022, the president installed Nadia Saadi as temporary head of INLUCC by decree, but the organization's future remained uncertain.

C3. Does the government operate with openness and transparency? 2 / 4

President Saïed's centralization of power after July 2021 exacerbated the government's existing opacity regarding official decision-making and actions by law enforcement agencies. Al-Bawsala, a nonprofit organization that promotes transparency and accountability, has criticized ruling elites from all parties over their lack of responsiveness to the public, particularly during the COVID-19 pandemic. A 2016 freedom of information law was faulted by watchdog groups for its security-related exemptions.

A 2018 law requires the president, ministers, and high-level public officials, among others, to declare their assets to INLUCC; penalties for violating the law include large fines and prison terms of up to five years. Members of the Bouden government reportedly declared their assets in October 2021.

CIVIL LIBERTIES: 36 / 60 (−2)

D. FREEDOM OF EXPRESSION AND BELIEF: 11 / 16 (−1)

D1. Are there free and independent media? 2 / 4

The 2014 constitution and its 2022 replacement guarantee freedom of opinion, thought, expression, information, and publication, subject to some restrictions. During the 2011–21 period, independent outlets proliferated, including online. However, it remains difficult to obtain data about the ownership of media companies, their audiences, or the allocation of public advertising.

Since Saïed's seizure of extraordinary powers in 2021, journalists have faced increasing pressure and intimidation from government officials in connection with their work, including criminal penalties for defamation and other alleged offenses. In June 2022, for example, Salah Attia, editor of the independent news website Al-Ray al-Jadid, was arrested and questioned at a military facility in connection with his public statements; he was sentenced in August to three months in prison on charges including "harming the military's morale and reputation." In September, Ghassen Ben Khelifa, editor of the news website Inhiyez and a popular political writer, was arrested on unclear charges of promoting terrorism.

D2. Are individuals free to practice and express their religious faith or nonbelief in public and private? 3 / 4

Both the 2014 constitution and the new charter adopted in 2022 call for freedom of belief and conscience, but they also contain provisions that give Islam an official status. Blasphemy remains illegal, and police may invoke it as a pretext for arrests. Islamic education remains a required component of the curriculum in public schools. Converts to Christianity often experience harassment and discrimination.

D3. Is there academic freedom, and is the educational system free from extensive political indoctrination? 3 / 4

Article 33 of the 2014 constitution protected academic freedom, which improved in practice after 2011, and Article 45 of the 2022 constitution provides a similar guarantee. However, self-censorship by academics persists in some instances. Students have reported being unable to pursue dissertation research on topics including sexuality and gender identity, or to engage in critiques of Islam's role in violent extremism.

D4. Are individuals free to express their personal views on political or other sensitive topics without fear of surveillance or retribution? 3 / 4 (−1)

Private discussion is generally open and free, though public speech on certain topics, including criticism of the military, can draw official reprisals. The criminal ban on same-sex sexual activity also discourages open discussion of issues affecting LGBT+ people.

Since 2021, the authorities have increasingly prosecuted journalists, politicians, activists, and social media commentators for speech-related offenses, including insulting the president and defaming the military. The accused, who have been tried in military as well as civilian courts, have generally been individuals with significant online or offline platforms, as opposed to ordinary citizens or social media users. However, the high-profile cases effectively discouraged critical speech more broadly, as did a new presidential decree issued in September 2022 that imposed heavier prison sentences and monetary penalties on individuals who spread "false information or rumors" through online or offline communication networks. Those convicted can face up to 10 years in prison if the content targets public officials. The law also grants civilian and military law enforcement authorities greater latitude to access and search private devices and materials.

Score Change: The score declined from 4 to 3 because aggressive enforcement of existing laws and a new presidential decree that imposes harsher penalties for spreading "false information or rumors" have served to deter open criticism of the president and the military.

E. ASSOCIATIONAL AND ORGANIZATIONAL RIGHTS: 7 / 12

E1. Is there freedom of assembly? 2 / 4

Like the 2014 constitution, the 2022 constitution guarantees the rights to assembly and peaceful demonstration. During the postrevolutionary period, public protests on

political, social, and economic issues were frequent and well-attended. However, a 2015 counterterrorism law and successive states of emergency imposed significant constraints on such gatherings.

Emergency measures related to the COVID-19 pandemic have also been abused to crack down on protests. For example, new public health restrictions on public gatherings were announced in January 2022, ahead of planned demonstrations coinciding with the anniversary of the 2011 revolution.

Police routinely use violent tactics to disperse public demonstrations. Journalists have photographed officers at various times using batons, tear gas, and armored vehicles against protesters. Large protests against the president and his constitutional reforms in June 2022 were met with police beatings and water cannons in downtown Tunis.

E2. Is there freedom for nongovernmental organizations, particularly those that are engaged in human rights– and governance-related work? 2 / 4

A 2011 decree guaranteed the freedom for NGOs to operate and outlined procedures governing the establishment of new groups. Tens of thousands of new NGOs began operating after the revolution, holding conferences, trainings, educational programs, and other events throughout Tunisia in subsequent years.

However, a 2018 law effectively equates NGOs with businesses and requires them to submit to onerous reporting requirements beyond those codified in the 2011 decree. Under the law, all NGOs (and businesses) are required to register with a National Registry of Institutions, and to provide data on staff, assets, decisions to merge or dissolve, and operations. Failure to register may result in a year of imprisonment and a fine. Critics of the rules argue that they increase state monitoring and oversight of civil society. Registration applications can be denied at the discretion of the Council of the National Registry.

In February 2022, Tunisian media published a leaked set of proposed amendments to laws governing civil society organizations. The draft changes would grant authorities greater latitude to block or dissolve associations and restrict their access to foreign funding.

E3. Is there freedom for trade unions and similar professional or labor organizations? 3 / 4

The constitution adopted in July 2022, like its 2014 predecessor, guarantees the right to form labor unions and to strike, with exceptions for the military, security forces, and customs officials. The new charter also prohibits strikes by judges, who had mounted a strike in June to protest the president's purge of the judiciary. Large-scale strike actions have occurred across all sectors of the economy since the 2011 revolution, with participants demanding labor reform, better wages, and improved workplace conditions. Unions have reported that some employers take steps to discourage union activities, including the dismissal of union activists.

The Tunisian General Labor Union (UGTT) is the predominant union organization, though independent unions also exist. The UGTT has played a significant role in brokering political agreements during moments of crisis since 2011. In late 2021 it began to push President Saïed to move toward a broader political dialogue, and in 2022 it criticized the conduct of the December parliamentary elections. Also during the year, the UGTT galvanized societal opposition to a multibillion-dollar International Monetary Fund (IMF) loan agreement championed by the president. The union led a public-sector strike in June to protest against austerity measures that would result from the IMF deal, including public payroll cuts and subsidy reductions.

F. RULE OF LAW: 8 / 16 (−1)

F1. Is there an independent judiciary? 1 / 4 (−1)

Between the 2011 revolution and President Saïed's seizure of extraordinary powers in 2021, elected officials took steps to institutionalize an independent judiciary. Legislation adopted in 2016 established the High Judicial Council (HJC), a body tasked with ensuring the independence of the judiciary and appointing a third of the Constitutional Court judges. Council members were elected that year by thousands of legal professionals. However, governments and lawmakers repeatedly failed to establish the Constitutional Court as envisioned by the 2014 constitution; its role would have been to evaluate the constitutionality of decrees and laws. The absence of such a court became especially problematic in 2021, as there was no authoritative mechanism for assessing the constitutionality of Saïed's emergency measures.

In February 2022, Saïed followed through on his promises to dissolve the professionally elected HJC and issued a decree creating a new, appointed body to replace it. In June, he issued a decree allowing the president to unilaterally dismiss judges, then immediately fired 57 judges on grounds of alleged corruption. Unions representing Tunisian judges initiated a four-week strike against these measures. An administrative court ordered the reinstatement of 49 of the dismissed magistrates in August, citing a lack of due process, but the government had yet to comply with the order at year's end.

While the new constitution preserved both an HJC and a Constitutional Court in name, it granted the president final authority over judicial appointments following nominations by the HJC, whereas the 2014 charter had made the HJC's appointment recommendations binding on the executive. In addition, the new constitution removed a clause of the 2014 constitution that granted the Constitutional Court authority to rule on the extent of the president's powers.

Score Change: The score declined from 2 to 1 because the president unilaterally replaced the High Judicial Council and dismissed dozens of judges after granting himself the power to do so.

F2. Does due process prevail in civil and criminal matters? 2 / 4

Though civil and criminal procedures have improved significantly since the time of Ben Ali, a state of emergency in place since 2015 and renewed repeatedly has given police broad license to arrest and detain people on security- or terrorism-related charges, and arbitrary arrests continued to take place during 2022. Civilians are still tried in military courts, particularly on charges of defaming the army. Those targeted for military trials have included lawmakers, businessmen, journalists, and bloggers.

In 2014, Tunisia established a Truth and Dignity Commission (IVD) to examine political, economic, and social crimes committed since 1956, and it soon began collecting testimony. In early 2018, the parliament voted against extending the commission's mandate, a decision that drew criticism from rights activists for weakening transitional justice efforts. The commission presented its final report in 2019 and officially published it in 2020, drawing on over 62,000 complaints filed by Tunisian citizens against the state for human rights abuses. Tunisian courts began reviewing 69 indictments and 131 referrals from the IVD, but the president's emergency measures in 2021 created uncertainty about the future of the transitional justice process.

F3. Is there protection from the illegitimate use of physical force and freedom from war and insurgencies? 3 / 4

Physical security has been threatened by periodic terrorist attacks in recent years, including some claimed by the Islamic State (IS) militant group.

The police force is the subject of long-standing brutality complaints, with officers accused of abusing civilians and detainees with impunity. Police unions have resisted reform efforts aimed at addressing the problem.

While some offenses can still draw the death penalty under Tunisian law, the authorities have not carried out an execution since 1991.

F4. Do laws, policies, and practices guarantee equal treatment of various segments of the population? 2 / 4

Although the constitution guarantees gender equality, women experience discrimination in employment, and sexual harassment in public spaces remains prevalent. Black Tunisians face chronic disparities on indicators including employment and education; societal bias remains a widespread problem, though a 2018 law criminalized racial discrimination.

LGBT+ people continue to face legal discrimination. Same-sex sexual activity remains illegal, with the penal code calling for prison sentences of up to three years for "sodomy." This law has been enforced in practice in recent years.

Tunisia has no asylum law, leaving the United Nations as the sole entity processing claims of refugee status in the country. Irregular migrants and asylum seekers are often housed in informal detention centers, where they suffer from substandard living conditions. Delays in the issuance of residency permits make it impossible for many to work legally, forcing them to take informal jobs with no labor protections.

G. PERSONAL AUTONOMY AND INDIVIDUAL RIGHTS: 10 / 16

G1. Do individuals enjoy freedom of movement, including the ability to change their place of residence, employment, or education? 3 / 4

The constitution guarantees freedom of movement within the country, as well as the freedom to travel abroad. However, authorities have broad license under the state of emergency to restrict individuals' movement without initiating formal charges, and thousands of people have been affected by such orders. Human rights groups criticized the travel bans imposed after the president's seizure of extraordinary powers in July 2021 as arbitrary restrictions on freedom of movement.

G2. Are individuals able to exercise the right to own property and establish private businesses without undue interference from state or nonstate actors? 2 / 4

The protection of property rights and the freedom to operate businesses are impeded in part by high levels of corruption and a large court backlog of property disputes.

Under existing law, women are granted half the share of inheritance that men receive, and efforts to establish gender equality in inheritance rights have failed to make progress in the parliament.

G3. Do individuals enjoy personal social freedoms, including choice of marriage partner and size of family, protection from domestic violence, and control over appearance? 3 / 4

Tunisia has long been praised for relatively progressive social policies, especially in the areas of family law and women's rights. In 2017, the Justice Ministry repealed a decree that had banned Tunisian women from marrying non-Muslim men. However, women face high rates of domestic abuse. The 2017 Law on Eliminating Violence against Women addressed domestic violence and included language intended to protect women from harassment in public and from economic discrimination. The law's implementation has been limited by

shortcomings including a lack of awareness of its provisions, a shortage of trained agents to handle complaints, pressure on women from some agents to avoid taking abusive husbands to court, and logistical barriers to reporting abuse. High-profile cases of femicide stemming from domestic violence continued to be reported during 2022.

Public displays of affection can lead to charges of violating public morality laws, which carry penalties including jail time.

G4. Do individuals enjoy equality of opportunity and freedom from economic exploitation? 2 / 4

Despite efforts by civil society groups to combat such problems, Tunisian women and children are subject to sex trafficking and forced domestic work both in Tunisia and abroad. Refugees and other migrants are also susceptible to exploitation by traffickers. Cases of exploitation in the agriculture and textile sectors are prevalent; women often work long hours with no contracts, benefits, or legal recourse, and many are reportedly transported to work sites under dangerous conditions.

Protests continue to call attention to the lack of economic opportunity associated with high inflation, unemployment, and a dearth of meaningful reform to address such issues. The COVID-19 pandemic, by many measures, exacerbated Tunisia's social and economic challenges. In 2022, rising food prices and shortages of basic staples were driven by a combination of internal causes and the international effects of the war in Ukraine.

Turkey

Population: 85,200,000
Capital: Ankara
Freedom Status: Not Free
Electoral Democracy: No

Overview: President Recep Tayyip Erdoğan and his Justice and Development Party (AKP), which have ruled Turkey since 2002, have become increasingly authoritarian in recent years, consolidating significant power through constitutional changes and by imprisoning opponents and critics. A deepening economic crisis and the upcoming elections in 2023 have given the government new incentives to suppress dissent and limit public discourse.

KEY DEVELOPMENTS IN 2022

- An electoral law passed by the AKP-led parliamentary majority in March lowered the parliamentary entry threshold from 10 percent to 7 percent and changed the way seats are distributed among party alliances. Opposition parties criticized its provisions as an attempt to obstruct a broad opposition alliance ahead of 2023 elections and to control vote-counting processes. The law also exempted the president from rules that ban ministers from using state resources for electoral campaigns.
- In October, the parliament approved a law that introduced a prison sentence of up to three years for individuals deemed to promote false information on social media. Press freedom advocates and opposition groups criticized the law's vague language and warned that it could be used as a tool to silence independent journalists.
- Istanbul mayor Ekrem İmamoğlu, of the main opposition Republican People's Party (CHP), was convicted in December of insulting state institutions. İmamoğlu

is considered a key challenger to Erdoğan, and the case against him was widely viewed as politically motivated. The conviction of the CHP's Istanbul chair, Canan Kaftancioğlu, for insulting the president was upheld in May.

- In April, an Istanbul court convicted prominent philanthropist Osman Kavala and seven civil society leaders of conspiring to overthrow the government, sentencing Kavala to life in prison and each of the others to 18 years. In June, the European Court of Human Rights (ECHR) again ruled against the government of Turkey over its failure to free Kavala in accordance with a 2019 ECHR decision, which stated that his detention was politically motivated and that he should be released.

POLITICAL RIGHTS: 16 / 40

A. ELECTORAL PROCESS: 5 / 12

A1. Was the current head of government or other chief national authority elected through free and fair elections? 2 / 4

In 2018, Turkey instituted a presidential system of government that makes the president the chief national authority and grants the office sweeping executive powers. The president is directly elected for up to two five-year terms but is eligible to run for a third term in the event of early elections. Recep Tayyip Erdoğan served as prime minister from 2003 to 2014, and as president since then. Because Erdoğan's first term ended early due to the 2017 referendum, he is eligible to run for a third term in 2023, which, if secured, would last until 2028.

Turkey's 2018 general elections were held under a state of emergency that had been in place since a 2016 coup attempt. Erdoğan, who leads the AKP, won the presidential race with 52.6 percent of the vote in the first round. The Organization for Security and Co-operation in Europe (OSCE) criticized the election, reporting that electoral regulators often deferred to the ruling AKP, that state-run media favored the AKP in its coverage, and that Erdoğan repeatedly accused legitimate political opponents of supporting terrorism during the campaign.

A2. Were the current national legislative representatives elected through free and fair elections? 2 / 4

The unicameral Grand National Assembly has 600 seats. Lawmakers are elected to five-year terms by proportional representation. Parties need at least 7 percent of the national vote to join the parliament as of 2022.

In the 2018 elections, the AKP joined the far-right Nationalist Movement Party (MHP) to form the People's Alliance, which won 53 percent of the vote, amounting to 344 seats. The opposition Nation's Alliance, led by the CHP and including the İyi Party (IP) and two smaller parties, won 34 percent of the vote and took 189 seats. The pro-Kurdish People's Democratic Party (HDP) won 11 percent of the vote, gaining 67 seats.

The OSCE described the 2018 elections as marred by the AKP's misuse of state resources to gain an electoral advantage and noted that the opposition claimed that last-minute changes to electoral laws and failure to follow standard procedures for the selection of polling locations benefitted the ruling party. Reports of irregularities such as proxy voting were prevalent in the southeast, the HDP's stronghold.

A3. Are the electoral laws and framework fair, and are they implemented impartially by the relevant election management bodies? 1 / 4

The judges of the Supreme Electoral Council (YSK), who oversee all voting procedures, are appointed by AKP-dominated judicial bodies and often defer to the AKP in their decisions.

A new electoral law passed in March 2022 lowered the parliamentary entry threshold from 10 percent to 7 percent and changed the way parliamentary seats are distributed among party alliances. Opposition parties criticized the threshold changes as an attempt by the AKP to scuttle a broad opposition alliance, saying the lower threshold was designed to encourage smaller parties to break from a unified opposition bloc. The new law modified procedures for the selection of judges who oversee elections and control vote-counting process. Previously, the top-ranking judge in a district would select the judges responsible for any challenges to the vote count; the new law prescribes that those judges be selected in a draw, making it more likely that AKP-aligned judges appointed in recent years would oversee the processes. The law also exempted the president from rules that ban ministers from using state resources for their campaigns.

B. POLITICAL PLURALISM AND PARTICIPATION: 8 / 16

B1. Do the people have the right to organize in different political parties or other competitive political groupings of their choice, and is the system free of undue obstacles to the rise and fall of these competing parties or groupings? 2 / 4

Turkey maintains a multiparty system, with five major parties in the parliament. Parties are required to organize chapters and hold congresses in at least half of Turkey's provinces no later than six months before an election in order to participate.

Opposition leaders face politically motivated prosecutions and other harassment that affects their parties' ability to function. Members of the HDP have faced regular such prosecutions since 2015, after a peace process with the outlawed Kurdistan Workers' Party (PKK) collapsed and the government accused the pro-Kurdish HDP of serving as a proxy for the PKK. (The PKK is now designated as a terrorist organization by Turkey, as well as by the United States and European Union [EU]). The HDP's offices are regularly raided by police and attacked by far-right mobs.

Other opposition leaders also face politically motivated prosecutions and violent attacks. In December 2022, the mayor of Istanbul—Ekrem İmamoğlu of the CHP, widely considered a potential challenger to Erdoğan—was convicted of insulting state institutions and barred from politics, in a case widely considered to be politically motivated. Members of İmamoğlu's staff remain under investigation over alleged links to the PKK and other groups designated as terrorist organizations. In May 2022, an appeals court upheld the prison sentence of the CHP's Istanbul chair, Canan Kaftancioğlu, who was convicted in 2019 of insulting the president. Kaftancioğlu, who assisted with İmamoğlu's 2019 mayoral campaign, was also banned from running for office. Former HDP cochair Selahattin Demirtaş remains in prison, after being detained in 2016 for "terrorist propaganda." In 2020, the ECHR had ruled that his detention was politically motivated and ordered his release.

Metin Gürcan, a founding member of the opposition Democracy and Progress Party (DEVA) and a political commentator, was jailed in November 2021 on espionage charges in connection with his research. He later said the research in question involved reports he had been preparing for diplomatic missions of Italy and Spain, and that the information within was compiled from open sources. He was released in May 2022 but rearrested two days later after his release was challenged in court; he faces up to 35 years in prison if convicted.

B2. Is there a realistic opportunity for the opposition to increase its support or gain power through elections? 2 / 4

President Erdoğan and the AKP assert partisan control over the YSK, judiciary, police, and media. In recent years, they have aggressively used these institutional tools to weaken or co-opt political rivals, limiting the opposition's ability to build voter support and gain power

through elections. Despite these challenges, the opposition won control of most major urban centers in the 2019 municipal elections.

Opposition leaders face obstacles even after winning elections. The government has replaced dozens of HDP mayors with trustees since the 2019 elections and has obstructed newly elected CHP mayors—including Istanbul mayor İmamoğlu—from carrying out their duties. Opposition leaders have been arrested and charged in politically motivated cases with offenses ranging from terrorism to insulting the president.

B3. Are the people's political choices free from domination by forces that are external to the political sphere, or by political forces that employ extrapolitical means? 3 / 4

The AKP's institutional dominance threatens to make the state itself an extension of the party that can be used to change political outcomes. The government's influence over the media also tilts the electoral playing field heavily in favor of the ruling party.

B4. Do various segments of the population (including ethnic, racial, religious, gender, LGBT+, and other relevant groups) have full political rights and electoral opportunities? 1 / 4

Political rights are experienced unevenly. Critics charge that the AKP favors Sunni Muslims, pointing to an overhaul of the education system that favored Islamic education in secular schools and promoted the rise of religious schools in the 2010s. The AKP also expanded the Directorate of Religious Affairs, using this institution as a channel for political patronage. Among other functions, the party uses the directorate to deliver government-friendly sermons in mosques in Turkey, as well as in countries where the Turkish diaspora is present.

While members of Turkey's non-Sunni Alevi community and non-Muslim citizens hold seats in the parliament, the government's crackdown on opposition parties where they are concentrated has seriously harmed their political rights and electoral opportunities. While the Kurds, Turkey's largest ethnic minority, are represented in politics, pro-Kurdish parties face regular harassment by the government via hate speech, politically motivated prosecutions, and disinformation in progovernment media.

Women and LGBT+ individuals remain underrepresented in politics and in leadership positions in government. Women occupy 104 parliamentary seats, or 17 percent of the assembly. A handful of LGBT+ candidates have run for office, but LGBT+ people remain politically marginalized, in part because the government uses public morality laws to restrict advocacy for LGBT+ rights.

While some refugees in Turkey, including nearly 4 million Syrians, have gained citizenship in recent years, there is no clear path for gaining citizenship status. Anti-immigrant sentiment among the public is high, and politicians who are openly discriminatory toward refugees have entered the political scene.

C. FUNCTIONING OF GOVERNMENT: 3 / 12

C1. Do the freely elected head of government and national legislative representatives determine the policies of the government? 2 / 4

Erdoğan controls all executive functions, rules by decree, and makes all policy decisions. Since 2016, he has overhauled Turkey's ministries and agencies, purging tens of thousands of civil servants and replacing them with political loyalists. He exerts effective control over the legislature through his leadership of the AKP; lawmakers' capacity to provide policy contributions has greatly eroded under the new presidential system in effect since 2018.

Erdoğan frequently intervenes against ministries and independent public bodies that defy his wishes. For example, he replaced Turkey's central bank chief three times between 2019

and 2021 and fired three of the bank's top executives in 2021, the latter move prompting a rare backlash from Turkey's top business association. In January 2022, Erdoğan removed the head of Turkey's Statistical Institute (TÜİK) less than a year after his appointment, which many attributed to TÜİK's growing political influence amid worsening inflation rates.

C2. Are safeguards against official corruption strong and effective? 1 / 4

Corruption remains a major problem, including at the highest levels of government. Enforcement of anticorruption laws is inconsistent, and anticorruption agencies are ineffective, creating a culture of impunity. A handful of holding companies obtain a vast portion of public tenders and control most of Turkey's media networks. The government has seized hundreds of businesses and nongovernmental organizations (NGOs) since 2016, appointing trustees to manage billions of dollars in assets.

In 2021 and 2022, notorious mafia boss Sedat Peker published a series of videos in which he levied an array of accusations—including murder, rape, corruption, and drug trafficking—against prominent government figures, including Interior Minister Süleyman Soylu. Although opposition parties have made multiple requests for parliamentary and judicial inquiries into the allegations, the ruling AKP-led coalition has quashed the motions and no authority has opened an investigation into Peker's claims.

C3. Does the government operate with openness and transparency? 0 / 4

Turkey's political and legal environment has made democratic oversight of the government nearly impossible. Despite laws guaranteeing access to information, the government withholds information on the activities of state officials and institutions. Public officials are widely accused of publishing distorted data to downplay Turkey's problems, including COVID-19 infection rates and inflation and unemployment rates.

In March 2022, the TÜİK filed a criminal defamation complaint against an economic research group after it published unofficial data showing the inflation rate as being much higher than what had been disclosed by the government. Civil society leaders and journalists are routinely denied access to government officials, meetings, and events.

CIVIL LIBERTIES: 16 / 60

D. FREEDOM OF EXPRESSION AND BELIEF: 5 / 16

D1. Are there free and independent media? 1 / 4

Most Turkish media networks are owned by businesses that depend on public tenders or have close ties to President Erdoğan. Mainstream media reflect government positions and often carry identical headlines. Although independent outlets exist, they face tremendous political pressure and are routinely targeted for prosecution. Media outlets are often censored, fined, or shut down, and journalists are detained regularly. Business elites with close ties to Erdoğan have been accused of bribing journalists and orchestrating negative press against the opposition.

The most prominent journalist arrested in 2022 was Sedef Kabaş, who was detained in January for criticizing President Erdoğan on live television and was sentenced in March to two years and four months in prison. Journalists were detained at various protests throughout the year. According to the Committee to Protect Journalists (CPJ), Turkey was the world's fourth-largest jailer of journalists in 2022, with 40 journalists in prison at the year's end; the group noted that Turkish authorities had arrested 25 Kurdish journalists in the second half of 2022, all of whom were jailed and charged with terrorism over alleged links to the PKK. Reporters have faced physical attacks, notably those who cover politics, corruption, or crime.

The members of Turkey's state broadcast regulator, the High Council for Broadcasting (RTÜK), are appointed by the AKP-controlled parliament. The RTÜK continued to fine independent networks that critiqued the government in 2022, issuing 54 against five television networks all of which are independent or opposition-aligned. Since 2019, RTÜK has required international online video producers to obtain licenses in order to operate in Turkey. In February 2022, RTÜK warned Euronews, Voice of America, and Deutsche Welle that they were in violation of the rule, and blocked access to the latter two in June after they refused to comply.

Authorities also continue to block and censor content on Turkish media. After a deadly bomb attack in Istanbul in November 2022, RTÜK issued a media ban on the topic that lasted 10 hours. In October, the AKP-led majority approved a law that introduced a prison sentence of up to three years for individuals deemed to promote false information on social media. Press freedom advocates and the opposition heavily criticized the law's vague language and warned that it could be used as a tool to further silence independent journalists. In December, a court ordered the first arrest under the law, placing a Kurdish journalist in pretrial detention for publishing a post on Twitter about the alleged sexual assault of a 14-year-old girl by police officers and soldiers. The journalist was released after his lawyer filed an objection, though the case remained pending at year's end.

Since 2020, the government has forced major social media companies, including Facebook and YouTube, to maintain offices in the country and comply with government demands to take down content. Companies that refused to comply have received hefty fines and advertising bans.

D2. Are individuals free to practice and express their religious faith or nonbelief in public and private? 2 / 4

Sunni Islam is the majority religion in Turkey. While the constitution defines a secular state and guarantees freedom of religion, there are limitations on the rights of both recognized and unrecognized religious minorities. The national curriculum mandates compulsory religious education, and while non-Muslim students and Alevis are officially exempted from these courses, they have difficulty opting out of them in practice. Although Jews, Orthodox Christians, and Armenian Catholics are officially recognized as religious minorities in Turkey, disputes over property and prohibitions on training of clergy remain a problem. Alevis and non-Muslims also continue to be targeted with hate speech and mob attacks. In 2022, violent attacks against Alevi institutions rose significantly; between July and August, at least five Alevi NGOs and places of worship were attacked and vandalized.

D3. Is there academic freedom, and is the educational system free from extensive political indoctrination? 1 / 4

Academic freedom, never well respected in Turkey, was weakened further by the AKP's purge of government and civil society workers after the 2016 coup attempt. The government has since dismissed thousands of academics and educators for their perceived leftist, Gülenist, or PKK sympathies. More than a thousand scholars have been investigated and hundreds prosecuted for declaring their support for peace between the government and the PKK. University students are routinely detained for holding peaceful demonstrations against government policies.

The government and university administrations routinely intervene to prevent academics from researching sensitive topics, encouraging self-censorship among scholars. President Erdoğan obtained the power to appoint rectors at public and private universities in 2018 and has used it to intervene in academic institutions' affairs.

D4. Are individuals free to express their personal views on political or other sensitive topics without fear of surveillance or retribution? 1 / 4

While citizens continue to voice their opinions openly in private, many exercise caution about what they say publicly. Ordinary people have faced criminal prosecution for incitement or insulting the president, as have public figures. In August 2022, Turkish pop star Gülşen was arrested for "inciting hatred" after joking during an April performance about religious education. Released in September, she was banned from leaving Turkey until her case was decided.

The government heavily monitors and censors the Turkish internet, contributing to an atmosphere of self-censorship. The vaguely written disinformation law that took effect in October 2022 significantly expanded the scope of activities on social media deemed criminal and introduced a three-year maximum prison sentence. The government forced Turkey's internet providers to restrict access to Twitter, Instagram, Facebook, YouTube, and some Telegram servers in the aftermath of a deadly bomb attack in Istanbul in November 2022.

E. ASSOCIATIONAL AND ORGANIZATIONAL RIGHTS: 3 / 12

E1. Is there freedom of assembly? 1 / 4

Authorities routinely ban gatherings organized by government critics, while progovernment rallies are allowed and enjoy police protection. Police frequently use force to break up peaceful protests. In 2022, security forces used tear gas, pepper spray, and other violent tactics to disperse demonstrators at May Day protests, Istanbul and Ankara LGBT+ pride parades, Women's Day celebrations, marches against gender-based violence (GBV), protests against price hikes and soaring inflation, and other major gatherings. Police arrested dozens of protesters at the Ankara pride parade, and more than 200 people at the Istanbul pride parade.

The police routinely break up the weekly vigils and commemorations organized by the Saturday Mothers, a group that protests forced disappearances associated with a 1980 coup d'état, and arrest members of the group, most of whom are elderly women. In June 2022, the police took 16 human rights defenders at the group's 900th vigil into custody. A trial against 46 demonstrators who attended the 700th Saturday Mothers vigil in 2018 is ongoing.

Authorities cracked down on music festivals, a staple of cultural life for Turkish youth, in 2022. Governors and mayors in multiple provinces canceled or banned at least 12 music festivals and concerts between May and August, using various pretexts including environmental concerns. Festival organizers argued that they had all the necessary permits and saw no grounds for the cancelations.

E2. Is there freedom for nongovernmental organizations, particularly those that are engaged in human rights– and governance-related work? 1 / 4

The government frequently targets independent civil society groups. Since 2016, it has shut down more than 1,500 foundations and associations. Leaders of remaining NGOs face harassment, arrests, and prosecutions. A 2020 law subjects NGOs to yearly audits and gives the Interior Ministry the power to appoint trustees to the boards of NGOs facing criminal investigation. In 2021, the government froze the assets of 770 NGOs on the spurious grounds of terrorism financing.

Turkey's politicized judiciary has convicted several prominent human rights activists, including the former head of Amnesty International Turkey, on bogus terrorism charges in an apparent effort to intimidate civil society actors and stifle human rights advocacy. In March 2022, police raided the homes of and detained 24 women's rights defenders in the Kurdish-majority city of Diyarbakir. Of them, 11 were arrested on terrorism charges two days later, and the entire episode prompted condemnation from Turkish human rights groups.

In April, an Istanbul court convicted prominent philanthropist Osman Kavala and seven other celebrated civil society leaders of conspiring to overthrow the government. Kavala was sentenced to life in prison, while the other defendants received 18-year sentences. The events drew sharp criticism from international and domestic rights groups, and the ECHR in July ruled that Turkey had violated its previous, 2019 ruling calling for Kavala's release.

Also in April, a court upheld a prison sentence for human rights lawyer and co-chair of the Human Rights Association (İHD), Eren Keskin, who since 2016 has faced multiple charges relating to terrorism membership and insulting the government. The İHD's other co-chair, Öztürk Türkdoğan, was acquitted that month of the same charge, but still faces two additional criminal proceedings.

E3. Is there freedom for trade unions and similar professional or labor organizations? 1 / 4

Union activity, including the right to strike, is limited by law and in practice. Anti-union activities by employers are common and legal protections are poorly enforced. A system of threshold requirements limits unions' ability to secure collective-bargaining rights. Trade unions and professional organizations face government interference and retaliation for activities disruptive to authorities' wishes, such as when a 2018 strike organized to protest unsafe working conditions on the site of the new Istanbul airport was broken up. Union leaders are frequently arrested during annual May Day demonstrations.

F. RULE OF LAW: 3 / 16

F1. Is there an independent judiciary? 1 / 4

Judicial independence has been severely compromised, as thousands of judges and prosecutors have been replaced with government loyalists since 2016. Under the presidential system that took effect in 2018, members of Turkey's Board of Judges and Prosecutors (HSK), which oversees judicial appointments and disciplinary measures, are appointed by the parliament and the president rather than by members of the judiciary. As a result, prosecutors and judges often toe the government line. Judges who rule against the government's wishes have been removed and replaced, while those who convict Erdoğan's critics have been promoted.

Politically motivated prosecutions target politicians, journalists, academics, and students. In May 2022, the Court of Cassation upheld three sentences against the CHP's Istanbul chair, Canan Kaftancioğlu, for "insulting a public official," "insulting the president," and "degrading the state." The Constitutional Court has shown some independence since 2019 but is not free from political influence and often delivers rulings in line with AKP interests.

F2. Does due process prevail in civil and criminal matters? 0 / 4

Severe violations of due process in the judicial system persist. Defendants are often held in lengthy pretrial detention that can last up to seven years. Prosecutors often wait months before unveiling charges and produce lengthy accounts that often lack evidence. In many cases, lawyers defending people accused of terrorism face arrest themselves. Lower courts often defy rulings by higher courts that they are legally bound to implement.

The case against Turkish philanthropist Osman Kavala has been riddled with due process violations. Accused of attempting to overthrow the government in 2017, Kavala was held in pretrial detention for more than a year before he saw his indictment. He has endured two trials since 2019, wherein judges who ordered his release were replaced between hearings without explanation, alongside other procedural anomalies. After he was exonerated in 2020, Kavala was immediately rearrested under different charges. In April 2022, judges in the second trial sentenced him to life in prison. The ECHR in July published a ruling that Turkey had violated its previous, 2019 ruling calling for Kavala's release.

F3. Is there protection from the illegitimate use of physical force and freedom from war and insurgencies? 1 / 4

Turkish authorities are regularly accused of torturing prisoners. Prosecutors do not consistently investigate allegations of torture or abuse in custody, and the government has resisted the publication of a European Committee for the Prevention of Torture report on its detention practices.

While the threat of terrorism has decreased since 2018, a bomb attack in Istanbul in November 2022, which the government blamed on the outlawed PKK, killed six people and injured more than 80. Turkey remains at war with the PKK and civilians in the country's Kurdish-majority southeast continue to grapple with effects of the conflict.

F4. Do laws, policies, and practices guarantee equal treatment of various segments of the population? 1 / 4

Although Turkey's laws guarantee equal treatment of all citizens, religious, ethnic, and sexual and gender minorities suffer varying degrees of discrimination. Alevis and non-Muslims face systemic discrimination in schools and the public sector. The government's war with the PKK is used to justify discriminatory measures against Kurdish citizens, including the prohibition of Kurdish festivals. Kurdish schools and cultural organizations, many of which had opened while peace talks were taking place, have been investigated or shut down since 2015.

Although women make up a growing part of the workforce, gender inequality is a pressing issue. While same-sex relations are not legally prohibited, LGBT+ people face widespread discrimination, police harassment, and violence. Laws do not protect people from discrimination based on sexual orientation or gender identity, and LGBT+ people are banned from serving in the military. Top state officials frequently engage in homophobic hate speech; President Erdoğan in 2020 defended Turkey's head of religious affairs after he linked homosexuality to disease and societal decay. The government continues to censor LGBT+ content in the media, including on Netflix.

Turkey hosts more than 4 million refugees and migrants, most of them from Syria, according to the government. Refugees have no clear path to citizenship and their movement is restricted to their provinces of registration, outside of which they not allowed to live or work. Most refugee children lack access to education, and most adults lack employment permits. Popular resentment against refugees and discriminatory rhetoric against refugees among politicians has been increasing, and in 2022 and many refugee homes and businesses faced violent mob attacks. Amid this political atmosphere, residency permits for refugees and migrants have become increasingly difficult to obtain and to renew. Reports also point to a growing number of deportations. Nearly 60,000 Syrian refugees relocated from Turkey to Turkish-controlled zones in Syria in 2022. While the Turkish government calls these returns "voluntary," international NGOs have disputed the nature of the relocations, calling them forced deportations. According to Human Rights Watch (HRW), Turkish authorities arbitrarily arrested and deported hundreds of male Syrian refugees in 2022.

G. PERSONAL AUTONOMY AND INDIVIDUAL RIGHTS: 5 / 16

G1. Do individuals enjoy freedom of movement, including the ability to change their place of residence, employment, or education? 1 / 4

Freedom of movement is limited in some regions and for groups treated with suspicion by the government. In southeastern Turkey, movement is limited due to the conflict between the government and the PKK. More than 125,000 public sector workers who were fired or suspended following the coup attempt in 2016 have since been unable to find employment

due to an atmosphere of guilt by association and cannot travel abroad as their passports have been canceled. Refugees continue to face legal and practical obstacles to free employment and movement within the country.

G2. Are individuals able to exercise the right to own property and establish private businesses without undue interference from state or nonstate actors? 1 / 4

Private property rights are legally enshrined, but for the last decade, critics or opponents of the government have been subjected to intrusive tax and regulatory inspections. Since 2016, the assets of hundreds of companies, NGOs, and media outlets deemed to be associated with terrorist groups have been confiscated. From 2016–18, at least $11 billion in private business assets, ranging from corner stores to large conglomerates, were seized. The developments have severely harmed public confidence in the rule of law and free enterprise.

G3. Do individuals enjoy personal social freedoms, including choice of marriage partner and size of family, protection from domestic violence, and control over appearance? 2 / 4

Turkey's GBV and femicide rates are among the world's highest, and women's rights activists largely blame this environment on a culture of impunity enabled by the government and judiciary. Turkey's withdrawal from the Istanbul Convention, an international treaty to prevent GBV, in 2021 removed key legal protections for women facing domestic abuse. Police are reluctant to intervene in domestic disputes and few women's shelters exist. Erdoğan and the AKP consistently campaign to dissuade women from seeking divorce and to bear at least three children. Contraception, while legal, is increasingly difficult to access. Child marriages, although illegal, often take place, mainly performed through unofficial religious ceremonies or by fraudulently obtaining marriage licenses using false identification.

G4. Do individuals enjoy equality of opportunity and freedom from economic exploitation? 1 / 4

The weakness of labor unions and the government's increasing willingness to act against organized labor have undermined equality of opportunity, protection from economic exploitation, and workplace safety. Workplace accidents have become frequent in recent years and laborers have little recourse if injured. According to the Health and Safety Labor Watch (İSİG), at least 1,843 workers died in work-related incidents in 2022. Only a tiny portion of refugees have work permits. Turkey's informal economy is as big as about a third of its overall economy, and migrant and refugee workers are especially vulnerable to economic exploitation in unregulated industry.

Turkmenistan

Population: 6,400,000
Capital: Ashgabat
Freedom Status: Not Free
Electoral Democracy: No

Overview: Turkmenistan is a repressive authoritarian state where political rights and civil liberties are almost completely denied in practice. Elections are tightly controlled, ensuring nearly unanimous victories for the president and his supporters. The economy is dominated by the state, corruption is systemic, religious groups are persecuted, and political dissent is not tolerated.

KEY DEVELOPMENTS IN 2022

- Gurbanguly Berdimuhamedov, having held presidential office for 15 years, announced in February he would resign. His son, Serdar Berdimuhamedov, was elected president in March with nearly 73 percent of the vote, beating out eight other candidates who observers deemed noncompetitive. There were reports of widespread electoral law violations and that state workers were forced to vote in favor of Serdar Berdimuhamedov.
- Restrictions that entered into force in April significantly curtailed people's social freedoms, particularly women's. The new rules banned women from wearing tight clothes, dyeing their hair, and wearing certain accessories. Cosmetic surgery has been outlawed, male drivers of private cars are no longer allowed to have nonfamily female passengers, and women may not ride in the front seat of a car.

POLITICAL RIGHTS: 0 / 40

A. ELECTORAL PROCESS: 0 / 12

A1. Was the current head of government or other chief national authority elected through free and fair elections? 0 / 4

The president is directly elected for an unlimited number of seven-year terms, extended from five years under a 2016 constitutional revision. Gurbanguly Berdimuhamedov, having held presidential office for 15 years, announced in February 2022 he would resign. His son, Serdar Berdimuhamedov, was elected in March with nearly 73 percent of the vote, beating out eight other candidates who observers considered noncompetitive. There were reports of widespread electoral law violations and that state workers were forced to vote in favor of Serdar Berdimuhamedov.

Despite stepping down, the Gurbanguly Berdimuhamedov continues to influence decision-making through his position as chairman of the People's Council of Turkmenistan (Khalk Maslahaty).

A2. Were the current national legislative representatives elected through free and fair elections? 0 / 4

The bicameral parliament, the National Council of Turkmenistan (Milli Geňeş), includes a lower chamber, the Mejlis, as well as an upper chamber, the 56-seat People's Council of Turkmenistan.

The Mejlis is composed of 125 members directly elected from individual districts to serve five-year terms. Elections to the Mejlis are tightly controlled by the state and feature no genuine competition from opposition candidates. In the illegitimate 2018 elections, the Democratic Party of Turkmenistan (DPT) won 55 seats, the Party of Industrialists and Entrepreneurs and the Agrarian Party each took 11, and candidates nominated by groups of citizens secured 48. The government claimed voter turnout was approximately 92 percent.

A3. Are the electoral laws and framework fair, and are they implemented impartially by the relevant election management bodies? 0 / 4

The legal framework for elections is neither fair nor impartially implemented. The Central Election Commission (CEC) is appointed by the president and operates with little transparency. The law allows virtually no opportunity for independent fundraising or campaigning.

Constitution and electoral code amendments in 2016 removed the upper age limit of 70 for presidential candidates, extended the presidential term from five to seven years, and eliminated the right of public associations to nominate presidential candidates.

B. POLITICAL PLURALISM AND PARTICIPATION: 0 / 16

B1. Do the people have the right to organize in different political parties or other competitive political groupings of their choice, and is the system free of undue obstacles to the rise and fall of these competing parties or groupings? 0 / 4

The party system is dominated by the ruling DPT and controlled by the executive branch. The 2012 law on political parties specified the legal basis for citizens to form independent parties, but barred parties formed on professional, regional, or religious lines, and those created by government officials. Nevertheless, Gurbanguly Berdimuhamedov subsequently announced plans to form two new groups—the Party of Industrialists and Entrepreneurs and the Agrarian Party. Both were then openly organized by sitting members of the DPT and formally registered in 2012 and 2014, respectively. The Agrarian Party won its first parliamentary seats in 2018.

B2. Is there a realistic opportunity for the opposition to increase its support or gain power through elections? 0 / 4

Turkmenistan has never experienced a peaceful transfer of power between rival parties through elections. Gurbanguly Berdimuhamedov had served in the government of his late predecessor, Saparmurat Niyazov, who in turn had ruled the country since before its independence from the Soviet Union. In March 2022, Gurbanguly Berdimuhamedov's son, Serdar, took over as President. The Soviet-era Communist Party became the DPT in 1991 and remains in power to date. All genuine opposition groups operate either illegally or in exile.

B3. Are the people's political choices free from domination by forces that are external to the political sphere, or by political forces that employ extrapolitical means? 0 / 4

The authoritarian political system offers voters no meaningful alternatives to the ruling party. At an informal level, politics within the regime are thought to be influenced by regional patronage networks, or "clans," that control different parts of the state and economy.

B4. Do various segments of the population (including ethnic, racial, religious, gender, LGBT+, and other relevant groups) have full political rights and electoral opportunities? 0 / 4

Members of the ethnic Turkmen majority and the president's tribal subdivision are favored for leadership positions. While women and members of ethnic or religious minority groups formally have full political rights, no segment of the country's population enjoys the practical ability to engage in independent political activity. About a quarter of candidates elected to the Mejlis in 2018 were women.

C. FUNCTIONING OF GOVERNMENT: 0 / 12

C1. Do the freely elected head of government and national legislative representatives determine the policies of the government? 0 / 4

The president, who is not freely elected, has ultimate decision-making authority. The executive branch determines laws and policies with no meaningful input or oversight from the rubber-stamp legislature, which mainly serves to endorse the president's decrees and policies.

C2. Are safeguards against official corruption strong and effective? 0 / 4

There are no independent institutions tasked with combating corruption, which is widespread in Turkmenistan. Anticorruption bodies have allegedly been used to extort revenue from wealthy officials and businesspeople. Crackdowns on corruption are typically selective and related to conflicts within the ruling elite.

Genuine checks on nepotism and conflicts of interest are lacking. Corruption is widespread across the public sector. Fourteen officials in Ashgabat and Ahal province were convicted in May 2022 on corruption and embezzlement charges for selling food stuffs, which had been slated as rations for the general population, to private businesses at a higher price.

C3. Does the government operate with openness and transparency? 0 / 4

Decisions on monetary policy, large-scale contracts with foreign companies, and the allocation of state profits from hydrocarbon exports are largely opaque and ultimately controlled by the president, without effective legal limits or independent oversight. Government officials and state-owned companies are not required to disclose their basic financial information to the public.

As in 2020 and 2021, the government continued to deny the presence of the COVID-19 virus in Turkmenistan throughout 2022, despite their implementation of a nationwide quarantine to prevent the spread of respiratory disease in January, and after lifting restrictions, instituting the measures again in July.

CIVIL LIBERTIES: 2 / 60

D. FREEDOM OF EXPRESSION AND BELIEF: 0 / 16

D1. Are there free and independent media? 0 / 4

Press freedom is severely restricted. The state controls nearly all broadcast and print media, and the state-run internet service provider blocks websites that carry independent news coverage or opposition-oriented content. Some citizens access foreign satellite broadcasts, but the government continues efforts to remove receivers from houses in the countryside.

Independent journalists, particularly those affiliated with Radio Free Europe/Radio Liberty (RFE/RL), experience harassment, detention, physical abuse, and prosecution on trumped-up charges. Turkmenistani authorities have continued to detain Turkmen.news correspondent Nurgeldy Halykov, who was imprisoned in September 2020 on false charges after sharing a photo of a World Health Organization (WHO) delegation in Ashgabat. Halykov has been held in isolation cells on three occasions, according to the Committee to Protect Journalists (CPJ).

D2. Are individuals free to practice and express their religious faith or nonbelief in public and private? 0 / 4

Legal restrictions, state monitoring and harassment, and the risk of penalties including fines and imprisonment have virtually extinguished the ability of individuals to freely practice religion. A 2016 law on religion maintained existing bans on religious activity outside state control, imposed a higher membership threshold for the registration of religious groups, and required all registered groups to reapply for registration. Senior Muslim clerics are appointed by the government, and Muslims who do not follow the officially approved interpretation of Islam are subject to persecution, including lengthy prison terms.

Members of unregistered religious minority groups continue to face raids, beatings, and other forms of harassment. Turkmenistanis who conscientiously object to compulsory military service for religious reasons risk imprisonment.

D3. Is there academic freedom, and is the educational system free from extensive political indoctrination? 0 / 4

The government places significant restrictions on academic freedom, limiting research on politically sensitive topics and imposing onerous obstacles to the recognition of degrees from foreign institutions. Curriculums in schools and universities are controlled by the government.

D4. Are individuals free to express their personal views on political or other sensitive topics without fear of surveillance or retribution? 0 / 4

Private discussion and the expression of personal views are highly restricted due to intrusive supervision by state security services, including physical surveillance, monitoring of telephone and electronic communications, and the use of informers. Users often face disruption to the Internet, and Turkmen.news reported in October 2022 that as many as one-third of all internet protocol (IP) addresses were blocked in the country.

In recent years, the government has employed increasingly sophisticated methods to monitor the population. Authorities have reportedly used special software to eavesdrop on voice over internet protocol (VoIP) calls, operate computer cameras remotely, and record keystrokes. Social media users who post critical comments about the government are subject to intimidation and imprisonment, and restrictions on social media sites, cloud storage services, and VPNs have intensified. In January 2022, RFE/RL reported that then-president Gurbanguly Berdimuhamedov ordered the National Security Ministry to clamp down on people posting on social networks who are critical of the government—people he framed as promoting terrorism and extremism.

E. ASSOCIATIONAL AND ORGANIZATIONAL RIGHTS: 0 / 12

E1. Is there freedom of assembly? 0 / 4

The constitution guarantees freedom of assembly, and the 2015 Law on Assemblies defines the right of individuals and groups to hold peaceful gatherings with prior authorization. However, the law grants officials broad discretion to block assemblies, and the authorities do not allow organized antigovernment demonstrations. In February 2022, a rare protest took place in Bayramaly, Mary Province, after police sought to dismantle a temporary informal bazaar, which had gone up after COVID-19 restrictions shut the central bazaar. The authorities eventually gave in to the protesters' demands and allowed the bazaar to remain in place.

E2. Is there freedom for nongovernmental organizations, particularly those that are engaged in human rights– and governance-related work? 0 / 4

Onerous registration and regulatory requirements effectively prevent most independent nongovernmental organizations (NGOs) from operating legally or receiving foreign funding, and activities by unregistered groups can draw fines, detention, and other penalties. Individual activists face intimidation and harassment, as do the family members of human rights activists working in exile.

Turkmenistani activists who live abroad have also faced pressure. In August 2022, two Turkmenistani human rights activists living in Turkey were beaten trying to deliver a letter to Turkmenistan's president at the consulate in Istanbul.[9] A similar incident took place in August 2021, when a Turkmenistani activist was also beaten inside the Istanbul consulate.

E3. Is there freedom for trade unions and similar professional or labor organizations? 0 / 4

Workers have a legal right to join trade unions, but there are no protections against antiunion discrimination, and strikes are prohibited. The government-controlled Association of Trade Unions of Turkmenistan is the only union organization permitted to operate.

F. RULE OF LAW: 0 / 16

F1. Is there an independent judiciary? 0 / 4

The judicial system is subservient to the president, who appoints and dismisses judges unilaterally. In practice, the courts are commonly used to punish dissent and remove potential threats to the president's political dominance.

F2. Does due process prevail in civil and criminal matters? 0 / 4

Arbitrary arrests and detentions are common, particularly for dissidents, members of unapproved religious groups, activists, and journalists who work with foreign organizations. The authorities frequently deny defendants' basic rights of due process, including public trials and access to defense attorneys.

F3. Is there protection from the illegitimate use of physical force and freedom from war and insurgencies? 0 / 4

Prison conditions are extremely harsh, and security forces routinely use torture to extract confessions or punish inmates, which can result in deaths in custody. Turkmenistanis are also subject to enforced disappearances. Physical abuse and hazing in the military have reportedly led to several deaths among conscripts in recent years. In February 2022, the Analytical Center for Central Asia Media (ACCA Media) reported that about 100 people were detained in one week in the capital Ashgabat. They were placed in the Zhitnikovo temporary detention center where they were tortured and assaulted.

F4. Do laws, policies, and practices guarantee equal treatment of various segments of the population? 0 / 4

Employment and education opportunities for members of non-Turkmen ethnic minorities are limited by the government's promotion of the Turkmen national identity, and activists who advocate for minority rights have faced persecution. Traditional social and religious norms help to restrict women's access to education and economic opportunity; there are no legal protections against sexual harassment in the workplace.

The law does not protect LGBT+ people from discrimination, and sexual activity between men can be punished with up to two years in prison.

G. PERSONAL AUTONOMY AND INDIVIDUAL RIGHTS: 2 / 16

G1. Do individuals enjoy freedom of movement, including the ability to change their place of residence, employment, or education? 0 / 4

Freedom of movement is restricted, with frequent reports of individuals being barred from traveling abroad; officials are reportedly instructed to prevent citizens under the age of 40 from leaving the country. The government is known to prohibit the families of dissidents and prisoners from leaving. Internal passports and a residency permit system also obstruct travel within the country.

Additional restrictions on the freedom of movement were imposed in January and July 2022 ostensibly in response to outbreaks of COVID-19, though the government denies the presence of the coronavirus in the country.

G2. Are individuals able to exercise the right to own property and establish private businesses without undue interference from state or nonstate actors? 1 / 4

The constitution establishes the right to property ownership, but the deeply flawed judiciary provides little protection to businesses and individuals, and the president's relatives monopolize key sectors of the economy that are not directly state controlled. Arbitrary evictions and confiscation of property are common.

G3. Do individuals enjoy personal social freedoms, including choice of marriage partner and size of family, protection from domestic violence, and control over appearance? 1 / 4

Domestic violence is reportedly common, but few victims file complaints with the authorities, and the government has not made significant efforts to monitor, prevent, or combat

the problem. Reporting and prosecution of rape are similarly limited. While polygamy has long been illegal, it apparently persists in practice.

Restrictions that entered into force in April 2022 significantly curtailed people's social freedoms, particularly women's. The new rules banned women from wearing tight clothes, dyeing their hair, and wearing certain accessories. Cosmetic surgery has been outlawed, male drivers of private cars are no longer allowed to have nonfamily female passengers, and women may not ride in the front seat of a car. There have been reports of couples being detained for holding hands in the city of Mary. There were also reports of women losing their jobs for having undertaken cosmetic surgery and being refused aboard a flight because of their appearance and their use of cosmetics.

G4. Do individuals enjoy equality of opportunity and freedom from economic exploitation? 0 / 4

The government forces thousands of students, public employees, and other citizens to participate in the annual cotton harvest with little or no pay. Impoverished residents of rural areas are especially vulnerable to trafficking abroad for forced labor or sexual exploitation, and the government does little to address the problem.

The state's mismanagement of a weak economy, including soaring inflation, has inhibited opportunity and imposed hardships on the population. Persistently low oil and gas prices have driven down vital export revenues in recent years, leading to reports of unpaid wages and shortages of basic goods. Basic food stuffs are reportedly being rationed and people caught buying more than their allotted shared of bread have been threatened by the police with a penalty of 15 days in prison.

Tuvalu

Population: 10,000
Capital: Funafuti
Freedom Status: Free
Electoral Democracy: Yes

Overview: Tuvalu is a parliamentary democracy that holds regular, competitive elections. Civil liberties are generally upheld. Ongoing problems include a lack of antidiscrimination laws to protect women and LGBT+ people, and there are concerns about child labor in some industries.

KEY DEVELOPMENTS IN 2022

- In January, Prime Minister Kausea Natano signed a ratification instrument bringing the country into the Pacific Agreement on Closer Economic Relations Plus trade agreement.
- In November, the government declared a state of emergency due to prolonged drought.
- The government ended coronavirus-related home isolation rules in November and opened the country's borders in December.
- A constitutional review committee issued its final report in December; in it, the committee suggested amendments that would rotate the governor general's

selection by region, limit the use of no-confidence votes, and prohibit discrimination on the basis of disability, among other things.

POLITICAL RIGHTS: 37 / 40

A. ELECTORAL PROCESS: 12 / 12

A1. Was the current head of government or other chief national authority elected through free and fair elections? 4 / 4

A governor general represents the British monarch as ceremonial head of state. The prime minister, chosen by Parliament, leads the government. Independent candidate Kausea Natano became prime minister after the free and fair September 2019 elections. He defeated another independent, Enele Sopoaga, in a secret ballot.

In 2020, Parliament established a select committee to review the constitution. The committee offered recommendations in its December 2022 report; some of the proposed amendments would rotate the selection of the governor general by island or region and prohibit no-confidence votes in the first and last 12 months of a parliament.

A2. Were the current national legislative representatives elected through free and fair elections? 4 / 4

The unicameral House of Assembly's 16 members are directly elected through contests in eight geographical constituencies, each of which are represented by two members. The attorney general has an advisory role and does not vote. Each of the main inhabited islands is also governed by an elected local council.

In the free and fair September 2019 elections, all candidates ran as independents. Two women ran for seats in Parliament, though only one was elected.

In May 2022, Deputy Prime Minister Minute Alapati Taupo died, triggering a by-election for his seat. Kitiona Tausi won in July.

A3. Are the electoral laws and framework fair, and are they implemented impartially by the relevant election management bodies? 4 / 4

Tuvalu's legal framework provides for democratic elections, and the laws are fairly and impartially implemented. An appointed secretary to the government is responsible for the supervision of elections and maintenance of voter rolls. Local polling officers are authorized to adjudicate election-related disputes in their districts, and there is a mechanism through which appeals may be filed.

B. POLITICAL PLURALISM AND PARTICIPATION: 15 / 16

B1. Do the people have the right to organize in different political parties or other competitive political groupings of their choice, and is the system free of undue obstacles to the rise and fall of these competing parties or groupings? 4 / 4

There are no formal political parties, though no law bars their formation. Candidates typically run as independents and form loose, frequently shifting alliances once in office.

B2. Is there a realistic opportunity for the opposition to increase its support or gain power through elections? 4 / 4

Tuvalu has an established pattern of democratic transfers of power. Individual prime ministers and governments rarely last a full term, with intense political rivalries sometimes prompting no-confidence votes. Such votes would be restricted under constitutional amendments proposed in December 2022.

B3. Are the people's political choices free from domination by forces that are external to the political sphere, or by political forces that employ extrapolitical means? 4 / 4

Traditional elders and the main Protestant church play an influential role in society, but they do not exercise undue control over individuals' political choices.

B4. Do various segments of the population (including ethnic, racial, religious, gender, LGBT+, and other relevant groups) have full political rights and electoral opportunities? 3 / 4

All Tuvaluans aged 18 and over who are present in the country on polling day but not imprisoned are eligible to vote. Politics are generally dominated by older, well-educated men. While women formally have full political rights, their participation is somewhat inhibited by discriminatory and widespread biases. Two women ran in the 2019 elections; one of them, an incumbent, won a seat. A move to add two reserved seats for women was considered as part of a constitutional review process in 2018 but has not since been acted upon.

C. FUNCTIONING OF GOVERNMENT: 10 / 12

C1. Do the freely elected head of government and national legislative representatives determine the policies of the government? 4 / 4

Tuvalu's elected officials develop and implement government policies and legislation without improper interference from any unelected entity. The country often receives funding from other countries and international entities to implement policies and programs. The Asian Development Bank, the World Bank, and partner countries provide the country with grants, but there have been no reported concerns of undue influence on government.

In 2019, the government reaffirmed its commitment to its relationship with Taiwan, which precludes any diplomatic ties with China and thus any influence Beijing might have on Funafuti. The prime minister visited Taiwan in September 2022.

C2. Are safeguards against official corruption strong and effective? 3 / 4

Corruption is not a severe problem in Tuvalu, and the country's independent auditing and law enforcement bodies are generally effective in combating graft.

Tuvalu has received assistance from international donors to strengthen anticorruption laws.

C3. Does the government operate with openness and transparency? 3 / 4

Government operations and legislative processes are generally transparent, though there is no freedom-of-information law to guarantee and regulate public access to official records. While officials are legally obliged to disclose their assets and income, the rules are not consistently enforced, according to the US State Department.

The government has sought to use technology, in part to disseminate information on official decisions that otherwise take days to reach the public. In 2019, Parliament livestreamed government proceedings on social media for the first time. In 2020, the government announced plans to become a "paperless society" by using blockchain technology to create a national digital ledger in which all public data would be stored. In 2021, the justice minister that said the government had not yet determined the project's total cost.

CIVIL LIBERTIES: 56 / 60

D. FREEDOM OF EXPRESSION AND BELIEF: 16 / 16

D1. Are there free and independent media? 4 / 4

The constitution provides for freedom of the press, and there are no reported restrictions on this right, though the small media market does not support independent domestic news

outlets. The government operates a radio station and a national newspaper. Many residents use satellite dishes to access foreign programming. Internet access is largely limited to the main island and is expensive and inconsistent everywhere else.

D2. Are individuals free to practice and express their religious faith or nonbelief in public and private? 4 / 4

The constitution and laws provide for freedom of religion, and this right is generally respected in practice. A Protestant church, the Congregational Christian Church of Tuvalu, has official status under the law, and a large majority of the population belongs to it. Cultural leaders are empowered to regulate local religious activities, and on smaller islands they sometimes discourage minority groups from proselytizing or holding public events.

D3. Is there academic freedom, and is the educational system free from extensive political indoctrination? 4 / 4

Academic freedom is generally respected.

D4. Are individuals free to express their personal views on political or other sensitive topics without fear of surveillance or retribution? 4 / 4

There are no significant restrictions on freedom of expression. The government does not improperly monitor personal communications or social media activity.

E. ASSOCIATIONAL AND ORGANIZATIONAL RIGHTS: 12 / 12

E1. Is there freedom of assembly? 4 / 4

Freedom of assembly is constitutionally protected and is typically upheld in practice.

E2. Is there freedom for nongovernmental organizations, particularly those that are engaged in human rights– and governance-related work? 4 / 4

Freedom of association is respected. Nongovernmental organizations operate without interference, providing a variety of services.

E3. Is there freedom for trade unions and similar professional or labor organizations? 4 / 4

Private-sector workers have the right to organize unions, bargain collectively, and strike. Public-sector employees can join professional associations and engage in collective bargaining, but they are not permitted to strike. Most labor disputes are resolved through negotiation. The only registered union represents seafarers.

F. RULE OF LAW: 15 / 16

F1. Is there an independent judiciary? 4 / 4

The judiciary is independent. The head of state appoints the chief justice on the advice of the cabinet, and other judges are appointed in the same manner after consultation with the chief justice. Judges cannot be removed arbitrarily.

A constitutional amendment proposed in December 2022 would introduce specific qualifications for holding judicial posts and would remove a provision requiring High Court judges to have served in countries with similar legal systems. That rule has effectively kept Tuvaluans from serving on the High Court. Another proposed amendment would allow for the creation of a public prosecutor's office; that office would fulfill some of the attorney general's current duties.

F2. Does due process prevail in civil and criminal matters? 4 / 4

The authorities generally uphold due process during arrests, detentions, and trials. A public defense lawyer is available to detainees and defendants. However, the limited capacity of the legal system can lead to delays in court proceedings and access to counsel.

F3. Is there protection from the illegitimate use of physical force and freedom from war and insurgencies? 4 / 4

Criminal activity does not pose a major threat to physical security, nor does abuse on the part of the authorities.

F4. Do laws, policies, and practices guarantee equal treatment of various segments of the population? 3 / 4

While women generally enjoy equality before the law, discriminatory biases and social norms limit women's role in society, and there are no specific legal protections against gender discrimination in employment.

Same-sex sexual activity is illegal and can be punished with imprisonment, though the law is not actively enforced. Discrimination based on sexual orientation or gender identity is not specifically banned. A constitutional review committee could not reach a consensus on prohibiting discrimination on the basis of sex per its December 2022 report. The committee did propose amendments to address discrimination on the basis of disability, however.

There is no national legal framework for providing refuge to asylum seekers.

G. PERSONAL AUTONOMY AND INDIVIDUAL RIGHTS: 13 / 16

G1. Do individuals enjoy freedom of movement, including the ability to change their place of residence, employment, or education? 4 / 4

Tuvaluans are free to travel and relocate for purposes including employment and education. The country's borders were closed to international travel in 2020 due to COVID-19; home isolation rules were rescinded in November 2022 and the border was reopened in December.

G2. Are individuals able to exercise the right to own property and establish private businesses without undue interference from state or nonstate actors? 3 / 4

Tuvalu's legal framework and government policies are generally supportive of property rights and private business activity. However, laws and practices surrounding land ownership and inheritance favor men over women.

G3. Do individuals enjoy personal social freedoms, including choice of marriage partner and size of family, protection from domestic violence, and control over appearance? 3 / 4

Although personal social freedoms are generally respected, domestic violence often goes unreported because it is viewed as a private matter. There are no specific laws against spousal rape.

G4. Do individuals enjoy equality of opportunity and freedom from economic exploitation? 3 / 4

Forced labor is prohibited, and the government mandates basic protections against exploitative or dangerous working conditions, though enforcement is not proactive or consistent. Most of the labor force works in the informal sector or in small-scale fishing and agriculture. No law addresses forms of harmful or hazardous child labor. The 2021 edition of the US State Department's *Findings on the Worst Forms of Child Labor* noted evidence

of child labor in the fishing industry and among domestic workers. The State Department also reported that Tuvalu made "minimal advancement" to address child labor.

Under legislation passed in 2017, the ombudsman's office functions as the country's national human rights institution. The office was charged with reviewing Tuvaluan legislation against Funafuti's international obligations under a 2016–20 action plan.

Uganda

Population: 47,200,000
Capital: Kampala
Freedom Status: Not Free
Electoral Democracy: No

Overview: While Uganda holds regular elections, their credibility has deteriorated over time. The country has been ruled by National Resistance Movement (NRM) and President Yoweri Museveni since 1986. The NRM retains power through patronage, intimidation, and politicized prosecutions of opposition leaders. Uganda's civil society and media sectors face legal and extralegal harassment and state violence.

KEY DEVELOPMENTS IN 2022

- In October, authorities established a new requirement for NGOs to register with the Personal Data Protection Office, providing organizations less than a month to complete the registration. The swiftness of the law, as well as the arbitrary nature of the requirement, is consistent with the tactics the government has used since 2019 shut down civil society groups. The deadline was later extended until the end of November.
- Also in October, President Museveni announced new lockdown restrictions to curb the spread of an outbreak of Ebola. The government was initially hesitant to address the outbreak of the virus, which began in September, likely resulting in an increased number of deaths.

POLITICAL RIGHTS: 11 / 40

A. ELECTORAL PROCESS: 3 / 12

A1. Was the current head of government or other chief national authority elected through free and fair elections? 1 / 4

The president is directly elected to serve five-year terms. Incumbent Yoweri Museveni, who first seized power in a 1986 coup, won the 2021 election with 58.6 percent of the vote, while National Unity Party (NUP) candidate Robert Kyagulanyi Ssentamu—known as Bobi Wine—won 34.8 percent. Turnout stood at 59 percent.

The campaign period, which began in late 2020, was marred by repression and violence, though polling day itself was calm besides a military presence in Kampala. Wine, who had been arrested several times in 2020, was placed under house arrest after casting his ballot, though the High Court of Kampala ordered his release later in January 2021. Leading up to the election, authorities selectively used COVID-19 restrictions to violently disperse opposition rallies and arrest journalists, while NRM events were allowed to proceed; police killed over 50 people. During the election, the Uganda Communications Commission

(UCC) ordered a five-day internet blackout. Internet access was largely restored by February 2021. Politically-motivated disappearances and reports of torture of opposition supporters in detention increased in the months after the election.

Few observers monitored the vote, and both foreign and domestic accreditation requests to observe the elections were denied. Wine accused the government of stuffing ballot boxes and filed a legal challenge that he later withdrew. The Citizens' Coalition for Electoral Democracy in Uganda (CCEDU) claimed the results were not credible due to COVID-19-related restrictions and the preelection violence and arrests, though they did not report incidents of stuffing ballot boxes.

A2. Were the current national legislative representatives elected through free and fair elections? 1 / 4

The 2021 elections for members of the unicameral Parliament were held concurrently with the presidential vote. A total of 499 representatives were directly elected, including parliamentarians for 353 single-member constituencies and 146 seats reserved for women. Another 30 were chosen to represent special interest groups (youth, the elderly, workers, the military, and persons with disabilities). Ex officio members hold 27 seats.

The NRM won 336 directly elected seats in January 2021. The NUP won 57, the Forum for Democratic Change (FDC) won 32; other parties won fewer than 10 seats. As with the presidential election, parliamentary contests were affected by violence, selectively enforced COVID-19 restrictions, internet shutdowns, and restrictions on journalists.

The NRM government was accused of intervening in multiple by-elections in 2022, through bribery, ballot-box stuffing, military presence at polling stations, and arrests of opposition members.

A3. Are the electoral laws and framework fair, and are they implemented impartially by the relevant election management bodies? 1 / 4

Independent observers, civil society, and opposition leaders have long called for substantive electoral-law reforms, which have been largely neglected. In early 2020, Parliament passed five overdue electoral reform bills, four of which received assent that July. Most Ugandans, however, do not trust the Electoral Commission (EC), which has repeatedly been accused of favoring the NRM, whether through fraud or voter disenfranchisement. The NUP criticized the management of the 2021 elections, citing the EC's admission that it did not add results from over 1,200 polling sites—many of them in Kampala—to its count, and that voter registration was halted over a year before the election, allegedly due to limitations in technical capacity.

B. POLITICAL PLURALISM AND PARTICIPATION: 5 / 16

B1. Do the people have the right to organize in different political parties or other competitive political groupings of their choice, and is the system free of undue obstacles to the rise and fall of these competing parties or groupings? 1 / 4

Uganda adopted a multi-party political system in 2005 after two decades of effectively one-party rule. The formation of political parties is legally protected, and many parties are registered. However, in practice, restrictive registration requirements and candidate eligibility rules, limited media coverage, and violent harassment by state authorities and paramilitary groups hinder opposition parties' ability to compete. The NRM dominates the political sphere and consistently wins elections deemed neither free nor fair.

The NUP has experienced significant repression from the authorities, particularly after the January 2021 elections. Several days after the polls, the party reported that military personnel

raided its headquarters. In early February, Wine claimed that over 3,000 NUP members had been abducted by authorities, though the government claimed only 31 people had been arrested. As of September 2022, the NUP had refused to sign onto the 2022 memorandum of understanding for the Interparty Organization for Dialogue, a long-running entity that seeks to bring together parties in Parliament to discuss democratic reform, which the NRM leads.

In June 2020, the government prohibited all political gatherings, nominally as a health measure in response to the COVID-19 pandemic. The ban was disproportionately enforced on opposition parties.

B2. Is there a realistic opportunity for the opposition to increase its support or gain power through elections? 1 / 4

The NRM dominates all levels of government, such that it is often difficult to distinguish the party from state institutions. There are several dozen opposition lawmakers, as well as numerous independents (though many independents support the NRM). Election campaigns are characterized by violence, intimidation, and harassment of opposition candidates and supporters. Economic resources are also significantly tied to overtly or quietly supporting the NRM.

Leaders of opposition parties and political movements are sometimes arrested on spurious criminal charges. For example, Wine was arrested several times during the 2020–21 campaign period and was placed under house arrest on polling day. He had previously been charged with treason over a 2018 incident. In July 2022, over 70 opposition party members were arrested during by-elections in Soroti and other parts of the country.

B3. Are the people's political choices free from domination by forces that are external to the political sphere, or by political forces that employ extrapolitical means? 1 / 4

The military, which remains closely aligned with Museveni and the NRM, has 10 reserve seats in Parliament. The government and NRM reportedly use public resources and patronage networks to build political support among religious leaders and other influential figures. The government has also been accused of bribing or coercing opposition parliamentarians and supporters to join its ranks; in July 2022, Democratic Party (DP) leader Norbert Mao, agreed to join the NRM and was subsequently appointed justice minister.

Disappearances and political violence around the 2021 election loom large in the public's awareness, particularly as some people have not returned from detention, which may discourage many from engaging in the political sphere.

B4. Do various segments of the population (including ethnic, racial, religious, gender, LGBT+, and other relevant groups) have full political rights and electoral opportunities? 2 / 4

Although Uganda has many diverse ethnic groups, they lack equal representation. Groups like Alur, Ik, Bagungu, Bakonzo, Kakwa, Batwa, and Karamojong are disproportionately affected by violent conflicts, have less access to education, and receive inadequate health care. The NRM has repressed the political representation of and advocacy by these various ethnic groups, including those affiliated with subnational kingdoms.

The political system includes quotas for special interest groups including youth, people with disabilities, elderly people, and women. Quotas for women span all levels of government, including Parliament where women held 33.8 percent of seats as of 2021. However, reserve seats have been criticized for creating the perception that directly elected positions are meant for men and have been called a means to co-opt women through patronage networks rather than meaningfully improving their representation and rights. LGBT+ people in Uganda face severe discrimination and are not represented in politics.

C. FUNCTIONING OF GOVERNMENT: 3 / 12

C1. Do the freely elected head of government and national legislative representatives determine the policies of the government? 1 / 4

Power is concentrated in the hands of the NRM leadership, the security forces, and especially Museveni, who retains office through various undemocratic means. Ministers have little ability to influence legislation in which the government has a particular interest, though there is more consultation on ordinary policy matters. The executive secures passage of key legislation through inducement, harassment, and intimidation of the legislative branch.

C2. Are safeguards against official corruption strong and effective? 1 / 4

Despite laws and institutions designed to combat official malfeasance, including the Anti-Corruption Act of 2009 and the Inspectorate of Government, corruption remains a significant problem. A December 2021 Inspectorate of Government report found that the country loses an estimated $5.5 billion annually to corruption in key government agencies, and $161.7 million in fraudulent procurement deals. Petty corruption also characterizes many government services, notably the Uganda Police Force.

C3. Does the government operate with openness and transparency? 1 / 4

Many government departments deny requests for information under the Access to Information Act (AIA), and laws related to national security and confidentiality impede open access to information in practice. Government agencies seem to release information that only favors the regime. For example, in 2020, the EC made public the academic documents of Wine while refusing to release those of President Museveni, despite numerous petitions. Public procurement decisions are generally opaque.

In October 2022, President Museveni announced new lockdown restrictions to curb the spread of an outbreak of Ebola. The government was initially hesitant to address the outbreak of the virus, which began in September, likely resulting in an increased number of deaths.

CIVIL LIBERTIES: 24 / 60 (+1)

D. FREEDOM OF EXPRESSION AND BELIEF: 9 / 16 (+1)

D1. Are there free and independent media? 2 / 4 (+1)

The media sector features many formally independent outlets; however, journalists face intimidation including arrest, harassment, and assault, especially for writing that is critical of the president and his inner circle. Particularly in election years, government authorities raid and shut down radio stations and other outlets and remove accreditation from journalists as retribution for critical reporting.

Throughout 2022, journalists were more able to publish articles critical of the government than in previous years, though self-censorship is still common. Social media is a significant part of a robust culture of independent journalism and contributed to the opening of journalistic space.

Score Change: The score improved from 1 to 2 because independent journalists and media outlets were more able to report critically on the government than in previous years, though journalists still self-censor and risk arrest for engaging in their work.

D2. Are individuals free to practice and express their religious faith or nonbelief in public and private? 3 / 4

There is no state religion, and freedom of worship is both constitutionally protected and generally respected in practice. The government seeks to limit and control political

statements by religious leaders, tolerating those who support for Museveni and the NRM while subjecting those with more critical views to intimidation, harassment, and arrest.

A number of Muslim clerics have been murdered in recent years, and the investigations into the crimes have not yet led to any convictions.

D3. Is there academic freedom, and is the educational system free from extensive political indoctrination? 2 / 4

Academic freedom has been undermined by alleged government surveillance of university lectures, and the requirement for professors to obtain permission to hold public meetings at universities. Instances of dismissal and detention of university faculty and leadership are broadly seen as government attempts to censor critical voices. Academics working at public universities fear that researching politically sensitive topics could hinder their career progression. Authorities often respond harshly to campus protests by student groups.

D4. Are individuals free to express their personal views on political or other sensitive topics without fear of surveillance or retribution? 2 / 4

Individuals are nominally free to express their personal views on political and other sensitive topics; however, there is a widespread belief that supporting the opposition will limit one's future opportunities for education, employment, and government services. Media reports in 2021 indicated that Ugandan intelligence officials used spyware to monitor journalists, political opposition, and foreign diplomats.

In addition to monitoring social media platforms, the government has implemented various policies to limit individuals' online political expression. Facebook has been banned in the country since 2021, though many people access it through virtual private networks (VPNs). In late 2020, the UCC required online content creators to register and pay a $27 fee. In October 2022, the government signed into law the Computer Misuse (Amendment) Act, which criminalizes sharing false or unsolicited information online. Some analysts fear the law will be weaponized against Ugandans who criticize the government online.

E. ASSOCIATIONAL AND ORGANIZATIONAL RIGHTS: 4 / 12

E1. Is there freedom of assembly? 1 / 4

Freedom of assembly for political opposition is severely restricted in Uganda. From 2013 until early 2020, the police imposed the Public Order Management Act (POMA), which required prior registration with local police to hold any public meeting. While POMA was annulled in March 2020, the decision was appealed to the Supreme Court—which had as of December 2022 not made a ruling—and that same month, strict COVID-19 restrictions went into effect. These were then similarly used to restrict public gatherings, particularly those organized by the political opposition. Police and security forces enforced restrictions violently and without respect for due process, resulting in injury and arbitrary detention.

E2. Is there freedom for nongovernmental organizations, particularly those that are engaged in human rights– and governance-related work? 1 / 4

Civil society in Uganda is active, and several NGOs address politically sensitive issues. However, their operations are vulnerable to legal restrictions, burdensome registration requirements, and intimidation. Human rights NGOs have reported office break-ins and burglaries; police have failed to adequately investigate the incidents. In September 2022, four human rights activists were arrested as they marched to Parliament to petition for action on behalf of Ugandan migrant workers.

Other government requirements restrict civic space, including one from 2019 forcing NGOs to inform the National Bureau for NGOs on staffing, finances, and activities. That November, some 12,000 NGOs were closed for failing to renew their registration. In 2022, the government continued to close NGOs for failing to comply with legal requirements, including those working on human rights issues like rights for LGBT+ people. In October, authorities established a new requirement for NGOs to register with the Personal Data Protection Office, providing organizations less than a month to complete the registration. The swiftness of the law, as well as the arbitrary nature of the requirement, is consistent with the tactics the government has used since 2019 shut down civil society groups. The deadline to register was later extended until the end of November.

E3. Is there freedom for trade unions and similar professional or labor organizations? 2 / 4

Workers' rights to organize, bargain collectively, and strike are recognized by law, except for workers providing essential government services. As of 2020, there were 42 trade unions in Uganda, representing about a million people. Most are grouped under two umbrella entities—the National Organization of Trade Unions (NOTU) and the Central Organization of Free Trade Unions (COFTU). Despite legal and institutional protections, trade unions have been undermined by government co-optation, intimidation, and manipulation designed to frustrate their organizing and bargaining efforts. While some unions cater to informal workers, they generally prioritize the formal sector.

F. RULE OF LAW: 4 / 16

F1. Is there an independent judiciary? 1 / 4

The Ugandan judiciary suffers from lack of investment, executive influence, and systemic corruption, which weaken judicial independence. Many critics see the judiciary as a political tool for the NRM, particularly as it consistently rules in line with President Museveni's interests. High Court justices are selected by the president after recommendation from the Judicial Services Commission; the members of the Judicial Service Commission are themselves appointed by the president with approval from Parliament.

Critics argued that a 2022 proposal to expand the Supreme Court from 11 to 21 judges would further politicize the court in favor of the NRM. Others claim it reflects a continued expansion of a political patronage system, since the president's cabinet cannot be further expanded, and Parliament has already been expanded significantly.

F2. Does due process prevail in civil and criminal matters? 1 / 4

Police routinely engage in arbitrary arrests and detentions, despite legal safeguards against such practices. Due process is also affected by prolonged pretrial detention, inadequate access to counsel for defendants, and corruption. A number of reform initiatives in recent years, including the introduction of plea bargaining in 2015, have reportedly had some success in reducing case backlogs. Police are known to rearrest suspects who have been released from detention.

F3. Is there protection from the illegitimate use of physical force and freedom from war and insurgencies? 1 / 4

The Lord's Resistance Army (LRA), a militant group that sought to overthrow the government, was active from the 1980s until its forced withdrawal from Ugandan territory in the mid-2000s. The Allied Democratic Forces (ADF) still operate in the western region on the border with the Democratic Republic of Congo (DRC), and were linked to bombings in Kampala in October and November 2021. Throughout 2021, the Ugandan

and Congolese militaries joined efforts to fight the ADF in the DRC and have reported that their efforts have been largely successful. The Karamoja region has also seen ongoing insecurity mainly caused by cattle raiding; by September 2022, the Ugandan government had built seven new police posts in an effort to quell the violence. State violence remains a real threat for many, especially those active in political opposition; gender-based violence is also prevalent.

Rape, extrajudicial violence, and torture and abuse of suspects and detainees by security forces are persistent problems, and perpetrators are rarely prosecuted. Prison conditions are poor. The prison system operates at triple its intended capacity, with pretrial detainees constituting nearly half of the inmate population as of August 2022, according to the World Prison Brief database.

F4. Do laws, policies, and practices guarantee equal treatment of various segments of the population? 1 / 4

Ugandan laws prohibit discrimination based on ethnicity, religion, age, race, disability, color, and sex. However, LGBT+ people face overt hostility from the government and society. Same-sex relations are criminalized under a colonial-era law, and people accused of same-sex relations are at significant risk of being tortured and killed. Numerous parliamentary and presidential attempts to pass new and even harsher legislation against LGBT+ people have made it a common talking point in the media.

While employment discrimination based on gender and other criteria is legally prohibited, in practice it is poorly enforced and does not apply to the vast informal sector.

There were nearly 1.5 million refugees living in Uganda as of mid-2022, and the United Nations has praised the government for its progressive asylum policies. However, it struggles to fund basic services for some refugee populations.

G. PERSONAL AUTONOMY AND INDIVIDUAL RIGHTS: 7 / 16

G1. Do individuals enjoy freedom of movement, including the ability to change their place of residence, employment, or education? 3 / 4

Freedom of movement is largely unrestricted, though this was not the case during the COVID-19 pandemic when the government violently enforced harsh restrictions. The last curfew restrictions were lifted in February 2022. However, economic barriers to movement often limit Ugandans' mobility in practice.

G2. Are individuals able to exercise the right to own property and establish private businesses without undue interference from state or nonstate actors? 2 / 4

Land disputes are common, especially in the post-conflict north, and throughout the country where private investors seek to develop land or extract resources, resulting in forced evictions which are sometimes but not always compensated. While women have a legal right to own and inherit land, they are often excluded from doing so.

In 2020, the government received a commission of inquiry (COI) report on land rights, which recommended the establishment of land courts and an ombudsman, among other measures. In March 2022, President Museveni banned all land evictions not approved by the District Security Committee, chaired by the presidentially appointed Resident District Commissioner.

Despite Museveni's actions, evictions due to environmental concerns including flooding and landslides are increasingly common. Throughout 2022, opposition politicians criticized the government for selectively evicting people from environmentally sensitive areas, whether to protect the land or the people.

G3. Do individuals enjoy personal social freedoms, including choice of marriage partner and size of family, protection from domestic violence, and control over appearance? 1 / 4

Aside from restrictions on same-sex relations including marriage, personal social freedoms are largely regulated at a societal and familial level. The median age of marriage for women is 18.7 years, compared to 23.3 years for men, according to a 2016 national survey. In the same survey, 25 percent of women reported that their husband or partner had multiple wives. Domestic violence is widespread; more than 60 percent of young adults experienced physical abuse as children, according to a 2019 UN Children's Fund report, while in the 2016 national survey, 46 percent of ever-married women and 23 percent of ever-married men report that they are afraid of their current or most recent partner some or most of the time. As noted in other sections, there is very low tolerance for LGBT+ people, who face serious persecution and physical danger.

A Nordic Africa Institute report published in May 2021 noted that Ugandan girls were at higher risk of gender-based violence (GBV) due to COVID-19-related school closures and stringent lockdown measures. Nearly 645,000 teenage pregnancies were reported between March 2020 and September 2021, according to the UN Population Fund.

G4. Do individuals enjoy equality of opportunity and freedom from economic exploitation? 1 / 4

Poor enforcement of labor laws contributes to unsafe or exploitative conditions for some workers, including extremely low pay. Child labor in agriculture, domestic service, and a variety of other industries is a significant problem, and the issue is most prevalent in rural areas. Sexual exploitation of minors is also an ongoing problem.

While Uganda maintains domestic laws to promote workers' rights, the government has failed to regulate the recruitment and transfer of Ugandan domestic workers to Middle Eastern countries. An estimated 165,000 Ugandans have migrated to Saudi Arabia since 2017. Accounts describe workers experiencing sexual abuse, beatings, exploitation, and torture. In July 2022, the Committee on Gender, Labour, and Social Development urged the government to put in place a system to monitor and protect Ugandans employed as domestic workers abroad; in September, the government announced its plan to repatriate 500 Ugandan migrant workers from the Arabian Peninsula.

Ukraine

Population: 41,000,000
Capital: Kyiv
Freedom Status: Partly Free
Electoral Democracy: No

Note: The Russian military's full-scale invasion of Ukraine in February 2022 led to significant deterioration in the political rights and civil liberties enjoyed by Ukrainians. The numerical scores and status listed above do not reflect conditions in the previously occupied Ukrainian territories of Crimea and Eastern Donbas, which are examined in separate reports. *Freedom in the World* reports assess the level of political rights and civil liberties in a given geographical area, regardless of whether they are affected by the state, nonstate actors, or foreign powers. Disputed or occupied territories are sometimes assessed separately if they

meet certain criteria, including boundaries that are sufficiently stable to allow year-on-year comparisons. For more information, see the report methodology.

Overview: The Russian armed forces launched an all-out invasion of Ukraine in February 2022, inflicting massive civilian and military casualties and destroying civilian infrastructure. Millions of Ukrainians have been displaced from their homes, and Russian troops have engaged in extrajudicial executions, torture, and sexual violence against local residents. In areas subjected to longer periods of occupation, Russian authorities have used intimidation, arbitrary detention, and torture to assert control over political expression, the education system, and many other aspects of civilian life. Ukraine has received substantial military, diplomatic, humanitarian, and financial support from the United States, European Union (EU) member states, and other democracies since the full-scale invasion. President Volodymyr Zelenskyy declared martial law immediately after the invasion and was widely credited with overseeing a successful defense effort, though his government has also implemented some war-related legal changes that drew international and domestic criticism for their impact on civil liberties. In previous years, the current and other Ukrainian administrations had enacted a number of positive reforms as part of a drive to strengthen democratic institutions, combat corruption, and reduce the influence of politically powerful business magnates.

KEY DEVELOPMENTS IN 2022

- On February 24, the Russian military launched an all-out invasion of Ukraine from both Russian and Belarusian territory, striking major cities across the country and pressing toward the capital. President Zelenskyy immediately declared martial law, which was approved by the parliament and entered into force on the same day.
- After the Ukrainian army forced Russian troops to retreat from the Kyiv, Chernihiv, and Sumy Regions in early April, most fighting was concentrated in eastern and southern areas of Ukraine. However, Moscow carried out indiscriminate missile and artillery strikes on Ukrainian cities throughout the year. Civilian and military targets were struck across the country, leaving millions of civilians without electricity, heating, water, or adequate housing. The war also caused massive civilian and military casualties, and millions of Ukrainians were internally displaced or compelled to seek refuge abroad. Russian troops engaged in extrajudicial executions, torture, sexual violence, and other crimes against civilians. More than 15 percent of Ukrainian territory, including Crimea and Eastern Donbas, was under Russian occupation at year's end.
- In June, the European Council granted Ukraine EU candidate status. The decision was viewed as an important demonstration of support for Ukrainians and opposition to the Russian invasion.
- Also during the year, Ukrainian authorities appointed a new chief anticorruption prosecutor, who quickly reopened stalled cases and launched new investigations, and ratified the Istanbul Convention, the Council of Europe's treaty on preventing and combating violence against women and domestic violence.
- In July, the parliament adopted a new labor code that effectively stripped employees of small and medium-sized companies of many legal protections. Zelenskyy ratified the change in August after adding a last-minute qualification that it would only be effective while Ukraine was under martial law. In December, Zelenskyy signed a controversial bill that expanded the government's power to regulate media groups and journalists.

POLITICAL RIGHTS: 22 / 40 (–4)

A. ELECTORAL PROCESS: 9 / 12

A1. Was the current head of government or other chief national authority elected through free and fair elections? 4 / 4

The president is directly elected for up to two five-year terms. In the 2019 election, held in two rounds in March and April, Zelenskyy defeated incumbent president Petro Poroshenko with 73.2 percent of the second-round vote, winning a majority of votes in all but one region. International observers deemed the election competitive and credible, although polling could not take place in Crimea and Eastern Donbas.

A2. Were the current national legislative representatives elected through free and fair elections? 3 / 4

The 450 members of the unicameral Supreme Council (Verkhovna Rada) are elected to five-year terms through a mixed system in which half of the members are chosen by closed-list proportional representation and the other half in single-member districts.

In early elections held in July 2019, President Zelenskyy's Servant of the People party won 254 seats, giving it an outright majority—the first time any party had crossed that threshold since independence. The Poroshenko bloc, which had rebranded as European Solidarity, took 25 seats. The Opposition Platform–For Life (OPZZh) grouping took 43 seats, Fatherland 26, and the Voice Party 20.

The elections were deemed generally competitive and credible, despite some problems. Voting was impossible in Crimea and Eastern Donbas. Consequently, the elections filled only 424 of the 450 seats. In addition, approximately one million Ukrainian citizens were unable to vote for lack of a registered address. An Organization for Security and Co-operation in Europe (OSCE) election-monitoring mission cited irregularities including "widespread vote buying, misuse of incumbency, and the practice of exploiting all possible legislative loopholes" that contributed to inequalities among competitors.

Ukraine held local elections in October 2020. A plurality of elected local councillors nationwide were independent candidates. Servant of the People was largely unsuccessful when contesting the mayoralties of larger cities, though it maintained representation on most city councils. Despite the generally professional administration of the elections by the Central Election Commission (TVK) during the COVID-19 pandemic, OSCE observers again expressed concern about widespread vote-buying allegations and abuse of state resources, among other issues.

A3. Are the electoral laws and framework fair, and are they implemented impartially by the relevant election management bodies? 2 / 4

The mixed electoral system for the parliament that governed past polls, including those in 2019, has been criticized as prone to manipulation and vote-buying. President Zelenskyy attempted to introduce an entirely party-list-based system prior to the 2019 parliamentary elections but could not garner enough support from lawmakers. That December, the new parliament adopted an electoral code that partially implemented a proportional-representation voting system, with open party lists for both parliamentary and local elections. Zelenskyy enacted it at the end of that year.

The 2020 local elections were held under the new code, though it was modified a number of times that year; among other changes, internally displaced persons (IDPs) who lacked documentation for their current place of residence were allowed to vote in local elections, helping to resolve one criticism of the 2019 national polls. The TVK decided not to conduct

local elections in 18 communities in the Donetsk and Luhansk Regions of eastern Ukraine, located close to the contact line with noncontrolled territories. The decision affected 475,000 voters, who continued to be governed by military-civil administrations appointed directly by the president. In December 2021, the TVK began discussions with the Donetsk and Luhansk military-civil administrations on the possibility of holding elections there in March 2022, but the Russian military's all-out invasion of Ukraine in February disrupted those plans.

Martial law prohibits calling and holding elections or referendums at both national and local levels as long as it remains in effect. The next parliamentary elections were set to take place by October 2023, and the next presidential election was due in 2024.

B. POLITICAL PLURALISM AND PARTICIPATION: 11 / 16 (–1)

B1. Do the people have the right to organize in different political parties or other competitive political groupings of their choice, and is the system free of undue obstacles to the rise and fall of these competing parties or groupings? 2 / 4 (–1)

Prior to the 2022 invasion, with the exception of a ban on the Communist Party, there were no formal barriers to the creation and operation of political parties in Ukraine. However, in May 2022, Zelenskyy signed a law banning political parties that justify, recognize as legitimate, or deny Russian aggression against Ukraine. More than a dozen parties were subsequently identified as "pro-Russian" and banned, including the largest opposition party, the OPZZh. Five parties appealed the decision in courts, and some analysts and civil society groups expressed concern about a lack of safeguards to prevent these fast-track party bans from being imposed arbitrarily.

Some members of the banned parties found ways to stay in office. A number of OPZZh members left the party and formed two new parliamentary groups, the Platform for Life and Peace (PZZhM) and the Restoration of Ukraine (VU). These lawmakers frequently voted in support of Zelenskyy's initiatives during 2022 to demonstrate their readiness to cooperate with the ruling party. Ukraine's opposition factions have also united into an informal "defense coalition" to minimize infighting and accelerate the passage of laws that are critical to national security. In March, the parliament stripped one national parliament member, Illia Kyva, of his mandate on suspicion of treason.

In occupied parts of Ukraine, the Russian military has used intimidation, arbitrary detention, and torture to assert control over political expression and activities, and to force local civilians to submit to Russian rule. The Russian security services compiled lists of potential dissenters and conducted "filtration" at checkpoints throughout Russian-controlled areas. Some who escaped occupied areas reported being forced to denounce Ukraine and pledge allegiance to Russia on camera. It is estimated that more than 600 people who opposed the occupation were disappeared during the eight-month-long Russian military presence in western Kherson Region alone.

A law that took effect in 2016 provides parliamentary parties with state funding, but it effectively favors established groups. Parties must win at least 5 percent of the vote to receive funding. New party registration fees are extremely high relative to average income and cost of living. Parties can only register with the Ministry of Justice if they can demonstrate a significant support base (10,000 signatures) in two-thirds of Ukraine's oblasts (regions). Massive war-induced population displacement and human losses in 2022 presented additional challenges to future party formation.

Party financing in Ukraine remains opaque, despite robust laws to regulate it. In November 2021, a law banning politically connected business magnates, known as oligarchs, from funding political parties went into effect.

Score Change: The score declined from 3 to 2 because Russian forces violently suppressed Ukrainian political activity in occupied areas, and the Ukrainian government implemented a new law allowing swift bans on political parties that were identified as "pro-Russian."

B2. Is there a realistic opportunity for the opposition to increase its support or gain power through elections? 4 / 4

Ukrainian politics feature dynamic competition among parties. Opposition groups continue to be represented in the parliament, and their political activities are generally not impeded by administrative restrictions or legal harassment. Grassroots parties often have difficulty competing with more established parties that have enjoyed the support and financial backing of oligarchs.

B3. Are the people's political choices free from domination by forces that are external to the political sphere, or by political forces that employ extrapolitical means? 2 / 4

Moscow wielded indirect political influence in some eastern and southern regions even after its seizure of Crimea and occupation of parts of eastern Ukraine beginning in 2014. However, the scale and scope of the 2022 invasion and atrocities committed by Russian troops against Ukrainian civilians have broken many of these ties, and the Russian government now largely relies on armed force to control political affairs in areas under its control.

Ukrainian oligarchs exert significant influence over politics directly and indirectly, including through financial support for political parties and lobbying for the appointment of loyalists to key institutional positions. However, individuals defined as oligarchs under legislation signed into law in November 2021 were prohibited from funding political parties.

Although electoral laws forbid the use of public resources in election campaigns, incumbent officials were able to use administrative resources without penalty during the 2020 local election campaign.

B4. Do various segments of the population (including ethnic, racial, religious, gender, LGBT+, and other relevant groups) have full political rights and electoral opportunities? 3 / 4

There are no formal restrictions on the participation of women and members of ethnic, racial, or other minority groups in political life. However, their voting and representation are hindered by factors including discrimination that discourages political participation, and, for many Roma, a lack of identity documents. Independent candidates cannot run for local council positions in towns with over 10,000 inhabitants. Societal discrimination against LGBT+ people affects their ability to engage in political and electoral processes. Severe violence and repression that accompanied the 2022 Russian invasion precluded meaningful political participation for many individuals.

A record 87 women were elected to the parliament in 2019, though this amounted to only 20 percent of all seats. Local elections held in October 2020 were the first to feature a mandatory 30 percent party-list gender quota, but some local lists did not comply with that requirement. Female representation in city councils stood at 30.2 percent after those elections, an improvement over the 18.1 percent figure in their previous terms. Female regional council representation increased from 15 percent to 27 percent.

C. FUNCTIONING OF GOVERNMENT: 4 / 12 (–1)

C1. Do the freely elected head of government and national legislative representatives determine the policies of the government? 2 / 4 (–1)

Elected officials craft and implement reforms, though many initiatives stall due to opposition from powerful business groups and other special interests. The main obstacle to effective governance in government-controlled parts of Ukraine is corruption.

The elected government is unable to exercise full control over Ukrainian territories that are under Russian occupation, which following the 2022 invasion amounted to more than 15 percent of the country.

Score Change: The score declined from 3 to 2 because the Russian invasion reduced the share of national territory that remained under the control of the elected executive and legislature.

C2. Are safeguards against official corruption strong and effective? 1 / 4

Corruption remains a serious problem, and the political will to fight it has been inconsistent. Anticorruption agencies have repeatedly been ensnared in politically fraught conflicts with other state entities and elected officials. In a ruling published in 2020, the Constitutional Court restricted many of the powers held by the National Agency on Corruption Prevention, impairing its ability to function.

In July 2022, in response to recommendations that accompanied the EU decision to grant Ukraine candidate status, Ukrainian leaders finally appointed experienced investigator Oleksandr Klymenko as the head of the Specialized Anti-Corruption Prosecutor's Office, after a long selection process that followed his predecessor's resignation nearly two years earlier. Klymenko reopened a number of stalled cases and opened a new case against lawmaker Andriy Derkach for allegedly receiving payments from Russian intelligence agencies in exchange for planning subversive activities against Ukraine.

In May 2022, the parliament registered a draft law under which individuals facing criminal corruption charges for the first time could avoid penalties if they compensated in full for any financial damage they had caused. The authors of the draft law, which would apply during the period of martial law, claimed to be motivated by a desire to conserve law enforcement resources and replenish the national budget through restitution from corrupt officials. Critics viewed the measure as an avenue for corrupt officials to escape prosecution for crimes committed prior to the 2022 invasion.

In June 2022, the parliament adopted an anticorruption strategy through 2025 that outlines key performance indicators and monitoring instruments for government bodies. The new strategy reflects and instructs closer coordination among various anticorruption institutions and government agencies, and prescribes public access to anticorruption monitoring and assessment reports.

C3. Does the government operate with openness and transparency? 1 / 4

Since 2014, Ukraine has made significant progress on transparency, including through the digitization of city planning and public procurement, monitoring of public officials' assets and lifestyles, and investigative journalism, yet endemic corruption remains a challenge. Estimates in 2021 still showed that Ukraine's budget was losing $37 billion a year due to corruption. Asset declarations were weakened in 2020 as a result of a Constitutional Court decision; the court struck down the relevant law, and a new one with diluted requirements was later enacted.

Government transparency has further declined as a result of the ongoing war and martial law. Parliamentary committee meetings are no longer open to the public as ordinarily required by law; meeting locations, times, and agendas are no longer disclosed in advance, ostensibly for security reasons.

In May 2022, President Zelenskyy launched the "United 24" initiative to coordinate charitable donations in support of Ukraine. Critics argued that while the initiative was an efficient way to coordinate foreign assistance, it offered the president's office another means

of centralizing authority, as the distribution of funds was believed to be the responsibility of the cabinet, which is generally subordinate to the presidential administration.

ADDITIONAL DISCRETIONARY POLITICAL RIGHTS QUESTION

Is the government or occupying power deliberately changing the ethnic composition of a country or territory so as to destroy a culture or tip the political balance in favor of another group? –2 / 0

Throughout the Russian military campaign in Ukraine in 2022, Russian authorities openly admitted that their aim was to extinguish Ukrainian statehood and bring much, if not all, of the country under Moscow's rule. The retreat of Russian troops from towns in the Kyiv, Kharkiv, and Kherson Regions, among other areas, revealed mounting evidence of Russian war crimes, including targeted executions, rape, and torture of Ukrainian civilians.

An independent legal analysis—sponsored by the New Lines Institute, a nonpartisan US-based think tank, and Canadian nonprofit the Raoul Wallenberg Centre for Human Rights, and signed by more than 30 independent experts—concluded that there were reasonable grounds to believe that the Russian state was responsible for "direct and public incitement to commit genocide," and that "a pattern of atrocities" committed by the Russian military pointed to "intent to destroy the Ukrainian national group."

Russian forces have systematically destroyed symbols of Ukrainian statehood and heritage throughout the occupied regions of eastern and southern Ukraine, including historical monuments, museums, churches, and Ukrainian-language signage. The Russian occupation authorities have also destroyed Ukrainian books and ordered teachers to inculcate the Kremlin's version of history, deny the existence of the Ukrainian nation, and cultivate Russian patriotism among Ukrainian schoolchildren.

Ukrainian officials estimated that 1.2 million Ukrainians were forcibly taken to Russia during the year. Russian authorities also separated Ukrainian children from their parents and abducted children from Ukrainian orphanages, hospitals, and other institutions, forcibly transferring them to Russia. In May 2022, Russian president Vladimir Putin signed a law that made it easier for Russians to adopt Ukrainian children; Russia otherwise bans foreign adoptions. The Russian government has also offered payment to individuals for adopting children who become Russian citizens. Some 480,000 Ukrainian children have been transferred from occupied regions of Ukraine—including Eastern Donbas—to Russia, according to estimates in Russian media outlets.

Score Change: The score declined from 0 to −2 because Russian forces have sought to eliminate Ukrainian ethnic and national identity in areas under their control, in part by seizing or destroying cultural sites and materials, punishing use of the Ukrainian language, and abducting and transferring hundreds of thousands of Ukrainian children to Russia.

CIVIL LIBERTIES: 28 / 60 (–7)

D. FREEDOM OF EXPRESSION AND BELIEF: 9 / 16 (–2)

D1. Are there free and independent media? 2 / 4

The constitution guarantees freedoms of speech and expression, and libel is not a criminal offense. Prior to the 2022 war, the media landscape featured considerable pluralism, open criticism of the government, and investigation of powerful figures. However, business magnates owned and influenced many outlets, using them as tools to advance their agendas. A number of Russian news outlets and their journalists were prohibited from entering the country. Various language laws require news outlets to produce certain content in the Ukrainian language.

Access to a number of Russian news channels, websites, and social media platforms is banned; residents of Ukraine have otherwise enjoyed unrestricted access to the internet.

At the start of the Russian invasion in February 2022, the Ukrainian government consolidated all television channels under a single government-controlled information platform, United News, that is broadcast around-the-clock on all channels in Ukraine. In late December 2022, Zelenskyy signed into law a controversial bill that expanded the government's control over print and online media, ostensibly to prevent the potential spread of Russian propaganda. Among other provisions, the law allows authorities to close news sites that are not officially registered as media without a court order, and several journalist groups called it "a threat to free speech," dictatorial, and a step away from "European Union standards."

Journalists in Ukraine have been targeted by invading Russian forces and continue to face life-threatening risks while carrying out their basic duties. Both Ukrainian and foreign journalists were killed covering the invasion in 2022. Ukraine's Institute for Mass Information (IMI) reported that 43 journalists were killed in Russian military attacks, 8 while working and 35 as participants in fighting or as victims of shelling. The Committee to Protect Journalists confirmed the deaths of at least 13 journalists in the course of their work during the year.

D2. Are individuals free to practice and express their religious faith or nonbelief in public and private? 3 / 4

The constitution and a 1991 law define religious rights in Ukraine, and these are generally respected. However, smaller religious groups continue to report some discrimination. Vandalism of Jewish structures and cemeteries continues. Acknowledging one's atheism may result in discrimination.

In 2022, Ukrainian officials arrested several dozen clergy members of the Ukrainian branch of the Russian Orthodox Church, one of the country's two major Orthodox churches, alleging that they had aided the Russian military.

D3. Is there academic freedom, and is the educational system free from extensive political indoctrination? 2 / 4 (–1)

A 2014 law dramatically reduced the government's control over education and allowed universities much greater freedom in designing their own programs and managing their own finances. A law adopted in 2017 was designed to align the country's education system with those in the EU, but it drew criticism for provisions that mandated the use of Ukrainian as the primary language of instruction in most publicly funded secondary schools by 2020, affecting numerous schools that taught in minority languages.

In Russian-occupied areas of Ukraine, occupation authorities forced Ukrainian teachers to follow the Russian school curriculum. Teachers reported that they had been intimidated, threatened, and in some cases tortured for refusing to use the Russian-imposed curriculum. The Russian authorities have destroyed Ukrainian books and ordered teachers to adhere to the Kremlin's version of history, deny the existence of the Ukrainian nation, and cultivate Russian patriotism among Ukrainian schoolchildren. Some teachers were forcibly sent to Russia to be "retrained." Parents who refused to send their children to schools in Russian-occupied areas were threatened with fines and revocation of parental rights. In September 2022, Russian officials reported the opening of 1,422 schools for more than 320,000 children in occupied territories of Ukraine.

In areas that were successfully liberated by Ukrainian forces, Ukrainian teachers who had worked under Russian control faced criminal investigation, as the Ukrainian criminal

code was amended to regard teaching the Russian curriculum in occupied territories of Ukraine as a form of collaboration with the enemy.

Score Change: The score declined from 3 to 2 because Russian authorities forcibly changed the curriculums in occupied areas, and threatened and detained local educators if they did not adhere to the new guidelines.

D4. Are individuals free to express their personal views on political or other sensitive topics without fear of surveillance or retribution? 2 / 4 (–1)

Ukrainians generally enjoy open and free private discussion, although the polarizing effects of years of war have weighed on political expression, especially with regard to questions of individual and national identity. Heated exchanges in the media and instances of violence against those expressing views considered controversial are not uncommon, likely contributing to self-censorship among ordinary people.

A week after Moscow launched its full-scale invasion of Ukraine in February 2022, Ukrainian lawmakers amended the criminal code to expand grounds for collaborationism charges, including public denial by a citizen of Ukraine of Russia's aggression, glorification of the aggressor state, or insults to the honor and dignity of Ukrainian soldiers. Free expression and other civil society groups were not able to meaningfully review or comment on the draft amendment. Violations are punishable by fines, imprisonment, and restrictions on the ability to "hold certain positions or engage in certain activities" for a period of up to three years. More than 2,000 cases had been filed by year's end.

Score Change: The score declined from 3 to 2 because the government used a vaguely written new law to prosecute citizens who allegedly collaborated with the Russian military, publicly denied the Russian government's aggression, disseminated Russian propaganda, or insulted the honor and dignity of Ukrainian soldiers.

E. ASSOCIATIONAL AND ORGANIZATIONAL RIGHTS: 7 / 12 (–1)

E1. Is there freedom of assembly? 3 / 4

The constitution guarantees the right to peaceful assembly but requires organizers to give the authorities advance notice of demonstrations. Ukraine lacks a law governing the conduct of demonstrations and specifically providing for freedom of assembly.

Following the Russian invasion in February 2022, Ukrainian officials invoked martial law, which, among other effects, restricted the constitutional guarantee of freedom of assembly. Most public protests that took place across Ukraine in 2022 were mounted in opposition to the invasion.

E2. Is there freedom for nongovernmental organizations, particularly those that are engaged in human rights– and governance-related work? 2 / 4

Numerous civic groups can influence decision-making at various levels of government. Ukraine's civil society mobilized significant resources to support Ukraine's defense and humanitarian needs in 2022. Polling data suggested that over a third of all Ukrainians had volunteered to help fellow citizens or aid the defense effort.

Civil society organizations are required to disclose their ultimate beneficiaries and ownership structure under money-laundering legislation; leaders of many groups have characterized this as interference in their work. In 2022, under martial law, civil society organizations were banned from using foreign bank transactions. However, Ukrainian lawmakers allowed such groups and individual volunteers who transferred charity funds to

combatants and employees of security agencies to be exempted from income tax. Some civil society activists face intimidation and threats, and law enforcement agencies fail to bring all perpetrators to justice.

E3. Is there freedom for trade unions and similar professional or labor organizations? 2 / 4 (–1)

Trade unions function in the country, but strikes and worker protests are infrequent, as the largest trade union, stemming from the Soviet-era labor federation, lacks independence from the government and employers. Factory owners still pressure their workers to vote according to the owners' preferences.

In July 2022, in defiance of numerous objections from the international community and trade unions in the country, Ukraine's parliament adopted a new labor code that effectively stripped employees of companies with fewer than 250 employees of any legal protection—making pay structure, working hours, and the conditions or terms of contract termination subject to the employer's discretion. Zelenskyy ratified the law in August, adding a last-minute qualification under pressure from trade unions that the measure would only be applicable while the country was under martial law. It was estimated that more than 70 percent of the Ukrainian workforce was affected by this change. The government claimed that the new code was meant to alleviate difficulties faced by companies during wartime, but given that it was first proposed in 2021, some argued that the government was exploiting the invasion to advance a deregulation agenda.

Score Change: The score declined from 3 to 2 because changes to the labor code restricted trade unions' ability to represent workers and protect their rights while the country is under martial law.

F. RULE OF LAW: 4 / 16 (–2)

F1. Is there an independent judiciary? 1 / 4

Ukraine has long suffered from corrupt and politicized courts, and reform initiatives meant to address the issue have stalled or fallen short of expectations. Zelenskyy unsuccessfully attempted to dissolve the Constitutional Court in 2020 after it annulled anticorruption laws, and to suspend judges under corruption investigations. In 2021, Zelenskyy tried to appoint two new judges to the Constitutional Court, which declined to swear them in.

In June 2022, the European Council granted Ukraine the status of candidate for EU membership. One of the key conditions for maintaining this status is the successful implementation of reforms to the Constitutional Court, particularly a more transparent, merit-based process for the selection of judges. In September, the parliament advanced a draft law in its first reading on the establishment of an advisory group of experts to vet candidates for the Constitutional Court. While the group would include both Ukrainian and international experts, it would exclude representatives of Ukrainian civil society.

F2. Does due process prevail in civil and criminal matters? 1 / 4

Although due process guarantees exist, in practice individuals with financial resources and political influence can escape prosecution for wrongdoing. According to the World Prison Brief, 36 percent of prisoners were in pretrial detention as of October 2021. Judges have stymied corruption investigations into high-profile officials, including within the judiciary.

F3. Is there protection from the illegitimate use of physical force and freedom from war and insurgencies? 0 / 4 (–2)

After the Ukrainian army forced Russian troops to retreat from the Kyiv Region in early April 2022, most fighting was concentrated in the eastern and southern parts of Ukraine. However, beginning in February, all regions of Ukraine were subjected to indiscriminate Russian missile and artillery strikes against both civilian and military targets. It was estimated that more than 15 percent of Ukrainian territory (including Crimea) was under Russian occupation at year's end. Invading Russian troops have engaged in a range of human rights violations affecting both civilians and combatants, including arbitrary detention and forced disappearance, torture, conflict-related sexual violence, and other apparent war crimes. Evidence that Russian forces carried out a massacre of Ukrainian civilians in Bucha emerged in April. Estimates of the number of Ukrainian soldiers and civilians killed during the year varied widely. One figure, from the British Broadcasting Corporation, put the number of civilian deaths at 3,600 in June; by year's end the number was likely much higher.

At the onset of the Russian invasion, Ukraine's parliament adopted an emergency measure allowing civilians to receive firearms to defend against Russian aggression. Thousands of firearms were distributed among civilians in the Kyiv Region who joined Territorial Defense Forces to repel the Russian offensive against the capital. Given the urgency of the situation, many of the firearms were not properly registered, meaning the government does not have an accurate account of all weapons held by civilians. At year's end the parliament was still considering a new law that would streamline the registration of firearms. The trafficking of weapons and ammunition from the front line had contributed to the proliferation of arms throughout Ukraine since 2014.

In response to Ukrainian forces' successful counteroffensives in the south and northeast, Russian forces intensified long-distance strikes on civilian infrastructure across the country in the last months of the year, leaving millions of Ukrainians without power, heating, water, or adequate housing.

Score Change: The score declined from 2 to 0 due to the Russian military's invasion and related missile and artillery strikes against both civilian and military targets.

F4. Do laws, policies, and practices guarantee equal treatment of various segments of the population? 2 / 4

A 2012 law introduced a nonexclusive list of grounds on which discrimination is prohibited. Gender discrimination is explicitly banned under the constitution. However, these protections are inconsistently enforced. The Romany minority and LGBT+ people experience significant discrimination in practice. Roma and LGBT+ people and groups generally only receive police protection or justice for attacks against them when there is intense pressure from civil society or international observers. Rights groups have reported that employers openly discriminate on the basis of gender and age.

Women who left the military have more difficulty receiving pensions, as they were prohibited from combat duty until 2018. Women serving in the military also face discrimination while in uniform.

G. PERSONAL AUTONOMY AND INDIVIDUAL RIGHTS: 8 / 16 (–2)

G1. Do individuals enjoy freedom of movement, including the ability to change their place of residence, employment, or education? 1 / 4 (–2)

As a result of the full-scale Russian invasion that began in February 2022, about one third of Ukrainians were forced from their homes during the year. Some five million sought refuge abroad; roughly 13 million people are estimated to remain in war-affected areas with damaged transportation and other infrastructure and heightened security risks, including

an estimated six million IDPs. In addition to the disruption to employment and education caused by the Russian invasion, the danger of land mines and unexploded ordnance prevents refugees and displaced individuals from returning home and impairs agricultural activity.

Russian and Russian-affiliated authorities have forcibly transferred Ukrainian civilians, including children, to either Russia or Russian-occupied areas of Ukraine, in violation of international law. They have also subjected thousands of Ukrainians to humiliating and abusive security screening known as "filtration," placing those who "fail" ideological screening into detention camps.

In early March 2022, the Ukrainian government implemented a decree on general mobilization. The new rules prohibited most men aged 18 to 60 from leaving the country. The rules were tightened in September to apply to Ukrainian men who had been admitted to study at foreign institutions, with authorities citing the mass forgery of documents.

Apart from the mobilization rules, freedom of movement is generally not restricted in areas under government control. However, Ukraine's cumbersome system requiring individuals to be legally registered at an address in order to receive important services has long created a barrier to full freedom of movement and employment.

Score Change: The score declined from 3 to 1 because millions of people have been displaced by the violence associated with the Russian invasion, and related threats such as land mines have impeded movement within the country.

G2. Are individuals able to exercise the right to own property and establish private businesses without undue interference from state or nonstate actors? 2 / 4

The government has taken steps to scale back regulation of private businesses in recent years, though the business environment is affected by widespread corruption. A reform law allowing the sale of agricultural land went into effect in July 2021, ending a moratorium. Under the law, only individual Ukrainian citizens can currently buy and sell farmland; organizations will be able to acquire such land beginning in 2024, so long as their participating members are all Ukrainian citizens.

G3. Do individuals enjoy personal social freedoms, including choice of marriage partner and size of family, protection from domestic violence, and control over appearance? 3 / 4

The government generally does not restrict personal social freedoms, though same-sex marriage remains unrecognized in Ukraine. Ongoing Russian military aggression has added urgency to calls for the legalization of same-sex marriage in Ukraine, which would afford same-sex partners of wounded and deceased soldiers the same rights and benefits as those granted to heterosexual couples. Since the Ukrainian constitution, which defines marriage as "based on the free consent of a woman and a man," cannot be changed during wartime, Zelenskyy in 2022 ordered the prime minister to work out legal recognition of civil partnerships that would apply most of the rights of marriage to same-sex partners.

Domestic violence is widespread, and police responses to the few victims who report such abuse are inadequate. In July 2022, however, the parliament ratified the Istanbul Convention, the Council of Europe's treaty on preventing and combating violence against women and domestic violence.

G4. Do individuals enjoy equality of opportunity and freedom from economic exploitation? 2 / 4

The trafficking of women domestically and abroad for the purpose of prostitution continues. IDPs are especially vulnerable to exploitation for sex trafficking and forced labor.

The new labor code adopted in July 2022 threatened to increase exploitative conditions for Ukrainians working at companies with fewer than 250 employees, as it withdrew legal protections and made their pay structure, working hours, and conditions or terms of contract termination subject to the employer's discretion.

United Arab Emirates

Population: 9,400,000
Capital: Abu Dhabi
Freedom Status: Not Free
Electoral Democracy: No

Overview: The United Arab Emirates (UAE) is a federation of seven emirates led in practice by Abu Dhabi, the largest by area and richest in natural resources. Limited elections are held for a federal advisory body, but political parties are banned, and all executive, legislative, and judicial authority ultimately rests with the seven hereditary rulers. The civil liberties of both citizens and noncitizens, who make up an overwhelming majority of the population, are subject to significant restrictions.

KEY DEVELOPMENTS IN 2022

- Sheikh Khalifa bin Zayed al-Nahyan, the UAE president and ruler of Abu Dhabi, died in May, having already withdrawn from public life after a 2014 stroke. His half-brother, Sheikh Mohammed bin Zayed al-Nahyan, succeeded him in both posts.
- A new penal code that took effect in January was criticized by human rights groups for its restrictions on civil and personal liberties, including provisions that partly reversed the 2020 decriminalization of extramarital sex.

POLITICAL RIGHTS: 5 / 40

A. ELECTORAL PROCESS: 1 / 12

A1. Was the current head of government or other chief national authority elected through free and fair elections? 0 / 4

The Federal Supreme Council, comprising the dynastic rulers of the seven emirates, is the country's highest executive body. It selects a president and vice president from among its members, and the president appoints a prime minister and cabinet.

The emirate of Abu Dhabi has controlled the federation's presidency since its inception in 1971. Sheikh Khalifa bin Zayed al-Nahyan, the president since 2004, died in May 2022; he was succeeded by his half-brother Mohammed bin Zayed al-Nahyan, who had long served as crown prince of Abu Dhabi and exercised most leadership functions after Sheikh Khalifa suffered a stroke in 2014.

The emirate of Dubai similarly controls the premiership. Sheikh Mohammed bin Rashid al-Maktoum has served as ruler of Dubai and the UAE's prime minister and vice president since 2006, when he succeeded his late brother in all three posts.

A2. Were the current national legislative representatives elected through free and fair elections? 1 / 4

The unelected Federal Supreme Council is also the country's highest legislative authority, but it is advised by the 40-seat Federal National Council (FNC), which can review proposed laws and question government ministers.

Since 2006, half of the FNC's members have been elected for four-year terms on a nonpartisan basis by an electoral college chosen by the rulers of each emirate, while the government directly appoints the other half. The size of the electoral college has expanded over time. For the 2019 elections it grew to 337,000 members, up from 224,000 in 2015, though this still fell far short of the entire voting-age citizen population. Close to 500 candidates vied for the 20 elected seats. Voter turnout remained low at about 35 percent, matching the 2015 level.

There are no elected legislative bodies in the individual emirates.

A3. Are the electoral laws and framework fair, and are they implemented impartially by the relevant election management bodies? 0 / 4

The UAE's electoral framework applies only to the advisory FNC, and it lacks universal suffrage. While the electoral college has expanded, and overseas voting was permitted for the first time in 2015, there is no public accountability for the procedures by which the rulers of each emirate draw up the lists of eligible voters. The geographical allocation of FNC seats results in significant overrepresentation for the smaller emirates.

B. POLITICAL PLURALISM AND PARTICIPATION: 2 / 16

B1. Do the people have the right to organize in different political parties or other competitive political groupings of their choice, and is the system free of undue obstacles to the rise and fall of these competing parties or groupings? 0 / 4

Political parties are banned. All electoral candidates run as independents.

The authorities vigorously persecute opposition activists, particularly if they are suspected of belonging to the Association for Reform and Guidance (Al-Islah), a group formed in 1974 to advocate for democratic reform. The government has accused Al-Islah members of being foreign agents of the Muslim Brotherhood, which was designated as a terrorist organization in 2014.

Dozens of activists, civil society leaders, academics, and students remained behind bars during 2022 for offenses related to political dissent.

B2. Is there a realistic opportunity for the opposition to increase its support or gain power through elections? 0 / 4

The political system grants the emirates' hereditary rulers a monopoly on power and excludes the possibility of a change in government through elections.

B3. Are the people's political choices free from domination by forces that are external to the political sphere, or by political forces that employ extrapolitical means? 1 / 4

The political choices available to eligible voters are severely limited in practice, and the alignments of both voters and candidates are heavily influenced by tribal networks.

B4. Do various segments of the population (including ethnic, racial, religious, gender, LGBT+, and other relevant groups) have full political rights and electoral opportunities? 1 / 4

Approximately 90 percent of the UAE's population consists of noncitizens who lack political rights and electoral opportunities, including thousands of stateless residents. There is no clear process for obtaining citizenship without Emirati parentage or marriage to an Emirati man; children of Emirati mothers and foreign fathers must apply for naturalization.

In 2021, the prime minister announced that some foreigners, namely investors and certain skilled professionals, could seek naturalization under an amendment to the citizenship law.

Women make up about 50 percent of the FNC electoral college, and approximately 180 women ran as candidates in the 2019 elections, more than double the 78 who ran in 2015. Women won seven of the elected seats on the council, and the authorities appointed 13 women in keeping with a pledge to ensure equal representation in the 40-member body. In practice, however, ordinary women have little opportunity to organize independently and advance their interests through the political system.

C. FUNCTIONING OF GOVERNMENT: 2 / 12

C1. Do the freely elected head of government and national legislative representatives determine the policies of the government? 0 / 4

Government policies are determined by the dynastic rulers of the seven emirates. The FNC performs only advisory functions and has struggled to arrange hearings with government ministers.

C2. Are safeguards against official corruption strong and effective? 2 / 4

The UAE is considered one of the least corrupt countries in the Middle East, and the government has taken steps to increase efficiency and streamline the bureaucracy. Nevertheless, there are no genuinely independent anticorruption mechanisms, and senior members of the ruling families are able to shield themselves and their associates from public scrutiny.

C3. Does the government operate with openness and transparency? 0 / 4

The government generally lacks transparency, and despite legal provisions for access to public information, it remains difficult in practice. The State Audit Institution does not release public information about its reports, and its remit is limited to federal entities and state-owned companies, whereas most spending takes place in the individual emirates; the institution can conduct audits of an emirate's entities if asked by its ruler.

CIVIL LIBERTIES: 13 / 60 (+1)

D. FREEDOM OF EXPRESSION AND BELIEF: 4 / 16 (+1)

D1. Are there free and independent media? 0 / 4

The 1980 Publications and Publishing Law, considered one of the most restrictive press laws in the Arab world, regulates all aspects of the media and prohibits criticism of the government. Journalists commonly practice self-censorship, and outlets frequently publish government statements without criticism or comment. Media operate with more freedom in certain "free zones"—areas in which foreign media outlets can produce news content intended for foreign audiences—but the zones remain subject to UAE media laws and have additional regulatory codes and authorities.

Emirati-owned and UAE-based media outlets actively participated in a years-long, government-backed media campaign against Qatar. The government sought to influence reporting on Qatar even after it restored relations with that country in 2021.

A number of well-known commentators have been jailed in recent years for criticizing the authorities, expressing support for dissidents or human rights, or calling for political reform. Leading human rights activist Ahmed Mansoor, who received a 10-year prison term in 2018 for using social media to "publish false information that damages the country's reputation," remained behind bars in 2022.

In September 2022, the print edition of the Dubai-based newspaper *Al-Roeya* was shut down, and dozens of employees were dismissed, after the outlet ran an article about the

impact of high fuel prices on UAE citizens. *Al-Roeya* was part of a company owned by Sheikh Mansour bin Zayed al-Nahyan, the UAE's deputy prime minister and minister of presidential affairs; the firm claimed that the outlet was closed as part of its planned transformation into CNN Business Arabic, in partnership with the US-based global broadcaster.

D2. Are individuals free to practice and express their religious faith or nonbelief in public and private? 2 / 4 (+1)

Islam is the official religion, and the majority of citizens are Sunni Muslims. Blasphemy is a criminal offense, as is proselytizing to Muslims by non-Muslim groups. The General Authority of Islamic Affairs and Endowments provides regular guidance to Muslim preachers; it and a Dubai counterpart appoint the country's Sunni imams. Shiite clergy have their own council to manage religious affairs.

Christian, Hindu, and Sikh places of worship have been built on plots of land donated by ruling family members. Pope Francis became the first Roman Catholic pontiff to visit the Arabian Peninsula when he traveled to the UAE in 2019 as part of a bid by Emirati officials to emphasize the country's religious tolerance. Later that year, the authorities announced plans to open an Abrahamic Family House, to include a mosque, a church, and a synagogue; the facility was scheduled to open in 2023. Conditions for Jewish residents continued to improve after the UAE and Israel normalized relations in 2020. A Jewish Community Center in Dubai offers services to worshipers, and other members of the growing Jewish population have congregated at residential properties or rented spaces.

Score Change: The score improved from 1 to 2 due to a multiyear expansion in the ability of non-Muslim residents to observe their faiths openly, particularly with respect to the Jewish community since the government normalized relations with Israel in 2020.

D3. Is there academic freedom, and is the educational system free from extensive political indoctrination? 1 / 4

The Ministry of Education censors textbooks and curriculums in both public and private schools. Islamic education is required in public schools and for Muslims in private schools. Several foreign universities have opened satellite campuses in the UAE, although faculty members are generally careful to avoid criticizing the government. The UAE authorities have placed scholars and students who have criticized aspects of government policy on a unified Gulf Cooperation Council (GCC) security list, barring them from the wider region. In one prominent case in 2018, a British doctoral student was sentenced to life in prison on espionage charges after a minutes-long trial, then pardoned under international pressure and deported.

D4. Are individuals free to express their personal views on political or other sensitive topics without fear of surveillance or retribution? 1 / 4

A number of laws give authorities broad discretion to punish individuals' speech on sensitive topics. A 2014 counterterrorism law prescribes punishments including the death penalty for offenses like "undermining national security" and possession of material that opposes or denigrates Islam. A 2015 law against hate speech and discrimination contained loosely worded definitions and criminalized a wide range of free-speech activities. A new cybercrime law that took effect in January 2022, replacing its 2006 and 2012 predecessors, features a broad definition of unlawful content; it bans any material that could harm state interests or public confidence in state institutions, among other provisions, and assigns penalties of up to life in prison for use of the internet to oppose the existing system of

government. A new penal code that also took effect in January contains similarly expansive prohibitions on speech including false news, defamation, and criticism of the state and its symbols. These and other criminal laws have been actively enforced, including against ordinary social media users.

Human Rights Watch (HRW) has reported that the authorities systematically persecute the relatives and associates of jailed or exiled dissidents, for example by revoking their citizenship, withholding identity documents, banning travel, denying them access to education and employment, and subjecting them to surveillance and intimidation. Such practices serve as a further deterrent to unfettered speech.

State security agencies engage in extensive surveillance and hacking activities aimed at perceived opponents of the government. They monitor public and private online communications for critical speech and are believed to use advanced commercial spyware products.

E. ASSOCIATIONAL AND ORGANIZATIONAL RIGHTS: 2 / 12

E1. Is there freedom of assembly? 1 / 4

The government places tight legal constraints on freedom of assembly. Public meetings require government permits, and unauthorized political or labor protests are subject to dispersal by police. The new penal code that took effect in January 2022 retained existing restrictions on demonstrations, which are rare in practice.

E2. Is there freedom for nongovernmental organizations, particularly those that are engaged in human rights– and governance-related work? 0 / 4

Nongovernmental organizations (NGOs) must register with the Ministry of Social Affairs and can receive government subsidies, though they are subject to many restrictions. International human rights groups have been denied entry to the UAE. Local human rights activists are at serious risk of detention, prosecution, and mistreatment in custody, and their relatives may be subject to various forms of harassment.

E3. Is there freedom for trade unions and similar professional or labor organizations? 1 / 4

Workers—most of whom are foreign—do not have the right to form unions, bargain collectively, or strike. They can seek collective redress for grievances through state mediation or the courts, and the government sometimes arranges concessions and settlements. Workers occasionally protest against unpaid wages and poor working and living conditions, but such demonstrations are typically dispersed by security personnel, and noncitizens who participate risk deportation. Professional associations require government licenses and are closely monitored by the authorities.

In May 2022, food-delivery drivers accused the London-based firm Deliveroo of violating the UAE's labor laws and went on strike to protest reductions in pay and increases in working hours. The rare strike action forced the company to suspend its planned changes to compensation and scheduling.

F. RULE OF LAW: 3 / 16

F1. Is there an independent judiciary? 0 / 4

The judiciary is not independent, with court rulings subject to review by the political leadership. Judges are appointed by executive decree, and the judiciary as an institution is managed largely by executive officials. Many judges are foreigners working on short-term contracts.

F2. Does due process prevail in civil and criminal matters? 1 / 4

Detainees are often denied adequate access to legal counsel during interrogations, and lengthy detention without charge is not uncommon. Judges are empowered to extend such detention indefinitely. Systematic violations of international due process standards have been observed in numerous high-profile trials involving political dissidents, human rights defenders, and foreigners, among others. Some of those convicted have their detentions arbitrarily extended after their sentences are complete. For example, many of the individuals who were arrested in 2012 and convicted in 2013 as part of a deeply flawed mass trial of 94 dissidents—known as the UAE 94—were kept in detention during 2022 despite the expiration of their prison terms.

F3. Is there protection from the illegitimate use of physical force and freedom from war and insurgencies? 1 / 4

The government has been criticized by international human rights organizations for failure to investigate allegations of torture and mistreatment in custody, including denial of medical care. Detainees regularly report abuse by the authorities. Prison officials have allegedly imposed harsher conditions of confinement on Ahmed Mansoor since he protested or denounced his mistreatment in previous years.

Sharia (Islamic law) courts sometimes impose flogging sentences for offenses including drug use, prostitution, and extramarital sex.

F4. Do laws, policies, and practices guarantee equal treatment of various segments of the population? 1 / 4

Noncitizens and foreign workers commonly experience discrimination and risk deportation for relatively minor offenses. Women face legal and societal discrimination on a variety of issues, including employment. Same-sex sexual relations can draw harsh criminal penalties under vaguely worded morality laws, and these provisions were retained in the new penal code that took effect in January 2022. LGBT+ people are also subject to widespread social stigma. A code of conduct for teachers that was issued ahead of the new school year in September 2022 directed educators to "refrain from discussing gender identity, homosexuality or any other behavior deemed unacceptable to UAE's society."

G. PERSONAL AUTONOMY AND INDIVIDUAL RIGHTS: 4 / 16

G1. Do individuals enjoy freedom of movement, including the ability to change their place of residence, employment, or education? 1 / 4

Emirati citizens face few apparent restrictions on movement within the UAE or on their ability to change their place of employment, though societal norms sometimes constrain a woman's ability to work or travel without the consent of her husband, father, or other male guardian.

Under the *kafala* system, migrant workers' legal status is tied to their employers' sponsorship, meaning they can be punished or deported for leaving employment without meeting certain criteria. Stateless residents' freedom of movement is limited by their lack of travel documents; under a government program, many stateless people have received passports from the Comoros that ease travel and other activities but do not confer full citizenship.

G2. Are individuals able to exercise the right to own property and establish private businesses without undue interference from state or nonstate actors? 1 / 4

The UAE has enacted reforms in recent years to ease procedures for establishing and operating businesses. However, the government and ruling families exercise considerable

influence over the economy and are involved in many of the country's major economic and commercial initiatives, limiting the space for independent business activity.

Citizens of the UAE and other GCC states are able to own property. In 2019, the emirate of Abu Dhabi allowed foreigners to own freehold property in designated investment zones. Dubai has permitted non-GCC nationals to own property in designated zones since 2001.

Women generally receive smaller inheritances than men under Sharia, and women are excluded from state benefits aimed at supporting home ownership. A law implemented in the emirate of Abu Dhabi in 2021 allowed non-Muslim residents to benefit from new inheritance rules.

G3. Do individuals enjoy personal social freedoms, including choice of marriage partner and size of family, protection from domestic violence, and control over appearance? 1 / 4

Women are generally placed at a distinct disadvantage under laws governing marriage and divorce. Among other disparities, a Muslim woman's male guardian must approve her marriage. Muslim women are forbidden to marry non-Muslims, while Muslim men may marry Christian or Jewish women. Some categories of extramarital sex are criminal offenses, which deters victims from reporting rape. No laws prohibit spousal rape. A measure adopted in 2019 introduced orders of protection and new criminal penalties to address domestic violence, but its wording appeared to allow some forms of control or punishment by male guardians.

In 2020, the government announced changes to Sharia-based laws that decriminalized consensual sex and cohabitation by unmarried heterosexual couples; eliminated penalties for the possession, purchase, or consumption of alcohol by people aged 21 or older; and repealed legal provisions that assigned lighter penalties for "honor crimes" against women. The amendments would also allow couples who married in another country to adhere to that country's divorce and inheritance laws. The updated penal code that took effect in January 2022 reintroduced criminal penalties for unmarried couples in some situations, for example by allowing the husband or male guardian of a woman in such a relationship to file charges.

In 2021, the emirate of Abu Dhabi announced a new law on divorce, inheritance, and child custody concerns for non-Muslims; among other things, the law allowed for joint-custody arrangements and civil marriage. The emirate also announced a new court to adjudicate matters under the new law.

G4. Do individuals enjoy equality of opportunity and freedom from economic exploitation? 1 / 4

Economic disparities persist between UAE citizens living in more and less affluent emirates and between citizens and the noncitizen majority. Foreign workers are often exploited and subjected to harsh working conditions, physical abuse, and withholding of passports, with little to no access to legal recourse. A series of ministerial decrees issued in 2015 aimed to give migrant workers more flexibility to terminate employment under certain conditions. Foreign household workers were not covered by those decrees or by labor laws in general, leaving them especially vulnerable. A law adopted in 2017 guaranteed such household workers basic protections and benefits including sick leave and daily rest periods, though they were inferior to those in the national labor law, and household workers would still be unable to leave their employers without a breach of contract.

United Kingdom

Population: 67,600,000
Capital: London
Freedom Status: Free
Electoral Democracy: Yes

Overview: The United Kingdom (UK)—which includes the constituent countries of England, Scotland, and Wales along with the territory of Northern Ireland—is a stable democracy that regularly holds free elections and hosts a vibrant media sector. While the government enforces robust protections for political rights and civil liberties, recent years have seen concerns about increased government surveillance of residents as well as rising Islamophobia and anti-immigrant sentiment.

KEY DEVELOPMENTS IN 2022

- In April, Prime Minister Boris Johnson announced that asylum seekers whose claims were deemed "inadmissible" in the UK would be sent to Rwanda for further consideration. Opposition politicians and human rights groups denounced the plan. The first flight to Rwanda was planned for June but was halted following a European Court of Human Rights (ECtHR) ruling. In December, the High Court ruled the plan lawful; civil society groups that challenged the policy said they would consider an appeal.
- The left-wing republican Sinn Féin became the Northern Ireland Assembly's largest party after elections in May. The Democratic Unionist Party (DUP), which advocates for Northern Ireland to remain in the UK, was the second largest. Subsequent efforts to form a local power-sharing government were unsuccessful, with the DUP blocking several votes to install an Assembly speaker; the territory's government remained unformed at year's end.
- In July, Boris Johnson, who faced scrutiny over his apparent violation of COVID-19-related lockdown measures and other matters, resigned as leader of the ruling Conservatives. Johnson left the premiership in September when the party selected Foreign Secretary Liz Truss to succeed him. Truss resigned in October, after her government's budget and tax policies were met with heavy criticism; former chancellor Rishi Sunak succeeded Truss and remained in post at year's end.
- Queen Elizabeth II died in September, having served as sovereign since 1952. She was succeeded by Charles, the crown prince. Individuals protesting the monarchy during public assemblies marking Elizabeth's death were detained and arrested on numerous occasions.

POLITICAL RIGHTS: 39 / 40

A. ELECTORAL PROCESS: 12 / 12

A1. Was the current head of government or other chief national authority elected through free and fair elections? 4 / 4

Executive power rests with the prime minister and cabinet, which must have the support of the House of Commons. The leader of the majority party or coalition usually becomes prime minister and appoints the cabinet. Boris Johnson resigned as Conservative leader in July 2022, triggering a leadership contest in the party. Foreign Secretary Liz Truss won and

became prime minister in September but resigned in October, after 45 days in office. Former chancellor Rishi Sunak, who succeeded her as party leader and prime minister that month, remained in post at year's end.

The monarch is the ceremonial head of state. Queen Elizabeth II, who ascended to that position in 1952, died in September 2022. The crown prince immediately succeeded her as Charles III.

A2. Were the current national legislative representatives elected through free and fair elections? 4 / 4

The bicameral Parliament's more powerful lower chamber, the House of Commons, has 650 members directly elected to serve five-year terms. Members of the unelected House of Lords, numbering 798 in September 2022, are appointed by the monarch. The body largely plays an oversight role in reviewing legislation passed by the House of Commons.

In the December 2019 snap election, the Conservatives won 365 lower-house seats while the opposition Labour Party won 202. The Scottish National Party, which advocates for Scottish independence from the UK, won 47.

Elections for some local councils and mayoralties in England, Scotland, and Wales took place in May 2022; Labour and the Liberal Democrats gained council seats, while the Conservatives sustained losses.

Elections for the Northern Ireland Assembly's 90 seats were also held in May 2022. In a historic result, the left-wing republican Sinn Féin became the Assembly's largest party with 27 seats. The DUP won 25. The nonsectarian, liberal Alliance Party gained 9 seats, winning 17. Two independents and four parties won the remainder.

A3. Are the electoral laws and framework fair, and are they implemented impartially by the relevant election management bodies? 4 / 4

The UK's electoral framework is robust and well implemented. Parliament maintains a direct role in electoral management, notably through its involvement in the seat-boundary drawing process. However, the Parliamentary Constituencies Act 2020 will limit its future involvement. Parliament's role was further eroded in March 2022, when the Dissolution and Calling of Parliament Act 2022 repealed the Fixed-term Parliaments Act 2011, which had limited the prime minister's ability to force a snap election.

Under the Elections Act 2022, voters in England and Wales must show photo identification to vote in general elections and some local contests. The government said the law would ensure electoral integrity, but democracy advocacy groups, some members of Parliament (MPs), and the Electoral Commission (EC) strongly criticized it. In 2019, the Electoral Reform Society warned that voter-identification rules would disproportionately impact Black, Asian, and Minority Ethnic (BAME) voters. In a 2021 report, the EC noted that only four electoral-fraud convictions were recorded after the 2019 electoral calendar. Also in 2021, a House of Commons committee extrapolated that 1.1 million people would be discouraged from voting in a general election under the bill's provisions.

B. POLITICAL PLURALISM AND PARTICIPATION: 16 / 16

B1. Do the people have the right to organize in different political parties or other competitive political groupings of their choice, and is the system free of undue obstacles to the rise and fall of these competing parties or groupings? 4 / 4

Parties do not face undue restrictions on registration or operation. The Conservative and Labour parties have dominated politics for decades, though other parties regularly win seats.

B2. Is there a realistic opportunity for the opposition to increase its support or gain power through elections? 4 / 4

Opposition parties operate freely and have a realistic opportunity to increase their support and gain power through elections.

B3. Are the people's political choices free from domination by forces that are external to the political sphere, or by political forces that employ extrapolitical means? 4 / 4

People's political choices are generally free from domination by groups using extrapolitical means.

B4. Do various segments of the population (including ethnic, racial, religious, gender, LGBT+, and other relevant groups) have full political rights and electoral opportunities? 4 / 4

Women, LGBT+ people, and members of racial and ethnic minority groups are active in UK politics. Women held 34.5 percent of lower-house seats as of late 2022. LGBT+ and BAME representation improved in the 2019 general election. Liz Truss was the country's third female prime minister, while Rishi Sunak is its first prime minister of color.

Under the UK's system of devolution, Parliament has granted different degrees of legislative power to the Northern Ireland Assembly, the Welsh *Senedd* (Parliament), and the Scottish Parliament, augmenting the political representation of regional populations.

C. FUNCTIONING OF GOVERNMENT: 11 / 12

C1. Do the freely elected head of government and national legislative representatives determine the policies of the government? 4 / 4

Freely elected officials can generally make and implement national policy without significant influence from actors who are not democratically accountable. However, a new power-sharing government was not formed in Northern Ireland by the end of 2022.

C2. Are safeguards against official corruption strong and effective? 3 / 4

Large-scale official corruption is not historically pervasive, and anticorruption bodies are generally effective. In January 2022, however, researchers at Sussex University warned that then prime minister Boris Johnson's government suffered a "failure of integrity," citing Johnson's behavior in office.

Concerns over the awarding of coronavirus-related contracts to politically connected people persisted in 2022. In January, a High Court judge ruled that the use of a "priority lane" to award test-and-trace contracts was illegal; in September, the government disclosed that 50 firms had benefited from priority contracts. In November, Michelle Mone, a Conservative member of the House of Lords, was revealed to have received £29 million ($35.2 million) in proceeds related to priority contracts; she remained under investigation by the upper house's standards commissioner at year's end. The company that won those contracts, PPE Medpro, was being investigated by the National Crime Agency as of December.

C3. Does the government operate with openness and transparency? 4 / 4

MPs are required to disclose assets and sources of income, and this information is made available to the public. Freedom-of-information legislation is reasonably well implemented, and journalists can generally access information to report to the public. However, in 2020, openDemocracy reported that requests deemed sensitive are vetted by a government clearing house. In August 2022, the government said it would overhaul the clearing-house system to improve transparency.

CIVIL LIBERTIES: 54 / 60

D. FREEDOM OF EXPRESSION AND BELIEF: 14 / 16

D1. Are there free and independent media? 4 / 4

Press freedom is legally protected. The media environment is lively and competitive, espousing viewpoints spanning the political spectrum. The publicly owned British Broadcasting Corporation (BBC), which relies on dedicated license fees for most of its funding, is largely viewed as editorially independent and competitive with its commercial counterparts. In an August 2022 speech, former news presenter Emily Maitlis criticized a member of the BBC Board for serving as an "active agent of the Conservative Party." The BBC rejected her claims that month.

Journalists face regular harassment; a 2020 National Union of Journalists (NUJ) survey found that over half of its members encountered online abuse, while nearly a quarter were physically attacked. The government published its first-ever National Action Plan to enhance the safety of journalists in 2021. In August 2022, six antilockdown activists received convictions for verbally abusing and chasing BBC journalist Nicholas Watt on a London street in 2021. Five were handed community sentences.

Paramilitary groups in Northern Ireland have also issued threats against journalists in recent years. In June 2022, the NUJ condemned a pro-UK paramilitary group for threatening a journalist operating in Belfast.

Parliament considered the Online Safety Bill (OSB), which would restrict online access to material deemed illegal or harmful, in 2022. In July, the government amended the OSB to prevent the arbitrary removal of news content from online platforms.

In July 2022, the Justice Ministry said the government would legislate to address strategic lawsuits against public participation (SLAPPs). In November, the Solicitors Regulation Authority warned that lawyers involved in SLAPPs would face disciplinary action.

D2. Are individuals free to practice and express their religious faith or nonbelief in public and private? 4 / 4

Freedom of religion is protected in law and practice. A 2006 law bans incitement to religious hatred, with a maximum penalty of seven years in prison. Nevertheless, minority groups, particularly Muslims, continue to report discrimination, harassment, and occasional assault. The Home Office recorded 3,459 religiously based hate crimes in England and Wales against Muslims during its 2021–22 reporting period; 1,919 were recorded against Jewish people, the second-largest targeted group.

Muslims have been reluctant to discuss religious subjects or their identity in some settings, especially in the classroom, due to Prevent, a strategy designed to divert individuals vulnerable to terrorist or extremist recruitment. Prevent has been criticized for forcing Muslims to self-censor for fear of referral.

In 2021, William Shawcross—who was accused of fostering an "institutional bias against Muslims" as head of the UK's Charity Commission—was appointed to chair an independent review into Prevent. A draft report from the Shawcross-led review, which said that the government should focus more on Islamist extremism than right-wing threats, was leaked in May 2022. A final report was not published by year's end.

D3. Is there academic freedom, and is the educational system free from extensive political indoctrination? 3 / 4

Academic freedom is generally respected, though the government has recently made political forays into the academic curriculum. A draft law on freedom of speech in higher education remained under parliamentary consideration at the end of 2022. The bill, which

would introduce fines for English universities deemed to have restricted free speech, has been criticized by freedom-of-expression groups on grounds that it may allow the government to define "acceptable speech" at universities.

The Counter-Terrorism and Security Act 2015 requires schools and universities to help divert students from recruitment into terrorist groups, as part of the Prevent strategy. Educators are expected to report students suspected of terrorist or extremist sympathies to a local government body and vet the remarks of visiting speakers, among other obligations.

D4. Are individuals free to express their personal views on political or other sensitive topics without fear of surveillance or retribution? 3 / 4

Concerns about the effects of mass surveillance on unfettered private discussion have persisted for several years. The Investigatory Powers Act (IPA) 2016 required communications companies to store customer metadata for 12 months, which authorities could sometimes access without a warrant. The government later limited access to metadata for serious criminal investigations with the approval of an independent commission after the High Court ruled the legislation incompatible with European Union (EU) jurisprudence in 2018. Other legal challenges against the IPA continued in 2022.

The government published a draft of the OSB for parliamentary scrutiny in April 2022. Among other things, the draft required online platforms to remove or restrict content deemed illegal or harmful and placed related responsibilities on Ofcom, the country's media regulator. In November, the government amended the OSB to require that social media firms only remove content that is illegal or violates their own standards. Provisions on legal material considered harmful to adults were removed. The OSB remained under consideration at year's end.

E. ASSOCIATIONAL AND ORGANIZATIONAL RIGHTS: 12 / 12

E1. Is there freedom of assembly? 4 / 4

Freedom of assembly is generally respected, though peaceful protesters have found themselves under police surveillance for attending public events in recent years.

Assembly rights were also affected by the Police, Crime, Sentencing and Courts Act (PCSCA) 2022, which received royal assent in April. Among other things, the PCSCA gives police in England and Wales more power to determine if a protest may cause "serious disorder." Authorities may restrict individual protesters' actions under the law. The Council of Europe's human rights commissioner criticized the PCSCA in December, saying it would have a "chilling" effect on peaceful assembly. PCSCA provisions against protests based on "noise" went unused as of December.

The House of Commons voted in favor of the Public Order Bill, which would restrict protests that are considered overly disruptive, in October 2022; the bill did not attain final parliamentary approval or royal assent by year's end.

In March 2022, High Court judges ruled that police had breached speech and assembly rights in their policing of a public vigil held in memory of Sarah Everard, a woman who was murdered by a Metropolitan Police officer in 2021.

Following the September 2022 death of Elizabeth II, police detained and arrested people protesting the monarchy on many occasions.

E2. Is there freedom for nongovernmental organizations, particularly those that are engaged in human rights– and governance-related work? 4 / 4

Nongovernmental organizations (NGOs) generally operate freely. However, in recent years, disclosures of police surveillance of NGOs and political organizations have drawn criticism. A public inquiry into the conduct of undercover officers who spied on—and in

some cases had intimate relationships with—civil society advocates began in 2015 and remained active in 2022.

E3. Is there freedom for trade unions and similar professional or labor organizations? 4 / 4

Workers have the right to organize trade unions, which have traditionally played a central role in the Labour Party. The rights to bargain collectively and strike are also respected.

Unions in sectors including health-care, transport, and education launched major strikes in 2022. In June, for example, rail workers went on strike, affecting train travel nationwide. Major strikes affected multiple sectors in December, causing the greatest labor disruption in the UK since 1989.

In September 2022, 11 unions said they would seek judicial review after the government altered existing rules to allow firms to hire temporary staff during strikes. Ministers were also considering legislation which would further restrict the right to strike in some sectors, including rail and health-care, at year's end.

F. RULE OF LAW: 13 / 16

F1. Is there an independent judiciary? 4 / 4

The judiciary is generally independent, and authorities comply with judicial decisions. A new Supreme Court began functioning in 2009, improving the separation of powers by moving the highest court out of the House of Lords.

In a June 2022 report, the All Party Parliamentary Group on Democracy and the Constitution warned that political pressure on the judiciary affected morale within the branch; the group also concluded that the Supreme Court may have "assumed a position more palatable to the executive" in some decisions.

F2. Does due process prevail in civil and criminal matters? 3 / 4

Due process generally prevails in civil and criminal matters. However, cuts to legal aid have left many vulnerable people without access to legal counsel.

UK police have been accused of using stop-and-search powers disproportionately: In 2021–22, Black people in England and Wales were over six times more likely to be searched by police than White people. In an April 2022 report, the Independent Office for Police Conduct recommended that BAME individuals receive safeguards from stops and searches on the grounds of racial bias. In May, the government lifted a restriction on stops and searches in areas where authorities expect serious violence. In August, the children's commissioner in England criticized the Metropolitan Police, which patrols Greater London, for strip-searching 650 children between 2018 and 2020, 58 percent of them Black.

Under the Counter-Terrorism and Security Act 2015, authorities can seize the travel documents of individuals attempting to leave the country if they are suspected of planning to engage in terrorist-related activities abroad, and to forcibly relocate terrorism suspects within the country. The Counter-Terrorism and Border Security Act 2019 makes viewing terrorist content online punishable by up to 15 years in prison, and allows law enforcement agencies to keep the fingerprints and DNA of terrorism suspects for up to five years, even if no charges are filed.

The UK justice system still grapples with cases stemming from the Troubles, the 1968–98 conflict in Northern Ireland. The Northern Ireland Troubles (Legacy and Reconciliation) Bill, which was under upper-house consideration at the end of 2022, would offer "conditional" immunity for those who cooperate with "truth recovery investigations;" Amnesty International criticized the bill, saying it would not provide justice for victims of the conflict. A May report from the Committee on the Administration of Justice and the Queen's University Belfast School of Law said the bill may breach the 1998 Good Friday Agreement and international human rights law.

In 2021, charges against "Soldier F," who had been accused of murder and attempted murder during the 1972 Bloody Sunday massacre, were dismissed by the Public Prosecution Service (PPS). The High Court overturned that decision in March 2022; the PPS will conduct a new investigation.

F3. Is there protection from the illegitimate use of physical force and freedom from war and insurgencies? 3 / 4

Individuals living in the UK are largely free from violence, but acts of terrorism have occurred in recent years. In October 2022, an immigration processing center in Dover was attacked by a man allegedly driven by far-right views.

Paramilitary activity continues in Northern Ireland. In September 2022, the Police Service of Northern Ireland reported one security-related death, five bombing incidents, and 115 security-related arrests in its 2021–22 reporting period.

Prisons generally adhere to international guidelines but are overcrowded. Violence, self-harm, and the presence of drugs have also been reported. In a July 2022 report, Her Majesty's Inspectorate of Prisons (HMI Prisons) raised concerns about the well-being of female prisoners and those kept in young offenders' institutions. HMI Prisons also reported that some facilities holding immigrant detainees were "unfit for purpose."

F4. Do laws, policies, and practices guarantee equal treatment of various segments of the population? 3 / 4

Women receive equal treatment under the law but gender discrimination persists in the workplace and elsewhere in society. The authorities actively enforce a 2010 law barring discrimination on the basis of sexual orientation and gender identity. However, the UK has recorded a sustained rise in hate crimes against LGBT+ residents over the past decade. The Home Office recorded a 41 percent increase in hate crimes based on sexual orientation from the 2020–21 to 2021–22 reporting periods.

BAME residents face continued discrimination, including by the authorities. A 2022 review into the Metropolitan Police found systemic failings over its response to accusations of misogyny and racism by officers. Stop-and-search powers are disproportionally used against BAME people.

Members of the Roma, Traveller, and related communities also face discrimination in the UK. In April 2022, Liberty criticized the PCSCA for antitrespassing provisions that it said could affect these communities.

Foreign residents in the UK face considerable scrutiny. Under the ongoing "hostile environment" policy, which aims to persuade undocumented immigrants to voluntarily leave the UK or refrain from entering, individuals seeking public and private services face stringent immigration checks. Asylum seekers and migrants can be detained indefinitely, and there have been persistent reports of poor conditions and abuse in immigration detention centers.

In April 2022, then prime minister Johnson announced a plan in which people whose asylum applications were deemed "inadmissible" in the UK would be sent to Rwanda for further consideration; they would either be invited to settle in Rwanda or be sent elsewhere depending on further determinations. The first flight to Rwanda was planned for June but was halted following a ruling by the ECtHR. In December, the High Court ruled the plan lawful; NGOs challenging the policy said they would consider an appeal.

Under the Nationality and Borders Act 2022, which received royal assent in April, asylum seekers entering the UK through means deemed irregular may receive less support; the law also increased the burden of proof for refugee claims. The Law Society, which

represents solicitors in England and Wales, warned that the act may violate international law. The bill makes it possible for the home secretary to strip individuals of their British citizenship—a power already available via preexisting legislation—without notice.

G. PERSONAL AUTONOMY AND INDIVIDUAL RIGHTS: 15 / 16

G1. Do individuals enjoy freedom of movement, including the ability to change their place of residence, employment, or education? 4 / 4

Citizens generally enjoy freedom of travel and choice of residence, employment, and institution of higher education.

UK passport holders saw their freedom to travel to EU member states lessened after the UK's departure from the bloc. Visitors from the UK require a visa for extended travel to member states in the Schengen border area.

G2. Are individuals able to exercise the right to own property and establish private businesses without undue interference from state or nonstate actors? 4 / 4

Individuals may freely exercise the right to own property and establish private businesses.

G3. Do individuals enjoy personal social freedoms, including choice of marriage partner and size of family, protection from domestic violence, and control over appearance? 4 / 4

The government generally does not place explicit restrictions on personal social freedoms.

The Office for National Statistics (ONS) reported that 5 percent of English and Welsh people over the age of 16 experienced domestic abuse in the year ending March 2022.

While abortion in Northern Ireland was legalized by Parliament in 2019, access to the procedure is severely limited. In May, the UK government introduced regulations that oblige the territory's health department to fund abortion services and allow the UK government's Northern Ireland secretary to directly intervene, Northern Ireland Secretary Chris Heaton-Harris invoked these regulations in October.

G4. Do individuals enjoy equality of opportunity and freedom from economic exploitation? 3 / 4

A 2016 report by a government commission expressed concern about the social and economic isolation of many members of ethnic and religious minorities and of the poor. According to the ONS, income inequality slightly fell between the 2012 and 2021 fiscal years.

The Modern Slavery Act 2015 increased punishments for human traffickers and provides greater protections for victims, but implementation has been weak. Children and migrant workers are among those most vulnerable to forced labor and sex trafficking.

United States

Population: 332,800,000
Capital: Washington, DC
Freedom Status: Free
Electoral Democracy: Yes

Overview: The United States is a federal republic whose people benefit from a vibrant political system, a strong rule-of-law tradition, robust freedoms of expression and religious belief,

and a wide array of other civil liberties. However, in recent years its democratic institutions have suffered erosion, as reflected in rising political polarization and extremism, partisan pressure on the electoral process, bias and dysfunction in the criminal justice system, harmful policies on immigration and asylum seekers, and growing disparities in wealth, economic opportunity, and political influence.

KEY DEVELOPMENTS IN 2022

- Investigations into the violent aftermath of the 2020 presidential election continued throughout the year. Hundreds of people were convicted of crimes linked to the January 2021 insurrection, in which supporters of then president Donald Trump assaulted the Capitol and attempted to disrupt congressional certification of Joseph Biden's victory. A special congressional committee completed its inquiry into the circumstances surrounding the attack in December, referring Trump and several key allies to the Justice Department for potential prosecution.
- Midterm elections in November resulted in divided control of Congress, with the Republican Party winning a narrow majority in the House of Representatives and the Democratic Party retaining a working majority in the Senate. While hundreds of Republican candidates for offices across the country explicitly and groundlessly denied the legitimacy of Biden's 2020 victory over Trump, most of those whose election would have given them influence over administration of the 2024 presidential balloting lost their races.
- In June, the Supreme Court overturned a 1972 decision that had established a constitutional right to abortion, thereby returning the issue to the states. New or existing laws that took effect in many states reduced access to abortion, and at least 12 states imposed near-total bans on the procedure.

POLITICAL RIGHTS: 33 / 40 (+1)

A. ELECTORAL PROCESS: 10 / 12

A1. Was the current head of government or other chief national authority elected through free and fair elections? 3 / 4

The president, who serves as both head of state and head of government, is elected for up to two four-year terms. Presidential elections are decided by an Electoral College, with electors apportioned to each state based on the size of its congressional representation. In most cases, all of the electors in a particular state cast their ballots for the candidate who won the statewide popular vote, regardless of the margin. Two states, Maine and Nebraska, have chosen to divide their electoral votes between the candidates based on their popular-vote performance in each congressional district.

In the 2020 election, Biden, the Democratic Party nominee, won 306 Electoral College votes, leaving Trump, the Republican incumbent, with 232. Biden defeated Trump by more than seven million votes, or approximately 4.4 percentage points, in the national popular balloting. Turnout was the highest recorded in more than a century, with roughly two-thirds of the eligible population casting a ballot.

The COVID-19 pandemic compelled many states to increase access to early and mail-in voting, partly to help prevent dangerous crowding at polling sites. This led to a series of legal battles, with the Trump campaign and other Republican litigants generally arguing against the changes and claiming that they would open the door to fraud. The balloting itself unfolded with few significant disruptions, though existing obstacles to voting—such as strict voter-identification requirements and inadequate numbers of polling sites—remained a factor. Meanwhile, the federal government assisted states in safeguarding ballots and computer

networks against foreign and other illegal interference, while social media companies made greater efforts to thwart election-related disinformation campaigns by foreign actors on their platforms. These measures were generally deemed successful.

Rejecting a vote-tabulation process that was lauded by observers as transparent and professional, in the weeks after the election Trump refused to concede, continued to allege fraud, and openly pressured election officials in pivotal states to make decisions that would support his claims regardless of the facts and the law. During the counting and certification process, state election workers reported intimidation and death threats. A raft of lawsuits by the Trump campaign and its allies were almost universally dismissed by state and federal courts. Evidence of large-scale fraud was nonexistent, but the Trump camp's disinformation, complemented by the reluctance of leading Republicans to explicitly acknowledge Biden as the president-elect, helped to convince many Trump supporters that voter fraud was widespread and Biden was not the rightful winner.

Evidence later emerged regarding last-ditch efforts to overturn the results, including machinations by Trump and allied officials or lawyers to involve the Justice Department and other government agencies in supporting the president's fraud claims, to enlist then vice president Mike Pence in blocking certification of Biden's victory, and to work with Republican activists to put forward illegitimate pro-Trump slates of electors in states that Biden won.

Trump administration officials and allies also encouraged resistance to Biden's victory from voters and citizen groups, culminating on January 6, 2021, when several thousand Trump supporters assembled near the White House for a "Save America" rally. Following inflammatory speeches by Trump and others, the crowd converged on the US Capitol as the counting of the Electoral College ballots proceeded. Upon encountering an inadequate deployment of police, the group turned violent, using both concealed and improvised weapons to break through barricades, assault police officers, and forcibly enter the Capitol, where intruders searched for lawmakers, vandalized offices, and occupied the Senate chamber as members were evacuated. The group was dispersed after several hours, following the delayed arrival of the National Guard. In all, seven people died in connection with the attack, including a policeman who suffered strokes after clashing with the mob and a rioter who was shot by police near the House chamber. Nearly 140 police officers were injured, as were scores of civilians.

Among Republicans, a divide emerged in the weeks after the election between state officials involved in administering the balloting, who generally defended the fairness of the process and the accuracy of the results, and many members of Congress, who gave credence to Trump's claims and cast doubt on Biden's victory. When Congress reconvened late on January 6 to complete the Electoral College count, just eight senators lodged objections to state results, but 139 of the 211 Republicans in the House of Representatives at the time supported baseless objections to the vote counts in at least one state. Biden's inauguration proceeded without incident on January 20.

The events of January 6 prompted several institutional responses. The following week, the House voted to impeach Trump on the charge of incitement of insurrection, with 10 Republicans joining all 222 Democrats to approve the measure. The ensuing Senate trial concluded in February with Trump's acquittal, as only 57 of the required 67 senators, including seven Republicans, voted to convict. In July 2021, a House select committee was formed to investigate the January 6 attack; only two Republican House members agreed to join. The select committee defined its mandate broadly, aiming to clarify both the events of January 6 and the wider efforts to overturn the election results.

The January 6 committee interviewed scores of witnesses, issued an array of subpoenas for documents and testimony by Trump administration officials and allies, and between June

and October 2022 held public hearings featuring live testimony and recorded depositions. The investigation culminated in a report released in December 2022, which assigned primary responsibility for the violence to Trump and referred him to the Justice Department for possible prosecution on charges that included inciting insurrection and conspiracy to defraud the United States. Republican critics derided the investigation as a partisan smear campaign, and Trump, his top political allies, and high-ranking Republican Party officials refused to comply with subpoenas. The House voted to hold four nonrespondents in contempt of Congress; two were indicted, and one of the two, prominent Trump adviser Steve Bannon, received a four-month jail sentence in October, with an appeal pending.

Other investigations of Trump's postelection activity accelerated during 2022, including a special grand jury probe of efforts to pressure Georgia officials to alter the state's election results. In November, US attorney general Merrick Garland appointed a special counsel to examine Trump's role in the planning of the January 6 violence, as well as any criminal liability related to a cache of classified government documents that were recovered in an August raid on his Florida estate. Trump and his allies continued to dismiss all such investigations as political persecution, even as his repeated attempts to block the inquiries in court largely failed.

A2. Were the current national legislative representatives elected through free and fair elections? 4 / 4

Elections for the bicameral Congress are generally free and competitive. The House of Representatives consists of 435 members serving two-year terms. The Senate consists of 100 members—two from each of the 50 states—serving six-year terms, with one-third coming up for election every two years. All national legislators are elected directly by voters in the districts or states that they represent.

The capital district, Puerto Rico, and four overseas US territories are each represented by an elected delegate in the House who can perform most legislative functions but cannot participate in floor votes.

Midterm elections were held in November 2022 and resulted in a change of control of the House of Representatives, while the Senate remained under Democratic control. Republicans gained nine House seats, giving them a majority of 222 to the Democrats' 213. Following a runoff Senate election in Georgia in December, Democrats held 48 Senate seats, and there were two independent senators who generally vote with the Democrats, giving them control of the chamber; one other senator elected as a Democrat, Kyrsten Sinema of Arizona, shifted to independent status following the election. Turnout was approximately 47 percent of eligible voters, nearly matching the relatively high figure from the 2018 midterms.

There were no serious accusations of result-altering fraud in any race in 2022, and most losing candidates quickly conceded, including many of the hundreds of Trump-aligned Republican candidates who continued to deny the legitimacy of the 2020 presidential results.

A3. Are the electoral laws and framework fair, and are they implemented impartially by the relevant election management bodies? 3 / 4

The electoral framework is generally fair, though it is subject to some partisan manipulation. The borders of House districts, which must remain roughly equal in population, are redrawn regularly—typically after each decennial census. In the practice known as partisan gerrymandering, House districts, and those for state legislatures, are crafted to maximize the advantage of the party in power in a given state. The redistricting system varies by state, but in most cases it is overseen by elected officials, and observers have expressed alarm at

the growing strategic and technical sophistication of partisan efforts to control redistricting processes and redraw electoral maps. Historically, gerrymandering has also been used as a tool of racial disenfranchisement, specifically targeting Black voters, as well as Hispanic and Native American populations. The Voting Rights Act (VRA) of 1965 generally prohibits racially discriminatory voting rules, and racial gerrymandering has been subject to reversal by federal courts, but it remains a problem in practice. In February 2022, the Supreme Court allowed Alabama to implement a district map that had been rejected as a racial gerrymander by a lower court; similarly controversial maps in several other states were subsequently upheld by federal judges.

In 2019 the Supreme Court ruled that the federal judiciary has no authority to prevent state politicians from drawing districts to preserve or expand their party's power. However, some state courts have struck down partisan-gerrymandered maps based on their own constitutions, and a handful of states have established independent bodies to manage redistricting in recent years. Following the finalization of the 2020 census results and corresponding reapportionment, state redistricting occurred in 2021 and 2022, leading to multiple legal battles over gerrymandered maps ahead of the 2022 midterms. Both major parties continued to engage in partisan gerrymandering, but Republicans had greater opportunity to redraw state-level maps because they controlled more state legislatures nationwide, and key maps favoring Democrats were successfully challenged in state courts.

Some states have adopted strict voter-identification laws. These documentation requirements can disproportionately limit participation by poor, elderly, or racial minority voters; people with disabilities; and younger voters, especially college students. Proponents of such laws argue that they prevent voter fraud, despite research showing that fraud is extremely rare. Separately, the closure and consolidation of polling places in several states in recent years have been found to reduce turnout by people who are less able to travel to distant polling locations or wait in long lines.

Trump's refusal to acknowledge the legitimacy of his 2020 defeat and his promotion of false fraud claims spurred a new wave of state electoral legislation: between the beginning of 2021 and October 2022, 21 states—nearly all with Republican-controlled legislatures—had passed 42 new laws that made voting more difficult, with provisions including stricter voter-identification requirements; reduced eligibility for mail-in ballots; and limits on interactions at polling places, such as a ban on offering water to voters waiting in line. Other states, however, moved in the opposite direction, with 12 mostly Democratic-led states passing 19 laws intended to facilitate voting.

An emerging concern since the 2020 election has been efforts by Trump-supporting election deniers to take control of election management authority in states that are closely contested in presidential elections; their opponents argue that such actors could facilitate the partisan subversion of legitimate presidential election outcomes in the future. In the 2022 elections, however, a series of election deniers were defeated in races for governor, attorney general, and secretary of state, a key election administration post, in crucial states such as Michigan, Arizona, and Nevada. Separately, a spending bill passed by Congress in December 2022 included reforms designed to minimize the possibility of a constitutional crisis arising from bad-faith interpretations of the ambiguously worded Electoral Count Act, an 1887 law governing congressional validation of the Electoral College votes from the states.

Critics have argued that some components of the US constitution are undemocratic because they violate the principle that each citizen's vote should carry equal weight. For example, the allocation of two Senate seats to each state regardless of size has meant that senators representing a minority of the population are often able to control the chamber. Because the Electoral College allocates votes to the states based on the size of their congressional

delegations, it too is affected by the makeup of the Senate; this makes it possible for a candidate to win the presidency while losing the national popular vote, an outcome that took place in the presidential elections of 2000 and 2016. Defenders of these systems argue that they are fundamental to the United States' constitutional tradition and federal structure, which was designed in part to check the influence of more populous states.

The six-member Federal Election Commission (FEC), whose membership is split between Democrats and Republicans, is tasked with enforcing federal campaign finance laws. Most enforcement actions require four votes, allowing partisan obstruction, and the body has been regarded as largely ineffective in recent years.

B. POLITICAL PLURALISM AND PARTICIPATION: 14 / 16 (+1)

B1. Do the people have the right to organize in different political parties or other competitive political groupings of their choice, and is the system free of undue obstacles to the rise and fall of these competing parties or groupings? 4 / 4

The intensely competitive US political environment is dominated by two major parties: the Republicans on the right and the left-leaning Democrats. The country's prevailing "first past the post" or majoritarian electoral system discourages the emergence of additional parties. The two parties' primary elections allow for a relatively broad array of views and candidates to enter the political system, although those in many states exclude unaffiliated voters from this important stage of the electoral process. Both the 2020 and 2022 primaries and general elections featured participation by ideologically diverse candidates across the country.

For the many seats at all levels that are regarded as "safely" Democratic or Republican, due to a combination of geographical sorting and partisan gerrymandering, primaries often represent the main battleground for opposing views. Republican incumbents, especially in the House, have faced sharp competition from more right-wing, sometimes Trump-backed challengers in recent voting cycles, and left-wing Democrats have challenged a number of moderate, party-backed candidates. In 2022, attention focused on the 10 House Republicans who voted for Trump's impeachment in January 2021. Four members of the group opted to retire, and four were defeated in primaries, including Representative Liz Cheney, the vice chair of the January 6 investigative committee and previously the third-ranked leader of Republicans in the House; the remaining two members managed to win their primaries and were reelected in November.

Independent or third-party candidates have sometimes influenced presidential races or won statewide office, and small parties and ideological factions—such as the Libertarian Party, the Green Party, and the Democratic Socialists of America—have also modestly affected state and local politics in recent years. Several jurisdictions, including Maine, Alaska, and New York City, have adopted ranked-choice voting systems for some posts, which could prove more hospitable to third parties and centrist candidates than the majoritarian system, though in practice the results have generally matched those of the traditional plurality system.

B2. Is there a realistic opportunity for the opposition to increase its support or gain power through elections? 4 / 4

Power changes hands regularly at the federal level, and while certain states and localities are seen as strongholds of one party or the other, even they are subject to intraparty competition and interparty power transfers over time. In the 2022 elections, Republicans regained control of the House of Representatives following two terms of Democratic leadership, but their gains were smaller than expected. Democrats gained the governorships in Maryland and Arizona, leaving them with 24 compared with Republicans' 26. Republicans

maintained control over a solid majority of state legislatures and enjoyed both legislative and gubernatorial control in 21 states, compared with 17 states where Democrats led both branches of government.

Trump's efforts to overturn his loss to Biden in 2020 and early 2021 put serious pressure on the political and electoral systems, eroding the long-standing tradition of respect for official results and highlighting potential structural weaknesses that could be exploited by future candidates. While most Republican candidates who denied the legitimacy of Biden's victory lost in statewide races in 2022, at least 150 such candidates won congressional races, and the persistence of unfounded doubts about the fairness of election administration continued to cause concern that future transfers of power could be disrupted.

B3. Are the people's political choices free from domination by forces that are external to the political sphere, or by political forces that employ extrapolitical means? 3 / 4 (+1)

Various interest groups have come to play a potent role in the nominating process for president and members of Congress, partly because the expense and length of political campaigns place a premium on candidates' ability to raise large amounts of funds from major donors. While there have been a number of attempts to restrict the role of money in political campaigning, most have been thwarted or watered down as a result of political opposition, lobbying by interest groups, and court decisions that equate political spending with free speech.

The 2020 election campaigns included by far the most expensive presidential race ever, and 2022 marked the most expensive midterms to date. As with other recent campaigns, much of the spending was routed through various types of "super PACs" (political action committees that are not supposed to coordinate with any candidate), nonprofit organizations, and other legal entities that often protect donor anonymity and carry few restrictions on the size and source of donations. Small donations make up an important share of candidates' fundraising, but extremely wealthy contributors play an outsized role in overall spending.

Concerns about undue influence have also focused on lobbyists and others working for foreign governments who associate themselves with politicians or political campaigns. The Justice Department has increased enforcement of the Foreign Agents Registration Act (FARA) to ensure transparency, but prosecutions alleging illegal consultant work for foreign powers have often resulted in acquittals.

The January 2021 attack on Congress underscored a broader rise in violence and intimidation as a tool of political influence in the United States. Numerous known affiliates of right-wing extremist groups participated in the attack, and many Republicans and far-right media figures later sought to recast it as a patriotic protest or a defense of election integrity. Nearly 15 percent of the rioters who faced criminal charges had a law enforcement or military background; the participation of military veterans prompted the Defense Department to order a broad review of measures necessary to minimize extremist behavior among active-duty troops.

Federal and state criminal investigations into the insurrection continued throughout 2022. As of late 2022, more than 950 people had been charged, with over 460 pleading guilty and 325 receiving sentences, including up to 10 years in prison. The most serious charges were filed against members of two far-right groups, the Proud Boys and the Oath Keepers, for their alleged coordination of the January 6 violence. In November, Oath Keepers leader Stewart Rhodes was convicted on multiple counts, though he and several codefendants were also acquitted of some charges.

Meanwhile, reports of threats against elected officials and local election administrators have proliferated in recent years, with members of Congress subjected to a dramatic

rise in intimidation. The risks were illustrated in October 2022, when a man was arrested for a brutal assault on the husband of House Speaker Nancy Pelosi at their San Francisco home; the speaker, who was not present at the time, was the intruder's intended target. Armed individuals were also arrested near the homes of conservative Supreme Court justice Brett Kavanaugh in June and Pramila Jayapal, a progressive congresswoman from Washington State, in July.

Score Change: The score improved from 2 to 3 because there was no repetition of political or election-related violence on the scale of the January 2021 Capitol attack, and numerous participants in that attack and related malfeasance were successfully prosecuted amid ongoing state and federal investigations.

B4. Do various segments of the population (including ethnic, racial, religious, gender, LGBT+, and other relevant groups) have full political rights and electoral opportunities? 3 / 4

A number of important laws are designed to ensure the political rights of members of racial and ethnic minority groups, and recent elections have featured an increase in candidates representing such groups. The Congress elected in 2020 included the first openly gay Black House members and record or near-record numbers of Black, Hispanic, Native American, Asian American and Pacific Islander, LGBT+, and women lawmakers. Kamala Harris, whose mother and father were Indian and Jamaican immigrants, respectively, became the first Black American, the first Asian American, and the first woman to win election as vice president. The 2022 midterm elections included a record number of candidates from minority groups, as well as the first openly lesbian women to be elected as governors (in Massachusetts and Oregon), and the first women elected as governor or senator in several states. Nevertheless, White Americans and men have remained highly overrepresented in Congress, in state legislatures, and in senior policymaking positions.

Racial and ethnic minority communities are disproportionately affected by laws and policies that create obstacles to voting and winning elected office. In 2013 the Supreme Court invalidated portions of the VRA of 1965, allowing certain states that previously had to submit legal changes for preclearance by federal authorities to adopt election laws without prior review. In the years since, in addition to adopting voter-identification requirements and limiting polling locations, a number of states—including some that were never subject to the preclearance rule—have partially rolled back innovations like early voting that contributed to higher rates of participation among minority groups. In 2021, the Supreme Court upheld restrictive Arizona voting rules against a VRA challenge, signaling a further weakening of the VRA as a safeguard against discriminatory state laws.

Various other state election-management policies have been criticized for having a disparate impact on racial and ethnic minority communities, including voter-roll purges, arbitrary bureaucratic hurdles to registration, and efforts to punish voter fraud—a very rare phenomenon in US elections. Several Republican-led states created law enforcement units to investigate voter fraud following the 2020 election, yielding meager results. The most aggressive action occurred in Florida, where the arrests of at least 19 people—nearly all of them Black—in August 2022 were followed by questions about whether any of them had intentionally sought to evade eligibility rules.

State laws that deny voting rights to citizens with felony convictions continue to disproportionately disenfranchise Black Americans, who are incarcerated at significantly higher rates than other populations. All but two states suspend voting rights during incarceration for felonies; a growing number of states have eased restrictions on voting rights after incarceration or during probation and parole, but the issue remains controversial. Overall,

researchers estimated that more than five million people were disenfranchised for the 2020 elections due to felony convictions.

C. FUNCTIONING OF GOVERNMENT: 9 / 12

C1. Do the freely elected head of government and national legislative representatives determine the policies of the government? 3 / 4

The elected president and Congress are generally empowered to determine government policies and craft legislation. However, partisan polarization and obstruction in Congress has repeatedly delayed appropriations bills across multiple administrations, resulting in a series of partial shutdowns of federal government operations, most recently in 2018–19. Throughout 2021 and 2022, Republicans in the Senate effectively slowed the confirmation of Biden's executive branch nominees, resulting in scores of vacant positions in the higher levels of government departments and agencies as of December. Such vacancies make it difficult or impossible for the relevant agencies to operate as intended by law.

Congress's ability to serve as a check on potential abuses by the executive was thrown into doubt during the Trump administration. After Democrats gained a majority in the House of Representatives in the 2018 elections, the administration frequently clashed with Congress in ways that undermined the legislature's constitutional oversight authority. Proposed reforms meant to address these problems by strengthening Congress's oversight powers had yet to win passage in 2022.

C2. Are safeguards against official corruption strong and effective? 3 / 4

The United States benefits from strong structural safeguards against official corruption, including a traditionally independent law enforcement system, a free and vigorous press, and an active civil society sector. A variety of regulations and oversight institutions within government are designed to curb conflicts of interest and prevent other situations that could lead to malfeasance. However, regulations pertaining to the influence of money in US politics have long been criticized as an inadequate barrier against corruption.

The practices of the Trump administration exposed additional weaknesses in existing norms of government ethics and probity, particularly with respect to conflicts of interest between officials' public roles and private business activity, and the protection of government whistleblowers from arbitrary dismissal or other reprisals. Since 2021, lawmakers have advanced a number of bills meant to address these gaps in ethics rules, but the reform legislation failed to make significant progress during 2022.

The Biden administration has issued executive orders that strengthened ethics rules within the executive branch, and watchdog groups described its efforts to limit cabinet members' conflicts of interest as effective. However, critics continued to highlight ethics questions involving Biden's son Hunter; Republicans campaigning in the 2022 midterms frequently pledged to launch congressional investigations of Hunter Biden's business activities, and a federal probe was ongoing during the year.

Separately, the stock-trading practices of scores of federal lawmakers have come under scrutiny for alleged conflicts of interest, prompting unsuccessful efforts in 2022 to advance legislation that would restrict members' ability to trade stocks.

C3. Does the government operate with openness and transparency? 3 / 4

The United States was the first country to adopt a Freedom of Information Act (FOIA) over 50 years ago, and the law—along with its state-level counterparts—is actively used by journalists, civil society groups, researchers, and members of the public. A 2016 reform

law was designed to improve government agencies' responsiveness to FOIA requests, and reporters and activists were able to use FOIA filings to obtain important documents on the Trump administration that congressional investigators could not access through normal oversight requests or subpoenas. Nevertheless, government performance on FOIA requests declined during Trump's presidency, and in 2020 the coronavirus-induced transition to remote work by government employees produced a sharp drop in responsiveness to information requests at the federal, state, and local levels. Complaints about serious backlogs and calls for further FOIA reform persisted through 2022.

The executive branch includes a substantial number of auditing and investigative agencies that are designed to be independent of political influence; such bodies are often spurred to action by the investigative work of journalists. In 2020, however, Trump arbitrarily fired or replaced a series of agency inspectors general who had documented or investigated malfeasance by administration officials. In December 2022, Congress passed a spending bill that included provisions intended to reinforce the independence of inspectors general and protect them from presidential interference.

CIVIL LIBERTIES: 50 / 60 (−1)

D. FREEDOM OF EXPRESSION AND BELIEF: 14 / 16

D1. Are there free and independent media? 3 / 4

The United States has a free and diverse press, operating under some of the strongest constitutional protections in the world, though media freedom and independence are somewhat impaired by problems including economic constraints, partisan bias and disinformation, and episodes of violence against journalists.

The media environment retains a high degree of pluralism, with newspapers, newsmagazines, traditional broadcasters, cable television networks, and news websites competing for readers and audiences. Internet access is widespread and unrestricted. While many larger outlets have prospered, however, independent local sources of news have struggled to keep up with technology-driven changes in news consumption and advertising, contributing to significant ownership consolidation in some sectors, and a number of communities with just one or no local news outlet.

News coverage has also grown more polarized, with certain outlets and their star commentators providing a consistently right- or left-leaning perspective. Although the mainstream media have continued to provide strong and independent coverage of national politics despite increased hostility from political figures in recent years, some outlets' editorial policies effectively shifted to the left as they were drawn into adversarial relationships with the Trump presidency. The highly influential cable network Fox News has been unique, however, in its close alignment with the Republican Party; several prominent on-air personalities and executives migrated to government jobs under the Trump administration, and key hosts have openly endorsed Republican candidates or participated in campaign rallies. In 2022, some Fox News hosts continued to promote far-right and conspiracist views.

In October 2022, the Justice Department formally adopted regulations that prohibited federal authorities—with narrow exceptions—from seizing the records of journalists or requiring their testimony in order to identify confidential sources as part of leak investigations. The move, which codified a policy change issued by the attorney general in 2021, came in response to revelations that the department under Trump had secretly sought or obtained the records of journalists from multiple news outlets while investigating leaks.

A growing number of Americans look to social media and other online sources for political news, increasing their exposure to disinformation and propagandistic content of both

foreign and domestic origin. The larger platforms have struggled to control false or hateful material without harming freedom of expression or their own business interests, though they have engaged in mass removals of far-right and foreign accounts that are used to spread disinformation. Following the January 2021 attack on Congress, the perceived risk of further incitement of violence by Trump prompted Twitter to ban his account, and Facebook and YouTube imposed indefinite suspensions. Late in 2022, after Twitter was purchased by billionaire Elon Musk, the platform reinstated Trump and thousands of other suspended users as part of a new emphasis on free speech, while temporarily banning several journalists for seemingly arbitrary reasons. Many advertisers responded to the turmoil by pausing their spending on Twitter.

In 2021, the Republican-led states of Florida and Texas adopted laws that aimed to restrict social media platforms' ability to moderate content and suspend certain accounts, though enforcement of both measures was blocked pending judicial review. A federal appeals court overturned much of the Florida law in May 2022, while in September, a different appeals court upheld Texas's statute, setting the stage for a resolution by the Supreme Court. Separately, New York and California adopted laws in June and September, respectively, that require platforms to be more transparent about their content moderation policies.

While criminal violence against journalists in the United States has been rare in recent decades, investigative journalist Jeff German was murdered in Las Vegas in September 2022. A local official who had been the subject of German's reporting was arrested and charged with the crime.

Media watchdog groups registered widespread press freedom violations—including police violence and arbitrary arrests targeting journalists—in the context of the nationwide protests sparked in 2020 by the police killing of George Floyd, a Black civilian, in Minnesota that May. According to the US Press Freedom Tracker, a joint project of multiple nongovernmental organizations (NGOs), the number of violations has since declined sharply, falling to 15 arrests or detentions of journalists and 38 assaults on journalists in 2022, from 123 arrests and 334 assaults recorded during 2020. The latest incidents largely occurred during political protests. In June 2022, press freedom groups objected to a Supreme Court ruling that made it more difficult for journalists and others to seek monetary damages from federal officials who use excessive force or unlawful searches.

D2. Are individuals free to practice and express their religious faith or nonbelief in public and private? 4 / 4

The United States has a long tradition of religious freedom. The constitution protects the free exercise of religion while barring any official endorsement of a religious faith, and there are no direct government subsidies to houses of worship. The debate over the role of religion in public life is ongoing, however, and religious groups often mobilize to influence political discussions on the diverse issues in which they take an interest. The Supreme Court regularly adjudicates difficult cases involving the relationship between religion and the state. In 2022, the court issued several rulings that eased restrictions designed to avoid the appearance of an official endorsement of religion, for example by authorizing public funding of religious schools under some circumstances.

Hate crimes based on religion are generally prosecuted vigorously by law enforcement authorities. Federal Bureau of Investigation (FBI) statistics for 2020, released in 2021, showed a decrease of some 15 percent in such crimes from 2019; incidents involving Jewish targets constituted over 56 percent of the year's religion-based hate crimes, and anti-Muslim crimes were the next most common category. FBI data covering 2021, released in 2022, were incomplete due to poor rates of reporting by local police departments, but separate studies in 2022 reported data indicating a rise in antisemitic hate crimes.

D3. Is there academic freedom, and is the educational system free from extensive political indoctrination? 3 / 4

The academic sphere has long featured a high level of intellectual freedom. While it remains quite robust by global standards, this liberty has come under pressure from both ends of the political spectrum. University faculty have reported instances of professional repercussions or harassment—including on social media—related to curriculum content, textbooks, or statements that some students strongly disagreed with. As a consequence, some professors have engaged in self-censorship. Students on a number of campuses have obstructed guest speakers whose views they find objectionable. In the most highly publicized cases, students and nonstudent activists have physically prevented presentations by controversial speakers, especially those known for their views on race, gender, immigration, Middle East politics, and other sensitive issues.

On a number of university campuses, such pressures were associated largely with the progressive left, but social and political forces on the right have increasingly applied pressure of their own in recent years. The Trump administration in 2020 ordered recipients of federal funds, including universities, to avoid diversity training that includes "divisive concepts" related to racism and sexism, prompting expressions of concern regarding impingements on academic freedom from numerous university administrators. A federal judge blocked implementation of the order, but in 2021 state-level officials initiated a wave of similar legislation pertaining to both universities and public schools—a trend that continued in 2022. These efforts were especially focused on restricting the teaching of "critical race theory" (CRT), an academic framework for examining a variety of issues including structural racism, and on constraining classroom discussions of sexual orientation and gender identity. According to PEN America, lawmakers in at least seven states had adopted increasingly punitive "educational gag orders" restricting the forms and substance of classroom discussions on race and sexuality by August 2022, in addition to the dozen states that had passed such bills in 2021. Moreover, educators and administrators who were concerned about accreditation, legal liability, and parental anger reportedly acted preemptively to eliminate or alter courses and remove previously well-regarded texts from school libraries. Some library organizations sought to counter the trend by promoting online access to banned books across state lines.

These debates took place against the backdrop of a sharp rise in threats and intimidation aimed at school officials, and as increasingly well-funded and organized conservative or right-wing parents' groups engaged in extensive efforts to control school curriculums and the materials offered in school and public libraries.

D4. Are individuals free to express their personal views on political or other sensitive topics without fear of surveillance or retribution? 4 / 4

Americans are generally free to engage in private discussion and air their personal views in public settings, including on the internet, though there are a number of threats to this freedom.

Civil libertarians, many lawmakers, and other observers have pointed to the real and potential effects of the government's collection of communications data and other forms of intelligence-related monitoring on the rights of US residents, despite the adoption of significant reforms since such activities surged following the terrorist attacks of September 11, 2001. Separately, surveillance programs run by federal and local law enforcement agencies have long raised concerns among civil liberties groups, due in part to allegations of a disproportionate focus on religious, racial, and ethnic minority communities. A growing number of law enforcement and other government agencies are monitoring public social media content, with targets including applicants for US visas and participants in protests.

A public debate about law enforcement access to encrypted communication services continues, with some officials warning that their technical inability to break encryption even with a judicial warrant poses a threat to the rule of law, and opponents arguing that any weakening of encrypted services' security would expose all users to criminal hacking and other ill effects.

Aside from concerns about government surveillance, internet users in the United States have faced problems such as aggressive disinformation efforts, intimidation, and frequently sexualized harassment on social media that may deter them from engaging in online discussion and expressing their views freely.

E. ASSOCIATIONAL AND ORGANIZATIONAL RIGHTS: 11 / 12

E1. Is there freedom of assembly? 4 / 4

In general, officials respect the constitutional right to public assembly. Demonstrations on political and other topics are common and typically proceed without incident, though local authorities often place restrictions on the location or duration of large protests. Legislative initiatives aiming to criminalize or stiffen penalties for certain forms of protest, or to shield perpetrators of violence against protesters from legal liability, have been proposed in most states over the past decade. A total of 39 states enacted such laws between 2017 and the end of 2022.

In recent years, large protests and aggressive law enforcement responses have been sparked by highly publicized police killings of Black civilians, many of which were recorded on video. In May 2020, outrage over the killing of George Floyd by police in Minneapolis inspired one of the largest waves of protests in US history. Under the banner of the decentralized Black Lives Matter (BLM) movement, marches involving millions of people occurred in hundreds of cities and smaller communities. An overwhelming majority of the protests were peaceful, but in some settings they were accompanied by violence against police and significant damage to public and private property. Aggressive police tactics often contributed to violent episodes, and hundreds of instances of unprovoked or disproportionate police violence were documented on video.

Police officers rarely face punishment for violence against protesters, including in cases of apparent abuse caught on camera during the 2020 protests. Observers that year also noted that police often exercised greater restraint toward anti-BLM counterprotesters and participants in separate demonstrations against COVID-19-related restrictions, many of whom were armed and displayed far-right or White supremacist symbols.

With the exception of the January 2021 attack on Congress, conditions surrounding mass assemblies were generally more peaceful in 2021 and 2022.

E2. Is there freedom for nongovernmental organizations, particularly those that are engaged in human rights– and governance-related work? 4 / 4

US laws and practices give wide freedom to NGOs and activists to pursue their civic or policy agendas, including those that directly oppose government policies. Organizations committed to the protection of civil liberties, immigrants' rights, equality for women and minority groups, and freedom of speech became more active during the Trump administration and remained so in 2022, mounting campaigns and filing lawsuits to block government actions that they considered harmful. A number of privately supported NGO projects have also been established in recent years to address deficiencies in the electoral and criminal justice systems.

E3. Is there freedom for trade unions and similar professional or labor organizations? 3 / 4

Federal law generally guarantees trade unions the right to organize and engage in collective bargaining. The right to strike is also legally protected for most workers, though many public employees are prohibited from striking. Over the years, the strength of organized labor has declined, and just 6 percent of the private-sector workforce belonged to unions in 2022. While public-sector unions had a higher rate of membership, with 33.1 percent, they have come under pressure as well. The overall unionization rate in 2022 was 10.1 percent, down slightly from 10.3 percent in 2021. The country's labor code and decisions by the National Labor Relations Board (NLRB) during Republican presidencies have been regarded as impediments to organizing efforts, but Democratic administrations, which are generally more supportive of union interests, have failed to reverse the deterioration. Union organizing is also hampered by resistance from private employers. Among other tactics, many employers categorize workers as contractors or use rules pertaining to franchisees to prevent organizing.

A 2018 Supreme Court ruling that government employees cannot be required to contribute to unions representing them in collective bargaining has led to losses in union membership, and 27 states have "right-to-work" legislation in place, allowing private-sector workers who benefit from union bargaining to similarly opt out of paying union dues or fees. In 2021 the House of Representatives passed the Protecting the Right to Organize Act, which would strengthen organizing and bargaining capacity by overriding right-to-work laws and giving more categories of workers the right to unionize, among other changes, but the bill was blocked by Senate Republicans.

A labor shortage that accompanied the economic recovery from the pandemic starting in 2021 emboldened many workers to make demands in negotiations with employers, leading to a series of highly publicized strikes and increased media coverage of labor disputes, though the total number of strikers remained relatively small. Such coverage continued in 2022, focusing on high-profile organizing efforts at the coffeehouse chain Starbucks and the online retailer Amazon. While workers made gains, including through successful unionization drives at scores of Starbucks locations, employers responded with aggressive antiunion campaigns. Labor advocates applauded the NLRB's increased enforcement efforts against unlawful tactics but described them as insufficient to level the playing field. Separately, President Biden was criticized by some organizers and advocates for intervening in late November to avert a railroad strike; he signed legislation in early December to impose a contract that had been rejected by rank-and-file rail workers in several unions.

F. RULE OF LAW: 11 / 16

F1. Is there an independent judiciary? 3 / 4

The American judiciary is largely independent. The courts regularly demonstrate their autonomy by blocking or limiting executive and legislative actions, and this continued during 2022.

However, the pattern of judicial appointments in recent years has added to existing concerns about partisan distortion of the appointment and confirmation process. Norm-breaking procedural maneuvering allowed Republicans to hold open an unusually large number of judicial vacancies under President Obama and then fill them under President Trump, including a Supreme Court vacancy that began during Obama's final year in office. Trump filled two additional vacancies on the Supreme Court in 2018 and 2020 after deeply contentious Senate hearings and nearly party-line votes. These appointments cemented a conservative Supreme Court majority.

Biden sought to return to a more traditional use of presidential clemency powers in 2022, focusing largely on commuting the sentences of people convicted of nonviolent drug offenses. President Trump had repeatedly used his pardon authority in an arbitrary or politicized fashion, bypassing Justice Department processes and awarding pardons to many of his own personal associates or individuals whose cases were championed by his political allies.

In many states, judges are chosen through either partisan or nonpartisan elections, and a rise in campaign fundraising and party involvement in such elections over the last two decades has increased the threat of bias and favoritism in state courts. In addition, executive and legislative officials in a growing number of states have attempted to exert greater control over state courts in recent years.

F2. Does due process prevail in civil and criminal matters? 3 / 4

The United States has a deeply rooted rule-of-law tradition, and legal and constitutional protections for due process are widely observed. However, the criminal justice system suffers from a number of chronic weaknesses, many of which are tied to racial discrimination and contribute to disparities in outcomes that disadvantage people of color, particularly Black Americans. Media reports and analyses in recent years have drawn new attention to the extensive use of plea bargaining in criminal cases, with prosecutors employing the threat of harsh sentences to avoid trial and effectively reducing the role of the judiciary and juries; deficiencies in the parole system; long-standing funding shortages for public defenders, who represent low-income defendants in criminal cases; racial bias in risk-assessment tools for decisions on pretrial detention; and the practice of imposing court fees or fines for minor offenses as a means of raising local budget revenues, which can lead to jail terms for those who are unable to pay.

These problems and evolving enforcement and sentencing policies have contributed to major increases in incarceration over time. The population of sentenced state and federal prisoners soared from about 200,000 in 1970 to more than 1.6 million in 2009, then gradually decreased to roughly 1.2 million as of the end of 2021, according to the most recent data available. The incarceration rate based on such counts rose from around 100 per 100,000 US residents in 1970 to a peak of more than 500 in the late 2000s, then fell to about 350 as of the end of 2021. There are also hundreds of thousands of pretrial detainees and short-term jail inmates behind bars. Despite gradual declines in the number of Black prisoners, Black and Hispanic inmates continue to account for a majority of the prison population, whereas Black and Hispanic people account for roughly a third of the general US population. Lawmakers, elected state attorneys, researchers, activists, and criminal justice professionals have reached a broad consensus that the current level of incarceration is not needed to preserve public safety.

In recent years, Congress and the executive branch have enacted modest reforms to address mass incarceration and racial disparities in sentencing, such as a 2018 law that eased federal mandatory-minimum sentencing rules and a 2022 Justice Department policy that would reduce sentencing gaps between similar drug offenses. A majority of states have also passed laws in recent years to reduce sentences for certain crimes, decriminalize minor drug offenses, and combat recidivism. However, such gradual steps slowed amid fears of rising crime in 2022. Some states have restricted the use of cash bail, which can unfairly penalize defendants with fewer resources and enlarge pretrial jail populations.

F3. Is there protection from the illegitimate use of physical force and freedom from war and insurgencies? 3 / 4

Both the US homicide rate—at 6.9 per 100,000 inhabitants as of 2021, according to FBI data—and overall crime rates have declined substantially since the 1990s. However, the

figures are high when compared with other wealthy democracies, and the homicide rate rose by 30 percent between 2019 and 2020, with even higher spikes in a number of large cities. The number of murders continued to rise nationally at a slower pace in 2021, then appeared to decline slightly in 2022.

The increased policy focus on reforming the criminal justice system in recent years has coincided with a series of widely publicized incidents in which police actions led to civilian deaths. Most of these prominent cases involved Black civilians, while Native Americans are reportedly killed by police at a higher rate per capita than any other group. Only a small fraction of police killings lead to criminal charges; when officers have been brought to trial, the cases have often ended in acquittals or sentences on reduced charges. In many instances, long-standing and rigid labor protections prevent municipal governments and police departments from imposing significant administrative sanctions on allegedly abusive officers. Nevertheless, some officers have received substantial prison sentences in recent years, including for the 2020 murder of George Floyd. That year's protests against police violence and racial injustice succeeded in drawing media and advocacy attention to many police departments' deep resistance to any reform or accountability mechanisms. A push by some reform advocates to cut police departments' funding and direct it to other public services faced criticism amid rising crime rates, however, and many such efforts were subsequently diluted or reversed.

Conditions in prisons, jails, and pretrial detention centers are often poor at the state and local levels, and death rates in jails appear to have risen in recent years, driven not only by the COVID-19 pandemic but also by increased suicides and drug overdoses, with negligence or understaffing among corrections officers a contributing factor in some deaths.

Use of the death penalty has declined over time. There were 18 executions carried out by six states in 2022—up from 11 executions in 2021, but significantly down from a peak of 98 in 1999. The death penalty has been formally abolished by 23 states; in another 16 states where it remains on the books, executions have not been carried out for the past five years or more. In 2020 the federal government resumed executions for the first time since 2003, and 13 federal executions were carried out before the Biden administration imposed a moratorium in 2021. Factors encouraging the decline of the death penalty include clear racial disparities in its application; a pattern of exonerations of death-row inmates, often based on new DNA testing; states' inability to obtain chemicals used in lethal injections due to objections from producers; multiple cases of botched executions; and the high costs to state and federal authorities associated with death penalty cases. The US Supreme Court has effectively ruled out the death penalty for crimes other than murder and in cases where the perpetrator is a juvenile or mentally disabled, among other restrictions.

F4. Do laws, policies, and practices guarantee equal treatment of various segments of the population? 2 / 4

An array of policies and programs are designed to protect the rights of individuals against discrimination based on race, ethnicity, gender, and other categories, including in the workplace. However, women and some minority groups continue to suffer from disparities on various indicators, and a number of recent government policies have infringed on the fundamental rights of asylum seekers and immigrants.

Although women constitute almost half of the US workforce and have increased their representation in many professions, the average compensation for female workers is roughly 83 percent of that for male workers, a gap that has remained relatively constant over the past several decades. Meanwhile, the wage gap between White and Black workers has grown in recent decades, meaning Black women, who are affected by both the gender and racial

components of wage inequality, made about 69 cents for every dollar earned by White male workers as of 2020, according to the most recent data available. Women are also most often affected by sexual harassment and assault in the workplace. A popular and ongoing social media campaign that began in late 2017, the #MeToo movement, has encouraged victims to speak out about their experiences, leading to accountability for some perpetrators and underscoring the scale of the problem in American society.

In addition to structural inequalities and discrimination in wages and employment, racial and ethnic minority groups face long-running and interrelated disparities in education and housing. De facto school segregation is a persistent problem, and the housing patterns that contribute to it are influenced by factors such as mortgage discrimination, which particularly affects Black and Hispanic homeowners. Black homeownership has fallen steadily from a peak in 2004, despite gains for other groups in recent years. This in turn influences overall gaps in wealth and social mobility. For example, the median wealth of White families is 12 times the median wealth of Black families. Black people also face discrimination in health care and experience worse outcomes than their White counterparts; during the COVID-19 pandemic, people of color experienced strikingly higher mortality from the virus.

Violence motivated by racism or other forms of group animosity is a regular occurrence in the United States. Asian Americans were the victims of a surge in discrimination and hate crimes in 2020 and 2021, attributed in part to President Trump's attempts to focus blame for the pandemic on China, where the initial outbreak occurred. A White gunman's racist killing of 10 Black people in a Buffalo, New York, supermarket in May 2022 illustrated the continuing threat from violent White supremacism, while the November murder of five people in a Colorado nightclub that was popular with LGBT+ people reflected the persistence of hate crimes based on sexual orientation or gender identity.

In general, LGBT+ people have made strides toward legal equality in recent years. In 2020, the Supreme Court ruled that federal civil rights legislation includes LGBT+ people as a class protected from workplace discrimination. In 2021, the Biden administration lifted a Trump-era ban on transgender people serving in the military, and the administration has taken other steps to affirm the rights of transgender people. However, significant discrimination endures. In March 2022, Florida lawmakers adopted a bill that banned discussion of sexual orientation and gender identity in most primary-school classrooms, prompting multiple lawsuits attempting to block enforcement; similar bills were introduced in at least a dozen additional states during the year. A number of other new state laws have restricted the rights of transgender people in particular.

Throughout 2022, the Biden administration continued to use a COVID-19-related public health authority known as Title 42 to rapidly expel or deport hundreds of thousands of migrants and asylum seekers. However, a growing proportion of migrants and asylum seekers came from countries that were exempt from Title 42. Some Republican state governors took unilateral steps to draw attention to the administration's alleged failure to protect the border. Starting in April, Texas officials conducted trade-disrupting inspections of vehicles crossing from Mexico and arranged for the busing of thousands of newly arrived migrants to New York, Washington, DC, and other cities governed by Democrats. In September, Florida governor Ron DeSantis oversaw the air transport of nearly 50 migrants from Texas to a wealthy island in the state of Massachusetts; the move triggered multiple investigations into whether the migrants in question had been illegally deceived or federal funds had been misused to finance the operation.

Since 2021, immigration authorities have moved away from maximizing arrests and deportations of undocumented immigrants and back toward the Obama-era policy of focusing deportation efforts on those individuals who pose the greatest threat to public safety.

Nevertheless, the backlog of cases in immigration courts continued to balloon; as of the end of 2022 there were over two million pending cases, with average wait times of more than two years for a case to be resolved—though the cases of those held in immigration detention tend to move more quickly. Human rights and immigrant advocacy groups criticized the government for taking inadequate measures to address poor conditions in immigration detention facilities. In August 2022, the Biden administration announced steps intended to strengthen the legal standing of the Deferred Action for Childhood Arrivals (DACA) program, which prevents the deportation of undocumented immigrants who were brought to the United States as children. However, in October a federal appeals court ruled that the program was illegal, leaving it in limbo as appeals continued at year's end.

G. PERSONAL AUTONOMY AND INDIVIDUAL RIGHTS: 14 / 16 (−1)

G1. Do individuals enjoy freedom of movement, including the ability to change their place of residence, employment, or education? 4 / 4

There are no significant undue restrictions on freedom of movement within the United States, and residents are generally free to travel abroad without improper obstacles. A patchwork of temporary movement restrictions prompted by the outbreak of COVID-19 in 2020 were loosely enforced and had mostly been lifted by late 2021 as vaccination rates rose.

G2. Are individuals able to exercise the right to own property and establish private businesses without undue interference from state or nonstate actors? 4 / 4

Property rights are widely respected in the United States. The legal and political environments are supportive of entrepreneurial activity and business ownership. Pandemic-related business restrictions at the state and local levels, which caused significant disruption and prompted civil disobedience and public protests by some private business owners in 2020, declined as vaccination rates rose and businesses reopened in 2021.

G3. Do individuals enjoy personal social freedoms, including choice of marriage partner and size of family, protection from domestic violence, and control over appearance? 3 / 4 (−1)

Men and women generally enjoy equal rights in divorce and custody proceedings, and there are no undue restrictions on choice of marriage partner, particularly after a 2015 Supreme Court ruling that all states must allow same-sex marriage. In December 2022, Congress passed and the president signed the Respect for Marriage Act, which would require the federal government and all states to recognize same-sex marriages performed legally in other states, even if the Supreme Court were to reverse its 2015 decision. In recent years, a growing number of states have passed laws to eliminate exemptions that allowed marriages of people under age 18 in certain circumstances. Rape and domestic or intimate-partner violence remain serious problems. The applicable laws vary somewhat by state, though spousal rape is a crime nationwide. Numerous government and nongovernmental programs are designed to combat such violence and assist victims.

In June 2022, the Supreme Court overturned a 1973 precedent and found that the federal constitution did not guarantee a right to abortion, thereby returning the issue to the states. By year's end, near-total bans on abortion had taken effect in at least 12 states, with only narrow exceptions that would make access extremely difficult or dangerous in practice. Increased restrictions were in effect in an additional five states, and court injunctions temporarily blocked near-total or significant bans in six other states. The populations of states where abortion was effectively unavailable or severely restricted accounted for nearly a third of US women of reproductive age. Critics of the new or revived state restrictions noted that their vague language introduced considerable uncertainty about whether

doctors would face prosecution even for providing potentially life-saving care. Scores of clinics—nearly 70 as of October—were forced to stop offering abortion services or close entirely, compelling women in the affected states to travel to jurisdictions with more liberal laws in order to seek treatment, a constraint that disproportionately burdened women with lower incomes. Although reproductive rights advocates mobilized to help pay for travel and facilitate access to abortion medication, access to abortion demonstrably declined, particularly in the 12 states with near-total bans in effect; even in states where abortion remained legal, providers sometimes lacked the capacity to serve both local patients and those traveling from other states. Voters in six states were presented with referendums on abortion rights in August and November, and in each case majorities supported the option that would preserve wider access to abortion.

The recent pattern of state laws restricting the rights of transgender people has also affected their access to medical treatments related to bodily autonomy and appearance.

Score Change: The score declined from 4 to 3 because the Supreme Court's ruling that abortion is not a constitutional right cleared the way for severe state-level restrictions that left a significant share of the population without access by year's end.

G4. Do individuals enjoy equality of opportunity and freedom from economic exploitation? 3 / 4

The "American dream"—the notion of a fair society in which hard work will bring economic and social advancement, regardless of the circumstances of one's birth—is a core part of the country's identity. In recent decades, however, studies have shown a widening inequality in wealth and a narrowing of access to upward mobility. A series of economic stimulus and relief packages introduced by the federal government in response to the COVID-19 pandemic successfully reduced overall poverty rates, but the temporary nature of some highly effective programs, such as an expanded tax credit for families with children that expired at the end of 2021, meant that the societal gains were often ephemeral.

One key aspect of inequality in the United States is the growing income and wealth gap between Americans with university degrees and those with a high school degree or less; the number of well-compensated jobs for the less-educated has fallen over time as manufacturing and other positions are lost to automation and lower-cost foreign production. These jobs have generally been replaced by less remunerative or less stable employment in the service and retail sectors, where there is a weaker tradition of unionization. The pandemic-related economic shock amplified that dynamic, disrupting employment and income for lower-earning, less-educated workers in particular. In 2021, a lockdown-induced spike in household savings, combined with fiscal and monetary stimulus policies, produced strong demand, greater bargaining power, and higher wages for such workers. However, the same factors, along with persistent trade disruptions caused by the pandemic and the Russian invasion of Ukraine, also produced high levels of inflation that tempered the effect of wage increases through 2022.

The inflation-adjusted national minimum wage has fallen substantially since the 1960s, with the last nominal increase in 2009, though many states and localities have enacted increases since then. Other obstacles to gainful employment include inadequate public transportation and the high cost of living in economically dynamic cities and regions. The latter problem, which is exacerbated by exclusionary housing policies in many jurisdictions, has also contributed to an overall rise in homelessness in recent years.

Uruguay

Population: 3,600,000
Capital: Montevideo
Freedom Status: Free
Electoral Democracy: Yes

Overview: Uruguay has a historically strong democratic governance structure and a positive record of upholding political rights and civil liberties while also working toward social inclusion. Although all citizens enjoy legal equality, there are still disparities in treatment and political representation of women, transgender people, Uruguayans of African descent, and the Indigenous population.

KEY DEVELOPMENTS IN 2022

- A March referendum to repeal 135 provisions of the controversial Law of Urgent Consideration (LUC)—a broad-based public sector reform adopted in 2020—failed to pass by a slim margin, allowing the law to remain in force.
- Journalists continued to face pressure and threats due to their work during the year. In May, a Uruguayan information rights organization published a report noting that the number of threats and restrictions journalists were subjected to during its 2021–22 reporting period had increased by 40 percent compared to the previous year.

POLITICAL RIGHTS: 40 / 40

A. ELECTORAL PROCESS: 12 / 12

A1. Was the current head of government or other chief national authority elected through free and fair elections? 4 / 4

The president is directly elected to a five-year term and may hold nonconsecutive terms. The most recent general elections were held in two rounds in 2019. Luis Lacalle Pou and Beatriz Argimón of the center-right Partido Nacional (National Party) captured the presidency and vice presidency. The election took place peacefully and stakeholders accepted the results.

A2. Were the current national legislative representatives elected through free and fair elections? 4 / 4

The bicameral General Assembly consists of the 99-member Chamber of Representatives and the 30-member Senate, with all members directly elected for five-year terms. In the 2019 elections, the Broad Front (Frente Amplio) retained the most representatives but dropped from 50 seats in the Chamber of Representatives to 42, and from 15 to 13 seats in the Senate. The Partido Nacional built a predominantly center-right coalition with four other parties—the Partido Colorado (Colorado Party), the newly formed Cabildo Abierto (Open Cabildo), the Partido de la Gente (People's Party), and the Partido Independiente (Independent Party)—that together won 57 seats in the Chamber of Representatives and 17 seats in the Senate. The elections took place peacefully, and stakeholders accepted the results.

A3. Are the electoral laws and framework fair, and are they implemented impartially by the relevant election management bodies? 4 / 4

Uruguay's Electoral Court serves as the highest authority on elections and supervises the National Electoral Office, which oversees voter registration and has one office in each of the country's regional departments. Electoral laws are generally fair, and the Electoral Court, whose nine members are elected by both houses of Parliament with a two-thirds majority, is generally viewed as impartial. Voting is compulsory.

In September 2021, opponents of the controversial LUC—a broad-based public sector reform passed in 2020—gathered signatures to place numerous articles of the law before a national referendum for repeal. The signatures were verified by the Electoral Court that December. A referendum to repeal 135 provisions of the LUC was held in March 2022 and saw a voter turnout of 80 percent. The referendum failed to pass by a slim margin: those against repealing the law garnered approximately 49.9 percent of the vote share, while those in favor of repealing the law took approximately 48.8 percent.

B. POLITICAL PLURALISM AND PARTICIPATION: 16 / 16

B1. Do the people have the right to organize in different political parties or other competitive political groupings of their choice, and is the system free of undue obstacles to the rise and fall of these competing parties or groupings? 4 / 4

Uruguay's multiparty system is open and competitive. The major political groupings are the Partido Colorado, the Frente Amplio coalition, and the Partido Nacional (also known as Blanco). Several smaller parties also compete in elections and have gained representation.

B2. Is there a realistic opportunity for the opposition to increase its support or gain power through elections? 4 / 4

Opposition parties are competitive. The conservative Cabildo Abierto was founded in 2019 and obtained the most seats in the 2019 elections outside the three major parties.

B3. Are the people's political choices free from domination by forces that are external to the political sphere, or by political forces that employ extrapolitical means? 4 / 4

People's political choices are generally free from undue influence from undemocratic actors.

B4. Do various segments of the population (including ethnic, racial, religious, gender, LGBT+, and other relevant groups) have full political rights and electoral opportunities? 4 / 4

The Afro-Uruguayan minority, which accounts for approximately 8 percent of the population, is significantly underrepresented in government. Indigenous groups are also severely underrepresented, although there is a currently a grassroots campaign that aims to gain formal government recognition of the Indigenous Charrúa people.

Representation of women in national, regional, and local government is low. A 2014 law mandates that 30 percent of representatives be women; as of December 2022, women held approximately 26 percent of seats in the Chamber of Representatives and 29 percent of seats in the Senate. Two bills to increase women's participation were introduced to the legislature by women from two different political parties in 2021. The bills remained under consideration as of year-end 2022.

C. FUNCTIONING OF GOVERNMENT: 12 / 12

C1. Do the freely elected head of government and national legislative representatives determine the policies of the government? 4 / 4

The head of government and national legislature determine the policies of the government without undue interference.

C2. Are safeguards against official corruption strong and effective? 4 / 4

The level of corruption in Uruguay is low by regional standards. Uruguay has repeatedly been ranked first in Latin America in the Capacity to Combat Corruption Index for its ability to detect, punish, and prevent corruption. However, the country registered its first score decline in 2022, largely due to the LUC. Critics have raised concerns that provisions in the LUC, including measures that allow for the easing of restrictions on cash transactions, might hinder Uruguay's ability to monitor money laundering.

In February 2022, well-known Uruguayan drug trafficker Sebastián Marset was released from prison in the United Arab Emirates (UAE), where he had been arrested in October 2021 for carrying a false passport. Marset was able to gain his release in part because he was issued a new Uruguayan passport while imprisoned in Dubai. In August 2022, Uruguayan authorities opened an official investigation into how Marset was able to obtain a new passport while incarcerated, and whether officials at Uruguay's foreign and interior ministries had knowingly aided him in evading arrest; the investigation remained ongoing at year's end.

In September 2022, Alejandro Astesiano, the president's head of security, was arrested for his alleged participation in a scheme to falsify documents and birth certificates to allow Russian citizens to illegitimately obtain Uruguayan passports. Government officials praised the transparency of the investigation into Astesiano and called his arrest a signal of institutional strength.

C3. Does the government operate with openness and transparency? 4 / 4

Government institutions have established a robust record of accountability to the electorate. Enforcement of the Transparency Law, which prohibits a range of offenses related to abuse of office, is relatively strong at the national level.

CIVIL LIBERTIES: 56 / 60 (−1)

D. FREEDOM OF EXPRESSION AND BELIEF: 15 / 16 (−1)

D1. Are there free and independent media? 3 / 4 (−1)

Constitutional guarantees regarding free expression are generally respected. The press is privately owned; the broadcast sector includes both commercial and public outlets. There are numerous daily and weekly newspapers, some of which are connected to political parties.

Journalists have faced increasing pressure due to their work in recent years, including being targeted with civil lawsuits and threats for their reporting. The Center for Archives and Access to Public Information (CAinfo), a Uruguayan information rights organization, has registered a growing number of constraints on freedom of expression for journalists in the country in recent years. A CAinfo report published in May 2022 noted that the number of threats and restrictions journalists were subjected to during its 2021–22 reporting period increased by 40 percent over the previous year, marking the third consecutive year in which such incidents had increased.

Media freedom advocates, including the Latin American Internet Association (ALAI), have also expressed concern about measures in the Accountability Bill (Rendición de Cuentas) submitted to Parliament in June 2022. Critics fear that certain measures in the bill, intended to block illegal broadcasts online, could be invoked to limit freedom of expression more broadly.

Score Change: The score declined from 4 to 3 because journalists are increasingly targeted with civil lawsuits and threats for their reporting.

D2. Are individuals free to practice and express their religious faith or nonbelief in public and private? 4 / 4

Freedom of religion is legally protected and broadly respected.

D3. Is there academic freedom, and is the educational system free from extensive political indoctrination? 4 / 4

Academic freedom is generally upheld. However, some have expressed concerns about the preservation of autonomy and self-governance within the university system. In November 2022, the Senate passed a bill that, if adopted, would modify how the Technological University of Uruguay's (UTEC) board of directors is selected, including by giving the government the power to appoint board members.

D4. Are individuals free to express their personal views on political or other sensitive topics without fear of surveillance or retribution? 4 / 4

Discussion of personal and political topics is generally open and robust, and there is little fear of government surveillance or retribution.

E. ASSOCIATIONAL AND ORGANIZATIONAL RIGHTS: 12 / 12

E1. Is there freedom of assembly? 4 / 4

Freedom of assembly is protected by law, and the government generally respects this right in practice. The broadly worded LUC, passed in 2020, contains provisions that, according to human rights advocates, could pose a threat to the right to peaceful protest and could result in greater police use of force to disperse protests.

E2. Is there freedom for nongovernmental organizations, particularly those that are engaged in human rights– and governance-related work? 4 / 4

A wide array of community organizations and national and international human rights groups are active in civic life, and do not face government interference.

E3. Is there freedom for trade unions and similar professional or labor organizations? 4 / 4

Workers are free to exercise the right to join unions, bargain collectively, and hold strikes. Unions are well organized and politically powerful. Labor advocates are among the most vocal opponents of the LUC.

F. RULE OF LAW: 14 / 16

F1. Is there an independent judiciary? 4 / 4

Uruguay's judiciary is generally independent.

F2. Does due process prevail in civil and criminal matters? 3 / 4

Due process rights are generally respected in Uruguay. However, the courts face a significant case backlog, which results in a high rate of pretrial detention.

F3. Is there protection from the illegitimate use of physical force and freedom from war and insurgencies? 3 / 4

Uruguay is generally free from large-scale violence and civil conflict. However, criminal violence and insecurity have escalated in recent years, largely as a result of the increased scale of drug trafficking in the country. In addition to the violence caused by fighting between domestic drug trafficking gangs, warfare between rival gangs in Brazil has at times migrated across the border.

According to the Ministry of the Interior, 383 homicides were recorded in the country in 2022, an approximately 25 percent increase from 2021.

Prisons are often severely overcrowded, with poor living conditions. In 2021, the Interior Minister reported that prison conditions had deteriorated to the point that they violate human rights standards, and called for a long-term strategic plan to overhaul the system. In September 2022, two fires were caused by an inmate in a prison in Maldonado, requiring several people to be hospitalized; one person later died.

F4. Do laws, policies, and practices guarantee equal treatment of various segments of the population? 4 / 4

Afro-Uruguayan people continue to face economic and social inequalities. Though a 2013 affirmative action law was enacted to combat persistent inequality, Afro-Uruguayans continued to experience high unemployment rates and economic hardship. The state still falls well short of its quota goals for jobs for individuals of African descent.

Transgender people have historically been discriminated against in Uruguay, and violence against transgender people remains prevalent. However, a 2018 law allows transgender people to change relevant information on their identification documents and sets aside funds to help ensure that they have access to education and health care, among other things.

Women enjoy equal rights under the law but face discriminatory attitudes and practices, including a persistent wage gap.

G. PERSONAL AUTONOMY AND INDIVIDUAL RIGHTS: 15 / 16

G1. Do individuals enjoy freedom of movement, including the ability to change their place of residence, employment, or education? 4 / 4

Freedom of movement is protected, and individuals are free to change their residence, employment, and institution of higher education without interference.

G2. Are individuals able to exercise the right to own property and establish private businesses without undue interference from state or nonstate actors? 4 / 4

The right to own property and establish private business is respected.

G3. Do individuals enjoy personal social freedoms, including choice of marriage partner and size of family, protection from domestic violence, and control over appearance? 4 / 4

Violence against women remains a serious concern. More cases of femicide were recorded between January and September 2022 than in all of 2021. Amid high levels of gender-based violence in the country, organizations have advocated for better police training and reporting procedures. The government has also suggested plans to launch courts that specialize in gender-based violence.

The legislature voted overwhelmingly to legalize same-sex marriage in 2013. Abortion for any reason during the first trimester has been legal since 2012. However, many women, especially in rural areas, face obstacles to receiving abortion services.

G4. Do individuals enjoy equality of opportunity and freedom from economic exploitation? 3 / 4

Individuals generally enjoy equality of opportunity, although certain barriers persist for Afro-descendants, women, transgender, and Indigenous Uruguayans. In September 2022, the government launched a program that provides larger subsidies to companies that hire people from vulnerable groups, including migrants and women who have been victims of gender-based violence.

According to reports, the government is not doing enough to combat transnational human trafficking.

Uzbekistan

Population: 35,600,000
Capital: Tashkent
Freedom Status: Not Free
Electoral Democracy: No

Overview: While reforms adopted since President Shavkat Mirziyoyev took office in 2016 have led to improvements on some issues, Uzbekistan remains an authoritarian state with few signs of democratization. No opposition parties operate legally. The legislature and judiciary effectively serve as instruments of the executive branch, which initiates reforms by decree, and the media are still tightly controlled by the authorities. Reports of torture and other ill-treatment persist, although highly publicized cases of abuse have resulted in dismissals and prosecutions for some officials, and small-scale corruption has been meaningfully reduced.

KEY DEVELOPMENTS IN 2022

- Proposed constitutional reforms released for public feedback in June included amendments that would extend the presidential term of office from five years to seven years; if adopted, the reforms would also allow President Mirziyoyev to serve two additional terms in office. The reforms had not been adopted by year's end.
- The wide-ranging constitutional reforms proposed in June also contained draft amendments that would alter the legal and political status of Karakalpakstan, an autonomous republic within Uzbekistan, including by annulling its right to secede based on a referendum. The proposed amendments concerning the status of Karakalpakstan sparked protests in the region, and Mirziyoyev promised to withdraw them in July.
- In early July, mass protests against the draft constitutional amendments erupted in Karakalpakstan, triggering a violent government crackdown in the region; at least 21 people were killed, and hundreds more were injured. Trials for some of the more than 500 people arrested during and after the protests began in late November, and remained ongoing at year's end.

POLITICAL RIGHTS: 2 / 40

A. ELECTORAL PROCESS: 1 / 12

A1. Was the current head of government or other chief national authority elected through free and fair elections? 0 / 4

The president, who holds most executive power, is directly elected for up to two five-year terms. Longtime prime minister Shavkat Mirziyoyev was named acting president through an irregular parliamentary process in 2016, after Islam Karimov, who had held the presidency since Uzbekistan's independence from the Soviet Union in 1991, suffered a stroke and died. The constitution called for the Senate chairman to serve as acting president, but the chairman declined the post. Mirziyoyev won a special presidential election at the end of 2016, taking a reported 88.6 percent of the vote and defeating nominal challengers whose parties in some cases openly campaigned for the incumbent.

Mirziyoyev was reelected in the October 2021 presidential elections with 80.1 percent of the vote. Though five candidates participated, the election was not competitive, and candidates avoided challenging or criticizing Mirziyoyev. Only registered parties may nominate

candidates, and the parties of two individuals who intended to run were denied registration, preventing any opposition or independent candidates from contesting the election.

The Organization for Security and Co-operation in Europe (OSCE) election observation mission found the 2021 presidential elections to be neither fair nor free, noting a lack of meaningful engagement among candidates and an absence of transparent electoral procedures. OSCE observers also reported significant irregularities during the campaign and on election day, including ballot box stuffing in many polling stations, among other things.

Wide-ranging constitutional reforms, including many that would strengthen the powers of the president, were proposed by the government and released for public feedback in June 2022. The proposed amendments include provisions that would extend presidential terms from five years to seven years. If adopted, the reforms would also allow President Mirziyoyev to serve two additional terms in office. The reforms had not been approved as of year's end.

A2. Were the current national legislative representatives elected through free and fair elections? 0 / 4

Uzbekistan has a bicameral legislature. The lower house is composed of 150 seats, with members directly elected in individual constituencies. The 100-member upper house, or Senate, includes 84 members who are elected by regional councils and 16 who are appointed by the president. All members of the parliament serve five-year terms.

The December 2019 lower house elections offered voters no meaningful choice, as all participating parties supported the government. The final results that followed January 2020 runoffs in 25 districts closely mirrored those from the previous lower house elections. The president's party, the Liberal Democratic Party of Uzbekistan (O'zLiDeP), maintained the largest share with 53 of 150 seats. Milliy Tiklanish (National Revival) won 36, the Adolat (Justice) Social Democratic Party won 24, and the People's Democratic Party (XDP) won 22. The Ecological Party of Uzbekistan, which directly competed for the first time after previously having its seats automatically allocated, won the same total of 15 delegates that it had been granted in the previous parliament. OSCE election monitors noted numerous irregularities, including procedural violations, the use of multiple ballots by voters, and ballot-box stuffing.

A3. Are the electoral laws and framework fair, and are they implemented impartially by the relevant election management bodies? 1 / 4

The electoral laws and framework are implemented in ways that offer no opportunities for independent political actors or parties to participate in elections at any level. Election management bodies are closely controlled by the government.

Mirziyoyev has presided over some electoral reforms during his tenure. One set of reforms enacted in 2019 ended indirect representation for the Ecological Party, removed voting restrictions on those with past criminal convictions, and allowed voters to add their names to more than one party roll; these lists are required for political parties to participate in elections.

In June 2022, the government proposed numerous constitutional reforms, including amendments that would drastically alter the existing legal and political status of Karakalpakstan, an autonomous republic within Uzbekistan. The draft amendments included provisions that would downgrade Karakalpakstan's autonomous status, eliminating language identifying the republic as "sovereign" and removing its right to secede on the basis of a referendum. Mirziyoyev promised to withdraw the amendments that would have changed Karakalpakstan's status in early July following mass protests in the region.

B. POLITICAL PLURALISM AND PARTICIPATION: 0 / 16

B1. Do the people have the right to organize in different political parties or other competitive political groupings of their choice, and is the system free of undue obstacles to the rise and fall of these competing parties or groupings? 0 / 4

Only five political parties are registered—O'zLiDep, the XDP, Adolat, Milliy Tiklanish, and the Ecological Party. They engage in mild criticism of one another and occasionally of government ministers, but all are effectively progovernment. Two opposition parties, the Erk Democratic Party and the Truth and Development Party, operate unofficially, having been repeatedly denied registration.

B2. Is there a realistic opportunity for the opposition to increase its support or gain power through elections? 0 / 4

No genuine opposition parties operate legally. Unregistered opposition groups function primarily in exile. Domestic supporters or family members of exiled opposition figures have been persecuted, and they are barred from participating in elections.

B3. Are the people's political choices free from domination by forces that are external to the political sphere, or by political forces that employ extrapolitical means? 0 / 4

Regional alliances of political elites hold the levers of government at all levels, creating economic oligarchies and patronage networks that stifle political competition. There is some intra-elite competition, but without the patronage of the established networks, political and economic advancement is all but impossible.

B4. Do various segments of the population (including ethnic, racial, religious, gender, LGBT+, and other relevant groups) have full political rights and electoral opportunities? 0 / 4

No registered party represents the specific interests of ethnic or religious minority groups, and no other parties or actors have the opportunity to achieve political representation. Women formally enjoy equal political rights, but are unable to organize independently to advance their political interests in practice, and remain underrepresented in leadership positions.

A component of the electoral reform package enacted in 2019 required 30 percent of legislative candidates to be women. Women now hold approximately 33 percent of the seats in the lower house and 24 percent of the seats in the Senate. One woman, a member of the XDP, ran for president in 2021, taking 6.6 percent of the vote.

C. FUNCTIONING OF GOVERNMENT: 1 / 12

C1. Do the freely elected head of government and national legislative representatives determine the policies of the government? 0 / 4

The country's leadership is not freely elected, and the legislature serves as a rubber stamp for the executive branch.

C2. Are safeguards against official corruption strong and effective? 0 / 4

Corruption is pervasive. Graft and bribery among low- and mid-level officials remain common and are at times conducted overtly and without subterfuge. However, petty corruption among traffic police and officials granting identification documents and registrations has been notably reduced in recent years by pilot programs that introduced video surveillance and traffic cameras.

President Mirziyoyev has overseen an ongoing purge of the notoriously corrupt security and law enforcement services. Analysts contend that the purge is largely meant to neutralize security officials from the Karimov era and shift power to the president's

personal security service and the reformed National Guard, both of which are overseen by Mirziyoyev's family members.

In September and October 2022, the Mirziyoyev administration launched a shakeup of more recent appointees as well, removing the governors and mayors of 14 districts and cities in a 10-day period, including the mayor of Termez, Isroil Khudoiberdiyev. Khudoiberdiyev, two of his deputies, and four other officials were arrested in October on charges of embezzlement.

In recent years, the government has pursued a broad program of privatization of state assets. According to a 2021 report by Radio Free Europe/Radio Liberty (RFE/RL), a number of formerly state-owned assets have been sold to the family members of high-ranking government officials, sometimes at suspiciously low prices, leading to accusations of nepotism and corruption.

Media discussion of corrupt practices has cautiously expanded since Karimov's death, but in some cases the journalists and commentators involved have come under pressure.

C3. Does the government operate with openness and transparency? 1 / 4

Government operations remain mostly opaque, but one of Mirziyoyev's first acts as president in late 2016 was the creation of new online mechanisms that offered citizens the opportunity to file complaints, report problems, and request services. The initial program was overwhelmingly popular and was quickly expanded to all ministries and local government offices, requiring local officials to interact with citizens and demonstrate responsiveness. The innovations contributed to a cultural change in governance, though they frequently encountered resistance at the local level.

CIVIL LIBERTIES: 10 / 60 (+1)

D. FREEDOM OF EXPRESSION AND BELIEF: 4 / 16 (+1)

D1. Are there free and independent media? 1 / 4

Despite constitutional guarantees, press freedom remains severely restricted. The state controls major media outlets and related facilities, and independent outlets were mostly shuttered or blocked under Karimov. However, domestic media, including news websites and live television programs, now cautiously discuss social problems and criticize local officials, reflecting a slight reduction in media repression since Mirziyoyev took power. Some independent news sources have emerged and are not subject to overt censorship, though most outlets still avoid openly criticizing Mirziyoyev and the government. Under Mirziyoyev, a number of journalists have been released from prison, and 2018 marked the first year in two decades that no journalists were imprisoned.

The presence of independent international outlets is limited; several foreign reporters have been granted press passes since 2017, although other journalists working for outlets like RFE/RL have been denied entry. Access to news and information via popular social media sites like YouTube and Facebook has become more reliable in recent years despite the authorities' sporadic blocking of such platforms.

Independent journalists are frequently harassed or interrogated by the security services for their coverage of topics that are deemed to be sensitive by the authorities. In 2022, numerous journalists reporting on the Russian military invasion of Ukraine were warned by the state security services to "exercise restraint" in their coverage of the war, and some were reportedly ordered to delete their work.

Journalists continue to face criminal penalties for a variety of possible offenses related to their work. In 2020, the president signed legal amendments that eliminated prison terms for libel and insult, but compulsory labor and other penalties remained in place, and dissemination of false information was added to the criminal and administrative codes. In

February 2022, blogger Sobirjon Babaniyazov was sentenced to three years' imprisonment for purportedly insulting President Mirziyoyev on social media. In January, blogger Miraziz Bazarov, who has reported on government corruption and advocated for LGBT+ rights, was sentenced to three years of house arrest on slander charges for allegedly making comments insulting teachers and progovernment bloggers on social media. Journalists were not granted access to the courtroom during his trial.

In June and July 2022, during the public hearing period on the proposed constitutional amendments on Karakalpakstan and the protests that followed, prominent ethnic Karakalpak bloggers and journalists who published criticism of the proposed amendments were arrested by local authorities; at least one, Kural Rametov, was reportedly tortured while in custody.

The state has also continued to occasionally use the Soviet-era practice of forced psychiatric hospitalization against journalists.

D2. Are individuals free to practice and express their religious faith or nonbelief in public and private? 1 / 4 (+1)

The government permits the existence of approved Muslim, Jewish, and Christian denominations, but treats unregistered religious activity as a criminal offense. Suspected members of banned Muslim organizations and their relatives have faced arrest, interrogation, and torture. Arrested believers are frequently accused of founding previously unknown religious organizations, a charge that carries high penalties. In most cases, little evidence of the existence of such organizations is presented at the closed trials. Since Mirziyoyev became president in 2016, government regulations curtailing religious freedom have lessened, though significant restrictions remain in place as of 2022.

In 2021, Mirziyoyev signed new amendments to the law on religious freedom, relaxing a controversial prohibition on wearing religious clothing in public, including in state and educational institutions, as well as simplifying the registration requirements for religious organizations. However, human rights activists and international monitors have noted that the reforms do not fundamentally change the state's authority to license religious organizations, censor religious literature, and prosecute anyone participating in religious activities or teaching outside state-approved forums. While mandatory dress codes that effectively prohibit the wearing of religious attire in public schools remain in place, as of the end of 2022 these rules are reportedly no longer being enforced in practice.

Despite the expansion of some religious freedoms, security services have continued to use broadly defined terrorism and slander legislation to target religious individuals and activists. In January 2022, Muslim blogger Fazilhoja Arifhojaev was convicted of "threatening public security and public order" and sentenced to more than seven years in prison for criticizing the government's religious policies on social media. His sentence was upheld on appeal in March.

Score Change: The score improved from 0 to 1 because recent legal amendments have relaxed prohibitions on religious expression, including the ability to wear religious clothing in public.

D3. Is there academic freedom, and is the educational system free from extensive political indoctrination? 1 / 4

The government has long limited academic freedom, in part by controlling contacts between universities or scholars and foreign entities. Universities in Uzbekistan have slowly expanded their cooperation with foreign counterparts since 2016.

Texts that glorify former president Karimov are no longer required reading at universities.

D4. Are individuals free to express their personal views on political or other sensitive topics without fear of surveillance or retribution? 1 / 4

The freedoms of personal expression and private discussion have long been limited by *mahalla* committees—traditional neighborhood organizations that the government transformed into an official system for public surveillance and control. The government also engages in extensive surveillance of electronic communications.

Through its various reforms since 2016, the Mirziyoyev administration has signaled a greater tolerance for public criticism, modestly improving the climate for expression of personal views on sensitive topics. However, the 2020 legal amendments that criminalized dissemination of false information, including about COVID-19, indicated ongoing pressure to set limits on public debate.

E. ASSOCIATIONAL AND ORGANIZATIONAL RIGHTS: 1 / 12

E1. Is there freedom of assembly? 0 / 4

Despite constitutional provisions for freedom of assembly, authorities severely restrict this right in practice, breaking up virtually all unsanctioned gatherings and detaining participants.

Mass protests erupted in Karakalpakstan in late June and early July 2022 after the government published draft constitutional amendments that would have, if adopted, downgraded the republic's autonomous status. In response to the protests, Uzbekistan's security forces launched an extremely violent crackdown, using lethal force against mostly peaceful protesters; the government also temporarily imposed a state of emergency, enacted martial law, and restricted mobile network coverage and internet access in the region. At least 21 people were killed and more than 270 were injured during the protests, including members of the security forces. More than 500 people, including journalists and opposition activists, were arrested during and after the protests. Trials against some of those charged with crimes related to the protests began in November, and were ongoing at year's end.

E2. Is there freedom for nongovernmental organizations, particularly those that are engaged in human rights– and governance-related work? 1 / 4

Unregistered NGOs have faced severe repression and harassment. Though the government claims that many NGOs operate in Uzbekistan, most are state-sponsored organizations; excessive registration requirements prevent independent NGOs from legally operating, and allow authorities to interfere in the work of human rights organizations.

A new organization designed to oversee the activities of registered NGOs, the Center for the Development of Civil Society (CDCS), was formed in 2019.

In 2021, Mirziyoyev issued a decree approving the Concept on Development of Civil Society in 2021–2025, a proposal introducing measures that would provide for partnerships between NGOs and the government. In June 2022, the Cabinet of Ministers issued a decree that increases state oversight of organizations that receive international funding, including by requiring government approval of such funds.

The government frequently and arbitrarily denies registration requests made by both local and international NGOs that engage in human rights-related work.

E3. Is there freedom for trade unions and similar professional or labor organizations? 0 / 4

The Federation of Trade Unions is controlled by the state, and no genuinely independent union structures exist. Organized strikes are extremely rare.

F. RULE OF LAW: 1 / 16

F1. Is there an independent judiciary? 0 / 4

The judiciary remains subservient to the president. In 2017, however, a number of judicial reforms were enacted through constitutional and legislative amendments, establishing specific terms in office for judges and creating a Supreme Judicial Council (OSK) to oversee appointments and disciplinary action, among other changes. The council, whose chairperson is approved by the Senate on the president's recommendation, replaced a commission that was directly subordinate to the president.

F2. Does due process prevail in civil and criminal matters? 0 / 4

Due process guarantees are extremely weak. Law enforcement authorities have routinely justified the arrest of suspected religious extremists or political opponents by planting contraband, filing dubious charges of financial wrongdoing, or inventing witness testimony. The Lawyers' Chamber, a regulatory body with compulsory membership, serves as a vehicle for state control over the legal profession. The judicial reforms adopted in 2017 gave judges rather than prosecutors the authority to approve certain investigative steps, such as exhumations and some forms of surveillance. In 2020, a presidential decree introduced an option for defendants to enter plea bargains for a range of offenses and included provisions to improve detainees' access to lawyers.

F3. Is there protection from the illegitimate use of physical force and freedom from war and insurgencies? 1 / 4

A 2016 law on police prohibits torture, and a 2017 presidential decree that bars courts from using evidence obtained through torture took effect in 2018. In both 2020 and 2021, Mirziyoyev issued additional decrees introducing mechanisms to eliminate the use of torture against detainees. Despite the reforms, credible reports of physical abuse against detainees continued throughout 2022.

In 2020, Andijon businessman Alijon Abdukarimov died following severe torture during police interrogation, sparking widespread public outrage. The prosecutor general's office brought charges against the officers implicated in the case, and six officers received sentences ranging from one to 10 years in prison. The prosecutor general's office publicized data on torture investigations for the first time in June 2020, admitting that of 757 cases investigated in three years, only 33 had led to prosecution. The human rights ombudsman acknowledged the same month that torture remained a serious problem, and the Interior Ministry announced that video cameras would be installed in police interrogation facilities across the country.

International human rights organizations have condemned the government's crackdown on protests in Karakalpakstan in July 2022—which saw security forces use extreme and sometimes lethal force to disperse mostly peaceful protesters—as excessive and unjustifiable. Though the government formed a commission to investigate human rights violations during the protests in mid-July, as of December it had not shared any findings.

Prisons suffer from severe overcrowding and shortages of food and medicine. As with detained suspects, prison inmates—particularly those sentenced for their religious beliefs—are often subjected to torture and other ill-treatment.

F4. Do laws, policies, and practices guarantee equal treatment of various segments of the population? 0 / 4

Although racial and ethnic discrimination are prohibited by law, the belief that senior positions in government and business are reserved for ethnic Uzbeks is widespread. Women's educational and professional prospects are limited by discriminatory cultural and religious norms. Women are also barred from certain jobs under the labor code.

Sex between men is punishable with up to three years in prison. The law does not protect LGBT+ people from discrimination, and social taboos deter the discussion of LGBT+ issues.

G. PERSONAL AUTONOMY AND INDIVIDUAL RIGHTS: 4 / 16

G1. Do individuals enjoy freedom of movement, including the ability to change their place of residence, employment, or education? 1 / 4

Permission is required to move to a new city, and bribes are commonly paid to obtain the necessary documents. Bribes are also frequently required to gain entrance to and advance in universities. The Mirziyoyev administration abolished exit visas in 2019, ending a system that was used to proscribe travel beyond other member states of the Commonwealth of Independent States.

G2. Are individuals able to exercise the right to own property and establish private businesses without undue interference from state or nonstate actors? 1 / 4

Widespread corruption and extensive state control over the economy limit private business opportunities and make property rights tenuous in practice.

G3. Do individuals enjoy personal social freedoms, including choice of marriage partner and size of family, protection from domestic violence, and control over appearance? 1 / 4

While the law generally grants men and women equal rights in matters such as marriage and divorce, women often face de facto disadvantages. Extralegal child marriage is reportedly practiced in some areas. Victims of domestic violence are discouraged from pressing charges against perpetrators, who rarely face prosecution. Rape is also seldom reported or prosecuted, and spousal rape is not explicitly criminalized.

G4. Do individuals enjoy equality of opportunity and freedom from economic exploitation? 1 / 4

Economic exploitation remains a serious domestic problem, as does the trafficking of men and women abroad for forced labor and sex work. A 2009 law imposed stronger penalties for child labor, and in 2012 Mirziyoyev, then the prime minister, pledged to end the practice completely. In 2017, the president issued a decree to formally ban forced agricultural labor by students, health workers, and teachers. During the subsequent cotton harvests, the government increased incentives for voluntary labor and granted access to international observers. In 2018, the International Labor Organization (ILO) noted that 93 percent of cotton workers were voluntarily employed for that year's harvest, while child labor was not an issue.

In 2020, President Mirziyoyev signed a decree to fully end the state quota system for cotton that had motivated local officials to require forced labor. Despite these improvements, some evidence of forced labor has continued to be reported in recent years, and prosecutions of suspected traffickers remain rare.

Vanuatu

Population: 300,000
Capital: Port Vila
Freedom Status: Free
Electoral Democracy: Yes

Overview: Vanuatu conducts democratic elections but suffers from a pattern of unstable coalition governments. Although political corruption is a major problem, the largely independent judiciary has been able to hold elected officials accountable in high-profile cases. Other persistent problems include domestic violence and societal discrimination against women.

KEY DEVELOPMENTS IN 2022

- In July, an electoral college including lawmakers and provincial leaders elected Nikenike Vurobaravu president. Vurobaravu had served as an ambassador and as high commissioner for Fiji earlier in his career.
- In the snap October elections, the Union of Moderate Parties (UMP) won seven seats, as did the Vanua'aku Pati of then prime minister Bob Loughman. Ishmael Kalsakau of the UMP became prime minister in November, heading a multiparty coalition.

POLITICAL RIGHTS: 33 / 40

A. ELECTORAL PROCESS: 10 / 12

A1. Was the current head of government or other chief national authority elected through free and fair elections? 3 / 4

The prime minister, who holds most executive authority and appoints the cabinet, is chosen by Parliament from among its members. Prime ministerial elections and no-confidence votes often feature improprieties, as rival coalitions seek to entice members to shift allegiances with offers of cash or ministerial portfolios. Ishmael Kalsakau of the UMP became prime minister in November 2022, a month after a snap parliamentary election was held.

The president is elected to serve a five-year term by an electoral college consisting of Parliament and the heads of the country's provincial councils. A two-thirds majority is required, and multiple rounds of voting can be held to reach this threshold. In July 2022, Nikenike Vurobaravu became president after eight rounds.

A2. Were the current national legislative representatives elected through free and fair elections? 4 / 4

The 52-seat unicameral Parliament is directly elected for four-year terms in 18 constituencies ranging from one to seven members in size.

Some 17 parliamentarians defected from the government of then prime minister Bob Loughman in early August 2022. President Vurobaravu then dissolved Parliament at Loughman's request so that the premier could avoid a subsequent no-confidence vote. In the snap October elections, the UMP obtained seven seats, as did Loughman's Vanua'aku Pati. Fifteen other parties won seats, as did one independent.

Kalsakau and Loughman then canvassed parliamentarians from smaller parties for support. Kalsakau became prime minister in November, with Loughman and his supporters ultimately backing him. At 44 percent, turnout was lower than in previous polls.

A3. Are the electoral laws and framework fair, and are they implemented impartially by the relevant election management bodies? 3 / 4

The electoral framework is generally fair, and elections are administered without bias, but international observers have noted problems including an inaccurate voter roll and understaffing of election management bodies. Deceased individuals still appeared in the roll for the October 2022 elections.

B. POLITICAL PLURALISM AND PARTICIPATION: 15 / 16

B1. Do the people have the right to organize in different political parties or other competitive political groupings of their choice, and is the system free of undue obstacles to the rise and fall of these competing parties or groupings? 4 / 4

Numerous political parties operate without restrictions in Vanuatu. Politicians frequently switch allegiances. The use of a single-nontransferable-vote system, particularly in larger multimember constituencies, is additionally believed to weaken political parties and encourage fragmentation. It is especially problematic during by-elections when voters may be filling only one vacant seat in a multiseat district.

B2. Is there a realistic opportunity for the opposition to increase its support or gain power through elections? 4 / 4

Vanuatu has a record of frequent democratic transfers of power between rival parties.

B3. Are the people's political choices free from domination by forces that are external to the political sphere, or by political forces that employ extrapolitical means? 4 / 4

There are no major undue constraints on the choices of voters or candidates from outside the political system. Traditional chiefs—represented by the National Council of Chiefs, a consultative body for customary and language matters—exert some influence, but they do not control electoral decisions.

B4. Do various segments of the population (including ethnic, racial, religious, gender, LGBT+, and other relevant groups) have full political rights and electoral opportunities? 3 / 4

Ethnic minorities enjoy equal political rights. Political groupings have historically been divided in part along linguistic lines, with an Anglophone majority and a Francophone minority.

Women's political participation is impaired by systemic biases. They are severely underrepresented in elected offices and run for office less frequently than men. Some seats are reserved for women at the municipal level, and women's rights groups have lobbied for a national-level quota. One woman was elected to Parliament in October 2022, the first time a woman won a seat since 2004.

C. FUNCTIONING OF GOVERNMENT: 8 / 12

C1. Do the freely elected head of government and national legislative representatives determine the policies of the government? 3 / 4

The elected prime minister and cabinet determine and implement government policies without improper interference, and the legislature serves as a check on executive power. However, party fragmentation and frequent no-confidence votes disrupt governance. Charlot Salwai's 2016–20 government was the first since 1995 to complete a full four-year term.

C2. Are safeguards against official corruption strong and effective? 2 / 4

Abuse of office and corruption are serious problems, though prosecutors, the ombudsman, and other independent institutions are occasionally effective in combating them.

C3. Does the government operate with openness and transparency? 3 / 4

The government largely operates with transparency. Parliament sessions are livestreamed. Elected officials are required to submit financial disclosure reports that can be investigated by the ombudsman's office, but the documents are not made public.

CIVIL LIBERTIES: 49 / 60

D. FREEDOM OF EXPRESSION AND BELIEF: 14 / 16

D1. Are there free and independent media? 2 / 4

The government generally respects freedom of the press, though elected officials have sometimes been accused of threatening journalists for critical reporting. Publicly and privately owned newspapers publish in English and French. There are a small number of private broadcasters, but the state-owned broadcaster is dominant. Foreign news services are also available, and about a quarter of the population has access to the internet.

In 2019, the government rejected a work-permit renewal request from Canadian journalist Dan McGarry, publisher of the *Daily Post* newspaper, and barred him from returning to the country. McGarry claimed that the government retaliated against the newspaper's coverage of Chinese influence in Vanuatu; the Supreme Court revoked the travel ban at the end of 2019, allowing McGarry to return. His work permit has still gone unrenewed as of the end of 2022.

The Statute Law (Miscellaneous Provisions) Act 2021, which amended numerous laws, provides criminal penalties of up to three years' imprisonment for threatening language, libel, and slander.

D2. Are individuals free to practice and express their religious faith or nonbelief in public and private? 4 / 4

The constitution's preamble states that the republic is founded on "Christian principles," but there is no official religion. Adherents of other faiths can worship freely. Authorities do not enforce a legal registration requirement for religious groups.

D3. Is there academic freedom, and is the educational system free from extensive political indoctrination? 4 / 4

There are no constraints on academic freedom.

D4. Are individuals free to express their personal views on political or other sensitive topics without fear of surveillance or retribution? 4 / 4

The government does not monitor personal communications, and individuals can discuss politics and other matters without interference.

E. ASSOCIATIONAL AND ORGANIZATIONAL RIGHTS: 11 / 12

E1. Is there freedom of assembly? 4 / 4

The law provides for freedom of assembly, and the government typically upholds this right in practice. Public demonstrations generally proceed without incident.

E2. Is there freedom for nongovernmental organizations, particularly those that are engaged in human rights– and governance-related work? 4 / 4

There are no significant constraints on the formation and operations of nongovernmental organizations, which are not required to register with authorities.

E3. Is there freedom for trade unions and similar professional or labor organizations? 3 / 4

Workers can join unions, bargain collectively, and strike. The right to strike is somewhat impaired by notification rules and the government's ability to bar such actions in essential services; violations can draw criminal penalties. The umbrella Vanuatu Council of Trade Unions is an affiliate of the International Trade Union Confederation. Union leaders have raised concerns about antiunion pressure on seasonal workers who travel to New Zealand, including from recruiting agents within Vanuatu.

F. RULE OF LAW: 13 / 16

F1. Is there an independent judiciary? 4 / 4

The judiciary is largely independent, but a lack of resources hinders the hiring and retention of qualified judges and prosecutors. The president appoints the chief justice after consulting with the prime minister and the opposition leader. Other judges are appointed by the president on the advice of the Judicial Service Commission; judges cannot be removed arbitrarily. Tribal chiefs and island courts empowered to hear customary law cases adjudicate local disputes. Vanuatu's courts have demonstrated impartiality in recent years through their adjudication of cases involving senior political figures.

In June 2022, the Loughman government abandoned plans to introduce a five-year term for the chief justice after the opposition and Transparency International objected to the reform package that included the proposal.

F2. Does due process prevail in civil and criminal matters? 3 / 4

Due process rights are guaranteed by law. However, police do not always uphold legal safeguards against arbitrary arrest and detention. Long periods of pretrial detention are not uncommon, largely due to case backlogs in the courts. However, Vanuatu's pretrial population is relatively low for the region.

F3. Is there protection from the illegitimate use of physical force and freedom from war and insurgencies? 3 / 4

The police paramilitary unit, the Vanuatu Mobile Force, has a reputation for heavy-handed treatment of citizens. Civilian authorities have not been effective in punishing and preventing cases of police brutality.

Prisons have suffered from overcrowding, violence, poor living conditions, and lax management that contributes to frequent escapes.

F4. Do laws, policies, and practices guarantee equal treatment of various segments of the population? 3 / 4

Women are guaranteed legal equality, but they face societal discrimination that affects their access to employment and economic opportunity in practice. LGBT+ people are not protected by antidiscrimination laws.

The rapid expansion of Chinese-owned businesses has fueled resentment toward Chinese residents. Certain occupations are reserved for ni-Vanuatu as part of a policy to boost employment for the native population.

G. PERSONAL AUTONOMY AND INDIVIDUAL RIGHTS: 11 / 16

G1. Do individuals enjoy freedom of movement, including the ability to change their place of residence, employment, or education? 4 / 4

The constitution protects freedom of movement, which is also respected in practice. In March 2020, then president Obed Moses declared a state of emergency to respond to the

COVID-19 pandemic, which included travel restrictions and other public health measures to prevent the spread of the virus. The state of emergency was lifted in February 2022.

G2. Are individuals able to exercise the right to own property and establish private businesses without undue interference from state or nonstate actors? 3 / 4

The legal framework is generally supportive of property rights and private business activity. However, irregularities surrounding land deals and corruption in the Lands Ministry are persistent problems.

G3. Do individuals enjoy personal social freedoms, including choice of marriage partner and size of family, protection from domestic violence, and control over appearance? 2 / 4

Domestic violence is widespread. Social stigma and fear of reprisal inhibits reporting, particularly in more remote rural areas, and police and courts rarely intervene or impose strong penalties. Government and civil society efforts to combat the problem are inadequately funded. Spousal rape is not specifically criminalized. Women pursuing civil cases related to personal status matters face difficulties paying the required court fees. Only fathers can automatically pass citizenship to their children at birth.

G4. Do individuals enjoy equality of opportunity and freedom from economic exploitation? 2 / 4

Poverty is extensive, and more than three-quarters of the population rely on subsistence agriculture. The government does not properly enforce health and safety standards, leaving employees in construction, logging, and other industries exposed to hazardous working conditions. Children often perform agricultural work at the family level, and laws on child labor do not meet international standards.

Venezuela

Population: 28,300,000
Capital: Caracas
Freedom Status: Not Free
Electoral Democracy: No

Overview: Venezuela's democratic institutions have been deteriorating since 1999, but conditions have grown sharply worse in recent years due to harsher government crackdowns on the opposition and the ruling party's use of thoroughly flawed elections to seize full control of state institutions. The authorities have closed off virtually all channels for political dissent, restricting civil liberties and prosecuting perceived opponents without regard for due process. Although the country's economy has returned to growth after years of recession, a severe, politically driven humanitarian crisis continues to cause hardship and stimulate mass emigration.

KEY DEVELOPMENTS IN 2022

- In January, the government-controlled National Electoral Council (CNE) effectively blocked an initiative to hold a referendum on recalling President Nicolás Maduro, giving opposition organizers just 12 hours to collect the 4.2 million signatures required for a vote to proceed.

- In April, the progovernment National Assembly that was elected in 2020 under dubious conditions appointed 20 judges to a restructured Supreme Tribunal of Justice (TSJ), implementing a law that reduced the tribunal's size from 32 judges. However, several of the 20 were already serving on the old court, raising concerns about the violation of constitutional term limits.
- The authorities continued to suppress independent civil society groups and human rights activists, with more than 200 attacks—including smear campaigns, harassment, and acts of intimidation—documented during the first half of the year.
- In November, government and opposition representatives meeting in Mexico reached a tentative agreement to release funds that were held in frozen international accounts and use them for humanitarian purposes. However, substantive talks on political reform remained stalled.

POLITICAL RIGHTS: 1 / 40

A. ELECTORAL PROCESS: 0 / 12

A1. Was the current head of government or other chief national authority elected through free and fair elections? 0 / 4

The president serves six-year terms and is not subject to term limits. Incumbent Nicolás Maduro was awarded a new term after winning the 2018 snap presidential election with nearly 68 percent of the vote, according to the government-controlled CNE. The poll featured a record-low turnout of 46 percent, leading opposition figures were barred from competing, and regional observers generally considered the process to be illegitimate.

In January 2022, the opposition attempted to initiate a referendum to recall Maduro as president, as permitted by the constitution. However, the CNE gave petitioners just 12 hours to collect the signatures of at least 20 percent of registered voters, or about 4.2 million people. It then declared that the initiative had failed to meet that threshold, meaning a referendum could not proceed.

In December 2022, the remaining members of the opposition-controlled National Assembly that had been elected in 2015 voted to formally dissolve an interim government it had created in January 2019 to challenge Maduro's legitimacy. That government, headed by interim president Juan Guaidó, had received recognition from a number of democratic countries, but it was never able to displace Maduro or gain control over state institutions in practice.

A2. Were the current national legislative representatives elected through free and fair elections? 0 / 4

The unicameral National Assembly is popularly elected for five-year terms, using a mix of majoritarian and proportional-representation voting. The major opposition parties refused to participate in the 2020 National Assembly elections, citing the regime's control over the CNE and recent attempts to replace the parties' own leaders. A coalition led by the ruling United Socialist Party of Venezuela (PSUV) won 253 of the assembly's 277 seats, or 91 percent, according to official results. Meanwhile, the opposition-controlled National Assembly that had been elected in 2015 continued to operate and repeatedly voted to extend its term, notwithstanding its December 2022 decision to dissolve Guaidó's interim government.

Regional and local elections held in November 2021 were marred by the abuse of state resources and judicial interference in the government's favor. A European Union (EU) election observation mission reported that turnout stood at 42.5 percent, the lowest in 25 years. Progovernment candidates won 20 out of 23 governorships and 212 out of 335 mayoralties. In late November, the TSJ ordered the CNE to hold a new gubernatorial election in Barinas

State after finding that an opposition candidate who appeared to have won should have been disqualified. Nevertheless, another opposition candidate won the repeat election in January 2022. The EU observers were forced to leave the country in early December and were not permitted to return for the release of their final report in February 2022.

A3. Are the electoral laws and framework fair, and are they implemented impartially by the relevant election management bodies? 0 / 4

The electoral system is heavily influenced by political manipulation and pro-PSUV institutional interference. The opposition had no influence over the slate of CNE commissioners selected ahead of the 2020 legislative elections; opposition members were granted two seats on the five-member panel announced in May 2021, due in part to civil society pressure, but the CNE retained a progovernment majority.

Recent polls have been characterized by the disqualification of prominent opposition candidates, government abuse of public resources, uneven access to the state-dominated media, the diminished presence of international observers, and intimidation of state employees. In 2022, the opposition and nongovernmental organizations (NGOs) warned that millions of eligible citizens were not on the voter rolls ahead of the 2024 presidential election and criticized the CNE for failing to facilitate registration, particularly for the growing number of Venezuelans living abroad.

B. POLITICAL PLURALISM AND PARTICIPATION: 1 / 16

B1. Do the people have the right to organize in different political parties or other competitive political groupings of their choice, and is the system free of undue obstacles to the rise and fall of these competing parties or groupings? 0 / 4

While opposition coalitions and parties exist, and some less confrontational groups have been tolerated by authorities, the ruling PSUV uses state resources as well security forces and the judiciary to disrupt parties that directly challenge its dominant position. In March 2022, the CNE nullified the leadership elections of the opposition party Avanzada Progresista (Progressive Advance), creating a rift within the group. The TSJ had similarly suspended and replaced the leaders of two other opposition parties, Acción Democrática (Democratic Action) and Voluntad Popular (Popular Will), in 2020.

Opposition leaders have long been harassed, attacked, imprisoned, and otherwise impeded from participating in political processes. Juan Guaidó was physically assaulted by government supporters in June 2022 while he was meeting with residents in Cojedes State. Five members of the political party Bandera Roja (Red Flag) were arrested in July. In August, opposition leader and former lawmaker Juan Requesens was sentenced to eight years in prison for supposedly participating in an assassination plot against Maduro in 2018.

According to the NGO Foro Penal (Criminal Forum), there were 246 political prisoners in Venezuela as of August 2022, and more than 9,000 others were not incarcerated but subject to arbitrary restrictions on their liberty. Multiple human rights groups have documented the use of torture and forced disappearances to control dissidents.

Former allies of the government have also been targeted. In 2022, the Communist Party of Venezuela alleged that since 2018, five of its members had been murdered after denouncing government corruption.

B2. Is there a realistic opportunity for the opposition to increase its support or gain power through elections? 0 / 4

While discontent with the Maduro regime remains widespread, the government has cut off virtually all avenues for political change at a national level, and it has used a variety of

tactics to create divisions within the opposition movement. Mediated negotiations between the government and opposition, on issues including the conditions for the 2024 presidential election, made little progress during 2022.

B3. Are the people's political choices free from domination by forces that are external to the political sphere, or by political forces that employ extrapolitical means? 0 / 4

The Maduro regime relies on the military, paramilitary forces, and opaque support from foreign states to retain political power. Military leaders have taken control of numerous offices, and Maduro has continued to strengthen the Bolivarian Militia, a millions-strong civilian militia group established in 2008 to support the military. Separately, irregular, state-affiliated armed groups known as *colectivos* routinely commit acts of violence against civilians and carry out government-backed voter intimidation efforts.

B4. Do various segments of the population (including ethnic, racial, religious, gender, LGBT+, and other relevant groups) have full political rights and electoral opportunities? 1 / 4

The PSUV's political dominance leaves little opportunity for ethnic and other groups to advocate independently for their interests. Indigenous people in Venezuela are poorly represented in politics, and members of these groups struggle to bring government attention to their concerns. In 2020 reforms to the National Assembly, the total number of legislators was significantly increased from 167 to 277, but the number of seats reserved for Indigenous representatives remained the same at three.

Though several women hold senior positions in government, there is a lack of policy discussion regarding issues that primarily affect women. Almost no openly LGBT+ people hold senior political or government positions in Venezuela. The first openly transgender member of the National Assembly, Voluntad Popular member Tamara Adrián, held a seat in the assembly elected in 2015. In 2022, she declared that the LGBT+ community was unlikely to gain more rights under the current political leadership.

C. FUNCTIONING OF GOVERNMENT: 0 / 12

C1. Do the freely elected head of government and national legislative representatives determine the policies of the government? 0 / 4

Venezuela does not function as a representative democracy. The most recent presidential election was widely regarded as illegitimate, and the opposition-controlled legislature had no practical ability to carry out its constitutional mandate between 2015 and 2020, when it was replaced by a PSUV-dominated National Assembly.

The Maduro regime has become increasingly dependent on economic, medical, military, and other assistance from foreign allies, particularly the governments of Russia, Cuba, Turkey, and Iran. In addition, leftist guerrilla groups from Colombia have increased their influence in Venezuelan cities near the border. According to UN investigators, the National Liberation Army (ELN) guerrilla group operates in the state of Bolívar and has an agreement with the government to control illegal mining activity.

C2. Are safeguards against official corruption strong and effective? 0 / 4

Corruption is rampant in Venezuela. The government's economic policies—particularly its currency and price controls—offer significant opportunities for illicit market activity and collusion between public officials and organized crime networks. Authorities in jurisdictions including the United States, Canada, Panama, and the EU have imposed sanctions on Venezuelan officials for corruption and other offenses that go uninvestigated in Venezuela. A journalistic investigation published in 2022 found that more than 20 individuals linked to

corruption schemes involving the state-owned oil company held assets worth at least $273 million in Swiss bank accounts.

C3. Does the government operate with openness and transparency? 0 / 4

There is virtually no transparency regarding government spending. The Maduro regime has also consistently failed to publish reliable crime and economic data, including monthly inflation statistics, the balance of payments, and annual gross domestic product.

Observers have raised serious doubts about the veracity of government COVID-19 data, with NGOs and educational institutions calling official pandemic death figures noncredible. In May 2022, the World Health Organization estimated that more than 22,000 people had died in the country by the end of 2021—more than four times the total acknowledged by the government.

CIVIL LIBERTIES: 14 / 60 (+1)

D. FREEDOM OF EXPRESSION AND BELIEF: 6 / 16

D1. Are there free and independent media? 1 / 4

The media operate within a highly restrictive regulatory and legal environment. Venezuela formerly benefited from vibrant newspaper, television, and radio sectors, but many outlets have been forced to close or narrow their operations over the past decade. The country had just 22 print newspapers as of 2021, down from 121 in 2013, and dozens of radio stations were closed by the government during 2022 alone. The Maduro regime maintains a state-controlled media infrastructure that promotes its political and ideological program.

In February 2022, PSUV vice president Diosdado Cabello took possession of the headquarters of the newspaper *El Nacional* after the courts awarded him ownership as part of a defamation suit against the outlet. The website of *El Nacional* has repeatedly been subjected to blocking and censorship.

Independent journalists are at risk of government pressure, arbitrary arrest, and physical violence. In February 2022, journalists Ramón Centeno and Gabriel Guerra were arrested and held without trial after interviewing people who were allegedly involved in drug trafficking. Photographer Carlos Debíais remained in detention after being arrested in 2021 for flying a drone over an oil refinery. The NGO Public Space (Espacio Público) documented 157 violations of freedom of expression, including censorship and intimidation, during the first nine months of 2022. Another media freedom group, Press and Society Institute (IPYS), reported in 2022 that there had been 452 alerts related to press freedom, freedom of expression, and access to information during 2021, with restrictions on access to information and aggression against journalists among the most common types of violations.

D2. Are individuals free to practice and express their religious faith or nonbelief in public and private? 3 / 4

Constitutional guarantees of religious freedom are generally respected, though relations between the government and the Roman Catholic Church remain tense. According to the 2021 edition of the US State Department's *Report on International Religious Freedom*, Roman Catholic and evangelical Christian groups alleged government harassment, intimidation, and retaliation against their members, including members of the clergy. The report also noted a pattern of antisemitic content in regime-affiliated media outlets and social media posts.

D3. Is there academic freedom, and is the educational system free from extensive political indoctrination? 1 / 4

Academic freedom has come under mounting pressure in recent years, as budget cuts and other funding problems have undermined universities' autonomy and prompted an exodus of academics from the country.

The regime continued to exert political influence over university leadership during 2022. The Universidad Central de Venezuela, the largest institution of higher education in the country, held elections in July to choose members of the governing bodies for its different faculties and schools. The progovernment candidates lost in all the faculties and in 44 of the 49 schools, but the TSJ partially suspended the results, and the winners were unable to take their posts.

D4. Are individuals free to express their personal views on political or other sensitive topics without fear of surveillance or retribution? 1 / 4

The freedom of personal expression is severely constrained in Venezuela, due in part to the deterrent effect of extensive government surveillance. In June 2022, the Spanish telecommunications firm Movistar, which operates in Venezuela, reported that Maduro's government had made more than 860,000 requests for telephone interceptions during 2021, affecting over 1.5 million phone numbers. These requests, nearly all of which were accepted, have increased dramatically from just 380,000 in 2016. The government has also used social service and health care systems to surveil Venezuelans; the Fatherland Card, an electronic identification document, is used both to distribute social aid and influence citizens' online activity.

Social media users have faced various threats and punishments for posts that are unfavorable to the authorities. In April 2022, for example, a 72-year-old woman was arrested for a TikTok video in which she mocked the regime. She was released on the condition that she post an apology video and remain under court supervision.

E. ASSOCIATIONAL AND ORGANIZATIONAL RIGHTS: 2 / 12

E1. Is there freedom of assembly? 0 / 4

While guaranteed by the constitution, freedom of assembly is severely restricted in practice, and violent clashes between protesters and security forces are known to occur. The Venezuelan Observatory of Social Conflict (OVCS) nevertheless counted 3,892 protests on a variety of topics in the first half of 2022—a 15 percent increase from the first half of 2021, when the government was using pandemic-related public health rules to curb demonstrations. The OVCS reported that 52 protests held in the first half of 2022 were violently suppressed. In March 2022, the International Criminal Court (ICC) announced that it would open an office in Venezuela as part of an investigation into allegations that the government had committed crimes against humanity while cracking down on opposition protests since 2017.

E2. Is there freedom for nongovernmental organizations, particularly those that are engaged in human rights– and governance-related work? 1 / 4

Harassment, threats, and legal and administrative sanctions against human rights activists and NGOs have generally increased over the past several years. According to the Center for Defenders and Justice (Centro para los Defensores y la Justicia), the number of attacks on human rights defenders and organizations rose every year between 2018 and 2021, when it reached 743. Another 214 attacks were documented in the first half of 2022. The director of Fundaredes (Foundations), Javier Tarazona, remained in detention during 2022, having been arrested in 2021 after discussing possible links between the government and leftist Colombian guerrillas operating in the country. In May 2022, the governor of Carabobo

State sued two human rights NGO officials, Marino Alvarado of the Venezuela Program Education-Action on Human Rights (Provea) and Alfredo Infante of the Gumilla Center, for defamation after they called for an investigation of extrajudicial executions by police. In July, human rights and labor activist Gabriel Blanco was arrested as part of a broader crackdown on leftist and union groups.

E3. Is there freedom for trade unions and similar professional or labor organizations? 1 / 4

Workers are legally entitled to form unions, bargain collectively, and strike, with some restrictions on public-sector workers' ability to strike. Control of unions has shifted from traditional opposition-allied labor leaders to new workers' organizations that are often aligned with the government. The competition has contributed to a substantial increase in labor violence as well as confusion and delays during industry-wide collective bargaining.

According to a 2022 report from the Observatory for the Defense of Life (Odevida), at least 44 union leaders were killed between 2015 and 2020. Several trade unionists were arrested along with opposition figures in July 2022, prompting a statement of concern from the UN special rapporteur on freedom of peaceful assembly and association. Another union leader, Douglas González of the state-owned aluminum firm Venalum, was detained in August.

F. RULE OF LAW: 1 / 16

F1. Is there an independent judiciary? 0 / 4

The politicization of the judicial branch, which increased dramatically under former president Hugo Chávez, has progressed further under Maduro. In April 2022, the PSUV-controlled National Assembly chose 20 new judges for the TSJ under legislation that reduced the court's size from 32 judges. Of those selected, several were already serving on the old court, raising concerns that they would violate a constitutionally limited term of 12 years. The TSJ has issued numerous decisions that favored the Maduro regime in recent years, and UN experts have repeatedly criticized the judiciary's lack of independence.

F2. Does due process prevail in civil and criminal matters? 0 / 4

Perceived opponents of the government and the PSUV are routinely detained and prosecuted without regard for due process, including civilians and service members who are brought before military courts. As of May 2022 there were a reported 191 members of the military in detention on charges such as treason or incitement to rebellion. The military has also assumed roles previously reserved for civilian law enforcement institutions.

Victims of violence at the hands of the state have no realistic avenue for redress. A 2021 UN report noted that prosecutors and judiciary members have effectively aided the regime's human rights abuses.

F3. Is there protection from the illegitimate use of physical force and freedom from war and insurgencies? 0 / 4

Venezuelans face physical insecurity and violence from several sources, including irregular armed groups, security forces, and organized gangs.

Provea and the Gumilla Center reported in 2022 that they had documented 1,414 alleged extrajudicial executions by police and military forces in 2021, and the NGO Citizen Control accused security personnel of preferring to execute suspected criminals rather than arrest them.

NGOs and local political leaders called on the government to address the threat of Colombian guerrilla groups and criminal organizations that continued to operate on the

Venezuelan side of the border in 2022. Fundaredes documented dozens of kidnappings, disappearances, and murders in the border states during the year.

The Venezuelan Violence Observatory (OVV) found that the country's overall rate of violent death—including homicides by civilians, deaths at the hands of the authorities, and other suspicious deaths—was 35.3 per 100,000 people in 2022—or 40.4 if disappearances with a significant suspicion of death are included. The country has consistently registered one of the highest rates of violent death in Latin America.

Prison conditions in Venezuela are also among the worst in the region. The Venezuelan Observatory of Prisons (OVP) found that of 126 prisoners who died in 2021, most succumbed to malnutrition and tuberculosis. A total of 773 inmates had died of malnutrition in the preceding four years, the group reported. Security conditions in detention facilities are also poor. *Pranes*, or gang leaders who operate from prisons, freely coordinate criminal networks throughout Venezuela.

F4. Do laws, policies, and practices guarantee equal treatment of various segments of the population? 1 / 4

Constitutional protections against discrimination based on sex, race, and other characteristics are not well enforced in practice. Women continue to face significant disparities in education, compensation, and employment, and they have been disproportionately affected by the country's politically driven economic crisis.

The rights of Indigenous people, who make up 2.5 percent of the population, are guaranteed by the constitution but poorly protected by authorities. Indigenous groups often experience discrimination, especially in the states of Bolívar and Amazonas, where they are subject to labor exploitation, extortion by military and paramilitary groups, sex trafficking of some women, and land grabs related to illegal mining, which has resulted in the destruction of forests and other natural resources on which Indigenous residents depend. In September 2022, UN investigators reported "arbitrary deprivation of life, disappearances, extortion, corporal punishment, and sexual and gender-based violence" in the mining region of Bolívar State. Virgilio Trujillo, an Indigenous leader in Amazonas, was assassinated in June 2022, and a group of three Indigenous people were murdered in Bolívar in July, allegedly by illegal armed groups that operate in the area.

Although discrimination based on sexual orientation is prohibited in employment and some other areas, LGBT+ Venezuelans face widespread intolerance and violence. Same-sex sexual activity remains criminalized within the military.

G. PERSONAL AUTONOMY AND INDIVIDUAL RIGHTS: 5 / 16 (+1)

G1. Do individuals enjoy freedom of movement, including the ability to change their place of residence, employment, or education? 2 / 4 (+1)

Internal movement is limited by threats to physical security in some parts of the country, and Venezuelans continue to flee abroad to escape political persecution, insecurity, and overlapping social and economic crises. According to the Inter-Agency Coordination Platform for Refugees and Migrants from Venezuela (R4V), a total of more than 7.1 million Venezuelan migrants and refugees had left the country as of December 2022.

A COVID-19-related state of emergency, in effect between March 2020 and March 2021, placed harsh movement restrictions on Venezuelans. Authorities and paramilitary groups arbitrarily detained, physically attacked, and tortured civilians who did not follow quarantine and other security instructions during the state of emergency. While some public health measures remained in place during 2022, they were not strictly enforced or accompanied by similar abuses.

Score Change: The score improved from 1 to 2 because the government's previously harsh enforcement of COVID-19-related movement restrictions was not repeated in 2022.

G2. Are individuals able to exercise the right to own property and establish private businesses without undue interference from state or nonstate actors? 1 / 4

Property rights have been damaged by years of price controls, nationalization, overregulation, and corruption. Maduro's government has begun to return some nationalized properties to the private sector in an effort to revive the economy, but progress remains limited. Illegal land seizures and extortion by armed groups also continue to undermine property rights and private business activity.

G3. Do individuals enjoy personal social freedoms, including choice of marriage partner and size of family, protection from domestic violence, and control over appearance? 2 / 4

Personal social freedoms pertaining to marriage, divorce, and child custody are generally upheld, but members of the LGBT+ community still lack equal access to fundamental rights like legal marriage, child adoption, and recognition of one's gender identity.

The politically driven economic collapse in Venezuela has reduced the availability of reproductive health care. Maternal and infant mortality has increased. Because abortion is illegal unless the patient's life is at risk, many women and girls resort to frequently unsafe and unsanitary clandestine abortions or travel abroad.

A 2007 law was designed to combat violence against women, but domestic violence and rape remain common and are rarely punished in practice. Women who have been political prisoners have reported abuses by security forces including sexual violence, threats of rape, and forced nudity. Women relatives of political prisoners have faced gender-based violence and humiliation during visits to detention centers, security operations, and house raids.

G4. Do individuals enjoy equality of opportunity and freedom from economic exploitation? 0 / 4

The country's prolonged economic crisis has left the population extremely vulnerable to human trafficking and labor exploitation, including forced labor in mining operations run by criminal groups. Women and children are also subjected to sex trafficking within Venezuela and abroad, and armed groups in the country reportedly engage in forced recruitment of children.

Vietnam

Population: 99,400,000
Capital: Hanoi
Freedom Status: Not Free
Electoral Democracy: No

Overview: Vietnam is a one-party state, dominated for decades by the ruling Communist Party of Vietnam (CPV). Although some independent candidates are technically allowed to run in legislative elections, most are banned in practice. Freedom of expression, religious freedom, and civil society activism are tightly restricted. The authorities have increasingly cracked down on citizens' use of social media and the internet to voice dissent and share uncensored information.

KEY DEVELOPMENTS IN 2022

- In June, the authorities imprisoned prominent environmental activist *Ngụy Thị Khanh* after convicting her on dubious tax-evasion charges. The case was part of a broader crackdown on environmental and other civic activists.
- Law enforcement agencies continued efforts to combat corruption during the year, arresting a number of high-ranking officials for alleged malfeasance related to procurement of COVID-19 testing and other supplies.
- In November, the Ministry of Information and Communications introduced regulations requiring the removal of "false" information from social media platforms within 24 hours of an official request, further limiting freedom of expression online.

POLITICAL RIGHTS: 3 / 40 (+1)

A. ELECTORAL PROCESS: 0 / 12

A1. Was the current head of government or other chief national authority elected through free and fair elections? 0 / 4

The president is elected by the National Assembly for a five-year term, and is responsible for appointing the prime minister, who is confirmed by the legislature. However, all selections for top executive posts are predetermined in practice by the CPV's Politburo and Central Committee.

In 2021, Nguyễn Phú Trọng was reelected to a third term as the CPV's general secretary, despite reports that he suffered from significant health problems and party rules barring general secretaries from serving more than two terms. The National Assembly formally confirmed Pham Minh Chinh, a hard-line security official, as prime minister and Nguyễn Xuân Phúc as state president.

A2. Were the current national legislative representatives elected through free and fair elections? 0 / 4

Elections to the 499-seat Quoc Hoi, or National Assembly, are tightly controlled by the CPV, which won 485 seats in the 2021 balloting. Candidates who were technically independent, but were in fact vetted by the CPV, took the other 14 seats.

A3. Are the electoral laws and framework fair, and are they implemented impartially by the relevant election management bodies? 0 / 4

The electoral laws and framework ensure that the CPV, the only legally recognized party, dominates every election. The party controls all electoral bodies and vets all candidates, resulting in the disqualification of those who are genuinely independent.

B. POLITICAL PLURALISM AND PARTICIPATION: 1 / 16

B1. Do the people have the right to organize in different political parties or other competitive political groupings of their choice, and is the system free of undue obstacles to the rise and fall of these competing parties or groupings? 0 / 4

The CPV enjoys a monopoly on political power, and no other parties are allowed to operate legally. Members of illegal opposition parties are subject to arrest and imprisonment.

B2. Is there a realistic opportunity for the opposition to increase its support or gain power through elections? 0 / 4

The structure of the one-party system precludes any democratic transfer of power. The Vietnam Fatherland Front (VFF), responsible for vetting all candidates for the National

Assembly, is ostensibly an alliance of organizations representing the people, but in practice acts as an arm of the CPV.

B3. Are the people's political choices free from domination by forces that are external to the political sphere, or by political forces that employ extrapolitical means? 0 / 4

The overarching dominance of the CPV effectively excludes the public from any genuine political participation.

B4. Do various segments of the population (including ethnic, racial, religious, gender, LGBT+, and other relevant groups) have full political rights and electoral opportunities? 1 / 4

Although members of ethnic minority groups are nominally represented within the CPV, they are rarely allowed to rise to senior positions, and the CPV leadership prevents effective advocacy on issues affecting minority populations. Vietnam has enacted policies and strategies aimed at boosting women's political participation, but in practice the interests of women are poorly represented in government. The 2021 legislative elections featured the first openly gay candidate in modern Vietnam's history, though he did not win.

C. FUNCTIONING OF GOVERNMENT: 3 / 12 (+1)

C1. Do the freely elected head of government and national legislative representatives determine the policies of the government? 0 / 4

The CPV leadership, which is not freely elected or accountable to the public, determines government policy and the legislative agenda.

C2. Are safeguards against official corruption strong and effective? 2 / 4 (+1)

CPV and government leaders have acknowledged growing public discontent with corruption, and there has been an increase in corruption-related arrests in recent years. Multiple senior officials, including members of the Central Committee, have faced party disciplinary action and jail time. In June 2022, the health minister, the mayor of Hanoi, the head of the Hanoi Center for Disease Control, and dozens of other officials were dismissed from their posts and arrested in connection with a scandal that included price-fixing and bribery related to COVID-19 test kits. Also during the year, the government continued to investigate a corruption scandal related to COVID-19 repatriation flights. In late December, two deputy prime ministers were removed from their CPV Central Committee positions, reportedly for their roles in these scandals; their formal dismissal from the government was expected to follow in early 2023.

Despite the recent crackdowns, enforcement of anticorruption laws is often selective and linked to political rivalries. Many top officials who have been detained or jailed belonged to a different CPV faction than that of Trọng, the general secretary. The CPV does not tolerate journalistic investigations, independent courts, or other autonomous bodies that might serve as external checks on corruption within the party.

Score Change: The score improved from 1 to 2 because the authorities made significant efforts to combat COVID-19-related corruption, including by investigating, removing, and arresting officials implicated in price-fixing and bribery scandals.

C3. Does the government operate with openness and transparency? 1 / 4

The CPV leadership operates with considerable opacity. The provisions of a 2016 access to information law are relatively weak. While the government sometimes consults or

partners with certain nongovernmental organizations (NGOs), independent journalists and civil society activists are not permitted to scrutinize or critique government activities, and they routinely face criminal penalties for doing so.

CIVIL LIBERTIES: 15 / 60 (−1)

D. FREEDOM OF EXPRESSION AND BELIEF: 3 / 16

D1. Are there free and independent media? 0 / 4

Although the constitution recognizes freedom of the press, journalists and bloggers are constrained by numerous repressive laws and decrees. The criminal code prohibits speech that is critical of the government, while a 2006 decree prescribes fines for any publication that denies revolutionary achievements, spreads "harmful" information, or exhibits "reactionary ideology." Decree 72, issued in 2013, gave the state sweeping new powers to restrict speech on blogs and social media. The state controls all print and broadcast media.

A 2018 cybersecurity law requires companies like Facebook and Google to store information about Vietnamese users in Vietnam and allows the government, in collaboration with technology firms, to block access to a broad range of news and information that is deemed a threat to national security. Although Hanoi has complained at times that global technology firms are not doing enough to block problematic content, in practice the companies have reportedly complied with most of the government's requests.

A decree issued in August 2022 detailed the implementation of the cybersecurity law's data localization requirements, and the regulation took effect in October. In November, the Ministry of Information and Communications announced that major tech platforms would be required take down "false" content within 24 hours of an official request or face serious sanctions. The limit had previously been set at 48 hours.

Arrests, assaults, and criminal convictions of journalists and bloggers continued to be reported in 2022. In January, former journalist Mai Phan Lợi, creator of the nonprofit Center for Media in Education Community, received a four-year prison sentence after being convicted on dubious tax-fraud charges. In July, the authorities arrested prominent blogger *Nguyễn Lân Thắng*, who has long contributed to US-based Radio Free Asia, for supposedly promoting antistate propaganda. At year's end the authorities continued to detain war veteran and activist *Trần Văn Bang, who had been arrested in March* for Facebook posts that supposedly included "antistate propaganda." According to the Committee to Protect Journalists, at least 21 journalists were imprisoned for their work in Vietnam as of December 2022.

D2. Are individuals free to practice and express their religious faith or nonbelief in public and private? 1 / 4

Religious freedom remains restricted. All religious groups and most individual clergy members are required to join a party-controlled supervisory body and obtain permission for most activities. The 2016 Law on Belief and Religion reinforced registration requirements, allowed extensive state interference in religious groups' internal affairs, and gave authorities broad discretion to penalize unsanctioned religious activity.

Unregistered and unrecognized religious groups face routine harassment, including violence, criminal charges, and property damage. In July 2022, six members of the Peng Lei Buddhist House, which had refused to register with the official Buddhist organization, were sentenced to a combined 23 years and six months in prison for "abusing democratic freedoms." In December, an independent Buddhist Unified Church of Vietnam pagoda in Kon Tum Province was destroyed by local authorities.

D3. Is there academic freedom, and is the educational system free from extensive political indoctrination? 1 / 4

Academic freedom is limited. University professors face punishment if they criticize government policies or fail to adhere to party views when teaching or writing on political topics.

D4. Are individuals free to express their personal views on political or other sensitive topics without fear of surveillance or retribution? 1 / 4

Although citizens enjoy more freedom in private discussions than in the past, authorities continue to attack and imprison those who openly criticize the state, including on social media. The government engages in surveillance of private online activity.

In 2022, authorities fined and jailed a wide range of ordinary citizens and more prominent activists for critiquing the state's COVID-19 response, its development strategies, CPV leaders, and many other topics related to the government. The Vietnam Human Rights Network found that 48 people were arrested for speech-related offenses between the beginning of 2021 and the end of May 2022.

E. ASSOCIATIONAL AND ORGANIZATIONAL RIGHTS: 1 / 12

E1. Is there freedom of assembly? 1 / 4

Freedom of assembly is tightly restricted. Organizations must apply for official permission to assemble, and police routinely use excessive force to disperse unauthorized demonstrations. In 2022, the government—which has close diplomatic ties to Moscow—reportedly prevented people from attending public events supported by the Ukrainian embassy.

E2. Is there freedom for nongovernmental organizations, particularly those that are engaged in human rights– and governance-related work? 0 / 4

A small but active community of nongovernmental organizations (NGOs) promotes environmental conservation, land rights, women's development, and public health, including extensive work on COVID-19. However, human rights organizations are generally banned, and those who engage in any advocacy that the authorities perceive as hostile risk imprisonment. In June 2022, prominent environmental activist *Ngụy Thị Khanh* was sentenced to two years in prison on dubious tax-evasion charges. The 88 Project, which tracks political prisoners, reported that as of December there were 206 activists behind bars.

In August, the government issued new regulations for foreign NGOs that allow such groups to be closed if their activities harm "national interests," "social order," or other such vaguely defined concepts.

E3. Is there freedom for trade unions and similar professional or labor organizations? 0 / 4

The Vietnam General Conference of Labor (VGCL), the only legal labor federation, is controlled by the CPV.

A revision of the labor code that took effect in 2021 would theoretically allow workers to form their own representative bodies, but the change had little effect in practice, and independent unions outside the VGCL still face enormous obstacles to legal registration.

F. RULE OF LAW: 4 / 16

F1. Is there an independent judiciary? 1 / 4

The judiciary is subservient to the CPV, which controls the courts at all levels. This control is especially evident in politically sensitive criminal prosecutions, with judges sometimes displaying greater impartiality in civil cases.

F2. Does due process prevail in civil and criminal matters? 1 / 4

Constitutional guarantees of due process are generally not upheld. Defendants have a legal right to counsel, but lawyers are scarce, and many are reluctant to take on cases involving sensitive topics. Defense lawyers do not have the right to call witnesses, and often report insufficient time to meet with their clients. In national security cases, police can detain suspects for up to 20 months without access to counsel.

F3. Is there protection from the illegitimate use of physical force and freedom from war and insurgencies? 1 / 4

There is little protection from the illegitimate use of force by state authorities, and security personnel are known to abuse suspects and prisoners, sometimes resulting in death or serious injury. The death penalty can be applied for crimes other than murder, including drug trafficking; executions are carried out, but related statistics are considered a state secret.

F4. Do laws, policies, and practices guarantee equal treatment of various segments of the population? 1 / 4

Members of ethnic and religious minority groups face societal discrimination, and some local officials restrict their access to schooling and jobs. They also sometimes encounter harassment by authorities seeking to suppress dissent and suspected links to exile groups.

Men and women receive similar treatment in the legal and education systems. Economic opportunities for women have grown, though they are still subject to discrimination on wages and promotions.

The law does not prohibit discrimination based on sexual orientation or gender identity, and societal discrimination remains a problem. Nevertheless, LGBT+ pride events are held annually across the country.

G. PERSONAL AUTONOMY AND INDIVIDUAL RIGHTS: 7 / 16 (−1)

G1. Do individuals enjoy freedom of movement, including the ability to change their place of residence, employment, or education? 2 / 4

Freedom of movement is nominally protected by law. Residency rules limit access to services for those who migrate within the country without permission, though this system is not consistently enforced. Authorities have restricted the movement of political dissidents and members of ethnic minorities on national security or other grounds.

G2. Are individuals able to exercise the right to own property and establish private businesses without undue interference from state or nonstate actors? 1 / 4

All land is owned by the state, which grants land-use rights and leases to farmers, developers, and others. The seizure of land for economic development projects is often accompanied by violence, accusations of corruption, and prosecutions of those who protest.

G3. Do individuals enjoy personal social freedoms, including choice of marriage partner and size of family, protection from domestic violence, and control over appearance? 3 / 4

The government generally does not place explicit restrictions on personal social freedoms. Men and women have equal rights pertaining to matters such as marriage and divorce under the law. In 2015, Vietnam repealed a legal ban on same-sex marriage, but the government does not grant such unions legal recognition.

Domestic violence against women remains common, and the law calls for the state to initiate criminal as opposed to civil procedures only when the victim is seriously injured.

G4. Do individuals enjoy equality of opportunity and freedom from economic exploitation? 1 / 4 (–1)

Human trafficking and mistreatment of laborers are major problems in Vietnam. The US State Department downgraded the country to the lowest tier in its 2022 *Trafficking in Persons* report, citing weaker state efforts to combat trafficking and impunity for diplomats who had allegedly been complicit in trafficking activity. Vietnamese migrant workers are vulnerable to recruitment for forced labor abroad in a variety of industries, and debt bondage has apparently been on the rise. Enforcement of legal safeguards against child labor and exploitative or hazardous working conditions remains poor; the lack of workplace COVID-19 protections in recent years has led some factory workers to walk off their jobs.

Score Change: The score declined from 2 to 1 because the government has reduced its efforts to combat human trafficking and harmful working conditions in recent years, amid an apparent increase in exploitative practices.

Yemen

Population: 33,700,000
Capital: Sanaa
Freedom Status: Not Free
Electoral Democracy: No

Overview: Yemen, previously home to a long-running series of smaller internal conflicts, has been devastated by a civil war involving regional powers since 2015. Saudi Arabia, the United Arab Emirates (UAE), and their allies intervened that year to support the government of President Abd Rabbu Mansur Hadi against Ansar Allah (Supporters of God), also known as the Houthis—an armed rebel movement that is rooted in the Zaidi Shiite community, which forms a large minority concentrated in northwestern Yemen. The civilian population has suffered from direct violence by both sides, as well as from hunger and disease caused by the interruption of trade and aid. Elections are long overdue, normal political activity has halted, and many state institutions have ceased to function.

KEY DEVELOPMENTS IN 2022

- In April, the United Nations announced a two-month truce between the internationally recognized government and the Houthi leadership, allowing a pause in air strikes by the government's foreign allies, an increase in fuel shipments, and the reopening of Sanaa's international airport. The truce was renewed in June and August, but the Houthis declined to extend it in October. The progovernment coalition generally adhered to its terms through the end of the year; while the Houthis launched some attacks on oil-related targets in the southeast in October and November, there was no major escalation in fighting.
- After the truce took effect in April, President Hadi stepped down and transferred his powers to an eight-member council, which would lead the internationally recognized government. Hadi's original electoral mandate had long since expired.
- Despite the reduction in fighting during the year, millions of Yemenis remained displaced within the country, and civilians more broadly continued to suffer from shortages of food and other basic supplies.

POLITICAL RIGHTS: 1 / 40

A. ELECTORAL PROCESS: 0 / 12

A1. Was the current head of government or other chief national authority elected through free and fair elections? 0 / 4

Under the existing constitution, the president is elected for seven-year terms. In 2011, after sustained pressure from the United States, the United Nations, and the Gulf Cooperation Council (GCC), longtime president Ali Abdullah Saleh signed a Saudi-brokered agreement that transferred his powers to then vice president Hadi in exchange for immunity from prosecution for his role in a violent crackdown on antigovernment protests. In 2012, Yemeni voters confirmed Hadi, who ran unopposed, as interim president with a two-year term. In 2014, the multiparty National Dialogue Conference (NDC), a months-long initiative in which more than 500 delegates aimed to reach agreement on Yemen's political future, concluded with a plan to transform the country into a federated state of six regions. The NDC also extended Hadi's term by one year so that the proposed reforms could be finalized in a new constitution.

However, the constitutional drafting process and election schedule were thrown into disarray by the Houthis, who took over large swaths of the country, eventually occupying Sanaa in September 2014. The Houthis subsequently refused to evacuate the capital as part of a tentative power-sharing agreement, leading Hadi and his cabinet to flee into exile in early 2015. Meanwhile, the Houthis assumed control of state institutions in the areas they held. Hadi retained international recognition as president but had no clear mandate and little direct control over the country.

In April 2022, the UN announced a truce agreement between the Houthis and the internationally recognized government. Later that month, Hadi announced that he was removing his vice president and relinquishing his own executive powers to an eight-member council, the Presidential Leadership Council (PLC), that was elected by delegates in Riyadh under the auspices of the GCC. A cabinet led by Prime Minister Maeen Abdelmalek Saeed since 2020 remained in place.

A2. Were the current national legislative representatives elected through free and fair elections? 0 / 4

According to the constitution, the president selects the 111 members of the largely advisory upper house of Parliament, the Majlis al-Shura (Consultative Council). The 301 members of the lower house, the House of Representatives, are elected to serve six-year terms. The original six-year mandate of the last Parliament expired in 2009, and elections were put off again in 2011 amid the popular uprising against Saleh. In January 2014, the NDC declared that parliamentary elections would occur within nine months of a referendum on the new constitution then being drawn up. The constitutional drafting committee completed its work in January 2015, but due to the outbreak of the civil war and the Saudi-led intervention in March of that year, no vote has yet taken place. The incumbent Parliament was disbanded in early 2015 after the Houthis seized control of the capital.

A3. Are the electoral laws and framework fair, and are they implemented impartially by the relevant election management bodies? 0 / 4

Presidential and legislative elections are now many years overdue, and no side in the civil war has been able to assert enough territorial control to implement any electoral framework.

B. POLITICAL PLURALISM AND PARTICIPATION: 1 / 16

B1. Do the people have the right to organize in different political parties or other competitive political groupings of their choice, and is the system free of undue obstacles to the rise and fall of these competing parties or groupings? 1 / 4

Political parties continue to exist in Yemen, but they face severe repression by different authorities and armed groups across the country.

The Houthis have harshly suppressed political dissent in areas under their control since 2015. Yemeni forces associated with the UAE have used arbitrary arrests, detentions, and enforced disappearances to persecute certain political groups, including members of Al-Islah, an offshoot of the Muslim Brotherhood in Yemen.

The power-sharing cabinet formed by anti-Houthi factions in 2020 included Hadi's General People's Congress (GPC) party; the Southern Transitional Council (STC), a separatist group backed by the UAE; Al-Islah; the Socialist Party; and a number of smaller parties and independents. The PLC established in April 2022 was headed by Rashad al-Alimi, who served as interior minister under former president Saleh and maintained close relations with Saudi Arabia. Other members of the council included Tariq Saleh, nephew of the former president; Aidarous al-Zubaidi, head of the STC; and Sultan Ali al-Arada, governor of Marib Governorate and a member of Al-Islah.

B2. Is there a realistic opportunity for the opposition to increase its support or gain power through elections? 0 / 4

Parliamentary elections have not been held in Yemen since 2003 and were last due in 2009. The most recent presidential election, in 2012, featured only one candidate. No date had been set for future elections as of 2022, and peaceful political opposition has been suppressed in the context of the civil war.

B3. Are the people's political choices free from domination by forces that are external to the political sphere, or by political forces that employ extrapolitical means? 0 / 4

Ordinary political activity is impeded by the presence of multiple armed groups throughout Yemen, including Houthi-led rebel forces, extremist groups, southern separatists, foreign troops from the Saudi-led coalition, government troops, and local or partisan militias.

B4. Do various segments of the population (including ethnic, racial, religious, gender, LGBT+, and other relevant groups) have full political rights and electoral opportunities? 0 / 4

All segments of the population lack political rights under current conditions in Yemen. Thirty percent of the NDC's delegates were women, and its final agreement called for similar representation in all branches of government under a new constitution, but the draft constitution has been on hold since the outbreak of war. Only one woman won a seat in the last parliamentary elections, and no women were appointed to the 2020 power-sharing cabinet or the 2022 PLC. A caste-like minority group with possible East African origins, known as the Akhdam or Muhamasheen, accounts for as much as 10 percent of the population but has long been marginalized in politics and in society. The group had one representative at the NDC.

C. FUNCTIONING OF GOVERNMENT: 0 / 12

C1. Do the freely elected head of government and national legislative representatives determine the policies of the government? 0 / 4

Yemen has no functioning central government with full control over its territory, and any state institutions that continue to operate are controlled by unelected officials and armed

groups. The newly established PLC is largely dependent on its foreign patrons, particularly Saudi Arabia and the UAE, which also have parallel relationships with other anti-Houthi groups. The Houthis receive at least some support from Iran.

Saudi and Emirati military forces have occupied several strategic portions of Yemeni territory during the war, including Al-Mahrah Governorate and the island of Socotra, respectively. Emirati and STC forces long disregarded the official government's objections to their presence and quasi-governmental activities on Socotra; in July 2022, the PLC appointed an STC figure as Socotra's governor, apparently formalizing the group's local dominance.

C2. Are safeguards against official corruption strong and effective? 0 / 4

Government probity was minimal even before the outbreak of war in 2015, as a network of corruption and patronage established under Saleh remained entrenched in public institutions, and formal anticorruption mechanisms were largely ineffective. The disruption to legal commerce caused by the civil war has increased the role of smuggling and created further opportunities for graft. Food aid is often stolen and sold illegally by officials on all sides of the civil conflict, exacerbating a food-security crisis that has left millions at risk of malnutrition. In an effort to address perceived corruption, the PLC in July 2022 reshuffled cabinet members, replacing the oil and defense ministers.

C3. Does the government operate with openness and transparency? 0 / 4

Government transparency, already limited prior to 2015, has deteriorated along with state institutions during the war. The only truly national institution that had initially continued to function during the conflict, the central bank, has been split between a government-backed version in Aden and a rebel-backed version in Sanaa since 2016. This has caused politicized disruptions to public-sector salaries, aid, and commerce, and further reduced the transparency of state finances and monetary policy. Both the Houthis and the Yemeni government have allegedly undercounted COVID-19 cases and withheld related data.

CIVIL LIBERTIES: 8 / 60

D. FREEDOM OF EXPRESSION AND BELIEF: 2 / 16

D1. Are there free and independent media? 0 / 4

The state has historically controlled most terrestrial television and radio, though there have been several privately owned radio stations. Since the outbreak of the war, the belligerents have either taken over or enforced self-censorship at any surviving media outlets in the country. Houthi-backed authorities reportedly block certain news websites, online messaging and social media platforms, and satellite broadcasts.

All sides in the conflict have subjected journalists to harassment, arbitrary arrests and detentions, violent attacks, and enforced disappearances. At least one journalist was killed in Yemen during 2022, according to the Committee to Protect Journalists, for a total of at least 29 killed since 2015.

D2. Are individuals free to practice and express their religious faith or nonbelief in public and private? 1 / 4

Islam is the official religion, and the constitution declares Sharia (Islamic law) to be the source of all legislation. A small number of Yemenis belong to non-Muslim religious groups; their rights have traditionally been respected in practice, though conversion from Islam and proselytizing to Muslims is prohibited. Christian converts and members of the Baha'i and Jewish communities in the north have encountered increased persecution under Houthi rule. Houthi authorities reportedly enforce their interpretation of the Zaidi Shiite

faith among Muslims. The militant group Al-Qaeda in the Arabian Peninsula (AQAP) poses a threat to non–Sunni Muslim residents, particularly in the southeast.

Since the outbreak of the war in 2015, assassinations and other violent attacks on religious clerics have increased, and combatants on all sides have destroyed many religious buildings across the country. Progovernment forces have allegedly seized or destroyed Shiite religious sites.

D3. Is there academic freedom, and is the educational system free from extensive political indoctrination? 0 / 4

Since 2015, Houthi officials have been accused of skewing the curriculum in schools and universities to promote their political ideology. Houthi authorities have also dismissed and replaced faculty and administrators who are deemed politically disloyal, and repeatedly detained and prosecuted scholars and students as part of their crackdown on dissent. Outspoken academics face a heightened risk of physical violence from the Houthis as well as other armed groups and progovernment forces, and some scholars have been killed by unidentified assailants in recent years.

The war has caused damage to educational facilities across the country, suspension of classes and other activities at many schools and universities, and deaths of children caught in either errant or deliberate military attacks on schools. Millions of students no longer attend school due to the war, and thousands have been recruited by armed groups.

D4. Are individuals free to express their personal views on political or other sensitive topics without fear of surveillance or retribution? 1 / 4

Freedom of personal expression and private discussion is limited due to intimidation by armed groups and unchecked surveillance by the Houthi authorities, who have detained critics of their rule and used courts under their control to issue harsh penalties, including death sentences, for some perceived opponents.

E. ASSOCIATIONAL AND ORGANIZATIONAL RIGHTS: 3 / 12

E1. Is there freedom of assembly? 1 / 4

Yemenis have historically enjoyed a degree of freedom of assembly, limited by periodic restrictions and at times deadly interventions by the government. Demonstrations against both the internationally recognized government and Houthi authorities have occurred in recent years, resulting in arrests and alleged torture of detainees in some cases.

E2. Is there freedom for nongovernmental organizations, particularly those that are engaged in human rights– and governance-related work? 1 / 4

A number of nongovernmental organizations (NGOs) work in the country, but their ability to function is restricted by interference from armed groups. Houthi forces have closed or raided NGO offices and detained workers, and both main sides in the civil war have blocked or seized humanitarian aid. Human rights defenders risk arrest and detention by both Houthi and anti-Houthi forces, and several arrests were reported during 2022. AQAP abducted five UN staff members in February, and they apparently remained in the group's custody at year's end.

E3. Is there freedom for trade unions and similar professional or labor organizations? 1 / 4

The law acknowledges the right of workers to form and join trade unions, but in practice these organizations have had little freedom to operate. Virtually all unions belong to

a single labor federation, and the government is empowered to veto collective bargaining agreements. Normal union activity has been disrupted by the civil war and the related breakdown of the economy.

F. RULE OF LAW: 1 / 16

F1. Is there an independent judiciary? 1 / 4

The judiciary, though nominally independent, is susceptible to interference from various political factions and armed groups. Authorities have a poor record of enforcing judicial rulings, particularly those issued against prominent tribal or political leaders. Lacking an effective court system, citizens often resort to tribal forms of justice and customary law—practices that have increased as state institutions continue to deteriorate. Criminal courts in Houthi-controlled areas remain active, but they are used as a political instrument by the Houthi leadership, according to UN experts. The judicial system is mostly inoperative in some other parts of the country.

In September 2022, the Yemeni Judges Club organized a strike in the capital to protest an incident in which a judge was abducted and later killed by suspected Houthi militants; the judge had reportedly ruled on land disputes involving Houthi figures.

F2. Does due process prevail in civil and criminal matters? 0 / 4

Arbitrary detention is common, with hundreds of cases documented in recent years. Many amount to enforced disappearances, with no available information about the victims' status or location. Detainees are often held at unofficial detention sites. As with other state institutions, security and intelligence agencies like the Political Security Organization have been split into parallel structures aligned with the different sides in the civil war. In areas that lie within the UAE's sphere of influence in southern Yemen, Emirati special forces have operated a network of secret prisons and detention centers where torture is said to be rife. Human rights lawyers have faced detention or intimidation by both Houthi and official government authorities, particularly when they attempt to represent high-profile defendants.

F3. Is there protection from the illegitimate use of physical force and freedom from war and insurgencies? 0 / 4

The civil war has included periods of acute violence across the country. Saudi-led coalition air strikes have failed to distinguish between military and civilian targets, and artillery fire from Houthi forces has been similarly indiscriminate. A number of other armed factions, including foreign military units and extremist groups like AQAP, operate in the country with impunity for any abuses. According to the Armed Conflict Location and Event Data Project (ACLED), some 158,000 people have been killed in the conflict since the beginning of 2015, including thousands during 2022 alone.

The United Nations brokered a two-month truce between progovernment forces and the Houthis in April 2022, and it was renewed twice, in June and August, before lapsing in October when the Houthis declined to extend it. Although the truce led to increased mobility and a decline in air strikes and ground offensives, nearly 3,000 violations were reported, according to ACLED, including 374 air and drone attacks. Hundreds of civilians and combatants were killed as a result of protracted violence among the belligerent forces, as well as a resurgence in AQAP and tribal violence. After the truce lapsed, the progovernment side generally abided by its main terms through the end of the year. While the Houthis carried out attacks on oil-related targets in the government-held southeast in October and November, there was no resumption of large-scale combat.

F4. Do laws, policies, and practices guarantee equal treatment of various segments of the population? 0 / 4

Despite the growing sectarian rift between the Sunni Muslim majority and the large Zaidi Shiite minority, Yemen is relatively homogeneous in terms of language and ethnicity. However, the Muhamasheen are subject to severe social discrimination and poverty. Women also continue to encounter discrimination in many aspects of life, and their testimony in court is equivalent to half that of a man. Same-sex sexual activity is illegal, with possible penalties including lashes, imprisonment, and death. Due to the severe threats they face, few LGBT+ Yemenis reveal their identity.

Migrants and refugees fleeing war and poverty in the Horn of Africa continue to arrive in Yemen. Many of those entering were seeking work in the Persian Gulf states but met with harsh conditions, violence, and barriers to further travel once in Yemen. Effective legal protections and basic supplies are also lacking for internally displaced persons (IDPs), most of whom perform unskilled jobs in the informal economy.

G. PERSONAL AUTONOMY AND INDIVIDUAL RIGHTS: 2 / 16

G1. Do individuals enjoy freedom of movement, including the ability to change their place of residence, employment, or education? 0 / 4

There were 4.5 million IDPs in Yemen by the end of 2022, according to the Office of the UN High Commissioner for Refugees. Around 232,000 new displacements were recorded across the country between January and June 2022, but due to the truce, the year as a whole featured an 18 percent decrease in displacement.

Movement within the country has been impaired by combat, landmines, floods, damage to infrastructure, and checkpoints at which a variety of armed groups engage in harassment and extortion. Even in peacetime, a woman must obtain permission from her husband or father to receive a passport and travel abroad.

G2. Are individuals able to exercise the right to own property and establish private businesses without undue interference from state or nonstate actors? 1 / 4

Property rights and business activity have been severely disrupted by the civil war and unchecked corruption, as well as the retreat of state authorities from large areas of Yemen and the division of the country into spheres of influence controlled by different armed groups. Women do not have equal rights in inheritance matters. Land disputes in the Houthi-held areas are handled by Houthi-controlled courts, which can lead to the rejection of government-issued documentation and the seizure of land.

G3. Do individuals enjoy personal social freedoms, including choice of marriage partner and size of family, protection from domestic violence, and control over appearance? 1 / 4

Women face disadvantages in divorce and custody proceedings and require a male guardian's permission to marry. Child marriage is a widespread problem. There are some restrictions on marriage to foreigners; a woman can confer citizenship on a child from a foreign-born spouse if the child is born in Yemen. The penal code allows lenient sentences for those convicted of "honor crimes"—assaults or killings of women by family members for alleged immoral behavior. Although female genital mutilation is banned in state medical facilities, it is still prevalent in some areas. Extremist groups have attempted to impose crude versions of Sharia in territory under their control, harshly punishing alleged violations related to sexual activity, personal appearance, and other matters.

G4. Do individuals enjoy equality of opportunity and freedom from economic exploitation? 0 / 4

The war has increased the risk of human trafficking, and after 2015 the government was no longer able to pursue antitrafficking efforts it had previously begun. Migrants, refugees, and IDPs are especially vulnerable to exploitation. Children have reportedly been recruited as fighters by all sides in the war. In April 2022, the Houthis and UN officials signed an action plan to curb child recruitment; Houthi officials were tasked with identifying recruits under 18 years old, releasing them, and reintegrating them into their communities.

Border controls and naval blockades imposed by the Saudi-led coalition have contributed to shortages of food, medicine, fuel, and other essential imports, leaving the public more exposed to famine and disease as well as coercion and deprivation by armed groups and illegal traders. The World Food Programme reported that as of September 2022, 19 million people were food insecure in Yemen, with 161,000 of them believed to be living in famine-like conditions. A long-running cholera outbreak continued in 2022. The 2022 truce allowed for an increase in the movement of fuel and other supplies through the port of Hodeidah and in commercial flights through Sanaa's international airport.

Zambia

Population: 20,000,000
Capital: Lusaka
Freedom Status: Partly Free
Electoral Democracy: No

Overview: Zambia's political system features regular multiparty elections, and some civil liberties are respected. While Zambia experiences democratic transfers of power, most recently in 2021, opposition parties face onerous legal and practical obstacles to fair competition. Restrictive laws that narrow political space and online speech remain in force.

KEY DEVELOPMENTS IN 2022

- In January, the Kenmark Broadcasting Network (KBN TV) aired a recording of two government officials discussing how to interfere in a by-election that the Democratic Party (DP) was competing in. A KBN TV manager was investigated for violating a cybercrime law after the network aired the recording.
- In December, a penal-code provision that criminalized insults directed at the president was repealed. The provision had been criticized by civil society for being used against government critics.
- Also in December, the government removed a penal-code provision that allowed for the death penalty, which has not been imposed in Zambia since 1997.

POLITICAL RIGHTS: 23 / 40 (+2)

A. ELECTORAL PROCESS: 6 / 12

A1. Was the current head of government or other chief national authority elected through free and fair elections? 2 / 4

The president is directly elected to serve up to two five-year terms. In August 2021, United Party for National Development (UPND) candidate Hakainde Hichilema defeated

incumbent Edgar Lungu of the Patriotic Front (PF) in what was Hichilema's third attempt against Lungu. Hichilema won 59 percent of the vote, while Lungu won 38.7 percent. Turnout was high, at 70.6 percent. Lungu initially questioned the results but later conceded; Hichilema assumed office later that month.

The electoral period was marred by violence between PF and UPND members; the Electoral Commission of Zambia (ECZ) consequently ordered a temporary halt to campaigning in four provinces that June. Hate speech and social media disruptions also affected the election.

A2. Were the current national legislative representatives elected through free and fair elections? 2 / 4

The unicameral National Assembly comprises 156 elected members, up to 8 members appointed by the president, and 3 seats allocated for the vice president, the speaker, and a deputy speaker. The August 2021 polls were held concurrently with the presidential election and featured the same problems. The UPND won a majority, displacing the PF as the largest party in the National Assembly. As of early October 2022, the UPND held 84 seats, the PF held 55, and the Party of National Unity and Progress held 1. The remaining 22 seats were held by independents and unaffiliated lawmakers.

Two PF lawmakers were removed from their seats in 2022; in July, Bowman Lusambo lost his seat due to voter-fraud allegations while Joseph Malanji was disqualified in August because he lacked an educational certificate. In late August, the ECZ said it would not consider their renewed candidacies. The by-elections for those seats were ultimately held in October; the UPND gained both amid allegations of vote buying, improper use of government resources, and political violence by supporters.

A3. Are the electoral laws and framework fair, and are they implemented impartially by the relevant election management bodies? 2 / 4

The ECZ is responsible for managing the election process but lacks capacity. The US-based Carter Center, which monitored the 2021 polls, criticized the ECZ for managing the electoral process "without proper consultation with stakeholders" and noted that the government did not implement previous recommendations to independently select commissioners. In June 2022, President Hichilema did not reappoint ECZ chairman Essau Chulu or vice chairperson Emily Sikazwe to their posts.

B. POLITICAL PLURALISM AND PARTICIPATION: 11 / 16

B1. Do the people have the right to organize in different political parties or other competitive political groupings of their choice, and is the system free of undue obstacles to the rise and fall of these competing parties or groupings? 2 / 4

Political parties are registered under the Societies Act and do not regularly face onerous registration requirements. However, in January 2022, then DP president Harry Kalaba claimed that the government was attempting to manipulate an internal conflict over the party's leadership. That same month, sources within the UPND shared a recording in which two government officials discussed targeting the DP ahead of a by-election, noted the reluctance of the ECZ's chief executive to assist them, and intimated President Hichilema's involvement in their efforts. Kalaba left the DP in July; in October, he became the leader of the Citizens First Party and accused the government of denying registration to his previous group, the Liberty Party.

Leaders and officials in other parties faced charges and threats of violence in 2022. Raphael Nakacinda, a high-ranking PF official, was charged with defaming President

Hichilema in April. In September, Patriots for Economic Progress leader Sean Tembo was charged with hate speech for comments directed at Hichilema. In October, an UPND youth leader threatened violence against opposition leaders. In November, National Democratic Congress leader Saboi Imboela was arrested on libel and hate speech charges. Also in November, Economic and Equity Party (EEP) president Chilufya Tayali was arrested for allegedly defaming Hichilema.

B2. Is there a realistic opportunity for the opposition to increase its support or gain power through elections? 3 / 4

In 2021, Zambia experienced its third democratic transfer of power between rival groups. Opposition parties regularly win National Assembly seats. However, laws against election-related violence are poorly enforced. Opposition leaders faced harassment, arrest, and detention during 2022.

B3. Are the people's political choices free from domination by forces that are external to the political sphere, or by political forces that employ extrapolitical means? 3 / 4

The people's political choices are largely free from domination by democratically unaccountable groups, though political parties are accused of employing undemocratic tactics including vote buying to ensure election victories.

B4. Do various segments of the population (including ethnic, racial, religious, gender, LGBT+, and other relevant groups) have full political rights and electoral opportunities? 3 / 4

Suffrage in Zambia is universal for adult citizens. Although women have equal political rights under the constitution, gender-equity legislation not been consistently applied. Successive administrations have overlooked the establishment of an autonomous Gender Equality and Equity Commission to guarantee that legal gender-related provisions are implemented.

Female political representation is low. Only 15 percent of National Assembly seats were held by women as of December 2022, while only four women held cabinet posts.

C. FUNCTIONING OF GOVERNMENT: 6 / 12 (+2)

C1. Do the freely elected head of government and national legislative representatives determine the policies of the government? 2 / 4

Candidates elected in 2021 were able to assume power smoothly. The UPND passes legislation with little effective resistance from opposition legislators.

In March 2022, 30 opposition PF lawmakers were suspended from the National Assembly for 30 days. The lawmakers were protesting over an issue with the national budget.

C2. Are safeguards against official corruption strong and effective? 2 / 4 (+1)

Corruption in government is widespread, and impunity is common. The Anti-Corruption Commission (ACC), Anti-Financial and Economics Crimes Commission, and the public prosecutor operate under the president's office. Since taking office, Hichilema has named independent nominees to the ACC.

Arrests and investigations of high-profile corruption, particularly involving PF members, increased significantly during 2022. In March, acting PF president Given Lubinda was arrested for possessing allegedly ill-gotten gains, including property. In July, former first lady Esther Lungu disclosed that the Drug Enforcement Commission (DEC) seized properties belonging to her over similar concerns; she was questioned later that month. In October, former health minister Chitalu Chilufya was arrested over allegations of official corruption.

Also in October, the UK-based *Financial Times* reported that the ACC questioned Lungu-era defense minister Davies Chama over payments made by Glencore, a Swiss trading firm the ACC was investigating.

Highly publicized cases are thought to reflect political motivations as mainly opposition-aligned figures were arrested and prosecuted without thorough investigation; in September 2022, for example, the DEC apologized to Edgar Lungu for saying it seized property that belonged to him when it belonged to someone else. Relatively few corruption cases were closed during the year, with the ACC reporting 8 convictions out of 71 arrests as of November.

In June 2022, the Financial Intelligence Centre (FIC), a government anticorruption watchdog, reported 3.56 billion kwacha ($208.9 million) in suspicious transactions in 2021, up from 3.14 billion kwacha ($184.2 million) in 2020. FIC investigations found that powerful individuals and lawyers laundered money through real estate, construction projects, and offshore accounts. Several large bank accounts were also frozen.

Opposition figures have called on Hichilema to investigate growing allegations of corruption within his administration in 2022. In October, the PF called on Hichilema to dismiss a minister who allegedly sought a bribe over a hospital construction project; the administration cancelled the project in November.

Score Change: The score improved from 1 to 2 because Zambian authorities have actively pursued corruption cases under the Hichilema administration, though concerns over official corruption persist.

C3. Does the government operate with openness and transparency? 2 / 4 (+1)

The Anti-Corruption Act, which requires some public officeholders to make financial declarations, is loosely enforced. An access-to-information bill was first drafted in 2002 but has not passed. Journalists, civil society groups, and constituents experience challenges obtaining information about state operations and government programs.

However, in 2022, the Hichilema administration regularly provided often-unprompted ministerial statements to lawmakers and subjected the budget-making process to legislative and public review. Information on public-sector recruitment, constituency projects, and empowerment funds was transparently shared.

Score Change: The score improved from 1 to 2 because the Hichilema administration is more transparent in its spending and policy decisions.

CIVIL LIBERTIES: 31 / 60 (+1)

D. FREEDOM OF EXPRESSION AND BELIEF: 8 / 16

D1. Are there free and independent media? 1 / 4

Press freedom is constitutionally guaranteed but restricted in practice. Public outlets continue to exhibit a progovernment bias while private outlets are largely polarized. Self-censorship remains common. Police officers have arrested and intimidated journalists for reporting critical stories; journalists have also faced retaliation from political actors. Press freedom is also impacted by the 2021 Cyber Security and Cyber Crimes Act (CSCCA), which received civil society criticism upon its passage. In 2022, at least eight journalists were detained or arrested in the course of their work.

In January 2022, KBN TV aired a recording in which two government officials allegedly discussed manipulating the affairs of the opposition DP ahead of a by-election. Two days later, authorities interrogated a KBN TV manager and investigated her under the

CSCCA. In November, two MUVI TV staff members were detained while covering the arrest of EEP leader Chilufya Tayali.

In an August 2022 report released by the Open Spaces Zambia initiative, 34 journalists and three media houses reported harassment and threats from police, political-party figures, and government officials between January and June. In May, MISA Zambia objected to a local official's efforts to influence the staffing and broadcasting decisions of Kasempa Radio. In late December, UPND supporters disrupted operations at Kokoliko FM as Tayali of the EEP was being featured in a radio program.

In September 2022, the Labor Ministry reported that 41 percent of women journalists were harassed at work; just one in five incidents was reported.

D2. Are individuals free to practice and express their religious faith or nonbelief in public and private? 3 / 4

Constitutional protections for religious freedom are generally respected.

D3. Is there academic freedom, and is the educational system free from extensive political indoctrination? 2 / 4

The government generally does not restrict academic freedom and student associations freely protest issues of a political nature.

D4. Are individuals free to express their personal views on political or other sensitive topics without fear of surveillance or retribution? 2 / 4

Zambians enjoy some freedom of private discussion, though a penal-code provision criminalizing insults towards the president remained in force for much of 2022. Before the provision's December repeal, ordinary citizens were arrested for allegedly insulting Hichilema; two people received hard-labor sentences as recently as June for this offense. Civil society had called on the president to repeal the provision in September, saying it was being used against government critics.

Online activity is also impacted by the CSCCA. In 2021, Collaboration on International Information and Communication Technology Policy for East and Southern Africa (CIPESA), a nongovernmental organization (NGO), warned that the act offered limited data-interception protections and criminalized the possession or transmission of content that would "corrupt morals," though CIPESA also noted that some of the act's provisions required a warrant. In September 2022, Technology Minister Felix Mutati said the government intended to amend the CSCCA to better address cybercrime.

While in power, the PF acquired the capability to monitor digital communications, which then minister Brian Mushimba admitted in 2018 when he said the government was targeting online abuse. In 2020, then president Lungu said that the Zambia Information and Communications Technology Authority could track social media activity.

E. ASSOCIATIONAL AND ORGANIZATIONAL RIGHTS: 7 / 12 (+1)

E1. Is there freedom of assembly? 2 / 4 (+1)

Freedom of assembly is constitutionally guaranteed. While that freedom has not been consistently respected by the government, fewer police bans and assembly restrictions were imposed in 2022 compared to previous years. Opposition parties regularly held press conferences, lawmakers met constituents unimpeded, and public demonstrations over labor disputes and other matters were held without obstruction. COVID-19-related assembly restrictions and social-distancing rules were rescinded in September.

However, protesters did face detention or arrest during the year. In September 2022, police dispersed an anti-LGBT+ protest in Lusaka and detained participants for lacking a permit. Five journalists were also detained. In November, Copperbelt police briefly detained opposition leader Harry Kalaba for allegedly holding an illegal assembly.

Under the Public Order Act (POA), the authorities must be notified of all public gatherings in advance; police have been known to misapply the POA, though its use declined in 2022. In May, the cabinet gave its initial approval of a bill that would amend the POA, though it remained in force at year's end.

Score Change: The score improved from 1 to 2 because authorities reduced their use of the Public Order Act to restrict peaceful assembly, though protesters were still arrested during the year.

E2. Is there freedom for nongovernmental organizations, particularly those that are engaged in human rights– and governance-related work? 2 / 4

NGOs operate in a restrictive environment and must register every five years under the 2009 NGO Act. In 2020, the PF government amended the law to increase monitoring of NGO funds for possible illegal activities such as money laundering and the financing of terrorism. The Hichilema cabinet committed to repealing and replacing the act in June 2022, though it remained in force at year's end.

E3. Is there freedom for trade unions and similar professional or labor organizations? 3 / 4

The law generally provides for the right to join unions, strike, and bargain collectively, though workers in essential services do not have the right to strike, including the mining industry. Zambian trade unions, which were once among Africa's strongest, suffered interference and marginalization under the PF.

F. RULE OF LAW: 8 / 16

F1. Is there an independent judiciary? 2 / 4

Judicial independence is guaranteed by law, but the judiciary is subject to political pressure in practice.

In October 2022, Hichilema named Gilbert Phiri director of public prosecutions, replacing Lilian Siyuni, a Lungu appointee. Siyuni, whose involvement in the corruption case of a Lungu-appointed mine liquidator led to disagreements with Hichilema, contested the move at the Constitutional Court but Phiri's appointment took effect by December.

F2. Does due process prevail in civil and criminal matters? 2 / 4

Pretrial detainees are sometimes held for years without trial owing to case backlogs. Many of the accused lack legal representation. Bail is frequently denied to detainees. In rural areas, customary courts of variable quality—whose decisions often conflict with the constitution and national law—decide many civil matters. In September 2022, the Human Rights Commission called on the police to more speedily bring suspects to court and grant bail.

F3. Is there protection from the illegitimate use of physical force and freedom from war and insurgencies? 2 / 4

Allegations of police brutality, including the use of torture to extract confessions, are widespread. Security forces generally operate with impunity. Conditions in pretrial detention facilities and prisons are poor, with reports of forced labor, abuse of inmates by authorities, and deplorable health conditions.

In December 2022, the government removed a penal-code provision allowing for the death penalty. However, the penalty still remains in Bill of Rights, which can only be amended by a referendum. No executions have taken place since 1997.

F4. Do laws, policies, and practices guarantee equal treatment of various segments of the population? 2 / 4

Women are constitutionally guaranteed the same rights as men, but gender-based discrimination and sexual harassment are prevalent in practice. Same-sex sexual activity is criminalized and is punishable by up to life in prison.

LGBT+ groups faced opposition from religious and anti-LGBT+ activists for their apparent participation at a September 2022 fashion event in Lusaka. That month, Home Affairs Minister Jacob Mwiimbu reiterated the illegality of same-sex activity and warned that the government would prosecute cases.

Refugees are protected under local and international law but often suffer from limited access to basic services and gender-based violence. As of October 2022, Zambia hosted nearly 67,000 refugees, many from the Democratic Republic of Congo.

G. PERSONAL AUTONOMY AND INDIVIDUAL RIGHTS: 8 / 16

G1. Do individuals enjoy freedom of movement, including the ability to change their place of residence, employment, or education? 3 / 4

The government generally respects the constitutionally protected right to free internal movement and foreign travel. However, internal movement is often impeded by petty corruption, such as police demands for bribes at checkpoints.

G2. Are individuals able to exercise the right to own property and establish private businesses without undue interference from state or nonstate actors? 2 / 4

Agricultural land in rural areas is mostly administered under traditional authorities. However, the president retains ultimate authority over all land and can intercede to block or compel its sale or transfer. Women are frequently discriminated in property and inheritance matters. The process of meeting regulatory requirements for starting and operating businesses can be lengthy and opaque.

G3. Do individuals enjoy personal social freedoms, including choice of marriage partner and size of family, protection from domestic violence, and control over appearance? 2 / 4

Personal status issues such as marriage and divorce are governed by either statutory or customary law, with customary practices varying among different ethnic groups.

Domestic abuse is common, and traditional norms inhibit many women from reporting assaults.

G4. Do individuals enjoy equality of opportunity and freedom from economic exploitation? 1 / 4

Labor exploitation, child labor, and human trafficking are prevalent in Zambia. The US State Department's *Trafficking in Persons Report 2022* noted that the government launched a national action plan to address trafficking but also noted that forms of child sex trafficking were not explicitly made illegal during its reporting period. In November 2022, the government amended the Anti-Trafficking Act prohibiting child trafficking. Ethiopians have been trafficked into Zambia; in December, 27 men believed to be Ethiopians were found dead near Lusaka.

Zimbabwe

Population: 16,300,000
Capital: Harare
Freedom Status: Not Free
Electoral Democracy: No

Overview: The Zimbabwe African National Union–Patriotic Front (ZANU-PF) has dominated Zimbabwean politics since independence in 1980, partly by carrying out severe crackdowns on the political opposition, critical media, and other sources of dissent. President Emmerson Mnangagwa took power in 2017 after the military intervened to remove longtime president Robert Mugabe amid factional divisions within the ruling party. Mnangagwa has largely retained the legal, administrative, and security architecture of the Mugabe era, and has consolidated his authority through repression. Endemic corruption, weak rule of law, and poor protections for workers and land rights remain critical challenges.

KEY DEVELOPMENTS IN 2022

- The Citizens Coalition for Change (CCC), led by former Movement for Democratic Change–Alliance (MDC-A) leader Nelson Chamisa, won most of the parliamentary by-elections and local contests held in late March. The electoral period was marred by allegations of intimidation, electoral irregularities, and violence.
- In June, two CCC lawmakers were arrested and accused of inciting violence after attending the funeral of a party activist who was found dead earlier that month. Job Sikhala, one of the arrestees, remained in detention and was awaiting trial at year's end.
- In September, Chamisa was targeted in an apparent assassination attempt when a device exploded near his convoy in the town of Chinhoyi. The CCC blamed ZANU-PF supporters and state agents.

POLITICAL RIGHTS: 11 / 40

A. ELECTORAL PROCESS: 3 / 12

A1. Was the current head of government or other chief national authority elected through free and fair elections? 1 / 4

After Robert Mugabe was forced to resign as president after 37 years in power, ZANU-PF selected Emmerson Mnangagwa, whom Mugabe had dismissed as vice president, to succeed him. A presidential election was held as planned in July 2018. Mnangagwa was credited with 50.8 percent of the vote, followed by MDC-A candidate Nelson Chamisa with 44.3 percent and Movement for Democratic Change–Tsvangirai (MDC-T) candidate Thokozani Khupe with 0.9 percent.

International and local observers reported a peaceful campaign but raised concerns about the election's overall conduct and integrity. Southern African Development Community and European Union observers noted challenges including parties having difficulty accessing voter rolls, progovernment bias by state media, contested postal voting, the denial of the diaspora's right to vote, reports of assisted voting, and intimidation meant to aid ZANU-PF.

Vote-tallying irregularities and delays led to postelection tensions. The MDC-A leadership declared victory before the official results were released and accused ZANU-PF of attempting to rig the vote. Postelection opposition protests erupted in Harare and the military

was deployed to disperse them, leading to several deaths. The ZEC ultimately declared Mnangagwa the winner, but the MDC refused to recognize the legitimacy of Mnangagwa's victory.

A2. Were the current national legislative representatives elected through free and fair elections? 1 / 4

Zimbabwe has a bicameral Parliament with a 270-seat lower house, the National Assembly, and an 80-seat upper house, the Senate. In the National Assembly, 210 members are elected through a first-past-the-post system to hold single-member constituencies and 60 women are elected by proportional representation. The Senate includes six members from each of Zimbabwe's 10 provinces who are elected through proportional representation. Sixteen are indirectly elected by regional councils, two seats are reserved for people with disabilities, and two are reserved for tribal chiefs. Members in both houses serve five-year terms.

ZANU-PF won 180 National Assembly seats in the July 2018 parliamentary elections, held concurrently with the presidential and local polls. The MDC-A won 87 and the MDC-T won 1 via proportional representation. An independent former ZANU-PF member and the National Patriotic Front, a ZANU-PF splinter faction, each took one seat. In the Senate, ZANU-PF secured 34 elected seats, the MDC-A took 25, and the MDC-T took 1. Bureaucratic irregularities and media bias marred the parliamentary elections. Traditional leaders ignored the constitutional ban on their participation in partisan politics.

In March 2020, the Supreme Court ruled that Chamisa was not the legitimate opposition leader, replacing him with Khupe, who was then the MDC-T leader. Khupe recalled 31 MDC-A legislators of both houses later that year, forcing them to surrender their seats. Another 15 MDC-A members defected to the MDC-T to retain their seats.

The CCC won 19 of the 28 parliamentary seats decided in the March 2023 by-elections and won most local offices decided in concurrent contests. The campaign period was marred by accusations of intimidation, electoral irregularities, and violence.

A3. Are the electoral laws and framework fair, and are they implemented impartially by the relevant election management bodies? 1 / 4

The ZEC is responsible for election management and oversight, but its independence from ZANU-PF is questionable. International election monitors criticized its management of the 2018 polls, noting issues with vote-count stewardship, opaque procurement processes, and the irregular arrangement of the ballots themselves. Political parties and civil society had difficulty accessing voter rolls, affecting audit and verification processes envisioned by the Electoral Act.

The introduction of biometric voter registration in 2017 remains problematic, and on election day in 2018 there was no biometric voter authentication. Weeks ahead of the 2018 elections, the Constitutional Court ruled that Zimbabweans abroad must return to the country to register to vote, effectively contravening constitutional provisions guaranteeing every citizen the right to vote. Voter-registration rates for 18-to-35-year-old Zimbabweans are considerably lower than those of their older peers according to a survey released by Afrobarometer in September 2022.

No law explicitly prohibits former military personnel from holding positions at the ZEC; 15 percent of the body's staff previously served in the armed forces as of 2018. In 2019, the ZEC appointed a former military figure as its chief elections officer despite his history of overseeing flawed elections in 2018, when he held that role in an acting capacity. The ZEC's independence was further eroded in July 2022, when individuals with ties to ZANU-PF were appointed to the body.

B. POLITICAL PLURALISM AND PARTICIPATION: 5 / 16

B1. Do the people have the right to organize in different political parties or other competitive political groupings of their choice, and is the system free of undue obstacles to the rise and fall of these competing parties or groupings? 2 / 4

Political parties generally form without interference. However, state media tend not to cover opposition parties, impacting their competitiveness. Authorities often suppress opposition gatherings. While opposition groups were able to hold most meetings with limited disruption in the run-up to the 2018 elections, the MDC and its supporters faced postelection raids, arrests, and prosecutions.

CCC officials and supporters faced intimidation and violence in 2022, including ahead of the March elections. In June, CCC activist Moreblessing Ali was found dead in a section of the town of Chitungwiza; Ali had gone missing in May, with witnesses saying she was abducted by ZANU-PF supporters. CCC lawmakers Job Sikhala and Godfrey Sithole were charged with inciting violence after attending Ali's funeral. Sithole was bailed in November but Sikhala remained in detention and was awaiting trial at year's end.

Chamisa of the CCC voiced concerns that he would be harmed during the year. In March, he claimed that government agents were plotting to assassinate him. In September, a device exploded near his convoy in Chinhoyi. The CCC blamed ZANU-PF supporters and state agents for that incident.

Groups such as Mthwakazi Liberation Front (MLF) are blocked from conducting memorial meetings for victims of the 1980s Gukurahundi massacres. The MLF is regarded by the government as a secessionist political party, and its leaders have faced persecution.

B2. Is there a realistic opportunity for the opposition to increase its support or gain power through elections? 1 / 4

ZANU-PF has dominated the government since independence, though the MDC held the premiership as part of a power-sharing deal with Mugabe between 2009 and 2013.

While MDC enjoyed considerable public support in the 2010s, postelection violence limited the opposition's ability to operate. The opposition has also been weakened by factional infighting, which ZANU-PF reportedly fostered. By the end of 2020, Douglas Mwonzora had replaced Khupe as MDC-T leader. His faction benefits from government funding. The January 2022 formation of the CCC further fragmented the opposition; Khupe and other key leaders joined it in April. However, the new grouping has garnered strong public interest.

B3. Are the people's political choices free from domination by forces that are external to the political sphere, or by political forces that employ extrapolitical means? 1 / 4

The military continues to play a critical role in political affairs since Mugabe's ouster in 2017. Many senior military officials hold leadership positions in ZANU-PF and the government.

Traditional leaders, who wield influence over public resources such as food aid, have intimidated villagers, restricted opposition access to their areas, and issued political statements in support of the ruling party, despite constitutional provisions and court orders requiring them to abstain from partisan politics. The government has been known to threaten or intimidate traditional leaders. In late 2021, for example, the government warned chiefs against criticizing the Mnangagwa administration after a one did so while addressing a funeral.

B4. Do various segments of the population (including ethnic, racial, religious, gender, LGBT+, and other relevant groups) have full political rights and electoral opportunities? 1 / 4

Zimbabwe's ethnic Shona majority dominates ZANU-PF, and members of the Ndebele minority have at times expressed frustration about political marginalization by both ZANU-PF and the MDC.

Women and their interests are underrepresented in the political system. The 2018 elections resulted in a decline in the number of women elected outside proportional representation. Women held 30.6 percent of lower-house seats as of December 2021, though they hold 44.2 percent of the Senate. Four of 23 presidential candidates in 2018, or 17 percent, were women.

LGBT+ advocacy groups exist, but severe discrimination limits their ability to advance their interests in the political sphere.

C. FUNCTIONING OF GOVERNMENT: 3 / 12

C1. Do the freely elected head of government and national legislative representatives determine the policies of the government? 1 / 4

The president and Parliament generally determine policies and legislation, but they lack strong electoral legitimacy. Parliament does not serve as an effective check on executive power.

The military continues to interfere in civilian governance. Some officers received cabinet appointments following the 2017 coup, and senior commanders were rewarded with ambassadorships in 2019. ZANU-PF has also relied on veterans as a source of political support, with the party forming a league for veterans of the war for independence in 2017. That league held its first conference in September 2022.

C2. Are safeguards against official corruption strong and effective? 1 / 4

Corruption is endemic, and past revelations of large-scale graft did not lead to successful prosecutions. In early 2019, President Mnangagwa dismissed the existing Zimbabwe Anti-Corruption Commission (ZACC) board and appointed the wife of a former general, a retired major, former opposition politicians, and civil society leaders to the body. Though ZACC continues to refer corruption cases to prosecutors, opposition leaders have called for it to be disbanded, accusing it of lacking the independence, capacity, and will to fulfill its mandate.

Corruption features heavily in the government's tender system. A waste-management agreement between the Harare city government and Geogenix, a firm owned by Albanian businessman Mirel Mërtiri, was awarded by the national government without a tender process. Transparency International criticized the deal in June 2022, saying its terms unfairly benefited Geogenix. While the municipal government attempted to suspend the deal, a government minister told it to abide by its terms in July.

C3. Does the government operate with openness and transparency? 1 / 4

Government processes are generally opaque. Access to information is constitutionally protected, but restrictive laws limit the ability of media outlets and ordinary citizens to obtain government information.

In 2020, new freedom-of-information legislation, which aimed to make some information freely available by replacing the restrictive Access to Information and Protection of Privacy Act (AIPPA), was enacted. The Freedom of Information Bill, one of the acts meant to replace the AIPPA, was criticized for being as restrictive as the old law when it was first gazetted in 2019. The Zimbabwe chapter of the Media Institute of Southern Africa also noted that data-disclosure mechanisms for public bodies was voluntary under the bill.

CIVIL LIBERTIES: 17 / 60

D. FREEDOM OF EXPRESSION AND BELIEF: 7 / 16

D1. Are there free and independent media? 1 / 4

The constitution protects media freedom, but restrictive laws undermine this guarantee. Harsh penalties, including prison sentences, for violations of laws like the Criminal Law (Codification and Reform) Act (CLCRA) contribute to self-censorship among journalists.

The state-controlled Zimbabwe Broadcasting Corporation (ZBC) has historically dominated broadcast media. Many Zimbabweans rely on radio, but media diversity is limited by sustained refusals to grant licenses to community radio stations. Commercial radio licenses usually go to state-controlled companies or individuals connected to ZANU-PF. The government controls the two main daily newspapers, though there are several independent print outlets. In 2020, the Broadcasting Authority of Zimbabwe broke the ZBC's monopoly by issuing new television broadcasting licenses. All six awardees were connected to the government, owned by the government, or otherwise connected to ZANU-PF.

Violence against journalists continues. Several journalists were physically attacked by the authorities or ruling party supporters in separate incidents in October 2022, for example.

D2. Are individuals free to practice and express their religious faith or nonbelief in public and private? 3 / 4

Freedom of religion is generally respected in Zimbabwe. However, congregations perceived to be critical of the government have faced harassment.

D3. Is there academic freedom, and is the educational system free from extensive political indoctrination? 2 / 4

The Ministry of Higher Education supervises education policy at universities, and the president serves as chancellor of all eight state-run universities. The government has the authority to enforce discipline at state-run universities. Students face violent police responses to campus protests.

D4. Are individuals free to express their personal views on political or other sensitive topics without fear of surveillance or retribution? 1 / 4

Zimbabweans have enjoyed some freedom and openness in private discussion, but official surveillance of political activity is a deterrent to unfettered speech. Individuals have been arrested for critical posts on social media, prompting self-censorship online.

In 2021, Parliament passed and Mnangagwa signed the Cyber Security and Data Protection bill, which several NGOs criticized for infringing on online expression and effectively allowing authorities to monitor private communication and target opposition figures.

E. ASSOCIATIONAL AND ORGANIZATIONAL RIGHTS: 3 / 12

E1. Is there freedom of assembly? 1 / 4

Freedom of assembly is constitutionally guaranteed but poorly upheld in practice. The Maintenance of Peace and Order Act of 2019 includes heavy assembly restrictions.

Opposition groups continue to organize meetings, but their efforts are routinely frustrated by authorities. The Zimbabwe Peace Project recorded widespread event disruption, harassment, and intimidation efforts targeting opposition groups and leaders in 2022.

In September 2022, author Tsitsi Dangarembga and codefendant Julie Barnes were convicted of inciting violence for participating in a protest in 2020. The two received suspended prison sentences.

E2. Is there freedom for nongovernmental organizations, particularly those that are engaged in human rights– and governance-related work? 1 / 4

NGOs face restrictions under laws including the CLCRA and the Private Voluntary Organisations (PVO) Act, despite rights stated in the constitution. Organizations that engage in charitable or humanitarian work are required to register as PVOs. Disruption of PVO and NGO activity by the authorities is common. NGO leaders faced detentions, abductions, and continued scrutiny in 2022.

The National Assembly considered the PVO Amendment Bill in 2022 and ultimately passed it in December. The bill was originally gazetted in 2021; its June 2022 amendments were criticized by Amnesty International for making it more restrictive. Its provisions give the government unchecked power to designate any PVO as "high-risk" or "vulnerable" to misuse by terrorist groups, revoke a PVO's registration, and remove or replace its leadership.

E3. Is there freedom for trade unions and similar professional or labor organizations? 1 / 4

Under the Labour Act, the government can veto collective bargaining agreements it deems economically harmful. Strikes are banned in "essential" industries and subject to procedural restrictions. Due to high unemployment and heightened informal employment that have accompanied Zimbabwe's economic crisis, unions are grossly underfunded. Strikes are sometimes tolerated, though union leaders are often charged with subversion for such activity.

In January 2022, teachers striking in front of the National Social Security Authority building were physically attacked by police. Sixteen members of the Amalgamated Rural Teachers' Union of Zimbabwe were arrested, including its president. Teachers at state schools went on strike over pay in February; the government threatened to dismiss teachers who continued to strike or otherwise remained absent. In June, health-care workers launched a strike, calling for their pay to be issued in US dollars.

F. RULE OF LAW: 2 / 16

F1. Is there an independent judiciary? 1 / 4

Pressure on the courts to endorse executive actions and protect ZANU-PF's interests has eroded the judiciary's independence. Judges occasionally rule against the government in sensitive cases, and such rulings are not always respected.

Individual judges faced a further loss in independence when Chief Justice Luke Malaba issued a directive instructing them to clear rulings with superiors in 2020. Malaba rescinded his directive after fierce criticism later that month.

Under a 2021 constitutional amendment, Constitutional Court and Supreme Court judges will retire at 75 instead of at 70, allowing the president to extend Malaba's contested position. Senior judges joining the bench for the first time are now appointed by the president in consultation with the Judicial Service Commission instead of being subjected to public interviews. The introduction of the amendment contravened the constitution, as it did not follow procedures requiring a 90-day notice period to allow for public input.

F2. Does due process prevail in civil and criminal matters? 0 / 4

Constitutionally stipulated due process protections are not enforced. Security personnel frequently ignore basic rights regarding detention, searches, and seizures. Accused persons are often held and interrogated without legal counsel or explanation of the reason for arrest. Lawyers also face detention and arrest on spurious charges. Perceived opponents of the regime faced arrest and detention throughout 2022.

F3. Is there protection from the illegitimate use of physical force and freedom from war and insurgencies? 0 / 4

Security forces backed by ZANU-PF have long engaged in acts of extralegal violence with impunity. Opposition party members, detainees, and protesters often face police brutality, sometimes resulting in death. Overcrowded prisons are unsanitary, food shortages are rampant, and prisoners risk contracting illnesses.

F4. Do laws, policies, and practices guarantee equal treatment of various segments of the population? 1 / 4

While discrimination is prohibited under the 2013 constitution, it is not expressly prohibited on the basis of sexual orientation or gender identity. Sex between men is a criminal offense and can be punished with a fine and up to a year in prison. Land and indigenization policies have previously been criticized for discriminating against white Zimbabweans. Despite legal protections against gender discrimination, women continue to face significant disadvantages.

G. PERSONAL AUTONOMY AND INDIVIDUAL RIGHTS: 5 / 16

G1. Do individuals enjoy freedom of movement, including the ability to change their place of residence, employment, or education? 2 / 4

Movement is restricted by the extensive use of police roadblocks, which are used to impede protests and opposition rallies.

G2. Are individuals able to exercise the right to own property and establish private businesses without undue interference from state or nonstate actors? 1 / 4

Land rights are poorly protected, and in rural areas, the nationalization of land has left both commercial farmers and smallholders with limited security of tenure. Women face discrimination in terms of access to and ownership of land, particularly communal or family land controlled by traditional leaders or male relatives.

In 2021, the government began the process of seizing a privately owned farm belonging to three Black Zimbabweans, including Siphosami Malunga, a well-known human rights activist and critic of the government. A trial against the three, who were accused of illegally occupying the farm, was due to begin in November 2022.

G3. Do individuals enjoy personal social freedoms, including choice of marriage partner and size of family, protection from domestic violence, and control over appearance? 1 / 4

Laws on personal status matters such as marriage and divorce are generally equitable, but customary practices put women at a disadvantage. Domestic violence is a problem, and sexual abuse is widespread, especially against girls.

Child marriages were banned in 2016, but factors including poverty, certain religious views, and lack of enforcement have sustained the practice; a third of girls are married by age 18.

The Termination of Pregnancy Act makes abortion illegal except in very limited circumstances. Same-sex marriages are constitutionally prohibited.

G4. Do individuals enjoy equality of opportunity and freedom from economic exploitation? 1 / 4

Due to the ongoing economic crisis, many workers are not adequately compensated and are often unpaid for months. The International Trade Union Confederation categorized Zimbabwe as one of the worst countries to work in its 2022 Global Rights Index.

The government has attempted to combat the problem of human trafficking. Vulnerable adults and children can be forced to work in the agricultural sector, begging, and domestic work. Women and girls remain particularly vulnerable to sex trafficking.

Territory Reports

Abkhazia*

Population: 243,000
Freedom Status: Partly Free

Note: *Freedom in the World* reports assess the level of political rights and civil liberties in a given geographical area, regardless of whether they are affected by the state, nonstate actors, or foreign powers. Disputed territories are sometimes assessed separately if they meet certain criteria, including boundaries that are sufficiently stable to allow year-on-year comparisons. For more information, see the report methodology.

Overview: Abkhazia, a breakaway region of Georgia, has maintained de facto independence since the end of a civil conflict in 1993. The separatist government is financially dependent on Russia, which has a military presence in Abkhazia and is one of a handful of United Nations (UN) member states that recognize the territory's independence. The tumultuous political environment features significant opposition and civil society activity. Ongoing problems include a flawed criminal justice system, discrimination against ethnic Georgians, and a lack of economic opportunity.

KEY DEVELOPMENTS IN 2022

- Parliamentary elections were held in March, resulting in a strong majority for the ruling faction headed by President Aslan Bzhania.
- Following Moscow's invasion of Ukraine in February, the Abkhaz government faced growing pressure to demonstrate loyalty to the Kremlin and capitulate on its long-standing policy demands. Among other concessions, Bzhania said in August that Abkhazia was prepared to consider joining a Union State with Russia and Belarus.
- Also during the year, the Abkhaz authorities continued a smear campaign against local nongovernmental organizations (NGOs) that cooperated with foreign donors based in democratic countries. Some civil society activists were summoned for questioning, and the Ministry of Foreign Affairs banned a number of programs run by foreign organizations. At least one staffer with a UN humanitarian organization was declared persona non grata and accused of espionage against the Russian military.

POLITICAL RIGHTS: 17 / 40

A. ELECTORAL PROCESS: 5 / 12

A1. Was the current head of government or other chief national authority elected through free and fair elections? 2 / 4

Abkhazia's 1999 constitution established a presidential system, in which the president and vice president are directly elected for five-year terms.

In 2019, then president Raul Khajimba appeared to win reelection in a deeply flawed vote, but he ultimately resigned under public, political, and legal pressure in January 2020. Aslan Bzhania, an opposition politician who had previously headed the state security service and was forced to withdraw from the 2019 contest due to mercury poisoning, won a snap election in March 2020, taking more than 56 percent of the vote in the first round. Two lesser-known candidates divided the remainder. Most established election-monitoring

organizations do not assess Abkhazia's elections; informal observations indicated that the 2020 balloting and campaign period were relatively free, notwithstanding the circumstances that prompted the new vote.

Under the constitution, the prime minister and cabinet are appointed by and accountable to the president. In April 2020, President Bzhania appointed former president (2011–14) Aleksandr Ankvab as prime minister.

A2. Were the current national legislative representatives elected through free and fair elections? 2 / 4

The parliament, or People's Assembly, comprises 35 members elected for five-year terms from single-seat constituencies. The March 2022 parliamentary elections were marred by allegations of vote buying involving candidates affiliated with the government or business groups, who together took most of the seats. While 30 of the 35 successful candidates ran as independents, the results effectively confirmed a consolidation of power by Bzhania and his allies, displacing politicians associated with former president Khajimba. All but nine of the new lawmakers were regarded by analysts as supporters of the government, and only three were seen as genuine opposition figures.

A3. Are the electoral laws and framework fair, and are they implemented impartially by the relevant election management bodies? 1 / 4

The legal framework does not support fully democratic elections. Eight members of the Central Electoral Commission (CEC) are chosen by the parliament, and seven are appointed by the president. All elections are predicated on the exclusion of ethnic Georgian residents.

B. POLITICAL PLURALISM AND PARTICIPATION: 8 / 16

B1. Do the people have the right to organize in different political parties or other competitive political groupings of their choice, and is the system free of undue obstacles to the rise and fall of these competing parties or groupings? 2 / 4

Many parties and social organizations participate in Abkhazia's fractious political system, and these movements generally enjoy freedom of association. Organizations representing veterans of the 1992–93 war with the Georgian government are particularly influential.

However, corruption within parties hampers their democratic functioning, and a 2009 law forbids the formation of parties catering to the interests of any particular ethnic, religious, racial, or professional group. Parties are relatively weak as electoral vehicles and as forces within the parliament, with most candidates campaigning and serving as independents.

B2. Is there a realistic opportunity for the opposition to increase its support or gain power through elections? 3 / 4

While successive governments have often been able to co-opt some of their opponents, incumbent officials remain vulnerable to defeat at the polls. After winning the 2020 presidential election, Bzhania invited representatives of alternative political groups to join his government, including Ankvab, who became prime minister, and Sergey Shamba of United Abkhazia, who became secretary of the Security Council. Meanwhile, Khajimba supporters quickly formed several opposition groups with the goal of contesting the 2022 parliamentary elections. They ultimately failed to arrange effective cooperation, however, and continued to compete with one another during the electoral campaign, resulting in the loss of most opposition seats in the parliament.

B3. Are the people's political choices free from domination by forces that are external to the political sphere, or by political forces that employ extrapolitical means? 2 / 4

While voters' choices influence domestic politics, the functioning of Abkhazia's political institutions remains dependent on economic and political support from Moscow. Corruption and intimidation have also played a role in political affairs.

B4. Do various segments of the population (including ethnic, racial, religious, gender, LGBT+, and other relevant groups) have full political rights and electoral opportunities? 1 / 4

Under the constitution, only a person of Abkhaz nationality who speaks the Abkhaz language and is a citizen of Abkhazia can be elected to the presidency. Ethnic Abkhaz exercise disproportionate control over the political sphere; of the 35 members of the parliament, 32 have Abkhaz surnames and the rest are Armenian. The sizable ethnic Georgian population is routinely excluded from elections and political representation. As with other recent elections, authorities argued ahead of the 2022 parliamentary elections that most residents of the ethnic Georgian district of Gali were Georgian passport holders and therefore not permitted to cast ballots.

Societal norms discourage women from running for office, and women and their interests remain underrepresented in the political sphere. In 2022, only one cabinet-level position and two parliamentary seats were held by women, and only 16 of the 179 seats contested in the 2021 local elections were filled by women.

C. FUNCTIONING OF GOVERNMENT: 4 / 12

C1. Do the freely elected head of government and national legislative representatives determine the policies of the government? 1 / 4

While Abkhazia's president sets the tone for most domestic policy, the overall ability of elected authorities to determine and implement policies is limited by the economic and political influence of the Russian regime.

Moscow's costly February 2022 invasion of Ukraine led to a decline in the Russian financial support that has traditionally made up most of Abkhazia's state budget, and a significant share of the Russian troops stationed in Abkhazia were redeployed to Ukraine. However, the local authorities faced increased pressure from the Kremlin to demonstrate loyalty by capitulating on long-standing points of disagreement. For example, after almost eight years of resistance, in late February 2022 the Abkhaz authorities recognized the "independence" of two Russian-backed separatist entities in Ukraine—the Donetsk People's Republic (DNR) and the Luhansk People's Republic (LNR). In September, Abkhaz officials prepared for the mobilization of local youth, most of whom hold Russian passports, though it was unclear whether any Abkhaz recruits had left the territory by year's end. In March the Abkhaz leadership rejected the idea of holding a referendum on joining the Russian Federation, but in August President Bzhania said the territory was ready to consider joining the looser Union State of Russia and Belarus.

C2. Are safeguards against official corruption strong and effective? 1 / 4

Corruption is believed to be extensive and is tolerated by the government, despite promises to combat it. In recent years, Russian officials have voiced concern about the large-scale embezzlement of funds provided by Moscow.

Since the change in leadership in 2020, prosecutors have launched investigations into allegations of embezzlement and fraud at state-owned companies and government ministries. One of these investigations resulted in the April 2022 arrest of a former culture

minister, and in September the Prosecutor General's Office opened a criminal case against a senior medical official who was accused of fleeing abroad with stolen funds.

C3. Does the government operate with openness and transparency? 2 / 4

Legal amendments from 2015 allow citizens to request information about any government decisions that are not classified as state secrets, and to receive a response within a month. Nevertheless, the territory's political culture is nontransparent, and social stigmas prevent citizens from requesting information.

In 2021, the parliament adopted legislation requiring all public officials and their close relatives to declare their income, property, and expenses. A second round of annual declarations were submitted in 2022. Some local activists argued that the information supplied in the documents was not sufficient to shed light on any possible corruption schemes.

CIVIL LIBERTIES: 22 / 60 (−1)

D. FREEDOM OF EXPRESSION AND BELIEF: 8 / 16

D1. Are there free and independent media? 2 / 4

The local media sector is dominated by the government, which operates the Abkhaz State Television and Radio Company (AGTRK), a newspaper, and a news agency, though there are also some private outlets. News websites and social media have become increasingly popular sources of information. Major Russian television stations broadcast into Abkhazia, and residents of the Gali district have access to Georgian broadcasts. Some legal restrictions apply to both traditional and online media, including criminal libel statutes.

D2. Are individuals free to practice and express their religious faith or nonbelief in public and private? 2 / 4

Orthodox Christianity is the dominant religion in Abkhazia, but the Georgian Orthodox Church faces discrimination and restrictions. Most practicing Christians adhere to one of two branches of the Abkhazian Orthodox Church. Though the Abkhazian Orthodox Church declared its separation from the Georgian Orthodox Church in 2009, its autonomy has not been officially recognized.

Muslims are allowed to practice freely, though some community leaders have been attacked in the past. Islamic religious services have generally been held in private homes, some of which were renovated and expanded to accommodate increased participation. The local synagogue is in poor condition, with a declining Jewish congregation of only around 150 people. There are no widely reported restrictions on the minority of residents who identify with Abkhazia's traditional pre-Christian religion. Jehovah's Witnesses are formally banned under a 1995 decree.

D3. Is there academic freedom, and is the educational system free from extensive political indoctrination? 1 / 4

The education system is affected by the de facto government's political priorities. Schools providing instruction in Russian, Abkhaz, and Armenian generally operate without interference. However, schools in Gali have been undergoing reorganization since 2015 with the aim of replacing the Georgian language with Russian. In 2021, teaching in Georgian was officially banned in Abkhazia, though it is still taught as a foreign language in many schools throughout the predominantly Georgian east.

Universities in the capital have recently become more lenient about the enrollment of Gali Georgians who lack Abkhaz passports, but bureaucratic complications still arise with respect to obtaining a diploma, and some argue that requiring aspiring university students to

take Abkhaz-language proficiency exams as part of their graduation from secondary school disadvantages members of ethnic minorities.

D4. Are individuals free to express their personal views on political or other sensitive topics without fear of surveillance or retribution? 3 / 4

The freedoms of personal expression and private discussion are not severely restricted in practice. Social media platforms host vibrant discussions on political and other topics in Abkhazia. However, there is some self-censorship on sensitive subjects, especially those relating to ethnic Georgians and relations with Tbilisi. In June 2022, the Abkhaz State Security Service (SGB) lodged treason allegations against Daur Buava, a resident who had recently left Abkhazia for government-controlled Georgia; Buava had posted videos on the social media platform TikTok in which he called for reconciliation with Georgians.

E. ASSOCIATIONAL AND ORGANIZATIONAL RIGHTS: 5 / 12 (−1)

E1. Is there freedom of assembly? 3 / 4

Freedom of assembly is largely respected, and opposition and civil society groups regularly mount protests. In December 2021, the authorities deployed soldiers and riot police to prevent opposition protesters from storming the parliament building during an antigovernment demonstration in Sukhumi. Despite the use of tear gas and batons, there were no reports of protesters or police being hospitalized; however, members of a television crew were injured.

E2. Is there freedom for nongovernmental organizations, particularly those that are engaged in human rights– and governance-related work? 1 / 4 (−1)

Civil society organizations exert influence on government policies, but those that receive funding from foreign governments or entities that do not recognize Abkhazia's independence face criticism from local journalists and authorities. The government's 2020 policy agreement with Moscow called for special restrictions on groups that receive foreign funding. While no such legislation had been adopted by the end of 2022, Abkhaz civil society was subjected to growing state pressure during the year. Many local activists were summoned for questioning by the SGB in April after their names appeared on a petition against the war in Ukraine. Despite protests by the local human rights commissioner, these interrogations continued, and later expanded to include representatives of foreign organizations operating in Abkhazia. The Ministry of Foreign Affairs banned a number of projects implemented by foreign organizations and their local partners; in September the ministry designated a staff representative of the UN Food and Agricultural Organization as persona non grata, accusing her of espionage against the Russian military.

Score Change: The score declined from 2 to 1 because the authorities have increased efforts to suppress the activities of both local and international nongovernmental organizations in Abkhazia.

E3. Is there freedom for trade unions and similar professional or labor organizations? 1 / 4

Trade unions exist, but unions and labor activists have struggled to effectively defend the rights of workers and typically have little say in policies or decisions made by the government or private businesses. Workers often rely on informal networks to settle disputes.

F. RULE OF LAW: 4 / 16

F1. Is there an independent judiciary? 1 / 4

Despite attempts to introduce more parliamentary oversight of the judiciary, nepotism and corruption reportedly have a significant impact on judicial independence. Implementation of judicial decisions remains inconsistent.

F2. Does due process prevail in civil and criminal matters? 1 / 4

The criminal justice system is undermined by limited defendant access to qualified legal counsel, violations of due process, and lengthy pretrial detentions.

F3. Is there protection from the illegitimate use of physical force and freedom from war and insurgencies? 1 / 4

Isolated acts of criminal and political violence occur in Abkhazia, though government data have shown declines in the overall crime rate in recent years. Organized crime remains a significant problem. Conditions in prisons and detention centers are reportedly poor, and the local human rights commissioner's office has highlighted cases of alleged torture and mistreatment of detainees.

F4. Do laws, policies, and practices guarantee equal treatment of various segments of the population? 1 / 4

Ethnic Georgian residents of the Gali district continue to face discrimination, including police harassment and unequal access to documentation and public services. In 2017, Sukhumi began issuing residence permits to Gali Georgians for five-year renewable terms. Permit holders may retain Georgian citizenship, reside in Gali, and cross the de facto border into Georgia proper.

Many women in Abkhazia reportedly experience gender-based violence, with higher rates in rural areas. The territory lacks robust legal protections against discrimination affecting LGBT+ people.

Beginning in 2011, the government facilitated the travel of hundreds of ethnic Abkhaz, Adyghe, and Circassian people from Syria to Abkhazia, enabling them to escape Syria's civil war. Most of these refugees reportedly left Abkhazia due to local economic problems, but a small number still lived in the territory in 2022.

G. PERSONAL AUTONOMY AND INDIVIDUAL RIGHTS: 5 / 16

G1. Do individuals enjoy freedom of movement, including the ability to change their place of residence, employment, or education? 1 / 4

Freedom of movement is limited by the ongoing dispute over Abkhazia's status. Travel permits remain expensive and burdensome to obtain. More than 70 percent of Abkhazia's residents hold Russian passports, as Abkhaz travel documents are not internationally recognized.

After pandemic-related closures during 2020 and 2021, crossings between Georgian-controlled territory and Abkhazia generally remained open in 2022.

G2. Are individuals able to exercise the right to own property and establish private businesses without undue interference from state or nonstate actors? 1 / 4

Criminal activity hampers the operations of local businesses. The constitution forbids foreigners, including Russians, from buying real estate in Abkhazia, a rule that has broad support in Abkhazian society. Uncertainty persists regarding property rights for ethnic Georgians in Gali, whose residency permits do not allow them to officially own or inherit

property. The legal status of properties whose owners were expelled from Abkhazia during the 1990s is also unclear, as displaced people cannot return to claim them.

G3. Do individuals enjoy personal social freedoms, including choice of marriage partner and size of family, protection from domestic violence, and control over appearance? 2 / 4

Personal freedoms are somewhat inhibited by conservative social mores and societal disapproval of certain identities and behavior, including "nontraditional" sexual orientations and gender nonconformity. Domestic violence and rape are serious problems, and victims lack access to effective aid. There is no specific law to address domestic violence. A 2016 law banned abortions in all circumstances apart from prior fetal death.

G4. Do individuals enjoy equality of opportunity and freedom from economic exploitation? 1 / 4

Equality of opportunity is limited by Abkhazia's international isolation, as well as by corruption and criminality. NGOs have expressed concern about human trafficking in Abkhazia, with migrants and internally displaced people deemed especially vulnerable to sexual or labor exploitation.

Crimea*

Population: 2,450,000
Freedom Status: Not Free

Note: *Freedom in the World* reports assess the level of political rights and civil liberties in a given geographical area, regardless of whether they are affected by the state, nonstate actors, or foreign powers. Disputed or occupied territories are sometimes assessed separately if they meet certain criteria, including boundaries that are sufficiently stable to allow year-on-year comparisons. For more information, see the report methodology.

Overview: In early 2014, Russian forces invaded the autonomous Ukrainian region of Crimea and quickly annexed it to the Russian Federation through a referendum that was widely condemned for violating international law. The occupation government severely limits political and civil rights, has silenced independent media, and employs antiterrorism and other laws against political dissidents. Many Ukrainians have been deported from or otherwise compelled to leave Crimea. Members of an Indigenous minority group, the Crimean Tatars, many of whom continue to vocally oppose the Russian occupation, have faced acute repression by the authorities.

KEY DEVELOPMENTS IN 2022

- In February, the Russian Federation initiated a full-scale invasion of Ukraine, temporarily threatening Kyiv and other major cities and occupying a swath of additional territory in the southeast. Crimea was used as a base for the Russian offensive, and Ukrainian forces responded with several attacks on the peninsula in the latter half of the year.
- The Russian government enacted new laws in March that imposed heavy penalties for spreading false information about or "discrediting" the Russian military. Occupation authorities in Crimea used these measures to persecute residents for expressing opposition to the invasion.

- Also during the year, Russian military authorities forcibly enlisted Crimeans and deployed them outside the peninsula, in violation of international law.

POLITICAL RIGHTS: −2 / 40

A. ELECTORAL PROCESS: 0 / 12

A1. Was the current head of government or other chief national authority elected through free and fair elections? 0 / 4

Under the administrative system established by Moscow, the Crimean Peninsula is divided into the Republic of Crimea and the federal city of Sevastopol, a port of more than 500,000 residents. Sevastopol's political institutions largely mirror those of Crimea proper.

The head of the Republic of Crimea is elected by its legislature, the State Council of Crimea, for up to two consecutive five-year terms. Lawmakers choose the leader based on a list of nominees prepared by the Russian president. In October 2014, the legislature unanimously elected Sergey Aksyonov as the head of the republic in a process that did not conform to democratic standards. (Aksyonov had led Crimea since February 2014, when a group of armed men forced legislators to elect him prime minister at gunpoint.) He was unanimously reelected in 2019.

Tightly controlled Russian presidential balloting was organized in Crimea in 2018, but residents have not been able to participate in Ukrainian presidential elections since the Russian occupation began in 2014.

A2. Were the current national legislative representatives elected through free and fair elections? 0 / 4

The State Council consists of 75 members elected to five-year terms. Two-thirds of the members are elected by party list and one-third in single-member districts. Legislative elections held in 2014 and 2019 under the Russian-organized Crimean constitution were contested exclusively by candidates who backed the Russian occupation, and Ukrainian parties were banned. The ruling party in Russia, United Russia, lost some support in 2019, taking 60 seats, down from 70 previously. The ultranationalist Liberal Democratic Party of Russia secured 10 seats, and the Communist Party won 5.

Undemocratic elections for Russia's State Duma were held in Crimea in 2016 and 2021, but residents have not been able to participate in Ukrainian parliamentary or municipal council elections since the Russian occupation began in 2014. Crimea's 12 seats in the Ukrainian parliament have been left vacant.

A3. Are the electoral laws and framework fair, and are they implemented impartially by the relevant election management bodies? 0 / 4

The Russian occupation authorities have tailored the electoral system to ensure maximum control by Moscow. Legislators electing the chief executive are limited to candidates chosen by the Russian president. In the legislative elections, legitimate opposition forces are denied registration before the voting begins, leaving voters with the choice of either abstaining or endorsing pro-Russian candidates.

B. POLITICAL PLURALISM AND PARTICIPATION: 0 / 16

B1. Do the people have the right to organize in different political parties or other competitive political groupings of their choice, and is the system free of undue obstacles to the rise and fall of these competing parties or groupings? 0 / 4

Ukrainian political parties are banned, allowing United Russia and other Kremlin-approved factions to dominate the political system. The Russian Federal Security Service

(FSB), local police, and pro-Russian "self-defense" units use intimidation and harassment to suppress any political mobilization against the current government or the Russian annexation of Crimea.

Political activists who support Ukrainian sovereignty in the territory or are aligned with Russian opposition figures like Aleksey Navalny have experienced police surveillance, arrests, and sentencing to lengthy terms in Russian penal colonies. In March 2022, after the full-scale invasion of Ukraine began the previous month, the Russian parliament enacted new laws that criminalized "false" or critical speech about the Russian military, effectively outlawing opposition to the war and exposing political dissidents to another form of repression.

B2. Is there a realistic opportunity for the opposition to increase its support or gain power through elections? 0 / 4

Because Ukrainian political parties are not allowed to compete in elections and Russian authorities tightly control the political and electoral systems, there is no opportunity for a genuine political opposition to form, compete, or take power in Crimea.

B3. Are the people's political choices free from domination by forces that are external to the political sphere, or by political forces that employ extrapolitical means? 0 / 4

Chief executive Sergey Aksyonov was originally installed by Russian security forces, and subsequent elections have been carefully controlled by the Russian government, which pressures residents to vote. Among other abuses, during the 2018 Russian presidential election and 2019 local elections, public employees were threatened with termination if they did not vote. During the 2021 State Duma elections, school principals were expected to pressure their subordinates to register to vote and cast ballots for United Russia.

B4. Do various segments of the population (including ethnic, racial, religious, gender, LGBT+, and other relevant groups) have full political rights and electoral opportunities? 0 / 4

Occupation authorities deny full political rights to all Crimea residents, but Crimean Tatars and ethnic Ukrainians are regarded with particular suspicion and face greater persecution than do ethnic Russians.

The headquarters of the Mejlis, the Crimean Tatars' representative body, was closed by the occupation authorities in 2014. The Mejlis's incumbent chairman, Refat Chubarov, and Crimean Tatar leader Mustafa Dzhemilev have since been banned from the territory. The Mejlis was officially banned by Crimea's Supreme Court in 2016. Some figures associated with the Mejlis have been prosecuted in absentia by Russian-controlled courts, while others have been arrested and imprisoned. In September 2022, Mejlis first deputy chairman Nariman Dzhelialov was one of three people convicted for allegedly planning to sabotage a gas pipeline near Simferopol; he was sentenced to 17 years in prison.

The prohibition on Ukrainian political parties leaves ethnic Ukrainians with limited options for meaningful representation, and the intensified repression surrounding Moscow's full-scale invasion of Ukraine in 2022 made public expressions of Ukrainian political identity even more dangerous.

Women formally have equal political rights, but they remain underrepresented in leadership positions in practice, and government officials demonstrate little interest in or understanding of gender-equality issues. After the 2019 elections, women held 21 percent of the seats in the State Council.

C. FUNCTIONING OF GOVERNMENT: 0 / 12

C1. Do the freely elected head of government and national legislative representatives determine the policies of the government? 0 / 4

All major policy decisions are made in Moscow and executed by Russian president Vladimir Putin's representatives in Crimea or the local authorities, who were not freely elected and are beholden to the Kremlin.

C2. Are safeguards against official corruption strong and effective? 0 / 4

Corruption is widespread in Crimea and occurs at the highest levels of government. Generally, efforts to investigate and prosecute corruption are inadequate. Some elements of the Russian-backed leadership, including Aksyonov and the speaker of the State Council, Vladimir Konstantinov, reputedly have ties to organized crime. In recent years, the Russian FSB has arrested a number of Crimean officials as part of an ostensible antigraft campaign; many of the arrests were related to allegations that local authorities embezzled Russian funds meant to support the occupation. However, some have also been linked to infighting between Crimean and Russian officials over control of the peninsula's assets.

In July 2022, Crimean military commissar Yuriy Lymar was placed under house arrest and charged with taking bribes to excuse residents from military service.

C3. Does the government operate with openness and transparency? 0 / 4

With strict controls on the media and few other means of holding officials accountable, residents struggle to obtain information about the functioning of their government. Budget processes are opaque, and input from civil society, which is itself subject to tight restrictions, is limited.

Since the launch of the full-scale invasion of Ukraine in February 2022, Russian authorities have restricted access to basic information about the war, including accurate casualty figures. Crimean mobilization and conscription data are not made public.

ADDITIONAL DISCRETIONARY POLITICAL RIGHTS QUESTION

Is the government or occupying power deliberately changing the ethnic composition of a country or territory so as to destroy a culture or tip the political balance in favor of another group? −2 / 0

Since the occupation began, the Russian government has taken decisive steps to solidify ethnic Russian domination of the peninsula and marginalize the ethnic Ukrainian and Crimean Tatar communities. The elimination of the Ukrainian language from school curriculums and the closure of most Ukrainian Orthodox churches since 2014 are indicative of this attempt to Russify the population.

Political persecution has contributed to an outflow of ethnic Ukrainians and Crimean Tatars, and many who chose to retain Ukrainian citizenship after 2014—when Moscow instituted a policy of mass Russian naturalization for all residents of Crimea, in violation of international law—have since been deported.

Russian and local pro-Russian officials' policies and actions in Crimea have led to an influx of hundreds of thousands of people from Russia, including Russian troops, civilian personnel, and their families. People displaced by fighting and deprivation in eastern Ukraine—home to many ethnic Russians—have also come to Crimea. Meanwhile, tens of thousands of Crimeans have been forcibly conscripted into the Russian armed forces since 2014, and many have been deployed far from the peninsula, all in contravention of international law regarding occupied territories.

In September 2022, the Russian president signed a decree initiating a partial mobilization of reserve troops, consisting of former conscripts and contract soldiers who had completed their original terms of service, and the order extended to Crimea. Consequently, an unknown number of mobilized ethnic Ukrainians and Crimean Tatars were sent to fight and die in mainland Ukraine.

CIVIL LIBERTIES: 6 / 60 (−3)

D. FREEDOM OF EXPRESSION AND BELIEF: 0 / 16 (−2)

D1. Are there free and independent media? 0 / 4

Media freedom is severely curtailed in Crimea. In addition to other restrictive Russian laws, a penal code provision prescribes imprisonment for public calls for action against Russia's territorial integrity, which has been interpreted to ban statements against the annexation, including in the media. In March 2022, the Russian parliament passed and Putin signed a package of laws that imposed penalties of up to 15 years in prison for either discrediting or spreading "false" information about the Russian military and its activities.

Journalists in Crimea risk harassment, arrest, and imprisonment for carrying out their work. Vladislav Yesypenko, a freelance journalist associated with US-funded Radio Free Europe/Radio Liberty (RFE/RL), was sentenced in February 2022 to six years in a penal colony, later reduced to five years on appeal, for supposedly possessing and transporting explosives. He had reportedly been tortured by authorities after his 2021 arrest. Iryna Danilovych, an activist and citizen journalist, disappeared in April 2022; about two weeks later, her family learned that she had been arrested. She was convicted in December and sentenced to seven years in prison on a dubious charge of carrying an explosive device. Vilen Temeryanov, a Crimean Tatar journalist with the independent news website Grani, was arrested on terrorism charges in August 2022 and remained in detention as of December.

Independent and pro-Ukraine media outlets do not openly function on the peninsula. A 2015 reregistration process overseen by the Russian media and telecommunications regulator Roskomnadzor effectively reduced the number of media outlets in Crimea by more than 90 percent. The occupation authorities have cut Crimea off from access to Ukrainian television, and Crimean internet service providers must operate under draconian Russian media laws. Russian authorities continued to block a number of Ukrainian news sites and interfered with Ukrainian radio signals by transmitting Russian programming on the same frequencies in 2022.

D2. Are individuals free to practice and express their religious faith or nonbelief in public and private? 0 / 4

The occupation authorities forced religious organizations to reregister under new rules after seizing control in 2014, sharply reducing the number of registered groups. Authorities have also confiscated numerous properties in Crimea from the Orthodox Church of Ukraine. All 22 Jehovah's Witnesses congregations were deregistered after the Russian Supreme Court ruled in 2017 that the group had violated laws against extremism. In 2020, authorities began issuing prison sentences to adherents for their activity.

Most Muslims in Crimea are Crimean Tatars, and mosques associated with the community have been denied permission to register. Muslims have also faced legal discrimination and accusations that they belong to Hizb ut-Tahrir, a pan-Islamist movement that seeks to establish a caliphate but does not advocate violent methods to achieve it. Hizb ut-Tahrir operates legally in Ukraine but is designated as a terrorist group in Russia. Those prosecuted for alleged membership in Crimea are denied due process, with authorities relying on

testimony from anonymous witnesses, including FSB agents. More than a dozen Crimean Tatars were sentenced to prison on such charges in 2022 alone.

D3. Is there academic freedom, and is the educational system free from extensive political indoctrination? 0 / 4 (−1)

Schools must use the Russian state curriculum, and schoolchildren in Crimea are exposed to Russian military propaganda. Some have also received basic military training in recent years.

Instruction in the Ukrainian language has been almost completely eliminated. In a 2017 ruling, the International Court of Justice ordered Russia to ensure the availability of education in Ukrainian, but the authorities did not comply with this order. Access to education in the Crimean Tatar language has been more stable, declining only slightly since 2014.

After the full-scale invasion of Ukraine began in February 2022, occupation authorities began dismissing and prosecuting teachers in Crimea for allegedly discrediting the Russian military, for example by expressing opposition to the war or contradicting official propaganda narratives.

Score Change: The score declined from 1 to 0 because Russian authorities have established near-total control over the education system, using it to indoctrinate students and suppress views that diverge from official narratives about the Russian military's invasion of Ukraine.

D4. Are individuals free to express their personal views on political or other sensitive topics without fear of surveillance or retribution? 0 / 4 (−1)

The FSB reportedly encourages residents to inform on individuals who express opposition to the 2014 occupation of Crimea or the February 2022 invasion of Ukraine, and a climate of fear and intimidation seriously inhibits private discussion of political matters. Social media comments are reportedly monitored by authorities. The FSB frequently opens criminal cases against those who criticize the occupation and the oppression of Crimean Tatars.

After the 2022 invasion began, Russian authorities effectively banned critical discussion of the war or alleged war crimes by the Russian military. By November, the Crimean Human Rights Group (KPH) had documented at least 151 cases of Crimeans being charged with discrediting the Russian armed forces. Many involved antiwar posts on social media.

Score Change: The score declined from 1 to 0 due to increased surveillance and punishment of residents who expressed negative opinions about the invasion of Ukraine.

E. ASSOCIATIONAL AND ORGANIZATIONAL RIGHTS: 1 / 12

E1. Is there freedom of assembly? 0 / 4

Freedom of assembly is severely restricted. Public events cannot proceed without permission from the authorities, and the Crimean government lists only 366 locations where they can be held. Permission to hold demonstrations is frequently denied, and when protests do proceed, participants are often arrested. Authorities have at times handed activists advance-warning notes threatening them with administrative or criminal prosecution if they held planned events. Crimean Tatar activists have been known to receive such notes before the anniversary of the Stalin-era mass deportations and Crimean Tatar Flag Day.

In 2022, demonstrators engaged in a series of small or single-person protests against the war in Ukraine and were detained for allegedly discrediting the Russian military.

E2. Is there freedom for nongovernmental organizations, particularly those that are engaged in human rights– and governance-related work? 0 / 4

The occupation authorities, including the FSB, repress all independent political and civic organizations. Nongovernmental organizations (NGOs) are subject to harsh Russian laws that enable state interference and obstruct foreign funding. NGO leaders are regularly harassed and arrested for their work.

In March 2022, Abdureshyt Dzhepparov, coordinator of the Crimean Contact Group for Human Rights, was sentenced to 15 days of administrative detention, ostensibly for a 2019 social media post that compared Soviet and Nazi German propaganda. In April, Roskomnadzor blocked access to the website of the Kyiv-based ZMINA Human Rights Centre. In May, the Russian Prosecutor General's Office designated the KPH as an "undesirable" organization, requiring it to disband and criminalizing any collaboration with its activities.

E3. Is there freedom for trade unions and similar professional or labor organizations? 1 / 4

Trade union rights are formally protected under Russian law but limited in practice. As in both Ukraine and Russia, employers are often able to engage in antiunion discrimination and violate collective-bargaining rights. Occupation authorities have threatened to nationalize property owned by labor unions in Crimea.

F. RULE OF LAW: 0 / 16

F1. Is there an independent judiciary? 0 / 4

Under Moscow's rule, Crimea is subject to the Russian judicial system, which lacks independence and is effectively dominated by the executive branch. Russian laws bar dual citizenship for public officials, and Crimean judges were required to obtain Russian citizenship in order to retain their positions after the annexation.

In recent years, Russian judges have been transferred from Russia to work in Crimea. These officials regularly hand down politically motivated judgments against residents who oppose the occupation and the war against Ukraine.

F2. Does due process prevail in civil and criminal matters? 0 / 4

After the illegal 2014 annexation, Russian authorities replaced Ukrainian laws with those of the Russian Federation. Russian criminal code amendments in 2020 allowed for harsher punishments against those accused of "violating" or "alienating" Russian territorial integrity. Many detainees and prisoners are transferred from occupied Crimea to Russia, in violation of international law, and Crimean residents have faced trial in military courts located in Russia. Similarly, in 2022, there were some reported cases of activists being seized in newly occupied portions of Ukraine and transported for detention and trial in Crimea.

Arbitrary arrests and detentions, harsh interrogation tactics, falsification of evidence, pressure to waive legal counsel, and unfair trials are common. The Office of the UN High Commissioner for Human Rights (OHCHR) has noted that prosecutors are heavily favored in military court proceedings, and that state-appointed defense lawyers are often ineffective. Observers attempting to attend open court hearings involving Crimean Tatar defendants have sometimes been detained. Independent lawyers who assist victims of human rights violations have faced administrative charges, fines, disbarment, and other forms of reprisal.

F3. Is there protection from the illegitimate use of physical force and freedom from war and insurgencies? 0 / 4

The Russian occupation authorities commonly engage in torture of detainees and other abuses. A 2020 OHCHR report noted accounts of "mock executions, beatings, electric

shocks, and sexual violence." Victims of torture have little legal recourse, allowing security forces to act with impunity.

Detention centers are often overcrowded and unhygienic, and detainees do not consistently receive medical attention.

During and after Moscow's February 2022 invasion, Crimea was used as a base of Russian military operations in southern Ukraine, which caused extensive destruction and loss of civilian life in Ukrainian population centers. Ukrainian forces responded with a series of drone strikes and special operations aimed at military bases and supplies in Crimea. In October, an explosion that was reportedly caused by a truck bomb killed at least four people and seriously damaged a bridge linking Crimea to Russia via the Kerch Strait.

F4. Do laws, policies, and practices guarantee equal treatment of various segments of the population? 0 / 4

In addition to official discrimination and harassment against ethnic Ukrainians and Crimean Tatars, women face de facto discrimination in the workplace, and the legal situation for LGBT+ people has worsened under the Russian occupation. After 2014, Crimea became subject to Russia's 2013 law banning dissemination of information that promotes "nontraditional sexual relationships" among minors, which tightly restricts the activities of LGBT+ people and organizations. A December 2022 Russian law extended the ban to include the spread of such information among adults.

G. PERSONAL AUTONOMY AND INDIVIDUAL RIGHTS: 5 / 16 (−1)

G1. Do individuals enjoy freedom of movement, including the ability to change their place of residence, employment, or education? 0 / 4 (−1)

The occupation authorities have sought to compel Crimea's residents to accept Russian citizenship and surrender their Ukrainian passports. Those who fail to do so face the threat of dismissal from employment, loss of property rights, inability to travel to mainland Ukraine and elsewhere, and eventual deportation as foreigners.

After the February 2022 invasion began, it became almost impossible to travel directly from Crimea to government-controlled Ukraine due to ongoing hostilities. After the Russian government began its mobilization of reservists in September, men could leave Crimea only with the permission of the military commissars. In October, Putin signed a decree imposing varying degrees of movement restrictions based on the perceived security threat in each region. In Crimea, officials were empowered to forcibly relocate some residents and limit travel to and from the peninsula.

Score Change: The score declined from 1 to 0 due to new movement restrictions associated with the full-scale invasion of Ukraine.

G2. Are individuals able to exercise the right to own property and establish private businesses without undue interference from state or nonstate actors? 1 / 4

Property rights are poorly protected, and the Russian occupation has resulted in a redistribution of assets in favor of Russian and pro-Russian entities. In 2018, an international court in The Hague, the Netherlands, ordered Russia to pay $159 million to Ukrainian companies whose property had been confiscated since 2014. The properties of Crimean Tatars who returned in the 1990s—after a Soviet-era mass deportation—and built houses without permits are also vulnerable to seizure by Russian authorities.

In 2020, Putin signed an edict banning foreign individuals from owning coastal land in the territory; the measure also included new restrictions on property rights that do not apply

for Crimean residents holding Russian passports. According to the same edict, Ukrainian land documents would no longer be valid as of January 2023, and Crimeans must reregister their land rights under Russian law.

In October 2022, the State Council of Crimea announced that it would nationalize enterprises and property belonging to Ukrainians; more than 130 enterprises were nationalized the following month. Separately in October, the Russian decree imposing security-related movement restrictions in Crimea also authorized the seizure of private property for military purposes.

G3. Do individuals enjoy personal social freedoms, including choice of marriage partner and size of family, protection from domestic violence, and control over appearance? 2 / 4

Domestic violence remains a serious problem in Crimea, and Russian laws do not offer strong protections. In 2017, Putin signed legislation that partly decriminalized domestic abuse in Russia, prescribing only small fines and short administrative detention for acts that do not cause serious injuries. Russian law does not recognize same-sex marriage or civil unions.

G4. Do individuals enjoy equality of opportunity and freedom from economic exploitation? 2 / 4

Economic opportunity has been limited since the occupation due to international sanctions, restrictions on trade via mainland Ukraine, and reliance on trade with Russia. Residents' access to goods and services remains constrained, and vital industries like tourism and agriculture have stagnated.

As in both Ukraine and Russia, migrant workers, women, and children are vulnerable to trafficking for the purposes of forced labor or sexual exploitation. Russia's military conscription in occupied Crimea and its 2022 mobilization of reservists both violate international law, amounting to forced enlistment as well as forced labor.

Eastern Donbas*

Population: 2,000,000 (estimated)
Freedom Status: Not Free

Note: *Freedom in the World* reports assess the level of political rights and civil liberties in a given geographical area, regardless of whether they are affected by the state, nonstate actors, or foreign powers. Disputed territories are sometimes assessed separately if they meet certain criteria, including boundaries that are sufficiently stable to allow year-on-year comparisons. For more information, see the report methodology.

Overview: Eastern Donbas comprises the portions of Ukraine's Donetsk and Luhansk regions that have been occupied by Russian and Russian-backed separatist forces since 2014. It covered about a third of the two regions' territory and was home to more than half of their prewar population of 6.5 million people, though the current population cannot be precisely determined. Local authority rested in the hands of the so-called People's Republics of Donetsk and Luhansk (DNR and LNR, respectively), which were entirely dependent on Moscow for financial and military support. Both entities were recognized by Russia as independent states in 2022; Donetsk and Luhansk were annexed by Russia later in the year. Security services exercise tight control over local political activity, leaving no room for

meaningful opposition. Local media are severely restricted and social media users have been arrested for critical posts. The rule of law and civil liberties are not respected.

KEY DEVELOPMENTS IN 2022

- In February, just ahead of the Russian invasion of Ukraine, Russian president Vladimir Putin recognized the independence of the DNR and LNR. Donetsk and Luhansk were annexed by Russia along with the Ukrainian regions of Kherson and Zaporizhzhia in sham referendums in September; residents of the occupied areas were then given one month to accept Russian citizenship.
- Men residing in the DNR and LNR were subject to mobilization in February as Russian forces prepared their invasion of Ukraine. Men were detained or press-ganged into service and were subjected to poor conditions.
- Residents of occupied areas faced violence previously unseen in the region after the Russian invasion of Ukraine began in February, with the cities of Mariupol, Sievierodonetsk, and Lysychansk being effectively destroyed during the year. In December, the Office of the UN High Commissioner for Human Rights (OHCHR) counted 4,052 killed and 5,643 injured in the Donetsk and Luhansk regions since February 24; 483 were killed and 1,633 injured in Russian-controlled areas.

POLITICAL RIGHTS: −1 / 40

A. ELECTORAL PROCESS: 0 / 12

A1. Was the current head of government or other chief national authority elected through free and fair elections? 0 / 4

Under the constitutions of the DNR and LNR, executive authority was exercised by a directly elected "head of the republic," who appointed a prime minister and cabinet with the consent of the legislature.

Donetsk leader Denis Pushilin and Luhansk leader Leonid Pasechnik, who are considered widely unpopular but loyal to Moscow, won deeply uncompetitive and fraudulent leadership elections in November 2018. New constitutions introduced in December 2022 reportedly abolished the direct election of leaders.

A2. Were the current national legislative representatives elected through free and fair elections? 0 / 4

The preexisting DNR and LNR constitutions called for "People's Councils" of 100 and 50 seats, respectively. Under legislation passed in Moscow in October 2022, the People's Councils will still exercise local control until new legislatures are elected.

The November 2018 legislative polls were held under the same flawed conditions as the concurrent executive elections, with no meaningful competition permitted. Both entities feature only two authorized political "movements." In the DNR, the ruling Donetsk Republic movement was credited with 72.5 percent of the vote, while Peace for Luhansk took 74.1 percent in the LNR. The remaining seats went to the two secondary and equally loyal movements, Free Donbas and the Luhansk Economic Union.

A3. Are the electoral laws and framework fair, and are they implemented impartially by the relevant election management bodies? 0 / 4

The de facto electoral authorities implemented their entities' laws and regulations arbitrarily in 2018, allegedly manipulating the declared election results and using technicalities to exclude unapproved challengers who might be capable of attracting support. The sham

September 2022 referendums were held under dubious conditions; voting in occupied areas was reportedly conducted door to door by armed soldiers or under armed escort.

B. POLITICAL PLURALISM AND PARTICIPATION: 0 / 16

B1. Do the people have the right to organize in different political parties or other competitive political groupings of their choice, and is the system free of undue obstacles to the rise and fall of these competing parties or groupings? 0 / 4

The DNR and LNR featured political duopolies, with both officially sanctioned parties (dubbed "public movements") supporting roughly the same policy agenda. Any other political organizations, even if they were also pro-Russian in orientation, were effectively banned.

B2. Is there a realistic opportunity for the opposition to increase its support or gain power through elections? 0 / 4

The run-up to the 2018 elections showed that meaningful competition, even within the pro-Russian spectrum, was not tolerated. Some dissident figures have been rehabilitated, though those who most frequently criticized the local leadership were sidelined. Donetsk separatist figure Pavel Gubarev had received the latter treatment in the past. In October 2022, however, Gubarev was filmed voicing support for—and threatening violence against Ukrainians who opposed—Russian rule.

B3. Are the people's political choices free from domination by forces that are external to the political sphere, or by political forces that employ extrapolitical means? 0 / 4

Throughout 2022, Moscow exerted more direct control over the Donetsk and Luhansk regions. In June, Russian officials were appointed to government positions in the DNR, including the prime ministership. Local media, schools and universities, public services, and business structures are dominated by people loyal to Putin. Political control has been enforced by the secretive "state security" ministries of the two regions, which are thought to be directed by Russia's Federal Security Service (FSB). The military formations known as "people's militias," which have some 20,000 men under arms, are reportedly commanded by regular Russian officers and were active during 2022.

B4. Do various segments of the population (including ethnic, racial, religious, gender, LGBT+, and other relevant groups) have full political rights and electoral opportunities? 0 / 4

While the republics' 2014 constitutions guaranteed equal rights regardless of ethnicity, race, or religious belief, ethnic and religious groups not affiliated with Russia are excluded from politics in practice. No segment of society is able to organize independently to advocate for its interests in the political sphere.

C. FUNCTIONING OF GOVERNMENT: 0 / 12

C1. Do the freely elected head of government and national legislative representatives determine the policies of the government? 0 / 4

None of the officials in Donbas are freely elected, and their de facto governments' extreme opacity made it difficult to discern how much autonomy they have had vis-à-vis the Russian government. However, there have been numerous indications that major policy decisions were made in Moscow, as both de facto governments announced similar decisions in 2022 without deliberation, including the sham referendums held in September and the introduction of new constitutions in December.

C2. Are safeguards against official corruption strong and effective? 0 / 4

Corruption is thought to be widespread in the occupied territories, and there are no effective mechanisms in place to combat it. While local authorities regularly report arrests among customs and police officials, there is no evidence that corruption is effectively curtailed.

C3. Does the government operate with openness and transparency? 0 / 4

A persistent lack of transparency in public life is an overarching feature of the de facto authorities. Levels of secrecy have steadily increased over past years. The DNR and LNR communicated government staff changes without much explanation or public discussion.

ADDITIONAL DISCRETIONARY POLITICAL RIGHTS QUESTION

Add Q. Is the government or occupying power deliberately changing the ethnic composition of a country or territory so as to destroy a culture or tip the political balance in favor of another group? −1 / 0

Professing Ukrainian identity in Russian-controlled areas is considered dangerous, and most residents who identified as Ukrainian have left since 2014. The DNR and LNR abolished official-language status for Ukrainian, making Russian the sole official language. After annexation, local educational curriculums were fully replaced by those used in the Russian Federation.

CIVIL LIBERTIES: 4 / 60 (−1)

D. FREEDOM OF EXPRESSION AND BELIEF: 1 / 16 (−1)

D1. Are there free and independent media? 0 / 4

No free and independent media have operated in the occupied Donbas since 2014 and the local media landscape remains firmly in the hands of "official" local broadcasters, websites, and print media. Local outlets largely republish information and quotes from local and Russian officials. Coverage of the war against Ukraine closely resembles that seen in Russian state media. In December 2022, authorities in Donetsk began distributing free satellite-television equipment to boost local consumption of Russian state broadcasts.

Pro-Ukrainian bloggers and journalists have been silenced by long prison sentences and eventual deportation to government-controlled Ukraine during prisoner exchanges.

D2. Are individuals free to practice and express their religious faith or nonbelief in public and private? 1 / 4

Although both the DNR and LNR guaranteed freedom of religion in their constitutions, adherents of faiths not affiliated with the Russian Orthodox Church remain subject to persecution. The most severely affected are Jehovah's Witnesses, who in 2018 were banned completely as an extremist organization and had their properties seized. Since then, a mandatory reregistration process has left many groups without recognition, and raids or other forms of pressure have been directed at Baptists, members of the Orthodox Church of the Kyiv Patriarchate, the Greek Catholic Church, and some Muslim communities. Most members of religious minorities, including Roman Catholics and Jews, are thought to have left Russian-controlled areas since 2014.

D3. Is there academic freedom, and is the educational system free from extensive political indoctrination? 0 / 4

Local universities and high schools gradually switched to Russian standards after 2020, having introduced new curriculums with revised history lessons and reduced

Ukrainian-language instruction. In 2022, the local education system was forcibly integrated into the Russian system, with schoolbooks being sent from the Russian Federation.

Political indoctrination is rampant in the occupied areas and targeted at the younger generation, with the DNR and LNR having established militarized youth organizations for this purpose. Membership in the Young Guards–Yunarmia is open from 8 years onward, prompting allegations of a children's army.

D4. Are individuals free to express their personal views on political or other sensitive topics without fear of surveillance or retribution? 0 / 4 (−1)

Any public expression of criticism is highly risky and private citizens' online activities are monitored. Testimony from former prisoners about torture and abuse in custody serves to deter free expression.

After Russian forces occupied territory in Donbas, local internet service providers were effectively displaced in favor of Russian counterparts; internet users in occupied areas of Ukraine, including Donetsk and Luhansk, connect via Russian telecommunications infrastructure and are subject to the same censorship and monitoring regimes as users in Russia.

Score Change: The score declined from 1 to 0 because internet users in occupied areas of Donbas are forced to connect via Russian telecommunications infrastructure and are consequently exposed to Russian censorship and monitoring practices.

E. ASSOCIATIONAL AND ORGANIZATIONAL RIGHTS: 0 / 12

E1. Is there freedom of assembly? 0 / 4

The de facto authorities have not tolerated any protests since 2014, when most pro-Ukrainian activists fled. Rare attempts to hold rallies, as last happened during a miners' strike in 2020, are usually quickly thwarted by agents of the self-proclaimed state security ministries.

E2. Is there freedom for nongovernmental organizations, particularly those that are engaged in human rights– and governance-related work? 0 / 4

Independent nongovernmental organizations (NGOs) are not permitted to operate. The last independent Ukrainian NGO, the Donetsk-based Responsible Citizens volunteer group, stopped functioning in 2016 when its leaders were forcibly deported to government-controlled Ukraine. Foreign organizations like the Czech NGO People in Need were also expelled.

In two separate events in April 2022, six Organization for Security and Co-operation in Europe (OSCE) mission members in Donetsk and Luhansk were detained by local authorities. Two were released in May; another two received 13-year sentences in the LNR in September.

E3. Is there freedom for trade unions and similar professional or labor organizations? 0 / 4

Official trade union federations are headed by lawmakers who defer to the local leadership. The officially sanctioned unions' purpose is to rally workers' support for the de facto authorities, rather than to defend their labor rights. In 2020, for example, LNR miners' union leaders supported the "restructuring" of 56 mines, a process that came with significant wage and job losses.

F. RULE OF LAW: 0 / 16

F1. Is there an independent judiciary? 0 / 4

There are no signs of judicial independence in occupied territory. Courts routinely hand down lengthy prison sentences against alleged Ukrainian agents and other perceived enemies of the local authorities, validating spurious charges regardless of the evidence. The work of the judiciary is entirely opaque, as outside observers are not known to have attended court hearings.

F2. Does due process prevail in civil and criminal matters? 0 / 4

Basic due process guarantees are not observed by de facto authorities or affiliated armed groups. Arbitrary arrests and detentions remain common, and interrogators have reportedly used force and torture to extract confessions. The UN Human Rights Monitoring Mission in Ukraine said in a 2020 report that interviews with released prisoners "confirmed patterns of torture and ill-treatment."

F3. Is there protection from the illegitimate use of physical force and freedom from war and insurgencies? 0 / 4

Residents of occupied territory had faced physical insecurity due to fighting between Ukrainian forces and separatists, but the Russian invasion of Ukraine in 2022 brought levels of violence and destruction previously unseen in the region. Military offensives resulted in the almost-total destruction of the cities of Mariupol, Sievierodonetsk, and Lysychansk and caused large-scale loss of life. In December, the OHCHR counted 4,052 killed and 5,643 injured in the Donetsk and Luhansk regions since February 24; 483 were killed and 1,633 injured in Russian-controlled areas. According to previous OHCHR figures, more than 13,000 people had been killed since the conflict began in April 2014, including more than 3,350 civilians.

Long-standing reports of abuse, sexual violence, and torture in prisons and detention centers have persisted. Residents have also been subjected to forced mobilization, with men being forcibly rounded up and pressed into Russian-led armed formations.

F4. Do laws, policies, and practices guarantee equal treatment of various segments of the population? 0 / 4

The deeply flawed legal system operating in the occupied regions offers little recourse for women facing gender-based discrimination, and the basic rights of LGBT+ people are not recognized.

In addition to the prevailing hostility toward Ukrainian ethnic identity, there are no provisions to protect the region's other ethnic minority groups—such as Greeks, Azerbaijanis, and Armenians—from discrimination.

G. PERSONAL AUTONOMY AND INDIVIDUAL RIGHTS: 3 / 16

G1. Do individuals enjoy freedom of movement, including the ability to change their place of residence, employment, or education? 0 / 4

Travel into territory controlled by Kyiv is effectively impossible due to the war. People eligible to collect state pensions in government-controlled Ukraine are heavily affected by ongoing travel difficulties.

Moscow's distribution of Russian passports to residents of the occupied territories continued in 2022. In August, the Ukrainian Ministry of Culture and Information said that 700,000 passports were issued in occupied parts of Donetsk and Luhansk over a three-year period. Local residents are often forced to accept Russian citizenship and surrender their Ukrainian passports.

G2. Are individuals able to exercise the right to own property and establish private businesses without undue interference from state or nonstate actors? 0 / 4

Local de facto authorities ignore property rights. In 2021, they began to "legalize" apartments seized from lawful owners who have fled. Large privately owned businesses confiscated in 2017 were restructured in a new secretive holding, the Southern Mining and Metals Complex, in 2021.

G3. Do individuals enjoy personal social freedoms, including choice of marriage partner and size of family, protection from domestic violence, and control over appearance? 2 / 4

Domestic violence is a serious problem. Both the DNR and LNR took nominal steps to improve the protection of women and children. However, the loss of Ukrainian government and NGO services has negatively affected conditions for victims.

Neither the DNR nor LNR recognized same-sex marriage. A report published in 2016 found drastic worsening of the environment for LGBT+ people, but there has been little information since.

G4. Do individuals enjoy equality of opportunity and freedom from economic exploitation? 1 / 4

Economic opportunity is greatly impaired by the war, trade barriers with government-controlled Ukraine, international sanctions, and the concentration of wealth and resources in the hands of Russian and local elites. Many residents are dependent on humanitarian assistance. Exploitative working conditions, including low or unpaid wages, have been reported even by separatist-controlled media. Russian-led forces have allegedly trained and enlisted minors for participation in armed conflict.

Gaza Strip

Population: 2,000,000
Freedom Status: Not Free

Note: *Freedom in the World* reports assess the level of political rights and civil liberties in a given geographical area, regardless of whether they are affected by the state, nonstate actors, or foreign powers. Disputed or occupied territories are sometimes assessed separately if they meet certain criteria, including boundaries that are sufficiently stable to allow year-on-year comparisons. For more information, see the report methodology.

Overview: The political rights and civil liberties of Gaza Strip residents are severely constrained. Israel's de facto blockade of the territory, periodic military incursions, and rule-of-law violations have imposed serious hardship on the civilian population, as has Egypt's tight control over the southern border. The Palestinian political and militant group known as Hamas, or the Islamic Resistance Movement, gained control of the Gaza Strip in 2007, following its victory in the preceding year's Palestinian legislative elections and a subsequent conflict with Fatah, the ruling party in the West Bank. The entrenched division between Hamas and the Fatah-led Palestinian Authority (PA) since then has contributed to legal confusion and repeated postponement of elections, which have not been held in the Gaza Strip since 2006. Hamas generally governs in an authoritarian manner, actively suppressing criticism of its rule.

KEY DEVELOPMENTS IN 2022

- In August, the Israeli military initiated a three-day campaign of air strikes in Gaza, asserting that it was preempting an attack by the militant group Palestinian Islamic Jihad, which responded with indiscriminate rocket fire into Israel. Hamas reportedly did not participate in the fighting, and a cease-fire was brokered by Egyptian and United Nations officials. According to the UN, the violence killed 49 Palestinians in Gaza, including 17 children, and damaged more than 1,760 housing units.
- In September, Hamas authorities executed five men who had been accused of either murder or collaboration with Israel, marking the first executions in Gaza since 2017. UN representatives and human rights groups noted basic due process violations in the handling of their cases.
- In October, Hamas took part in Algerian-led reconciliation talks with Fatah and other Palestinian factions. While they agreed on the goal of holding presidential and legislative elections within a year, no concrete steps were taken toward that end.
- A second round of PA municipal elections proceeded in the West Bank in March, following a first round in December 2021, but Hamas's de facto administration in Gaza continued to boycott the process, insisting on comprehensive presidential, legislative, and municipal elections.

POLITICAL RIGHTS: 3 / 40

A. ELECTORAL PROCESS: 0 / 12

A1. Was the current head of government or other chief national authority elected through free and fair elections? 0 / 4

The PA has not held a presidential election since 2005, when the Fatah faction's Mahmoud Abbas won with 62 percent of the vote. Following its win in 2006 legislative elections and a violent rift with Fatah and the West Bank–based PA in 2007, Hamas seized control of the Gaza Strip. Abbas's four-year electoral mandate expired in 2009, though he has continued to govern in the West Bank.

Comprehensive PA elections were planned for 2021, but Abbas canceled them that April, citing Israel's refusal to allow PA election activity in East Jerusalem. Many analysts argued that the balloting was actually halted because political fragmentation within Fatah raised the risk that Hamas or Fatah splinter groups would win. In 2022, the Algerian government sponsored reconciliation talks with Hamas, Fatah, and other Palestinian factions, resulting in a tentative October agreement that envisioned holding elections within a year. However, there was little evidence of progress toward that goal by year's end.

Under PA laws, the prime minister is nominated by the president and requires the support of the Palestinian Legislative Council (PLC). Hamas leader Ismail Haniyeh was nominated and sworn in as prime minister following the 2006 elections, and again in 2007 as part of a short-lived unity government, but he was dismissed by President Abbas after the Fatah-Hamas conflict that year. Hamas did not recognize the dismissal. Because repeated attempts to form new PA unity governments have failed, Hamas has continued to exercise de facto executive authority in the Gaza Strip. The leader of Hamas in Gaza, Yahya Sinwar, was confirmed for a second term as de facto head of government in a closed election by Hamas officials in 2021; he had first been chosen in 2017. Haniyeh, who has been living abroad in recent years, was similarly confirmed as the overall leader of Hamas for a second four-year term in 2021.

A2. Were the current national legislative representatives elected through free and fair elections? 0 / 4

The PA has not held elections for the 132-seat PLC since 2006, when Hamas won 74 seats and Fatah took 45. The subsequent Fatah-Hamas schism and Israel's detention of many lawmakers left the full PLC unable to function, and the body's electoral mandate expired in 2010. Nonetheless, a Hamas-led rump legislature continued to operate in the Gaza Strip. In 2018, President Abbas ordered the formal dissolution of the PLC, backed by a Supreme Constitutional Court ruling that also called for legislative elections within six months. Hamas rejected the decision.

The cancellation of the planned 2021 election process again left Gaza residents without an elected legislature. In March 2022, the PA held the second phase of its municipal council elections in the West Bank, but Hamas continued to boycotted the balloting and renewed its call for comprehensive presidential, legislative, and municipal elections.

A3. Are the electoral laws and framework fair, and are they implemented impartially by the relevant election management bodies? 0 / 4

No open elections for any office have been held in Gaza since 2006. Decisions about the conduct and administration of elections are highly politicized and dependent on agreements between partisan factions. Hamas has refused to participate in successive PA municipal elections due to disputes about their management and circumstances.

B. POLITICAL PLURALISM AND PARTICIPATION: 2 / 16

B1. Do the people have the right to organize in different political parties or other competitive political groupings of their choice, and is the system free of undue obstacles to the rise and fall of these competing parties or groupings? 1 / 4

Since 2007, the Gaza Strip has functioned as a de facto one-party state under Hamas rule, although smaller parties—including the Popular Front for the Liberation of Palestine (PFLP), the Democratic Front for the Liberation of Palestine (DFLP), and a faction of Fatah that opposes President Abbas—are tolerated to varying degrees. Some of these groups have their own armed wings and media outlets, and hold rallies and gatherings. However, those affiliated with Abbas and his supporters in Fatah are subject to persecution.

B2. Is there a realistic opportunity for the opposition to increase its support or gain power through elections? 0 / 4

The repeated postponement of elections has prevented any opportunities for a change in the political status quo. The ongoing rift between Fatah and Hamas has also prevented municipal elections in the Gaza Strip that might give non-Hamas factions an opportunity to govern at the local level.

B3. Are the people's political choices free from domination by forces that are external to the political sphere, or by political forces that employ extrapolitical means? 0 / 4

Israel's blockade of Gaza, which comprises strict limits on the movement of goods and people in and out of the territory, and the Hamas-Fatah rift hamper the development of normal civilian political competition. Armed groups, including the Israeli military and the militias affiliated with Hamas and Islamic Jihad, exercise disproportionate control over the day-to-day lives of Palestinians in the Gaza Strip and leave them with virtually no ability to shape policies that affect them. Political and militant groups in Gaza are also influenced by more distant foreign powers; Qatar provides crucial financial aid to the territory and Hamas in particular, and the Iranian regime supports Islamic Jihad. In October 2022, Hamas

restored its relations with the Syrian regime, having broken with Damascus over its suppression of Arab Spring protests in 2011.

B4. Do various segments of the population (including ethnic, racial, religious, gender, LGBT+, and other relevant groups) have full political rights and electoral opportunities? 1 / 4

Hamas makes little effort to address the rights of marginalized groups within Gazan society. Women enjoy formal political equality under PA laws, and some women won seats in the PLC in 2006. However, women are mostly excluded from leadership positions in Hamas and absent from public political events in practice. Gazan women do actively participate in civil society gatherings that touch on political issues. The political interests of LGBT+ people, who face widespread discrimination and the threat of violence in Gaza, are not addressed by those in power.

C. FUNCTIONING OF GOVERNMENT: 1 / 12

C1. Do the freely elected head of government and national legislative representatives determine the policies of the government? 0 / 4

The expiration of the presidential and parliamentary terms has left Gaza's authorities with no electoral mandate. In 2022, Hamas continued to govern the territory's internal affairs unilaterally, assigning responsibilities to its own officials as the reconciliation process with Fatah failed to yield meaningful progress toward elections.

The ability of Palestinian officials to make and implement policy in Gaza is severely circumscribed by Israeli and Egyptian border controls, Israeli military actions, and the ongoing schism with the PA in the West Bank. Israel maintains a heavy security presence around Gaza's land and sea perimeters, using live fire to keep anyone from entering buffer zones near these boundaries, which further reduces local control over the territory.

C2. Are safeguards against official corruption strong and effective? 1 / 4

Hamas has been accused of corruption in public service delivery and aid distribution, which is crucial to daily life in Gaza given that some 80 percent of the population depends on international assistance due to the blockade. Multiple reports by the Coalition for Accountability and Integrity (AMAN), a civil society organization, have noted that the continuing Fatah-Hamas schism, issues related to judicial integrity, and specific problems with the procurement process have impeded the prosecution of corruption cases.

C3. Does the government operate with openness and transparency? 0 / 4

The Hamas-controlled government has no effective or independent mechanisms for ensuring transparency in its funding, procurements, or operations. AMAN's reports have noted that political decision-making occurs out of public view.

CIVIL LIBERTIES: 8 / 60

D. FREEDOM OF EXPRESSION AND BELIEF: 4 / 16

D1. Are there free and independent media? 0 / 4

The media are not free in Gaza. West Bank–based newspapers have been permitted in the territory since 2014, and a number of political factions have their own media outlets. However, Gazan journalists and bloggers continue to face repression from the Hamas government's internal security apparatus and from Israeli forces. In a 2018 report, Human Rights Watch (HRW) detailed a pattern of arrests, interrogations, and in some cases beatings and torture of journalists in Gaza. This pattern has continued, and journalists are especially vulnerable during moments of friction between Fatah and Hamas.

Following the three-day conflict between Israeli forces and Islamic Jihad in August 2022, it was reported that Hamas authorities had issued, and quickly rescinded, sweeping rules that prohibited journalists from describing the military capabilities of Palestinian armed groups or incidents in which Gazans were killed by misfired Palestinian rockets. After the cease-fire, multiple journalists in the territory found that social media platforms had blocked their accounts.

The Palestinian Center for Development and Media Freedoms (MADA) documented 17 violations of media freedom in the Gaza Strip by Israeli forces during 2022, largely during the August conflict. The offices of eight media organizations were partially destroyed by air strikes. MADA also recorded 12 violations by Palestinian actors in Gaza during the year, including arrests and intimidation of journalists.

In recent years, Hamas has required journalists to apply in advance for approval to record video in some areas, such as Gaza's fishing port, the shoreline, and the gold market.

D2. Are individuals free to practice and express their religious faith or nonbelief in public and private? 1 / 4

Freedom of religion is restricted. The PA Basic Law declares Islam to be the official religion of Palestine and states that "respect and sanctity of all other heavenly religions (Judaism and Christianity) shall be maintained." Blasphemy is a criminal offense. Hamas authorities have enforced conservative Sunni Islamic practices and attempted to exert political control over mosques. However, they have not enforced prayers in schools or compelled women to wear hijab in Gaza's main urban areas to the extent that they did in the early years of Hamas control.

D3. Is there academic freedom, and is the educational system free from extensive political indoctrination? 1 / 4

Primary and secondary schools in the Gaza Strip are run by Hamas, the UN Relief and Works Agency (UNRWA), or private entities. In the Hamas-run Islamic University, people are separated by gender, and women are obliged to cover their hair. Hamas intervenes in the schools under its control to uphold its views on Islamic identity and morality. It does not intervene extensively in private universities, but Hamas-led police have violently suppressed student demonstrations. Some Gazan academics are believed to practice self-censorship. Israeli and Egyptian restrictions on trade and travel limit access to educational materials and academic exchanges. In June 2022, apparently acting in response to corruption allegations, Hamas security forces arrested the head of the University of Palestine in the Gaza Strip without a warrant, in violation of Palestinian law; he was released after an outcry from academics and human rights activists.

D4. Are individuals free to express their personal views on political or other sensitive topics without fear of surveillance or retribution? 2 / 4

Intimidation by Hamas militants and other armed groups has some effect on personal expression and private discussion in Gaza, and the authorities monitor social media for critical content. A 2018 HRW report documented a number of incidents in which Hamas intimidated, detained, or abused individuals in response to their social media activity or attendance at political events, most notably those perceived to be supportive of Fatah or opposed to the Hamas government. Such reprisals continue to occur regularly. Social media users, particularly women, also reportedly face online harassment for expressing political views. The risk of repercussions for free expression has led some residents to self-censor; opinion polls in 2022 found that a majority of respondents said they could not criticize Hamas without fear.

E. ASSOCIATIONAL AND ORGANIZATIONAL RIGHTS: 2 / 12

E1. Is there freedom of assembly? 0 / 4

Israeli forces use violent and frequently lethal methods to break up demonstrations near the de facto border. Hamas also significantly restricts freedom of assembly, with security forces violently dispersing unapproved public gatherings. Youth movements and youth-led protests have been systematically repressed by Hamas and its security personnel.

E2. Is there freedom for nongovernmental organizations, particularly those that are engaged in human rights– and governance-related work? 1 / 4

A broad range of Palestinian nongovernmental organizations (NGOs) and civic groups are active in Gaza, and Hamas operates a large social-services network. However, Hamas has restricted the work of organizations that do not submit to its regulations, and many civic associations have been shut down for political reasons since the 2007 PA split. Aid and reconstruction efforts by NGOs after periodic conflicts with Israel have been held up in part by disagreements over international and PA access to the territory and control over border crossings. The Israeli government also imposes restrictions on access to Gaza for human rights researchers and NGO staff.

In 2021, the Israeli government designated six Palestinian NGOs and human rights organizations as "terrorist" groups, though it did not provide evidence that the groups, some of which received funding from European governments, had links to militant activity. While the six organizations operated mostly in the West Bank, some were also active in Gaza, and the designation was criticized by international human rights organizations and UN experts as an attack on the broader Palestinian human rights movement.

E3. Is there freedom for trade unions and similar professional or labor organizations? 1 / 4

The Fatah-aligned Palestinian General Federation of Trade Unions, the largest union body in the territories, has seen its operations curtailed in Gaza. Workers have little leverage in labor disputes due to the dire economic situation, extremely high unemployment, and the dysfunctional court system, which impedes enforcement of labor protections.

Hamas sometimes intervenes in labor union elections or in the activities of professional associations that are linked to Fatah. Hamas has established its own, parallel professional associations to compete with existing organizations that are more strongly affiliated with Fatah and rival groups. The civil servants' union for the Hamas-controlled public sector occasionally holds rallies and strikes.

F. RULE OF LAW: 0 / 16

F1. Is there an independent judiciary? 0 / 4

Hamas maintains an ad hoc judicial system that is separate from the PA structures headquartered in the West Bank, which do not operate in Gaza. The system is subject to political control, and its judges lack proper training and experience. There are also reportedly long delays in hearing cases related to a range of issues, including land disputes and personal status matters.

F2. Does due process prevail in civil and criminal matters? 0 / 4

Hamas security forces and militants regularly carry out arbitrary arrests and detentions. The court system overseen by Hamas generally fails to ensure due process, and in some cases civilians are subject to trial by special military courts.

Some 200 Palestinian security detainees and prisoners from Gaza were held in Israeli prisons as of early December 2022, according to the Addameer Prisoner Support and Human

Rights Association. The Israeli human rights group B'Tselem has noted that transporting prisoners outside of occupied territory is a breach of international law. Israeli military courts, which handle the cases of such detainees, lack the full due process guarantees of civilian courts.

F3. Is there protection from the illegitimate use of physical force and freedom from war and insurgencies? 0 / 4

According to UN OCHA, the August 2022 fighting between Israeli forces and Islamic Jihad resulted in the deaths of 49 Palestinians, including 17 children. The UN also reported damage to more than 1,760 housing units. While some of the destruction was caused by Palestinian rockets and mortar shells that fell short of their intended targets in Israel, UN high commissioner for human rights Michelle Bachelet noted that a number of Israeli air strikes had hit what were clearly civilian structures.

Individuals who approach the de facto border with Israel, including those fishing in the waters off of Gaza, are at risk of live fire from Israeli forces. UN OCHA documents regular shooting incidents near the border and in coastal fishing areas.

Hamas-led authorities have applied the death penalty without due process or adequate opportunity for appeals and without the legally required approval from the PA president. In September 2022, Hamas put five men to death, marking the first executions in the territory since 2017. Three had been accused of murder, and two of collaboration with Israel. According to the Palestinian Centre for Human Rights, as of early October 2022, courts in Gaza had sentenced 185 Palestinians to death since Hamas took control in 2007, and 33 had been executed.

F4. Do laws, policies, and practices guarantee equal treatment of various segments of the population? 0 / 4

The legal system operating in Gaza offers few protections against harassment and discrimination for women and other vulnerable groups, including LGBT+ people. Laws dating to the British Mandate era authorize up to 10 years' imprisonment for sexual acts between men.

Gaza residents living with disabilities face significant barriers. A 2020 HRW report noted pervasive stigma against this population and found that Israeli import restrictions impeded their access to medical and other equipment. HRW also observed that Israeli-imposed border closures in 2022 disrupted fuel supplies and exacerbated power outages, which disproportionately affect people with disabilities.

G. PERSONAL AUTONOMY AND INDIVIDUAL RIGHTS: 2 / 16

G1. Do individuals enjoy freedom of movement, including the ability to change their place of residence, employment, or education? 0 / 4

Freedom of movement for Gaza residents is severely limited. Israeli and Egyptian authorities exercise tight control over border areas, and Hamas imposes its own restrictions on travel. Israeli officials often deny Gaza residents permits to travel outside of the territory on security grounds, authorizing only certain medical patients and other individuals to leave. University students have difficulty acquiring the necessary permits to leave the territory to study abroad. Corruption and the use of bribes at crossing points is common.

The Rafah crossing between Gaza and Egypt was opened more regularly in 2022 compared with 2021 and 2020, but conditions remained largely unpredictable and restrictive. The August 2022 conflict between Israeli forces and Islamic Jihad led to a temporary shutdown of Israeli-controlled crossings; HRW has argued that such actions target the general

population for collective punishment and violate international law. In late 2021, Israeli officials had announced the completion of a more robust physical barrier separating Israel from Gaza, with surveillance devices and an underground wall to deter tunneling. The Israeli army prevents Palestinians from approaching the barrier itself and a surrounding "buffer zone" that extends up to 300 meters into the territory, though the de facto border is not recognized by the international community or key stakeholders. Israeli authorities also periodically restrict or close Gaza's offshore fishing zone. In recent years, the zone has been reduced from 15 to as little as 6 or 3 nautical miles from shore in response to militant activity.

G2. Are individuals able to exercise the right to own property and establish private businesses without undue interference from state or nonstate actors? 1 / 4

While Gaza residents are able to own property and engage in business activity, their rights have been seriously undermined by the effects of periodic conflicts between Hamas and Israel, among other factors. Reconstruction of homes that were damaged or destroyed during past rounds of fighting has lagged for many years, leaving thousands of people displaced or in temporary housing. Impediments to private enterprise in Gaza include persistent Israeli bans on imports of many raw materials. These restrictions are unilaterally adjusted by Israeli authorities based on political and security criteria.

G3. Do individuals enjoy personal social freedoms, including choice of marriage partner and size of family, protection from domestic violence, and control over appearance? 1 / 4

Palestinian laws and societal norms, derived in part from religious law, put women at a disadvantage in matters such as marriage and divorce. Hamas has imposed restrictions on personal attire and behavior that it deems immoral, and while enforcement has relaxed somewhat in recent years, both official and social pressure persist on some issues. A 2019 PA decree set 18 as the minimum age for marriage, but child marriage reportedly remains a problem.

So-called honor killings continue to occur, though information on the situation in Gaza is limited. Domestic violence is common, with nearly four in 10 Gazan women facing such violence according to a 2019 PA survey. Rape and domestic violence go underreported and often unpunished, as authorities are allegedly reluctant to pursue such cases, and effective mechanisms for complaints and victim protection are lacking.

G4. Do individuals enjoy equality of opportunity and freedom from economic exploitation? 0 / 4

The blockade of the Gaza Strip's land borders and coastline has greatly reduced economic opportunity in the territory. According to the United Nations, nearly 80 percent of Gazans now rely on humanitarian aid, more than half live in poverty, and nearly 80 percent of young people are unemployed. Israel's intermittent restrictions on the entry of construction materials have hampered growth and recovery from conflicts, and Israeli patrols limit farming near the border fence as well as fishing in coastal waters. Hamas has imposed price controls that may further dampen economic activity.

Inconsistent access to fuel imports and electricity due to Israeli, PA, and Egyptian policies hinders all forms of development in the territory, including domestic desalination that could improve access to clean water. Qatari aid to Gaza, including in the domain of fuel and electricity, is inconsistent and dependent on the status of political agreements with Israel and Egypt.

PA officials have little ability to enforce legal protections against exploitative labor conditions in Gaza, and most private-sector wage earners receive less than the legal minimum, which is itself lower than the poverty threshold.

Hong Kong*

Population: 7,400,000
Freedom Status: Partly Free

Note: *Freedom in the World* reports assess the level of political rights and civil liberties in a given geographical area, regardless of whether they are affected by the state, nonstate actors, or foreign powers. Disputed territories are sometimes assessed separately if they meet certain criteria, including boundaries that are sufficiently stable to allow year-on-year comparisons. For more information, see the report methodology.

Overview: The people of Hong Kong, a special administrative region of China, traditionally enjoyed substantial civil liberties and the rule of law under their local constitution, the Basic Law. However, the implementation of the National Security Law (NSL) in 2020 has amounted a multifront attack on the "one country, two systems" framework. The territory's most prominent prodemocracy figures have been arrested under its provisions, and NSL charges or the threat of charges have resulted in the closure of political parties, major independent news outlets, peaceful nongovernmental organizations (NGOs), and unions. The NSL also paved the way for Beijing to overhaul Hong Kong's electoral system in 2021; the new rules permit mainland authorities to vet candidates and contain other provisions that ultimately ensure Beijing near-total control over the selection of Hong Kong authorities. The first chief executive to be selected under the new rules took office in 2022.

KEY DEVELOPMENTS IN 2022

- In April, Chief Executive Carrie Lam announced her decision not to seek a second term. John Lee, who was chief secretary for administration, was the only candidate vetted to run for the post; he was selected in May and took office in July.
- Chinese president Xi Jinping visited Hong Kong in late June, marking the 25th anniversary of the territory's handover from the United Kingdom to China and swearing John Lee into office on July 1. Hong Kong authorities prevented protests from occurring during Xi's visit, while journalists from international news outlets and the Hong Kong–based *South China Morning Post* were unable to attend related events.
- In August, Justice Secretary Paul Lam ordered a nonjury trial for 47 prodemocracy advocates who had participated in an unofficial 2020 primary contest, making for the largest national security–related case in the territory to date. The trial had not begun by year's end.
- In September, five speech therapists were found guilty of publishing children's books that the government considered "seditious." Prosecutors alleged that the books had encouraged opposition to the government in Beijing.

POLITICAL RIGHTS: 10 / 40

A. ELECTORAL PROCESS: 0 / 12

A1. Was the current head of government or other chief national authority elected through free and fair elections? 0 / 4

The territory's chief executive is selected under electoral laws approved by the National People's Congress (NPC) of China in 2021, diminishing universal suffrage and giving mainland authorities near-total control over the selection of the chief executive. The Election

Committee (EC), which was expanded under the new laws and is mostly made up of individuals backed by Beijing, selects the chief executive. Carrie Lam announced her decision not to seek a second term in that post in April 2022. Former security secretary and chief secretary for administration John Lee was the only candidate vetted to succeed her; he won 1,416 votes in the 1,500-member EC in May and took office in July.

Under the 2021 rules, Beijing can vet candidates for the Legislative Council (LegCo) and EC, who must be "patriots." The number of EC members was also increased from 1,200 to 1,500. Of the 300 new representatives, 190 are delegates of either the NPC or the Chinese People's Political Consultative Conference (CPPCC), China's top government advisory body. The remaining 110 members represent "Hong Kong members of relevant national organizations." The number of eligible voters who select EC members was cut from some 200,000 "functional constituency" voters—representatives of elite business and social sectors, many with close Beijing ties—to around 4,800. Most individual votes were replaced with organizational votes; unions and other groups may cast only one vote on behalf of their members.

Nearly all of the 967 EC seats contested in September 2021 were filed by candidates considered to be aligned with the Beijing-backed authorities. The remaining 533 seats were occupied by individuals nominated directly from designated organizations and by ex officio members.

A2. Were the current national legislative representatives elected through free and fair eletions? 0 / 4

The electoral system imposed by Beijing in 2021 significantly altered the composition and power dynamic of the LegCo. The number of seats increased from 70 to 90, with 40 elected by the pro-Beijing EC, 30 by the functional constituencies, and only 20 elected directly by Hong Kong voters in five geographical constituencies. This reduced the proportion of seats open for direct election from 50 percent to 22 percent. Members serve four-year terms.

LegCo elections were originally scheduled for September 2020 but were postponed due to COVID-19. That November, the NPC Standing Committee issued a directive allowing the Hong Kong government to summarily remove—without judicial review—lawmakers whom it deemed to have engaged in behaviors that endangered national security. Carrie Lam's government quickly ousted 4 prodemocracy LegCo members, prompting all 15 remaining prodemocracy lawmakers to resign in protest. Dozens of prodemocracy activists involved in organizing or participating in a July 2020 nonbinding opposition primary election were arrested in January 2021 under the NSL—most on charges of "subversion of state power" that can carry a life sentence.

LegCo elections eventually took place in December 2021, offering voters a pool of overwhelmingly pro-Beijing candidates who were vetted for compliance with a "patriots only" policy. With major prodemocracy candidates remaining in jail for their involvement in the 2020 primary, the pro-Beijing camp won all but one seat on a record-low turnout of 30 percent.

A3. Are the electoral laws and framework fair, and are they implemented impartially by the relevant election management bodies? 0 / 4

The restrictive electoral reforms implemented in 2021 offer Beijing far-reaching authority to shape electoral outcomes. The EC is empowered to vet and preapprove candidates based on national security background checks that ensure they are "patriots." This new mechanism is more restrictive than the prescreening system for the 2016 LegCo election,

in which the Electoral Affairs Commission required candidates to attest in writing their belief that Hong Kong is unquestionably a part of China. Far fewer EC and LegCo seats are directly elected by voters under the new system.

Prodemocracy candidates were absent from 2021 LegCo elections. The seven-member Candidate Eligibility Review Committee approved all but one of the 154 candidates, most of whom were part of the pro-Beijing camp. Similarly, John Lee was the only candidate to be successfully nominated and vetted by the EC for the role of chief executive in 2022.

B. POLITICAL PLURALISM AND PARTICIPATION: 5 / 16

B1. Do the people have the right to organize in different political parties or other competitive political groupings of their choice, and is the system free of undue obstacles to the rise and fall of these competing parties or groupings? 1 / 4

The political choices of Hong Kong residents are limited by an electoral system that ensures the dominance of pro-Beijing camp by stifling prodemocracy opposition. The banning of the proindependence Hong Kong National Party in 2018 marked the first blanket prohibition of a political party since the territory's 1997 handover from the United Kingdom to China. The government has since taken even more aggressive steps to outlaw prodemocracy political activities.

The largest pro-Beijing party is the Democratic Alliance for the Betterment and Progress of Hong Kong. The pro-Beijing Bauhinia Party caters to mainland Chinese who have relocated to Hong Kong. The Chinese Communist Party (CCP) is not formally registered in Hong Kong but exercises enormous influence.

Since 2021, leading prodemocracy figures have been effectively removed from the political arena under provisions of Beijing's "patriots only" electoral makeover or via the NSL. Civic Passion, a localist party critical of Beijing, disbanded that year after its chairman was ejected from the LegCo; he had failed to clear the EC's vetting for patriotism. In December 2022, the chairman of the prodemocracy Civic Party said it would dissolve after no party member made a nomination to join its executive committee.

B2. Is there a realistic opportunity for the opposition to increase its support or gain power through elections? 0 / 4

Prodemocracy legislators, who have historically enjoyed substantial minority representation alongside their pro-Beijing counterparts, are absent from the LegCo today.

The subjective nature of the NPC's standards for oath taking, the expansive criminalization of speech and political activity under the NSL, and the chief executive's discretionary authority to remove proindependence LegCo members under the NPC's 2020 directive all invite arbitrary enforcement and pose serious obstacles for the opposition in future elections. The opposition has been battered by arrests and detentions since the 2020 imposition of the NSL.

The 2021 electoral reforms closed remaining avenues for the opposition to win political representation by reducing the number of elected seats, increasing the proportion of appointed seats, and implementing a vetting process to ensure that only "patriotic" candidates who accept Beijing's rules for Hong Kong can contest elections. Pro-Beijing candidates effectively swept that year's LegCo elections, leaving the body with no prodemocracy bloc.

B3. Are the people's political choices free from domination by forces that are external to the political sphere, or by political forces that employ extrapolitical means? 1 / 4

The unelected CCP leadership in Beijing exerts a powerful influence on politics in Hong Kong through a variety of channels, including the NPC's ability to issue interpretations of

the Basic Law, the co-optation of Hong Kong business leaders through their mainland assets and membership in the NPC or CPPCC, and lobbying or harassment of election committee members and other political figures to ensure favorable electoral outcomes. The NSL, imposed without consultation by the central government, gives Beijing vastly expanded powers in Hong Kong, in part by establishing a centrally controlled security apparatus in the territory and by allowing defendants in some NSL cases to be transferred to the mainland for prosecution and punishment.

B4. Do various segments of the population (including ethnic, racial, religious, gender, LGBT+, and other relevant groups) have full political rights and electoral opportunities? 3 / 4

While there are no formal restrictions preventing women or members of ethnic minority groups from voting or running for office, their participation is limited in practice. Of the 21 official members of the Executive Council, a body that advises the chief executive, only 5 are women, and female legislators only occupy 16 of the LegCo's 90 seats. There is no ethnic minority representation in either branch of government.

C. FUNCTIONING OF GOVERNMENT: 5 / 12

C1. Do the freely elected head of government and national legislative representatives determine the policies of the government? 0 / 4

Directly elected officials have little ability to set and implement government policies under Hong Kong's political system, and unelected mainland authorities are highly influential. The Basic Law restricts the LegCo's lawmaking powers, prohibiting legislators from introducing bills that would affect Hong Kong's public spending, governmental operations, or political structure.

Under the current electoral system, a vetting process ensures that only "patriotic" candidates who accept Beijing's rules for Hong Kong may run in elections. Prodemocracy candidates have been barred from running for office, jailed, or forced into exile, and there was no genuine competition in the 2021 polls. The current LegCo offers no meaningful checks on executive authority and instead functions as a rubber-stamp institution. The 2022 chief-executive selection process was also uncompetitive, with Beijing effectively ensuring John Lee's appointment.

C2. Are safeguards against official corruption strong and effective? 3 / 4

Hong Kong is regarded as having generally low corruption rates, and some high-ranking officials have been successfully prosecuted for graft-related offenses in the past. However, residents perceive the government to be lagging in the fight against corruption.

An increasing source of concern has been the apparently politicized application of anti–money laundering and anticorruption laws against organizations connected with the 2019 protest movement, like the 612 Humanitarian Relief Fund and Spark Alliance. Prodemocracy activists and protesters continued to face money-laundering and fraud charges in 2022. In September, internet radio host Edmund Wan, who raised funds for protesters fleeing for Taiwan, pled guilty to money-laundering charges and for violating the territory's colonial-era sedition law.

C3. Does the government operate with openness and transparency? 2 / 4

Hong Kong has no freedom of information law, nor does it have any specific legislation relating to the management of government records and archives. An administrative Code of Access to Information is intended to ensure open access to government records but includes broad exemptions.

While there are public consultations on issues ranging from transit fares to the chief executive's annual policy address, the range of consultation is narrow in practice. Public deliberation is not repressed but nevertheless infrequent and controlled by ruling elites. The government is highly insulated from civil society actors, especially those that are critical of Hong Kong and mainland authorities. The territory's government does not consult with them when formulating policy.

Consultations between Hong Kong officials and Beijing, represented by a Liaison Office in the territory, are largely opaque. There is no transparency regarding central government processes that directly affect Hong Kong. The NSL was drafted in secret and announced without public consultation, taking effect almost immediately after the text was first published.

CIVIL LIBERTIES: 32 / 60 (−1)

D. FREEDOM OF EXPRESSION AND BELIEF: 7 / 16 (−1)

D1. Are there free and independent media? 1 / 4

The Basic Law has historically acted as a bulwark for press freedom, and the mainland's internet censorship regime does not yet apply in Hong Kong. Residents have long had access to a variety of print, broadcast, and digital news sources. However, following several years of sustained political and economic pressure on independent media by the Hong Kong and Chinese governments, press freedom has deteriorated over the 2020s to date.

Prodemocracy media owner Jimmy Lai was arrested on suspicion of "colluding with foreign forces" in 2020, while police raided the offices of his *Apple Daily* newspaper in 2020 and 2021. *Apple Daily* and sister publication *Next Magazine* both closed in 2021, while the Lai-founded publisher Next Digital effectively shut down that September. Lai received a prison term in 2021 for protest activity, received another sentence over fraud allegations in December 2022, and still faces charges under the territory's sedition law as well as an NSL trial.

More independent outlets closed in 2022. In January, Citizen News closed, with its leaders citing safety concerns for staff and the worsening media environment. In June, the FactWire investigative outlet closed.

Radio Television Hong Kong, the territory's public broadcaster, had a reputation for independence before the government effectively took control of its output in 2021. In October 2022, Eddie Cheung, a government official with no previous media experience, became its director of broadcasting. In November, Cheung vowed to "collaborate seamlessly" with police and other arms of the local government.

Journalists from international news organizations and from the *South China Morning Post* were unable to attend Chinese president Xi's speech or other events during his June–July 2022 visit to Hong Kong.

In September 2022, a court sentenced five speech therapists to 19 months in prison for publishing children's books that the government labeled as "seditious." Government prosecutors alleged that the books had encouraged opposition to the government in Beijing.

Other constraints include an antidoxing law which gives authorities broad license to arrest anyone who published personal information recklessly or with the intent of causing harm. Under legislation passed that same year, films can be retroactively banned on national security grounds. Hong Kong does not currently have a "fake news" law, though the Path to Democracy party called for one in September 2022.

D2. Are individuals free to practice and express their religious faith or nonbelief in public and private? 3 / 4 (−1)

Religious freedom is generally respected in Hong Kong. Adherents of the Falun Gong spiritual movement, which is persecuted in mainland China, are free to practice in public. However, they have faced counterdemonstrations and harassment by members of the Hong Kong Youth Care Association, which has ties to the CCP.

Religious figures and groups that support the government's opponents have been targeted by the authorities and pro-China actors. Christian groups that supported 2019 protesters or human rights in China disbanded in 2021. In early 2022, articles published in *Ta Kung Pao*, a newspaper directly owned by the Chinese state, accused Catholic cardinal Joseph Zen and other figures of supporting the prodemocracy movement and disrupting the territory's stability. In May, the territory's national security police arrested Zen for his involvement with the 612 Humanitarian Relief Fund, though he has not yet received NSL-related charges. In November, Zen and five others who were involved in the fund were convicted for failing to register it and received fines.

Some churches self-censor and eschew pastors and sermons with political views.

Score Change: The score declined from 4 to 3 due to evidence that the broader crackdown on dissent has prompted some churches to self-censor sermons and other religious activities.

D3. Is there academic freedom, and is the educational system free from extensive political indoctrination? 1 / 4

University professors were historically able to write and lecture freely, and political debate on campuses was lively. However, a crackdown on free speech on campus, academic freedom, and student activity persisted throughout 2022.

The NSL has been used aggressively to suppress discussions of Hong Kong independence and the 2019 protest movement at all levels of education. Several prodemocracy scholars have been fired by Hong Kong universities since 2020. In 2021, the Education Bureau instructed public universities to bring curriculums in line with the NSL and "prevent and suppress" on-campus acts that could violate its provisions. University students are reportedly less willing to discuss politically sensitive matters, while academics increasingly self-censor for fear of violating the NSL. Some academics have elected to leave Hong Kong.

The *Ta Kung Pao* and *Wen Wei Po* newspapers, both of which are owned by the Chinese state, have published articles attacking academics in recent years.

D4. Are individuals free to express their personal views on political or other sensitive topics without fear of surveillance or retribution? 2 / 4

Hong Kong has a tradition of free personal expression and private discussion, but local and mainland security agencies have been suspected of monitoring the communications of prodemocracy activists for some years. These agencies are now mandated to do so under the NSL, which permits warrantless surveillance and wiretapping. The law also allowed mainland authorities to establish security agencies in the territory under their own jurisdiction, and people charged with NSL offenses can be detained and tried in the mainland. The NSL's enactment has prompted many social media users to self-censor, shutter their accounts, or delete existing content that could run afoul of the law.

In September 2022, Hong Kong police arrested a man under a colonial-era sedition law after he allegedly performed "Glory to Hong Kong," a protest anthem, when attending a tribute to the late Elizabeth II. The man was later bailed.

The use of video-recording to identify protest participants, a tactic used in China to intimidate protesters and activists, has also been observed in Hong Kong.

E. ASSOCIATIONAL AND ORGANIZATIONAL RIGHTS: 3 / 12

E1. Is there freedom of assembly? 1 / 4

The Basic Law guarantees freedom of assembly, but the Public Order Ordinance requires organizers to give police seven days' notice before protests and to obtain official assent.

The government has repeatedly used the COVID-19 pandemic as a pretext to ban public assemblies, including the annual June 4 vigil to commemorate the 1989 Tiananmen Square massacre, which in 2022 was banned for the third year in a row; authorities closed much of Victoria Park, patrolled nearby streets, and ultimately arrested six individuals. In January 2022, Chow Hang-tung, former vice chair of the Hong Kong Alliance in Support of Patriotic Democratic Movements of China (HKASPDMC), received a prison term for inciting an "unauthorized assembly" after she encouraged others to individually commemorate the Tiananmen Square massacre via social media messages in 2021. While that conviction was overturned in December 2022, Chow remained in custody on two NSL-related charges.

The territory's national security police targeted the prodemocracy League of Social Democrats (LSD) ahead of Chinese president Xi's June–July 2022 visit to Hong Kong to prevent protest plans from moving forward. Avery Ng, the LSD's former chairman, reported he was under house arrest in late June. In September, the LSD was warned to not organize on the "sensitive date" of October 1, when the mainland celebrates National Day.

In March 2022, Hong Kong police fined three people attending a pro-Ukraine demonstration for violating COVID-19 restrictions. Pro-Ukraine demonstrations were also held earlier that month but were socially distanced.

E2. Is there freedom for nongovernmental organizations, particularly those that are engaged in human rights– and governance-related work? 1 / 4

Historically, Hong Kong hosted a vibrant NGO sector, including a number of groups focusing on human rights in mainland China. However, the introduction of the NSL dramatically changed the environment for civil society; in a June 2022 article, the Hong Kong Free Press news outlet reported that 58 organizations, including local press outlets, prodemocracy groups, and unions, have disbanded since 2021.

E3. Is there freedom for trade unions and similar professional or labor organizations? 1 / 4

Trade unions are independent, but collective-bargaining rights are not recognized, and protections against antiunion discrimination are weak.

Some trade unions took an active role in the 2019 protest movement and unsuccessfully attempted to organize a referendum on a potential general strike in 2020, but they drew warnings from government ministers for their efforts. Many unions have since dissolved, having faced growing pressure from government officials and state media and fearing for members' personal safety. The Hong Kong Confederation of Trade Unions dissolved in late 2021, as did the Hong Kong Professional Teachers' Union.

F. RULE OF LAW: 9 / 16

F1. Is there an independent judiciary? 2 / 4

The Hong Kong judiciary, which is historically independent, has been undermined by the NSL, which allows the government to select judges for NSL trials.

The NPC has historically reserved the right to make final interpretations of the Basic Law, limiting the independence of the Court of Final Appeal. Such interventions were rare prior to the NPC's 2016 interpretation regarding oaths of office, which was issued without a request from the Hong Kong government.

Furthermore, the NSL was imposed on Hong Kong through a Basic Law provision that allows the NPC to list national laws that must be applied locally, bypassing both the LegCo and Hong Kong's courts. Under the NSL, the chief executive is empowered to designate a pool of judges to try NSL cases. They are selected for a one-year term but can face removal should they make statements that "endanger national security." The chief executive's office refused to make the criteria for selection and the judge list public, raising serious concerns about judicial independence.

In March 2022, two senior British judges resigned from the Court of Final Appeal, citing the effects of the NSL. Then UK foreign secretary Liz Truss supported their decision to resign, saying it was "no longer tenable" for British judges to sit in the Hong Kong court in a statement.

F2. Does due process prevail in civil and criminal matters? 2 / 4

The courts typically upheld due process rights and adjudicated civil and criminal matters fairly and efficiently in the past. Following the thousands of arrests made during the protests that began in 2019, courts came under pressure to process cases faster, and pro-Beijing politicians and media called on them to side with the prosecution and issue heavier sentences.

Under the NSL, individuals charged with national security offenses are tried by judges selected by the chief executive, and the central government wields influence over the appointment of prosecutors. In cases involving offenses against public order or state secrets, the trials may be closed to the public. The central government's Office for Safeguarding National Security in Hong Kong can assert jurisdiction over some cases and have them tried on the mainland. There is a much higher threshold for bail for NSL cases than others. The NSL also gave police powerful new legal tools including enhanced investigatory power to search premises and electronic devices, freeze or confiscate assets, and demand people and groups provide information.

In August 2022, Justice Secretary Paul Lam ordered a nonjury trial for 47 prodemocracy advocates who participated in the unofficial 2020 primary, making for the largest national security–related case in Hong Kong to date and only the second of its kind to be conducted without a jury. The trial was not yet underway by year's end.

F3. Is there protection from the illegitimate use of physical force and freedom from war and insurgencies? 2 / 4

Police are forbidden by law from employing torture, disappearance, or other forms of abuse. However, the 2019 protest movement featured frequent episodes of police violence, which have generally gone unaddressed. There were also credible allegations of arbitrary detention and even torture of protesters in 2019. The protest movement also brought about a more general climate of unrest, due to both clashes that accompanied demonstrations and violent attacks committed by nonstate actors against protesters, activists, and bystanders at protest locations. Cases of arbitrary detention have reportedly decreased since, though the US State Department warned travelers that they still risk "wrongful detention" in Hong Kong in a July 2022 advisory.

F4. Do laws, policies, and practices guarantee equal treatment of various segments of the population? 3 / 4

Hong Kong has four antidiscrimination ordinances concerning sex, disability, family status, and race. Citizens are generally treated equally under the law, though people of South Asian origin or descent face language barriers and de facto discrimination in education and employment. According to a survey released in September 2022 by researchers at Lingnan University and the Hong Kong Diocesan Pastoral Centre for Workers–Kowloon, foreign delivery workers face racial discrimination. Women are also subject to some employment discrimination in practice.

Antidiscrimination laws do not specifically protect LGBT+ people. In recent years, the Equal Opportunities Commission has unsuccessfully called on the Hong Kong government to enact antidiscrimination legislation to change this.

G. PERSONAL AUTONOMY AND INDIVIDUAL RIGHTS: 13 / 16

G1. Do individuals enjoy freedom of movement, including the ability to change their place of residence, employment, or education? 3 / 4

Hong Kong residents generally enjoy freedom of movement, though authorities periodically deny entry to visiting political activists and Falun Gong practitioners, raising suspicions of Beijing-imposed restrictions. Some Hong Kong activists and politicians have also faced difficulty traveling to the mainland.

Hong Kong police have reportedly compiled a watchlist of people to arrest under the NSL should they attempt to leave via border checkpoints or the airport. In May 2022, Hui Po-keung, an academic and a former trustee of the 612 Humanitarian Relief Fund, was arrested at the airport for "collusion with foreign forces" when he attempted to travel to Europe. In November, the fund's secretary, Sze Ching-wee, was held by national security police at the airport for the same alleged offense.

G2. Are individuals able to exercise the right to own property and establish private businesses without undue interference from state or nonstate actors? 3 / 4

While property rights are largely respected, collusion among powerful business entities with political connections is perceived as an impediment to fair competition.

G3. Do individuals enjoy personal social freedoms, including choice of marriage partner and size of family, protection from domestic violence, and control over appearance? 4 / 4

Hong Kong residents are legally protected from rape and domestic abuse, and police generally respond appropriately to reports of such crimes. However, domestic and sexual violence have reportedly occurred more often during the COVID-19 pandemic.

Men and women enjoy equal rights in personal status matters such as marriage and divorce. While same-sex couples enjoy equal inheritance rights, there is no legal recognition of same-sex marriage or civil union in Hong Kong. A constitutional challenge to restrictions on same-sex marriage was rejected by a court in 2019. In August 2022, an appellate court upheld a 2020 decision denying recognition of same-sex marriages conducted overseas.

G4. Do individuals enjoy equality of opportunity and freedom from economic exploitation? 3 / 4

While most Hong Kong residents enjoy equality of opportunity and freedom from economic exploitation, certain marginalized groups face substantial risks of exploitation and abuse. For instance, foreign household workers remain vulnerable to a wide range of exploitative practices. Since they may face deportation if dismissed, many are reluctant to

bring complaints against employers. The results of a 2022 survey of delivery workers suggests many are not aware of their rights as contractors.

Hong Kong is a significant site for human trafficking but lacks comprehensive antitrafficking legislation.

Indian Kashmir

Population: 13,800,000
Freedom Status: Not Free

Note: *Freedom in the World* reports assess the level of political rights and civil liberties in a given geographical area, regardless of whether they are affected by the state, nonstate actors, or foreign powers. Disputed territories are sometimes assessed separately if they meet certain criteria, including boundaries that are sufficiently stable to allow year-on-year comparisons. For more information, see the report methodology.

Overview: Control of Kashmir has been divided between India and Pakistan since 1948, and Indian-administered Kashmir long enjoyed substantial autonomy under India's constitution. However, the region's autonomous status was revoked in 2019, and what had been the state of Jammu and Kashmir was reconstituted as two union territories under the direct control of the Indian central government. The move stripped residents of many of their previous political rights. Civil liberties have also been curtailed to quell ongoing public opposition to the reorganization. Indian security forces are frequently accused of human rights violations, but perpetrators are rarely punished. Separatist and jihadist militants continue to wage a protracted insurgency.

KEY DEVELOPMENTS IN 2022

- The authorities closed and dissolved the Kashmir Press Club in January as part of a persistent crackdown on journalistic freedom.
- Indian prime minister Narendra Modi visited Jammu in April, repeating his earlier promises to deliver economic investment and development to the region.
- In a series of incidents in April, May, and June, militants attacked members of non-Muslim religious communities, causing hundreds of families to flee. Others who wished to leave Jammu and Kashmir were reportedly prevented from doing so by the government.

POLITICAL RIGHTS: 7 / 40

A. ELECTORAL PROCESS: 2 / 12

A1. Was the current head of government or other chief national authority elected through free and fair elections? 0 / 4

Prior to 2019, the state of Jammu and Kashmir enjoyed special autonomy under Article 370 of the Indian constitution. A chief minister—typically the head of the largest party in the state legislature's lower house—was entrusted with executive power. Under the Jammu and Kashmir Reorganisation Act 2019, adopted by the Indian Parliament that August, the region's autonomous status was revoked, it was downgraded from a state to a union territory, and the Ladakh area was separated to form a second union territory. Executive authority in

each territory now rests with a lieutenant governor appointed by the president of India on the advice of the Indian prime minister. In Jammu and Kashmir, the lieutenant governor is to be assisted by a chief minister and cabinet responsible to an elected legislature, though no such legislature had been elected by the end of 2022, and the timeline for holding elections remained unclear. Manoj Sinha, a former Indian minister belonging to India's ruling Bharatiya Janata Party (BJP), was appointed as lieutenant governor of Jammu and Kashmir in 2020 and remained in office during 2022. Radha Krishna Mathur, a former bureaucrat, was appointed as lieutenant governor of Ladakh in 2019 and also remained in office during 2022.

A2. Were the current national legislative representatives elected through free and fair elections? 0 / 4

Until the passage of the Jammu and Kashmir Reorganisation Act in 2019, the region had a bicameral legislature. The lower chamber, the Legislative Assembly, was composed of 87 members directly elected for six-year terms to single-member districts. The upper chamber, called the Legislative Council, comprised 28 indirectly elected members and eight members nominated by the governor. The 2014 elections were broadly free and fair, with reduced levels of voter intimidation, harassment, and violence compared with past elections. The state legislature was dissolved by the governor in late 2018, ending attempts by local parties to form a new governing majority after the BJP's withdrawal brought down the last coalition government, but central authorities then extended direct rule and postponed new state elections through the summer of 2019, when the Reorganisation Act rendered them moot.

Under the arrangements announced in 2019, the new union territory of Jammu and Kashmir would have a unicameral legislature with limited powers and at least 83 elected members. (As in the old assembly, another 24 seats associated with constituencies in Pakistani-controlled Kashmir would be left vacant.) A controversial new delimitation of constituencies was completed in May 2022. It increased the assembly size to 90 members, awarding the Hindu-dominated Jammu area a disproportionate share of seats, which was widely expected to favor the ruling BJP once elections were held. The new union territory of Ladakh will continue to be administered solely by the lieutenant governor, with no legislature of its own.

A3. Are the electoral laws and framework fair, and are they implemented impartially by the relevant election management bodies? 2 / 4

The legal framework governing statewide elections prior to 2019 was broadly perceived as fair. While intimidation of election workers and electoral authorities by militant groups sometimes interfered with the orderly implementation of electoral laws and regulations, the process was overseen by the Election Commission of India, then a respected and largely independent body.

The Indian Parliament adopted the Jammu and Kashmir Reorganisation Act swiftly and without significant input from Kashmiris, fundamentally altering the electoral system and effectively stripping residents of substantial voting power.

A revision of Jammu and Kashmir's voting rules in August 2022 indicated that people who had lived in the territory for as little as a year could be included in the electorate, sparking renewed accusations that the government was attempting to manipulate eligibility and empower non-Kashmiri migrants for political reasons. The rule change was scrapped in October following a public outcry.

B. POLITICAL PLURALISM AND PARTICIPATION: 3 / 16

B1. Do the people have the right to organize in different political parties or other competitive political groupings of their choice, and is the system free of undue obstacles to the rise and fall of these competing parties or groupings? 1 / 4

Until 2019, a competitive multiparty system had operated in the region. While new political parties had to register with the Election Commission, parties were generally able to form freely, and there were mechanisms by which independent candidates could stand for office. Notable impediments to normal party politics included militant violence, intimidation, and separatist boycotts.

Political activities were almost completely suspended after August 2019, as security forces detained thousands of party members and activists without charge, including the leaders of mainstream Kashmiri parties and the local branch of India's opposition Congress party. Former chief ministers and incumbent lawmakers were among those detained. Mirwaiz Umar Farooq, leader of the All Parties Hurriyat Conference (APHC), a prominent separatist coalition, reportedly remained under de facto house arrest in 2022, though officials claimed he was under police protection.

After the last elected chief minister, Mehbooba Mufti, was released from detention in 2020, her People's Democratic Party (PDP) helped form the People's Alliance for Gupkar Declaration (PAGD) with several other Kashmiri parties, including its former rival, the Jammu and Kashmir National Conference (JKNC). The group aimed to restore the region's autonomy under the Indian constitution, but the viability of the alliance appeared to be in doubt as of 2022.

B2. Is there a realistic opportunity for the opposition to increase its support or gain power through elections? 1 / 4

For more than a decade, state-level power had rotated between the two largest Kashmiri parties: the PDP and the JKNC. The Hindu nationalist BJP, which currently governs in New Delhi, has made significant electoral inroads in recent years; it participated in a coalition government with the PDP from 2015 to 2018.

The postponement of state elections, the 2019 reorganization of the region, and the related mass detentions effectively reduced the ability of opposition groups to compete and enter government in Jammu and Kashmir for the foreseeable future. The PAGD accused the government of curtailing its ability to campaign freely ahead of 2020 elections for local District Development Councils. While the alliance won those elections overall, the councils manage local development matters and have little governmental authority.

The union territory of Ladakh has a centrally appointed executive and no legislature, meaning rotations of power through elections are not possible at the territory level. Elections are still held for district-level development councils, but their powers are greatly overshadowed by those of appointed officials.

B3. Are the people's political choices free from domination by forces that are external to the political sphere, or by political forces that employ extrapolitical means? 0 / 4

The activities of separatist militants and a heavy Indian security presence have long impaired the ability of people in certain areas to participate freely in political processes.

Since August 2019, tens of thousands of additional Indian troops have been deployed to the region to quash any public expressions of opposition to the Reorganisation Act. The deployment was accompanied by reports of intimidation and violence against civilians.

Political violence continued during 2022. The sentencing of a separatist leader, Yasin Malik, to life imprisonment in May prompted a wave of militant attacks, clashes between police and protesters, and arrests.

B4. Do various segments of the population (including ethnic, racial, religious, gender, LGBT+, and other relevant groups) have full political rights and electoral opportunities? 1 / 4

The former state constitution granted all permanent residents over age 18 the right to vote in state assembly elections. While the region had a female chief minister until early 2018, women have generally been underrepresented in politics.

Prior to the 2019 reorganization, historical refugees from Pakistan, who are disproportionately Hindu, were not entitled to permanent residency rights and could not vote in state elections, though they were able to vote in Indian parliamentary elections. In 2020, such individuals were allowed to vote in the development council polls in Jammu and Kashmir for the first time.

During the campaign period for the council elections in 2020, Muslim Kashmiri candidates and their parties were allegedly disadvantaged by continued detentions, police interference, and movement restrictions, many of which were imposed for security reasons.

The 2019 reorganization left the largely Buddhist and Shiite Muslim population of Ladakh without elected government institutions at the territory level. There are still two Autonomous Hill Development Councils representing Ladakh's two districts, Leh and Kargil, but many in Kargil vocally opposed the 2019 changes.

C. FUNCTIONING OF GOVERNMENT: 2 / 12

C1. Do the freely elected head of government and national legislative representatives determine the policies of the government? 0 / 4

India has never held a referendum on allowing Kashmiri self-determination, as called for in a 1948 UN resolution. Jammu and Kashmir long enjoyed substantial autonomy under India's constitution, but since 2019 it has been ruled directly by the central government through an appointed lieutenant governor, as has the separated territory of Ladakh. There are legal provisions for an elected legislature in Jammu and Kashmir, although its powers will ultimately be limited, and no legislature was in place as of 2022. Many laws that had been passed by the state government have been subject to repeal or amendment under the new system, and more laws passed by the Indian Parliament now apply to Jammu and Kashmir. The union territory is not permitted to formulate its own laws regarding policing and public order.

C2. Are safeguards against official corruption strong and effective? 1 / 4

Corruption is widespread. A 2011 law established an anticorruption commission with far-reaching investigatory powers. The panel, known as the State Vigilance Commission, processed more than a thousand complaints after the first commissioners were appointed in 2013, and it filed a handful of bribery charges against public officials. However, few corruption cases result in convictions. In 2020, the commission was dissolved after the Jammu and Kashmir territorial government repealed the underlying law. A series of anticorruption recommendations issued by the New Delhi–based Central Vigilance Commission remained largely unimplemented in 2022.

C3. Does the government operate with openness and transparency? 1 / 4

The administration generally operates with opacity, and the changes in the administrative status of the region in 2019, coupled with severe restrictions on press freedom, have

further impeded transparency. Several official agencies intended to promote transparency and good governance, including the State Information Commission, were shut down in 2019 and 2020.

CIVIL LIBERTIES: 20 / 60

D. FREEDOM OF EXPRESSION AND BELIEF: 6 / 16

D1. Are there free and independent media? 1 / 4

Until mid-2019, print media were thriving in Jammu and Kashmir. Online media had proliferated, providing new platforms for news and information. However, the announcement of the region's changed administrative status was accompanied by a severe clampdown on the activities of local and foreign journalists. Internet service was severely restricted until early 2021, making it difficult for news outlets to operate; additional connectivity blackouts were briefly imposed in certain districts during 2022, ostensibly to counter militant activities.

A new media policy introduced in 2020 gave government officials the authority to examine and censor content for "fake news, plagiarism, and unethical or antinational activities." Journalists have faced harassment, intimidation, and arbitrary detention in connection with their work in recent years. In 2022, several journalists were arrested or summoned for questioning after reporting on antigovernment protests or publishing material that was critical of the government; a reporter for and the editor of the news website Kashmir Walla were arrested in January and February, and both remained in detention as of December, according to the Committee to Protect Journalists. A reporter for the magazine *Kashmir Narrator*, Asif Sultan, has been detained since 2018, apparently for publishing work that was critical of the government. A number of other journalists who work in the region have been barred from leaving India; in July and October 2022, a prize-winning photojournalist was prevented from traveling to France and the United States.

D2. Are individuals free to practice and express their religious faith or nonbelief in public and private? 2 / 4

Freedom of worship is generally respected by the authorities. However, violence between Muslims and Hindus periodically flares up, and many have been injured or killed as a result. A ban on Shiite Muslims' Muharram processions, which take place during a period of mourning at the Islamic new year, has been upheld for decades. In August 2022, Shiite Muslims were detained and assaulted by police while attempting to hold Muharram processions in Srinagar. The authorities closed Srinagar's main mosque to worshippers on multiple occasions during the year, typically citing security concerns.

D3. Is there academic freedom, and is the educational system free from extensive political indoctrination? 1 / 4

Academic freedom is circumscribed. Authorities monitor the research produced at Kashmiri universities, and a combination of censorship and self-censorship discourages students and professors from pursuing sensitive topics of inquiry. Colleges, universities, and schools were shuttered for much of 2020 and 2021, both on security grounds and because of the coronavirus pandemic. Remote learning was severely hampered by ongoing restrictions on internet access. A reopening of schools began in March 2022.

D4. Are individuals free to express their personal views on political or other sensitive topics without fear of surveillance or retribution? 2 / 4

While private discussion was previously robust, fear of reprisals by government or militant forces has increased in recent years, and serves as a deterrent to uninhibited speech. The

mass arrests of politicians, activists, protesters, and others after the revocation of autonomy in 2019 were apparently aimed at curbing free expression and likely had a chilling effect on the rest of the population.

In April 2022, the High Court ruled that statements about the region's military occupation are not to be considered protected speech under the constitution.

E. ASSOCIATIONAL AND ORGANIZATIONAL RIGHTS: 3 / 12

E1. Is there freedom of assembly? 0 / 4

Freedom of assembly is frequently restricted during times of unrest. The authorities often reject requests for permits for public gatherings submitted by the separatist APHC. Separatist leaders are frequently arrested prior to planned demonstrations, and violence between protesters and security forces is common.

Curfews were in force in parts of the region during 2022, and lockdowns intended to stem the spread of COVID-19 further curtailed assembly while they remained in effect early in the year. Ongoing disruptions to phone and internet services hampered the planning of protests. Nevertheless, security forces clashed with protesters on multiple occasions during the year.

In November, protesters in Leh and Kargil voiced demands for full statehood for Ladakh.

E2. Is there freedom for nongovernmental organizations, particularly those that are engaged in human rights– and governance-related work? 1 / 4

Although local and national civil rights groups are generally permitted to operate, they are routinely harassed by security forces. The separatist APHC is technically allowed to function, but its leaders are frequently subjected to detention. In 2019, the central government imposed a five-year ban on the group Jamaat-e-Islami (Jammu and Kashmir) and arrested its top leadership, claiming that it was engaged in separatist activities.

Many of the arrests that followed the revocation of autonomy in 2019 targeted independence advocates, human rights lawyers, and other civic activists. In 2021, security forces arrested Khurram Parvez, a Kashmiri human rights activist, under the provisions of a controversial antiterrorism law. He remained in detention in 2022.

In January 2022, police raided and closed the offices of the Kashmir Press Club. The authorities halted its protracted attempts to renew its registration, and the government announced that the organization had been dissolved.

E3. Is there freedom for trade unions and similar professional or labor organizations? 2 / 4

Although workers have the right to form unions and engage in collective bargaining under Indian law, union rights are inconsistently upheld in practice.

F. RULE OF LAW: 4 / 16

F1. Is there an independent judiciary? 1 / 4

Courts in the region are politicized and typically act as an extension of Indian executive and military authority. The government and security forces frequently disregard court orders that impose constraints on their actions. In January 2020, following a long delay, the Indian Supreme Court ruled that the indefinite internet shutdown in Kashmir was unjustified and violated constitutional rights to free speech and expression, but authorities were slow to ease the shutdown, and mobile internet access was not restored until February 2021. Recruitment of district judges has proven challenging in the region. There were allegations of corruption and nepotism in the High Court of Jammu and Kashmir and Ladakh during 2022.

F2. Does due process prevail in civil and criminal matters? 1 / 4

Due process rights, including access to a timely trial, are hampered in part by large backlogs of cases and intermittent lawyers' strikes. The backlog increased in 2020 and 2021 due to COVID-19-related delays. Broadly written legislation, such as the unpopular Armed Forces Special Powers Act (AFSPA) and the Disturbed Areas Act, allow security forces to search homes and arrest suspects without a warrant, shoot suspects on sight, and destroy buildings believed to house militants or arms. Under the AFSPA, prosecutions of security personnel cannot proceed without the approval of the central government, which is rarely granted. Following the 2019 reorganization of the region, the central government now has the sole authority to declare an area "disturbed" under the AFSPA, which activates enhanced powers for security forces. The Public Safety Act allows detention without charge or trial for up to two years, though 2012 amendments barred the detention of minors. The law was used to jail mainstream political leaders and others in 2019 and 2020. Many such detainees have been held in parts of India outside Kashmir.

F3. Is there protection from the illegitimate use of physical force and freedom from war and insurgencies? 1 / 4

After several years of relative stability, security deteriorated sharply following the 2016 killing of Burhan Muzaffar Wani, a popular separatist militant leader. The situation remained volatile in 2022. At least 253 civilians, security personnel, and militants were reportedly killed in conflict-related violence over the course of the year.

Indian security personnel have continued to engage in torture, forced disappearances, and custodial killings of suspected militants and their alleged civilian sympathizers, and they generally enjoy impunity for such abuses.

Militant groups have killed pro-India politicians, public employees, suspected informers, members of rival factions, soldiers, and civilians. The militants also engage in kidnapping, extortion, and other forms of intimidation. Militant violence during 2022 included selective murders of people belonging to the Hindu community in Jammu and Kashmir in April, May, and June.

F4. Do laws, policies, and practices guarantee equal treatment of various segments of the population? 1 / 4

A pattern of violence targeting Pandits, or Kashmiri Hindus, has forced several hundred thousand Hindus to flee their homes in the region over the years, and many continue to reside in refugee ("transit") camps. Members of other religious and ethnic minority groups, including Sikhs and Gujjars, have also been attacked. Women face societal discrimination and are subject to harassment, intimidation, and violence, including rape and murder, at the hands of both the security forces and militants. LGBT+ people are generally marginalized in Kashmiri society.

G. PERSONAL AUTONOMY AND INDIVIDUAL RIGHTS: 7 / 16

G1. Do individuals enjoy freedom of movement, including the ability to change their place of residence, employment, or education? 1 / 4

Freedom of movement has been heavily curtailed by the authorities. Strict curfews were imposed in connection with the region's 2019 reorganization, and coronavirus-related lockdowns were added during 2020, 2021, and early 2022, with the severity varying somewhat by location and over time. Even when curfews are not in place, internal movement is disrupted by roadblocks, checkpoints, and periodic protest-related impediments. Kashmir

residents face delays of up to two years in obtaining and renewing passports due to heightened levels of scrutiny.

In 2020, the Indian government altered domicile legislation to make it easier for refugees and Indian nationals from outside Kashmir to establish permanent residency and obtain government jobs in the region, extending eligibility to those who had lived there for 15 years or studied there for seven years. The change would benefit many long-term residents who had lacked domicile status, but critics alleged that the government's aim was to alter the Muslim-majority territory's demographic composition. Tens of thousands of new domicile certificates have since been issued. In 2022, there were reports that Hindus and members of other communities targeted by militant attacks were prevented from relocating outside Kashmir, as the government sought to project an image of stability.

G2. Are individuals able to exercise the right to own property and establish private businesses without undue interference from state or nonstate actors? 2 / 4

Property rights are undermined by displacement and military activity related to the conflict, and the regulatory environment constrains the establishment and operation of new businesses.

In 2020, the Indian government substantially altered dozens of laws governing land ownership in Jammu and Kashmir, ending long-standing restrictions on property acquisition by people who were not permanent residents of the region. Ladakh was not immediately affected by those changes. The new legal framework also gave the government and the military enhanced powers to reserve and manage land for development and strategic purposes.

G3. Do individuals enjoy personal social freedoms, including choice of marriage partner and size of family, protection from domestic violence, and control over appearance? 2 / 4

Many women face domestic violence and other forms of abuse. There have been reports of women being killed in dowry disputes, and conservative social customs limit the choice of marriage partners for individuals. Same-sex marriage is illegal.

G4. Do individuals enjoy equality of opportunity and freedom from economic exploitation? 2 / 4

Certain social groups are subject to economic marginalization, though some are also eligible to benefit from affirmative-action policies in areas such as employment and education. Child labor is reportedly prevalent in the region, and the government has taken few steps to combat it. Militant groups have been accused of recruiting children as fighters.

Nagorno-Karabakh*

Population: 110,000
Freedom Status: Partly Free

Note: *Freedom in the World* reports assess the level of political rights and civil liberties in a given geographical area, regardless of whether they are affected by the state, nonstate actors, or foreign powers. Disputed territories are sometimes assessed separately if they meet certain criteria, including boundaries that are sufficiently stable to allow year-on-year comparisons. For more information, see the report methodology.

Overview: The Republic of Nagorno-Karabakh, which also calls itself the Republic of Artsakh, has enjoyed de facto independence from Azerbaijan since a 1994 cease-fire agreement that ended roughly two years of open warfare, though its independence is not recognized by any UN member states. The territory's population is mostly ethnic Armenians, and given its geographic and diplomatic isolation, it has been dependent on close political and economic ties with Armenia. A third of Nagorno-Karabakh and some adjacent land came under Azerbaijani control in 2020 under a cease-fire agreement that ended a weeks-long conflict that year. Recent years have seen increases in political and media pluralism, and frequent demonstrations. However, many civil liberties are still restricted, corruption is pervasive in the government and judiciary, and civilians at times face the risk of violence due to Azerbaijani military operations.

KEY DEVELOPMENTS IN 2022

- Authorities in Azerbaijan launched the first major military operations in Nagorno-Karabakh since 2020. Incursions in March and August ended with Azerbaijani troops taking control of territory in several mountainous areas, the displacement of local residents, and fears of renewed conflict.
- Local opposition activists harnessed increasing public concerns about insecurity, and began calling for regular street protests beginning in September. Authorities made no attempt to disrupt the rallies.
- Beginning in December, Nagorno-Karabakh remained under effective blockade after Azerbaijani activists caused the closure of the Lachin transit corridor, the only road that connects the territory with Armenia and rest of the world. Residents experienced shortages in basic food products and medical supplies.

POLITICAL RIGHTS: 17 / 40 (+1)

A. ELECTORAL PROCESS: 7 / 12

A1. Was the current head of government or other chief national authority elected through free and fair elections? 2 / 4

The president is directly elected for up to two five-year terms and is both head of state and head of government, with authority to appoint and dismiss cabinet members. The most recent presidential election took place in March and April 2020, several months before Azerbaijani forces started a war that finished with Stepanakert losing control of significant areas of Nagorno-Karabakh.

The vote was widely acknowledged as the most competitive in the territory's recent history. An unprecedented 14 candidates engaged in an intense electoral campaign that featured extensive in-person and social media campaign activities. Weeks of televised presentations of candidates' programs culminated in Nagorno-Karabakh's first-ever televised debates. First-round turnout stood at 72 percent and second-round turnout stood at 45 percent. Arayik Harutyunyan, a former prime minister and local businessman, won a majority of votes in the second round.

Many foreign observers were unable to attend due to the COVID-19-related closure of international borders. Local observers, including those trained and supported by Armenia's leading nongovernmental organizations (NGOs), said the vote was free and fair despite reports of administrative irregularities and verbal clashes at some polling stations.

A2. Were the current national legislative representatives elected through free and fair elections? 3 / 4

Of the unicameral National Assembly's 33 members, all are elected by party list. Elections took place in 2020 in parallel with the presidential race. Ten political parties—almost twice more than in the 2015 elections—participated, organizing into two blocs. Parties campaigned freely in towns and villages and engaged in televised presentations and debates.

The Harutyunyan-founded Azat Hayrenik (Free Motherland) party maintained its dominant legislative position, winning 16 seats. The newly formed opposition Miasnakan Hayrenik (United Motherland) party won nine. The remaining seats went to three other parties—the Armenian Revolutionary Federation–Dashnaktsutyun, which won three seats; Ardarutyun (Justice), which also won three; and Artsakhi Zhoghovrdarakan Kusaktsutyun (Democratic Party of Artsakh), which won two; these were generally associated with politicians from past ruling coalitions.

A3. Are the electoral laws and framework fair, and are they implemented impartially by the relevant election management bodies? 2 / 4

Several amendments to electoral laws since 2014 were regarded as improvements that allowed for broader political participation. The 2020 presidential and parliamentary votes were not marred by significant criticism of electoral administration, in contrast with past polls.

B. POLITICAL PLURALISM AND PARTICIPATION: 8 / 16

B1. Do the people have the right to organize in different political parties or other competitive political groupings of their choice, and is the system free of undue obstacles to the rise and fall of these competing parties or groupings? 3 / 4

There are few formal restrictions on political-party formation and membership, but the political landscape in past years has been constrained in practice due to the territory's contested status and increased feeling of insecurity, especially since September 2022 when Azerbaijani forces intensified military attacks against different parts of the territory.

Nagorno-Karabakh has seen greater political activity since the 2018 revolution in Armenia. The 2020 electoral campaign featured open and vigorous competition between existing and newly formed political parties. Politicians freely discussed domestic issues, and some presented detailed plans to improve transparency, implement anticorruption reforms, and improve diversity in government. There were no reports of serious, undue pressure or attacks against candidates during the campaign.

In 2022, many opposition politicians and activists participated in street protests against the local government, the Armenian government, and the presence of Russian peacekeepers. In September, Ruben Vardanyan—a prominent businessman of ethnic Armenian origin, who had recently renounced his Russian citizenship and became an Armenian citizen—said he was founding a new public movement aimed at "salvation" of the ethnic Armenian population in Nagorno-Karabakh. In November, Vardanyan was appointed the state minister in charge of most governmental bodies in the territory.

B2. Is there a realistic opportunity for the opposition to increase its support or gain power through elections? 2 / 4

Opposition politicians and parties have enjoyed greater opportunity in recent years. A number of prominent politicians refrained from forming coalitions with the ruling elites ahead of the 2020 elections, and instead campaigned independently. The more democratic campaign followed a 2018 political opening in Armenia, and represented a break from the previous political climate characterized by broad coalitions and more frequent co-optation of rivals.

B3. Are the people's political choices free from domination by forces that are external to the political sphere, or by political forces that employ extrapolitical means? 2 / 4

Politics in Nagorno-Karabakh are heavily influenced by the threat of military aggression, which has traditionally kept the territory politically and financially dependent on Armenia. For decades this dependence had provided leverage for interference by Yerevan in Nagorno-Karabakh's domestic political affairs. However, this situation started to change following the 2020 war. In accordance with the cease-fire agreement, Armenia withdrew its troops from the conflict zone and ceased military support to Nagorno-Karabakh, while only keeping financial support programs and subsidies to the local population. After the close of hostilities in 2020, a number of Armenian and Nagorno-Karabakh officials complained about poor relations between Yerevan and Stepanakert, which they claimed was a key reason for the defeat in fighting with Azerbaijan. Soon after the cease-fire, President Harutyunyan returned several controversial politicians who had left due to conflicts with Armenian prime minister Nikol Pashinyan to senior posts.

In contrast to past years, few senior Armenian officials traveled to Nagorno-Karabakh in 2022, allegedly to avoid provoking their local critics or creating possible problems with the Azerbaijani government. Tensions reached a peak during the year after Pashinyan suggested making concessions on the status of territory, which he said were needed to stop a possible Azerbaijani military takeover of Nagorno-Karabakh. The comments provoked street rallies in Nagorno-Karabakh beginning in September, led by opposition activists and attended by many senior officials and representatives of the local political elite. Since September, the local leadership organized large rallies attended by tens of thousands of people, demanding recognition of the rights of local Armenians to continue living in Nagorno-Karabakh.

Following the 2020 war Russian peacekeepers have played a significant security role in Nagorno-Karabakh, but have not interfered in local political life.

Score Change: The score improved from 1 to 2 because political influence from Yerevan has receded.

B4. Do various segments of the population (including ethnic, racial, religious, gender, LGBT+, and other relevant groups) have full political rights and electoral opportunities? 1 / 4

Opportunities for members of various minority groups to represent their interests in politics are limited. Formally, women have equal political rights, but social constraints and a prevailing sense of militarization in local life limit their participation in practice, and they are poorly represented in leadership positions.

C. FUNCTIONING OF GOVERNMENT: 3 / 12

C1. Do the freely elected head of government and national legislative representatives determine the policies of the government? 1 / 4

The ability of locally elected officials to set and implement government policies is limited in practice by security threats along the line of contact between Nagorno-Karabakh and Azerbaijani forces and warnings from Baku. Although the constitution calls for close cooperation with Armenia on political, economic, and military policy, since the 2020 war the Armenian state's influence in local politics has sharply decreased.

C2. Are safeguards against official corruption strong and effective? 1 / 4

Nagorno-Karabakh's institutions continue to suffer from significant corruption.

C3. Does the government operate with openness and transparency? 1 / 4

The government operates with limited transparency in practice, particularly regarding anything related to security risks.

After the 2020 elections, President Harutyunyan invited his main opponents to take key government positions, suggesting this could result in more transparency for decision-making processes. Harutyunyan made a similar offer after the 2020 war, which resulted in the co-optation of many local opposition activists into the daily work of the government.

ADDITIONAL DISCRETIONARY POLITICAL RIGHTS QUESTION

Is the government or occupying power deliberately changing the ethnic composition of a country or territory so as to destroy a culture or tip the political balance in favor of another group? -1 / 0

Military attacks and psychological pressure in 2022 led to a new displacement wave—in addition to the one prompted by the 2020 war, which included atrocities against civilians—and an increased feelings of insecurity in the local population.

In 2022, Azerbaijani troops launched intensified attacks on different parts of Nagorno-Karabakh. Following two military operations, Azerbaijan took control of several mountainous heights that provide a strategic position over areas deep into the region, leading to increased fears of a new war. Azerbaijani troops organized psychological campaigns against people living near the front lines by using loudspeakers to amplify threats and Islamic music. In March, during a particularly severe winter, the region was left with no gas supply following an apparent attack on the main pipeline by Azerbaijani soldiers.

CIVIL LIBERTIES: 20 / 60

D. FREEDOM OF EXPRESSION AND BELIEF: 7 / 16

D1. Are there free and independent media? 2 / 4

The most popular local television station is the government-run Artsakh TV. The station's editorial policy has changed significantly since the political opening in Armenia in 2018, and it has in recent years hosted a greater plurality of opinion. Following the 2020 war, local media outlets continued to produce vibrant output, covering opposition rallies and government critics.

In April 2022, following the first major Azerbaijani military attack on Nagorno-Karabakh since 2020, President Harutyunyan signed a decree implementing martial law, citing a need to stop the spread of "fake news" in social media about events at the front lines. Similar restrictions were introduced in December, when Azerbaijani activists blocked the road at the Lachin transit corridor, the only road that connects Nagorno-Karabakh with Armenia and rest of the world. Nevertheless, these special measures did not affect the work of local journalists, who continued inviting Armenian and foreign experts for critical interviews about recent developments. Social media platforms are increasingly used by the public and government officials for the dissemination and discussion of news. Nevertheless, many domestic journalists continue to practice self-censorship, primarily on subjects related to security and the peace process.

The internet penetration rate remains low.

Access to Nagorno-Karabakh for foreign journalists was restricted after Russian peacekeepers took control over the Lachin transit corridor that connects Nagorno-Karabakh to Armenia. In August 2022, authorities suspended the issuing of visas to enter Nagorno-Karabakh.

D2. Are individuals free to practice and express their religious faith or nonbelief in public and private? 1 / 4

The constitution guarantees religious freedom but allows for restrictions in the name of security, public order, and other state interests. The charter also recognizes the Armenian Apostolic Church as the "national church" of the Armenian people. The religious freedom of other groups is limited in practice. A 2009 law banned religious activity by unregistered groups and proselytism by minority faiths and made it more difficult for minority groups to register.

Since 2020, the Azerbaijani army fully or partially destroyed a number of Armenian religious structures. Russian peacekeepers have taken control of several Armenian monasteries near or within Azerbaijani-controlled territory as a result of the cease-fire agreement, and since 2021, only occasional tours of small pilgrimage groups escorted by peacekeepers have been allowed to visit.

D3. Is there academic freedom, and is the educational system free from extensive political indoctrination? 1 / 4

Schools and universities practice increasing self-censorship on sensitive topics, particularly those related to the territory's status and security.

D4. Are individuals free to express their personal views on political or other sensitive topics without fear of surveillance or retribution? 3 / 4

Private discussion is generally open and free, though expression of dissent may be inhibited somewhat by the prevailing nationalist sentiment in politics and society. Since the 2020 war, locals have speculated about possible penetration of the local government and army by spies cooperating with Azerbaijani intelligence. In 2022, the local security service announced details of several investigations against officials and military representatives who admitted reporting sensitive information to the Azerbaijani side. The reports have farther solidified fears of possible Azerbaijani campaigns in the public life of the territory.

E. ASSOCIATIONAL AND ORGANIZATIONAL RIGHTS: 6 / 12

E1. Is there freedom of assembly? 3 / 4

While Nagorno-Karabakh authorities have disrupted rallies in the past, freedom of assembly has been recently respected, and rallies held without interruption from the authorities.

Since the 2020 war, Nagorno-Karabakh has seen regular protest activity. Beginning in early August 2022, opposition activists organized daily rallies in Stepanakert. Despite occasional reports of ministries calling on their staff to avoid the rallies, many joined nevertheless, as did a number of senior officials. The protests grew to attract crowds unprecedented since the early 1990s when Nagorno-Karabakh started the movement for independence. Two rallies in Stepanakert in October and December organized by the local political leadership each brought together an estimated 40,000 people.

E2. Is there freedom for nongovernmental organizations, particularly those that are engaged in human rights– and governance-related work? 2 / 4

More than 250 nongovernmental organizations (NGOs) are registered in Nagorno-Karabakh, but most are inactive. Many groups struggle to secure sustainable funding, in part because partnerships with foreign or international NGOs are complicated by Nagorno-Karabakh's disputed status. Civil society groups also face competition from government-organized entities.

E3. Is there freedom for trade unions and similar professional or labor organizations? 1 / 4

Trade unions are allowed to organize, but in practice they are weak and relatively inactive, with little practical ability to assert workers' interests. Many labor disputes are resolved through personal connections and family links before they reach local courts.

F. RULE OF LAW: 3 / 16

F1. Is there an independent judiciary? 1 / 4

The judiciary is not independent in practice. The courts are influenced by the executive branch as well as by powerful political, economic, and criminal groups.

F2. Does due process prevail in civil and criminal matters? 1 / 4

The constitution guarantees basic due process rights, but police and the courts do not always uphold them in practice. Outspoken political dissidents have been subject to harassment by the authorities.

F3. Is there protection from the illegitimate use of physical force and freedom from war and insurgencies? 0 / 4

The civilian population of Nagorno-Karabakh was subjected to indiscriminate violence and targeted atrocities by Azerbaijani forces during the 2020 war. Abuses included the use of cluster munitions, white phosphorous bombs, and other heavy weapons in attacks that failed to distinguish between military and civilian targets, including against residential areas in the main towns and villages. Rights groups and journalists reported instances of civilians facing physical attack, detention, torture, and degrading treatment by Azerbaijani forces. Nagorno-Karabakh's human rights ombudsman reported that 52 ethnic Armenian civilians were killed by Azerbaijani attacks on the territory in 2020.

Violence and insecurity has continued to affect life in Nagorno-Karabakh since the cease-fire took effect. Azerbaijan's intensified front line attacks began in September 2022. During the year, there were 9 deaths and 40 injuries among civilians and 228 deaths and 604 injuries among combatants on both sides, according to figures compiled by the International Crisis Group (ICG).

F4. Do laws, policies, and practices guarantee equal treatment of various segments of the population? 1 / 4

The constitution bans discrimination based on gender, ethnicity, religion, and other categories. However, women are underrepresented in the public and private sectors and remain exposed to discrimination in practice. Before the 2020 war, to preserve the Armenian character of the territory, state policies promoted Armenian language and culture and had encouraged ethnic Armenians to migrate to Nagorno-Karabakh, partly through housing and other subsidies. However, this practice has been halted due to the increased demand for housing, prompted by the displacement of residents from Azerbaijani-controlled areas.

G. PERSONAL AUTONOMY AND INDIVIDUAL RIGHTS: 4 / 16

G1. Do individuals enjoy freedom of movement, including the ability to change their place of residence, employment, or education? 0 / 4

Freedom of movement within Nagorno-Karabakh is hindered by its ambiguous legal and diplomatic status and the instability of the cease-fire.

Individuals who do not hold Armenian citizenship require a visa from the Nagorno-Karabakh government to travel in the territory as of February 2021. Russian peacekeepers share data of visa applications with the Azerbaijani authorities that can ban issuance of travel

documents. This has prevented visits of diaspora representatives and foreign reporters since August 2022. During the year, Russian peacekeepers occasionally prevented Armenians from entering Nagorno-Karabakh. In April they prevented a group of Armenian opposition parliamentarians and politicians from entering the territory from Armenia. The same happened in August to the Armenian opposition politician Raffi Hovhannisyan. The Armenian authorities alleged Azerbaijani pressure on the Russian peacekeepers in these cases.

In December 2022, anti-mining demonstrations by Azerbaijani environmental activists blocked the Lachin transit corridor, the only road that connects Nagorno-Karabakh with Armenia and rest of the world. The local Armenian population of Nagorno-Karabakh experienced shortages in basic food products and medical supplies. The International Committee of the Red Cross (ICRC) provided transportation to Armenia for several patients in need of urgent medical aid and delivered some humanitarian aid. The blockade was ongoing at year's end.

G2. Are individuals able to exercise the right to own property and establish private businesses without undue interference from state or nonstate actors? 1 / 4

Most major economic activity is tightly controlled by the government or a small group of powerful elites with political connections. The property rights of Azerbaijanis displaced in the 1990s and Armenians after the 2020 war have yet to be adequately addressed.

G3. Do individuals enjoy personal social freedoms, including choice of marriage partner and size of family, protection from domestic violence, and control over appearance? 2 / 4

Men and women have equal legal rights with respect to marriage and divorce, though the constitution defines marriage as a union between a man and a woman, precluding same-sex marriage. The government offers material incentives to encourage couples to have children. Domestic violence is common and not effectively prosecuted.

G4. Do individuals enjoy equality of opportunity and freedom from economic exploitation? 1 / 4

Employment opportunities remain scarce and are mostly confined to the state sector or state-subsidized businesses.

Northern Cyprus

Population: 383,000
Freedom Status: Free

Note: *Freedom in the World* reports assess the level of political rights and civil liberties in a given geographical area, regardless of whether they are affected by the state, nonstate actors, or foreign powers. Disputed or occupied territories are sometimes assessed separately if they meet certain criteria, including boundaries that are sufficiently stable to allow year-on-year comparisons. For more information, see the report methodology.

Overview: The Turkish Republic of Northern Cyprus (TRNC) is a self-declared state recognized only by Turkey. Civil liberties are generally upheld, and the multiparty political system is largely democratic, though it has experienced increasing interference from the Turkish government. Other ongoing concerns include corruption, discrimination against minority communities, and human trafficking.

KEY DEVELOPMENTS IN 2022

- The ruling right-wing nationalist National Unity Party (UBP) won parliamentary elections in January, and UBP lawmaker Ünal Üstel was chosen as prime minister in May. His predecessor, UBP leader Faiz Sucuoğlu, had struggled to form a government amid alleged political interference from Ankara.
- Greek Cypriot peace activist Andreas Soutzis was arrested in Northern Cyprus in August, tried by a military court in September, and sentenced to a month in prison on charges of illegally photographing military areas. He was released in October and banned from returning to the north.
- Journalists and ordinary internet users encountered growing pressure on free expression during the year. At least two people were arrested for allegedly insulting the president on social media, and several journalists faced criminal charges or other forms of reprisal for their work.

POLITICAL RIGHTS: 27 / 40

A. ELECTORAL PROCESS: 9 / 12

A1. Was the current head of government or other chief national authority elected through free and fair elections? 2 / 4

The president, who serves as head of state and represents the TRNC internationally, is popularly elected to five-year terms. In the 2020 presidential election, incumbent Mustafa Akıncı ran as an independent with the backing of the social democratic Communal Democracy Party (TDP). He was defeated by then prime minister Ersin Tatar of the UBP, the Turkish government's preferred candidate, who took nearly 52 percent of the vote in the second round.

The election period featured highly unusual and overt interference by Turkish authorities on Tatar's behalf. Among other actions by Turkish representatives, the communications adviser for the Turkish vice president arrived to aid Tatar's campaign, and the Turkish embassy allegedly contacted mayors and village leaders to ask them what they needed in exchange for their support. In the week before the second-round vote, the UBP distributed favors in villages, while Tatar's government disbursed financial aid.

The president appoints the prime minister and cabinet members, who must have the support of a legislative majority. After winning election as president, Tatar resigned as prime minister and head of the UBP. Ersan Saner became the new UBP leader and formed a coalition government, but he resigned in October 2021 amid setbacks including the loss of his majority and a leaked recording that implicated him in extramarital sexual activity. His successor, Faiz Sucuoğlu, struggled to form a government after the January 2022 parliamentary elections, allegedly due to interference from Ankara. He was eventually replaced by UBP lawmaker Ünal Üstel—as prime minister in May and as party chair in September.

A2. Were the current national legislative representatives elected through free and fair elections? 4 / 4

For elections to the 50-seat Assembly of the Republic, the TRNC employs a mixed voting system, with the proportional representation component setting a 5 percent vote threshold for parties to win seats. Members serve five-year terms.

While legislative elections have generally been regarded as open and competitive, the snap January 2022 balloting drew the lowest voter turnout in TRNC history, at 57.6 percent. The ruling UBP won 24 seats, up slightly from 21 in 2018, while the main opposition group, the center-left Republican Turkish Party (CTP), increased its share of seats from 12 to 18. Among smaller parties, the Democratic Party (DP) and the People's Party (HP) each took

three seats, and the Rebirth Party (YDP), a right-wing group backed primarily by settlers from Turkey, took two. The TDP won no seats for the first time in its history.

A3. Are the electoral laws and framework fair, and are they implemented impartially by the relevant election management bodies? 3 / 4

The Supreme Election Committee is an independent body composed of judges, and elections in the TRNC have generally been considered free and fair, though the degree of Turkish government interference in the 2020 presidential vote called this into question.

B. POLITICAL PLURALISM AND PARTICIPATION: 12 / 16

B1. Do the people have the right to organize in different political parties or other competitive political groupings of their choice, and is the system free of undue obstacles to the rise and fall of these competing parties or groupings? 4 / 4

Turkish Cypriots are free to organize in political parties, and several parties compete in practice. Five parties currently hold seats in the legislature, though only one represents the political left. Under a 2015 law, parties that receive at least 3 percent of the vote may obtain state funding.

B2. Is there a realistic opportunity for the opposition to increase its support or gain power through elections? 4 / 4

There have been multiple transfers of power between rival parties over the past two decades, with shifts in both the presidency and the premiership. The opposition retains a strong position in the legislature.

B3. Are the people's political choices free from domination by forces that are external to the political sphere, or by political forces that employ extrapolitical means? 2 / 4

Although the Turkish government has always exercised considerable influence over the TRNC, in the past it had little direct control over voters, many of whom have supported candidates and parties that displayed independence from Ankara. In the 2020 presidential election, however, the Turkish government engaged in an explicit campaign of inducements and threats against Akıncı and in support of his main rival, Tatar. The ruling UBP's patronage network depends on economic support from Turkey. Since Tatar's election as president, pressure from Turkish government representatives has complicated both government formation and leadership struggles within the UBP.

B4. Do various segments of the population (including ethnic, racial, religious, gender, LGBT+, and other relevant groups) have full political rights and electoral opportunities? 2 / 4

All adult citizens may vote, but the rights of minority populations remain a concern. The few hundred Maronite and Greek Cypriots living in the TRNC are issued special identity cards and are unable to vote in TRNC elections. While small numbers of Maronites from the south have been allowed to resettle in their ancestral villages in the north since 2017, there has been no significant progress on expanding Maronite political rights.

Women have full political rights, and a 2015 law requires 30 percent of a party's parliamentary candidate list to consist of women. However, women's political participation is limited in practice, particularly in leadership positions. In the 2022 elections, women won 11 seats out of 50, a two-seat improvement compared with the previous legislature. No female candidates ran in the 2020 presidential race.

There have been recurring questions about the number of TRNC citizens originally from Turkey, their voting habits, and the manner in which they acquired citizenship. Such

naturalized citizens account for about a third of the citizen population, according to some estimates. Their voting patterns remain pluralistic, with most endorsing conservative parties but many also supporting the CTP. The UBP-led administration has been accused of distributing citizenship to Turkish nationals at the request of Ankara, but no official figures are available.

C. FUNCTIONING OF GOVERNMENT: 6 / 12

C1. Do the freely elected head of government and national legislative representatives determine the policies of the government? 2 / 4

While elected officials have traditionally developed and implemented policies and legislation without direct interference from Ankara, the TRNC remains diplomatically, militarily, and financially dependent on Turkey, and this dependence allows the Turkish government to influence policymaking.

Former president Akıncı showed considerable independence from the Turkish government, creating a rift with Turkish president Recep Tayyip Erdoğan that resulted in overt Turkish intervention in the 2020 presidential election. UBP-led governments have since shown greater public deference to Ankara on policy and personnel matters, but they have also been marked by significant instability, including repeated struggles to achieve a parliamentary quorum amid boycotts by opposition lawmakers.

C2. Are safeguards against official corruption strong and effective? 2 / 4

Corruption, cronyism in the distribution of civil service jobs, and nepotism are serious impediments to good governance, and the media have exposed a number of related scandals in recent years. Surveys of businesspeople in Northern Cyprus have shown that large majorities consider corruption and bribery to be significant problems, including in the public sector and government services.

C3. Does the government operate with openness and transparency? 2 / 4

Although there is a law providing for access to government information, there has been very little progress in making records available to the public in practice. Information is not always kept in an accessible form, and officials reportedly withhold data on sensitive topics such as the naturalization of Turkish nationals as TRNC citizens. The most recent census was conducted in 2011.

CIVIL LIBERTIES: 49 / 60 (−1)

D. FREEDOM OF EXPRESSION AND BELIEF: 14 / 16 (−1)

D1. Are there free and independent media? 3 / 4 (−1)

Freedom of the press is guaranteed by law, and TRNC authorities have historically respected it in practice. The media often carry sharp criticism of both the TRNC and Turkish governments. However, a new information technology law enacted in 2020 enables the authorities to shut down websites that carry illegal content, including material that is deemed to violate existing laws on libel and insult. Consolidation of private media ownership is also a concern.

Some journalists have reported threats and harassment in response to their work, and the problem appeared to intensify in 2022. The head of the Foreign Press Association resigned in April, citing complaints from the president about an article he had written. In July, Turkish Cypriot journalist Aysu Basri Akter was detained at an airport in Turkey and deported on national security grounds, adding to a pattern of such expulsions targeting outspoken TRNC citizens. A journalist who had been detained and expelled from Turkey in

2021, press workers' union leader Ali Kişmir, was informed by TRNC authorities in February 2022 that he had been charged with insulting the security forces. Among other cases during the year, journalist Kazim Denizci was arrested in November and charged with aiding a terrorist organization by disseminating content from a Kurdish news agency.

Score Change: The score declined from 4 to 3 due to increased pressure on critical journalists from Turkish and Turkish Cypriot authorities, including a series of cases in which journalists and others were detained and deported while attempting to travel to Turkey.

D2. Are individuals free to practice and express their religious faith or nonbelief in public and private? 3 / 4

The TRNC is a secular state and legally guarantees freedom of worship, which is mostly respected in practice. However, authorities continue to impose restrictions on access to Greek Orthodox churches, and permission is required to hold services in such churches. Christians and non-Sunni Muslims have complained that the government favors Sunni Islam in its policies on religious education and places of worship. The government's Religious Affairs Department staffs Sunni mosques with imams.

D3. Is there academic freedom, and is the educational system free from extensive political indoctrination? 4 / 4

Academic freedom is generally respected. While large numbers of teachers and professors have been fired or jailed for political reasons in Turkey since an attempted coup there in 2016, no similar purges have occurred in the TRNC.

D4. Are individuals free to express their personal views on political or other sensitive topics without fear of surveillance or retribution? 4 / 4

There are no significant restrictions on freedom of private discussion in Northern Cyprus, and individuals have rarely faced repercussions for expressing their political views on social media. However, the 2020 information technology law included provisions that could restrict online speech, and in 2022 at least two individuals were charged with insulting the president on the social media platform Facebook.

Personal expression in the territory continued to be threatened by the pattern of cases in which TRNC citizens have been detained and deported when they attempted to enter Turkey. Those targeted were generally individuals—including but not limited to journalists—who had aired critical views on the Turkish government or positive views regarding Cypriot reunification.

E. ASSOCIATIONAL AND ORGANIZATIONAL RIGHTS: 11 / 12

E1. Is there freedom of assembly? 4 / 4

Freedom of assembly is guaranteed by the constitution and generally upheld in practice. Demonstrations proceeded without serious impediments during 2022, including a September protest by professional associations and opposition parties against the construction of a new government complex donated by Ankara.

E2. Is there freedom for nongovernmental organizations, particularly those that are engaged in human rights– and governance-related work? 4 / 4

Numerous nongovernmental organizations are registered in the TRNC, and they typically operate without restrictions. Many such groups have worked with Greek Cypriot partners to advance reunification efforts.

E3. Is there freedom for trade unions and similar professional or labor organizations? 3 / 4

Workers may form independent unions, bargain collectively, and strike. Collective bargaining is reportedly common in the public sector. However, the government can limit strikes in ill-defined essential services, and employers are reportedly able to obstruct unionization in the private sector without legal repercussions.

F. RULE OF LAW: 13 / 16

F1. Is there an independent judiciary? 4 / 4

The judiciary is independent, and courts have often ruled against the government in recent years. The system is overseen by the Supreme Council of Judicature, which is headed by the president of the Supreme Court and includes that court's seven judges as well as one member each appointed by the president, the legislature, the attorney general, and the bar association. The council is responsible for judicial appointments, promotions, assignments, and disciplinary measures.

F2. Does due process prevail in civil and criminal matters? 3 / 4

Although due process rights are typically respected, police have been accused of violating protections against arbitrary detention and coerced confessions in some cases, for example by improperly denying suspects access to a lawyer.

Civilians can face charges in military courts, which have fewer due process safeguards. In August 2022, Greek Cypriot peace activist Andreas Soutzis was arrested for illegal possession of a walkie-talkie and for taking photographs near a military zone. A civilian court gave him a warning for the first alleged offense, but he was tried by a military court on the photography charge, receiving a sentence of one month in prison in September. He was released in early October and forbidden from returning to the TRNC.

There were no large-scale purges of TRNC security forces or other public employees in connection with the 2016 coup attempt in Turkey, but due process has been a concern in the clusters of cases that have emerged. Investigations and dismissals of police officers have been reported, for example, with those fired accused of ties to the movement of US-based Islamic preacher Fethullah Gülen, which is blamed for the coup attempt and considered a terrorist organization in Turkey. Some Turkish military personnel stationed in Northern Cyprus have been arrested on similar allegations. There were no new arrests in 2022, but trials of previously detained suspects continued.

F3. Is there protection from the illegitimate use of physical force and freedom from war and insurgencies? 3 / 4

The population is generally free from threats to physical security, but police have been accused of abusing detainees, and prisons feature overcrowding and other harsh conditions.

F4. Do laws, policies, and practices guarantee equal treatment of various segments of the population? 3 / 4

Women enjoy legal equality, but in practice they encounter some discrimination in employment, education, and other areas.

The tiny Greek and Maronite minority communities live in enclaves and suffer from social and economic disadvantages. The small Kurdish population is reportedly subject to discrimination in employment. Both groups have complained of surveillance by TRNC authorities.

LGBT+ people reportedly face social stigmatization, though same-sex sexual activity was decriminalized in 2014, and discrimination based on sexual orientation or gender identity is prohibited by law.

The TRNC lacks legal protections for asylum seekers, raising concerns about possible refoulement. Some Turkish nationals suspected of belonging to the Gülen movement have been deported to Turkey, where they face persecution. However, as of mid-2022, 110 asylum seekers resided in the territory under the mandate of the UN refugee agency. In recent years, tens of thousands of migrants and asylum seekers, including many from African countries, have arrived in Northern Cyprus on student visas and either faced exploitative working conditions or crossed into the south to file asylum applications, straining the Republic of Cyprus's capacity to process them.

G. PERSONAL AUTONOMY AND INDIVIDUAL RIGHTS: 11 / 16

G1. Do individuals enjoy freedom of movement, including the ability to change their place of residence, employment, or education? 3 / 4

Movement within the TRNC territory is generally unrestricted. However, travel abroad is complicated by the TRNC's lack of international recognition. The only direct flights from the TRNC are to Turkey. Most governments do not accept TRNC travel documents, so many Turkish Cypriots carry Republic of Cyprus passports, for which they are eligible. Movement across the UN buffer zone dividing the island has improved since 2004 due to the opening of new border crossings. However, in response to large numbers of migrants and asylum seekers crossing from north to south, the Republic of Cyprus has imposed new checkpoint restrictions, and in April 2022 it announce plans to install an electronic surveillance system along the buffer zone.

A number of former civilian municipalities have been under Turkish military control since 1974, with bans on settlement or resettlement. In 2020, with Ankara's support, the government partially opened the closed town of Varosha (Maraş), which had once been a popular tourist destination. The move drew objections from Varosha's former Greek Cypriot residents and the UN Security Council, which had long warned against any unilateral change in the town's status or settlement by people other than its previous inhabitants. As of 2022, parts of Varosha remained open to visitors but not to resettlement.

G2. Are individuals able to exercise the right to own property and establish private businesses without undue interference from state or nonstate actors? 3 / 4

The authorities recognize the rights to own property and establish businesses. In practice these rights are somewhat limited, as authorities have in various ways attempted to prevent the sale of historically Turkish Cypriot properties to foreigners. The TRNC formed the Immovable Property Commission (IPC) in 2006 to resolve claims by Greek Cypriots who owned property in the north before the island's 1974 division. In 2010, the European Court of Human Rights recognized the commission as an "accessible and effective" mechanism. However, its work has been seriously impaired in recent years by a lack of funding from the government and Ankara.

G3. Do individuals enjoy personal social freedoms, including choice of marriage partner and size of family, protection from domestic violence, and control over appearance? 3 / 4

Personal social freedoms are generally respected, though women's organizations have criticized the government for failing to adequately address the problems of rape and domestic violence. According to multiple surveys in recent years, about one in three women have

experienced such violence. However, figures released in 2019 suggested that reporting of abuse was increasing significantly.

G4. Do individuals enjoy equality of opportunity and freedom from economic exploitation? 2 / 4

While TRNC citizens generally have access to economic opportunity and protections from abusive working conditions, noncitizens often experience exploitation and lack mechanisms for appeal. Human trafficking and forced prostitution are serious problems, despite a nominal legal ban on prostitution. Foreign women employed in the territory's nightclub sector are particularly exposed to exploitative conditions. The TRNC formally criminalized trafficking for the first time in 2020, but it does not fund enforcement efforts or provide protection or services to victims. Observers also report that some authorities are complicit in trafficking.

In 2021–22, there were nearly 44,000 students from Turkey and more than 50,000 foreign students from another 145 countries in the TRNC. Many young people are brought to the island by traffickers under the false impression that they would be given a student visa and also be able to work legally; in other cases, they arrive with plans to study but have their passports seized and are forced to work. There is evidence of cooperation between Turkish Cypriot and Greek Cypriot traffickers, with the latter smuggling workers from north to south.

Pakistani Kashmir

Population: 5,500,000
Freedom Status: Not Free

Note: *Freedom in the World* reports assess the level of political rights and civil liberties in a given geographical area, regardless of whether they are affected by the state, nonstate actors, or foreign powers. Disputed territories are sometimes assessed separately if they meet certain criteria, including boundaries that are sufficiently stable to allow year-on-year comparisons. For more information, see the report methodology.

Overview: Pakistani Kashmir is administered as two territories: Azad Jammu and Kashmir (AJK) and Gilgit-Baltistan (GB). Each has an elected assembly and government with limited autonomy, but they lack the parliamentary representation and other rights of Pakistani provinces, and Pakistani federal institutions have predominant influence over security, the courts, and most important policy matters. Politics within the two territories are carefully managed to promote the idea of Kashmir's eventual accession to Pakistan. Freedoms of expression and association, and any political activity deemed contrary to Pakistan's policy on Kashmir, are restricted.

KEY DEVELOPMENTS IN 2022

- In April, after Pakistani prime minister Imran Khan was ousted in a parliamentary no-confidence vote, the AJK branch of his party, Pakistan Tehreek-e-Insaf (PTI), replaced its own prime minister with another PTI leader, Sardar Tanveer Ilyas, who reaffirmed the branch's allegiance to Khan.

- The cease-fire along the Line of Control (LoC) between Pakistani and Indian forces held during 2022, but there were isolated incidents of sectarian violence and militancy in GB.
- GB's constitutional ambiguity remained unresolved as the Pakistani government—both before and after Khan's ouster—failed to advance an amendment that would give residents greater political rights.
- Three rounds of local government elections were held in AJK after a hiatus of three decades. The PTI took slightly fewer seats than the Pakistan People's Party (PPP) and the Pakistan Muslim League–Nawaz (PML-N) combined.

POLITICAL RIGHTS: 9 / 40

A. ELECTORAL PROCESS: 4 / 12

A1. Was the current head of government or other chief national authority elected through free and fair elections? 1 / 4

Both AJK and GB have locally elected executive leaders. However, the Pakistani government controls—directly and indirectly—key executive functions, and it is unaccountable to voters in the territories.

Under AJK's 1974 interim constitution, a president elected by the Legislative Assembly serves as head of state, while the elected prime minister is the chief executive. After the July 2021 elections, in which the PTI won a majority in the assembly, Sultan Mehmood Chaudhry, longtime head of the PTI in AJK, was elected president. PTI representative Abdul Qayyum Niazi was elected prime minister, having been nominated to the position by then Pakistani prime minister and overall PTI leader Imran Khan. Niazi resigned in April 2022 following a no-confidence vote by his own PTI legislators. The assembly then elected another PTI member, Sardar Tanveer Ilyas, to replace him.

An AJK Council based in Pakistan's capital, Islamabad, comprises both Kashmiri and Pakistani officials and is chaired by the Pakistani prime minister. The council holds a number of executive, legislative, and judicial powers, including control over the appointment of superior judges and the chief election commissioner.

Under the Government of Gilgit-Baltistan Order 2018, executive functions in GB are shared between a Pakistani-appointed governor and a chief minister chosen by the GB Assembly (GBA). The governor signs legislation and has significant power over judicial appointments; the governor's decisions cannot be overruled by the GBA. The 2018 order also grants extensive executive and legislative authorities to the Pakistani prime minister.

Khalid Khurshid Khan of the PTI was elected as GB chief minister in December 2020 after GBA elections returned a PTI majority, and he remained in office during 2022. In June 2022, however, Raja Jalal Hussein Maqpoon, a former PTI party chief in GB, resigned as governor of the territory. The Pakistani government replaced him with a PPP nominee, Syed Mehdi Shah, in August; the move reflected the April change in leadership in Islamabad, where new Pakistani prime minister Shehbaz Sharif relied on support from both his own PML-N and the PPP.

A2. Were the current national legislative representatives elected through free and fair elections? 2 / 4

The AJK Legislative Assembly has 53 seats, including 45 directly elected general seats, 5 seats reserved for women, and 3 seats reserved for clerics, technocrats, and overseas Kashmiris; 12 of the general seats are elected by Kashmiri refugees living in Pakistan. Assembly elections were held in AJK in July 2021. Isolated incidents of voting interference were reported, and three campaign workers were killed in election-related violence. Most

seats were filled by representatives of Pakistan's main national political parties, though the AJK-based Muslim Conference and Jammu Kashmir People's Party (JKPP) each took one seat. The PTI won a majority with 26 elected seats, while the PPP took 11 and the PML-N captured 6. After the allocation of reserved seats, the PTI held 32 out of 53 seats in the assembly. This followed the well-established pattern for AJK and GB, whereby the party in power at the federal level in Pakistan tends to win elections in Pakistani Kashmir.

The 33-member GBA is composed of 24 directly elected members, six seats reserved for women, and three seats reserved for technocrats. The GBA's legislative authority is limited to certain subjects, and even discussion of some topics—foreign affairs, defense, internal security, and judicial conduct—is prohibited by the Government of Gilgit-Baltistan Order 2018. The GBA exercises some legislative powers previously allocated to the Gilgit-Baltistan Council (GBC). The council, which now has an advisory role, is headed by the Pakistani prime minister and vice-chaired by the GB governor; it includes six members chosen by the GBA and six Pakistani ministers or Parliament members chosen by the Pakistani prime minister. The GB chief minister also has a seat.

Elections to the GBA were held in November 2020. The PTI emerged as the largest party, with 10 of the 24 directly elected seats. Several independents then joined the PTI, and after reserved seats were filled through proportional representation, the party controlled 22 out of 33 seats. The PPP and PML-N—which took five and three seats, respectively—both initially complained of election rigging and refused to accept the results, but they eventually took up their seats in the new assembly. Smaller parties secured the remaining three seats.

Both territories have local-level government bodies, but council elections have been rare in practice. Three rounds of local voting were conducted in AJK in November and December 2022, marking the first such elections since 1991; the PTI took a plurality of seats, though it was slightly less than the combined total for the PML-N and PPP. No parallel balloting was held in GB, which had not elected local councils in nearly two decades.

Neither AJK nor GB is represented in the Pakistani Parliament.

A3. Are the electoral laws and framework fair, and are they implemented impartially by the relevant election management bodies? 1 / 4

The electoral framework in both territories facilitates indirect control by the Pakistani authorities. For example, the AJK Council appoints the chief election commissioner, and the electoral system for the AJK Legislative Assembly disproportionately favors nonresident refugees over AJK residents. The nonresident elections are more vulnerable to manipulation by federal Pakistani authorities, and the party in office at the federal level tends to win these seats. Candidates in the AJK elections must formally endorse "the ideology of Pakistan" and Kashmir's accession to Pakistan.

The election code of conduct for GB requires parties and candidates to refrain from any action or speech that could be deemed prejudicial to the "ideology of Pakistan" or the country's security. This vague provision can be used to exclude candidates associated with nationalist parties or those disfavored by the Pakistani authorities.

B. POLITICAL PLURALISM AND PARTICIPATION: 4 / 16

B1. Do the people have the right to organize in different political parties or other competitive political groupings of their choice, and is the system free of undue obstacles to the rise and fall of these competing parties or groupings? 1 / 4

Politics in both AJK and GB are dominated by local branches of the main Pakistani parties and some local parties, such as AJK's Muslim Conference, that are closely allied with the Pakistani establishment. Small nationalist parties opposed to union with Pakistan

are actively marginalized or barred outright from the political process. Activists accused of opposition to Pakistani rule have been subject to surveillance, harassment, and sometimes imprisonment. The interim constitution of AJK bans political parties that do not endorse the territory's eventual accession to Pakistan, and similar rules prevail in GB.

B2. Is there a realistic opportunity for the opposition to increase its support or gain power through elections? 1 / 4

There is ample precedent for transfers of power between the major parties, though these are typically influenced by parallel changes at the federal level in Pakistan.

Prior to the 2021 elections in AJK, the PML-N was the incumbent party in the region, while the PTI was the incumbent party in Pakistan. Both parties sought to leverage incumbency advantages in the 2021 voting, which the PTI ultimately won.

B3. Are the people's political choices free from domination by forces that are external to the political sphere, or by political forces that employ extrapolitical means? 1 / 4

Because voters in GB and AJK cannot participate in Pakistani elections, Pakistani federal officials and entities are not democratically accountable to them. Security agencies operating in both territories are federal institutions. They work to block and suppress any parties or politicians that adopt positions deemed to conflict with Pakistani interests.

B4. Do various segments of the population (including ethnic, racial, religious, gender, LGBT+, and other relevant groups) have full political rights and electoral opportunities? 1 / 4

Men and women have the right to vote in both territories. Although there is no bar on women contesting general seats in the legislatures, women rarely exercise this right in practice. Instead, general seats tend to be filled by men. The seats reserved for women are filled proportionally from party lists based on the general vote, meaning the parties themselves determine who will represent women's interests.

Shiite Muslims, Sunni Muslims, and members of the Ismaili offshoot of Shia Islam are represented in the GBA, having won directly elected seats. Members of the heterodox Ahmadi sect, who suffer systematic discrimination in Pakistan, are poorly represented in GB's political system, as are members of the territory's Christian minority.

C. FUNCTIONING OF GOVERNMENT: 3 / 12

C1. Do the freely elected head of government and national legislative representatives determine the policies of the government? 1 / 4

The powers of the elected chief executives in AJK and GB are limited by the fact that the Pakistani prime minister, the Pakistani minister for Kashmir Affairs and Gilgit-Baltistan, and the federal civil service exercise effective control over government operations in both territories. As in Pakistan, federal military and intelligence agencies also play a powerful role in governance and policymaking.

The territories lack any meaningful fiscal autonomy, as federal taxes are imposed on both, and they receive a share of the resulting funds from the federal government. The territories' local representatives are excluded from the Pakistani bodies that negotiate interprovincial resource allocation.

There has been a sustained debate on the idea of enhancing GB's status in the Pakistani constitution by designating it as a provisional province, granting its legislators powers on par with those delegated to Pakistan's four existing provinces, and giving GB representation in the federal Parliament. In 2019, the Pakistani Supreme Court instructed the Pakistani government to fully address GB's constitutional status, prompting a protracted effort to comply.

The PTI-led Pakistani government drafted a constitutional amendment in line with the court ruling, and in early 2022 it referred the draft to the GBA for consultation, but the measure made no further progress during the year. Some opposition to granting GB provincial status is rooted in the idea that the territory is inseparable from AJK and Indian-controlled Kashmir, and that resolving GB's status would undercut Pakistan's claims to the rest of the disputed region.

C2. Are safeguards against official corruption strong and effective? 1 / 4

Both territories have formal safeguards against official corruption, and GB is within the jurisdiction of Pakistan's National Accountability Bureau. However, as in Pakistan, corruption remains endemic, with enforcement actions subject to political influence.

C3. Does the government operate with openness and transparency? 1 / 4

Transparency and access to government information are limited. The AJK and GB governments have made gestures toward transparency by posting basic information about their operations online, but such disclosures remain infrequent and inadequate. Journalists in GB complain that in the absence of a right-to-information law for the territory, government departments have blocked information requests.

ADDITIONAL DISCRETIONARY POLITICAL RIGHTS QUESTION

Is the government or occupying power deliberately changing the ethnic composition of a country or territory so as to destroy a culture or tip the political balance in favor of another group? −2 / 0

The Sunni Muslim share of the population in GB—historically a Shiite-majority region—has increased in the decades since a pre-1947 rule was abolished to allow immigration from different parts of Pakistan. State agencies are suspected of deliberately encouraging this migration to engineer demographic change. Under the 2009 Gilgit-Baltistan Empowerment and Self-Governance Order, settlers were given formal citizenship rights in GB; critics of a clause in the Government of Gilgit-Baltistan Order 2018 have argued that it appears to extend GB citizenship rights to all Pakistani citizens, further encouraging settlement. The pre-1947 restrictions on acquiring residency and citizenship are still in place in AJK and have assumed greater significance since the Indian authorities eased similar restrictions in Indian-administered Jammu and Kashmir in early 2020.

CIVIL LIBERTIES: 20 / 60

D. FREEDOM OF EXPRESSION AND BELIEF: 6 / 16

D1. Are there free and independent media? 1 / 4

AJK and GB are subject to laws that curb freedom of expression, particularly regarding reporting or commentary on the political status of the territories. Media houses need permission from the AJK Council and the federal Ministry of Kashmir Affairs and Gilgit-Baltistan to operate. Pakistani state agencies frequently issue media advice to GB-based journalists to guide coverage of topics that are deemed sensitive, and journalists engage in self-censorship. Coverage of news and politics in both territories mirrors official Pakistani narratives, including the notions that India's hold over the Kashmir Valley is illegitimate and that all Kashmiris seek accession to Pakistan.

D2. Are individuals free to practice and express their religious faith or nonbelief in public and private? 1 / 4

Both territories have a predominantly Muslim population, and there is no official or social tolerance of nonbelief. Tools used to compel expressions of belief and conformity with official interpretations of religious doctrine include laws criminalizing blasphemy, rules requiring observance of Ramadan, and an obligation to denounce the heterodox Ahmadi sect to obtain a Pakistani passport. There is a history of Sunni-Shiite sectarian violence in GB, and one major incident took place in 2022, when a Shiite ceremony in Gilgit at the beginning of the holy month of Muharram led to clashes that left two Shiites dead and 17 other people wounded.

D3. Is there academic freedom, and is the educational system free from extensive political indoctrination? 2 / 4

Each territory is home to a growing education system, and education is much valued as a path to migration and employment. However, in academia there are acute sensitivities around the issue of constitutional status, and debate or materials questioning Pakistan's claims over Kashmir are not tolerated. Student union activity has long been subject to state monitoring. Local languages and scripts are not taught in government schools. There is a history of attacks on schools in the Darel Valley by Islamist militants who oppose secular and girls' education.

D4. Are individuals free to express their personal views on political or other sensitive topics without fear of surveillance or retribution? 2 / 4

Federal intelligence agencies maintain a prominent and intrusive presence in both territories. Discussion of heterodox political or religious views consequently carries significant risks. The authorities have increased their monitoring of social media, using Pakistan's 2016 Prevention of Electronic Crimes Act to sporadically punish expression of anti-Pakistan or separatist opinions.

E. ASSOCIATIONAL AND ORGANIZATIONAL RIGHTS: 4 / 12

E1. Is there freedom of assembly? 1 / 4

The authorities' observance of freedom of assembly is highly discretionary. The Pakistani state traditionally uses AJK as a platform for protests against Indian control of Jammu and Kashmir and the treatment of the population on the Indian side of the LoC, with multiple officially orchestrated anti-India demonstrations proceeding on key anniversaries each year. Protests that do not directly challenge Pakistani control or the territories' constitutional status are more likely to be tolerated. The authorities rely on harassment, intimidation, and the use of security checkpoints to deter unapproved protests. Overall, assemblies are notably more frequent in GB than in AJK.

During 2022, teachers in AJK resumed protests over wages and working conditions, and a variety of trade groups and other civil society representatives in GB staged strikes and protests to express opposition to new taxes imposed by the GBA.

E2. Is there freedom for nongovernmental organizations, particularly those that are engaged in human rights– and governance-related work? 1 / 4

Humanitarian nongovernmental organizations (NGOs) are subject to strict registration requirements and thus operate at the pleasure of the authorities. NGOs working on political or human rights issues face more intrusive government scrutiny and, in some cases, harassment.

E3. Is there freedom for trade unions and similar professional or labor organizations? 2 / 4

AJK is subject to labor laws similar to those in Pakistan. However, unions and professional organizations are frequently barred. Labor laws and union activities are poorly developed in GB.

F. RULE OF LAW: 4 / 16

F1. Is there an independent judiciary? 1 / 4

Both territories have nominally independent judiciaries, but the Pakistani federal government plays a powerful role in judicial appointments. On politically sensitive issues, the AJK and GB courts are not considered to operate with independence from the executive in Pakistan.

The president of AJK, in consultation with the AJK Council, appoints the territory's chief justice. Other superior court judges are appointed by the AJK president on the advice of the council, after consultation with the chief justice. The chief judge and other judges of GB's Supreme Appellate Court are appointed for three-year terms by the prime minister of Pakistan on the recommendation of the governor. In its 2019 ruling on GB's 2018 governance order, the Pakistani Supreme Court essentially extended its jurisdiction to GB residents and courts, adding to the legal ambiguity surrounding the territory's constitutional status.

F2. Does due process prevail in civil and criminal matters? 1 / 4

The civilian court systems in both territories feature basic due process guarantees, including defense lawyers and a right to appeal, but arbitrary arrests and other violations are not uncommon, particularly in security-related cases. Pakistan's Anti-Terrorism Act (ATA), which is often used to suppress dissent, includes vaguely defined offenses, allows extended detention without trial, and applies to juveniles, among other problematic features.

F3. Is there protection from the illegitimate use of physical force and freedom from war and insurgencies? 2 / 4

Torture and deaths in custody at the hands of security forces have been reported, especially in the cases of independence supporters and other activists. Separately, armed extremist groups devoted largely to attacks on Indian-administered Jammu and Kashmir operate from AJK and GB and have links with similar factions based in Pakistan and Afghanistan. A lull in attacks by these groups on targets in AJK and GB continued through most of 2022. In October, fighters from a militant group blocked the main Karakoram Highway in Chilas, briefly holding a GB minister hostage to press for the release of jailed comrades.

A 2003 cease-fire agreement between the Indian and Pakistani armies was intended to protect AJK from attacks across the LoC. However, sporadic skirmishing continued, and during 2020, the two armies engaged in near-constant exchanges of fire after a 2019 suicide bombing killed Indian troops. Although some of the firing struck military targets, it was often directed at civilians. The Indian and Pakistani armies renewed the cease-fire in early 2021, and it held through 2022.

F4. Do laws, policies, and practices guarantee equal treatment of various segments of the population? 0 / 4

As in Pakistan, women in the territories face economic discrimination, disadvantages under personal status laws, and abusive customary practices, the perpetrators of which often enjoy impunity. LGBT+ people and members of ethnic minority or non-Sunni religious groups also suffer from discrimination, and Afghan refugees encounter harassment and

pressure to return to Afghanistan. Pakistani authorities have been reluctant to offer citizenship to people displaced from Indian-administered Jammu and Kashmir; these refugees have periodically been subjected to abuse and arbitrary arrest for demanding greater rights.

G. PERSONAL AUTONOMY AND INDIVIDUAL RIGHTS: 6 / 16

G1. Do individuals enjoy freedom of movement, including the ability to change their place of residence, employment, or education? 2 / 4

The people of AJK and GB have Pakistani national identity cards and passports. They are internationally recognized as Pakistani nationals, allowing for external travel. However, there are reports of passports being denied for those suspected of questioning Pakistani control over the region. The heavy military presence and the threat of shelling along the LoC restricts internal movement for civilians. Residents and travelers risk accidentally straying across the LoC and being stranded or detained.

G2. Are individuals able to exercise the right to own property and establish private businesses without undue interference from state or nonstate actors? 2 / 4

AJK's pre-1947 state subject law, which bars outsiders from seeking permanent residency, allows only legal residents to own property. Since the 2015 launch of major Chinese-backed infrastructure projects in GB as part of the China-Pakistan Economic Corridor, there has been an increase in local protests over land rights in the territory. Residents have accused the state of abusing powers dating back to 19th-century Sikh rulers to seize land for development projects and security purposes. Procedures for establishing private enterprises in both territories are onerous.

G3. Do individuals enjoy personal social freedoms, including choice of marriage partner and size of family, protection from domestic violence, and control over appearance? 1 / 4

The legal framework in AJK and GB criminalizes domestic violence and so-called honor killings, but harmful traditional practices related to sex, marriage, and personal behavior often prevail amid weak enforcement of formal protections, especially in more socially conservative areas. Informal justice mechanisms operating at the village level are the first point of recourse for many incidents involving sexual or domestic violence against women, and their judgments can inflict further harm on victims.

G4. Do individuals enjoy equality of opportunity and freedom from economic exploitation? 1 / 4

Both territories, but particularly GB, have historically been less economically developed than Pakistan, and their population has depended on labor migration to supplement incomes. The lack of local control over extractive industries prompts periodic complaints that residents are being deprived of the benefits of natural resources.

Child labor is known to occur, though the AJK government banned the practice by passing the Restriction of Employment of Children Act 2016 and amending it in 2017. Under this legislation, businesses in AJK cannot hire residents under the age of 17. Laws against sex and labor trafficking in general are poorly enforced.

Somaliland

Population: 4,500,000
Freedom Status: Partly Free

Note: *Freedom in the World* reports assess the level of political rights and civil liberties in a given geographical area, regardless of whether they are affected by the state, nonstate actors, or foreign powers. Disputed territories are sometimes assessed separately if they meet certain criteria, including boundaries that are sufficiently stable to allow year-on-year comparisons. For more information, see the report methodology.

Overview: Somaliland—whose self-declared independence from Somalia is not internationally recognized—has seen a consistent erosion of political rights and civic space. Journalists and public figures face pressure from authorities. Minority clans are subject to political and economic marginalization, and violence against women remains a serious problem.

KEY DEVELOPMENTS IN 2022

- In September, the National Electoral Commission (NEC) announced that the presidential election—scheduled to be held at the end of incumbent president Muse Bihi Abdi's mandate in November—had been postponed until July 2023 due to "time, technical, and financial constraints." The opposition later accused Bihi of deliberately disrupting the work of the NEC in order to secure such a delay.
- In October, the parliament's upper house, the Guurti, extended Bihi's mandate by a further two years to November 2024, and unilaterally extended its own mandate by five years. The opposition refused to recognize these extensions as legitimate. Elections to the Guurti, scheduled for May, did not take place.
- The direct election of the country's three official political parties was set to be held in December, when the incumbent parties' licenses expired, but did not take place before year's end.

POLITICAL RIGHTS: 18 / 40 (−4)

ELECTORAL PROCESS: 4 / 12 (−3)

A1. Was the current head of government or other chief national authority elected through free and fair elections? 1 / 4 (−2)

The president is directly elected for a maximum of two five-year terms and appoints the cabinet. In 2017, after two years of delay, Somaliland held its third presidential election. Muse Bihi Abdi of the Peace, Unity, and Development Party (Kulmiye) won with 55 percent of the vote, while runner-up Abdurahman Mohamed Abdullahi of the Somaliland National Party (Waddani) took 40 percent. International observers concluded the process was credible; some instances of bribery and intimidation at polling places did not significantly affect the final result.

In late 2021, the Bihi government began pushing for changes to the electoral calendar that would delay the presidential election scheduled for November 2022. In September 2022, the NEC announced that the presidential election would be postponed until July 2023 due to "time, technical, and financial constraints." However, in October, the parliament's upper house extended President Bihi's mandate to November 2024, giving the president two extra years in office rather than the nine months requested by the NEC. Somaliland's

main opposition parties refused to recognize Bihi's presidency as legitimate past the original November election date.

Score Change: The score declined from 3 to 1 because the electoral commission postponed the presidential election until 2023, while the parliament's upper house illegitimately extended the incumbent president's term by two years.

A2. Were the current national legislative representatives elected through free and fair elections? 1 / 4 (−1)

Members of the 82-seat lower legislative chamber, the House of Representatives, are directly elected for five-year terms, while members of the 82-seat upper chamber, the Guurti, are clan elders indirectly elected for six-year terms.

Long-delayed parliamentary and local elections were held in May 2021. The two opposition parties, Waddani and the Justice and Welfare Party (UCID), won 31 and 21 seats, respectively, enough to form a coalition government. The ruling party, Kulmiye, won 30 seats. Election observers noted some irregularities in the polls, and voter turnout was 65 percent. Despite the credibility and competitiveness of the elections, fighting between clans in the Togdheer, Sool, and Sanaag regions killed dozens of people in the months leading up to the vote.

The Guurti has repeatedly extended its mandate since its members were initially selected in 1997. Guurti elections scheduled for May 2022 did not take place. In October, the Guurti unilaterally extended its own mandate by five years. The reason for this decision remained unclear as of year's end.

Score Change: The score declined from 2 to 1 due to the upper house's unilateral extension of its own term by five years.

A3. Are the electoral laws and framework fair, and are they implemented impartially by the relevant election management bodies? 2 / 4

The legal and administrative framework for elections is largely fair, but ambiguities in some laws as well as technical and logistical challenges have led to chronic election delays.

Three open seats on the seven-member NEC were filled in September 2022, when the parliament unanimously approved two nominees put forward by the president and one put forward by the Guurti. Members of the opposition had initially rejected the nominees in June. Delays caused by the confirmation process for the new commissioners contributed to the NEC's postponement of the November presidential election. Opposition leader Faisal Ali Waraabe of the UCID accused the president of having "tactically disbanded" the NEC in order to delay the vote.

B. POLITICAL PLURALISM AND PARTICIPATION: 10 / 16

B1. Do the people have the right to organize in different political parties or other competitive political groupings of their choice, and is the system free of undue obstacles to the rise and fall of these competing parties or groupings? 3 / 4

The constitution allows for a maximum of three officially recognized political parties. In 2021, the parliament amended existing electoral laws to establish the direct election of political parties; the three that take the most votes are declared eligible to contest national elections for a period of 10 years and compete freely in practice. The system is meant to encourage alliances across clan divisions, but clan and party affiliation remain closely aligned.

The first direct election of political parties was set to be held in December 2022, one month after the scheduled presidential election. A dispute between the ruling party and the opposition over the order in which the two polls should be held remained unresolved at year's end following the postponement of both elections.

B2. Is there a realistic opportunity for the opposition to increase its support or gain power through elections? 3 / 4

The political system allows democratic transfers of power between rival parties. In the parliamentary and local elections held in May 2021, the two opposition parties, the UCID and Waddani, overtook the formerly ruling Kulmiye party to form a ruling alliance.

B3. Are the people's political choices free from domination by forces that are external to the political sphere, or by political forces that employ extrapolitical means? 2 / 4

Clan elders play an influential role in politics, both directly with their kinsmen and through the currently unelected Guurti, which has the authority to extend officials' terms in office and approve election dates.

B4. Do various segments of the population (including ethnic, racial, religious, gender, LGBT+, and other relevant groups) have full political rights and electoral opportunities? 2 / 4

Women and various clans formally enjoy equal political rights. However, larger clans tend to dominate political offices and leadership positions. Cultural barriers also limit women's political participation. No women won seats in the May 2021 parliamentary elections.

C. FUNCTIONING OF GOVERNMENT: 4 / 12 (−1)

C1. Do the freely elected head of government and national legislative representatives determine the policies of the government? 1 / 4 (−1)

The 2021 elections provided a new legislative mandate to elected representatives. Decisions made by national authorities are implemented in most of Somaliland's claimed territory.

Chronic election delays have at times undermined the legitimacy of the elected government, including in 2022. In September, the NEC announced that the presidential election, scheduled to be held at the end of incumbent president Bihi's mandate in November, would be postponed until July 2023, due to "time, technical, and financial constraints." In October, the Guurti further extended President Bihi's term to November 2024. The Guurti also unilaterally extended its own mandate, which had already expired, for five more years. The opposition refused to recognize these term extensions as legitimate, though both Bihi and the Guurti remained in office at year's end.

The direct election of Somaliland's three official political parties was set to be held in December 2022, when the incumbent parties' licenses expired, but did not take place before year's end.

Score Change: The score declined from 2 to 1 due to the ambiguous postponement of presidential elections and the illegitimate extension of the incumbent's term.

C2. Are safeguards against official corruption strong and effective? 1 / 4

Somaliland has few institutional safeguards against corruption and nepotism. Prosecutions of officials for malfeasance are rare. An anticorruption commission created in 2010 has been ineffective.

C3. Does the government operate with openness and transparency? 2 / 4

The government operates with relative transparency in many respects but is more opaque regarding contracts for major projects. Journalists and civil society activists who attempt to scrutinize government activities often face harassment.

CIVIL LIBERTIES: 26 / 60 (−1)

D. FREEDOM OF EXPRESSION AND BELIEF: 8 / 16

D1. Are there free and independent media? 2 / 4

A variety of print, television, and online news outlets operate, but many have political affiliations, and the state-run broadcaster has a monopoly in the radio sector. The penal code criminalizes defamation and other vaguely defined press offenses, such as circulation of "false, exaggerated, or tendentious news." The government has restricted the registration of new newspapers.

Journalists have faced arbitrary arrests, threats, and assaults; impunity for such crimes is common. In April 2022, police arrested 10 journalists who were covering an attempted mass prison break in Hargeisa; security forces also raided the offices of independent media outlet Horn Cable TV in an attempt to prevent broadcast coverage of the incident. In August, Horyaal 24 TV cameraman Abdinasir Abdi Nour and reporter Ahmed-Zaki Ibrahim Mohamood were arrested while covering opposition protests in Hargeisa and detained for nearly two weeks.

D2. Are individuals free to practice and express their religious faith or nonbelief in public and private? 2 / 4

Islam is the state religion. The constitution allows for freedom of belief but prohibits conversion from Islam and proselytizing by members of other faiths. Places of worship must obtain government permission to operate, though there is no mechanism to register religious organizations.

D3. Is there academic freedom, and is the educational system free from extensive political indoctrination? 2 / 4

Teachers and professors are often able to pursue academic activities of a political and quasi-political nature without fear of intimidation. While funds allocated for public schools are uneven across the regions, they are generally free from overt political manipulation.

D4. Are individuals free to express their personal views on political or other sensitive topics without fear of surveillance or retribution? 2 / 4

While individuals can express themselves with relative freedom on political matters, remarks on sensitive social and cultural issues are subject to censure and retribution. Arrests and convictions for controversial social media posts have contributed to greater self-censorship online among residents.

E. ASSOCIATIONAL AND ORGANIZATIONAL RIGHTS: 5 / 12 (−1)

E1. Is there freedom of assembly? 1 / 4 (−1)

The constitution allows for freedom of assembly, but organized public demonstrations are infrequent, and authorities sometimes employ violence to disperse protests. Despite initially experiencing harassment from security forces, opposition parties were able to hold public events and rallies in the lead up to the May 2021 parliamentary elections.

In August 2022, security forces used tear gas and live ammunition to forcibly disperse opposition protesters who had taken to the streets to demand that the government not delay

the upcoming November presidential election. The demonstrations were marked by violent clashes between protesters—some throwing stones and burning tires—and security forces firing live ammunition. At least 5 people were killed and 100 injured during the protests.

Score Change: The score declined from 2 to 1 because authorities violently repressed opposition protesters demonstrating against the postponement of the presidential election, resulting in at least 5 deaths and 100 injuries.

E2. Is there freedom for nongovernmental organizations, particularly those that are engaged in human rights– and governance-related work? 2 / 4

Local and international nongovernmental organizations (NGOs) often operate without serious interference, but can face harassment for their work.

E3. Is there freedom for trade unions and similar professional or labor organizations? 2 / 4

The constitution does not explicitly protect the right to strike, though it does permit collective bargaining. The right to belong to a union is generally respected.

F. RULE OF LAW: 7 / 16

F1. Is there an independent judiciary? 2 / 4

Although some progress has been made in reforming the judicial system in recent years, the judiciary lacks independence, sufficient funding, and proper training. Judges are often partisan, and selected based on clan or political affiliation.

However, in January 2022, the Supreme Court ruled against the government to affirm the legality of existing electoral laws, rejecting amendments that would have prevented incumbent political parties from contesting elections until a direct election of the country's three official parties could be held.

F2. Does due process prevail in civil and criminal matters? 2 / 4

Due process is observed unevenly. Poverty and political factors play a role in how cases are charged and investigated, and whether there is adequate and timely representation for the defendant. Both customary law and Sharia (Islamic law) are used alongside civil law, which complicates adherence to statutory procedure. In practice, police arrest individuals arbitrarily and hold detainees without charge for extended periods. Lawyers are frequently denied access to detained clients. Long delays in court cases are common.

F3. Is there protection from the illegitimate use of physical force and freedom from war and insurgencies? 1 / 4

Somaliland's police and security forces have been accused of using excessive force, and conditions in detention centers are harsh and overcrowded. Fighting between clans in the Togdheer, Sool, and Sanaag regions killed dozens in the run-up to the May 2021 elections.

F4. Do laws, policies, and practices guarantee equal treatment of various segments of the population? 2 / 4

Members of smaller clans face discrimination, limited access to public services, and prejudice in the justice system. Clan connections play a critical role in securing employment.

Women also suffer from inequality, including in the Sharia and customary legal systems. Same-sex sexual relations are criminalized, and LGBT+ people are generally not publicly open about their sexual orientation or gender identity.

G. PERSONAL AUTONOMY AND INDIVIDUAL RIGHTS: 6 / 16

G1. Do individuals enjoy freedom of movement, including the ability to change their place of residence, employment, or education? 2 / 4

Freedom of movement is respected to some extent, but traffic between Somaliland and Puntland is restricted, and the Somaliland government limits travel to and from Somalia's federal capital, Mogadishu. Clan divisions hinder individuals' ability to relocate within the territory.

In October 2021, Somaliland authorities began expelling Somali nationals from the disputed Sool region, claiming they were a security threat.

G2. Are individuals able to exercise the right to own property and establish private businesses without undue interference from state or nonstate actors? 2 / 4

Individuals can own property and operate private businesses without undue interference from the government. However, land disputes are common, as tenure is often complicated by lack of documentation and inconsistencies among different legal systems and state authorities.

G3. Do individuals enjoy personal social freedoms, including choice of marriage partner and size of family, protection from domestic violence, and control over appearance? 1 / 4

Personal social freedoms are constrained by several factors. Marriages between members of major and minor clans are stigmatized. Female genital mutilation (FGM) is common. In 2018, the Ministry of Religious Affairs released a religious edict banning one common type of FGM, but human rights groups criticized the edict for not fully prohibiting the practice.

Domestic violence remains a serious problem, and rape is rarely reported due to social pressures against such complaints. The Sexual Offenses Bill, which criminalized many forms of gender-based violence, was signed in 2018 by President Bihi, but was subsequently suspended by the Ministry of Religious Affairs following outcry from religious leaders. In August 2020, the House of Representatives approved the Rape, Fornication, and Other Related Offenses Bill, which would allow for child marriages, criminalize reports of rape deemed "false," and narrow the definition of rape. As of August 2022, the bill remained awaiting approval by the Guurti.

G4. Do individuals enjoy equality of opportunity and freedom from economic exploitation? 1 / 4

The informal sector, including traditional pastoral activities, accounts for much of the economy, and many households rely on remittances from relatives working in other countries. Trafficking in persons for forced labor or sexual exploitation abroad is a serious problem. Refugees and internally displaced people are also vulnerable to exploitation.

South Ossetia*

Population: 56,000
Freedom Status: Not Free

Note: *Freedom in the World* reports assess the level of political rights and civil liberties in a given geographical area, regardless of whether they are affected by the state, nonstate actors, or foreign powers. Disputed territories are sometimes assessed separately if they meet certain criteria, including boundaries that are sufficiently stable to allow year-on-year comparisons. For more information, see the report methodology.

Overview: Large parts of South Ossetia, a breakaway territory of Georgia, enjoyed de facto independence after a civil conflict ended in 1992. A 2008 war that drew in Russian forces resulted in the expulsion of the remaining Georgian government presence and most ethnic Georgian civilians. Only Russia and a handful of other states have since recognized South Ossetia's independence. The territory remains almost entirely dependent on Moscow, which exerts a decisive influence over its politics and governance. Local media and civil society are largely controlled or monitored by the authorities, and the judiciary is subject to political influence and manipulation.

KEY DEVELOPMENTS IN 2022

- In May, opposition politician Alan Gagloyev won South Ossetia's presidential election and became the new de facto leader of the territory. Incumbent president Anatoly Bibilov accepted defeat.
- After Gagloyev took office, the authorities revisited a number of high-profile criminal cases, releasing a jailed former official who had clashed with Bibilov and dropping charges against local activist and journalist Tamara Mearakishvili. Investigators also reexamined the case of Inal Dzhabiev, who was found dead in 2020 after being tortured at a detention center.
- In August, the local authorities allowed regular openings of several crossing points on the boundary with government-controlled Georgia, ending almost three years of near-total closures.

POLITICAL RIGHTS: 3 / 40 (+1)

A. ELECTORAL PROCESS: 3 / 12 (+1)

A1. Was the current head of government or other chief national authority elected through free and fair elections? 1 / 4 (+1)

The executive branch of South Ossetia's separatist government is headed by a directly elected president serving five-year terms. Although elections have occurred regularly, they are severely restricted at all stages of the process and are not monitored by independent observers or recognized by the international community.

In the May 2022 presidential contest, opposition lawmaker Alan Gagloyev defeated incumbent Anatoly Bibilov in two rounds of voting, taking some 59 percent of the runoff ballots. All five registered candidates engaged in a relatively competitive campaign, which included unprecedented and often contentious televised debates. Despite scandals involving the obstruction of observers and alleged ballot manipulation by the Bibilov camp, the conduct of the 2022 election was seen as an improvement over previous polls. Unlike in some past elections, Moscow did not make obvious attempts to support certain candidates or disrupt the electoral process.

Score Change: The score improved from 0 to 1 because the 2022 presidential election was somewhat more competitive than elections in previous years, with no candidate openly favored by Moscow.

A2. Were the current national legislative representatives elected through free and fair elections? 1 / 4

The unicameral Parliament is elected to serve five-year terms. Under a new voting system introduced for the 2019 elections, half of the 34 seats went to political parties via proportional representation, while the other half were filled through contests in single-member constituencies. In contrast to previous elections, parties reported few problems with

registration, were able to campaign, and participated in televised debates. However, more than half of the candidates for the single-member constituencies, mainly private individuals, were unable to register. The United Ossetia party of then president Bibilov won 14 seats, followed by Unity of the People (UP) with 5 and the Nykhas movement with 4. Smaller parties captured the remainder.

After President Gagloyev took office in 2022, the speaker of Parliament was replaced with a member of the former opposition who was aligned with the new president. The next parliamentary elections were scheduled for 2024.

A3. Are the electoral laws and framework fair, and are they implemented impartially by the relevant election management bodies? 1 / 4

Among other restrictions, the electoral laws require candidates to have permanently resided in South Ossetia for 10 years. The Central Election Commission (CEC) has historically rejected the applications of many aspiring candidates on various grounds, significantly narrowing the options presented to voters. New members of the CEC were selected in 2021; according to a preliminary agreement on the CEC's makeup, two belonged to United Ossetia, the ruling party at that time. Five other parties, including those in opposition, each received one seat on the commission.

B. POLITICAL PLURALISM AND PARTICIPATION: 2 / 16

B1. Do the people have the right to organize in different political parties or other competitive political groupings of their choice, and is the system free of undue obstacles to the rise and fall of these competing parties or groupings? 1 / 4

Political parties that might challenge Moscow's influence or the separatist establishment are not permitted to operate in practice. A number of parties have nevertheless been able to register and compete in recent elections, with some successfully displacing older groups.

The CEC continues to block large numbers of individual candidates. Only 39 of the 99 candidates seeking single-member seats ahead of the 2019 parliamentary polls were approved by the commission. During the 2022 presidential campaign, just five out of 17 candidates were registered. Some of the presidential candidates whose registrations were denied accused CEC officials and Bibilov supporters of interfering with their applications.

B2. Is there a realistic opportunity for the opposition to increase its support or gain power through elections? 1 / 4

South Ossetia has experienced opposition victories and transfers of power, but only among the field of candidates accepted by the Russian government and the separatist authorities. Gagloyev, who won the 2022 presidential election as an opposition candidate, had initially gained prominence during protests that called for Bibilov's resignation following the 2020 death in custody of local resident Inal Dzhabiev. Between late 2020 and March 2021, opposition forces largely boycotted parliamentary sessions, and in early 2022 they launched a campaign for Bibilov's impeachment.

B3. Are the people's political choices free from domination by forces that are external to the political sphere, or by political forces that employ extrapolitical means? 0 / 4

People whose views and interests fall outside the narrow spectrum permitted by Moscow, South Ossetian authorities, and allied private businesses cannot meaningfully participate in the political process. In 2022, a number of prominent would-be presidential candidates who were apparently disfavored by the Kremlin failed to pass the CEC registration

process, including a former president, a former foreign minister, and a sitting deputy speaker of Parliament.

B4. Do various segments of the population (including ethnic, racial, religious, gender, LGBT+, and other relevant groups) have full political rights and electoral opportunities? 0 / 4

While the territorial government includes two women ministers, the interests of women and ethnic or religious minority groups are not represented politically. Most ethnic Georgian residents have been denied the ability to participate in elections.

C. FUNCTIONING OF GOVERNMENT: 0 / 12

C1. Do the freely elected head of government and national legislative representatives determine the policies of the government? 0 / 4

The ability of elected officials to determine and implement policy is heavily influenced by Moscow. A sweeping 2015 treaty between Russia and South Ossetia closely integrates the territory's defense, security, and customs mechanisms with those of Russia. During his presidency, Bibilov spoke repeatedly of uniting the territory with Russia's North Ossetia–Alania Republic or joining the Russian Federation as a separate region. In early 2022, he promoted the idea of a new referendum on unification with Russia in an attempt to improve his standing in the presidential race. However, the deployment of poorly equipped South Ossetian soldiers to fight alongside Russian forces in Ukraine apparently cost Bibilov public support. After the May election, Gagloyev canceled the referendum, which had been set for July, citing the need for further consultations with Moscow.

C2. Are safeguards against official corruption strong and effective? 0 / 4

Official corruption is widespread in South Ossetia, and there is little effort to combat such behavior systematically. Opposition lawmakers have sought to debate the issue in Parliament, and a 2020 law imposed restrictions on conflicts of interest, requiring all civil servants to submit annual declarations to support compliance.

After winning the 2022 presidential election, Gagloyev asked the prosecutor's office to facilitate investigations into possible corruption involving members of the former administration. However, some observers characterized the initiative as part of Gagloyev's effort to consolidate power rather than a genuine and impartial bid to fight corruption.

C3. Does the government operate with openness and transparency? 0 / 4

South Ossetia's government is not transparent. In 2021, opposition lawmakers sought a no-confidence vote after the government declined to disclose the results of an audit; the vote narrowly failed.

ADDITIONAL DISCRETIONARY POLITICAL RIGHTS QUESTION

Is the government or occupying power deliberately changing the ethnic composition of a country or territory so as to destroy a culture or tip the political balance in favor of another group? −2 / 0

During the 2008 war, South Ossetian forces seized or destroyed property in previously Georgian-controlled villages, and large numbers of ethnic Georgians fled the fighting. South Ossetian authorities have since barred ethnic Georgians from returning unless they renounce their Georgian citizenship and accept Russian passports. Of approximately 20,000 ethnic Georgians displaced from their homes in South Ossetia, most have not been able to return.

Conditions for remaining ethnic Georgian residents have stabilized somewhat since the war, given the absence of open conflict across the de facto administrative line separating

South Ossetia from the rest of Georgia. However, hardships and shortages caused by extended border closures, combined with the risk that such closures could become permanent, have motivated more ethnic Georgians to leave the territory over the past several years.

CIVIL LIBERTIES: 9 / 60

D. FREEDOM OF EXPRESSION AND BELIEF: 3 / 16

D1. Are there free and independent media? 0 / 4

Local media, including the television channel Ir, the newspapers Yuzhnaya Osetiya and Respublika, and the online portal Res, are almost entirely controlled by the de facto authorities. Foreign media, including broadcasts from Russia and Georgia, remain accessible. The Russian state-owned news service Sputnik produces content in both Russian and Ossetian.

Self-censorship is pervasive, journalists sometimes face physical intimidation or assaults, and defamation charges are employed against critical outlets or reporters. In December 2022, authorities dropped a criminal case against Tamara Mearakishvili, a journalist and activist who works with Georgian and international media outlets including Radio Free Europe/Radio Liberty; Mearakishvili had originally faced charges including libel in 2017. Although the case was dropped, Mearakishvili was still seeking financial compensation for legal expenses and the return of personal belongings that were seized during her arrest, including a local passport needed for travel between South Ossetia and the rest of Georgia.

D2. Are individuals free to practice and express their religious faith or nonbelief in public and private? 1 / 4

Most residents are Orthodox Christian, though there is also a sizeable Muslim community, and others identify with the traditional pre-Christian Ossetian religion. Some property of the Georgian Orthodox Church is controlled by the South Ossetian Orthodox Church; it is reportedly difficult for Georgian clergy to travel to the territory. Jehovah's Witnesses have been banned as an "extremist" organization since 2017.

D3. Is there academic freedom, and is the educational system free from extensive political indoctrination? 1 / 4

The government exerts strong influence over the education system. The Education Ministry has been working to phase out Georgian-language education since 2017.

D4. Are individuals free to express their personal views on political or other sensitive topics without fear of surveillance or retribution? 1 / 4

Personal expression and private discussion are constrained by the political and social sensitivity of certain topics, particularly the territory's geopolitical status. Some forms of critical speech are subject to criminal punishment. However, residents are able to discuss politics and practical concerns on social media, at times drawing engagement from lawmakers and other officials.

E. ASSOCIATIONAL AND ORGANIZATIONAL RIGHTS: 2 / 12

E1. Is there freedom of assembly? 2 / 4

Freedom of assembly is partially restricted. For over a decade following the 2008 war and Russian recognition of South Ossetia's independence, residents were only occasionally permitted to protest on issues such as environmental degradation, the sluggish pace of postwar reconstruction, or animal rights. Authorities often responded to demonstrations related to political grievances by closing roads and deploying security forces. The situation changed

in 2020, when residents gathered in unusually large numbers to protest the death of Inal Dzhabiev, who was accused of participating in a gun attack on the interior minister's car; he was later found dead in a detention center, with his body showing signs of torture. The mass demonstrations were tolerated by the authorities, and public protests have since faced fewer restrictions. Opposition forces were able to hold rallies during the 2022 presidential election period.

E2. Is there freedom for nongovernmental organizations, particularly those that are engaged in human rights– and governance-related work? 0 / 4

Nongovernmental organizations (NGOs) that operate in the territory are subject to government influence. Legislative amendments in 2014 increased authorities' oversight of NGOs, subjecting organizations that receive foreign funding to broader and more frequent reporting requirements and branding them "foreign partners." NGOs that engage in conflict resolution and reconciliation are smeared by the authorities and progovernment media as agents of Tbilisi or Western intelligence services. In 2022, a number of local civil society activists made public statements about their engagements with Georgian partners, prompting harassment on social media. However, in contrast to past years, they did not face prosecutions or interrogations by the local security service.

E3. Is there freedom for trade unions and similar professional or labor organizations? 0 / 4

Trade unions in South Ossetia largely defer to the policies of the de facto leadership. In 2022, a local business association called for cooperation and support from the newly elected president, reporting that the outgoing administration had failed to engage with it in recent years.

F. RULE OF LAW: 1 / 16

F1. Is there an independent judiciary? 0 / 4

South Ossetia's judiciary is not independent. The justice system is manipulated to punish perceived opponents of the government. In 2019, a court handed former official Georgy Kabisov an eight-year prison term on embezzlement-related charges. The case was seen as heavily manipulated due to personal disputes between Kabisov and then president Bibilov. Almost immediately after Gagloyev was sworn in as president in May 2022, a local court set Kabisov free.

In June 2022, the International Criminal Court (ICC) issued arrest warrants for three former de facto officials who were accused of war crimes during the 2008 conflict. Like the Russian government, the South Ossetian authorities refused to cooperate with the ICC.

F2. Does due process prevail in civil and criminal matters? 0 / 4

South Ossetia uses a modified version of the Russian criminal code. Criminal prosecutions are employed to punish activists and individuals who question or inconvenience the authorities. After taking up his post in 2022, President Gagloyev appointed new leaders for the local prosecutor's office, which initiated cases targeting members of the former administration.

The territory's law enforcement bodies do not conduct transparent or fair investigations related to border crossings between South Ossetia and the rest of Georgia. Residents of the territory and ethnic Georgians from elsewhere in Georgia risk arrest for crossing without authorization; while most individuals are fined, some are arbitrarily detained.

F3. Is there protection from the illegitimate use of physical force and freedom from war and insurgencies? 0 / 4

Physical abuse and poor conditions are reportedly common in prisons and detention centers. At court sessions, prisoners often speak about floods and freezing temperatures at an old building that was originally intended to serve only as a temporary detention center. In 2020, after Inal Dzhabiev died in police custody, photographs of his corpse that circulated on social media showed extensive bruises. Two detainees who were implicated alongside Dzhabiev in a gun attack on the interior minister's vehicle were released after promising not to leave South Ossetia; one spent weeks undergoing medical care after release.

F4. Do laws, policies, and practices guarantee equal treatment of various segments of the population? 1 / 4

Although the law provides nominal protections for individual rights, these are not well enforced, and there are few specific or effective safeguards against discrimination based on race, ethnicity, gender, and other such categories. Ethnic Georgians continue to face discrimination in practice. There are no initiatives to recognize or support the rights of LGBT+ people.

G. PERSONAL AUTONOMY AND INDIVIDUAL RIGHTS: 3 / 16

G1. Do individuals enjoy freedom of movement, including the ability to change their place of residence, employment, or education? 1 / 4

Restrictions on freedom of movement between South Ossetia and the rest of Georgia, across what the Russian and South Ossetian authorities consider a "state border," remain in place. Russian border guards have installed barbed wire and other obstructions there to limit travel. Crossings were closed for most of 2021, in part due to COVID-19, but separate crossings into Russia remained open throughout that year.

In August 2022, South Ossetian officials agreed to open the crossings to the rest of Georgia on regular basis for at least 10 days each month. This led to an outflow of many residents who had struggled to receive Georgian salaries and pensions during the lengthy closures of the previous three years.

G2. Are individuals able to exercise the right to own property and establish private businesses without undue interference from state or nonstate actors? 0 / 4

The territory's political and military situation has negatively affected the protection of property rights, particularly for residents close to the de facto administrative boundary. Small businesses are at risk of being seized or subjected to predatory behavior by larger business groups with connections to the authorities.

G3. Do individuals enjoy personal social freedoms, including choice of marriage partner and size of family, protection from domestic violence, and control over appearance? 2 / 4

While no laws officially regulate individuals' personal appearance, statements by public officials reflect intolerance for behavior that deviates from conservative social norms. No laws or government programs specifically protect victims of domestic violence.

G4. Do individuals enjoy equality of opportunity and freedom from economic exploitation? 0 / 4

Economic opportunity has been limited by factors including the separatist government's lack of international recognition and related controls on movement and commerce. Residents living along the de facto administrative border face economic uncertainty due to unpredictable closures and changes in the boundary's exact location.

Tibet

Population: 3,660,000 [Note: This figure covers only the Tibet Autonomous Region.]
Freedom Status: Not Free

Note: *Freedom in the World* reports assess the level of political rights and civil liberties in a given geographical area, regardless of whether they are affected by the state, nonstate actors, or foreign powers. Disputed territories are sometimes assessed separately if they meet certain criteria, including boundaries that are sufficiently stable to allow year-on-year comparisons. For more information, see the report methodology.

Overview: Tibet is ruled by the Chinese Communist Party (CCP) government based in Beijing, with local decision-making power concentrated in the hands of Chinese party officials. Residents of both Han Chinese and Tibetan ethnicity are denied fundamental rights, but the authorities are especially rigorous in suppressing any signs of dissent among Tibetans, including manifestations of Tibetan religious beliefs and cultural identity. State policies, such as incentives for non-Tibetan people to migrate from other parts of China and the compulsory relocation of ethnic Tibetans, have reduced the ethnic Tibetan share of the population over time.

KEY DEVELOPMENTS IN 2022

- The Chinese government used its Zero-COVID policy to further its repressive campaign on Tibetans. COVID-19 outbreaks during the year reportedly led to the mass transfers of thousands of people to overcrowded and unsanitary isolation centers, where detainees reported lacking access to food and medical treatment, and where individuals who tested positive for the virus were housed with individuals who tested negative.
- In September, reporting from the civil society organization Citizen Lab claimed that the Chinese government had collected genetic material from nearly a third of the population in Tibet, without clearly obtaining consent from those involved. The CCP has used genetic materials collected from Uyghurs in Xinjiang to further its surveillance systems and forced ethnic change campaign in the region.

POLITICAL RIGHTS: −2 / 40

A. ELECTORAL PROCESS: 0 / 12

A1. Was the current head of government or other chief national authority elected through free and fair elections? 0 / 4

The Chinese government rules Tibet through administration of the Tibet Autonomous Region (TAR) and 12 Tibetan autonomous prefectures or counties in the nearby provinces of Sichuan, Qinghai, Gansu, and Yunnan. Under the Chinese constitution, autonomous areas have the right to formulate their own regulations and implement national legislation in accordance with local conditions. In practice, however, decision-making authority is concentrated in the hands of unelected ethnic (Han) Chinese officials of the CCP, which has a monopoly on political power. Wang Junzheng, former deputy party secretary and chief security officer in the Xinjiang Uyghur Autonomous Region (XUAR), was appointed to replace Wu Yingjie as TAR party secretary in October 2021, raising grave concerns that the leadership was planning to expand the draconian policies it had adopted in the XUAR to the TAR.

The few ethnic Tibetans who occupy senior executive positions serve mostly as figureheads or echo official doctrine. In October 2021, Yan Jinhai, an ethnic Tibetan official who had most recently served as the Lhasa party secretary, was chosen as chairman (governor) of the TAR. The TAR chairman is formally elected by the regional people's congress, but in practice such decisions are predetermined by the CCP leadership.

A2. Were the current national legislative representatives elected through free and fair elections? 0 / 4

The regional people's congress of the TAR, which is formally elected by lower-level people's congresses, chooses delegates to China's 3,000-member National People's Congress (NPC) every five years. In practice, all candidates are vetted by the CCP. The CCP's 20th party congress in October 2022 resulted in a reshuffle of the TAR's top leadership positions.

A3. Are the electoral laws and framework fair, and are they implemented impartially by the relevant election management bodies? 0 / 4

As in the rest of China, direct elections are only permitted at the lowest administrative levels. Tight political controls and aggressive state interference ensure that competitive races with independent candidates are even rarer in Tibet than in other parts of the country. Restrictions for village elections exclude candidates who have attended religious teachings abroad, have communicated with overseas Tibetans, or have relatives studying at monasteries outside China.

B. POLITICAL PLURALISM AND PARTICIPATION: 0 / 16

B1. Do the people have the right to organize in different political parties or other competitive political groupings of their choice, and is the system free of undue obstacles to the rise and fall of these competing parties or groupings? 0 / 4

All organized political activity outside the CCP is illegal and harshly punished, as is any evidence of loyalty to or communication with the Central Tibetan Administration (CTA)—a representative body based in Dharamsala, India, that is often referred to as a government-in-exile.

The CTA includes an elected parliament serving five-year terms, a Supreme Justice Commission that adjudicates civil disputes, and a directly elected prime minister, also serving five-year terms. Votes are collected from the Tibetan diaspora around the world. The unelected Dalai Lama, the Tibetan spiritual leader who also traditionally served as head of state, renounced his political role in 2011. In May 2021, Penpa Tsering was elected as prime minister of the CTA, replacing Lobsang Sangay, who stepped down after serving two terms.

B2. Is there a realistic opportunity for the opposition to increase its support or gain power through elections? 0 / 4

As in China as a whole, the one-party system structurally precludes and rigorously suppresses the development of any organized political opposition. Tibet has never experienced a peaceful and democratic transfer of power between rival groups.

B3. Are the people's political choices free from domination by forces that are external to the political sphere, or by political forces that employ extrapolitical means? 0 / 4

The authoritarian CCP is not accountable to voters and denies the public any meaningful influence or independent participation in political affairs.

B4. Do various segments of the population (including ethnic, racial, religious, gender, LGBT+, and other relevant groups) have full political rights and electoral opportunities? 0 / 4

Political opportunities for ethnic Tibetans within Tibet remain limited. Ethnic Chinese officials dominate top-level and strategic positions in the CCP and government, while ethnic Tibetans are restricted to lower-level and rubber-stamp positions. The authorities vigorously suppress and harshly punish any independent political or civic engagement by ethnic Tibetans, even on local community issues that were considered less politically sensitive in previous decades.

Women are well represented in many public sector jobs and CCP posts within the TAR, though most high-level officials are men, and women are unable to organize independently to advance their political interests.

C. FUNCTIONING OF GOVERNMENT: 1 / 12

C1. Do the freely elected head of government and national legislative representatives determine the policies of the government? 0 / 4

As elsewhere in China, unelected CCP officials determine and implement government policies in Tibet. Constitutionally, the TAR, like other ethnic minority regions, should enjoy greater autonomy than other provinces, but in practice it is controlled even more tightly by the central government. CCP entities—like the United Front Work Department—are explicitly in charge of policy areas including religious affairs and ethnic minorities, which are especially relevant for Tibet.

C2. Are safeguards against official corruption strong and effective? 1 / 4

Corruption is believed to be extensive, as it is in China more generally, though little information is available on the scale of the problem.

There have been moves in recent years to curb graft among the region's officials as part of Chinese president Xi Jinping's nationwide anticorruption campaign. However, many prosecutions are believed to be politically selective or amount to reprisals for perceived political and religious disloyalty. Efforts to control corruption are monopolized by the CCP leadership; as elsewhere in China, citizens who seek to expose official misdeeds in Tibet have faced detention and prosecution.

C3. Does the government operate with openness and transparency? 0 / 4

Governance is opaque in all of China but even more so in Tibet, where the CCP's policies and decision-making are rarely if ever public knowledge.

ADDITIONAL DISCRETIONARY POLITICAL RIGHTS QUESTION

Is the government or occupying power deliberately changing the ethnic composition of a country or territory so as to destroy a culture or tip the political balance in favor of another group? −3 / 0

In recent years, the Chinese government has accelerated policies that decrease the proportion of Tibetans in the TAR and undermine their cultural and religious identity—part of a renewed, nationwide campaign to "Sinicize" religious and ethnic minority populations.

The government's Farmer and Pastoralist Training and Labor Transfer Action Plan forced tens of thousands of additional Tibetan farmers and nomads to surrender their land-use rights to state-run collectives, become wage laborers, move to urban areas where they are crowded into large apartment blocks, and prevent them from their pursuing traditional ways of life. Parallel government policies encourage ethnic Chinese migration to the TAR, for example by recruiting workers for infrastructure projects in the region; such migrants

typically do not change their household registration, meaning their numbers are not reflected in official statistics. "Ethnic unity" regulations promote intermarriage between Han Chinese and Tibetans through financial incentives, further eroding Tibetans' distinct cultural and religious identity.

Despite international criticism, authorities continue to operate military-led "vocational training" facilities that have subjected hundreds of thousands of ethnic Tibetans by force to political indoctrination and forced separation from their communities. Local officials are said to be given specific quotas for the number of Tibetans they are required to enroll in such programs. Tibetans at these facilities are forced into wage labor, whereby, as state employees, they are required to denounce the Dalai Lama, abandon their religious beliefs and "backward thinking," and profess political loyalty to the CCP.

Authorities continued to operate military-style summer "education camps" in 2022 for Tibetan children between the ages of 8 and 16 in areas near the militarized border with India. The compulsory program separates children from their families, further weakening their connection to Tibetan culture, and prevents them from attending Tibetan language classes during school breaks. Tibetan has been phased out as a language of instruction in schools over the past decade, and the government has begun forcing Tibetan parents, many of whom are Tibetan-speaking nomads and farmers, to learn Mandarin so that they can teach their children the national language instead of Tibetan.

To damage and destroy Tibetan culture, Chinese authorities have incarcerated scores of Tibetan cultural, religious, and intellectual figures—such as monks, writers, intellectuals, musicians, and prominent scholars—throughout the year. The exact number of people imprisoned is unknown due Beijing's tight control of information in the region.

In September 2022, reporting from the civil society organization Citizen Lab claimed that the Chinese government had collected DNA from nearly a third of the population in Tibet, without clearly obtaining consent from those involved. The CCP has used genetic materials collected from Uyghurs in Xinjiang to further its surveillance systems and forced ethnic change campaign.

CIVIL LIBERTIES: 3 / 60

D. FREEDOM OF EXPRESSION AND BELIEF: 0 / 16

D1. Are there free and independent media? 0 / 4

CCP authorities control traditional and social media in Tibet even more strictly than in Han Chinese areas of the country. Individuals who use the internet, social media, or other means to share politically sensitive news content or commentary face arrest and heavy criminal penalties.

Deliberate internet blackouts occur periodically in Tibet, including in areas where public demonstrations or natural disasters have occurred. International broadcasts are jammed, and personal communication devices are confiscated and searched. The online censorship and monitoring systems in place across China are applied more stringently in the TAR, while censorship of Tibet-related keywords on the popular messaging application WeChat has become more sophisticated. Authorities have prohibited the use of Tibetan language on a widening array of social media apps, particularly ones that use streaming and live communication services.

The TAR is the only provincial-level region of China that requires foreigners to obtain a special permit to enter, and foreign journalists are regularly prevented from visiting. Journalists also face barriers in access to Tibetan areas of Sichuan and other provinces, though no permission is officially required to travel to those places. Tibetans who communicate with foreign media or other foreign contacts without permission face criminal prosecution

and long prison sentences. Sharing local information online can also lead to punishment. In January 2022, many people were detained and charged with possessing and revealing "state secrets" for sharing photos of the destruction of a 99-foot tall Tibetan Buddhist statue in Drago County.

D2. Are individuals free to practice and express their religious faith or nonbelief in public and private? 0 / 4

Religious practice is carefully managed and increasingly restricted in Tibet. Chinese authorities view Tibetan reverence for the Dalai Lama and adherence to the region's unique form of Buddhism as a threat to CCP rule. Tibetan Buddhist clergy and lay believers are forced to denounce the Dalai Lama, pledge their loyalty to the CCP and socialism above their religious beliefs, and attend increasingly long political education sessions. People who possess Dalai Lama–related materials, especially in the TAR, are routinely detained and at times criminally prosecuted.

Political and ideological indoctrination within monasteries and nunneries intensified in 2022, with monks and nuns subjected to invasive and onerous supervision. "Management committees," made up of CCP cadres and the police, exercise broad authority to directly control the daily operations of religious communities. "Intelligent temple management" systems operate in nearly all religious institutions, including pervasive video surveillance in all temples and monasteries. In February 2022, the first police surveillance unit inside a Tibetan monastery—the Palyul Thartang Gonchen Monastery in Qinghai Province's Golog Tibetan Autonomous Prefecture—was established, giving police unprecedented ability to monitor all monastery activities.

Authorities continued to use the coronavirus pandemic as a pretext to shut down monasteries and nunneries and to restrict hours for worship in many temples throughout the year. Anyone under the age of 18 is prohibited from becoming a monk or a nun, and religious education for children is prohibited. A law enacted in March 2022 in China, the "Measures for the Administration of Internet Religious Information Services," prohibits any individual or group from posting religious content online without a special license.

In May 2022, authorities launched the "Three Consciousness" campaign, forcing nuns and monks to attend re-education classes during which they are required to condemn specific Tibetan religious and cultural beliefs and practices. These practices include Tsethar or "merit release," the Buddhist practice of releasing animals destined for slaughter, and Saka Dawa fasting, the feast that celebrates the birth, enlightenment, and death of the Buddha. They were further required to denounce the Tibetan farmers' strikes and other nonviolent protests.

The Chinese government has asserted its intention to select the successor of the current Dalai Lama, who turned 87 in July 2022, and has intervened into Tibetan tradition by appointing their own Panchen Lama, a religious figure who plays an important role in identifying the reincarnation of the Dalai Lama, according to Tibetan Buddhist rituals. The location of the Panchen Lama, who was originally recognized by the current Dalai Lama, remains unknown; he was abducted by Chinese officials in 1995 when he was six years old.

D3. Is there academic freedom, and is the educational system free from extensive political indoctrination? 0 / 4

University professors cannot lecture on certain topics, and many must attend political indoctrination sessions. The government restricts course materials to prevent circulation of unofficial versions of Tibetan history and has phased out the use of Tibetan as the language of instruction in schools over the past decade. Nearly all Tibetan students returning to the

classroom in 2022 had all their subject matters, except for Tibetan language, taught in Mandarin. Private and monastery schools have been largely shut down in recent years in an effort to force students into government-run schools—many of them boarding schools—where Mandarin is the only language of instruction.

D4. Are individuals free to express their personal views on political or other sensitive topics without fear of surveillance or retribution? 0 / 4

Freedom of expression, including in private, is severely limited by factors including authorities' monitoring of electronic communications, a heavy security presence, recruitment of informants, regular ideological campaigns in Tibetan areas, and harsh punishments for those who post on sensitive subjects. The authorities in Tibet make use of an invasive security and censorship system that features nearly ubiquitous video cameras, use of facial-recognition technology, "smart" identity cards, and integrated surveillance systems that allow tracking of residents and tourists in real time. Hundreds of "security centers" operate across the region, with more than 130 in Lhasa alone.

Tibetans are regularly detained or sentenced to prison for verbally expressing support for or sharing images of the Dalai Lama and Tibetan independence, sending information abroad about self-immolation protests or the destruction of Buddhist temples and statues, or engaging in other forms of Tibetan cultural expression.

In May 2022, the TAR Cyberspace Administration announced new policies targeting online live broadcasting and short videos in the region to confront unspecified "social threats." The policies are reportedly broad and vague, allowing authorities to further repress dissent.

E. ASSOCIATIONAL AND ORGANIZATIONAL RIGHTS: 0 / 12

E1. Is there freedom of assembly? 0 / 4

Chinese authorities severely restrict freedom of assembly as part of the government's intensified "stability maintenance" policies in Tibet. Control and surveillance of public gatherings extend beyond major towns to villages and rural areas. Even nonviolent protesters are rapidly and often violently dispersed and harshly punished. Despite the restrictions, Tibetans continue to express their views on government policies through sporadic solitary or small-scale protests in public places, though they are usually immediately seized by police.

The number of self-immolations, typically intended to protest CCP rule, has declined sharply in the last few years due to information blackouts, heightened security and surveillance, and harsh punishments of those associated with self-immolators. Engaging in self-immolation and organizing, assisting, or gathering crowds related to such acts are considered criminal offenses.

Rare protests were reported in October 2022, when hundreds marched in the street to protest harsh Zero-COVID measures imposed by Beijing, although most participants were reportedly Han Chinese demanding to be allowed to leave the TAR.

E2. Is there freedom for nongovernmental organizations, particularly those that are engaged in human rights– and governance-related work? 0 / 4

Tibetans are unable to establish and operate nongovernmental organizations (NGOs) without facing punishment by the authorities. Even seemingly apolitical social and community engagement is not tolerated. Foreign NGOs are generally not allowed to operate in Tibet.

E3. Is there freedom for trade unions and similar professional or labor organizations? 0 / 4

Independent trade unions are illegal in Tibet, as they are in China as a whole. The only legal union organization is the government-controlled All-China Federation of Trade

Unions, which has long been criticized for failing to properly defend workers' rights. Labor activism in Tibet is riskier and therefore much rarer than in other parts of China. According to the NGO China Labour Bulletin, no strikes were documented in the TAR during 2022.

F. RULE OF LAW: 0 / 16

F1. Is there an independent judiciary? 0 / 4

The CCP controls the judicial system, and courts consequently lack independence. Courts at all levels are supervised by party political-legal committees that influence the appointment of judges, court operations, and verdicts and sentences. Given the political sensitivity of Tibetan issues, the scope for autonomous judicial decision-making in Tibetan areas is even more limited than elsewhere in China.

F2. Does due process prevail in civil and criminal matters? 0 / 4

Tibetans are systematically denied due process in criminal matters. Among other abuses, they are subjected to arbitrary arrest, denial of family visits, long periods of enforced disappearance, solitary confinement, and illegal pretrial detention. Authorities often fail to inform families of the detention, whereabouts, and well-being of loved ones and threaten them with punishment for revealing information. Tibetans have even less access to legal representation of their choice than Han Chinese; lawyers seeking to defend them are routinely harassed, denied access to their clients, blocked from attending relevant hearings, and in some cases disbarred in retaliation. Trials are closed if state security interests are invoked, which sometimes occurs even when no political crime is listed.

As of May 2021, the US State Department estimated that there were between 500 and 2,000 political prisoners in Tibet.

F3. Is there protection from the illegitimate use of physical force and freedom from war and insurgencies? 0 / 4

Detained suspects and prisoners are subject to torture and other forms of ill-treatment. Many Tibetan prisoners of conscience die in custody under circumstances indicating torture, and others are released with severe injuries and in extremely poor health, apparently to avoid deaths in custody. Many of the latter subsequently succumb to their injuries. Five Tibetans, identified as Chugdhar, Ghelo, Tsedo, Bhamo and Kori, are reported to have been tortured after being detained for lighting incense and praying for the long life of the Dalai Lama in August 2022 in Seda County, Sichuan Province. One of them, Chugdhar, reportedly died from his injuries.

F4. Do laws, policies, and practices guarantee equal treatment of various segments of the population? 0 / 4

Ethnic Tibetans face a range of socioeconomic disadvantages and discriminatory treatment by employers, law enforcement agencies, and other official bodies. The dominant role of the Chinese language in education and employment limits opportunities for many rural Tibetans, 80 percent of whom have no or limited Mandarin-language skills. Increased Mandarin language testing for employment has disadvantaged ethnic Tibetans seeking permanent jobs in more lucrative positions. While Tibetans are supposed to receive preferential treatment in university admission examinations, Tibetan students often face insurmountable obstacles to gain admission to top-tier national-level secondary schools. Tibetans who apply for public-sector jobs—including cleaners and other low-level staff—are required to denounce the Dalai Lama, renounce their religious beliefs, and demonstrate their political loyalty in other ways that fundamentally negate their ethnic and cultural identity.

As in the rest of China, gender bias against women remains widespread, despite laws barring workplace discrimination. LGBT+ people suffer from discrimination, though same-sex sexual activity is not criminalized. Social pressures discourage discussion of LGBT+ issues.

G. PERSONAL AUTONOMY AND INDIVIDUAL RIGHTS: 3 / 16

G1. Do individuals enjoy freedom of movement, including the ability to change their place of residence, employment, or education? 0 / 4

The TAR features extreme restrictions on freedom of movement that disproportionately affect ethnic Tibetans. Obstacles including troop deployments, checkpoints, roadblocks, required bureaucratic approvals, and passport restrictions impede freedom of movement both within Tibetan areas—especially the TAR—and between those areas and the outside world. The more than 2,000 "inspectors" that staff around 700 "discipline committees" set up in recent years in rural Tibetan communities have imposed tighter travel restrictions, with Tibetans needing permits to enter certain areas, particularly near international borders in the south.

While Han Chinese tourists have been encouraged to visit the TAR, the movements of foreign tourists, journalists, diplomats, and others are tightly controlled, and they are often denied entry. Tibetans face nearly insurmountable hurdles in obtaining a passport for foreign travel, and foreign nationals of Tibetan origin face enormous challenges when seeking a visa to visit Tibet, in some cases waiting for years only for their request to be denied.

Increased security efforts and Nepalese government cooperation have made it difficult for Tibetans to cross the border into Nepal. Some Tibetan pilgrims who travel abroad face detention upon return to China.

The Chinese government used its Zero-COVID policy to further its repressive campaign on Tibetans. COVID-19 outbreaks during the year reportedly led to the mass transfers of thousands of people to overcrowded and unsanitary isolation centers, where detainees reported lacking access to food and medical treatment and where individuals who tested positive for the virus were housed with individuals who tested negative. Many were reported to have died from lack of medical attention or lack of food.

G2. Are individuals able to exercise the right to own property and establish private businesses without undue interference from state or nonstate actors? 1 / 4

The economy is dominated by state-owned enterprises and private businesses with informal ties to officials. Tibetans reportedly find it more difficult than ethnic Chinese residents to obtain permits and loans to open businesses, and Tibetan-owned businesses are often arbitrarily shut down. Numerous Tibetan tour guides were detained in 2022, forced to pay fines, and told to shut down their business.

The multiyear policy of forcing Tibetans off their rural land and into the urban wage economy has given the state additional leverage over a growing proportion of the population, as those affected lose their self-reliance and increasingly depend on market wages and government subsidies for their income.

G3. Do individuals enjoy personal social freedoms, including choice of marriage partner and size of family, protection from domestic violence, and control over appearance? 1 / 4

The central government further loosened family planning regulations nationwide in 2021, allowing all families to have up to three children—after having ended the long-standing one-child policy in 2016 by allowing couples to have up to two children. While the change means a likely decrease in the number of people who experience punitive aspects of

the system, such as high fines, job dismissal, reduced government benefits, and detention, the authorities continue to regulate reproduction, and related abuses and punishments are occasionally reported.

In the past, China's family-planning policies were formally more lenient for Tibetans and members of other ethnic minority groups. Officials limited urban Tibetans to two children and encouraged rural Tibetans to stop at three, at a time when Han Chinese couples were limited to one child. As a result, the TAR is one of the few areas of China without a skewed sex ratio.

State policies that actively encourage interethnic marriages with financial and other incentives, and that require couples to designate a single ethnicity for their children, are among the ongoing policies that have reduced the ethnic Tibetan share of the TAR's population. Tibetan women are vulnerable to human trafficking schemes that result in forced marriage.

G4. Do individuals enjoy equality of opportunity and freedom from economic exploitation? 1 / 4

Exploitative employment practices are pervasive in many industries, as is the case across China, though ethnic Tibetans report additional disadvantages in hiring and compensation. Human trafficking that targets Tibetan women can lead to forced prostitution or exploitative employment in domestic service and other economic sectors elsewhere in China. The herders, farmers, and other Tibetans who are forced off their rural land and resettled in towns and cities are extremely vulnerable to exploitation by public and private employers alike. Recent increases in Mandarin language requirements and testing for employment discriminate against ethnic Tibetans.

Transnistria*

Population: 465,000
Freedom Status: Not Free

Note: *Freedom in the World* reports assess the level of political rights and civil liberties in a given geographical area, regardless of whether they are affected by the state, nonstate actors, or foreign powers. Disputed territories are sometimes assessed separately if they meet certain criteria, including boundaries that are sufficiently stable to allow year-on-year comparisons. For more information, see the report methodology.

Overview: Transnistria is internationally recognized as part of Moldova, but has operated with de facto independence since a brief military conflict in 1992. Its government and economy are heavily dependent on subsidies from Russia, which maintains a military presence and peacekeeping mission in the territory. Political competition is restricted, and the ruling political group is aligned with powerful local business interests. Media freedom is restricted, authorities closely control civil society activity, and due process is not upheld by local authorities, who have carried out targeted arbitrary arrests with impunity.

KEY DEVELOPMENTS IN 2022

- In May, the legislature approved amendments criminalizing the act of filing complaints to international or Moldovan bodies about violations committed by regional

authorities. Individuals appealing to such prohibited institutions can be punished by up to 10 years in prison.

- In September, a Tiraspol court sentenced local resident Victor Pleşcanov to more than three years in prison over his critical remarks about the local authorities, the Russian army, and the full-scale Russian military invasion of Ukraine. While Pleşcanov, who was charged with inciting extremism, was known to authorities as a critic of the local regime, the prosecution of verbal remarks by a private citizen reflected a serious deterioration of free expression in Transnistria.

POLITICAL RIGHTS: 6 / 40

A. ELECTORAL PROCESS: 1 / 12

A1. Was the current head of government or other chief national authority elected through free and fair elections? 0 / 4

The president is elected for up to two consecutive five-year terms. Incumbent Vadim Krasnoselsky, who was backed by the Renewal (Obnovleniye) Party, was reelected with 79 percent of the vote in the December 2021 presidential election. Krasnoselsky's only competitor was a local clerk, Sergey Pînzar, who won 11.8 percent of the vote. Another 8.8 percent of ballots were ruled invalid. Turnout stood at 35.2 percent, a record low for a presidential contest. The Renewal party was established and is funded by Sheriff Enterprises, the powerful business conglomerate that dominates the Transnistrian economy.

The 2021 elections were considered especially uncompetitive. Notable opposition figures Anatoly Dirun and Nikolai Malyshev were not allowed to register as candidates by the Central Election Commission due to alleged irregularities in the signatures collected for their nominations. Another candidate, Sergei Dechev, withdrew his candidacy without explanation. An electoral-code amendment instituted in June 2021 removed the option to vote "against all" option from the presidential ballot.

A2. Were the current national legislative representatives elected through free and fair elctions? 0 / 4

The unicameral Supreme Council has 33 members, all serving five-year terms. Elections for the Supreme Council were last held in November 2020. Candidates ran unopposed in 23 of the 33 electoral districts; by comparison, only two candidates had run unopposed in each of the previous two legislative elections. Voter turnout was just 28 percent of the eligible electorate. Renewal won 29 seats, and the remainder went to candidates who had other links to Sheriff Enterprises.

A3. Are the electoral laws and framework fair, and are they implemented impartially by the relevant election management bodies? 1 / 4

The Central Election Commission has long been criticized by various political figures for lack of impartiality and independence. In 2021, it refused to hear challenges to the election results and dismissed voter objections to its earlier decision to eliminate the possibility for voters to vote "against all."

In light of its unrecognized status, established international election monitors do not monitor elections in Transnistria or formally assess the competency of its electoral bodies. The Russian Federation sent an election monitoring mission for polls in 2021.

B. POLITICAL PLURALISM AND PARTICIPATION: 4 / 16

B1. Do the people have the right to organize in different political parties or other competitive political groupings of their choice, and is the system free of undue obstacles to the rise and fall of these competing parties or groupings? 1 / 4

Transnistria's entire political establishment supports the separatist agenda and Russia's role as the territory's foreign patron. Figures who oppose the local elites linked with Sherriff Enterprises are subject to intimidation and have been mostly silenced in recent years.

The opposition Communist Party is repressed. In 2018, its party leader was arrested, stripped of parliamentary immunity, and jailed for organizing illegal demonstrations, criticizing officials, and interfering with law enforcement agents. He was released from prison in December 2022 after completing his sentence.

B2. Is there a realistic opportunity for the opposition to increase its support or gain power through elections? 1 / 4

The Renewal Party has long controlled the legislature, and the 2016 victory of Vadim Krasnoselsky cemented its control over the executive branch. The territory's persecuted opposition parties did not play a significant role in the 2020 legislative elections, which left the Supreme Council with no genuine opposition. Opposition candidates were prevented from contesting the December 2021 presidential election, which Krasnoselsky won by a wide margin amid low turnout.

B3. Are the people's political choices free from domination by forces that are external to the political sphere, or by political forces that employ extrapolitical means? 1 / 4

The ruling Renewal Party and the political establishment more broadly are dominated by Sheriff Enterprises. In addition, the political influence of the Russian government is undergirded by the presence of Russian troops, who are ostensibly stationed in Transnistria to guard a Soviet-era ammunition depot and, as peacekeepers, to uphold a 1992 cease-fire between Transnistrian and Moldovan forces. Moscow has also financially supported the territory's pension system and provided subsidized energy.

B4. Do various segments of the population (including ethnic, racial, religious, gender, LGBT+, and other relevant groups) have full political rights and electoral opportunities? 1 / 4

Residents have the legal right to vote, participate in campaigns, and run for office. However, the system in practice allows little opportunity for independent political activity by any segment of the population. Few women are included in the political leadership; only two women hold seats in the Supreme Council.

While Transnistria has three official languages—Russian, Ukrainian, and Moldovan—Russian dominates in governmental affairs and public communications.

C. FUNCTIONING OF GOVERNMENT: 1 / 12

C1. Do the freely elected head of government and national legislative representatives determine the policies of the government? 0 / 4

Transnistria's flawed elections undercut the democratic legitimacy of both executive leaders and legislative representatives. The 2020 legislative and 2021 presidential elections were both marred by low rates of participation and a lack of competition. Sheriff Enterprises exerts a strong influence on elected officials' policy decisions, which are also closely monitored by Moscow.

C2. Are safeguards against official corruption strong and effective? 0 / 4

Transnistrian politics have long been built on personal business interests, nepotism, and favoritism. There are few visible safeguards against official corruption.

C3. Does the government operate with openness and transparency? 1 / 4

Although officials publish some government information on websites and are occasionally interviewed by media outlets about their policies, the public is generally excluded from decision-making processes, and governmental openness and transparency are limited in practice.

CIVIL LIBERTIES: 12 / 60

D. FREEDOM OF EXPRESSION AND BELIEF: 4 / 16

D1. Are there free and independent media? 0 / 4

Authorities closely monitor and control the public media, and Sheriff Enterprises dominates private broadcasting, leading to widespread self-censorship. The territory's few independent print outlets have limited circulation. Critical reporting can result in reprisals including criminal charges. The government also uses bureaucratic obstruction and withholding of information to inhibit independent journalism.

Legislation adopted in 2016 gave authorities even greater control over state media outlets, including the power to appoint editorial staff, and enabled officials to limit media access to their activities and bar the use of recording devices.

D2. Are individuals free to practice and express their religious faith or nonbelief in public and private? 2 / 4

Most of the population is Orthodox Christian, and authorities have denied registration to several smaller religious groups, which at times face harassment by police and Orthodox opponents. The law imposes restrictions and penalties related to unauthorized distribution of religious literature, preaching in public spaces, and organized religious activities in residential buildings. Foreign religious groups are not permitted to register, and foreign individuals may not found or join registered groups.

Jehovah's Witnesses have been unable to obtain registration in Transnistria. Members of the Muslim community reported a reluctance to openly practice their faith due to past intimidation by authorities, and they have struggled to advance plans to establish a mosque in Tiraspol.

D3. Is there academic freedom, and is the educational system free from extensive political indoctrination? 1 / 4

Academics and students may take part in international forums, but potential reprisals by Transnistrian authorities are a deterrent to participation in programs sponsored by Moldova. Academic analysis of topics such as the 1992 conflict, the role of the Russian Federation and peacekeeping forces, and Transnistrian statehood are subject to censorship.

The few Latin-script schools in Transnistria that are overseen by the Moldovan state face pressure from Transnistrian authorities.

D4. Are individuals free to express their personal views on political or other sensitive topics without fear of surveillance or retribution? 1 / 4

Legal restrictions on certain kinds of speech discourage free discussion. Among other provisions related to defamation or insult of the authorities, the criminal code penalizes public expression of disrespect for the Russian peacekeeping mission in the region.

In September 2022, a Tiraspol court sentenced a civilian, Victor Pleșcanov, to three years and two months in prison after he was convicted of inciting extremism in connection with critical remarks about the Russian army and the Russian invasion of Ukraine. According to reports, he was initially arrested in June after indicating that he planned to buy yellow and blue fabric to make a Ukrainian flag to hang from his balcony, and speculating about the negative reaction of security services. Pleșcanov was known to authorities as a critic of the regime, but the prosecution of a verbal exchange in his private life reflects a significant deterioration of freedom of expression in the region.

E. ASSOCIATIONAL AND ORGANIZATIONAL RIGHTS: 1 / 12

E1. Is there freedom of assembly? 0 / 4

Freedom of assembly is tightly restricted. Authorities consistently reject applications for permits to hold meetings and protests, and participants in unauthorized actions face administrative penalties or criminal prosecution.

E2. Is there freedom for nongovernmental organizations, particularly those that are engaged in human rights– and governance-related work? 1 / 4

Nongovernmental organizations (NGOs) and civic activists operate in a repressive environment. Groups that work on human rights issues or other topics deemed politically sensitive are subject to surveillance and harassment.

A 2018 law requires more burdensome reporting by NGOs, including on foreign funding, and prohibits foreign-backed NGOs from engaging in broadly defined "political activities."

E3. Is there freedom for trade unions and similar professional or labor organizations? 0 / 4

The trade union system in Transnistria has not been reformed since the Soviet era, and unions are manipulated by the political leadership in practice. Independent labor activism is not tolerated.

F. RULE OF LAW: 2 / 16

F1. Is there an independent judiciary? 0 / 4

The judiciary serves the interests of the political authorities and Sheriff Enterprises. The European Court of Human Rights (ECHR) has asserted that Moscow is responsible for the decisions of Transnistrian courts, which do not meet minimum standards of fairness.

In May 2022, the Transnistrian legislature approved amendments criminalizing the act of filing complaints to international or Moldovan bodies about violations committed by regional authorities. Individuals appealing to such prohibited institutions can be punished by up to 10 years in prison.

F2. Does due process prevail in civil and criminal matters? 0 / 4

Security and law enforcement agencies in Transnistria regularly engage in arbitrary arrests and detentions and deny detainees access to attorneys. Trials and other criminal proceedings lack safeguards for due process and are frequently held without public scrutiny, with the outcomes announced after the fact.

Moldovan citizen Adrian Glijin was abducted by territorial security forces in 2020 and accused of treason, in what Moldovan authorities and NGOs characterized as a politically motivated, retaliatory action by Transnistrian authorities connected to separate criminal case in Moldova. Glijin was held incommunicado for more than a year, and in 2022, was sentenced in a closed-doors process to 13.5 years in prison.

F3. Is there protection from the illegitimate use of physical force and freedom from war and insurgencies? 1 / 4

Police mistreatment of suspects is common, and physical abuse is employed to obtain confessions. Prison conditions remain poor and denial of proper medical care has been reported.

Authorities have been accused of engaging in forced disappearances and abductions in recent years, such as in the case of Adrian Glijin. In 2022, the Moldovan NGO Promolex reported on the cases of two men, Vladimir Pogorlețki and Nicolae Garmaș, saying they were subjected to torture and ill-treatment by the Transnistrian authorities. In August, Garmaș was sentenced by a Tiraspol court to 1.5 years in prison in connection with his previous complaints about torture in police custody.

F4. Do laws, policies, and practices guarantee equal treatment of various segments of the population? 1 / 4

While the Transnistrian constitution guarantees people's rights and freedoms "without distinction as to sex, race, nationality, language, religion," and other such categories, these protections are frequently violated. Members of certain minority groups including Moldovan speakers and most notably Roma, face discrimination and harassment. Women are also subject to discrimination in practice; among other problems, they are formally excluded from numerous occupations that are considered hazardous or physically difficult. Same-sex sexual activity is illegal in Transnistria, and members of the LGBT+ community generally do not identify themselves publicly due to widespread government and societal discrimination.

G. PERSONAL AUTONOMY AND INDIVIDUAL RIGHTS: 5 / 16

G1. Do individuals enjoy freedom of movement, including the ability to change their place of residence, employment, or education? 2 / 4

Approximately 300,000 people in Transnistria hold Moldovan citizenship and can travel freely to European Union (EU) countries. Since 2018, Transnistria residents have been able to obtain neutral license plates for use on international roads. Moldovan authorities began recognizing Transnistrian educational documents that year.

G2. Are individuals able to exercise the right to own property and establish private businesses without undue interference from state or nonstate actors? 1 / 4

Full private property rights are only recognized for housing; other property rights, including land ownership, remain restricted. Procedures for establishing a private business are hampered by bureaucratic impediments.

G3. Do individuals enjoy personal social freedoms, including choice of marriage partner and size of family, protection from domestic violence, and control over appearance? 1 / 4

Same-sex marriage is not permitted. Domestic violence is a persistent concern, and it is not considered a criminal offense in the absence of serious physical injury. However, the problem has become more public in recent years, including through television reports. Dedicated services, including psychological aid, a hotline for victims, and shelters, are operated by NGOs supported by international donors.

G4. Do individuals enjoy equality of opportunity and freedom from economic exploitation? 1 / 4

Economic opportunity remains very limited. Sheriff Enterprises dominates the economy. Despite increased international aid meant to ensure better opportunities for women, many still fall victim to traffickers who subject them to forced labor or sex work.

West Bank*

Population: 3,100,000
Freedom Status: Not Free

Note: *Freedom in the World* reports assess the level of political rights and civil liberties in a given geographical area, regardless of whether they are affected by the state, nonstate actors, or foreign powers. Disputed or occupied territories are sometimes assessed separately if they meet certain criteria, including boundaries that are sufficiently stable to allow year-on-year comparisons. For more information, see the report methodology.

Overview: Israel's military occupation of the West Bank entails onerous physical barriers and constraints on movement, demolition of homes and other physical infrastructure, restrictions on political rights and civil liberties, and expanding Jewish settlements that are widely considered to constitute a violation of international law. Jewish settlers in the West Bank are Israeli citizens and enjoy the same rights and liberties as other Israelis. They also enjoy relative impunity for violence against Palestinians. The West Bank's Palestinian residents, excluding those living in East Jerusalem, fall under the partial jurisdiction of the Palestinian Authority (PA), which operates under an expired presidential mandate and has no functioning legislature. The PA governs in an authoritarian manner, engaging in repression against journalists and activists who present critical views on its rule. East Jerusalem Palestinians are governed directly by Israel; while a small minority of them have Israeli citizenship, most have a special residency status that denotes a restricted set of rights compared with those of Israeli citizens.

KEY DEVELOPMENTS IN 2022

- Some 151 Palestinians were killed during the year according to the UN Office for the Coordination of Humanitarian Affairs (UN OCHA), making for the deadliest year in terms of Palestinian deaths in the West Bank at the hands of Israeli forces since 2006. Another two Palestinians were killed by Israeli Jewish settlers amid a broader rise in settler violence. UN OCHA reported that at least 10 Israelis were killed in the territory during the year, up from 3 in 2021.
- In May, Israeli forces shot and killed prominent Palestinian-American journalist Shireen Abu Akleh, who was covering an Israeli raid in Jenin and wearing items that identified her as a member of the press. While Israeli authorities did not pursue criminal charges, the US Justice Department was investigating Abu Akleh's death as of November.
- In October, the Algerian government brokered a tentative agreement aimed at ending the rift between Fatah, the ruling Palestinian party in the West Bank, and the Islamic Resistance Movement (Hamas), which controls the Gaza Strip. However, the divide persisted at year's end, with Fatah and Hamas failing to agree on or implement any concrete steps toward Palestinian presidential and legislative elections.

POLITICAL RIGHTS: 4 / 40

A. ELECTORAL PROCESS: 1 / 12

A1. Was the current head of government or other chief national authority elected through free and fair elections? 0 / 4

The PA has not held a presidential election since 2005. The four-year term of Mahmoud Abbas, who won that year with 62 percent of the vote, expired in 2009, but he has continued to rule with the support of the Palestine Liberation Organization (PLO)—of which he is the chairman and which is led by his Fatah party. The rift between the West Bank–based, Fatah-controlled PA government and the de facto Hamas government in the Gaza Strip has impeded the resumption of regular elections. Hamas seized control of the Gaza Strip in 2007, following its victory in the 2006 legislative elections and a period of armed clashes with Fatah that left each faction in possession of a separate territory (though both territories remained under varying degrees of Israeli military control). Successive rounds of Palestinian reconciliation talks, efforts to form unity governments, and plans to hold fresh elections have failed to gain traction.

Abbas canceled an election process that had been planned for 2021, citing Israel's refusal to allow PA election activity in East Jerusalem. Many analysts argued that the elections were actually halted because political fragmentation within Fatah raised the risk that Hamas or Fatah splinter groups would win. In October 2022, the Algerian government brokered a tentative agreement in which Fatah and Hamas endorsed holding elections within a year, but there was little evidence that the deal would prove more successful than its predecessors.

Under PA laws, the prime minister is nominated by the president and requires the support of the Palestinian Legislative Council (PLC). However, the PLC elected in 2006 was unable to function due to the Fatah-Hamas division and Israel's detention of many lawmakers. Abbas has since appointed prime ministers and cabinets without legislative approval. Over Hamas's objections, Fatah's Mohammad Shtayyeh was appointed and sworn in as prime minister along with a new Fatah-led cabinet in 2019. He remained in office as of 2022.

Israelis living in West Bank settlements are able to participate in generally free and fair elections for the Israeli Knesset (parliament), which selects the Israeli government.

A2. Were the current national legislative representatives elected through free and fair elections? 0 / 4

Palestinians in the West Bank do not have a functioning legislative body. Elections for the 132-seat PLC have not been held since 2006, when Hamas won 74 seats and Fatah took 45. Israel's suppression of Hamas and subsequent fighting between Fatah and Hamas left the PLC unable to operate. Israeli forces have repeatedly detained elected PLC members since 2006, and the legislature's electoral mandate expired in 2010. In 2018, President Abbas ordered the formal dissolution of the PLC, backed by a Supreme Constitutional Court ruling that also called for legislative elections within six months. Hamas rejected the decision. Abbas's cancellation of the PLC elections he had scheduled for 2021 meant that Palestinians in the territory would continue to lack a legislature. That situation remained unchanged during 2022.

Israelis living in West Bank settlements are able to participate in elections for the Knesset, the most recent of which took place in November 2022 and were considered generally free and fair. The majority of Palestinian residents in East Jerusalem, which Israel claims to have annexed and considers to be part of its Jerusalem municipality, do not hold Israeli citizenship and thus do not have the right to vote in Knesset elections; while noncitizen Palestinian residents of East Jerusalem are permitted to vote in Israeli-run Jerusalem municipal council elections, most have historically boycotted them.

In March 2022, the PA held the second phase of West Bank municipal council elections that had begun in December 2021. As in the first phase, many of the races were uncontested, with only one candidate list—usually affiliated with Fatah—registered in a given jurisdiction. Nominally independent lists, typically associated with powerful local families or tribes, won 64.4 percent of the seats in the localities that were contested. Hamas boycotted the process, and the overall results left Fatah as the dominant party.

A3. Are the electoral laws and framework fair, and are they implemented impartially by the relevant election management bodies? 1 / 4

PA laws provide a credible framework for presidential and legislative elections, but neither have been held since 2005 and 2006, respectively. The Palestinian Central Elections Commission oversees elections in the West Bank and Gaza Strip. The body's nine commissioners are appointed by the president, although the law requires them to be experienced and politically impartial judges, academics, or lawyers.

Israel's Central Elections Committee oversees Knesset elections, and its Interior Ministry manages Israeli municipal elections, including in Jerusalem. These elections are generally free and fair, but unlike Israeli Jewish settlers, Palestinians in the West Bank are generally unable to access Israeli citizenship and thus excluded from participating.

B. POLITICAL PLURALISM AND PARTICIPATION: 4 / 16

B1. Do the people have the right to organize in different political parties or other competitive political groupings of their choice, and is the system free of undue obstacles to the rise and fall of these competing parties or groupings? 1 / 4

In addition to Fatah, a number of small Palestinian parties with ties to the PA leadership operate relatively freely in the West Bank. However, the PA deals harshly with political supporters of Hamas and rivals of President Abbas within Fatah. The Israeli military occupation authorities ban parties, disrupt political gatherings, and detain and arrest political activists if they are deemed to be threats to Israeli security.

Since 2007, the PA and Israeli forces in the West Bank have collaborated in surveillance and repression of Hamas, the Popular Front for the Liberation of Palestine (PFLP), and other political factions with armed wings, periodically engaging in mass arrests and closures of affiliated institutions.

East Jerusalem Palestinians can form party lists to run in the city's Israeli municipal elections, but doing so may lead to increased scrutiny by Israeli authorities, as well as harassment from Palestinians who oppose participation on the grounds that it signals acceptance of Israel's annexation of East Jerusalem, which is not internationally recognized and is widely considered a violation of international law.

B2. Is there a realistic opportunity for the opposition to increase its support or gain power through elections? 0 / 4

The repeated and indefinite postponements of Palestinian presidential and legislative elections have prevented any rotation of power in the West Bank. The PA leadership has been accused of avoiding contests that could lead to victory for Hamas or Fatah factions that are not loyal to Abbas. Hamas's boycott of the December 2021 and March 2022 local elections again left it formally unrepresented in West Bank municipal councils. Over the past two years, a number of youth groups have attempted to broaden political participation and encourage generational change, but Abbas continues to appoint loyalists to senior positions in the PA and PLO, marginalizing or dismissing figures who might challenge his leadership.

B3. Are the people's political choices free from domination by forces that are external to the political sphere, or by political forces that employ extrapolitical means? 1 / 4

Israeli military authorities regularly surveil, detain, and harass individuals with explicit or suspected links to the PFLP, Hamas, Islamic Jihad, and other factions that Israel has designated as terrorist groups, in addition to members of Fatah who are suspected of militant activity. Such individuals are sometimes targeted arbitrarily or based on secret or circumstantial evidence. In addition, the Israeli military's restrictions on freedom of movement—including checkpoints, roadblocks, and permit systems, as well as the continuous barrier it has constructed along the West Bank side of the pre-1967 border—can impede Palestinian political organizing and activity. Foreign government donors regularly exert influence over the PA, which is heavily dependent on international aid, to promote or marginalize certain politicians or political factions.

B4. Do various segments of the population (including ethnic, racial, religious, gender, LGBT+, and other relevant groups) have full political rights and electoral opportunities? 2 / 4

Women and members of religious and ethnic minority groups are formally granted equal political rights under PA laws. While women and Christians have held PLC seats and cabinet positions, PA politics remain dominated by Arab and Muslim men. There are legislated gender quotas for candidate lists in legislative elections and for seats on local councils, which tend to result in approximately 20 percent of candidates and elected officeholders being women. This pattern persisted in the March 2022 municipal elections, but the lack of genuine competition in many localities has limited the extent to which women can independently advance their political interests in practice. Seats are also set aside for Christian candidates in Ramallah and Bethlehem.

The roughly 350,000 Palestinian residents of East Jerusalem formally have the option to apply for Israeli citizenship, though most decline for political reasons, and at least half of those who apply each year are unsuccessful. A Palestinian Jerusalem resident who is not an Israeli citizen cannot become mayor of the Israeli municipality under current law. East Jerusalem Palestinians are only able to participate in PA elections with Israeli authorities' approval.

There are more than 700,000 Jewish settlers in the West Bank, including East Jerusalem, all of whom are Israeli citizens with full political rights in Israel.

C. FUNCTIONING OF GOVERNMENT: 2 / 12

C1. Do the freely elected head of government and national legislative representatives determine the policies of the government? 0 / 4

The PA lacks an executive or legislature with an electoral mandate. Because the legislature has not functioned since 2007, new laws are introduced via presidential decree. The ability of the PA president and ministries to implement policy decisions is limited in practice by direct Israeli military control over much of the West Bank.

The PA has virtually no ability to provide services or orchestrate development within Area C—a largely rural area that makes up more than 60 percent of West Bank territory and is under exclusive Israeli control. The Israeli government periodically withholds the transfer of tax revenues to the PA, which affects salary payments and policy implementation.

C2. Are safeguards against official corruption strong and effective? 1 / 4

Official corruption remains a major problem that is widely recognized by the public, according to opinion surveys. The PA's Anti-Corruption Commission is responsible for implementing an anticorruption strategy, but reports by the PA's State Audit and Administrative Control Bureau (SAACB) have pointed to long-standing irregularities in the commission's

management of its own funding. In its March 2022 annual report covering developments in 2021, the Coalition for Accountability and Integrity (AMAN), a civil society group, identified nepotism and other forms of favoritism in hiring and appointments as an ongoing threat to public institutions. Among other problems, the report noted that a system regulating gifts to officials featured vague guidelines and was not actively enforced.

C3. Does the government operate with openness and transparency? 1 / 4

Government transparency is generally lacking in the PA, and in the absence of basic accountability mechanisms including regular elections and legislative oversight, the administration has little incentive to make substantive improvements. Journalists, activists, and others who attempt to scrutinize PA policies or internal operations are subject to intimidation and harassment.

The operations of Israeli military authorities in the West Bank are opaque, and the Israeli military and civil administrations are not accountable to Palestinians.

ADDITIONAL DISCRETIONARY POLITICAL RIGHTS QUESTION

Is the government or occupying power deliberately changing the ethnic composition of a country or territory so as to destroy a culture or tip the political balance in favor of another group? −3 / 0

The Israeli state and associated institutions continued to preside over and promote the growth of Israeli Jewish settlements, seizures of Palestinian land, and the demolition of Palestinian homes in the West Bank in 2022. Under the pretext of unlawful construction, Israeli authorities demolished 954 Palestinian structures and housing units in the West Bank, including East Jerusalem, during the year; this left 1,031 people homeless, according to statistics compiled by UN OCHA. About 82 percent of the demolitions took place in Area C, and some 15 percent occurred in East Jerusalem. The pace of demolitions has increased dramatically over the past several years, rising from fewer than 500 per year in 2017 and 2018. The Israeli Civil Administration (ICA) in the West Bank, which is overseen by the military, employs occupation policies that deny Palestinians opportunities to challenge demolition orders and allow the confiscation of portable buildings without due process. In 2018, the Knesset passed a law limiting Palestinians' direct access to the Israeli Supreme Court for petitions against the construction of Israeli Jewish settlements.

CIVIL LIBERTIES: 18 / 60 (−1)

D. FREEDOM OF EXPRESSION AND BELIEF: 6 / 16

D1. Are there free and independent media? 1 / 4

The news media are generally not free in the West Bank; journalists are surveilled and repressed by both Palestinian and Israeli authorities, and social media companies have sometimes blocked Palestinian journalists' accounts. Under PA law, journalists can be fined and jailed and outlets closed for publishing information that might harm national unity, contradict national responsibility, or incite violence.

Common violations of media freedom by Palestinian and Israeli authorities in the West Bank include the summons, interrogation, and arrest of journalists, confiscation of equipment, and restrictions on reporting. In May 2022, Israeli forces shot and killed prominent Palestinian-American journalist Shireen Abu Akleh, who was covering an Israeli raid in Jenin for the Qatar-based news outlet Al-Jazeera while wearing items that identified her as a member of the press. Israeli authorities did not pursue criminal charges. In November, however, Israeli officials disclosed that the US Justice Department had launched an investigation into Abu Akleh's killing. The Palestinian Center for Development and Media Freedoms

(MADA) reported a total of 399 media freedom violations committed by Israeli authorities in the West Bank during 2022, as well as 43 committed by Palestinians in the territory. The violations ranged from killings, physical assaults, detentions, and torture to threats and obstruction of coverage. The organization also documented 127 violations committed by social media companies in the West Bank and Gaza Strip, noting cases in which journalists' accounts were suspended or closed or their content was restricted for allegedly violating platform rules on issues like incitement to violence.

The PA's 2017 Electronic Crimes Law (ECL) prescribes heavy fines and lengthy prison terms for a range of vaguely defined offenses, including the publication or dissemination of material that is critical of the state, disturbs public order or national unity, or harms family and religious values. The ECL has been invoked in practice by PA security forces and courts, including to order the blocking of news sites.

D2. Are individuals free to practice and express their religious faith or nonbelief in public and private? 2 / 4

The PA Basic Law declares Islam to be the official religion of Palestine and states that "respect and sanctity of all other heavenly religions (Judaism and Christianity) shall be maintained." Blasphemy is a criminal offense. The ECL criminalizes expression aimed at harming moral and religious values without defining those values, allowing for arbitrary enforcement.

Security-related restrictions on movement, and vandalism or physical assaults against worshippers or places of worship, affect the religious freedom of Jewish, Muslim, and Christian residents of the West Bank to varying degrees. The Israeli authorities regularly prevent Palestinian Muslims in the West Bank from reaching Jerusalem to pray, and generally restrict access for young adult males to the Temple Mount/Haram al-Sharif compound on Fridays. Protests, clashes with Israeli security personnel, and mass arrests continued to occur at the compound during 2022.

D3. Is there academic freedom, and is the educational system free from extensive political indoctrination? 2 / 4

The PA has administrative authority over Palestinian education. Political activism is common on university campuses, and student council elections generally proceed freely; an Islamist bloc sympathetic to Hamas won a majority of the Birzeit University student council's seats in May 2022. However, students affiliated with the bloc have been detained by Israeli and Palestinian authorities. Israeli forces periodically enter university campuses to conduct raids and arrests. Schools in the West Bank are also sometimes subjected to Israeli raids.

According to the Association for Civil Rights in Israel, East Jerusalem's schools are underfunded compared with schools in West Jerusalem, and East Jerusalem suffers from a severe shortage of classrooms.

Israeli authorities have more actively restricted visas for foreign academics attempting to visit Palestinian universities in the West Bank since 2016, according to the Right to Enter Campaign.

D4. Are individuals free to express their personal views on political or other sensitive topics without fear of surveillance or retribution? 1 / 4

Residents have some freedom to engage in open private discussion, though Israeli and PA security forces are known to monitor online activity and arrest individuals for alleged incitement of violence or criticism of Palestinian authorities, respectively. In 2018, evidence emerged that the PA had engaged in extensive electronic surveillance of lawyers, activists, political figures, and others, which could have a deterrent effect on expression more broadly.

Human rights organizations have accused the PA of monitoring social media posts and detaining users for harsh questioning over their comments. In recent years, individuals have been detained over posts that discussed plans for protests, denounced the government's policies, allegedly defamed the authorities, or criticized the PA's relations with Israel. Nizar Banat, a civic activist known for criticizing the PA and alleging corruption within Fatah on social media, died in custody in 2021 after being violently detained and physically abused by PA security forces. The alleged perpetrators remained unpunished in 2022, and Banat's family members filed a complaint with the International Criminal Court in December, saying they had lost faith in a stalled PA military trial process.

E. ASSOCIATIONAL AND ORGANIZATIONAL RIGHTS: 4 / 12

E1. Is there freedom of assembly? 1 / 4

The PA requires permits for demonstrations, and those organized to protest against the PA or its policies are generally prohibited and often violently dispersed by security forces. In September 2022, the PA's arrest of two suspected Palestinian militants in Nablus prompted violent clashes between protesters and armed fighters on one side and Palestinian security forces on the other, leaving at least one person dead. In November, the PA raided the offices of an organization that was attempting to participate in an online conference of activists calling for the democratization of the Palestinian political system. Also during the year, PA security forces increasingly disrupted prisoner-release celebrations and funeral processions by supporters of Hamas and other Palestinian factions that oppose Fatah.

Israel's Military Order 101 (1967) requires a permit for all political demonstrations of more than 10 people, and these permits are rarely granted in practice. Military Order 1651 (2009) is used to prosecute and sentence those accused of harming public order or engaging in alleged incitement. Israeli authorities frequently restrict and disperse demonstrations, some of which become violent, and certain protest areas are designated as closed military zones. Protesters are at risk of injury by tear-gas canisters, rubber-coated bullets, or live ammunition, and clashes between demonstrators and Israeli troops periodically result in fatalities. Protest-related violence involving Israeli forces in the West Bank continued during 2022 after surging in 2021 over the threatened eviction of Palestinian families in East Jerusalem. A number of the confrontations were prompted by settler marches or Israeli military raids seeking suspected militants in Palestinian-populated areas.

E2. Is there freedom for nongovernmental organizations, particularly those that are engaged in human rights– and governance-related work? 1 / 4

A broad range of nongovernmental organizations (NGOs) operate in the West Bank. However, Israeli restrictions on movement can impede civil society activity, Islamist groups have been periodically shut down by Israeli or PA officials, and activists who criticize the PA leadership can face harassment and abuse by security services. A 2017 Israeli law bars entry for any foreign individual who publicly supports a boycott of Israel or its West Bank settlements, including representatives of international NGOs.

In 2021, the Israeli government designated six Palestinian NGOs and human rights organizations as "terrorist organizations." It provided no evidence that the groups, some of which received funding from European governments, had links to militant activity, and the move was criticized by international human rights organizations and UN experts. In August 2022, Israeli forces raided and sealed the West Bank offices of those organizations as well as a seventh, the Union of Health Work Committees.

Separately in 2021, the PA issued amendments to its law governing the work of NGOs and charitable organizations, imposing onerous reporting requirements and intrusive

financial controls on such groups. NGO representatives harshly criticized the amendments, arguing that they could effectively subordinate the civil society sector to PA government ministries. Enforcement of the decree was consequently suspended later that year, but a new Bylaw on Nonprofit Companies was issued without consultation in September 2022; it included key provisions of the 2021 measure.

E3. Is there freedom for trade unions and similar professional or labor organizations? 2 / 4

Workers may establish unions without PA government authorization, but labor protections in general are poorly enforced. Palestinian workers seeking to strike must submit to arbitration by the PA Labor Ministry, and various other rules make it difficult to mount a legal strike. Palestinian workers in Jerusalem are subject to Israeli labor law.

The PA exerts pressure on unions with the aim of co-opting them or ensuring Fatah's dominance in their leadership and composition. Nevertheless, a critic of the PA, Nadia Habash, was elected as head of the Engineers Association in 2021. In 2022, the Engineers Association engaged in protests and strikes to advance the interests of its public-sector membership, while the Doctors Association mounted its own demonstrations to block a presidential decree that attempted to replace its elected leadership with appointees. The Bar Association also held multiple strikes and protests to voice opposition to the government's infringements on judicial independence and the rule of law.

F. RULE OF LAW: 3 / 16 (−1)

F1. Is there an independent judiciary? 1 / 4 (−1)

Palestinians in the West Bank are subject to the jurisdiction of both the Palestinian judiciary and the Israeli military court system, neither of which is fully independent. In 2019, President Abbas issued two decrees, the first dissolving the existing High Judicial Council and replacing it with a transitional body, and the second lowering the retirement age of judges. In 2020, Abbas issued additional decrees that further consolidated his control over key judicial bodies and the appointment, retirement, and dismissal of judges. In October 2022, Abbas issued a decree that created a new High Judicial Council made up of his appointees and headed by himself.

Enforcement of judicial decisions is impeded by PA noncompliance as well as lack of Palestinian jurisdiction in Area C, where the Israeli military exerts exclusive control.

The Israeli civilian courts, which have jurisdiction over Israeli Jewish settlers in the West Bank, are independent.

Score Change: The score declined from 2 to 1 due to a series of efforts by President Abbas to assert control over the judiciary in recent years, including the replacement of the High Judicial Council with a new body that he would lead.

F2. Does due process prevail in civil and criminal matters? 1 / 4

The opaque distinction between criminal and security-related offenses, the regular use of detention without trial by both Palestinian and Israeli security forces, and the Israeli state's use of martial law and a military court system that applies exclusively to Palestinians in the West Bank all violate the due process rights of Palestinians. Israeli Jewish settlers are tried in Israeli civilian courts, which generally provide due process protections.

Human rights groups regularly document allegations of arbitrary detention by PA security forces. Israeli military authorities also use administrative detention to hold Palestinians without charges for extended periods. The Israeli military frequently conducts home raids without a warrant.

According to the Addameer Prisoner Support and Human Rights Association, approximately 4,700 Palestinian security detainees and prisoners from the West Bank were held in Israeli prisons as of December 2022, including some 860 administrative detainees and 150 minors. Those not in administrative detention were either awaiting trial or serving sentences issued by military courts. Detained minors are usually interrogated without a lawyer or parental guardian present and are tried by a special military court that has been criticized for a lack of due process protections. East Jerusalem Palestinian minors are tried in Israeli civilian juvenile courts.

F3. Is there protection from the illegitimate use of physical force and freedom from war and insurgencies? 0 / 4

Penal codes applicable in the West Bank permit capital punishment, but no executions have been carried out since 2005. In 2018, the State of Palestine became a signatory to the International Covenant on Civil and Political Rights, which tightly restricts the use of capital punishment.

Physical abuse of detainees by PA authorities in the West Bank has been documented by human rights organizations, and the Independent Commission for Human Rights received hundreds of complaints of torture and ill-treatment in West Bank prisons during 2022. There is also substantial evidence of the use of physical and psychological abuse by the Israeli military.

Israeli soldiers accused of excessive force or abuse of Palestinian civilians are subject to Israeli military law, though convictions, which are very rare, typically result in light sentences. The Israeli human rights group B'Tselem has estimated that the chance of a complaint leading to an indictment is just 3 percent. UN OCHA reported that a total of 151 Palestinians (34 aged under 18) were killed and 9,875 were injured by Israeli forces in the West Bank, including East Jerusalem, during 2022. All but two of those killed were categorized as civilians. The monthly average of Palestinian fatalities increased by 57 percent compared with 2021.

Israeli Jewish settlers who attack Palestinian individuals, property, and agricultural resources generally enjoy impunity and de facto protection from the Israeli army. According to UN data, there were at least 755 attacks by settlers against Palestinians in 2022, compared with 496 attacks in 2021 and 358 in 2020. UN OCHA reported that two Palestinian civilians were killed by settlers during 2022. When Israeli security forces were present, they typically stood by or participated in settler attacks.

Israeli security personnel and settlers also continue to face attacks by Palestinians, though on a smaller scale. According to UN OCHA, six Israeli civilians and four Israeli soldiers were killed by Palestinians in the West Bank during 2022.

Relatively new militant groups that are committed to armed resistance against the Israeli occupation—and are not directly controlled by the PA—are active in the West Bank. A brigade was formed in Jenin in 2021, while the Nablus Brigade's formation was announced in May 2022.

F4. Do laws, policies, and practices guarantee equal treatment of various segments of the population? 1 / 4

The legal arrangements operative in the West Bank are fundamentally discriminatory: Israelis and Palestinians who reside or commit crimes in the same location are subject to different courts and laws. In 2021, B'Tselem published a position paper concluding that the Israeli-imposed occupation regime in the West Bank, combined and contrasted with conditions inside Israel, met the definition of "apartheid" under international law, meaning it used systematic oppression to maintain the domination of one racial or ethnic group over another.

Also in 2021, Human Rights Watch published an evidence-based report to argue that the Israeli state is guilty of apartheid and persecution—crimes against humanity under international law. In February 2022, an Amnesty International report similarly concluded that the conditions prevailing across Israel and the occupied territories amounted to apartheid under international law. The findings by these Israeli and international groups built on an existing body of research developed by Palestinian experts.

While some PA laws and policies are designed to uphold equality for women and improve their status, such limited protections are often subordinated in practice to discriminatory societal norms, and enforcement is lacking. Palestinian women are underrepresented in most professions and encounter discrimination in employment, though they have equal access to universities. Women are legally excluded from what are deemed dangerous occupations. Gender-based harassment and violence remain major problems. Israeli women are treated equally in Israeli criminal and civil courts and have achieved substantial parity within Israeli society, though economic and other forms of discrimination persist, particularly in certain religious communities.

LGBT+ people in the West Bank do not face prosecution for same-sex sexual activity, but they have been subject to harassment and abuse by PA authorities and members of society, and there are no PA laws that specifically prohibit discrimination based on sexual orientation or gender identity. While discrimination based on sexual orientation is illegal under the laws that apply to Israelis, LGBT+ people continue to face bias in some Israeli communities. Gay and transgender Israelis are permitted to serve openly in the military.

G. PERSONAL AUTONOMY AND INDIVIDUAL RIGHTS: 5 / 16

G1. Do individuals enjoy freedom of movement, including the ability to change their place of residence, employment, or education? 1 / 4

Israeli checkpoints, travel permits, and other restrictions continue to seriously constrain freedom of movement, stunt trade, and limit Palestinian access to jobs, hospitals, and schools. The Israeli permit system lacks an effective appeal mechanism, and permits are often denied without explanation.

The Israeli separation barrier, 85 percent of which lies in West Bank territory and which was declared illegal in 2004 by the International Court of Justice, divides Palestinian communities and causes general hardship and disruption of services.

East Jerusalem Palestinians are vulnerable to revocation of their residency status if they leave the city for extended periods of time, affecting their freedom to travel, or if they are deemed to be a threat to public safety, security, or the state of Israel. Palestinians living elsewhere in the West Bank need a special permit from Israeli authorities to visit East Jerusalem.

G2. Are individuals able to exercise the right to own property and establish private businesses without undue interference from state or nonstate actors? 1 / 4

While Palestinians are able to own property and engage in business activity, their rights are seriously undermined by Israeli movement and access restrictions and the expansion of Israeli Jewish settlements, which is encouraged by the Israeli government and private groups. Israeli authorities employ a variety of methods to prevent Palestinians from developing their privately owned land, particularly in Area C, for example by declaring nature reserves, denying permit requests, and demolishing structures. Palestinian property is also illegally damaged by Israeli settlers.

G3. Do individuals enjoy personal social freedoms, including choice of marriage partner and size of family, protection from domestic violence, and control over appearance? 2 / 4

Palestinian laws and societal norms, derived in part from religious law, often put women at a disadvantage in matters such as marriage and divorce. Related cases are overseen by Muslim and Christian religious courts. For Israeli Jewish settlers, personal status issues are managed by Jewish religious courts, which can also impose disadvantages on women.

Rape and domestic abuse remain underreported and frequently go unpunished, as authorities are allegedly reluctant to pursue such cases, and effective mechanisms for complaints and victim protection are lacking. The problem of so-called honor killings and other gender-based violence persists in the West Bank. A 2018 PA law amended a penal-code provision that had been used to grant leniency to the perpetrators of honor killings, prohibiting its application in cases of serious crimes against women and children. However, activists argue that the practical effects of these changes have been minimal.

G4. Do individuals enjoy equality of opportunity and freedom from economic exploitation? 1 / 4

Unemployment rates in the Palestinian territories are high compared with the rest of the Middle East and global averages. The excess supply of workers creates conditions in which labor exploitation is more likely. PA laws restricting child labor are not effectively enforced.

Many West Bank Palestinians, most of them male, work in Israel and the settlements, where the PA has no jurisdiction. While these workers are covered by Israeli labor laws, inconsistent enforcement has been reported as a concern. Palestinians' work permits usually tie them to a single employer, creating a relationship of dependency, according to the International Labour Organization. Nonetheless, some laborers have achieved collective bargaining agreements with their Israeli employers. Tens of thousands of Palestinians work without permits, making them vulnerable to greater exploitation. Many Palestinians lose considerable income to brokers who connect Palestinian workers to Israeli employers.

Western Sahara*

Population: 600,000
Freedom Status:

Note: *Freedom in the World* reports assess the level of political rights and civil liberties in a given geographical area, regardless of whether they are affected by the state, nonstate actors, or foreign powers. Disputed territories are sometimes assessed separately if they meet certain criteria, including boundaries that are sufficiently stable to allow year-on-year comparisons. For more information, see the report methodology.

Overview: Morocco has claimed authority over Western Sahara since 1975, but the United Nations considers it a "non-self-governing territory." Morocco controls the most populous area along the Atlantic coastline, more than three-quarters of the territory; this area, which the Moroccan government calls the "Southern Provinces," is represented in that country's parliament. The Polisario Front controls land in Western Sahara's eastern and southern reaches. Rabat regularly offers autonomy; the Polisario demands an independence referendum. A long-promised referendum on Western Sahara's status has never been held. A 1991 UN–brokered cease-fire deteriorated in 2020. Civil liberties are severely restricted in Moroccan-controlled territory, especially relating to independence activism; civil liberties are similarly curtailed in Polisario-controlled territory.

KEY DEVELOPMENTS IN 2022

- In May, after more than 18 months under arbitrary house arrest, prominent proindependence activist Sultana Khaya was permitted to leave the territory to seek medical treatment in Spain. As of September, it remained unclear whether Khaya would be allowed to reenter Western Sahara.
- Security forces violently assaulted five Sahrawi women activists in April. Prior to their arrests, the women had participated in peaceful protests advocating for Sahrawi self-determination and had expressed support for Khaya.

POLITICAL RIGHTS: −3 / 40

A. ELECTORAL PROCESS: 0 / 12

A1. Was the current head of government or other chief national authority elected through free and fair elections? 0 / 4

Morocco controls more than three-quarters of Western Sahara, and Moroccan authorities allow no proindependence candidates to run for office.

The Polisario Front is based in Tindouf, Algeria. It leads a nationalist movement comprised of members of the Sahrawi ethnic group and controls the less-populated interior of the territory. The constitution of the government-in-exile states that the leader of the Polisario Front—currently Brahim Ghali—is the territory's president, but it does not hold regular elections within the territory.

A2. Were the current national legislative representatives elected through free and fair elections? 0 / 4

In the Moroccan-controlled portion of the territory, voters elect 13 representatives to the parliament in Rabat. Reports indicate that turnout in municipal and parliamentary elections in Western Sahara is chronically low.

The Sahrawi Arab Democratic Republic (SADR), the breakaway government, maintains a 51-member Sahrawi National Council, which is indirectly elected by the General Popular Congress of the Polisario Front. Most voting occurs in refugee camps in Algeria. The Polisario Front organizes the elections and does not allow any political parties to compete.

A3. Are the electoral laws and framework fair, and are they implemented impartially by the relevant election management bodies? 0 / 4

The electoral framework is not fair, given the constraints on representation in Moroccan-controlled territory. Any parliamentary candidate who challenges Moroccan control of the territory is prohibited from running.

B. POLITICAL PLURALISM AND PARTICIPATION: 0 / 16

B1. Do the people have the right to organize in different political parties or other competitive political groupings of their choice, and is the system free of undue obstacles to the rise and fall of these competing parties or groupings? 0 / 4

The Polisario Front, which controls the government-in-exile and the eastern and southern portions of the territory, does not allow other political parties to compete. In recent years, it has cracked down on political dissent, imprisoning a number of opponents.

In Moroccan-controlled areas, the Polisario Front is banned, and proindependence parties are not allowed to form.

B2. Is there a realistic opportunity for the opposition to increase its support or gain power through elections? 0 / 4

Since political parties that advocate for Sahrawi independence or autonomy cannot operate in Moroccan-controlled areas, the most salient opposition elements cannot gain power through elections. No credible opposition exists in territory controlled by the Polisario Front due to the ban on other political parties.

B3. Are the people's political choices free from domination by forces that are external to the political sphere, or by political forces that employ extrapolitical means? 0 / 4

People's political choices in Moroccan-controlled areas are dominated by Rabat. The government-in-exile in Tindouf is ostensibly autonomous but works closely with Algerian authorities. As a "non-self-governing territory," the people in the region are unable to elect an independent government.

B4. Do various segments of the population (including ethnic, racial, religious, gender, LGBT+, and other relevant groups) have full political rights and electoral opportunities? 0 / 4

Due to the territory's status and lack of sovereignty, no segment of the population has full political rights or electoral opportunities. However, women play a significant role in political activism. Many women are leaders in the independence movement and organize the refugee camps in Algeria.

C. FUNCTIONING OF GOVERNMENT: 0 / 12

C1. Do the freely elected head of government and national legislative representatives determine the policies of the government? 0 / 4

Western Sahara has no freely elected leaders. Representatives from Moroccan-controlled territory serve in the lower house of the Moroccan parliament, which is dominated by the monarchy. The monarch and his circle of advisers and associates—collectively known as the *Makhzen* ("central storehouse")—effectively determine government policy regarding the territory. The Polisario Front governs the portions of the territory in its control.

The Polisario has long accused Rabat of exploiting Western Sahara's natural resources. Morocco–European Union (EU) trade agreements have included Polisario-claimed territory even as legal disputes were being considered. The European Parliament approved agricultural and fisheries agreements with Morocco in 2019, the latter of which was approved by the European Council that year. While a European Court of Justice (ECJ) ruling required the EU to seek local consent on agreements covering the disputed territory, the Polisario Front did not participate in consultations on the agreements and sought redress at the ECJ. In September 2021, the General Court of the EU annulled the agreements for lack of local consent but left them in effect for two months pending possible appeal.

C2. Are safeguards against official corruption strong and effective? 0 / 4

Corruption among Moroccan state officials is widespread and investigations are rare. Corruption occurs primarily to facilitate the exploitation of natural resources—phosphates, hydrocarbons, and fisheries—by Moroccan and international interests. In Tindouf, official corruption among members of the Polisario is similarly widespread.

C3. Does the government operate with openness and transparency? 0 / 4

Morocco's restrictive access-to-information laws apply to Western Sahara. Information about Western Sahara is nearly nonexistent, which severely limits transparency. The Moroccan government publishes budget and financial information online, and public officials—including legislators, judges, and civil servants—are required to declare their assets.

However, nongovernmental organizations (NGOs) assert that many officials do not provide this information, and the law provides no penalties for noncompliance.

ADDITIONAL DISCRETIONARY POLITICAL RIGHTS QUESTION

Is the government or occupying power deliberately changing the ethnic composition of a country or territory so as to destroy a culture or tip the political balance in favor of another group? −3

Before and since the establishment of the UN Mission for the Referendum in Western Sahara (MINURSO) in 1991, Rabat has endeavored to change the population's balance in its favor. By some accounts, Moroccans now outnumber Sahrawis in Western Sahara. Despite this apparent trend, Morocco continues to work to prevent a referendum over the territory's final status.

CIVIL LIBERTIES: 7 / 60

D. FREEDOM OF EXPRESSION AND BELIEF: 3 / 16

D1. Are there free and independent media? 0 / 4

Some pro-Sahrawi media outlets do operate, such as the all-volunteer Equipe Media group, but they face regular harassment by Moroccan authorities, who ensure that reporting does not dispute Morocco's sovereignty over Western Sahara. The Moroccan 2016 Press Code prohibits challenges to "territorial integrity," which potentially criminalizes independent journalism that focuses on Western Sahara. Print outlets found to violate this provision risk suspension, while news sites face potential blocking. Journalists accused of challenging Morocco's territorial integrity could face prison sentences of between six months and two years.

International media are carefully vetted and scrutinized during their visits to Moroccan-controlled territory. Reporters visiting Tindouf are said to enjoy greater freedom of movement and inquiry, but such claims are difficult to substantiate. In Polisario-controlled territory, press freedoms are also limited, with television and radio coverage reflecting the ideology and viewpoints of the Polisario. Some exiled groups provide coverage from outside Western Sahara. Internet access is limited throughout the territory.

D2. Are individuals free to practice and express their religious faith or nonbelief in public and private? 2 / 4

Moroccan authorities generally do not interfere with religious practices, although as in Morocco, mosques are closely monitored by authorities. Moroccan law prohibits any efforts to convert a Muslim to another faith. It is illegal to publicly criticize Islam.

D3. Is there academic freedom, and is the educational system free from extensive political indoctrination? 0 / 4

Educators practice self-censorship around the status of Western Sahara, as Moroccan law criminalizes debate that calls this into question. Other sensitive topics include the monarchy and Islam. The University of Tifariti was established in 2013 as the first university in Polisario-controlled territory.

D4. Are individuals free to express their personal views on political or other sensitive topics without fear of surveillance or retribution? 1 / 4

As in Morocco, there is concern about state surveillance of online activity and personal communications, and people do not feel free to speak privately about the status of Western Sahara and other sensitive topics. Freedom of expression is also profoundly curtailed in Polisario-controlled areas.

E. ASSOCIATIONAL AND ORGANIZATIONAL RIGHTS: 0 / 12

E1. Is there freedom of assembly? 0 / 4

Demonstrations and protests are broken up regularly, particularly on sensitive issues such as self-determination and Sahrawi prisoners held by Moroccan authorities. Protesters are frequently arrested and beaten.

E2. Is there freedom for nongovernmental organizations, particularly those that are engaged in human rights– and governance-related work? 0 / 4

NGOs that advocate for independence or question Islam as the state religion are denied official registration by the Moroccan government. Organizations that meet the government's criteria are frequently denied registration as well. Foreign NGO representatives observing the human rights situation in Moroccan-controlled areas have been expelled.

In April 2022, Moroccan security services violently assaulted five women activists who had participated in peaceful demonstrations advocating for Sahrawi self-determination and had expressed support for Sahrawi activist Sultana Khaya.

E3. Is there freedom for trade unions and similar professional or labor organizations? 0 / 4

Moroccan unions are present but are largely inactive in Western Sahara. Government restrictions limit the right to strike. Most union members work for the Moroccan government.

The Polisario Front has a trade union called the Sahrawi Trade Union (UGTSARIO), which is also inactive; there is little economic activity in the refugee camps in Tindouf, and there is no functioning labor market in Polisario-controlled territory.

F. RULE OF LAW: 0 / 16

F1. Is there an independent judiciary? 0 / 4

Courts in Western Sahara are controlled by Morocco and their rulings reflect Rabat's interests. Executive interference and corruption significantly impede judicial independence.

F2. Does due process prevail in civil and criminal matters? 0 / 4

Due process rights are not respected. In 2017, a Moroccan appeals court issued prison sentences to 23 Sahrawis over the 2010 deaths of Moroccan security personnel during an uprising at the Gdeim Izik protest camp; confessions that were allegedly obtained by torture were used as trial evidence.

Proindependence advocates and other civil society leaders are often arbitrarily arrested, particularly in the aftermath of demonstrations. In November 2020, Moroccan authorities placed proindependence activist Sultana Khaya under arbitrary house arrest without a warrant. Security forces prevented Khaya from leaving her home until May 2022, when she was permitted to leave the territory to seek medical treatment in Spain; as of September, it remained unclear whether she will be allowed to reenter Western Sahara.

International human rights groups view many Sahrawis in Moroccan prisons as political prisoners.

F3. Is there protection from the illegitimate use of physical force and freedom from war and insurgencies? 0 / 4

The Moroccan military and the Polisario Front have engaged in regular fighting since the 2020 collapse of a cease-fire; the Polisario Front uses guerrilla tactics against Moroccan forces, regularly targeting personnel deployed along the sand berm.

In October 2021, UN Secretary-General António Guterres appointed Staffan de Mistura as his envoy to Western Sahara. In October 2022, the UN Security Council renewed MINURSO's mandate for one year.

Torture and degrading treatment by Moroccan authorities is a problem, especially against proindependence advocates. While under arbitrary house arrest between November 2020 and May 2022, proindependence activist Sultana Khaya was repeatedly subjected to violent physical and sexual assaults by members of the Moroccan security forces enforcing her detention. Amnesty International reported that, as of September 2022, no investigation into the abuse had taken place. In another case, in March 2022, imprisoned Sahrawi activist Mohamed Lamine Haddi reported that guards had physically assaulted him in his jail cell. The UN Committee against Torture (CAT) has criticized the Moroccan government for failing to promptly and thoroughly investigate reports of torture and abuse against detainees.

F4. Do laws, policies, and practices guarantee equal treatment of various segments of the population? 0 / 4

Sahrawis experience discrimination in access to education and employment. According to Sahrawi activists, Moroccan settlers are favored by employers in the phosphate mining industry, which is a predominant source of employment.

Women play leadership roles at the Sahrawi camps in Algeria, and some Sahrawis have described life in these camps as matriarchal. However, cultural norms also dictate that women stay at home and manage the household.

Moroccan law prohibits same-sex sexual acts.

G. PERSONAL AUTONOMY AND INDIVIDUAL RIGHTS: 4 / 16

G1. Do individuals enjoy freedom of movement, including the ability to change their place of residence, employment, or education? 1 / 4

Morocco and the Polisario Front both restrict free movement in Western Sahara. A sand berm, constructed by Morocco in the 1980s to divide territory under its control from Sahrawi-controlled territory in the east, is 1,700 miles long. The wall, which is surrounded on both sides by land mines, constitutes what may be the longest continuous minefield in the world.

G2. Are individuals able to exercise the right to own property and establish private businesses without undue interference from state or nonstate actors? 1 / 4

The territory's occupied status leaves property rights insecure. No credible free market exists within the territory. The SADR government routinely signs contracts with firms for the exploration of oil and gas, although these cannot be implemented given the territory's status.

G3. Do individuals enjoy personal social freedoms, including choice of marriage partner and size of family, protection from domestic violence, and control over appearance? 2 / 4

In Polisario-controlled territory and in Tindouf, women have a relatively higher social status than in Morocco. However, social freedoms are curtailed. Moroccan law criminalizes both adultery and premarital sex. Spousal rape is not considered a crime.

G4. Do individuals enjoy equality of opportunity and freedom from economic exploitation? 0 / 4

Economic opportunity is inhibited by the territory's undetermined status. The economic activity generated by companies that exploit the country's natural resources generally does not benefit the Sahrawi population. Sex trafficking, often affecting young girls, takes place in coastal fishing villages.

Freedom in the World 2023
Methodology

INTRODUCTION

Freedom in the World is an annual global report on political rights and civil liberties, composed of numerical ratings and descriptive texts for each country and a select group of territories. The 2023 edition covers developments in 195 countries and 15 territories from January 1, 2022, through December 31, 2022.

The report's methodology is derived in large measure from the Universal Declaration of Human Rights, adopted by the UN General Assembly in 1948. *Freedom in the World* is based on the premise that these standards apply to all countries and territories, irrespective of geographical location, ethnic or religious composition, or level of economic development. *Freedom in the World* operates from the assumption that freedom for all people is best achieved in liberal democratic societies.

Freedom in the World assesses the real-world rights and freedoms enjoyed by individuals, rather than governments or government performance per se. Political rights and civil liberties can be affected by both state and nonstate actors, including insurgents and other armed groups.

Freedom House does not believe that legal guarantees of rights are sufficient for on-the-ground fulfillment of those rights. While both laws and actual practices are factored into scoring decisions, greater emphasis is placed on implementation.

Territories are selected for assessment in *Freedom in the World* based on the following criteria: whether the area is governed separately from the rest of the relevant country or countries, either de jure or de facto; whether conditions on the ground for political rights and civil liberties are significantly different from those in the rest of the relevant country or countries, meaning a separate assessment is likely to yield different ratings; whether the territory is the subject of enduring popular or diplomatic pressure for autonomy, independence, or incorporation into another country; whether the territory's boundaries are sufficiently stable to allow an assessment of conditions for the year under review, and whether they can be expected to remain stable in future years so that year-on-year comparisons are possible; and whether the territory is large and/or politically significant. Freedom House typically takes no position on territorial or separatist disputes as such, focusing instead on the level of political rights and civil liberties in a given geographical area.

HISTORY OF *FREEDOM IN THE WORLD*

Freedom House's first year-end reviews of freedom began in the 1950s as the *Balance Sheet of Freedom*. This modest report provided assessments of political trends and their implications for individual freedom. In 1972, Freedom House launched a new, more comprehensive annual study called *The Comparative Study of Freedom*. Raymond Gastil, a Harvard-trained specialist in regional studies from the University of Washington in Seattle, developed the methodology, which assigned political rights and civil liberties ratings to 151 countries and 45 territories and categorized them as Free, Partly Free, or Not Free. The findings appeared each year in Freedom House's bimonthly journal *Freedom at Issue* (later

titled *Freedom Review*). *Freedom in the World* first appeared in book form in 1978 and included short narratives for each country and territory rated in the study, as well as a series of essays by leading scholars on related issues. *Freedom in the World* continued to be produced by Gastil until 1989, when a larger team of in-house analysts was established. In the mid-1990s, the expansion of the country and territory narratives necessitated the hiring of outside analysts—a group of regional experts from the academic, media, and human rights communities—and the project has continued to grow in size and scope in the years since.

A number of modest updates have been made to the methodology over time to adapt to evolving ideas about political rights and civil liberties. These changes are introduced incrementally in order to ensure the comparability of the ratings from year to year. Occasionally, language has been updated to explain more precisely what conditions are being assessed.

A structural change affecting a very small number of countries, beginning with the 2018 edition of *Freedom in the World*, was the elimination of Additional Discretionary Political Rights Question A. This indicator had awarded points to traditional monarchies that had no political parties or significant electoral processes but provided for some form of consultation with the public. Such consultation is now addressed elsewhere in the methodology.

Also beginning with the 2018 edition, countries require an overall Civil Liberties score of 30 or better—in addition to a score of 7 or better in subcategory A (Electoral Process), and an overall Political Rights score of 20 or better—to qualify as an electoral democracy.

RESEARCH AND RATINGS REVIEW PROCESS

Freedom in the World is produced each year by a team of in-house and external analysts and expert advisers from the academic, think tank, and human rights communities. The 2023 edition involved 128 analysts, and around 40 advisers. The analysts, who prepare the draft reports and scores, use a broad range of sources, including news articles, academic analyses, reports from nongovernmental organizations, individual professional contacts, and on-the-ground research. The analysts score countries and territories based on the conditions and events within their borders during the coverage period. The analysts' proposed scores are discussed and defended at a series of review meetings, organized by region and attended by Freedom House staff and a panel of expert advisers. The end product represents the consensus of the analysts, outside advisers, and Freedom House staff, who are responsible for any final decisions. Although an element of subjectivity is unavoidable in such an enterprise, the ratings process emphasizes methodological consistency, intellectual rigor, and balanced and unbiased judgments.

SCORING PROCESS

Freedom in the World uses a two-tiered system consisting of **scores** and **status**. The complete list of the questions used in the scoring process, and the tables for converting scores to status, appear at the end of this essay.

Scores—A country or territory is awarded 0 to 4 points for each of 10 political rights indicators and 15 civil liberties indicators, which take the form of questions; a score of 0 represents the smallest degree of freedom and 4 the greatest degree of freedom. The political rights questions are grouped into three subcategories: Electoral Process (3 questions), Political Pluralism and Participation (4), and Functioning of Government (3). The civil liberties questions are grouped into four subcategories: Freedom of Expression and Belief (4 questions), Associational and Organizational Rights (3), Rule of Law (4), and Personal

Autonomy and Individual Rights (4). The political rights section also contains an additional discretionary question addressing forced demographic change. For the discretionary question, a score of 1 to 4 may be subtracted, as applicable (the worse the situation, the more points may be subtracted). The highest overall score that can be awarded for political rights is 40 (or a score of 4 for each of the 10 questions). The highest overall score that can be awarded for civil liberties is 60 (or a score of 4 for each of the 15 questions). The scores from the previous edition are used as a benchmark for the current year under review. A score is typically changed only if there has been a real-world development during the year that warrants a decline or improvement (e.g., a crackdown on the media, the country's first free and fair elections), though gradual changes in conditions—in the absence of a signal event—are occasionally registered in the scores.

Free, Partly Free, Not Free Status—The combination of the overall score awarded for political rights and the overall score awarded for civil liberties, after being equally weighted, determines the status of Free, Partly Free, or Not Free (see table below).

Electoral Democracy—*Freedom in the World* assigns the designation "electoral democracy" to countries that have met certain minimum standards for political rights and civil liberties; territories are not included in the list of electoral democracies. According to the methodology, an electoral democracy designation requires a score of 7 or better in the Electoral Process subcategory, an overall political rights score of 20 or better, and an overall civil liberties score of 30 or better. These thresholds reflect the fact that a democratic electoral system requires not just fair balloting procedures and basic political competition, but also some respect for the rule of law and civil liberties such as freedom of assembly. Freedom House's "electoral democracy" designation should not be equated with "liberal democracy," a term that implies a more robust observance of democratic ideals and a wider array of civil liberties. In *Freedom in the World*, most Free countries could be considered liberal democracies, while some Partly Free countries might qualify as electoral, but not liberal, democracies.

Prior to the 2020 edition, *Freedom in the World* assigned a country or territory two ratings—one for political rights and one for civil liberties—based on its total scores for the political rights and civil liberties questions. Each rating of 1 to 7, with 1 representing the greatest degree of freedom and 7 the smallest degree of freedom, corresponded to a specific range of total scores. The average of the ratings determined the status of Free, Partly Free, or Not Free. While the underlying formula for converting scores into status remains identical, starting in the 2020 edition *Freedom in the World* no longer presented the 1–7 ratings as a separate element of its findings. The ratings are still included in the raw data available for download.

STATUS CHARACTERISTICS

Because the designations of Free, Partly Free, and Not Free each cover a broad swath of the available scores, countries or territories within any one category, especially those at either end of the range, can have quite different human rights situations. For example, those at the lowest end of the Free category (with lower political rights or civil liberties scores) differ from those at the upper end of the Free group (with higher political rights or civil liberties scores). Also, a designation of Free does not mean that a country or territory enjoys perfect freedom or lacks serious problems, only that it enjoys comparatively more freedom than those rated Partly Free or Not Free (and some others rated Free).

METHODOLOGY QUESTIONS

The bulleted subquestions are intended to provide guidance to the analysts regarding what issues are meant to be considered in scoring each checklist question. The analysts do not need to consider every subquestion during the scoring process, as the relevance of each varies from one place to another.

POLITICAL RIGHTS

A. ELECTORAL PROCESS

A1. Was the current head of government or other chief national authority elected through free and fair elections? (Note: Heads of government chosen through various electoral frameworks, including direct elections for president, indirect elections for prime minister by parliament, and the electoral college system for electing presidents, are covered under this question. In cases of indirect elections for the head of government, the elections for the legislature or other body that chose the head of government, as well as the selection process for the head of government itself, should be taken into consideration. In systems where executive authority is formally divided between a head of state and a head of government, greater weight should be given to elections for the official with the most executive authority.)

- Did independent, established, and reputable national and/or international election monitoring organizations judge the most recent election for head of government to have met democratic standards?
- Was the most recent election for head of government called in a timely manner, without undue, politically motivated delays or an accelerated schedule that unfairly limited campaign opportunities for some candidates?
- Was the registration of voters and candidates conducted in an accurate, timely, transparent, and nondiscriminatory manner?
- Were women allowed to register and run as candidates?
- Could all candidates make speeches, hold public meetings, and enjoy fair or proportionate media access throughout the campaign, free of intimidation?
- Did voting take place by secret ballot?
- Were voters able to vote for the candidate or party of their choice without undue pressure or intimidation?
- Was the vote count transparent and timely, and were the official results reported honestly to the public?
- Could election monitors from independent groups and representing parties/candidates watch the counting of votes to ensure its honesty?
- Did voters have equal access to polling places and opportunities to cast ballots?
- Has the most recently elected head of government been removed from office through violent, irregular, unconstitutional, or otherwise undemocratic means? (Note: Although a bloodless coup may ultimately lead to a positive outcome—particularly if it removes a head of government who was not freely and fairly elected—the new leader has not been freely and fairly elected and cannot be treated as such.)
- Has the head of government's electorally mandated term expired or been extended without new elections?

- In cases where elections for regional, provincial, or state governors and/or other subnational executive officials differ significantly in conduct from national elections, does the conduct of the subnational elections reflect an opening toward improved political rights in the country, or, alternatively, a worsening of political rights?

A2. Were the current national legislative representatives elected through free and fair elections?

- Did independent, established, and reputable domestic and/or international election monitoring organizations judge the most recent national legislative elections to have met democratic standards?
- Were the most recent legislative elections called in a timely manner, without undue, politically motivated delays or an accelerated schedule that unfairly limited campaign opportunities for some parties or candidates?
- Was the registration of voters and candidates conducted in an accurate, timely, transparent, and nondiscriminatory manner?
- Were women allowed to register and run as candidates?
- Could all candidates make speeches, hold public meetings, and enjoy fair or proportionate media access throughout the campaign, free of intimidation?
- Did voting take place by secret ballot?
- Were voters able to vote for the candidate or party of their choice without undue pressure or intimidation?
- Was the vote count transparent and timely, and were the official results reported honestly to the public?
- Could election monitors from independent groups and representing parties/candidates watch the counting of votes to ensure its honesty?
- Have members of the most recently elected national legislature been removed from office through violent, irregular, unconstitutional, or otherwise undemocratic means? (Note: Although a bloodless coup may ultimately lead to a positive outcome—particularly if it removes a legislature that was not freely and fairly elected—an appointed postcoup legislative body has not been freely and fairly elected and cannot be treated as such.)
- Has the legislature's electorally mandated term expired or been extended without new elections?
- In cases where elections for subnational councils/parliaments differ significantly in conduct from national elections, does the conduct of the subnational elections reflect an opening toward improved political rights in the country, or, alternatively, a worsening of political rights?

A3. Are the electoral laws and framework fair, and are they implemented impartially by the relevant election management bodies?

- Is there a clear, detailed, and fair legislative framework for conducting elections? (Note: Changes to electoral laws should not be made immediately preceding an election if these changes infringe on the ability of voters, candidates, or parties to fulfill their roles in the election.)
- Does the composition of election commissions ensure their independence?
- Are election commissions or other election authorities free from government or other pressure and interference?

- Do adult citizens enjoy universal and equal suffrage?
- Is the drawing of election districts conducted in a fair and nonpartisan manner, as opposed to malapportionment or gerrymandering for personal or partisan advantage?
- Has the selection of a system for choosing legislative representatives (such as proportional versus majoritarian) been improperly manipulated to advance certain political interests or to influence the electoral results?
- Are procedures for changing the electoral framework at the constitutional level, including referendums, carried out fairly and transparently, with adequate opportunity for public debate and discussion?

B. POLITICAL PLURALISM AND PARTICIPATION

B1. Do the people have the right to organize in different political parties or other competitive political groupings of their choice, and is the system free of undue obstacles to the rise and fall of these competing parties or groupings?

- Do political parties encounter undue legal or practical obstacles in their efforts to form and operate, including onerous registration requirements, excessively large membership requirements, etc.?
- Do parties face discriminatory or onerous restrictions in holding meetings or rallies, accessing the media, or engaging in other peaceful activities?
- Are laws and regulations governing party financing fair and equitably enforced? Do they impose excessive obstacles to political and campaign activity, or give an effective advantage to certain parties?
- Are party members or leaders intimidated, harassed, arrested, imprisoned, or subjected to violent attacks as a result of their peaceful political activities?
- In systems dominated by political parties, can independent candidates register and operate freely?
- B2. Is there a realistic opportunity for the opposition to increase its support or gain power through elections?
- Are various legal/administrative restrictions selectively applied to opposition parties to prevent them from increasing their support base or successfully competing in elections?
- Are there genuine opposition forces in positions of authority, such as in the national legislature or in subnational governments?
- Does intimidation, harassment, arrest, imprisonment, or violent attack as a result of peaceful political activities affect the ability of opposition party members or leaders to increase their support or gain power through elections?
- Is there a significant opposition vote?
- Did major opposition parties choose to boycott the most recent elections rather than participate in a flawed process?

B3. Are the people's political choices free from domination by forces that are external to the political sphere, or by political forces that employ extrapolitical means?

- Do entities that are external to the political system (the military, foreign powers, economic oligarchies, criminal organizations, armed militants, or any other powerful group) intimidate, harass, or attack voters or political figures in order to influence their political choices?
- Do such groups offer bribes or other incentives to voters or political figures in order to influence their political choices?

- Do entities within the political system, such as major parties and incumbent leaders, use extrapolitical means (corrupt patronage networks, control over land or employment, control over security forces, control over party militias, manipulation of state institutions or resources) to exert improper influence over the political choices of voters or political figures?
- Do traditional or religious leaders use extrapolitical means (control over communal land or resources, bribes or economic incentives, violence or intimidation) to exert improper influence over the political choices of voters or political figures?
- Do major private or public-sector employers directly or indirectly control the political choices of their workers?
- Do major private donors to political parties or causes use opaque or illegal methods to exert improper influence over voters or political figures?
- Does the formal structure of the political system give overriding authority to entities that are not accountable to voters (hereditary monarchs, religious hierarchies, unelected military or party officials, the sole legal party in one-party states), thus excluding the public from meaningful political participation?

B4. Do various segments of the population (including ethnic, religious, gender, LGBT+, and other relevant groups) have full political rights and electoral opportunities?

- Do national political parties of various ideological persuasions address issues of specific concern to these groups?
- When other parties fail to address the interests of certain groups, are political parties that are focused on those groups—provided they espouse peaceful, democratic values—legally permitted and de facto allowed to operate?
- Does the government inhibit the participation of certain groups in national or subnational political life through laws and/or practical obstacles—for example, by limiting access to voter registration or failing to publish public documents in certain languages?
- Are the interests of women represented in political parties—for example, through party manifestos that address gender issues, gender equality policies within parties, and mechanisms to ensure women's full and equal participation in internal party elections and decision-making?
- Are there unusually excessive or discriminatory barriers to acquiring citizenship that effectively deny political rights to a majority or large portion of the native-born or legal permanent population, or is citizenship revoked to produce a similar result?

C. FUNCTIONING OF GOVERNMENT

C1. Do the freely elected head of government and national legislative representatives determine the policies of the government? (Note: Because the score for question C1 is partly dependent on the presence of a freely elected head of government and national legislative representatives, under most circumstances it will not exceed the average of the scores for questions A1 and A2.)

- Are the candidates who were elected freely and fairly duly installed in office, and were they able to form a functioning government within a reasonable period of time?
- Do other appointed or non–freely elected state actors interfere with or prevent freely elected representatives from adopting and implementing legislation and making meaningful policy decisions?

- Do nonstate actors, including criminal gangs and insurgent groups, interfere with or prevent elected representatives from adopting and implementing legislation and making meaningful policy decisions?
- Do the armed forces or other security services control or enjoy a preponderant influence over government policy and activities, including in countries that are nominally under civilian control?
- Do foreign governments control or enjoy a preponderant influence over government policy and activities by means including the presence of foreign military troops and the use of significant economic threats or sanctions? (Note: If a treaty was signed and ratified by a freely elected government, adherence to that treaty is typically not considered an improper external influence on policymaking, even if it limits a government's options in practice.)
- Is the freely elected government able to implement its decisions across the entire territory without interference from nonstate actors?
- Does the executive exhibit excessive dominance over the legislature?
- Has partisan polarization or obstructionism seriously impaired basic executive or legislative functions, such as approving a budget or filling important vacancies?

C2. Are safeguards against official corruption strong and effective?

- Has the government implemented effective anticorruption laws or programs to prevent, detect, and punish corruption among public officials, including conflicts of interest?
- Is the government free from excessive bureaucratic regulations, registration requirements, or other controls that increase opportunities for corruption?
- Are there independent and effective auditing and investigative bodies that function without impediment or political pressure or influence?
- Are allegations of corruption involving government officials thoroughly investigated and prosecuted without prejudice or political bias?
- Are allegations of corruption given extensive and substantive airing in the media?
- Do whistleblowers, anticorruption activists, investigators, and journalists enjoy legal protections that allow them to freely and safely report abuses?

C3. Does the government operate with openness and transparency?

- Do citizens have the legal right and practical ability to obtain information about state operations and the means to petition government agencies for it?
- Does the government publish information online, in machine-readable formats, for free, and is this information accessible by default?
- Are civil society groups, interest groups, journalists, and other citizens given a fair and meaningful opportunity to comment on and influence pending policies or legislation?
- Are elected representatives accessible to their constituents?
- Is the budget-making process subject to meaningful legislative review and public scrutiny?
- Does the state ensure transparency and effective competition in the awarding of government contracts?
- Are the asset declarations of government officials open to public and media scrutiny and verification?

ADDITIONAL DISCRETIONARY POLITICAL RIGHTS QUESTION

ADD Q. Is the government or occupying power deliberately changing the ethnic composition of a country or territory so as to destroy a culture or tip the political balance in favor of another group?

- 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

D. FREEDOM OF EXPRESSION AND BELIEF

D1. Are there free and independent media? (Note: "Media" refers to all relevant sources of news and commentary—including formal print, broadcast, and online news outlets, as well as social media and communication applications when they are used to gather or disseminate news and commentary for the general public. The question also applies to artistic works in any medium.)

- Are the media directly or indirectly censored?
- Is self-censorship common among journalists (the term includes professional journalists, bloggers, and citizen journalists), especially when reporting on sensitive issues, including politics, social controversies, corruption, or the activities of powerful individuals?
- Are journalists subject to pressure or surveillance aimed at identifying their sources?
- Are libel, blasphemy, security, or other restrictive laws used to punish journalists who scrutinize government officials and policies or other powerful entities through either onerous fines or imprisonment?
- Is it a crime to insult the honor and dignity of the president and/or other government officials? How broad is the range of such prohibitions, and how vigorously are they enforced?
- If media outlets are dependent on the government for their financial survival, does the government condition funding on the outlets' cooperation in promoting official points of view and/or denying access to opposition parties and civic critics? Do powerful private actors engage in similar practices?
- Do the owners of private media exert improper editorial control over journalists or publishers, skewing news coverage to suit their personal business or political interests?
- Is media coverage excessively partisan, with the majority of outlets consistently favoring either side of the political spectrum?
- Does the government attempt to influence media content and access through means including politically motivated awarding or suspension of broadcast frequencies and newspaper registrations, unfair control and influence over printing facilities and distribution networks, blackouts of internet or mobile service, selective distribution of advertising, onerous operating requirements, prohibitive tariffs, and bribery?

- Are journalists threatened, harassed online, arrested, imprisoned, beaten, or killed by government or nonstate actors for their legitimate journalistic activities, and if such cases occur, are they investigated and prosecuted fairly and expeditiously?
- Do women journalists encounter gender-specific obstacles to carrying out their work, including threats of sexual violence or strict gender segregation?
- Are works of literature, art, music, or other forms of cultural expression censored or banned for political purposes?

D2. Are individuals free to practice and express their religious faith or nonbelief in public and private?

- Are registration requirements employed to impede the free functioning of religious institutions?
- Are members of religious groups, including minority faiths and movements, harassed, fined, arrested, or beaten by the authorities for engaging in their religious practices?
- Is state monitoring of peaceful religious activity so indiscriminate, pervasive, or intrusive that it amounts to harassment or intimidation?
- Are religious practice and expression impeded by violence or harassment by nonstate actors?
- Does the government appoint or otherwise influence the appointment of religious leaders?
- Does the government control or restrict the production and distribution of religious writings or materials?
- Is the construction of religious buildings banned or restricted?
- Does the government place undue restrictions on religious education? Does the government require religious education?
- Are individuals free to eschew religious beliefs and practices in general?

D3. Is there academic freedom, and is the educational system free from extensive political indoctrination?

- Are teachers and professors at both public and private institutions free to pursue academic activities of a political and quasi-political nature without fear of physical violence or intimidation by state or nonstate actors?
- Does the government pressure, strongly influence, or control the content of school curriculums for political purposes?
- Is the allocation of funding for public educational institutions free from political manipulation?
- Are student associations that address issues of a political nature allowed to function freely?
- Does the government, including through school administration or other officials, pressure students and/or teachers to support certain political figures or agendas, including by requiring them to attend political rallies or vote for certain candidates? Conversely, does the government, including through school administration or other officials, discourage or forbid students and/or teachers from supporting certain candidates and parties?

D4. Are individuals free to express their personal views on political or other sensitive topics without fear of surveillance or retribution?

- Are people able to engage in private discussions, particularly of a political nature, in public, semipublic, or private places—including restaurants, public transportation, and their homes, in person or on the telephone—without fear of harassment or detention by the authorities or nonstate actors?

- Do users of personal online communications—including direct messages, voice or video applications, or social media accounts with a limited audience—face legal penalties, harassment, or violence from the government or powerful nonstate actors in retaliation for critical remarks?
- Does the government employ people or groups to engage in public surveillance and to report alleged antigovernment conversations to the authorities?

E. ASSOCIATIONAL AND ORGANIZATIONAL RIGHTS

E1. Is there freedom of assembly?

- Are peaceful protests, particularly those of a political nature, banned or severely restricted?
- Are the legal requirements to obtain permission to hold peaceful demonstrations particularly cumbersome or time-consuming?
- Are participants in peaceful demonstrations intimidated, arrested, or assaulted?
- Are peaceful protesters detained by police in order to prevent them from engaging in such actions?
- Are organizers blocked from using online media to plan or carry out a protest, for example through DDoS attacks or wholesale blackouts of internet or mobile services?
- Are similar restrictions and obstacles used to impede other public events, such as conferences, panel discussions, and town hall–style meetings?
- Are public petitions, in which citizens gather signatures to support a particular policy or initiative, banned or severely restricted?

E2. Is there freedom for nongovernmental organizations, particularly those that are engaged in human rights– and governance-related work? (Note: This includes civic organizations, interest groups, foundations, think tanks, gender rights groups, etc.)

- Are registration and other legal requirements for nongovernmental organizations particularly onerous or intended to prevent them from functioning freely?
- Are laws related to the financing of nongovernmental organizations unduly complicated and cumbersome, or are there obstacles to citizens raising money for charitable causes or civic activism?
- Are donors and funders of nongovernmental organizations free from government pressure?
- Are members of nongovernmental organizations intimidated, arrested, imprisoned, or assaulted because of their work?

E3. Is there freedom for trade unions and similar professional or labor organizations?

- Are trade unions allowed to be established and to operate without government interference?
- Are workers pressured by the government or employers to join or not to join certain trade unions, and do they face harassment, violence, or dismissal from their jobs if they fail to comply?
- Are workers permitted to engage in strikes, and do participants in peaceful strikes face reprisals? (Note: This question may not apply to workers in narrowly defined essential government services or public safety jobs.)
- Are unions able to bargain collectively with employers and negotiate agreements that are honored in practice?
- For states with primarily agricultural economies that do not necessarily support the formation of trade unions, does the government allow for the establishment

of agricultural workers' organizations or their equivalents? Is there legislation expressly forbidding the formation of trade unions?
- Are professional organizations, including business associations, allowed to operate freely and without government interference?

F. RULE OF LAW

F1. Is there an independent judiciary?
- Is the judiciary subject to interference from the executive branch of government or from other political, economic, or religious influences?
- Are judges appointed and dismissed in a fair and unbiased manner?
- Do judges rule fairly and impartially, or do they commonly render verdicts that favor the government or particular interests, whether in return for bribes or for other reasons?
- Do executive, legislative, and other governmental authorities comply with judicial decisions, and are these decisions effectively enforced?
- Do powerful private entities comply with judicial decisions, and are decisions that run counter to the interests of powerful actors effectively enforced?

F2. Does due process prevail in civil and criminal matters?
- Are defendants' rights, including the presumption of innocence until proven guilty, protected?
- Do detainees have access to independent, competent legal counsel regardless of their financial means?
- Are defendants given a fair, public, and timely hearing by a competent, independent, and impartial tribunal?
- Is access to the court system in general dependent on an individual's financial means?
- Are prosecutors independent of political control and influence?
- Are prosecutors independent of powerful private interests, whether legal or illegal?
- Do law enforcement and other security officials operate professionally, independently, and accountably?
- Do law enforcement officials make arbitrary arrests and detentions without warrants, or fabricate or plant evidence on suspects?
- Do law enforcement and other security officials fail to uphold due process because of influence by nonstate actors, including organized crime, powerful commercial interests, or other groups?

F3. Is there protection from the illegitimate use of physical force and freedom from war and insurgencies?
- Do law enforcement officials beat detainees during arrest or use excessive force or torture to extract confessions?
- Are conditions in pretrial detention facilities and prisons humane and respectful of the human dignity of inmates?
- Do citizens have the means of effective petition and redress when they suffer physical abuse by state authorities?
- Does the law allow corporal punishment, and are such penalties employed in practice?
- In countries that allow the death penalty, is it applied for crimes other than murder or in a manner that violates basic standards of justice?
- Is violent crime common, either in particular areas or among the general population?

- Is the population subjected to physical harm, forced removal, or other acts of violence or terror due to civil conflict or war?

F4. Do laws, policies, and practices guarantee equal treatment of various segments of the population?

- Are members of various distinct groups—including ethnic, religious, gender, LGBT+, and other relevant groups—able to effectively exercise their human rights with full equality before the law?
- Is violence against such groups considered a crime, is it widespread, and are perpetrators brought to justice?
- Do members of such groups face legal and/or de facto discrimination in areas including employment, education, and housing because of their identification with a particular group?
- Do noncitizens—including migrant workers and noncitizen immigrants—enjoy basic internationally recognized human rights, including the right not to be subjected to torture or other forms of ill-treatment, the right to due process of law, and the freedoms of association, expression, and religion?
- Do the country's laws provide for the granting of asylum or refugee status in accordance with the 1951 UN Convention Relating to the Status of Refugees, its 1967 Protocol, and other regional treaties regarding refugees? Has the government established a system for providing protection to refugees, including against *refoulement* (the return of persons to a country where there is reason to believe they would face persecution)?

G. PERSONAL AUTONOMY AND INDIVIDUAL RIGHTS

G1. Do individuals enjoy freedom of movement, including the ability to change their place of residence, employment, or education?

- Are there restrictions on foreign travel, including an exit visa system, which may be enforced selectively?
- Is permission required from the authorities or nonstate actors to move within the country?
- Do state or nonstate actors control or constrain a person's ability to change their type and place of employment?
- Are bribes or other inducements needed to obtain the necessary documents to travel, change one's place of residence or employment, enter institutions of higher education, or advance in school?
- Is freedom of movement impaired by general threats to physical safety, such as armed conflict? Do such threats lead to forced displacement?
- Do women enjoy the same freedom of movement as men?

G2. Are individuals able to exercise the right to own property and establish private businesses without undue interference from state or nonstate actors?

- Are people legally allowed to purchase and sell land and other property, and can they do so in practice without undue interference from the government or nonstate actors?
- Do women face discrimination in property and inheritance rights?
- Is fair business competition heavily skewed by political favoritism, cronyism, or other improper interference?
- Are individuals protected from arbitrary expropriation, and do they receive adequate and timely compensation when property is seized?
- Are people legally allowed to establish and operate private businesses with a reasonable minimum of registration, licensing, and other requirements?

- Are bribes or other inducements needed to obtain the necessary legal documents to operate private businesses?
- Do private/nonstate actors, including criminal groups, seriously impede private business activities through such measures as extortion?

G3. Do individuals enjoy personal social freedoms, including choice of marriage partner and size of family, protection from domestic violence, and control over appearance?

- Are personalized forms of violence—including domestic violence, female genital mutilation/cutting, sexual abuse, and rape—widespread, and are perpetrators brought to justice?
- Does the government directly or indirectly control choice of marriage partner or other personal relationships through means such as bans on interfaith marriages, failure to enforce laws against child marriage or dowry payments, restrictions on same-sex relationships, or criminalization of extramarital sex?
- Do individuals enjoy equal rights in divorce proceedings and child custody matters?
- Do citizenship or residency rules undermine family integrity through excessively high or discriminatory barriers for foreign spouses or transmission of citizenship to children?
- Does the government determine the number of children that a couple may have, including by denying access to or imposing birth control, or by criminalizing or imposing abortion?
- Does the government restrict individuals' choice of dress, appearance, or gender expression?
- Do private institutions or individuals, including religious groups or family members, unduly infringe on the personal social freedoms of individuals, including choice of marriage partner, family size, dress, gender expression, etc.?

G4. Do individuals enjoy equality of opportunity and freedom from economic exploitation?

- Do state or private employers exploit their workers through practices including unfairly withholding wages, permitting or forcing employees to work under unacceptably dangerous conditions, or adult slave labor and child labor?
- Does tight government control over the economy, including through state ownership or the setting of prices and production quotas, inhibit individuals' economic opportunity?
- Do the revenues from large state industries, including the energy sector, benefit the general population or only a privileged few?
- Do private interests exert undue influence on the economy—through monopolistic practices, concentration of ownership, cartels, or illegal blacklists—that impedes economic opportunity for the general population?
- Do laws, policies, or persistent socioeconomic conditions effectively impose rigid barriers to social mobility, generally preventing individuals from rising to higher income levels over the course of their lives?
- Is the trafficking of persons for labor, sexual exploitation, forced begging, etc., widespread, and is the government taking adequate steps to address the problem?

KEY TO SCORES, PR AND CL RATINGS, STATUS

TABLE 1

Political Rights (PR)	
Total Scores	**PR Rating**
36–40	1
30–35	2
24–29	3
18–23	4
12–17	5
6–11	6
0–5*	7

TABLE 2

Civil Liberties (CL)	
Total Scores	**CL Rating**
53–60	1
44–52	2
35–43	3
26–34	4
17–25	5
8–16	6
0–7	7

TABLE 3

Combined Average of the PR and CL Ratings (Freedom Rating)	Freedom Status
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 total political rights score to be less than 0 (between −1 and −4) if it receives mostly or all 0s for each of the 10 PR questions *and* it receives a sufficiently negative score for the additional discretionary PR question. In such a case, a country would still receive a final PR rating of 7.

Tables and Ratings

Countries

Country	PR	CL	Freedom Status
Afghanistan	7	7 ▼	Not Free
Albania*	3	3	Partly Free
Algeria	6	5	Not Free
Andorra*	1	1	Free
Angola	6	5	Not Free
Antigua and Barbuda*	2	2	Free
Argentina*	2	2	Free
Armenia*	4	4	Partly Free
Australia*	1	1	Free
Austria*	1	1	Free
Azerbaijan	7	7	Not Free
Bahamas*	1	1	Free
Bahrain	7	6	Not Free
Bangladesh	5	5	Partly Free
Barbados*	1	1	Free
Belarus	7	7	Not Free
Belgium*	1	1	Free
Belize*	2	1	Free
Benin	5	3	Partly Free
Bhutan*	3	4	Partly Free
Bolivia*	3	3	Partly Free
Bosnia and Herzegovina	4	4	Partly Free
Botswana*	3	2	Free
Brazil*	2	3	Free
Brunei	6	5	Not Free
Bulgaria*	2	2	Free
Burkina Faso	7 ▼	4	Not Free ▼
Burundi	7	6	Not Free
Cabo Verde*	1	1	Free

Country	PR	CL	Freedom Status
Cambodia	7	5	Not Free
Cameroon	6	6	Not Free
Canada*	1	1	Free
Central African Republic	7	7	Not Free
Chad	7	6	Not Free
Chile*	1	1	Free
China	7	6	Not Free
Colombia*	2 ▲	3	Free
Comoros	5	4	Partly Free
Congo (Brazzaville)	7	6	Not Free
Congo (Kinshasa)	7	6	Not Free
Costa Rica*	1	1	Free
Côte d'Ivoire	4	4	Partly Free
Croatia*	2 ▼	2	Free
Cuba	7	6	Not Free
Cyprus*	1	1	Free
Czech Republic*	1	1	Free
Denmark*	1	1	Free
Djibouti	7	5	Not Free
Dominica*	1	1	Free
Dominican Republic*	3	3	Partly Free
Ecuador*	2	3	Free
Egypt	6	6	Not Free
El Salvador*	3	4	Partly Free
Equatorial Guinea	7	7	Not Free
Eritrea	7	7	Not Free
Estonia*	1	1	Free
Eswatini	7	6	Not Free
Ethiopia	6 ▼	6	Not Free
Fiji*	3 ▲	3	Partly Free
Finland*	1	1	Free
France*	1	2	Free
Gabon	7	5	Not Free
Georgia*	4	3	Partly Free
Germany*	1	1	Free

Country	PR	CL	Freedom Status
Ghana*	2	2	Free
Greece*	2 ▼	2	Free
Grenada*	1	2	Free
Guatemala	4	4	Partly Free
Guinea	6	5	Partly Free
Guinea-Bissau	5	4	Partly Free
Guyana*	2	3	Free
Haiti	6	5	Not Free
Honduras	4	4	Partly Free
Hungary*	3	3	Partly Free
Iceland*	1	1	Free
India*	2	4	Partly Free
Indonesia	2	4	Partly Free
Iran	7	6	Not Free
Iraq	5	6	Not Free
Ireland*	1	1	Free
Israel*	2	3	Free
Italy*	1	1	Free
Jamaica*	2	2	Free
Japan*	1	1	Free
Jordan	6	5	Not Free
Kazakhstan	7	5	Not Free
Kenya*	4	4	Partly Free
Kiribati*	1	1	Free
Kosovo*	3	4	Partly Free
Kuwait	5	5	Partly Free
Kyrgyzstan	7	5	Not Free
Laos	7	6	Not Free
Latvia*	1	2	Free
Lebanon	5	4	Partly Free
Lesotho*	2 ▲	3	Free ▲
Liberia*	3	4	Partly Free
Libya	7	6	Not Free
Liechtenstein*	2	1	Free
Lithuania*	1	2	Free

Country	PR	CL	Freedom Status
Luxembourg*	1	1	Free
Madagascar*	3	4	Partly Free
Malawi*	3	3	Partly Free
Malaysia	4	4	Partly Free
Maldives	4	5	Partly Free
Mali	6	5	Not Free
Malta*	2	1	Free
Marshall Islands*	1	1	Free
Mauritania	5	5	Not Free
Mauritius*	2 ▼	2	Free
Mexico*	3	4	Partly Free
Micronesia*	1	1	Free
Moldova*	3	3	Partly Free
Monaco*	3	1	Free
Mongolia*	1	2	Free
Montenegro*	3	3	Partly Free
Morocco	5	5	Partly Free
Mozambique	5	4	Partly Free
Myanmar	7	6	Not Free
Namibia*	2	2	Free
Nauru*	2	3	Free
Nepal*	3	4	Partly Free
Netherlands*	1	1	Free
New Zealand*	1	1	Free
Nicaragua	7	6 ▼	Not Free
Niger	4	4	Partly Free
Nigeria	4	5	Partly Free
North Korea	7	7	Not Free
North Macedonia*	3	3	Partly Free
Norway*	1	1	Free
Oman	6	5	Not Free
Pakistan	5	5	Partly Free
Palau*	1	1	Free
Panama*	2	2	Free
Papua New Guinea	4	3	Partly Free

Country	PR	CL	Freedom Status
Paraguay*	3	3	Partly Free
Peru*	3 ▼	3	Partly Free ▼
Philippines*	3	4	Partly Free
Poland*	2	2	Free
Portugal*	1	1	Free
Qatar	6	5	Not Free
Romania*	2	2	Free
Russia	7	6	Not Free
Rwanda	6	6	Not Free
Samoa*	2	2	Free
San Marino*	1	1	Free
São Tomé and Príncipe*	2	2	Free
Saudi Arabia	7	7	Not Free
Senegal*	3	3	Partly Free
Serbia	4	3	Partly Free
Seychelles*	2	2	Free
Sierra Leone*	3	3	Partly Free
Singapore	4	4	Partly Free
Slovakia*	1	1	Free
Slovenia*	1	1 ▲	Free
Solomon Islands*	3 ▼	2	Free
Somalia	7	7	Not Free
South Africa*	2	2	Free
South Korea*	2	2	Free
South Sudan	7	7	Not Free
Spain*	1	1	Free
Sri Lanka*	4	4	Partly Free
St. Kitts and Nevis*	2	1	Free
St. Lucia*	1	1	Free
St. Vincent and the Grenadines*	1	1	Free
Sudan	7	6	Not Free
Suriname*	2	2	Free
Sweden*	1	1	Free
Switzerland*	1	1	Free
Syria	7	7	Not Free

Country	PR	CL	Freedom Status
Taiwan*	1	1	Free
Tajikistan	7	7 ▼	Not Free
Tanzania	5	5	Partly Free
Thailand	6 ▲	5	Not Free
The Gambia	4	4	Partly Free
Timor-Leste*	2	3	Free
Togo	5	4	Partly Free
Tonga*	2	2	Free
Trinidad and Tobago*	2	2	Free
Tunisia	4 ▼	3	Partly Free
Turkey	5	6	Not Free
Turkmenistan	7	7	Not Free
Tuvalu*	1	1	Free
Uganda	6	5	Not Free
Ukraine	4 ▼	4 ▼	Partly Free
United Arab Emirates	7	6	Not Free
United Kingdom*	1	1	Free
United States*	2	2	Free
Uruguay*	1	1	Free
Uzbekistan	7	6	Not Free
Vanuatu*	2	2	Free
Venezuela	7	6	Not Free
Vietnam	7	6	Not Free
Yemen	7	6	Not Free
Zambia	4	4	Partly Free
Zimbabwe	6	5	Not Free

PR and CL stand for political rights and civil liberties, respectively; 1 represents the most free and 7 the least free rating.

▲ ▼ up or down indicates an improvement or decline in ratings or status since the last survey.

***** indicates a country's status as an electoral democracy.

NOTE: The ratings reflect global events from January 1, 2022, through December 31, 2022.

TERRITORIES

Territory	PR	CL	Freedom Status
Abkhazia	5	5	Partly Free
Crimea	7	7 ▼	Not Free
Eastern Donbas	7	7	Not Free
Gaza Strip	7	6	Not Free
Hong Kong	6	4	Partly Free
Indian Kashmir	6	5	Not Free
Nagorno-Karabakh	5	5	Partly Free
Northern Cyprus	3	2	Free
Pakistani Kashmir	6	5	Not Free
Somaliland	4	4	Partly Free
South Ossetia	7	6	Not Free
Tibet	7	7	Not Free
Transnistria	6	6	Not Free
West Bank	7	5	Not Free
Western Sahara	7	7	Not Free

PR and CL stand for political rights and civil liberties, respectively; 1 represents the most free and 7 the least free rating.

▲ ▼ up or down indicates an improvement or decline in ratings or status since the last survey.

NOTE: The ratings reflect global events from January 1, 2022, through December 31, 2022.

Combined Average Ratings: Independent Countries

FREE

1.0
Andorra
Australia
Austria
Bahamas
Barbados
Belgium
Cabo Verde
Canada
Chile
Costa Rica
Cyprus
Czech Republic
Denmark
Dominica
Estonia
Finland
Germany
Iceland
Ireland
Italy
Japan
Kiribati
Luxembourg
Marshall Islands
Micronesia
Netherlands
New Zealand
Norway
Palau
Portugal
San Marino
Slovakia
Slovenia
Spain
St. Lucia
St. Vincent and the Grenadines
Sweden
Switzerland
Taiwan
Tuvalu
United Kingdom
Uruguay

1.5
Belize
France
Grenada
Latvia
Liechtenstein
Lithuania
Malta
Mongolia
St. Kitts and Nevis

2.0
Antigua and Barbuda
Argentina
Bulgaria
Croatia
Ghana
Greece
Jamaica
Mauritius
Monaco
Namibia
Panama
Poland
Romania
Samoa
Sao Tome and Principe
Seychelles
South Africa
South Korea
Suriname
Tonga
Trinidad and Tobago
United States
Vanuatu

2.5
Botswana
Brazil
Colombia
Ecuador
Guyana
Israel
Lesotho
Nauru
Solomon Islands
Timor-Leste

PARTLY FREE

3.0
Albania
Bolivia
Dominican Republic
Fiji
Hungary
India
Indonesia
Malawi
Moldova
Montenegro
North Macedonia
Paraguay
Peru
Senegal
Sierra Leone

3.5
Bhutan
El Salvador
Georgia
Kosovo
Liberia
Madagascar
Mexico
Nepal
Papua New Guinea
Philippines
Serbia
Tunisia

4.0
Armenia
Benin
Bosnia and Herzegovina
Cote d'Ivoire
Guatemala
Honduras
Kenya
Malaysia
Niger
Singapore
Sri Lanka
The Gambia
Ukraine
Zambia

4.5
Comoros
Guinea-Bissau
Lebanon
Maldives
Mozambique
Nigeria
Togo

5.0
Bangladesh
Kuwait
Mauritania
Morocco
Pakistan
Tanzania

NOT FREE

5.5
Algeria
Angola
Brunei
Burkina Faso
Guinea
Haiti
Iraq
Jordan
Mali
Oman
Qatar
Thailand
Turkey
Uganda
Zimbabwe

6.0
Cambodia
Cameroon
Djibouti
Egypt
Ethiopia
Gabon
Kazakhstan
Kyrgyzstan
Rwanda

6.5
Bahrain
Burundi
Chad
China
Congo (Brazzaville)
Congo (Kinshasa)
Cuba
Eswatini
Iran
Laos
Libya
Myanmar
Nicaragua
Russia
Sudan
United Arab Emirates
Uzbekistan
Venezuela
Vietnam
Yemen

7.0
Afghanistan
Azerbaijan
Belarus
Central African Republic
Equatorial Guinea
Eritrea
North Korea
Saudi Arabia
Somalia
South Sudan
Syria
Tajikistan
Tibet
Turkmenistan

Combined Average Ratings: Related and Disputed Territories

FREE

2.5
Northern Cyprus

PARTLY FREE

4.0
Somaliland

5.0
Abkhazia
Hong Kong
Nagorno-Karabakh

NOT FREE

5.5
Indian Kashmir
Pakistani Kashmir

6.0
Transnistria
West Bank

6.5
Gaza Strip
South Ossetia

7.0
Crimea
Eastern Donbas
Tibet
Western Sahara

Electoral Democracies (110)

Albania
Andorra
Antigua and Barbuda
Argentina
Armenia
Australia
Austria
Bahamas
Barbados
Belgium
Belize
Bhutan
Bolivia
Botswana
Brazil
Bulgaria
Cabo Verde
Canada
Chile
Colombia
Costa Rica
Croatia
Cyprus
Czech Republic
Denmark
Dominica
Dominican Republic
Ecuador
El Salvador
Estonia
Fiji
Finland
France
Georgia
Germany
Ghana
Greece
Grenada
Guyana
Hungary
Iceland
India
Ireland
Israel
Italy
Jamaica
Japan
Kenya
Kiribati
Kosovo
Latvia
Lesotho
Liberia
Liechtenstein
Lithuania
Luxembourg
Madagascar
Malawi
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