

## ACKNOWLEDGMENTS

The CIVICUS Monitor is an ongoing research collaboration between global civil society alliance CIVICUS and over 20 research partner organisations that have contributed the bulk of the data upon which this report is based. A full list and description of our partners is here.

The CIVICUS Monitor team is very grateful for the expertise and guidance of an advisory panel that reviews all suggested ratings changes and provides overall guidance and advice. Current members of the advisory panel are: Salwa Abdel Wahed, Gayoon Baek, Myriam Hernández, Hanna Forster, Khoo Ying Hooi, Ana María Palacios, Shariq Siddiqui, Dr Shailendra Singh, Mireille Tushiminina and Silke Pfeiffer.

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Turkey: Police block protests against the withdrawal from the Istanbul Convention (Photo by REUTERS/Umit Bektas via Gallo Images)



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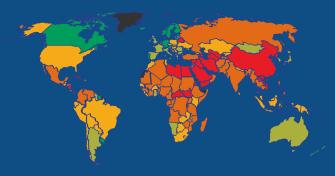
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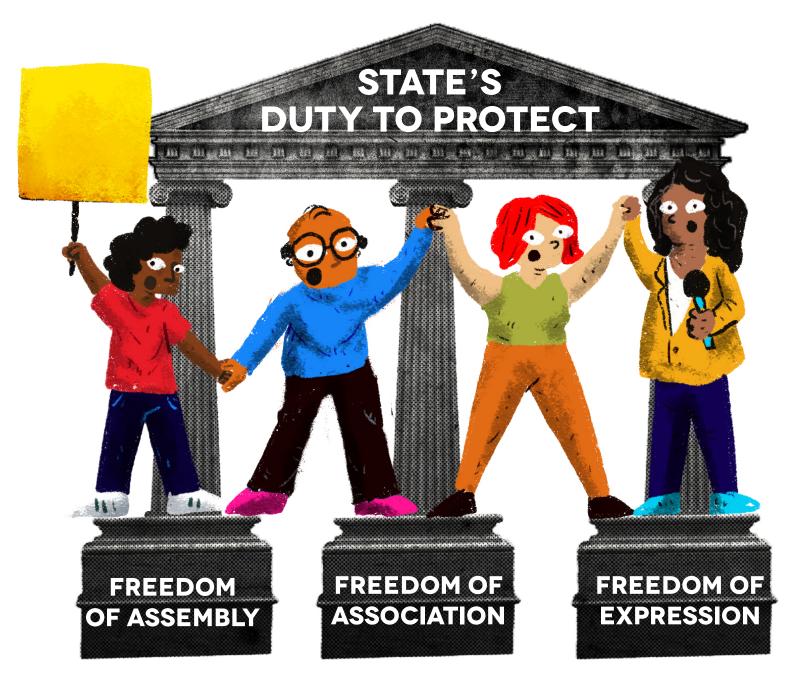


## METHODOLOGY

The CIVICUS Monitor aims to provide a comprehensive assessment of the conditions for civil society within countries and over time. It analyses civic space, defined as the respect in policy, law and practice for the freedoms of association, peaceful assembly and expression and the extent to which the state protects these fundamental rights.

In an attempt to capture these dynamics on a global scale, over 20 organisations with research expertise from around the world joined forces on the CIVICUS Monitor with the aim to provide an evidence base for action to improve civic space.

Civic space updates from CIVICUS Monitor research partners contain qualitative, narrative information related to the situation for civil society in a country. This qualitative information is directed by a set of guiding questions and the resulting data is gathered from a variety of primary and secondary sources. In many cases, country-specific updates come directly from national civil society themselves. In countries where there is no research partner, the CIVICUS Monitor relies on a variety of other sources produced at the national, regional and international levels to produce analysis on civic space.



These civic space updates are then triangulated, verified and tagged by the CIVICUS team. The tagging system helps us classify the information included in the updates and allows us to analyse the most common violations and restrictions faced by civil society groups, activists and journalists when defending their rights.

The research partners posted a total of 568 civic space updates from 1 November 2020 to 31 October 2021, which form the basis for the analysis presented in this report. For the period assessed, these civic space updates cover 156 countries and territories.

In addition to the qualitative information presented in the civic space updates, in order to draw comparisons at the global level and track trends over time, the CIVICUS Monitor produces civic space ratings for 197 countries and territories.<sup>1</sup> Each country's civic space is rated in one of five categories — open, narrowed, obstructed, repressed or closed — based on a methodology that combines several sources of data on the freedoms of association, peaceful assembly and expression.



This year we introduced a new quantitative indicator to evaluate the degree of respect for the freedom of peaceful assembly in each country: the Peaceful Assembly indicator developed by Varieties of Democracy (V-Dem). This indicator replaced the Political Terror Scale (PTS) indicator, which measures the level of political terror within a country. At the time the Monitor's methodology was developed, this was selected as the best source of data available to evaluate the freedom of peaceful assembly. Now a more precise indicator that measures the ability to assemble publicly in practice is available.

Because the CIVICUS Monitor surveys a variety of metrics before arriving at a country rating for civic space, this change did not cause any substantial shifts in our ratings. The PTS was one of three data points making up the Key Scores, which is one of the five data streams that lead to final ratings. Because a multiplicity of sources is used to arrive at the final ratings, overreliance on any particular data source is avoided and the stability and the sustainability of the CIVICUS Monitor ratings in the face of methodological changes are enhanced.



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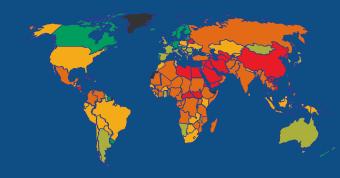
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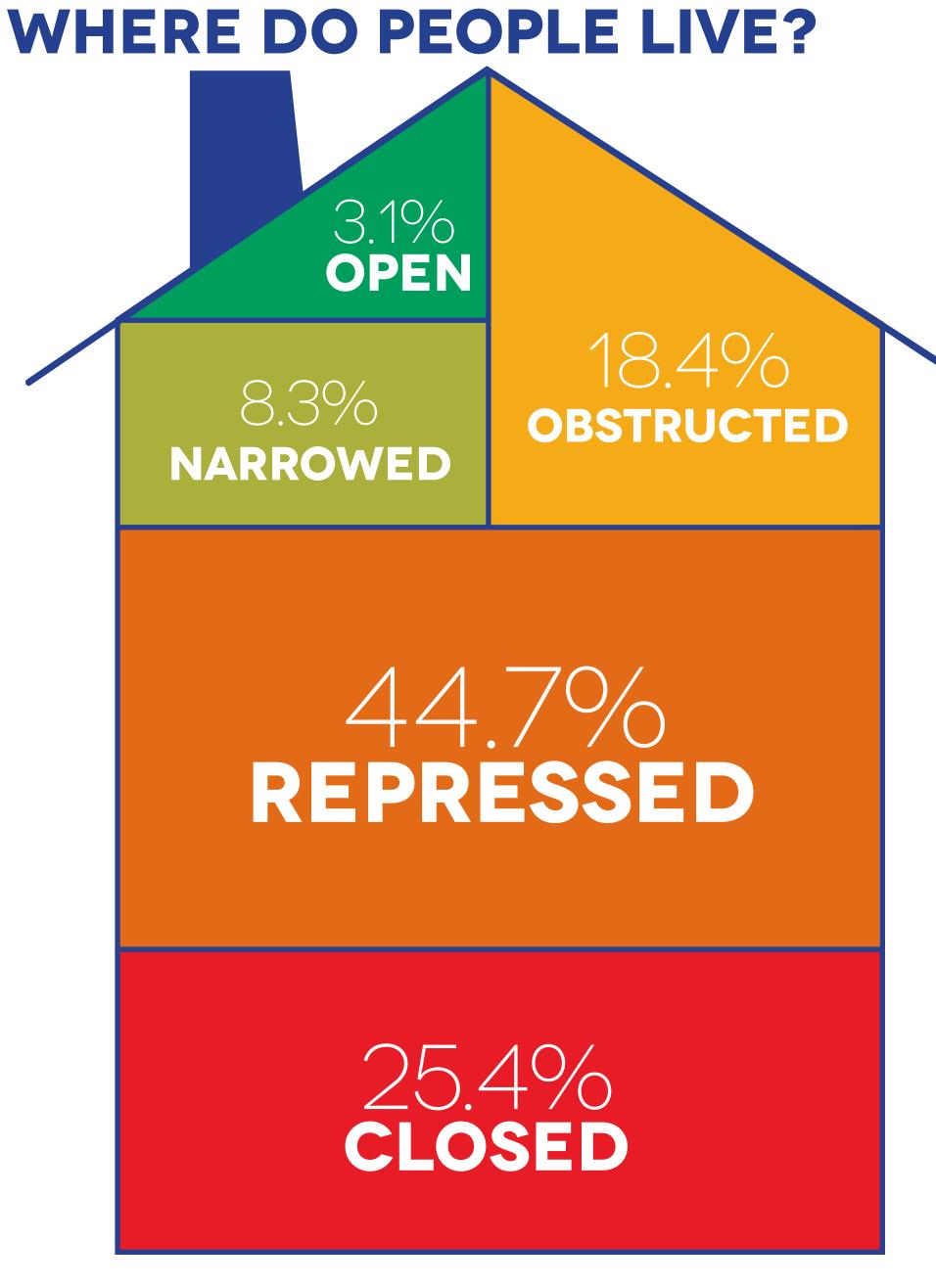


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Civil society organisations (CSOs) and individuals – activists, journalists and other human rights defenders (HRDs) – play a fundamental role in safeguarding democracy, human rights and the rule of law. When people take action, they can ensure that civic and democratic freedoms are guaranteed and respected. Often, activists, groups and movements have scored major victories that have led to the creation of more democratic and equal societies.

Every year, however, this work becomes harder as states continue to restrict the space for action. The number of people living in countries with serious restrictions has increased, and today, 88.5 per cent of the world's population lives in countries rated as closed, repressed, or obstructed.

The concerning picture the CIVICUS Monitor data is showing is that year, after year, there is strictly limited space for almost all people to exercise fundamental freedoms: only 3.1 per cent of the world's population lives in countries rated as open.





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# **COUNTRIES PER RATING CATEGORY**

The latest update of CIVICUS Monitor ratings in November 2021 indicates that civil society continues to work in an increasingly hostile environment. Our data shows that there are 25 countries with closed civic space, 49 with repressed space, and 43 with obstructed space, meaning that 117 of 197 countries are assessed as having serious civic space restrictions. In comparison, 41 countries are rated as having narrowed civic space and just 39 countries have an open rating.

Since our previous report, published in December 2020, the story is one of further regression: civic space ratings have changed for 14 countries in the last year. They have worsened in 13 countries and improved in only one.

#### **COUNTRY RATING CHANGES**

	DOWN	GRADES
BELGIUM	OPEN	NARROWED
CZECH REPUBLIC	OPEN	NARROWED
<b>SOLOMON ISLANDS</b>	OPEN	NARROWED
BOTSWANA	NARROWED	OBSTRUCTED
POLAND	NARROWED	OBSTRUCTED
SOUTH AFRICA	NARROWED	OBSTRUCTED
HAITI	OBSTRUCTED	REPRESSED
JORDAN	OBSTRUCTED	REPRESSED
MALI	OBSTRUCTED	REPRESSED
MOZAMBIQUE	OBSTRUCTED	REPRESSED
SINGAPORE	OBSTRUCTED	REPRESSED
BELARUS	REPRESSED	CLOSED
NICARAGUA	REPRESSED	CLOSED







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# CIVIC SPACE RESTRICTIONS: COVID-19 OR BUSINESS AS USUAL?

Almost two years have passed since COVID-19 started to spread, changing the world as we know it. Although many of the present economic, social and political challenges pre-existed the pandemic, they have been exacerbated by it.

It might feel that the world stopped, at least for a while, in an attempt to reduce the spread of the virus. But soon it became apparent that many authoritarian governments, as well as some more democratic ones, had not fully taken to addressing one of the world's biggest health emergency emergencies. Instead, some of them seized upon the opportunity to further entrench their power, by holding elections that were neither free nor transparent, extending governmental term limits and passing laws to undermine and limit the space for dissent. In the context of a health emergency, they continue to restrict – beyond what is permissible under international law – people's right to expression and peaceful assembly, continuing the repressive patterns documented in 2020.

While the pandemic has offered a new pretext, governments continue to use similar tactics of repression in their attempts to stop activism, silence critical voices and crush dissent.

Thailand: Anti-government protests take place in Bangkok, August 2021 (Photo by Sirachai Arunrugstichai/Getty Images)



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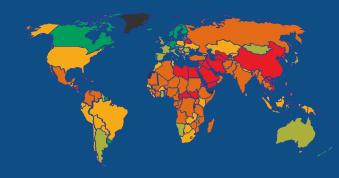
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#### DETENTIONS ON THE RISE

Among the tactics most documented during the reporting period is the detention of protesters, HRDs and journalists. Arbitrary detention is a blatant violation of personal liberty, but in the context of the pandemic, the consequences of arbitrary detention and criminalisation could be life threatening due to the increased risk of the virus spreading in confined, crowded spaces.

As protests continue to take place amidst a global pandemic, authorities in several countries were determined to disperse and prevent any form of protest. The CIVICUS Monitor documented many instances of protesters being detained while making demands for fundamental rights.

In Panama, police used excessive force and detained protesters who demanded a more just distribution of education benefits. In Colombia, people took to the

streets in response to tax increases. Thousands were detained as part of a harsh crackdown against protesters.

Even in the run-up to the COP26 climate summit, the repression of environmental activists continued: during the past year, we documented cases of protesters being detained in Canada, Germany, Norway and the USA, among other countries.

Calls for better governance and free and transparent elections also brought people to the streets, particularly in Africa where we documented many protests being dispersed and cases of protesters being locked up, including in Chad, Ghana, Guinea, Niger and Uganda.

In some cases protests did not have to be mass mobilisations to attract restrictions. Sometimes a single peaceful protester holding a sign was detained, as documented in Nicaragua and Singapore.



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The detention of protesters took place regardless of the underlying level of freedom experienced by civil society. However, our data indicated this to be one of the main tactics used especially in countries classed as having narrowed civic space as documented in North Macedonia, The United Kingdom, France, Ghana and Argentina, among others countries.

HRDs were also often the target of arbitrary detention, despite calls by international bodies and CSOs to release those in prison for their activism to reduce their chances of contracting COVID-19. Governments largely ignored these demands.

In Myanmar, thousands have been arbitrarily arrested and detained and hundreds of protesters killed since the coup in February 2021. In Cuba, where detention is a long-established tactic systematically used by the government, this year saw a crackdown on dissent, particularly against members of the Movimiento San Isidro, an artists' collective that campaigns for freedom of expression. Nicaragua escalated the incarceration of HRDs in the context of its fraudulent elections to prevent any opposition. After the Taliban takeover, Afghanistan HRDs found themselves more vulnerable as attacks have been on the rise. For example, a staff member of a Kabul-based CSO was arrested by the Taliban, and severely beaten. Venezuela, a country facing a severe humanitarian crisis as a result of its political crisis, jailed humanitarian workers trying to provide services for those most in need.

The detention of HRDs is most often taking place in countries where their work is most needed: where civic space is rated as repressed or closed.

Similarly, journalists continued to face detention for reporting on critical issues about the government, including in Jordan, where a journalist and cartoonist was arrested over a cartoon criticising the recent deal between Israel and the United Arab Emirates (UAE), and in Somalia. The mishandling of the migrant and refugee situation has also proved a sensitive issue for some governments, who have jailed journalists who tried to report on it, including in Bosnia and Herzegovina and Greece.

Journalists covering protests have been arbitrarily detained in many countries, including Argentina, Greece, India, Panama, Tunisia and the USA.

Intimidation and harassment, often perceived as more subtle tactics of repression, also ranked among the top five commonly used tactics by governments and non-state groups and individuals; such tactics carry additional danger in that they often prepare the ground for more violent forms of repression.



Partly as a result of the pandemic, this year also saw the proliferation of legislation that aims to further restrict civic freedoms. In particular, there was a spike in the proposal, passing or amendment of laws with the stated aim of tackling disinformation; most of these laws do not comply with international human rights law and in practice they often work to criminalise expression.

While civic space continues to deteriorate globally, the last years also shows how resilient is civil society in operating even in difficult contexts, as against all odds HRDs, activists, protesters and journalists continued to fight for and claim rights.



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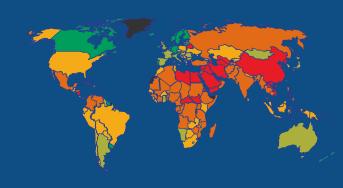
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### TOP TEN VIOLATIONS TO CIVIC FREEDOMS



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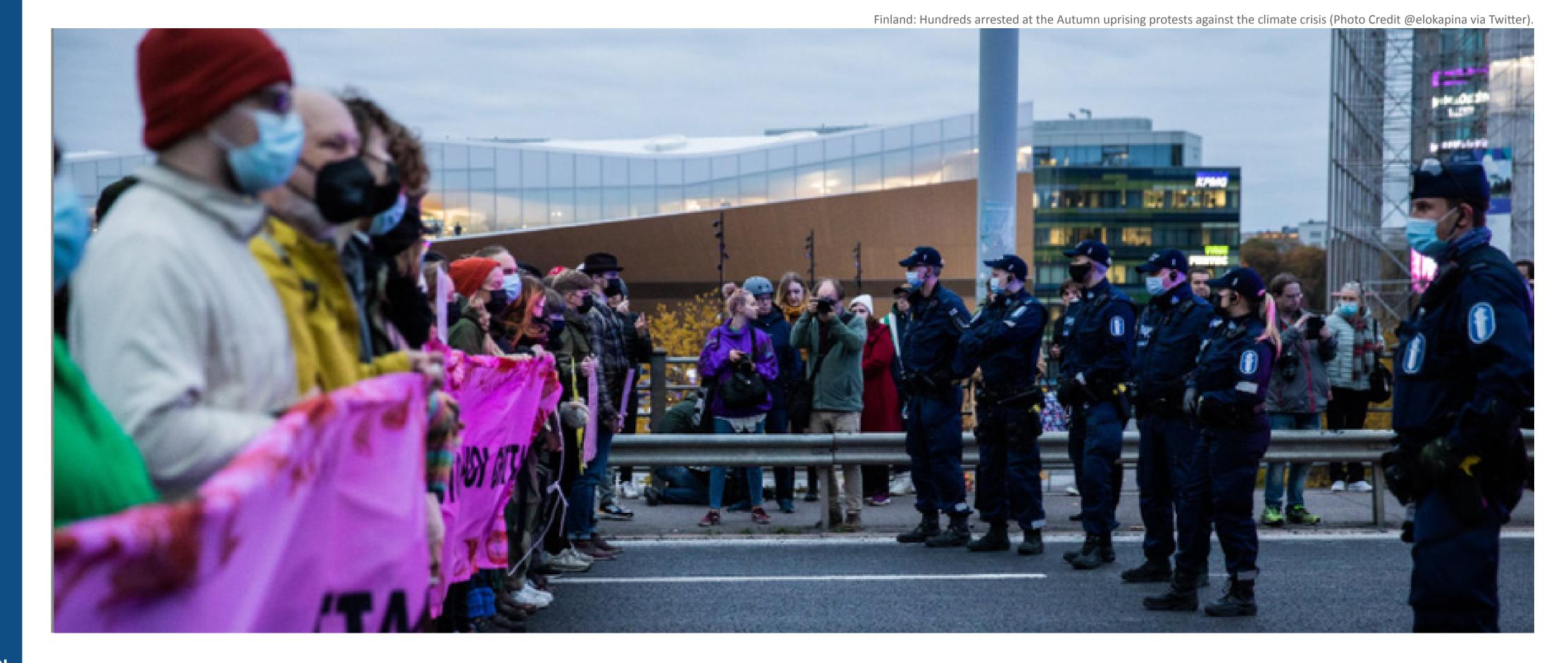
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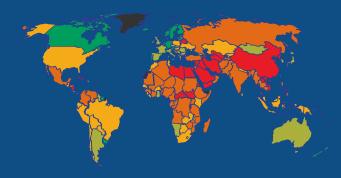
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# REGIONAL SIMILARITIES AND DIFFERENCES

Across the five regions covered by our analysis, we see common trends, but also some regional differences. For instance, in Africa, the detention of journalists is the most commonly documented civic space violation. In the Americas, the intimidation and detention of protesters are the most frequently reported violations. In Asia and the Pacific, the most commonly documented tactic is restrictive legislation. Detention of protesters tops the list in Europe and Central Asia. In the Middle East and North Africa (MENA), the most frequently reported violation is the detention of HRDs.



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## AN UNEVEN CRISIS: WOMEN ON THE FRONTLINE

Not everyone is evenly affected by civic space restrictions. Groups advocating for women's rights and women HRDs (WHRDs) continue to be mentioned frequently mentioned in CIVICUS Monitor reports, featuring in 32 per cent of updates.

The documentation includes instances where women have been the target of violations, often gendered in nature. For example, in Malaysia, an environmental defender was threatened, including through a sexually explicit message over WhatsApp containing an indecent poster of her and her personal information. Similar intimidation tactics were used against women journalists in Lebanon and Serbia. In addition, women journalists are often the target of attacks while covering protests. While in detention, women often faced gender-based violence. In Egypt, freelance journalist Solafa Magdy was physically and sexually assaulted in police custody.

But women, despite the restrictions, often led major protests and continued to claim their rights. Over the past year, women's rights were a major focus of protests, including protests against gender-based violence in Austria, Canada, Pakistan, Mali, Mexico and South Africa, and for the protection of reproductive rights, such as in Chile, Croatia, Dominican Republic, El Salvador, Poland and the USA. Women led protests for climate justice, including in Senegal, and in Afghanistan women protested to demand the right to work and education under the new Taliban-run government.

Globally, other groups regularly mentioned include LGBTQI+ people, labour rights groups, environmental rights groups and young people.

## GROUPS MOST COMMONLY INVOLVED IN CIVIC SPACE INCIDENTS

1.WOMEN



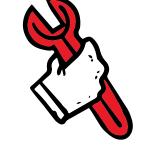
**2.ENVIRONMENTAL RIGHTS** 

3. LABOUR RIGHTS

4. LGBTQI+

5. YOUTH







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## POSITIVE DEVELOPMENTS

Our monitoring also captures improvements in civic space conditions. The CIVICUS Monitor has documented several instances where civic space is opening up and states are making progress on improving their respect for fundamental freedoms.

The CIVICUS Monitor has documented instances of court rulings that defended or expanded civic space. For example, in Canada, the British Columbia Supreme Court denied an application by the company Teal Cedar to extend an injunction against anti-logging protesters at Fairy Creek, validating their right to expression and peaceful assembly. In Turkey, a Court in Ankara overturned the ban imposed by the Middle East Technical University (METU) Presidency on the 9th METU LGBTI Pride Parade held on the campus in 2019. In Costa Rica, the Constitutional Court ratified that the detention of a journalist was arbitrary as it obstructed journalistic work.

In Bosnia and Herzegovina, activists celebrated a remarkable victory for the freedom of peaceful assembly of LGBTQI+ people as the government of the city of Sarajevo covered the costs of additional security measures during the Pride march. This is a welcome precedent as legislation stipulates that it is the responsibility of protest organisers to cover those costs, which undermines the right to protest. A similar approach was taken in Norway, where the Oslo Pride parade costs were included in the 2022 budget.

These positive changes were a result of sustained efforts by rights advocates reinforcing the need to protect and promote civic space.



Bosnia and Herzegovina: A victory for Pride organisers, as the government of the city of Sarajevo covered the costs of additional security during the Pride march (Photo by REUTERS/Dado Ruvic via Gallo Images).

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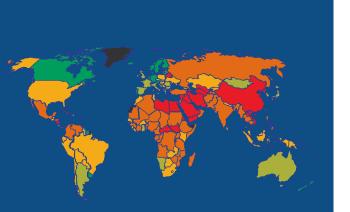
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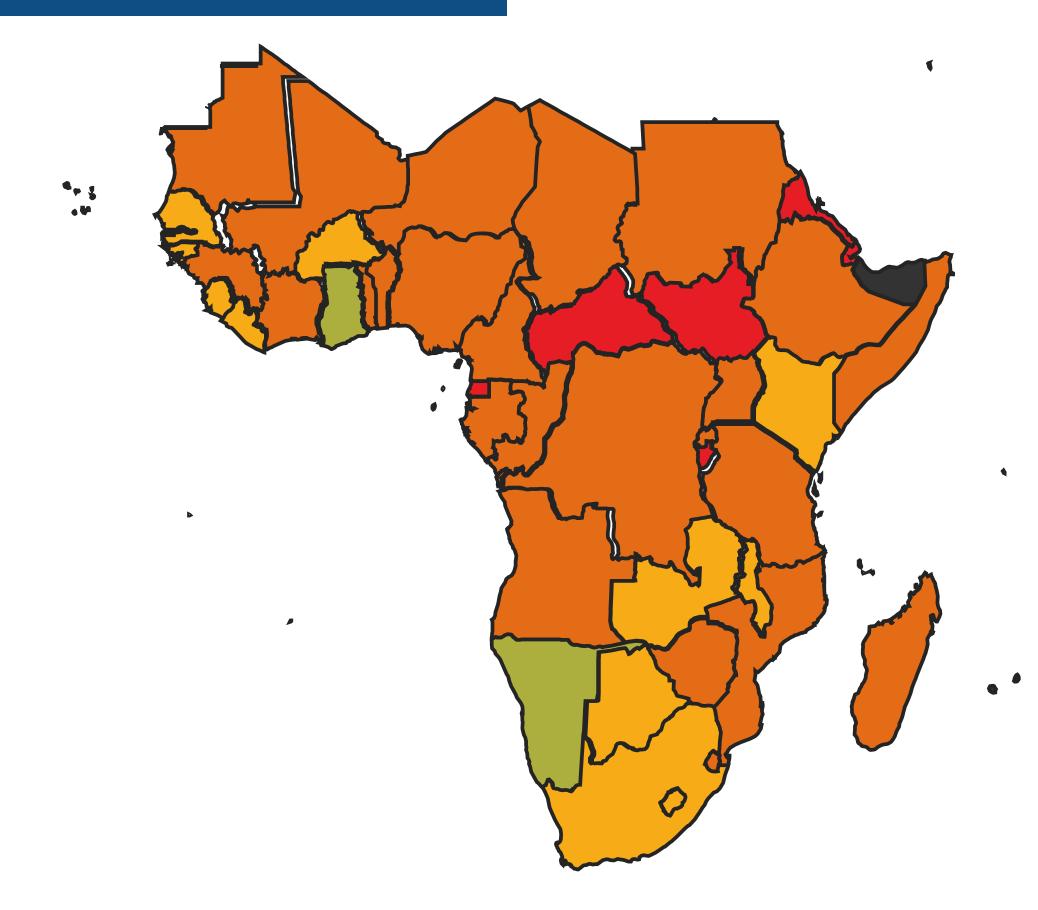
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BOTSWANA NARROWED OBSTRUCTED

SOUTH AFRICA NARROWED OBSTRUCTED

MALI OBSTRUCTED REPRESSED

MOZAMBIQUE OBSTRUCTED REPRESSED

#### **RATINGS OVERVIEW**

Of Africa's 49 countries, six are rated as closed, 24 as repressed and 13 as obstructed. Civic space is open in the island states of Cabo Verde and São Tomé and Principe and narrowed in four countries. Since the previous update, civic space ratings have deteriorated in Benin<sup>2</sup>, Botswana, Mali, Mozambique and South Africa.

Although we have documented serious civic space restrictions in South Africa over several years, this year saw the continuation of such deterioration, pushing the country into the obstructed category. The downgrading of South Africa is due to the use of excessive force against protesters, escalating harassment, arbitrary detention and killings of HRDs.

The use of excessive and lethal force was documented in various instances, including in March 2021 when Mthokozisi Ntumba, a bystander, was shot dead by police as they dispersed a protest by students from Wits University. The authorities have also used excessive force against environmental defenders from mining communities who have held anti-mining protests.

Whistle-blowers and trade union leaders risk being targeted for assassination. Babita Deokaran, a key witness in a probe into fraudulent procurement of COVID-19 personal protective equipment (PPE) by high-level officials, was shot and killed in what investigators believe was a targeted hit. Similarly, Malibongwe Mdazo, an organiser of the National Union of Metalworkers of South Africa, was publicly gunned down amidst a labour dispute in August 2021.

Journalists also face surveillance from the authorities, as seen when Jeff Wicks, a journalist from News24, had his phone bugged with a phone tracking device in a bid to establish his sources, following his coverage of discontent within the police force.

Additionally, the situation for LGBTQI+ in South Africa has been deteriorating. Despite a progressive legislative framework for LGBTQI+ rights, LGBTQI+ campaigners and individuals live and operate in a hostile environment characterised by hate speech, death threats and killings.

Those responsible for these violations, both state and non-state groups, are rarely held to account. For instance, although the country commemorated, in August 2021, the ninth anniversary of the Marikana Massacre, which claimed the lives of 34 mineworkers who were protesting for fair wages and left more than 70 others injured, the survivors of the massacre and the families of the slain miners are yet to see justice.



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Botswana is downgraded to obstructed after the country saw an increasing number of arrests and assaults of protesters who called for accountability from the government, exposed government corruption or complained about economic downturn, among other issues. The flawed provisions of the Public Order Act, which the authorities interpret as making it a requirement to obtain a permit to protest, continues to be used to hinder the right to peaceful assembly. Journalists are subjected to surveillance, with reports showing that the government uses spyware to tap into and siphon off data from journalists' devices, as was the case for journalist Oratile Dikologang. It has also become a usual practice for Botswana security forces to arbitrarily arrest journalists and confiscate their devices.

Since disputed legislative elections in March and April 2020, Mali has experienced two military coups. Its civic space rating is downgraded from obstructed to repressed. Military officers under the banner of the National Committee for the Salvation of the People toppled the government in a military coup on 18 August 2020 following mass anti-government protests, led by the coalition Mouvement du 5 juin - Rassemblement pour le Mali, that took place in June and July 2020; at least 11 people were killed and at least 80 injured between 10 and 12 July 2020 while access to the internet was restricted. The second coup, on 24 May 2021, saw members of the armed forces arrest transitional President Bah Ndwah and Prime Minister Moctar Ouane following the announcement of a government reshuffle. Meanwhile, violence reigns in the centre and north of the country, with human rights abuses perpetrated by armed non-state forces, such as Islamist armed groups, and government security forces.

Mozambique's civic space is downgraded from obstructed to repressed. The country's civic space is characterised by unwarranted restrictions on the freedom of expression and a deteriorating environment for journalists and civil society activists. Physical attacks, intimidation and harassment of journalists and HRDs have become increasingly common. Community radio journalist Ibraimo Abu Mbaruco's whereabouts are still unknown since his disappearance in April 2020 in Palma, Cabo Delgado. In his last text message, he reportedly said he was 'surrounded by the military'. In October 2019, Anastácio Matavel, civil society activist and founder and director of FONGA-Gaza NGO Forum, was shot and killed in Xai-Xai, Gaza Province, after attending a training session on election monitoring. In August 2020, the headquarters of media outlet Canal de Moçambique were broken into and set on fire with petrol bombs. The media outlet had previously investigated and reported on corruption. Meanwhile, the authorities have denied CSOs and journalists access to work in and report from areas affected by the armed insurgency in Cabo Delgado and neighbouring provinces where there is a heightened presence of internally displaced people.

#### **CIVIC SPACE RESTRICTIONS**

In Africa, the most common civic space violation registered by the CIVICUS Monitor during the reporting period was the detention of journalists, followed by censorship, the detention of protesters, attacks on journalists and the disruption of protests.

#### TOP 5 VIOLATIONS TO CIVIC FREEDOMS FOR AFRICA REGION



PROTESTER(S) **DETAINED** 

**ATTACK ON JOURNALIST** 

SOUTH FOR I

**PROTEST** DISRUPTION

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#### **DETENTION OF JOURNALISTS**

The CIVICUS Monitor documented the detention of journalists in at least 24 countries in Africa, making it again the top violation in the region, as was the case in 2020.

In many cases, journalists were detained because their reporting criticised the authorities, or focused on issues considered sensitive, such as corruption. Several journalists were arrested in Somalia, where media and journalists face an ongoing and unrelenting onslaught. Police officers arrested freelance journalist Ahmed Botan Arab in February 2021 after he posted a Facebook video showing residents' interviews commenting on a speech by Said Abdullahi Deni, president of Puntland state. He was detained for two days before being released without charge. In Sudan, journalist Osman Hashim was detained by police in Port Sudan in September 2021 and later released on bail in relation to his Facebook posts alleging corruption in the former governor's office. Police in Chad raided radio station Radio FM Liberté and arrested 30 journalists in November 2020, when the radio station planned to interview the organisers of the Citizen Forum, a citizen-organised alternative to the government-led National Inclusive Forum. In Zimbabwe, journalist Hopewell Chin'ono spent three weeks in prison for a tweet on alleged police brutality during the enforcement of a COVID-19 lockdown in January 2021. He was charged for 'communicating falsehoods prejudicial to the state', despite this being a provision that was repealed by the Zimbabwean Constitution in 2014.

The detention of and attacks against journalists during electoral periods or while covering conflicts remained a concern in Africa. Following disputed and controversial presidential elections in Côte d'Ivoire, police arrested broadcast journalist Yao Alex Hallane Clément, despite him identifying himself as a journalist, in November 2020, along with 20 other people, at the residence of opposition presidential candidate Henri Konan Bédie, where he was covering a press conference. The journalist was held for five days. In Ethiopia, 15 media workers were detained between 30 June and 2 July 2021 following general elections on 21 June 2021 and amid a worsening conflict in Tigray and other regions.

In several countries, journalists were detained on accusations or charges of defamation, an offence that remains criminalised in many countries in the region. In the Democratic Republic of the Congo (DRC), journalists are routinely detained for criminal defamation or insulting the authorities. In Togo, Carlos Ketohou, journalist and editor of the newspaper l'Indépendant Express, was detained by security forces in December 2020 on accusations of defamation and held for four nights. In Uganda, the Buganda Road Chief Magistrate's Court detained Pidson

Kareire and Darious Magara, online journalists for Drone Media and East African Watch, who were both charged with criminal libel under section 179 of the Penal Code over the publication of allegations against an infrastructure company. Despite the decriminalisation of press offences, journalists continued to be imprisoned in Guinea on a range of charges, including defamation and 'insulting the head of the state'.

Journalists remained vulnerable to physical attacks and detention while covering protests. Adeola Oladipupo, a journalist for the Foundation for Investigative Journalism, was briefly detained while covering the Democracy Day protests in June in Nigeria. Security forces in Cameroon physically assaulted and briefly detained several journalists who were covering an opposition protest in September 2020. Journalists in Liberia, Mozambique and Somalia, among others, were likewise detained while reporting on protests. In Somalia, Puntland Intelligence and Security Agency officers arrested journalist Kilwe Adan Farah in December 2020, a day after he covered protests in Garowe against the depreciation of the currency and increasing inflation. The journalist faced spurious charges, including attempted murder and 'publication of false news and bring[ing] the nation or state into contempt'. He was sentenced twice and was finally released on 22 March 2021 after spending 84 days in prison.



Somalia: Freelance journalist Ahmed Botan Arab was arrested in February in Bossasso (Photo from Twitter)



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#### **CENSORSHIP**

Alongside detention, journalists are adversely affected by censorship. One form of censorship is the suspension of media outlets and publications. In Togo, the national media regulator, the Haute Autorité de l'audiovisuelle et de la communication (HAAC), routinely suspends media outlets. In February 2021, the HAAC suspended media outlet L'Alternative for a period of four months on accusations of publishing false information following a complaint by the Minister of Town Planning, Housing and Land Reform, a month after the regulator ordered the newspaper l'Indépendant Express to cease all operations, both online and print, and requested the Court of First Instance of Lomé to withdraw the newspaper's operating licence.

In June 2021, Burkina Faso's national media regulator suspended media group Omega Médias for a period of five days on accusations of having broadcast 'erroneous information' following a deadly terrorist attack in Solhan. On 15 July 2021, Ethiopia's Media Authority withdrew the licence of independent media outlet Addis Standard, accusing it of having published content that undermined national security. The news outlet was targeted because of its coverage of the Tigray conflict. It was allowed to resume on 21 July 2021 after having reached an agreement with the media regulator. Twelve newspapers were suspended by Chad's media regulator in September 2020 for a period of three months on grounds of 'non-compliance with the law' while three other titles were sent letters threatening sanctions. The privately-owned television stations Sen TV and Walf TV were suspended for a period of 72 hours by Senegal's media regulator for having 'persisted in [their] logic of violation of the regulations by broadcasting images of violence over and over'. The regulator had warned a day earlier, on 3 March 2021, against the dissemination of content 'explicitly or implicitly condoning violence', 'inciting public disturbances' or 'likely to constitute a threat to national stability or social cohesion', in relation to the coverage of the March protests and clashes following the arrest of opposition leader Ousmane Sonko.

Alongside the suspension of media outlets, there have been some incidents of content being banned. In September 2021, the Kenya Film and Classification Board banned I am Samuel, a Kenyan documentary exploring an intimate relationship between two men and affirming the lives of LGBTQI+ people. The Board claimed that the documentary was an intentional attempt to promote same-sex marriage. Homosexuality is prohibited under article 165 of the Penal Code. In the run-up to the January 2021 elections in Uganda, it was announced that TV stations were banned from hosting politicians wearing a red beret, a signature of opposition leader Robert Kyagulanyi, and threatened with prosecution if the ban was not adhered to King

Mswati, the absolute monarch of Eswatini, issued a directive to state-owned radio stations to stop playing music produced by gospel groups owned by two members of parliament who are critical of his regime.

Once again, internet restrictions were commonplace, often occurring in the context of elections or mass protests. In the Republic of the Congo, access to the internet and social media was shut down hours before the start of the presidential elections on 21 March 2021, a shutdown that lasted three days while the votes were counted. Likewise, access to the internet was blocked for 10 days in February following post-electoral protests and clashes in Niger. Internet and telephone restrictions, including full shutdowns and restrictions on social media, also occurred in Tanzania surrounding its general elections on 2 October 2021, in Chad in February 2021, coinciding with a raid on the residence of opposition leader Yaya Dillo prior to Chad's April 2021 presidential elections, and in Guinea following the announcement of the provisional results of the controversial presidential elections on 18 October 2020; this also saw deadly post-electoral protests and clashes. In Eswatini, the internet was shut down on 29 June 2021 and 15 October 2021 following sustained pro-democracy protests. Nigeria's Minister of Information and Culture, Alhaji Lai Mohammed, announced on 4 June 2021 an indefinite suspension of all operations of Twitter on grounds of the 'persistent use of the platform for activities that are capable of undermining Nigeria's corporate existence'. The suspension followed the deletion of a tweet by Nigeria's President Muhammadu Buhari that, according to Twitter, violated Twitter's 'hateful conduct policy'.

#### **DETENTION OF PROTESTERS**

The detention of protesters, the third most documented violation in Africa, often goes together with the disruption of protests and the use of excessive force, in some cases leading to the killing of protesters and bystanders. The detention of protesters was documented in at least 20 countries.

In the run-up to the presidential elections in Chad, protests against a possible sixth term for then-president Idriss Déby took place in February and March, organised by Wakit Tama, a coalition of CSOs and opposition parties, despite protest bans. In February 2021, more than 100 people were arrested across the country, with at least 14 people, including HRD Mahamat Nour Ahmed Ibedou, charged with 'assault and battery', 'disturbing public order' and 'destruction of state property'. In March 2021, security forces dispersed protests, including by using teargas, when two civil society leaders were arrested. A dozen more people were arrested during protests on 27 March 2021. Following the unexpected death of President Déby



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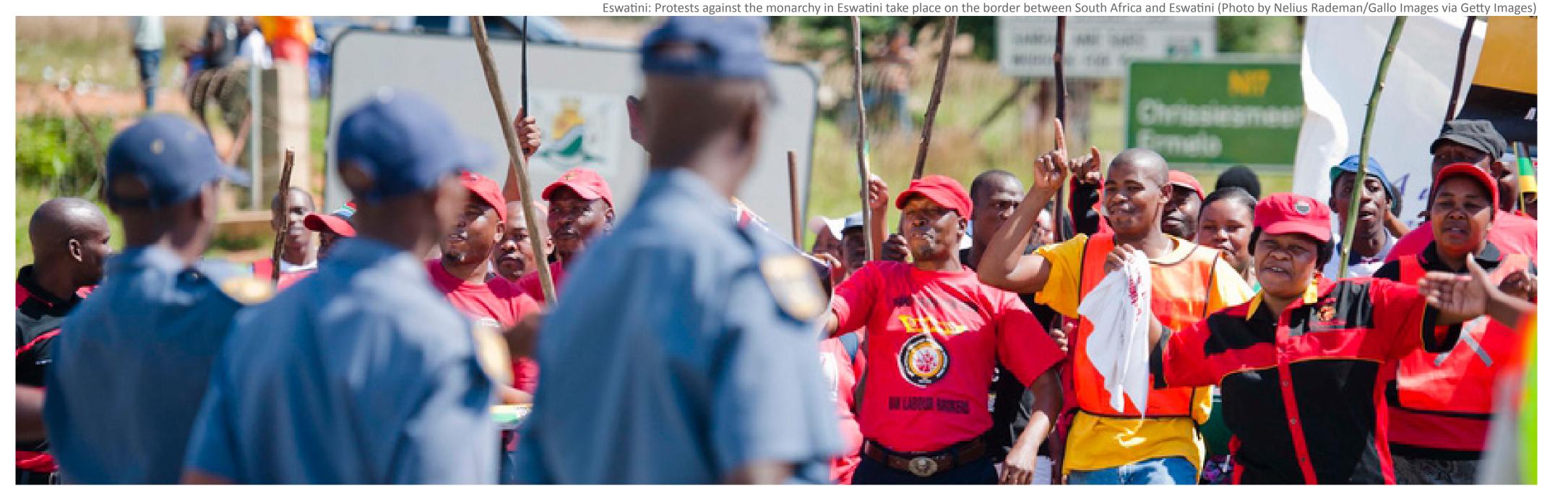
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and the subsequent military takeover, protests demanding a return to civilian rule erupted in April and May 2021. During these, 16 people were killed and over 700 arrested.

In Eswatini, protests demanding democratic and constitutional reforms started in June 2021 and continued throughout September 2021 before flaring up again in October 2021. Over 80 people have been killed since the protests erupted in June 2021.

In Senegal, people are regularly arrested during protests. At least 100 people were arrested in protests and clashes in February and March 2021 following the arrest of opposition leader Ousmane Sonko, including 17 women who attempted to protest near Sonko's residence in Dakar following the lifting of his parliamentary immunity by the National Assembly in February 2021. At least eight people were killed during the protests and clashes, some of whom died due to excessive use of force by security forces, including the use of firearms. In June 2021, several activists were arrested during a protest against the restrictive antiterrorism law. They were released the following day.

In Kenya, several human rights protesters were arrested in May 2021 during a protest against police brutality during the lockdown. Police used teargas against protesters. Protesters in Nigeria also mobilised against police brutality, in the #EndSARS movement, from October 2020 onwards. #EndSARS Legal Aid said that they received reports of more than 350 protesters who were arrested. The #EndSARS youth-led protests against police brutality across the country were met with excessive violence, with at least 12 people killed at the Lekki toll gate in Lagos on 20 October 2020.

In Uganda, #EndPoliceBrutalityInUganda started after activist and WHRD Nana Mwafrika Mbarikiwa Nalongo was arrested and held in police custody for protesting against police brutality in Ntinda, Kampala. The months preceding Uganda's general election in January 2021 were marked by police violence and brutality against protesters and opposition supporters.

In Botswana, several people were arrested in September 2021 for holding peaceful protests demanding government accountability and denouncing government corruption, among other issues. Reverend Thuso Thiego was arrested on 7

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September 2021 under the Public Order Act after he held a protest along with two other pastors to demand the resignation of President Mokgweetsi Masisi. Thiego's supporters subsequently made their way to the police station to demand his release, only to be arrested themselves.

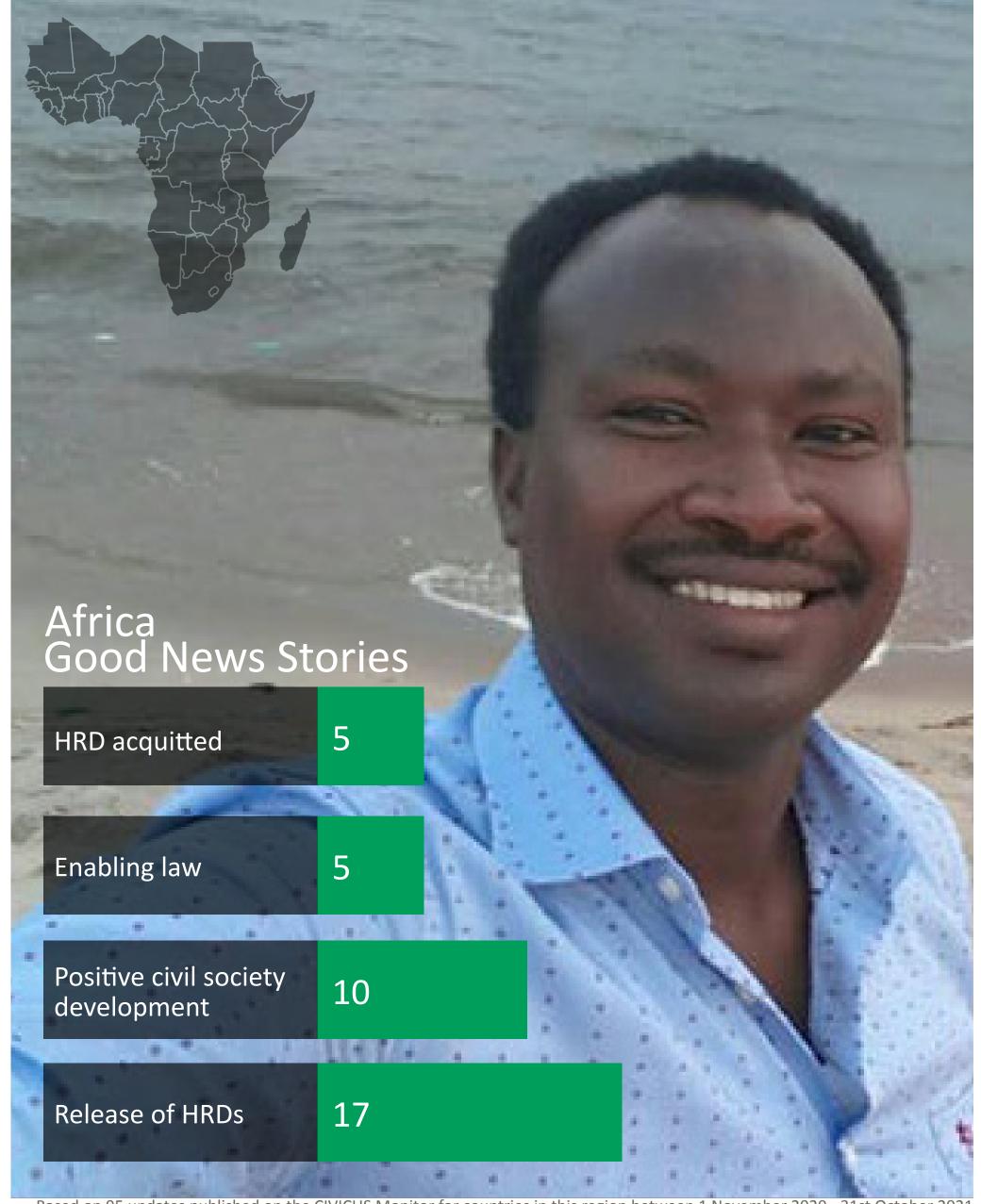
Hundreds of protesters were arrested across Cameroon during opposition protests on 22 September 2020, in response to President Paul Biya's announcement of the holding of flawed regional elections in December 2020. Months later, in January 2021, over 100 people remained in prison, with several people having been prosecuted before civilian or military courts on a range of charges, including rebellion, unauthorised demonstration and gathering and attempted revolt.

In addition, security forces used excessive and lethal force to disperse protests. As a consequence, protesters were killed in at least 17 countries, including in Benin, Chad, Côte d'Ivoire, Djibouti, Eswatini, Ghana, Kenya, Nigeria, Tanzania and Uganda.

#### **POSITIVE DEVELOPMENTS**

Despite the challenges, civil society action has helped to advocate for the passing of positive laws in Africa. On 1 July 2021, the Gambia's National Assembly adopted the Access to Information Bill, a result of close collaboration between civil society and government departments. On 23 July 2021, Sierra Leone approved the Bill abolishing the death penalty.

Civil society has also achieved some success in campaigning for civic freedoms, notably the freedom of expression. Following an 'information blackout' campaign organised by several major newspapers in Nigeria, which covered their front page with an image of a man with a sealed mouth, a member of parliament and sponsor of two controversial bills affecting media freedom – the Nigerian Broadcasting Commission and the Nigerian Press Council Act Amendment Bills – announced the suspension of the legislative process of these bills, allowing for consultation with stakeholders. In Burundi, President Evariste Ndayishimiye instructed the national media regulator, the Conseil national de la communication (CNC), to engage with media outlets that had been subjected to sanctions. On 22 February 2021, the CNC lifted a ban on Bonesha, a local radio station. Several HRDs have been released from prison, including Nestor Nibintanga and Germain Rukiki in Burundi and democracy activist Oumar Sylla in Guinea.





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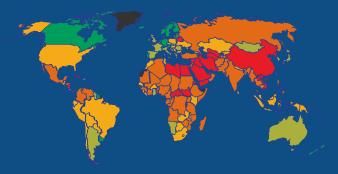
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#### **COUNTRIES OF CONCERN:**

MILITARY COUPS IN CHAD, GUINEA, MALI AND SUDAN



Chad: Mahamat Idriss Deby, son of late Chadian President Idriss Deby, attends his father's state funeral in N'Diamena, Chad. April, 2021 (Photo by Christophe Petit Tesson/Pool via REUTERS)

In the past year, military coups have taken place in Chad, Guinea, Mali and more recently Sudan, raising concern over the respect for fundamental freedoms by non-civilian and undemocratic office bearers. Coups are often accompanied by repression by state security forces and attacks on civic freedoms, as witnessed in particular in Chad and Sudan.

On 24 May 2021, members of the armed forces arrested Mali's transitional President Ndaw and Prime Minister Ouane, following the announcement of a government reshuffle. This 'coup d'état within a coup d'état' came less than a year after the military takeover on 18 August 2020. The first coup in 2020 followed mass anti-government protests in June and July 2020, in which at least 11 people were killed and access to media was severely restricted. Following the death of Chad's President Déby, a few days after he won a sixth term in presidential elections, the military announced the installation of a military transitional council led by Déby's son, General Mahamat Idriss Déby, the suspension of the constitution and the dissolution of the government. The military takeover on 20 April 2021 was preceded by increasing civic space restrictions, including a crackdown on protests against Déby's planned sixth term. Protests in April and May 2021 to demand a return to civilian rule, organised by Wakit Tama, a coalition of opposition and civil society groups, were banned and repressed. Security forces killed several people and arrested over 700. Protests against the Military Transitional Council continue in Chad. On 5 September 2021, Guinea's Special Forces, under the leadership of Mamady Doumbouya, detained President Alpha Condé, suspended the constitution and dissolved the government and its institutions. The coup came less than a year after Condé was re-elected for a controversial third term, which required a change in the constitution; a flawed constitutional referendum to enable the change went ahead in March 2020, despite months of protests. Since October 2019, the authorities had cracked down brutally on protests and activism against the third term and proposed constitutional change. Although the Comité National du Rassemblement et du Développement, the new military authority, has released dozens of political prisoners and has held consultations with the opposition, civil society and other societal groups, the timeline and programme for a return to civilian rule is yet to be announced.

In Sudan, commander-in-chief General Abdel Fattah al-Burhan overthrew the transitional government on 25 October 2021, arrested the civilian Prime Minister Abdalla Hamdok and other civilian leaders and suspended the civilian-military power sharing agreement and the transitional government that followed the ousting of Omar al-Bashir's authoritarian regime in April 2019. Amid a partial telecommunication and internet shutdown, mass protests against the military coup erupted and continue at the time of writing. Security forces have used teargas and live ammunition against protesters, killing several people. On 21 November 2021, Abdalla Hamdok was reinstated as interim Prime Minister, after a month of detention, after reaching a deal with the military, which was rejected by protesters.

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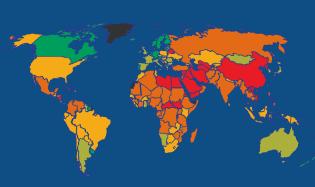
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#### RATINGS OVERVIEW

In some ways, little changed in civic space in the Americas during the reporting period. Space for civil society continued to be restricted by intimidation, harassment and criminalisation. Violations of protesters' rights and attacks on the media have persisted. Year after year, HRDs and journalists face extreme violence; once more the Americas was the region where the CIVICUS Monitor recorded the most killings of these crucial voices. Women, Indigenous and environmental defenders and youth and labour leaders were frequent targets.

However, although general trends are similar to previous years, in the past year there has been an insidious deepening of restrictions as many governments have entrenched or expanded their control over civic space. This is the case, for instance, in Guatemala, where attacks against defenders are rising and the government pushed through a sweeping NGO law. In Venezuela the government has sought to restrict civil society funding and operation while escalating attacks on the media and HRDs. In Colombia, acute violence against social leaders and protesters has worsened with little protective response from the government.

This concerning scenario is reflected by an overall decline in civic space ratings in the region. Since the CIVICUS Monitor was launched in 2016, only one country in the Americas had been rated closed: Cuba. Now it is joined by Nicaragua, following the scorched-earth policy of President Daniel Ortega's regime toward all critical voices as it sought to maintain its hold on power. Our analysis has also documented a civic space decline in Haiti, following prolonged political turmoil and rising insecurity. Of 35 countries in the Americas, there are 10 where civic space is open. Nine are rated as narrowed and another nine as obstructed. There are five countries in the repressed category and two where civic space is considered closed. Most people in the region live in countries where civic space is obstructed (64 per cent) or repressed (23 per cent).

In Haiti, combined political, humanitarian and security crises have led to a significant decline in civic space. Before his assassination in July 2021, President Jovenel Moïse had been ruling by decree for over a year in the absence of an elected legislature. He issued executive decrees on matters such as national security that affected civic freedoms. Opposition groups organised frequent anti-government protests, often repressed by police using excessive force. Violence against journalists and HRDs took place with impunity. Since Moïse's killing, the country has struggled with spiralling insecurity and natural disasters amid political turmoil. In this context, relief



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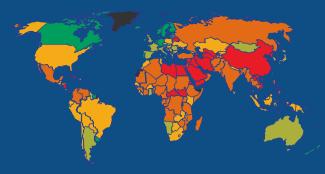
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efforts by humanitarian groups have been hindered. Although Haiti's civic space rating dropped to repressed, the country's civil society has remained determined to rebuild. They have been key voices pushing for participation and local solutions as a response to these crises.

Meanwhile in Nicaragua, a stunning crackdown on civil society, media and the opposition paved the way for farcical presidential elections that took place with seven opposition candidates behind bars. 2021 was marked by widespread civic space violations, including arbitrary detention and enforced disappearances, the

closure of dozens of CSOs, raids on independent media and censorship, systematic attacks on HRDs and journalists and the enactment of repressive laws. As of December 2021, more than 140 people have been detained for exercising their fundamental rights; reports of torture and ill-treatment of political prisoners are prevalent. While the situation has worsened drastically, it is also the culmination of several years of evolving repression. The prevailing atmosphere of fear, the harsh punishments for anyone expressing criticism and the complete ban on protests demonstrate in no uncertain terms that the space for civil society in Nicaragua is currently closed.





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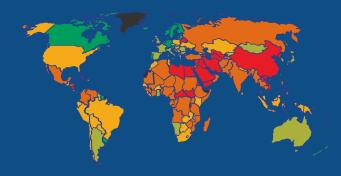
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#### CIVIC SPACE RESTRICTIONS

In the Americas, intimidation, detention of protesters and attacks on journalists were the most frequent violations of civic freedoms documented by the CIVICUS Monitor during the reporting period. Also among the top restrictions were the disruption of protests and the use of excessive force by law enforcement agencies during protests.

#### **TOP 5 VIOLATIONS TO CIVIC FREEDOMS FOR THE AMERICAS**







#### INTIMIDATION

Arbitrary police interrogations, threats of trumped-up charges, smear messages on social media: these are just a few of the tactics that have been used to intimidate those speaking up and defending rights in the Americas. Intimidation aims to scare those perceived as enemies and deter them from continuing their work and advocacy. Across the region, both state and non-state forces have used these strategies against HRDs, journalists, political opposition and civic leaders. In the past year the CIVICUS Monitor documented incidents of intimidation in at least 19 countries of the Americas, often coupled with tactics such as criminalisation or surveillance.

In Nicaragua, at least 16 journalists were summoned as witnesses in investigations against civil society groups. When questioning the reporters, police officers threatened them with charges if they refused to speak without lawyers present. Cuban authorities have used similar tactics, regularly sending police patrols to monitor HRDs' and dissidents' houses and threatening reprisals against them and their families. In Honduras, police employed surveillance to intimidate groups demanding justice for the killing of environmental activist Berta Cáceres in 2016 and activists calling for the release of Guapinol water defenders, a group of eight activists detained for over two years. In Bolivia, HRDs and journalists were named in lists calling for the lynching of perceived enemies of the governing party. Polarisation has hindered accountability for violations: for instance, while telling investigators from the Inter-American Commission on Human Rights of her experience during Bolivia's post-electoral conflict, a journalist faced yells and insults from the audience, which forced her to stop her testimony.

Journalists were frequent targets of threats and other types of intimidation, particularly when covering crime or questioning public resource management. Such cases were widespread in the region, recorded in countries including Ecuador, Honduras and Venezuela. Journalists who exposed corruption in COVID-19 vaccine distribution in Panama and Peru received death threats. In Mexico, members of the media in Iguala have faced systematic threats from criminal gangs. For instance, at least six reporters were threatened in an online messaging group; they said continuous harassment had led to self-censorship by the local media. In Brazil, public officials from the Rio de Janeiro mayor's office organised monitoring of hospitals and blocked journalists from covering COVID-19 stories by intimidating news crews and interviewees.



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#### **PROTEST VIOLATIONS:**

#### DETENTION, DISRUPTION AND EXCESSIVE FORCE

When protesting against government policies, calling for rights guarantees and demanding change, protesters in the Americas were often disrupted, met with excessive force and put at the risk of detention. In this reporting period, the CIVICUS Monitor documented these three types of protest restrictions in 21 out in the 35 countries of the region. The most frequent restriction, detention, was recorded in 40 per cent of reports from the Americas.

Colombia's law enforcement agencies brutally repressed protesters over several months of a national strike against government policies. Between 28 April and mid-May 2021, local human rights group Temblores recorded that over a thousand protesters had been detained and hundreds injured; they further recorded at least 43 killings by perpetrators suspected to be security agents. In several cases, people were injured or killed with live ammunition. In Peru, law enforcement officers responded to protests against the removal of former president Martín Vizcarra with indiscriminate force, using firearms and firing less-lethal weapons such as teargas canisters directly at protesters. Within a week of protests, at least two people had been killed and over two hundred injured. In Guatemala, at least 43 people were detained in protests against budget cuts, with videos showing police dragging and beating protesters.

In Cuba, the authorities responded to direct actions by campaigning artists with disruption, surveillance and intimidation. After more than 200 people protested against the repression of Movimiento San Isidro, the government agreed to negotiate but backtracked within days, increasing its harassment of critical voices. Many of those who had taken part in the protest were put under police surveillance and told they could not leave their homes. When rare mass protests erupted in July 2021, security forces detained hundreds during the protests and in the following weeks. By October 2021, dozens had been convicted for protesting, often in judicial proceedings lacking due process.

Indigenous peoples, members of other excluded groups and environmental groups were frequent targets of repression during protests. Indigenous defenders in Brazil were met with repression, including when protesting in front of the agency charged with protecting Indigenous rights. Canadian police responded to the largest civil disobedience actions in the country's history by detaining protesters in astounding numbers, with over a thousand arrests of activists during the Fairy Creek anti-

logging protests between May and September 2021, many of them Indigenous people. In Chile, Indigenous Mapuche protesters continued to face repression. Concerns about biased law enforcement remained in the USA, despite a change in the federal government and the new administration's public commitments to inclusivity. Detention and excessive force against anti-racism protesters persisted, with several states proposing and implementing anti-protest laws as a response to Black Lives Matter protests.



Colombia: Demonstrators shout slogans during national strike. Bogotá, May 2021. (Photo by Guillermo Legaria/Getty Images)

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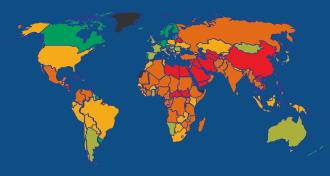
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#### ATTACKS ON JOURNALISTS

A free and vibrant media is vital to the full exercise of human rights, enabling people to access public interest information, exposing abuses by powerholders and providing platforms for debate. But journalists often do their work in the Americas at great personal risk. Attacks on journalists' personal integrity were recorded by the CIVICUS Monitor in at least 19 countries of the region during the reporting period.

In Mexico, which continues to be among the most deadly countries in the world for journalists, reporters were often assaulted by police while covering news stories in public spaces, targeted during protests and attacked by public officials and their supporters. In numerous cases reporters were assaulted and detained despite identifying themselves as members of the media. In some cases these attacks resulted in killings, taking place with impunity in broad daylight. Reporters were killed in at least six other countries of the region.

During this reporting period, we documented shooting attacks against journalists in countries such as Brazil, Chile, Colombia and Ecuador. In Venezuela, a regional office of the national journalists' association was set on fire and destroyed. In Argentina, a journalist was beaten, kicked and punched by two assailants while live on his radio programme. One of the attackers was a former local official in the municipality where the reporter exposed alleged corruption.

Attacks often happened as reporters and news crews covered protests, with media workers exposed to hostility and assaults. In Paraguay, at least five journalists were injured in anti-government protests and others had their equipment stolen. Before President Moïse's assassination in Haiti, attacks on journalists were so common during anti-government protests that the local press association questioned whether reporters were deliberately being targeted. In countries such as Colombia, Panama and the USA, we documented cases of media workers who were covering protests being assaulted by the police even when they clearly identified themselves.

Although attacks by law enforcement officers were more frequent, we also recorded several cases of news crews being assaulted by protesters. In Guatemala, for instance, a reporter was beaten with an iron pole by a protester who accused her of being a 'feminist infiltrator'. In Peru, journalists reporting on campaign rallies were attacked by supporters of candidates across the political spectrum.



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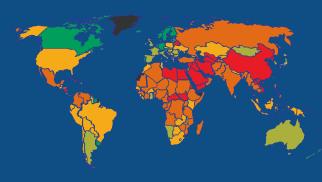
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# Americas **Good News Stories** Enabling law 10 Release of HRDs Positive court ruling Positive civil society 32 development

#### **POSITIVE DEVELOPMENTS**

In the past year, some of the most important positive developments for the region came through justice systems holding perpetrators of violations to account. In Mexico, perpetrators of the 2017 killings of reporters Javier Valdez Cárdenas and Miroslava Breach Velducea were convicted and sentenced. In Honduras, one of the intellectual authors behind the assassination of Berta Cáceres finally faced trial and was found guilty. While such rulings remain the exception, they provide much needed hope for justice in a region where impunity has been the rule. The sense of impunity emboldens perpetrators of attacks and killings, contributing to enduring violence against HRDs and journalists in the Americas. There were also many cases of magistrates dismissing legal proceedings against journalists and recognising these as censorship attempts, as well as clearing HRDs of charges and acquitting protesters.

In Canada, the courts recognised the frequent misconduct by officers when policing environmental protests and their obstruction of media covering these, denying an injunction against the protests. Brazil's Supreme Court established a precedent holding the state responsible in cases of journalists being injured by security forces while covering protests. In the USA, Florida's abusive anti-protest law was blocked following a lawsuit filed by CSOs in a federal court, an important ruling amid a wave of efforts to criminalise protests. Across the region, civil society pushed back against restrictive laws through the courts and adopted litigation as an important avenue to demand rights guarantees.

Despite the pandemic and its repercussions, civil society organising has continued to prove powerful. The most illustrative example is that of the 'marea verde', the feminist 'green tide' for reproductive rights. In December 2020, Argentina's feminist movements achieved a landmark victory with the approval of a legal abortion law that they had campaigned for over decades. The effects of this achievement reverberated throughout Latin America and the Caribbean, where most countries criminalise abortion and some have outright bans. In April 2021, a court ruling decriminalised abortion in cases of rape in Ecuador. In September 2021, Mexico's Supreme Court was unanimous in saying that the criminalisation of abortion is unconstitutional. In the same month, Chile's women's movements celebrated the preliminary approval of a law decriminalising abortion. In every one of these countries, activists' reactions were consistent: these historic victories, achieved in the face of considerable backlash, were just the beginning, and the struggle continues for the expansion and full implementation of these rights.



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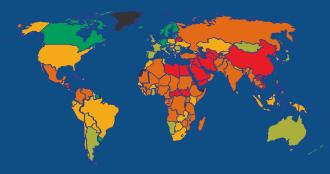
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#### COUNTRY OF CONCERN: EL SALVADOR

In his first year of government, Salvadoran President Nayib Bukele made drastic moves such as occupying the legislative assembly with a military contingent. He has consistently maintained an antagonistic stance toward the media since taking office, often directly discrediting journalists who criticise his government. With high levels of disenchantment with established parties and politicians, public support for the populist leader has remained high. In February 2021, Bukele's allies gained a supermajority in the legislature. This was followed by quick undermining of the

separation of powers: newly elected lawmakers supportive of the president replaced five judges in the Supreme Court's Constitutional Chamber; they then published a resolution enabling consecutive presidential re-election, something previously banned by the constitution. Since then, civil society has been shut out of participation in the legislative process and government allies have sought to make regressive legal changes. Bukele and his supporters have attacked anti-corruption organisations and stigmatised those protesting against his authoritarianism. This scenario raises concerns for civic space and the rule of law in El Salvador.



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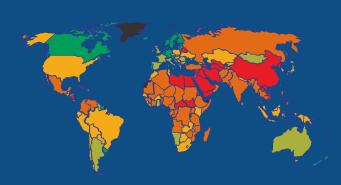
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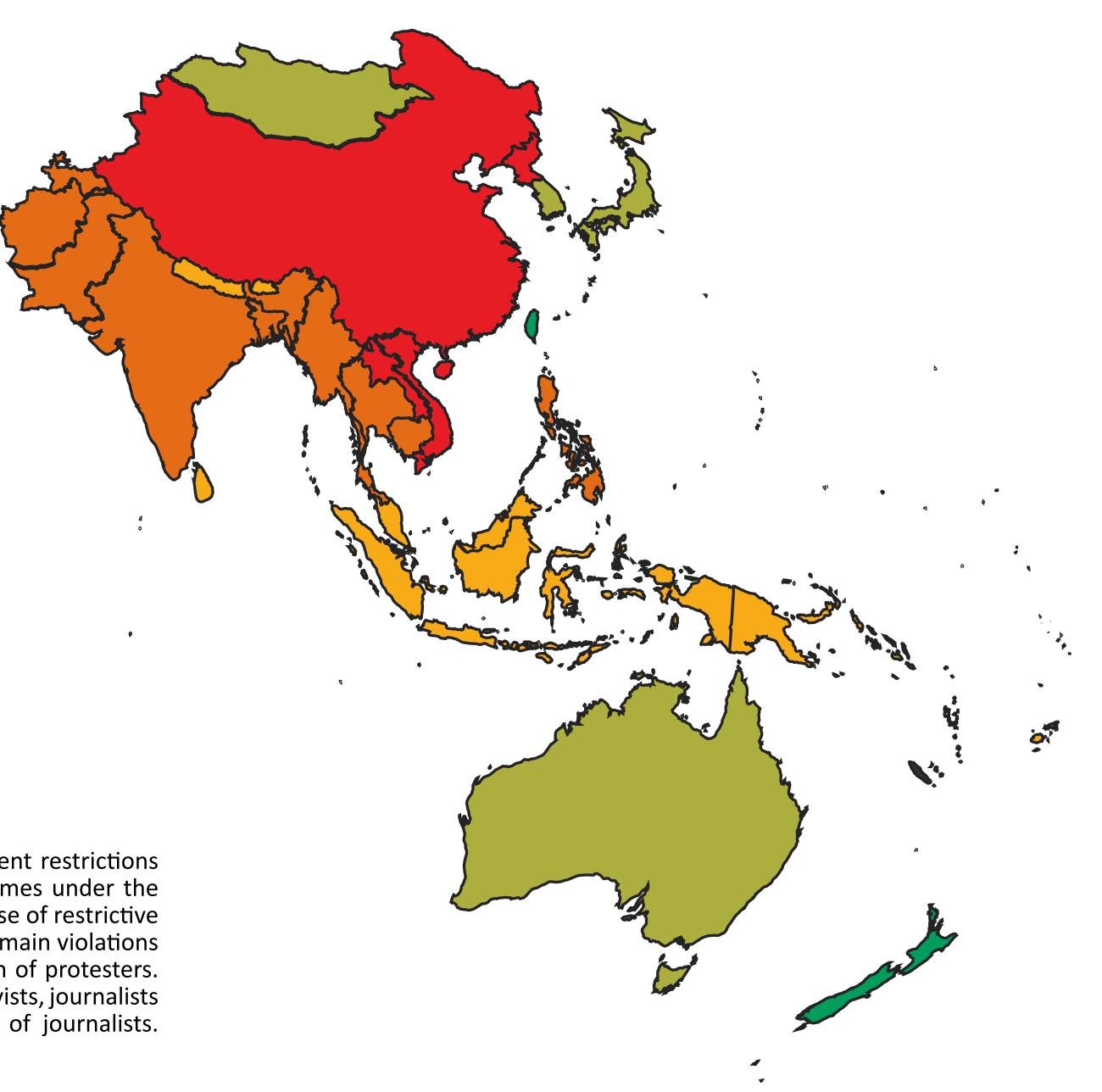






#### RATINGS OVERVIEW

Over the past year the CIVICUS Monitor has continued to document restrictions and attacks on civic freedoms across the Asia Pacific region, at times under the pretext of dealing with the pandemic. Our findings show that the use of restrictive laws to criminalise and prosecute HRDs continues to be one of the main violations recorded. Another widespread trend documented is the detention of protesters. Other frequently recorded violations include the harassment of activists, journalists and critics, cases of torture or ill-treatment and the detention of journalists.





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This is reflected by CIVICUS Monitor ratings. Of the 26 countries and territories in the Asia region, four – China, Laos, North Korea and Vietnam – are rated as closed. Eleven are rated as repressed and seven as obstructed. Civic space in Japan, Mongolia and South Korea is rated narrowed, meaning that Taiwan remains the only country rated as open. In the Pacific, the story is more positive: seven countries are rated as open while four are rated as narrowed, including Australia, which was downgraded in 2019. Fiji, Nauru and Papua New Guinea remain in the obstructed category.

This year, Singapore has been downgraded from obstructed to repressed owing to its decline in fundamental freedoms. The Protection from Online Falsehoods and Manipulation Act 2019, which includes vague provisions and confers wide-ranging discretion on the government, continued to be used against government critics and independent media outlets. Journalists and bloggers faced defamation charges with exorbitant fines imposed. The 2017 Administration of Justice (Protection) Act, a vaguely worded contempt-of-court law, has been used to prosecute HRDs for criticism of the courts under the guise of protecting the judicial system. The government eroded the freedom of peaceful assembly by deploying the 2009 Public Order Act against activists who organised peaceful gatherings, including solo protesters. Civil society has raised concerns that a new Foreign Interference (Countermeasures) Act, passed in October 2021, will further curtail civic space, both online and offline.

In the Pacific, Solomon Islands has been downgraded from open to narrowed. In early 2021, the cabinet threatened to ban Facebook, a policy that was criticised by civil society groups and the opposition. The government also used pandemic-related emergency laws to impose strict restrictions on protests with harsh penalties. Media groups have raised concerns over the lack of information provided since the pandemic began.

More positively, Mongolia's civic space rating has been upgraded from obstructed to narrowed. In April 2021, the Mongolian parliament adopted a new law for the protection of HRDs, making it the first country in Asia to provide a framework for their protection. The Law on the Legal Status of Human Rights Defenders is the result of a years-long collective effort of the Mongolian government, civil society and the United Nations (UN). Mongolia also saw improvement in its ranking in the 2021 World Press Freedom Index.

#### **CIVIC SPACE RESTRICTIONS**

TOP 5 VIOLATIONS TO CIVIC FREEDOMS IN THE ASIA-PACIFIC



RESTRICTIVE LAW



HRD DETAINED



PROTESTER(S)
DETAINED



JOURNALIST DETAINED



PROTEST DISRUPTION



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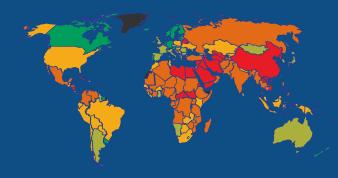
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## RESTRICTIVE LAWS USED TO CRIMINALISE HUMAN RIGHTS DEFENDERS

The most widespread civic space violation documented in the Asia region in 2021 was the use of laws restricting the freedoms of association, peaceful assembly and expression, occurring in at least 21 countries. Among the legislation most often used to stifle dissent are laws related to national security and anti-terrorism, public order and criminal defamation. HRDs were detained under such laws in at least 19 countries and in 11 countries they were prosecuted.

In China, where civic space is closed, the government continued to detain scores of HRDs under broadly defined and vaguely worded offences such as 'subverting state power' and 'picking quarrels and provoking trouble'. In Hong Kong, the draconian National Security Law has been weaponised to target dozens of democracy and opposition activists and journalists and has led to the closure of several civil society groups. Tong Ying-kit, who rode a motorcycle displaying a flag with a protest slogan, was jailed as the first person convicted under the law.

Over the year, the Vietnam government used an array of vaguely defined laws such as 'anti-state propaganda' and 'abusing democratic freedoms' to charge and jail activists and bloggers, some with long prison sentences. In Cambodia, 'incitement' laws were systematically used to target dozens of activists, such as prominent union leader Rong Chhun and environmental activists from the Mother Nature Cambodia group. In Indonesia, treason laws were deployed to criminalise pro-independence activists from Papua and Maluku, such as Victor Yeimo.

National security and anti-terror laws such as the repressive Unlawful Activities (Prevention) Act (UAPA) have been systematically abused in India by the government of Prime Minister Narendra Modi to keep dozens of HRDs in pre-trial detention on baseless charges and deny them bail. Those detained include several people linked to the Bhima Koregaon case, a 2018 celebration at which violence broke out, including human rights lawyer Sudha Bharadwaj. Jesuit priest and HRD Father Stan Swamy died while in detention under the UAPA in July 2021. The sedition law has also been used to target activists and journalists.

At least 13 countries in Asia have used criminal defamation laws to try to silence activists and critics in the past year. There has been an alarming rise in the use of the lèse-majesté (royal defamation) charges against pro-democracy activists in Thailand, where protesters have also been targeted by sedition laws. More than a hundred

protesters have been charged with lèse-majesté since November 2020. In Malaysia, the Communications and Multimedia Act was deployed to target online critics of the royal family and politicians, as was an 'anti-fake news' ordinance issued under pandemic-related emergency rule in March 2021 that has since been lifted. In Indonesia, the Electronic Information and Transaction law was used to criminalise online dissent. In Bangladesh, the draconian Digital Security Act (DSA) continued to be used against critical voices on social media, websites and other online platforms, particularly targeting journalists, bloggers, cartoonists, musicians, activists and students with punishments that can extend to life imprisonment. A human rights report in July 2021 found that more than 400 people were in prison under the DSA.

In the Pacific, restrictive laws were documented in at least seven countries. In Fiji, the Public Order (Amendment) Act 2014 prevented unions from protesting and targeted critics. New criminal defamation laws were passed in Tonga and Vanuatu. In Australia, civil society groups continued to raise concerns about the prosecution of whistle-blowers.

#### **CRACKDOWN ON PROTESTS**

Despite the global pandemic and restrictions, protests took place in at least 18 countries in the Asia region. Protesters were detained in at least 14 countries and the authorities used excessive force against protesters in at least 12 countries.

In Hong Kong, pro-democracy activists including Joshua Wong were convicted for their role in various peaceful protests and gatherings in 2019 and 2020, including protests against the country's extradition law and a vigil commemorating the 1989 Tiananmen Square massacre.

In Myanmar, mass protests across the country by a civil disobedience movement following the February 2021 military coup were met with deadly violence by the ruling junta. Thousands have been arbitrarily arrested and detained and hundreds have been killed with impunity. In Thailand, pro-democracy leaders were detained and charged for their speeches during mass protests calling for reforms of the government and monarchy. Hundreds, including children, were investigated in connection with their protest activities. The Thai police also used excessive force, including live ammunition, against protesters.

In Indonesia, scores of activists protesting against the unilateral renewal of the Papua Special Autonomy Law in July and August 2021 were detained and met with excessive force. The law had long been rejected by many Papuans as failing to realise



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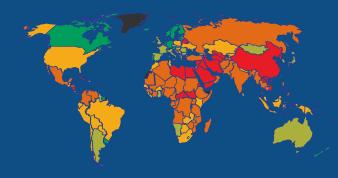
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meaningful autonomy. In Malaysia, the authorities attempted to stifle a number of anti-government protests organised by the People's Solidarity Secretariat — an ad hoc umbrella body of youth groups — including a candlelight vigil held in August 2021 for COVID-19 victims, where 31 were arbitrarily detained and ill-treated.

In India, the authorities vilified and repressed the farmers' protest movement, which continued to hold protests until the government backed down and announced it would repeal controversial farming laws. Before the reversal, the authorities blocked roads to disrupt protests, arbitrarily detaining hundreds and using excessive force. Restrictions on peaceful assembly were also imposed in Indian-administered Jammu and Kashmir. In Sri Lanka, dozens of protesters including trade unionists and students were detained for protests organised since July 2021 against the militarisation of higher education and on labour rights and other issues. In Pakistan, Pashtun activists were detained and charged for their involvement in protests. Following the takeover of Afghanistan by the Taliban in August 2021, anti-Taliban protests were met with excessive force.

In the Pacific, protests were documented in seven countries. In Australia and New Zealand, scores of anti-lockdown protesters were detained in 2021 for violating COVID-19 regulations. In the Solomon Islands in August 2021, a march in Honiara to deliver a petition to the government by people from the Malaita province was disrupted and dispersed by the police.

## HARASSMENT AND INTIMIDATION OF ACTIVISTS AND JOURNALISTS

Governments used extra-legal tactics in at least 14 countries in the Asia region in the past year to attempt to harass or intimidate activists, journalists and critics into silence. China continued its unrelenting persecution of HRDs by putting some under surveillance and forcing others to leave town ahead of the ruling Chinese Communist Party's centenary celebration in July 2021. Activists were also barred from international travel or placed under 'residential surveillance in a designated location', a notorious form of state-enforced disappearance. In Hong Kong, media owner Jimmy Lai, founder of independent newspaper Apple Daily, is facing multiple charges. Six of the newspaper's staff and executives were also arrested and the newspaper was forced to close.

In the Philippines, activists continued to be vilified and 'red-tagged' — labelled as communists or terrorists — in relation to their work. Human rights alliance Karapatan

faced a spate of cyberattacks against its website traced to the Philippines intelligence services and army. Journalists in the Philippines continue to face harassment and spurious charges for their reporting, including Nobel Peace Prize-winner Maria Ressa. In Malaysia, activists criticising government policies or coordinating protests were hauled before the police for questioning and fined for breaching COVID-19 laws.

The Bangladeshi government launched smear campaigns and online attacks against journalists who are based abroad for criticising the government of Prime Minister Sheikh Hasina, and harassed family members who still live in Bangladesh. In Sri Lanka, a pattern emerged of intensified surveillance and harassment of civil society activists by a range of security services, including the Criminal Investigation Department, the Terrorist Investigation Division and State Intelligence officials, who subjected activists to intrusive questioning about their organisations, asking about administrative details, organisational activities, lists of staff, including their personal contact details, donors and funding sources. In Indian-administered Jammu and Kashmir, raids were conducted on the homes of HRDs and offices of CSOs and newspapers.

In the Pacific, harassment or intimidation of activists was documented in Fiji, Papua New Guinea and Samoa.

#### TORTURE AND ILL-TREATMENT

Reports of torture and ill-treatment of activists were prevalent in Asia, occurring in at least 13 countries during the reporting period. In Myanmar, activists and protesters detained by the junta were allegedly tortured. In one case, more than 100 prisoners were crammed into a single room where it was difficult to move, had a gun pointed to their head during interrogations and were forced to eat from the concrete floor with hands cuffed behind their backs. Some were beaten and electrocuted. In June 2021, the UN's independent expert on human rights defenders raised concerns about activists in China being tortured, as well as being denied access to medical treatment, their lawyers and their families. In Vietnam, where over 200 political prisoners are locked up in a secretive network of prisons and detention centres, many have been held in prolonged periods of incommunicado detention and solitary confinement, inflicted with severe physical pain and suffering and had medical treatment withheld.

In Bangladesh, there have been widespread allegations of torture and ill-treatment by security forces. Writer Mushtaq Ahmed, who died in prison in February 2021,

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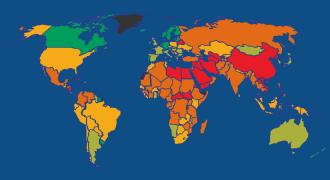
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was allegedly subjected to severe abuse by the Rapid Action Battalion, an elite anti-terrorism unit, as was political cartoonist Kabir Kishore. Both were detained under the Digital Security Act. The International Truth and Justice Project released a report in September 2021 detailing incidents of torture by the Sri Lankan police and military against political prisoners.

In the Pacific, Papua New Guinean lawyer Laken Lepatu Aigilo was assaulted by the police in April 2021 and then kidnapped and threatened before he was detained. The incident occurred after he formally lodged a complaint of financial mismanagement against a politician.

#### **DETENTION OF JOURNALISTS**

In at least 12 countries in Asia in the past year, journalists were detained by the state for their critical reporting. In China, citizen journalist Zhang Zhan was sentenced to four years in jail for her reporting on the pandemic in Wuhan, In Vietnam, independent journalists have been detained and charged, including WHRD Pham Doan Trang and five journalists from the Báo Sạch (Clean Newspaper) Facebook-based news outlet. In Pakistan, journalists Amir Mir and Imran Shafqat were taken into custody in Lahore for their coverage of public institutions while senior journalist and columnist Waris Raza was abducted by the authorities from his house in Karachi in September 2021 and briefly detained. In Bangladesh, Rozina Islam, a senior reporter with the widely circulated national daily Prothom Alo, was detained for seven days in May 2021 and charged under the Official Secrets Act for exposing malpractices by the health ministry during the pandemic.

#### **POSITIVE DEVELOPMENTS**

In a challenging year for fundamental freedoms, the CIVICUS Monitor documented a number of positive civic space developments in Asia and the Pacific, which are testament to the commitment of those who fought for them. The passage of the HRDs protection law in Mongolia was a major victory for the county's civil society, while in South Korea restrictive amendments to the media law were shelved following opposition from civil society and media groups. The campaign by activists to hold Philippine President Rodrigo Duterte accountable for his many human rights abuses achieved a landmark step when the International Criminal Court formally authorised an official probe into alleged crimes against humanity.

In response to cases lodged by several journalists and activists, India's supreme court ordered an independent inquiry into whether the government used the Pegasus



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surveillance software to spy illegally on journalists, activists and political opponents. In Pakistan, despite intimidation and threats, thousands of women across the country took part in Aurat March (women's march) events held in towns and cities to mark International Women's Day. Bhutan's parliament approved a bill to decriminalise same-sex relations, in a major victory for LGBTQI+ rights campaigners. In the Pacific, after strong civil society pressure, Tongan authorities moved swiftly to bring the perpetrator of the killing of LGBTQI+ rights activist Polikalepo 'Poli' Kefu to justice.

## COUNTRIES OF CONCERN: MYANMAR AND AFGHANISTAN

Myanmar saw a rapid decline in fundamental freedoms following the February 2021 coup, with the arrest, detention and criminalisation of hundreds of activists, including HRDs, trade unionists, journalists, political and student activists, doctors, poets, people from ethnic minorities, LGBTQI+ groups and artists. The junta used excessive force and firearms against protesters and disrupted the internet. Journalists were hunted down and dozens were arrested and charged. A number of political prisoners were allegedly tortured and ill-treated and there have been reports of sexual violence against women in detention centres. At the time of writing, according to the Assistance Association for Political Prisoners, 1,244 people had been killed and 7,122 people are currently in detention.

Another country of concern is Afghanistan, following the Taliban takeover in August 2021. There have been reports of activists facing systematic intimidation throughout the country. The Taliban are carrying out house-to-house searches for activists and journalists, particularly women, and interrogating them and their families. This has created a climate of significant fear and many have gone into hiding or have fled the country. The Taliban have also conducted raids on women-led CSOs across Afghanistan. Anti-Taliban protests, especially by women, in Kabul and other cities have been met with excessive force, gunfire and beatings to disperse crowds, leading to deaths and injuries of peaceful protesters. Journalists are at increased risk for covering the situation on the ground. Some covering the protests have been arbitrarily detained, tortured or ill-treated with impunity.



Afghanistan: Afghan women take part in a protest in Herat, Afghanistan following the Taliban takeover (Photo by AFP)

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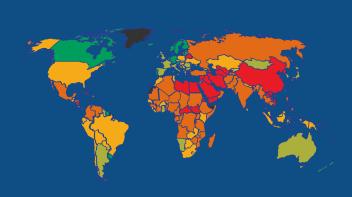
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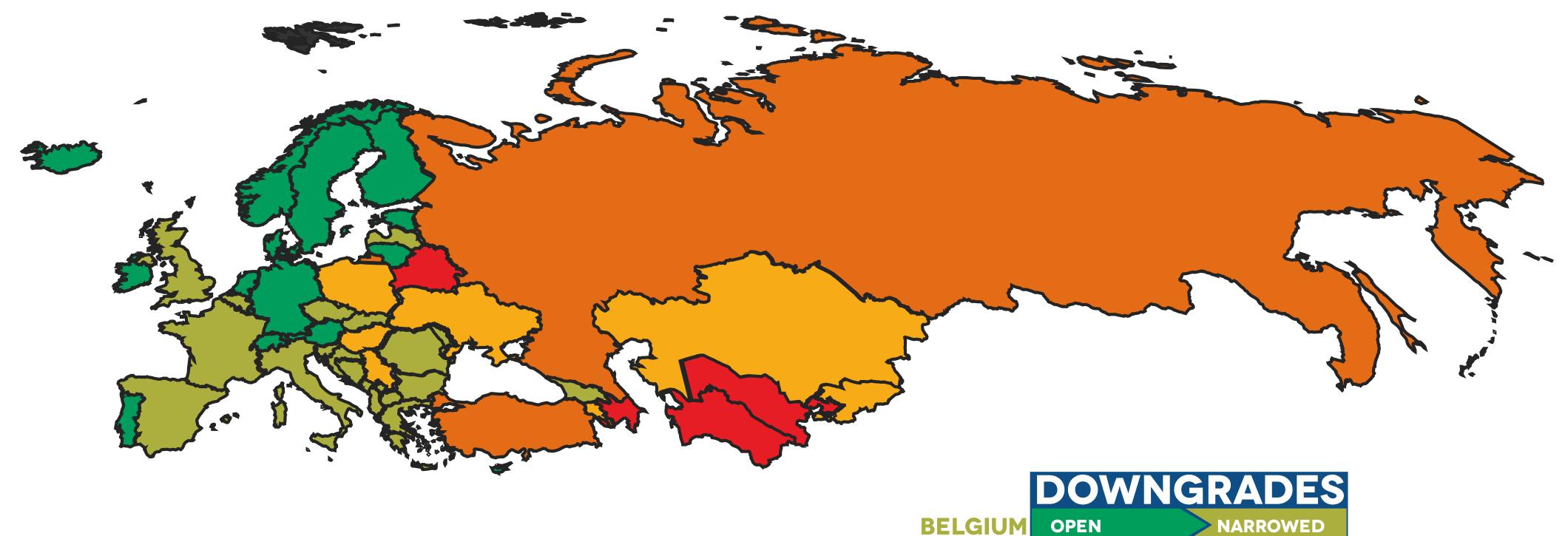
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BELGIUM
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DOWN GRADES
NARROWED
NARROWED
NARROWED
OBSTRUCTED
REPRESSED
CLOSED

#### RATINGS OVERVIEW

Civic space in the Europe and Central Asia region continues to decline. Of the region's 54 countries, civic space is rated as open in 19, narrowed in 21, obstructed in seven, repressed in three and closed in four. Over the past year, we have documented a notable decline in civic space in established democracies such as France and the UK, with legislative developments threatening fundamental freedoms. Civic space in other European countries is in decline, with the civic space rating of four countries being downgraded. In Central Asia, governments continue to restrict the already limited space for civil society, often deploying tactics of

harassment and intimidation against journalists and HRDs. Additionally, increasingly authoritarian leadership was documented under a new president in Kyrgyzstan.

CIVICUS Monitor ratings reflect this picture. In the Europe and Central Asia region, our latest analysis shows that overall country ratings in the region have not improved. The four European countries where ratings have been downgraded are Belarus, Belgium, Czech Republic and Poland. Three of these countries are European Union (EU) member states.



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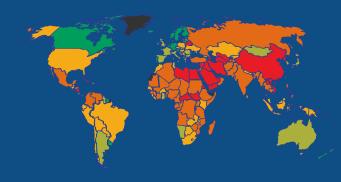
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The downgrading of Belgium's civic space rating from open to narrowed is due to an ongoing crackdown on peaceful assembly. Illustrating this, three major protests against racial and class injustice between November 2020 and January 2021 were met with excessive police force, including the use of a semi-lethal weapon, with police also accused of using beatings, strangleholds and racist insults, and detaining hundreds of protesters, including minors. Police initially prohibited one of the protests before announcing that it would be 'tolerated', but then intimidated people who may have intended to participate in it. Additionally, police have used disproportionate force to enforce COVID-19 measures, particularly targeting excluded groups. There are also concerns about the rights of migrants, who staged a hunger strike for over 60 days calling for legal status after they were denied official documentation recognising their asylum seeker status. Many of the migrants who have lived in Belgium for years are facing an increasingly precarious situation, worsened by the pandemic.

In the Czech Republic, concerns over declining media independence have resulted in a ratings downgrade from open to narrowed. In May 2021, Czech President Milos Zeman's office announced that it would stop providing information to several investigative media outlets. Similarly, several international and Czech journalists were not allowed to attend a joint press conference held by then-Prime Minister Andrej Babiš and Hungarian Prime Minister Viktor Orbán. Additionally, there are concerns over political interference in the public broadcaster Česká televize (Czech Television) with the unexpected dismissal of the five members of its Advisory Board in November 2020 and an unsuccessful attempt in March 2021 to remove its CEO, who makes editorial decisions. The impartiality of Czech national radio has also come under threat, with pro-ruling party council members trying to influence broadcasts. Additionally, the acquisition of Central European Media Enterprises, which develops and produces content for 30 TV channels in five Central and Eastern European countries, by Czech billionaire Petr Kellner, who is known to have close ties with China, raises concerns of censorship.



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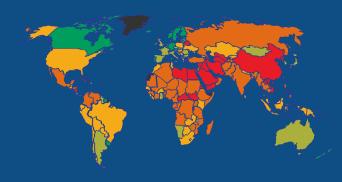
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The systematic silencing of civil society in Belarus, following mass protests that broke out before and immediately after the disputed August 2020 presidential election, has resulted in a ratings downgrade from repressed to closed. In the past year, the authorities have raided, attacked, detained and charged hundreds of protesters and journalists, sentenced and jailed a former presidential candidate, disbanded CSOs and media outlets and amended laws to prevent citizens from organising and journalists from reporting respectively. As of 25 November 2021, 882 people were reported to be political prisoners in Belarus. Many of them have been detained and sentenced to terms of detention ranging from a few days to several years in prison, mostly for participating in anti-government protests. Additionally, the authorities have launched a process to liquidate dozens of CSOs, including key human rights groups, as President Alexander Lukashenko continues his unrelenting crackdown on civil society.

The continuous deterioration of civic space in Poland has led to the country's rating being downgraded from narrowed to obstructed – see below.

Civic space in Central Asia continues to worsen. Government opponents, civil society activists, independent journalists, bloggers, HRDs, lawyers, peaceful protesters and others critical of governments have been persecuted through tactics ranging from orchestrated online attacks, anonymous threats and surveillance to arrest, prosecution and imprisonment on politically motivated charges. Governments have frequently limited the online dissemination and exchange of information, including through arbitrary blocking of websites critical of the government. Turkmenistan's government, which continues to deny the existence of COVID-19 in the country, has stepped up its campaign against tools that circumvent internet restrictions, such as virtual private networks (VPNs), which people use to access otherwise inaccessible resources. New legislation initiated in several Central Asian countries, including Kazakhstan and Kyrgyzstan, imposes further restrictions aimed at censoring critical online content.

#### **CIVIC SPACE RESTRICTIONS**

In the Europe and Central Asia region, the freedoms of peaceful assembly and expression are under threat. The most common violations documented during the reporting period include the detention of protesters, the intimidation and harassment of journalists and HRDs, the passing of restrictive laws and physical attacks on journalists.

## TOP 5 VIOLATIONS TO CIVIC FREEDOMS FOR EUROPE AND CENTRAL ASIA



## PROTESTER(S) DETAINED



INTIMIDATION



**HARASSMENT** 



RESTRICTIVE LAW



ATTACK ON JOURNALIST



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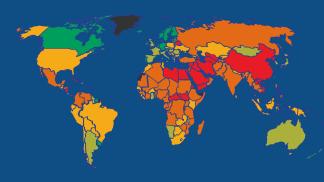
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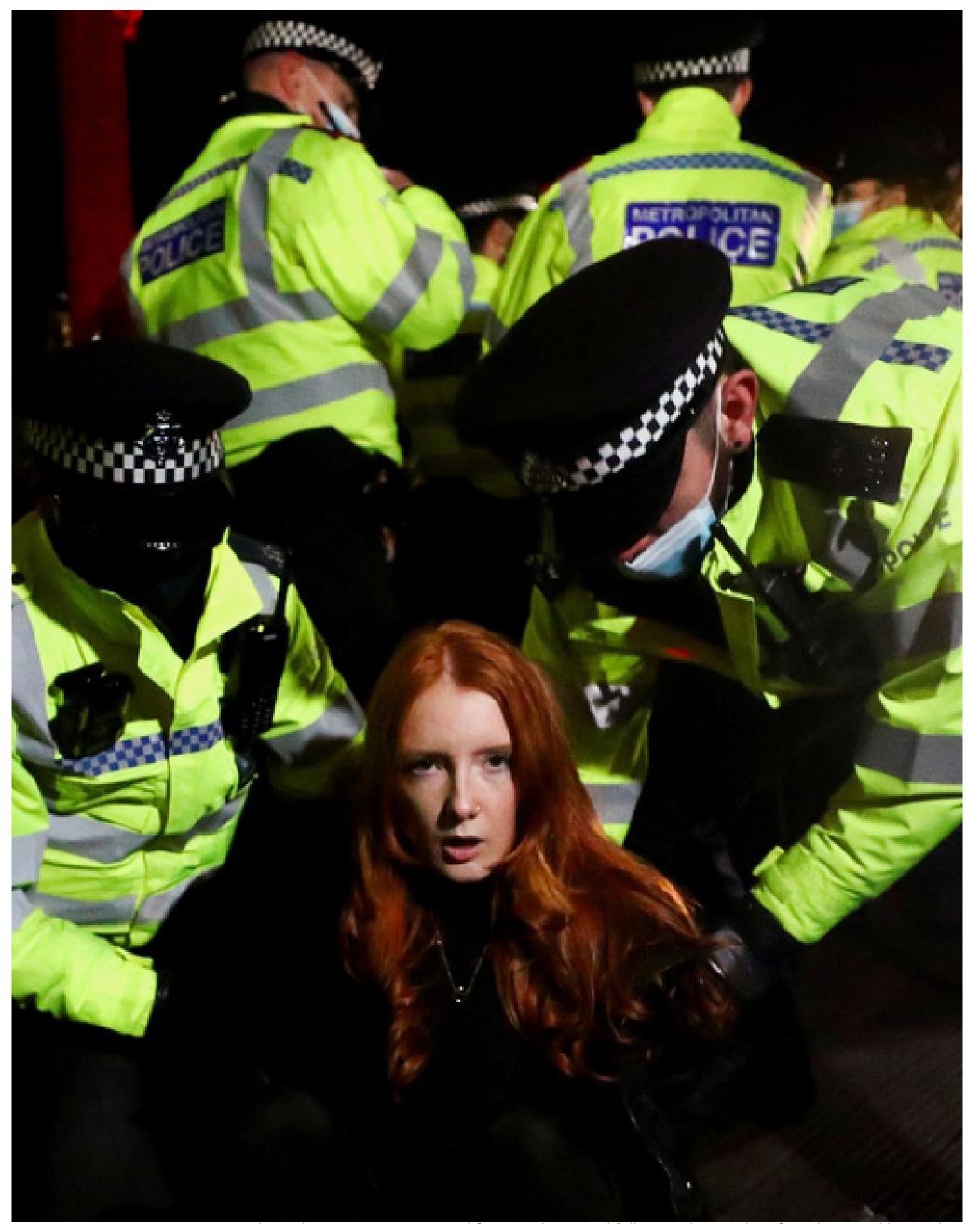
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United Kingdom: Protesters arrested for attending a vigil following the murder of Sarah Everard by a police officer, March 2020 (Photo by REUTERS/Hannah McKay TPX IMAGES OF THE DAY, via Gallo Images)

#### **DETENTION OF PROTESTERS**

In Turkey, thousands of Boğaziçi University students staged protests calling for academic freedom after the appointment of a new trustee rector, believed to be a political appointee of President Recep Tayyip Erdoğan. Turkish authorities responded to protests with excessive force, including teargas, rubber bullets and water cannon. Human rights organisations documented that 560 student protesters were arrested during protests in 38 cities, with most released after a short time. However, many were subjected to violence and intimidation during detention, with LGBTQI+ students specifically targeted.

The UK has seen numerous protests against the Police, Crime, Sentencing and Courts Bill (known as the Policing Bill), which gives the police additional powers to repress protests. During #KillTheBill protests in Bristol, the police used excessive force and arrested 78 protesters, with three already subsequently jailed and others potentially facing prison time. Protests for racial justice and environmental rights have repeatedly been met with detentions in the UK. In France, 200,000 people demonstrated against the Global Security Bill, later passed into law, in January 2021. The law creates a state of generalised surveillance, posing a threat to the freedoms of expression and peaceful assembly. National human rights organisations reported that 13,000 arrests were made during these protests, including of minors.

In Central Asia, peaceful protests rarely occur given the repressive climate and the ever-present risk of retaliation against those who speak out against government policies. In Kazakhstan, the authorities have continued systematically to prevent peaceful opposition protests from taking place, detaining and harassing participants. In February 2021, about 30 activists from the unregistered Democratic Party were rounded up by the police and kettled for over 10 hours, after they attempted to protest in Almaty for political reforms. The police used force to carry out 60 preemptive detentions, including of bystanders.

Pro-opposition protests were held in Russia in January, February and April 2021. Mass solidarity protests came after opposition leader Alexei Navalny, who survived an assassination attempt in 2020, returned to Russia and was detained at the airport by law enforcement officers. In February 2021, he was sentenced to prison on spurious fraud charges, sparking further protests. According to reports, more than 11,000 people were detained by law enforcement agencies and over 9,000 administrative cases and 90 criminal cases were filed against protesters who called for the release of Navalny across 125 cities between January and February



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2021. In Azerbaijan, participants in July 2020 protests, which were sparked by the conflict between Azerbaijan and Armenia over the Nagorno-Karabakh region, were sentenced to conditional detention during 2021.

## INTIMIDATION, HARASSMENT AND PHYSICAL ATTACKS

The use of intimidation and harassment as a tactic to deter CSOs, HRDs and journalists was documented in at least 34 countries in Europe and Central Asia. A culture of impunity is growing in the region, as authorities fail to hold perpetrators of harassment and intimidation to account. Physical attacks on journalists, which often took place while covering protests, were documented in at least 28 countries. There are several concerning cases of killings of journalists in the region. In the Netherlands investigative journalist Peter de Vries was killed after being shot at least five times, with his death reportedly linked to the most-wanted criminal in the Netherlands. In Greece, TV reporter Giorgos Karaivaz was shot dead in front of his house in Athens, with authorities confirming that the hit was linked to organised crime groups. The killing of journalists was also documented in Belarus, Georgia and Turkey.

Intimidation, harassment and physical attacks on journalists were often perpetrated both by protesters and the authorities during protests, including during COVID-19-related protests. In Germany, a series of incidents have been documented in the past year during protests against COVID-19 measures, where distrust of the media is a crucial element. During several protests journalists have faced death threats and have been called 'lying press'. In the Netherlands, journalist Mac van Dinther from de Volkskrant daily newspaper was forcibly dragged into a police van because he was 'too close' to officers and detained for several hours. Incidents against journalists during COVID-19-related protests have also been documented in Belgium, France, Italy, North Macedonia and Spain.

Senior politicians at the highest levels, including prime ministers and presidents, continue to intimidate and harass civil society personnel and journalists. In Slovenia, Prime Minister Janez Janša and the ruling Slovenian Democratic Party have accused public broadcaster Radiotelevizija Slovenija of spreading 'lies' and labelled the broadcaster as 'irresponsible virus spreaders'. Janša also called the Slovenian Press Agency a 'national disgrace' on Twitter. In Croatia, President Zoran Milanovic has repeatedly insulted reporters from the public broadcaster HRT by calling reporters tricksters, mercenaries and an embarrassment to the country. In Serbia, investigative portal KRIK and CSOs have faced smear campaigns, fuelled by President Aleksandar

Vučić, the ruling Serbian Progressive Party and pro-government media, accusing KRIK of aligning with organised criminal groups.

Governments have also used less direct forms of harassment such as targeting the funding mechanisms of CSOs in an attempt to curtail their work, including in France, Hungary and Slovenia.

Similar tactics are often used by Central Asian governments in attempts to silence critics. In Kyrgyzstan, under President Sadyr Japarov, who rose to power following a political crisis in October 2020, government critics have faced online and offline attacks, threats and detention for raising concerns about the new constitution, which undermines the separation of powers, concentrates presidential power and threatens civic freedoms. In neighbouring Tajikistan, the government continues to intimidate and harass independent journalists and lawyers, including those who now are in exile. Similarly, Turkmenistan's government has targeted critical voices both inside and outside the country as part of a widening crackdown on dissent due to growing criticism of its policies. Kazakhstan's government has further stepped up its use of overly broad criminal charges against opponents, and particularly against alleged supporters of peaceful opposition movements, which have been banned. Ahead of Uzbekistan's October 2021 presidential elections, opposition members, bloggers and activists faced renewed pressure, with opposition parties and independent CSOs being denied registration, despite the subsequently re-elected president's pledges to promote democratic reforms and improve civic space.

#### **RESTRICTIVE LAWS**

The passing of restrictive laws has been documented in at least 32 countries in Europe and Central Asia in the past year. A handful of laws were related to COVID-19 emergency powers, which further restricted fundamental freedoms, while other laws directly targeted CSOs, media freedoms and the freedoms of expression and peaceful assembly.

In Kyrgyzstan, two restrictive laws were fast-tracked through parliament: a law against 'false information', which critics describe as a censorship tool to protect government officials from criticism, and a law introducing a new financial reporting scheme for CSOs, which threatens to tighten state control of CSOs. In Hungary, the Orbán government passed a raft of anti-LGBTQI+ legislation amid the pandemic, including bans on LGBTQI+ media, advertising and educational materials, and new rules that rigidly define gender identities. In Belarus, Lukashenko approved amendments to



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the laws on mass media and public events, which prohibit journalists from covering unsanctioned protest actions and people from collecting and using funds to pay fines for participation in protest events. In July 2021, despite opposition from civil society, the National Assembly in France approved the so-called 'Separatism Bill', which introduces a binding 'republican engagement contract' on CSOs, granting administrative authorities the power to withdraw public funding to organisations that do not comply with 'the principles of the French Republic'. The bill will have a disproportionate impact on minorities and associations standing up for their rights.

In Turkey, a new law adopted at the end of 2020, under the guise of combatting terrorism financing, threatens CSOs by permitting tighter government control giving the state the power to block donation campaigns of NGOs, replace their boards with trustees and suspend their operations.

#### POSITIVE DEVELOPMENTS

Despite declining civic space in Europe and Central Asia, civil society has scored victories such as successfully lobbying for funding and support during COVID-19, or through pushing for restrictive laws to be scrapped. In Denmark, CSOs flagged concerns over the introduction of the 'Security for all Danes' bill which sought to give more power to the police to take action against 'insecurity-creating behaviour', limiting the right to the freedom of peaceful assembly and targeting minority rights. Of concern were proposals to give the police power to issue a general ban on access to a geographically defined area for 30 days if a group of people exhibited 'insecurity-creating behaviour' in the area. However, after CSOs raised concerns directly with members of parliament, parliament rejected this clause when it adopted the law. In Romania, several positive legislative developments were documented: after CSO lobbying, the government adopted legal amendments that significantly simplify bureaucratic procedures for CSOs. Additionally, a law criminalising hate crimes against the Roma community came into effect in January 2021.

Based on 199 updates published on the CIVICUS Monitor for countries in this region between 1 November 2020 - 31st October 2021.

United Kingdom | Extinction Rebellion protests (Photo by REUTERS/Tom Nicholson via Fallo Images).



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#### **COUNTRY OF RECURRING CONCERN:**

POLAND 'I AM NOT SAFE HERE' – WHRD IN POLAND.

In our 2020 report, we spotlighted Poland as a country of concern. The situation has continued to deteriorate, prompting a ratings downgrade from narrowed to obstructed. Following the ruling of the government-controlled Constitutional Tribunal in October 2020, which restricted abortion in almost all cases, many doctors are reluctant to provide any abortions. In November 2021, mass protests erupted following the death of a young woman, named as Izabela, after she was denied a life-saving abortion. In the aftermath of October 2020 protests, WHRDs from the Polish Women's Strike movement face criminal charges for their role in protests and have received death, rape and bomb threats. Due to severe escalating threats, in October 2021 Marta Lempart, co-founder of the Polish Women's Strike, was assigned police protection.

Threats to LGBTQI+ rights have continued unabated. The 'Stop LGBT' bill is currently under consideration in the Polish parliament. It aims to ban LGBTQI+ Pride events, with the stated intention of stopping 'homosexual propaganda in public space' and making it illegal to 'promote sexual orientations other than heterosexuality', 'challenge marriage as a union between a man and a woman' and 'promote sexual activity among children and adolescents under the age of 18'. LGBTQI+ activists have faced persecution for the 'crime of offending religious feelings', while others are facing legal actions from far-right religious groups.

Media freedom has further deteriorated. During December 2020, Polska Press, one of the country's largest media publishers, was taken over by state-owned oil company PKN Orlen, whose CEO has close ties with the ruling Law and Justice (PIS) party. Although a court order suspended the takeover pending review, eight editors-in-chief have been dismissed or pushed out, with other editors resigning due to 'ownership changes'. Additionally, the so-called anti-TVN bill, which was approved by Poland's parliament in September 2021, limits media ownership of organisations from outside the European Economic Area to no more than a 49 per cent stake in any Polish media firm. The amendments directly target private broadcaster TVN, owned by the Discovery media group, which has been a strong government critic. The deterioration of human rights at the Polish/Belarusian border is a further current concern, after the Polish government implemented a 'state of emergency' at the border region, limiting journalists and HRDs from accessing the area. According to

the Polish government, Belarusian leader Lukashenko has been encouraging Afghan and Iraqi refugees to flout EU law and cross the border in a bid to put pressure on the EU to lift economic sanctions on Belarus. Despite interim measures granted by the European Court of Human Rights, Poland has continued to violate the rights of migrants and refugees through illegal pushbacks, resulting in the death of at least seven migrants, with numbers estimated to be higher. There have been several cases of journalists being arbitrarily detained while reporting on developments at the border.

Poland: Women protesting against the near-total ban on abortion have been targeted by the authorities (Photo by Omar Margues/Getty Images).



### 

#### MIDDLE EAST AND NORTH AFRICA

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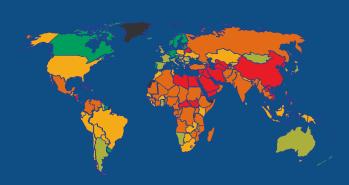
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The MENA region continues to be home to some of the most repressive regimes in the world, and no major improvements in civic space were documented during the reporting period. Out of 19 countries, civic space is rated as closed in nine, while six countries are rated as repressed and four rated as obstructed.

In Tunisia, an ongoing political and economic crisis sparked a series of protests in January, which escalated in the following months with at least 975 protests being documented during July 2021 and 442 in August 2021. President Kaïs Saïed suspended parliament and centralised power in July 2021; since then the arbitrary use of travel bans has become a critical concern. The Palestinian-Israeli conflict escalated to its worst level in years in April and May 2021 after protests opposing evictions in East Jerusalem were met with teargas, stun grenades and rubbercoated steel bullets. Between 7 and 10 May 2021, around a 1,000 Palestinians were injured, 735 by rubber bullets. In Lebanon, anti-lockdown protests in Tripoli, amidst a worsening economic crisis, were met with excessive force with about 200 protesters injured and one killed. Military intelligence officers were alleged to be forcibly disappearing people.

Syria continued to be one of the most dangerous places in the world for journalists, as indicated by the case of journalist Hussain Khattab, who was assassinated by unidentified masked individuals. In Bahrain, prominent HRD and dual Danish-Bahraini citizen Abdul-Hadi Al-Khawaja marked the 10<sup>th</sup> anniversary of his arrest

and subsequent life sentence in 2011, in relation to peaceful protests. In Kuwait, the authorities continued to violate the rights of the Bedoon community, a minority group denied citizenship, including by refusing to issue security cards to members of the community and harassing activists who advocate for the rights of Bedoon people, including activist Hadeel Buqrais. In the UAE, the country's most prominent HRD, Ahmed Mansoor, remains in prison.

This picture is reinforced by CIVICUS Monitor ratings. Most ratings are unchanged, apart from a notable decline in Jordan, which is downgraded from obstructed to repressed. This comes after the dissolution of the Teachers Syndicate, one of the last remaining independent teachers' unions in Jordan, and the closure of its headquarters for two years. Union members have faced harassment, intimidation and arbitrary detention by the authorities. In November 2021 the Governor of Amman banned the association from holding a press conference, thus violating the right to the freedom of expression.

Additionally, internet freedom has significantly declined in Jordan, with the authorities limiting access to information by blocking the internet, including social media, when there are politically sensitive developments. In March 2021, following the deaths of COVID-19 patients due to an oxygen shortage in a hospital, the authorities disrupted access to Facebook Live. Additionally, in April 2021, in the aftermath of the alleged coup attempt, a gagging order banned the media from



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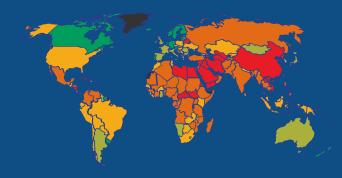
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reporting on these developments. A two-day internet shutdown was also carried out in parts of western Amman, with VPNs being cut during this time. Authorities have also blocked Clubhouse, an audio-only social media app, which is widely used by activists, public figures and critics to speak about political developments in Jordan.

Despite the gloomy picture, civil society in MENA continued to show remarkable resilience and solidarity in speaking out against violations. On the sidelines of the Dubai expo in October 2021, in order to highlight the contradiction of promoting a diversity of voices whilst UAE human rights defenders face trial and imprisonment for speaking their minds, civil society groups launched the Alternative Human Rights Expo. It sought to 'counter the narrative of 'tolerance' and 'openness' that the UAE tried to claim, and draw attention to the repression still happening in the country.

#### **CIVIC SPACE RESTRICTIONS**

The five most reported violations in MENA during the reporting period were the detention of HRDs, censorship, detention of journalists, harassment and detention of protesters. These are largely unchanged from the 2020 report and highlight how commonly and widely states detain those they see as a threat.

## DETENTION OF HUMAN RIGHTS DEFENDERS

The detention of HRDs was the most reported violation in MENA during the reporting period, having been reported in at least 11 out of 19 countries.

HRDs were detained for a range of reasons relating to their peaceful human rights work. In Egypt, Mohammed Basheer, Karim Ennarah and Gasser Abdel Razek, all senior management staff of the Egyptian Initiative for Personal Rights, were arrested and detained after the organisation held a meeting with European diplomats, including foreign ambassadors. In Iraq, internet activist Hussain Al-Shahmani, who is known for social media videos criticising poor public services, corruption and poor governance, was arrested and released after three days. In Palestine, the Israeli police embarked on a retaliatory campaign against prominent activists who protested against evictions in East Jerusalem, and arrested them in their homes. In Oman, Dr Ahmed Issa Qatan, an environmental rights defender, was arrested and sentenced to six months' imprisonment because of his peaceful campaigning work to preserve the ecology of Dhofar Plain, which was under threat from housing

### TOP 5 VIOLATIONS TO CIVIC FREEDOMS IN THE MIDDLE EAST AND NORTH AFRICA

HRD DETAINED



CENSORSHIP



JOURNALIST DETAINED



**HARASSMENT** 



PROTESTER(S)
DETAINED



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development plans; three others, online activists Amer Muslim Bait Saeed and Salem Tabuk and poet Salem Ali Al-Maashani, were also arrested and detained over their peaceful opposition to the development.

In Tunisia, Slimane Bouhafs, an Algerian HRD and a refugee recognised by the UN Refugee Agency, was reportedly abducted and returned to Algeria where he faced undisclosed charges. His family later learnt through informal connections that he was in custody in a police station in Algiers. In Kuwait, poet Jamal Al-Sayer was arrested and detained for several days after a late-night raid on his house. He was later charged with insulting the Emir, Kuwait's head of state, and publishing 'fake news' because of his poetry and writings on the internet denouncing corruption. In Iran, the authorities arrested financial reporter and labour activist Amir Abbas Azarmvand and detained him in Evin Prison in Tehran. He was charged with 'propaganda against the state'.

#### **CENSORSHIP**

Censorship remained a major area of concern, documented in at least 11 out of 19 countries.

One form of censorship was internet shutdowns, as seen in Iran when the authorities closed down the internet after protests broke out in relation to reports that the Islamic Republic Revolutionary Guards had opened fire on a group of unarmed civilian fuel porters, killing at least 10 people, among them a child. In some countries, social media platforms were targeted for censorship, as in Oman where the Telecommunications Regulatory Authority of Oman banned the Clubhouse app on the basis that it had not been licensed by the Authority. In Jordan, the authorities disrupted access to Facebook Live following the oxygen shortages that led to deaths of COVID-19 patients. In Palestine, activists were censored on social media platforms, including Facebook, Instagram, Twitter and YouTube, with CSO groups accusing social media giants of 'closely cooperating' with the Israeli regime and its allies to censor Palestinian speech. In May 2021 alone, over 770 digital violations of content created by pro-Palestine users were recorded.

In other instances, censorship was introduced through legislative changes, as in Egypt, where the penal code was amended to impose a fine on anyone who photographs, records, excerpts, broadcasts, publishes or publicly displays the proceedings of a criminal court session, without the permission of the president of the court, and giving the court the right to confiscate devices used, erase their content or destroy

them. The confiscation of devices and deletion of content was also a censorship tactic used in the UAE, as was seen when Ahmed Etoum, a Jordanian resident of the UAE, was sentenced to 10 years in prison followed by deportation, confiscation of his devices, deletion of incriminating posts and the shutdown of his social media accounts, in retaliation against his peaceful Facebook posts criticising the Jordanian government. In Lebanon, when Joseph Bejjani, a photographer working for the Lebanese army, was gunned down, his phone was also taken. According to media sources, Bejjani was one of the first photographers on the scene after the 2020 Beirut port explosion, raising speculation about the motive for his murder.

More blatant forms of censorship were seen in countries such as Iraq, where authorities, outrightly banned the muezzin and preacher of the Great Mosque in Kalakji sub-district from giving speeches, and also dismissed him from his job as a preacher, in retaliation against a Friday sermon that was critical of the Kurdistan Regional Government. In Tunisia, as President Saïed dismissed the prime minister and suspended parliament, police raided the Tunis headquarters of Al Jazeera TV, evicting its staff and temporarily closing down the office.

Additionally, the increasing use of surveillance technology across the MENA region is causing civil society groups and HRDs to engage in self-censorship for fear of being targeted by the authorities, with reports indicating that a staggering scale of surveillance of HRDs, journalists, bloggers and internet activists has been facilitated by Israeli NSO Group's Pegasus spyware in recent years.

#### **DETENTION OF JOURNALISTS**

The detention of journalists was the third most documented violation, having been reported in at least nine out of 19 countries, as states used the criminal and legal systems to intimidate journalists and silence dissent.

In Palestine, at least 13 journalists were held administratively by the Israeli authorities in May 2021, after covering clashes between Palestinians and Israeli forces. In Yemen, security forces in Hadramaut Governorate arrested at least 17 people, including four journalists, Moataz Al-Naqib, Zakaria Mohammed, Hala Fouad Badawi and Yousra Al-Battati, for participating in a peaceful gathering to demand better living conditions and respect for public freedoms. In Egypt, Tawfik Ghanem, a retired journalist, was arrested and detained for alleged 'membership of a terrorist group', and was interrogated regarding his years working for news agency Anadolu and its coverage of the coup in which the military seized power in 2013.



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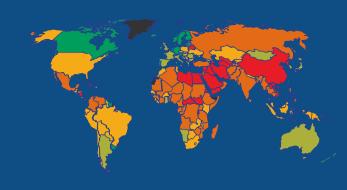
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In Tunisia, freelance photographer Islam Al-Hakiri was arrested while working at night and charged with breaking the curfew and assaulting a public servant, despite having a permit to be out after curfew. He was released on bail four days later. In Jordan, Jamal Haddad, publisher of the news website Alwakaai, was summoned by the National Security Prosecutor and detained after publishing an editorial which raised questions about government officials receiving the COVID-19 vaccine when

it was not available to the public. In Iraq, security forces in Kirkuk Governorate detained five journalists who were covering security incidents in the village of Shaal, and only released them after more than two hours of interrogation. Other journalists were arbitrarily detained in Iraq, including Dalman Faraj Khanki, who was arrested because of his social media posts.



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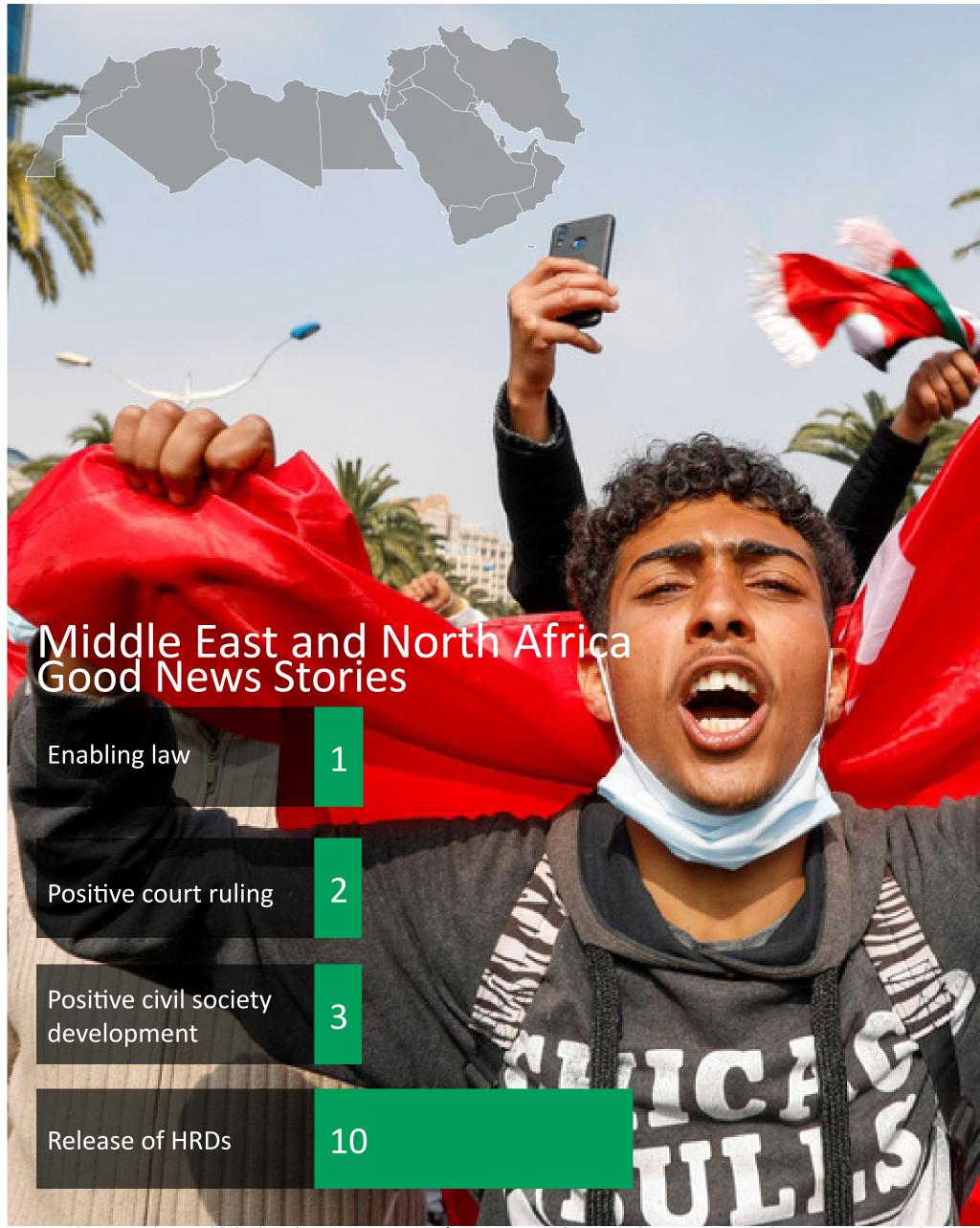
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#### POSITIVE DEVELOPMENTS

Despite this generally bleak picture, there were some positive developments documented in the region, although few and far between. In Saudi Arabia, Ali al-Nimr, a man who was sentenced to death as a child for protest-related crimes, was released from prison by authorities after nine years. Al-Nimr was detained in 2012 at the age of 17 during anti-government protests by the kingdom's Shia Muslim minority. He was found guilty of 'breaking allegiance with the ruler" and 'repeating some chants against the state" before being condemned to death by crucifixion and beheading, followed by the public display of his body in 2014. After his arrest in 2012, Saudi authorities refused to let his family visit him for four months, took nine months to present him before a judge, and did not inform his family of his first court hearing, 13 months later. He was also denied a lawyer during interrogations and initial trial hearings. Al-Nimr is the nephew of the prominent Shia cleric, Sheikh Nimr al-Nimr, who was a vocal supporter of the Arab Spring-inspired protests that took place in the Eastern Province in 2011, and who was later executed for terrorism offences by Saudi authorities in 2016.



Based on 38 updates published on the CIVICUS Monitor for countries in this region between 1 November 2020 - 31st October 2022



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#### **COUNTRIES OF CONCERN:** IRAN, SAUDI ARABIA AND UAE

This year's analysis notes a growing concern over a trend increasingly being used by states to double down on malicious retaliation against HRDs who have completed their sentences, and HRDs who are currently serving sentences. States are abusing the criminal and legal systems to keep imprisoned HRDs in jail for longer, or to bring them back to prison after they have finished serving their sentences.

In Saudi Arabia, HRD Mohammad Abdullah Al-Otaibi was sentenced to another year in prison, in addition to a 2018 judgment that had sentenced him to 14 years for setting up a human rights organisation, the Union for Human Rights. In Iran, the authorities systematically used laws relating to the sanctity of religion, collaboration

with foreign powers, espionage and threats to national security to target WHRDs, with the authorities abusing the legal system to continue the retaliation against those who have completed their sentences. Although Narges Mohammadi was released in October 2020 after serving five years and put under a travel ban, she was sentenced in May 2021 to an additional two and a half years in prison, 80 lashes and two separate fines, for her peaceful human rights activism. Similarly, British-Iranian citizen Nazanin Zaghari-Ratcliffe, who was released on house arrest in March 2020 after serving five years in prison, was sentenced to another year in prison and a one-year travel ban in relation to a protest in London 12 years ago and an interview with the BBC Persian service.

A similar trend was noted in the UAE where two women activists, Amina Al-Abdouli and Maryam Al-Balushi, remain in prison despite having completed their five-year sentences.





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## RECOMMENDATIONS

#### TO GOVERNMENTS:

- Protect human rights defenders and journalists by establishing effective regulatory protection of the environment on a diverse range of rights in line with international human rights law and standards, including free prior and informed consent.
- Create an enabling environment for human rights defenders, journalists and activists to freely raise concerns over human rights issues without fear of intimidation, attacks or reprisals.
- Carry out independent, prompt and impartial investigations into all cases where human rights defenders and journalists were threatened and or killed and ensure that those responsible are brought to justice to deter others.
- Put an end to the practice of enforced disappearance and conduct independent investigations into all cases and hold those responsible accountable for their actions to deter others.
- All restrictive laws and policies put in place for the purpose of controlling the spread of the COVID pandemic should be lifted as soon as conditions that prompted the laws improve.
- Take additional steps to decongest prison populations to reduce the spread of the Covid virus by releasing human rights defenders, journalists and protesters in prison and detention centres and drop all charges against them.
- Desist from using excessive force against peaceful protesters, stop preempting and preventing protests, adopt best practices on the freedom of peaceful assembly and ensure any restrictions imposed on assemblies comply with international human rights standards.
- Ensure that elections held in the context of the pandemic take into account basic principles on democracy and good governance and that an enabling environment is provided for all parties, the public and the media without discrimination.

- Repeal any legislation that criminalises human rights defenders, protesters, journalists and minorities and ensure that adequate consultations are carried out with the public and civil society and their input taken into account before drafting legislation that would impact civic space.
- Take appropriate measures to fully implement all recommendations accepted by states made by United Nations Special Rapporteurs and United Nations Working Groups including those from the Universal Periodic Reviews.

## TO THE UNITED NATIONS AND INTERNATIONAL BODIES:

Provide access for communities and civil society to engage in decision-making processes at the level of the United Nations and work closely with states to ensure that access to the United Nations is not limited by laws, travel restrictions and technologies.

## TO BUSINESSES AND CORPORATIONS:

- Develop and implement due diligence procedures that seek to prevent, identify and account for human rights including references to respect the rights of land, Indigenous and environmental rights defenders.
- Take a strong position against reprisals, threats and attacks against human rights defenders particularly those advocating for climate justice and for the rights of Indigenous communities.
- Carry out adequate consultations with communities, the public and civil society and take their concerns and views into account before embarking on projects that would impact on the environment and the livelihood of communities.

#### 

**METHODOLOGY** 

**IN NUMBERS** 

CIVIC SPACE
RESTRICTIONS: COVID-19
OR BUSINESS AS USUAL?

REGIONAL SIMILARITIES AND DIFFERENCES

AN UNEVEN CRISIS: WOMEN ON THE FRONTLINE

POSITIVE DEVELOPMENTS

**AFRICA** 

**AMERICAS** 

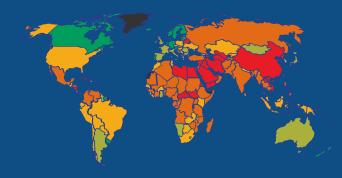
**ASIA PACIFIC REGION** 

**EUROPE AND CENTRAL ASIA** 

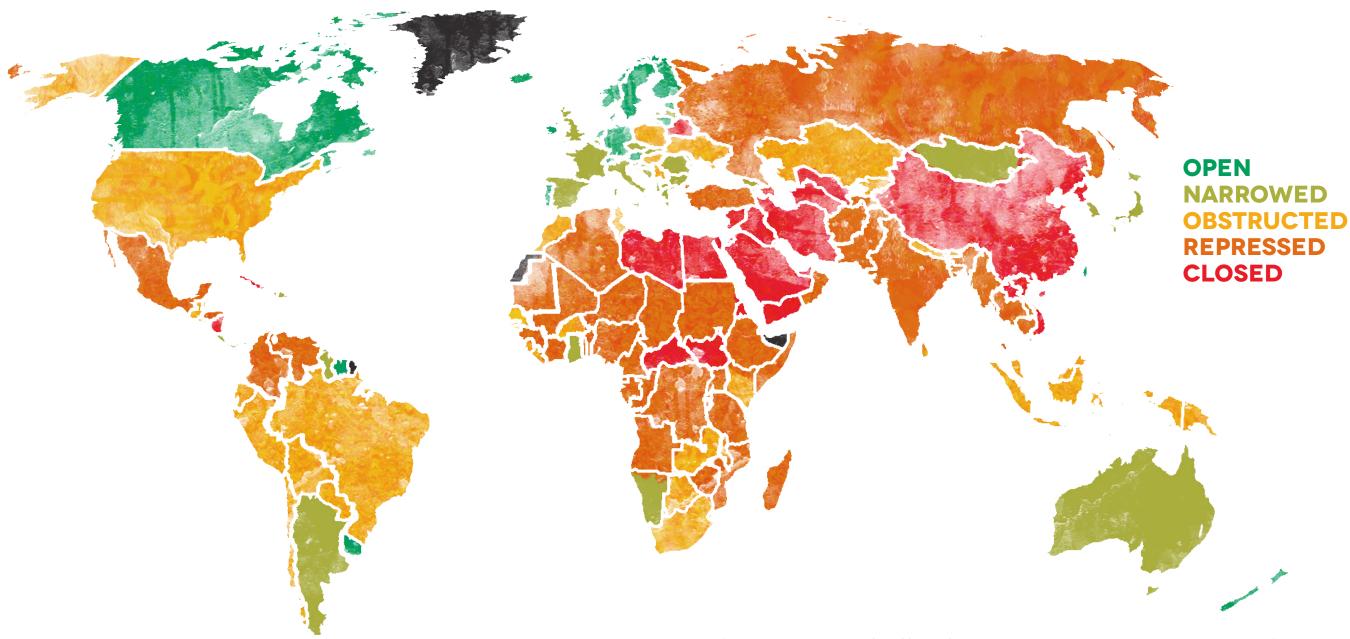
MIDDLE EAST AND NORTH AFRICA

**RECOMMENDATIONS** 

**REGIONAL CLASSIFICATION** 



### REGIONAL CLASSIFICATION



**AFRICA:** Angola, Benin, Botswana, Burkina Faso, Burundi, Cameroon, Cape Verde, Central African Republic, Chad, Comoros, Cote d'Ivoire, Democratic Republic of the Congo, Djibouti, Equatorial Guinea, Eritrea, Ethiopia, Gabon, Gambia, Ghana, Guinea, Guinea Bissau, Kenya, Lesotho, Liberia, Madagascar, Malawi, Mali, Mauritania, Mauritius, Mozambique, Namibia, Niger, Nigeria, Republic of the Congo, Rwanda, Sao Tome and Principe, Senegal, Seychelles, Sierra Leone, Somalia, South Africa, South Sudan, Sudan, Eswatini (Swaziland), Tanzania, Togo, Uganda, Zambia, Zimbabwe.

**AMERICAS:** Antigua and Barbuda, Argentina, Bahamas, Barbados, Belize, Bolivia, Brazil, Canada, Chile, Colombia, Costa Rica, Cuba, Dominica, Dominican Republic, Ecuador, El Salvador, Grenada, Guatemala, Guyana, Haiti, Honduras, Jamaica, Mexico, Nicaragua, Panama, Paraguay, Peru, Saint Lucia, St Kitts and Nevis, St Vincent and the Grenadines, Suriname, Trinidad and Tobago, United States of America, Uruguay, Venezuela.

**ASIA AND PACIFIC:** Afghanistan, Australia, Bangladesh, Bhutan, Brunei Darussalam, Cambodia, China, Fiji, Hong Kong, India, Indonesia, Japan, Kiribati, Laos, Malaysia,

Maldives, Marshall Islands, Micronesia, Mongolia, Myanmar, Nauru, Nepal, New Zealand, North Korea, Pakistan, Palau, Papua New Guinea, Philippines, Samoa, Singapore, Solomon Islands, South Korea, Sri Lanka, Taiwan, Thailand, TimorLeste, Tonga, Tuvalu, Vanuatu, Vietnam.

**EUROPE AND CENTRAL ASIA:** Albania, Andorra, Armenia, Austria, Azerbaijan, Belarus, Belgium, Bosnia & Herzegovina, Bulgaria, Croatia, Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Georgia, Germany, Greece, Hungary, Iceland, Ireland, Italy, Kazakhstan, Kosovo, Kyrgyzstan, Latvia, Liechtenstein, Lithuania, Luxembourg, North Macedonia, Malta, Moldova, Monaco, Montenegro, Netherlands, Norway, Poland, Portugal, Romania, Russia, San Marino, Serbia, Slovakia, Slovenia, Spain, Sweden, Switzerland, Tajikistan, Turkey, Turkmenistan, Ukraine, United Kingdom, Uzbekistan.

MIDDLE EAST AND NORTH AFRICA: Algeria, Bahrain, Egypt, Iran, Iraq, Israel, Jordan, Kuwait, Lebanon, Libya, Morocco, Oman, Palestine, Qatar, Saudi Arabia, Syria, Tunisia, United Arab Emirates, Yemen.

# PEOPLE POWER 2021 UNDER ATTACK 2021

A report based on data from the CIVICUS Monitor CIVICUS: WORLD ALLIANCE FOR CITIZEN PARTICIPATION

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