

FREEDOM  
IN THE  
WORLD  
2008

THE ANNUAL SURVEY OF  
POLITICAL RIGHTS AND  
CIVIL LIBERTIES

F R E E D O M   H O U S E

Freedom in the World  
**2008**

The findings of *Freedom in the World 2008* include events from January 1, 2007 through December 31, 2007.

# **Freedom in the World 2008**

## **The Annual Survey of Political Rights & Civil Liberties**

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# Findings of *Freedom in the World 2008*

## Freedom in Retreat: Is the Tide Turning?

Arch Puddington

The year 2007 was marked by a notable setback for global freedom. The decline, which was reflected in reversals in one-fifth of the world's countries, was most pronounced in South Asia, but also reached significant levels in the former Soviet Union, the Middle East and North Africa, and sub-Saharan Africa. It affected a substantial number of large and politically important countries—including Russia, Pakistan, Kenya, Egypt, Nigeria, and Venezuela—whose declines have wider regional and global implications. Other countries experienced reversals after a period of progress toward democracy, including pivotal states in the Arab Middle East.

While many more countries suffered declines than registered improvements, the degree of change reflected in some countries was modest, while in others the decline was more substantial. The profile of world freedom as measured by the number of countries designated in *Freedom in the World* as Free, Partly Free, or Not Free changed little during the past year. There were, nonetheless, many and overwhelmingly negative changes within these broad categories. Furthermore, results for 2007 marked the second consecutive year in which the survey registered a decline in freedom, representing the first two-year setback in the past 15 years. In all, nearly four times as many countries showed significant declines during the year as registered improvements. Many countries that moved backward were already designated Not Free by the survey; there were, in other words, numerous examples of a worsening of already negative trends. In other cases, countries with recent records of improved democratic institutions were unable to sustain progress and gave clear signals of backsliding.

As the year drew to a close, a series of events served as stark reminders of the perilous condition of freedom in certain parts of the world:

- In Russia, parliamentary elections were held under patently unfair conditions.
- Democracy in Georgia, a key "color revolution" country, was sullied by the imposition of a state of emergency and a violent police crackdown on demonstrators.
- In Pakistan, Benazir Bhutto was assassinated in the context of a recent state of emergency, intense pressure on civil society and the judiciary, and rising terrorism by Islamic extremists.
- In Kenya, hundreds were killed in rioting and mayhem in the wake of highly credible reports of vote rigging by the government in the country's presidential election.



#### 4 Freedom in the World—2008

Civil conflict was an important contributing factor to this year's negative trajectory in South Asia, the Middle East, and Africa. The year also saw the intensification of an effort by authoritarian regimes to consolidate their power through the suppression of democratic opposition, civil society, and independent media—a process also known as the pushback against democracy. Freedom of association suffered a setback on a global scale, as governments in various regions initiated policies to weaken or neutralize nongovernmental organizations (NGOs), human rights monitoring groups, and trade unions. Especially important in carrying out this assault on civil society were a group of market-oriented autocracies and energy-rich dictatorships that combine elements of a capitalist economy with sophisticated techniques of political repression.

These were among the principal findings of *Freedom in the World 2008*, Freedom House's annual survey of political rights and civil liberties worldwide.

### Freedom in the World—2008 Survey

The population of the world as estimated in mid-2007 is 6,604.9 million persons, who reside in 193 sovereign states. The level of political rights and civil liberties as shown comparatively by the Freedom House Survey is:

Partly Free: 1,185.3 million (18 percent of the world's population) live in 60 of the states,

Not Free: 2,391.4 million (36 percent of the world's population) live in 43 of the states.

Free: 3,028.2 million (46 percent of the world's population) live in 90 of the states.

#### A Record of the Survey (population in millions)

Year under Review	FREE	PARTLY FREE	NOT FREE	WORLD POPULATION
Mid-1992	1,352.2 (24.83%)	2,403.3 (44.11%)	1,690.4 (31.06%)	5,446.0
Mid-1993	1,046.2 (19.00%)	2,224.4 (40.41%)	2,234.6 (40.59%)	5,505.2
Mid-1994	1,119.7 (19.97%)	2,243.4 (40.01%)	2,243.9 (40.02%)	5,607.0
Mid-1995	1,114.5 (19.55%)	2,365.8 (41.49%)	2,221.2 (38.96%)	5,701.5
Mid-1996	1,250.3 (21.67%)	2,260.1 (39.16%)	2,260.6 (39.17%)	5,771.0
Mid-1997	1,266.0 (21.71%)	2,281.9 (39.12%)	2,284.6 (39.17%)	5,832.5
Mid-1998	2,354.0 (39.84%)	1,570.6 (26.59%)	1,984.1 (33.58%)	5,908.7
Mid-1999	2,324.9 (38.90%)	1,529.0 (25.58%)	2,122.4 (35.51%)	5,976.3
Mid-2000	2,465.2 (40.69%)	1,435.8 (23.70%)	2,157.5 (35.61%)	6,058.5
Mid-2001	2,500.7 (40.79%)	1,462.9 (23.86%)	2,167.1 (35.35%)	6,130.7
Mid-2002	2,717.6 (43.85%)	1,293.1 (20.87%)	2,186.3 (35.28%)	6,197.0
Mid-2003	2,780.1 (44.03%)	1,324.0 (20.97%)	2,209.9 (35.00%)	6,314.0
Mid-2004	2,819.1 (44.08%)	1,189.0 (18.59%)	2,387.3 (37.33%)	6,395.4
Mid-2005	2,968.8 (45.97%)	1,157.7 (17.93%)	2,331.2 (36.10%)	6,457.7
Mid-2006	3,005.0 (46.00%)	1,083.2 (17.00%)	2,448.6 (37.00%)	6,536.8
Mid-2007	3,028.2 (45.85%)	1,185.3 (17.94%)	2,391.4 (36.21%)	6,604.9

\* The large shift in the population figure between 1997 and 1998 is due to India's change in status from Partly Free to Free.

A particularly worrying phenomenon that emerges from the findings is the negative impact of powerful autocracies on smaller, less powerful neighboring countries. Russia provides diplomatic and political support to a number of brutal dictatorships and autocratic regimes on its borders, including Belarus and states in Central Asia, and puts pressure on nearby governments, such as Estonia and Georgia, whose policies or leaders it disapproves of. Iran and, to a lesser extent, Syria have supported antidemocratic forces in Lebanon, Iraq, and the Palestinian Authority. Venezuelan president Hugo Chavez has attempted to export his authoritarian brand of

"21st Century Socialism" to other countries in South America, albeit with little success thus far. For its part, China has emerged as an impediment to the spread of democracy in East Asia and other regions, especially Africa. China has played a particularly negative role in Burma, where it sustains a brutal military dictatorship through economic and diplomatic support, and in North Korea, through its policy of forcibly returning those who flee the Pyongyang regime. In Africa, China provides various kinds of aid, including security assistance, to authoritarian countries and undermines the efforts of the United States, the European Union, and multilateral institutions to promote honest and transparent governance.

New and unstable democracies continue to be plagued by a host of problems stemming from a sharp and sometimes shocking increase in violent crime, often involving the narcotics trade, human trafficking, and organized criminal networks and exacerbated by corrupt or ineffectual police, a poorly functioning judiciary, and vigilantism. While the impact of crime on the public's faith in democracy is a special problem in Latin America, it is also a growing phenomenon in sub-Saharan Africa and in Asian countries like the Philippines.

Year Under Review	Free	Partly Free	Not Free
1977	43	48	64
1987	58	58	51
1997	81	57	53
2007	90	60	43

**RESULTS FOR 2007**

The number of countries judged by *Freedom in the World* as Free in 2007 stood at 90, representing 47 percent of the world's 193 polities and 3,028,190,000 people—46 percent of the global population. The number of Free countries did not change from the previous year's survey.

The number of countries qualifying as Partly Free stood at 60, or 31 percent of all countries assessed by the survey, and they comprised 1,185,300,000 people, or 18 percent of the world's total. The number of Partly Free countries increased by two from the previous year.

Forty-three countries were judged Not Free, representing 22 percent of the total polities. The number of people living under Not Free conditions stood at 2,391,400,000, or 36 percent of the world population, although it is important to note that about half of this number lives in just one country: China. The number of Not Free countries declined by two from 2006.

The number of electoral democracies dropped by two, and stands at 121. One polity, Mauritania, a Muslim-majority country in Africa, qualified to join the world's electoral democracies in 2007. Developments in three countries—Philippines, Bangladesh, and Kenya—disqualified them from the electoral democracy list. The decline of these countries is significant given their size and the fact

Year Under Review	Number of Electoral Democracies
1997	117
2002	121
2007	121

that two, Philippines and Kenya, were previously regarded as important additions to the democratic world and models for Asia and Africa.

Two countries—Thailand and Togo—experienced positive status changes, with both moving from Not Free to Partly Free. One territory, the Palestinian Authority, declined from Partly Free to Not Free. No country improved from Partly Free or Not Free to a designation of Free, or declined from Free to a designation of Partly Free or Not Free.

At the same time, the number of countries that experienced negative changes in freedom without meriting a status change far outweighed those that underwent positive changes: 38 countries showed evidence of declines in freedom, while only 10 showed positive shifts.

The year was notable for the failure of any of the more important repressive states to show signs of enhanced freedom. Likewise, not one of the countries that register the lowest possible scores in the Freedom House index—the "worst of the worst"—exhibited signs of improvement. This in itself represents a break from a trend, observable even in years when world freedom stagnated or declined, in which progress was registered in some of the world's most tightly controlled dictatorships.

#### **IMPORTANT TRENDS**

1. A resurgence of pragmatic, market-oriented, or energy-rich dictatorships. Most visibly in Russia and China, but also in other parts of the world, governments are trying to harness the power of the marketplace while maintaining closed political systems. Strengthened by petroleum-based riches or capital amassed through long-term trade surpluses, these autocracies are unapologetic and increasingly assertive, at home and abroad, in declaring that the paradigm of rights-based governance as the international community has long understood it is not relevant for the 21st century. Diplomatic and political efforts to undermine norm-setting bodies such as the UN Human Rights Council and the Organization for Security and Cooperation in Europe are advancing as a consequence, with implications for the fate of freedom in a growing number of countries.

2. Decline in freedom of association. As repressive regimes move to strengthen their authority and eliminate sources of political opposition, they increasingly target human rights organizations, advocates of government transparency, women's rights groups, representatives of minority groups, and trade unions. While the countries of the Middle East have the worst record on adherence to established standards for freedom of association, Africa and the non-Baltic countries of the former Soviet Union also have poor scores for associational rights.

3. Weak governance. Nearly two-thirds of the world's countries rank as electoral democracies, but many score poorly on government effectiveness and accountability. Corruption, lack of transparency, and concentration of power in the hands of the executive or nonelected forces represent major obstacles to the consolidation of democracy in Latin America, Africa, and Asia.

4. Islamic extremism. While the world has been spared terrorist attacks of the magnitude of 9/11, the violent actions of Islamic radicals remain an important challenge to freedom, both in Muslim countries and in the wealthy democracies. Terrorist violence remains a serious problem in Iraq, is a growing threat to freedom in Afghanistan and Pakistan, and continues to plague Algeria, Lebanon, and other countries

of the Arab Middle East. In Europe, during the past year alone, arrests for terrorist plots or actual attacks were made in Great Britain, Germany, Belgium, Italy, and Denmark. The threat of terrorism often provides an unjustified rationale for repressive emergency laws, torture, and the suppression of opposition political parties.

#### **ASIA-PACIFIC: MILITARY RULE, ETHNIC CONFLICT, AND RELIGIOUS STRIFE**

A number of Asia's most important countries suffered freedom setbacks during 2007, many of which were concentrated on the Indian subcontinent. Bangladesh experienced a reversal due to the introduction of military rule in January, the suspension of scheduled elections, and the curtailment of civil liberties and press freedom. In Pakistan, the assassination of Benazir Bhutto was the climax of a chaotic year marked by martial law, restrictions on freedom of assembly, curbs on the media, suspension of the constitution, and the wholesale replacement of Supreme Court justices and many lower-court judges who were deemed unfriendly to the country's president, Pervez Musharraf. Sri Lanka suffered from sustained pressure on human rights activists and other critics of government policy amid a worsening military conflict with the Tamil Tiger rebels, in which the combatants have committed numerous human rights abuses. In Afghanistan, the escalating insurgency by the Taliban and other antigovernment forces contributed to an environment of fear and insecurity in certain regions and impeded the ability of civil society and humanitarian groups to operate freely throughout the country.

For the second consecutive year, the survey noted a decline in freedom for the Philippines due to serious, high-level corruption allegations, the pardon of former president Joseph Estrada, and a spike in political killings in the run-up to legislative elections. Burma, which has long ranked among the world's most repressive regimes, showed further decline amid the violent dispersal of peaceful demonstrations and massive economic exploitation. Malaysia also registered a decline thanks to a Supreme Court decision that eliminates Muslims' right to convert, an accelerating judicial crisis, a crackdown on online media, and the suppression of opposition-led protests.

China remained the world's most populous Not Free country. While there had been expectations that the political leadership would grant concessions on human rights or initiate modest democratic reforms in advance of the 2008 Summer Olympics, the regime in fact continued to crack down on political activists, internet journalists, and human rights lawyers. In some ways, preparations for the Olympics contributed to the country's antidemocratic environment, as the leadership forcibly moved millions of people to make way for Olympic facilities and placed new restrictions on ethnic and religious minorities. China intensified its pressure on Tibet, which suffered a further loss of freedom due in part to the acceleration of a government program aimed at forcibly resettling nomadic herders.

The major positive development in the region was the improvement of Thailand from Not Free to Partly Free, due largely to the loosening of military rule and the holding of parliamentary elections that, despite efforts by the military to skew the results, were widely judged to be free and competitive. But the elections' outcome—a triumph for a party aligned with Thaksin Shinawatra, the prime minister until his ouster by a 2006 military coup—suggests possible future problems for Thailand's democracy. The country's *Freedom in the World* rating had deteriorated during Thaksin's term as prime minister, and his leadership style included disturbing ele-

ments of populism and authoritarianism. Furthermore, the country's high level of political polarization remains a serious obstacle to democratic consolidation.

There are, of course, a number of democratic success stories in Asia. Japan, South Korea, Taiwan, India, and more recently Indonesia have all moved into the ranks of Free countries. But the region's current trajectory is distinctly disturbing. A combination of authoritarianism, ethnic and communal hatred, military involvement in political affairs, and radical Islam has substantially blocked democratic development. The recent decline in freedom in the region seems even more unsettling when Australia, New Zealand, and the small island nations of the Pacific are set aside and analysis is limited to Asia's core countries. For the year 2007, the breakdown for the core Asia countries is 6 Free, 9 Partly Free, and 9 Not Free.

#### **THE RUSSIAN NEIGHBORHOOD: FROM BAD TO WORSE**

No event more vividly illustrates the problems faced by the non-Baltic countries of the former Soviet Union than Russia's parliamentary elections. In certain superficial ways, the Russian vote resembled elections in established democracies. Several parties put forward candidates for parliamentary seats, held rallies, and made promises to the electorate, and the press eagerly covered the pageantry surrounding the campaign. But as numerous independent monitoring organizations testified, the elections were an illusory spectacle, as parties and candidates who challenged the policies of President Vladimir Putin were eliminated through bureaucratic manipulation. The press—largely controlled by the state or supporters of the president—devoted overwhelming coverage to Putin and his allies, and measures were implemented to keep the opposition impotent, fragmented, or tame.

Russia exerts influence in the former Soviet Union by using its abundant oil and gas resources to reward politically friendly, autocratic countries and pressure states that are not willing to bow to the Kremlin. In Central Asia, the Russian regime has provided political, moral, and material support to the authoritarians who dominate the region. For example, Russia has enhanced its relationship with Uzbek president Islam Karimov, whose security forces are believed to have massacred some 500 protesters in the eastern city of Andijan in May 2005. Russia has been seeking a de facto monopoly on gas exports from Uzbekistan with the understanding that Moscow would help the Karimov regime in rebuffing domestic protests and criticism from the West. In Kyrgyzstan, Russia has used its influence to obstruct political reforms in the wake of the country's 2005 political opening, which was unique in Central Asia.

Three of the region's countries—Belarus, Uzbekistan, and Turkmenistan—have consistently ranked among the world's most repressive societies. In Uzbekistan, Karimov was reelected for a third term in 2007 with well over 90 percent of the vote, in blatant violation of a constitutional two-term limit.

Russia, Azerbaijan, and Kazakhstan—all countries with entrenched authoritarian leaderships and growing energy wealth—registered declines in 2007. Perhaps more disturbing was the substantial reversal suffered by Georgia, a country that had made important strides toward democracy since its 2003 Rose Revolution. Georgia saw both its political rights and its civil liberties ratings decline due to the imposition of a state of emergency following antigovernment demonstrations in November, restrictions on press freedom, and a systematic campaign to marginalize the

political opposition. Kyrgyzstan registered a decline in political rights after independent monitoring organizations pointed to serious flaws in the 2007 parliamentary elections, which resulted in a near clean sweep for the ruling coalition.

In contrast to the generally poor state of freedom in the former Soviet Union, the countries of the Baltic region, Central Europe, and, with a few exceptions, the Balkans, continued to move ahead with the process of democratic consolidation. For 2007, Latvia registered a slight decline due to a series of corruption scandals that implicated high-ranking officials. Poland showed a modest gain because of improvements in press freedom and freedom of association. Bosnia and Herzegovina experienced a decline in political rights due to a greater degree of intervention by the High Representative appointed by the international commission that guides the peace process.

Even as the countries of the former Soviet Union were negatively influenced by the Russian model, the countries of Central and Eastern Europe benefited from proximity to Western Europe and, for most, membership in the European Union. EU membership has been instrumental in persuading them to stem corruption, ensure a level political playing field, limit discrimination against minorities, and adopt responsible economic policies. While countries like Hungary, Poland, and Romania have experienced periods of political upheaval and discontent over living standards, corruption, and other matters, their political systems have displayed a resilience that is notably missing in formerly Communist countries that lack such close ties to the established democracies of Western Europe.

#### **MIDDLE EAST: AFTER GAINS, DISAPPOINTMENT**

The period of modest gains that had marked the region's political landscape in the post-9/11 period came to an end in 2007, with freedom experiencing a decline in a number of important countries and territories. Major declines were noted in both the Palestinian Authority and the Israeli-Occupied Territories. The Palestinian Authority experienced a change in status, from Partly Free to Not Free, due to the collapse of a unified government precipitated by the takeover of Gaza by Hamas, the inability of elected representatives to govern in either Gaza or the West Bank, and the suppression of the political opposition in both areas. In the Israeli-Occupied Territories, a combination of Israeli military incursions, restrictions on the delivery of food aid, and violent dispersals of protests led to a decline in the rating for civil liberties.

Declines were also registered in three of the most important countries of the Arab Middle East: Egypt, Lebanon, and Syria. Egypt showed a decline for several reasons: repression of journalists; suppression of the political opposition, including both democratic parties and those aligned with the Muslim Brotherhood; and further restrictions on the independence of the judiciary, a development that came in response to judges' having challenged the unchecked power of President Hosni Mubarak. Lebanon's decline was due to a deadlock over the selection of the president and continued violence directed at officials and journalists who have opposed Syrian domination of the country's political life. In Syria, freedom moved in a negative direction because of a renewed crackdown on members of the democratic opposition. Tunisia, long one of the region's most repressive states, experienced a decline in political rights due to credible reports of rampant corruption involving the family of President Zine el-Abidine Ben Ali.

Egypt, Lebanon, Syria, and the Palestinian Authority had all made progress on

the Freedom House index in recent years—in the case of the Palestinian Authority and Lebanon, significant progress. With the exception of the Palestinian Authority, the reversals in 2007 were not enough to cause major decreases in freedom scores.

The reasons for the Middle East's political stagnation are many and complex. Most important is the unwillingness of autocratic leaders like Egypt's Mubarak or Syria's Bashar al-Assad to cede power to forces outside their tight circle. Another is the influence of dictatorships like Iran and, to a lesser extent, Syria, on their smaller and less powerful neighbors. Both countries have worked assiduously to undermine forces committed to democracy and independence in Lebanon, Iraq, and the Palestinian Authority. Likewise, radical Islam remains a factor behind the region's poor performance. The presence of movements committed to violent jihad poses a threat to the security of ordinary people and provides an excuse for the enactment of authoritarian emergency measures by rulers bent on suppressing all sources of political opposition.

#### **LATIN AMERICA: DEMOCRATIC STABILITY STILL ELUSIVE**

While Venezuelan president Hugo Chavez dominated the headlines during 2007, the more significant story was the durability of the region's democratic institutions in the face of multiple problems. Among the major challenges is Chavez's drive to export his authoritarian brand of socialism to the rest of Latin America. Thus far he has largely failed in this endeavor. Although politicians who claim to admire Chavez won presidential races in Bolivia, Ecuador, and Nicaragua in 2005 and 2006, none will be able to count on a similar oil-based revenue windfall to implement unsustainable economic policies, and at least in Bolivia and Nicaragua, more formidable opposition forces exist to challenge executive power. Latin America today is largely governed by parties of the center-left or center-right that have demonstrated a commitment to the electoral process, freedom of expression, and a broad range of civil liberties.

Chavez, who has centralized substantial power in the president's office as part of an overall drive to weaken Venezuela's democratic institutions, suffered a major setback when voters narrowly rejected a constitutional referendum that would have eliminated presidential term limits, added yet more authority to the executive branch, and enshrined various measures of economic populism in law. While the referendum results indicated the resilience of civil society, *Freedom in the World* judged that freedom in Venezuela remained under duress, pointing to pressures on freedom of assembly, the independent press, and academic freedom. Nicaragua also suffered a decline due to excessive concentration of authority in the executive branch and the adoption of a law that criminalized abortion under all circumstances. On the positive side, Haiti showed signs of modest progress due to enhanced political stability and an improved security environment in urban areas.

In addition to the kind of leftist populism embodied in the Chavismo phenomenon, Latin America faces serious obstacles to stability including entrenched corruption, an upsurge in criminal activity, and a dysfunctional judicial system. Even as the region boasts the freest political environment in its history, many countries suffer from the worst rates of violent crime in the world, a problem that contributes to the ambivalence toward democracy professed in public opinion surveys. Latin America also continues to face high levels of poverty, economic insecurity, and inequality. The fact that democracy is almost universally upheld in a region that was only recently dominated by juntas and strongmen is an impressive achievement,

but the consolidation of these gains is unlikely without greater physical and economic security, equality of opportunity, and the rule of law.

#### **AFRICA: FREEDOM FALTERS AMID CONTINUED INSTABILITY AND INTOLERANCE**

While in the last several years the sub-Saharan region has made incremental if uneven progress, the year 2007 saw the deterioration of freedom on the continent. Fifteen countries in sub-Saharan Africa registered reversals of sufficient magnitude to be noted in the survey, while six countries registered improvements.

One country, Togo, moved from Not Free to Partly Free after holding its first genuinely free legislative elections. Mauritania, after holding presidential elections deemed by outside observers to be fair and competitive, registered enough improvement in the political rights arena to be designated an electoral democracy. Two other countries that showed major improvements were former conflict zones: Cote d'Ivoire, where the signing of peace accords led to improvements in civil liberties, and Sierra Leone, which registered gains in political rights after holding free and competitive elections and experiencing a peaceful transfer of power. Civil liberties improved in Mozambique as a result of gains in press freedom, including the prosecution of those responsible for the murder of an investigative journalist. Rwanda registered modest improvements due to enhanced political pluralism.

Unfortunately, these gains were more than offset by declines in the region. Given the diverse set of countries in question, no major unifying trend can explain all the downturns. However, political manipulation of ethnic and regional tensions and political intolerance by many of the region's leaders were clearly important contributing factors in a number of countries. The most significant decline occurred in Kenya, due to credible reports of vote rigging in the presidential contest and the violence triggered by the official results. Two other large countries, the Democratic Republic of Congo (DRC) and Nigeria, also moved in the wrong direction. Political rights in the DRC declined as a result of the forced exile of the chief opposition leader and the renewal of factional fighting. Hopes that Nigeria's first transition between elected civilian administrations would enhance the country's nascent democracy were dashed when presidential, state, and legislative elections were marred by massive fraud, vote rigging, and violence. The crisis in the Darfur region of Sudan continued to have negative spillover effects on freedom in neighboring Chad and Central African Republic; internal conflict, widespread corruption, and growing political intolerance led to ratings declines for both countries. Two Sahelian countries that had made gains in recent years, Mali and Niger, registered declines in civil liberties due to restrictions on the press and growing instability in their northern territories. In East Africa, Somalia's already low score declined further amid widespread chaos and violence. Other countries that showed declines included Malawi, Cameroon, Comoros, the Republic of Congo (Brazzaville), Guinea-Bissau, Lesotho, and Madagascar.

#### **UNITED STATES AND WESTERN EUROPE: COPING WITH TERRORISM AND IMMIGRATION**

Both North America and, with a few exceptions, Western Europe received the highest possible ratings for political rights and civil liberties on the Freedom House index. But while these countries have maintained their commitment to democracy and human rights in the face of significant challenges, the flawed response to an



upsurge in immigration has revealed potentially serious imperfections in their democratic systems, especially in Western Europe. Furthermore, the developed democracies continued to grapple with multiple problems posed by the continued threat of Islamic terrorism.

While the United States has adopted the most controversial counterterrorism policies, Europe has faced the most imminent danger since the 9/11 attacks. Several European countries, most notably the United Kingdom, have toughened their security policies, but Western Europe in general has not significantly weakened the core institutions of civil liberties. In the United States, by contrast, policies set down by President George W. Bush and, to a lesser extent, enacted by Congress have been sharply criticized by civil libertarians. These include denial of habeas corpus rights to detainees at the Guantanamo Bay military base, extraordinary renditions, warrantless surveillance of American citizens, and various sections of the USA PATRIOT Act. A number of the most disputed policies have been eliminated or softened by Congress and especially by the judiciary.

Europe seems to have struck a fine balance between security needs in an age of terrorism and the individual rights of citizens, but it has fared less well in dealing with an influx of immigrants, many of whom come from Muslim countries in North and sub-Saharan Africa. Political parties whose principal reason for existence is hostility to immigrants have emerged throughout Europe and have achieved substantial electoral support in a few countries. Switzerland suffered a slight decline in freedom in 2007 due to a rise in anti-immigrant hate crimes and an atmosphere of hostility driven by the increasingly popular People's Party.

Europe's ability to solve its immigration dilemma is hampered by the inability of many countries to decide whether they want foreigners to become citizens and assimilate into society. Meanwhile, there have been a string of controversies over such issues as Muslim girls wearing headscarves in school, the construction of large mosques in cities that historically have been overwhelmingly Christian, and journalists publishing material that Muslims deem offensive to their faith.

The United States also confronts an immigration problem, though it is different in nature from that facing Europe. By global standards, the United States has done an impressive job in assimilating wave after wave of immigrants into its political system, social structure, and economy. In recent years, however, Americans have become increasingly intolerant of undocumented workers, the bulk of whom come from Mexico and other Latin American countries. Immigration emerged as a major issue ahead of the 2008 presidential election, with candidates putting forward various schemes to prevent illegal migrants from crossing the country's southern border. While the Bush administration has backed legislation that would offer a path to citizenship for the estimated 12 million undocumented immigrants already living in the United States, the policies adopted so far have been almost entirely punitive: the erection of a fence to separate the United States from Mexico, raids on enterprises suspected of employing illegal aliens, and the deportation of those without proper documents, including some with long-standing ties to their U.S. communities.

## **CONCLUSION: DEMOCRATS UNDER DURESS**

For the past few years, and especially since Ukraine's 2004 Orange Revolution, a number of the world's most important autocracies have engaged in what has been

called a pushback against democracy promotion. The pushback differs from past strategies of repressive regimes in that it relies on the use of legal restrictions, tax investigations, bureaucratic regulations, and the like to neutralize opposition political parties and civil society organizations that seek political change, rather than rougher techniques like imprisonment, exile, or murder.

The rationale for pushback policies advanced by the authorities in Russia, Venezuela, Iran, and elsewhere is that they are necessary to prevent outside forces, primarily the United States, from meddling in their sovereign affairs through the support of dissidents, human rights groups, and NGOs. In reality, the main target of this offensive is not the United States but the domestic advocates of democracy—those who are waging the on-the-ground struggle for fair elections, honest government, minority rights, women's equality, and freedom of expression.

During 2007, autocrats in various settings repeatedly singled out democracy advocates for especially harsh treatment. In Russia, the Putin regime went out of its way to force parties and candidates with strong democratic credentials off the parliamentary ballot. It has aggressively sought to eliminate or neutralize NGOs that seek political reform, while at the same time treating Communists, xenophobes, and outright racists with tolerance. In China, the harsh treatment meted out to scholars, activists, and journalists who publicly press for democratic improvements is exceeded only by the crackdown on proponents of increased autonomy for Tibet or Xinjiang. In Egypt, the Mubarak government has been as zealous, if not more so, in silencing those who advocate for peaceful democratic reform as it has been in suppressing the Muslim Brotherhood. Under President Mahmoud Ahmadinejad, Iran has launched an all-fronts offensive against those who speak out for change, including members of democratic parties, students, trade unions, academics, and advocates of women's rights.

Yet even as autocrats fine-tune the mechanisms of repression and control, the past year brought impressive and inspiring examples of resistance from those who cherish freedom. Consider the following:

A movement launched by students dismayed at Hugo Chavez's assault on freedom of expression grew into a broad opposition that came together to defeat the Venezuelan president's authoritarian constitutional overhaul.

Even as the Iranian regime steps up its campaign of intimidation and reprisal, students, journalists, and human rights activists have launched a series of protests that have gained substantial popular support.

Lawyers in Pakistan, outraged by the government's efforts to undermine judicial independence, mounted protests that eventually galvanized a broader movement of civil society opposed to military rule.

To these champions of freedom can be added a number of others: bloggers and human rights lawyers in China, monks in Burma, trade unionists in Zimbabwe, and students in Bangladesh.

The accusation that democracy campaigners are serving the interests of foreign powers is not only untrue, it completely distorts the goals and methods of today's dissidents. Indeed, it is too often the case that democracy's advocates are ignored

by the outside world, governments, and the public alike. Today's generation of democratic dissidents work both in anonymity and—in Iran, China, and elsewhere—under extreme duress.

The achievements of these democracy movements represent grounds for optimism in an otherwise unimpressive year. But they need the support of their natural allies in the democratic world, including, and indeed especially, advocates of democracy outside government. At a minimum, those who are taking risks for freedom require the kind of protection that only outside attention guarantees, the kind of support that sustained Lech Walesa and Nelson Mandela in a previous era.

We should remember that freedom endured many dark days during the time of Mandela and Walesa, much darker than is the case today. Then, as now, many asked whether the tide had turned against freedom. Some suggested, as many do today, that a society's history or culture could render it inhospitable terrain for democratic development. We also hear again the argument that the democratic world should ignore incidents of repression on the grounds that our involvement will only make matters worse. Fortunately, democrats rejected these arguments. They stayed the course and gave critical support to the dissidents and freedom campaigners in Poland, Chile, South Africa, and elsewhere. The fact that democratic dissidents have thwarted autocrats in the current difficult atmosphere is an important accomplishment. The solidarity of democrats from around the world is essential if the broader momentum toward freedom is to be regained.

*Camille Eiss assisted with this report.*

# Introduction

The *Freedom in the World 2008* survey contains reports on 193 countries and 15 related and disputed territories. Each country report begins with a section containing the following information: **population**, **capital**, **political rights** (numerical rating), **civil liberties** (numerical rating), **status** (Free, Partly Free, or Not Free), and a **10-year ratings timeline**. (Beginning this year, data on gross national income per capita [GNI/capita], life expectancy, religious groups, and ethnic groups are no longer included in this section). Each territory report begins with a section containing the same information, except for capital. The population figures are drawn primarily from the *2007 World Population Data Sheet* of the Population Reference Bureau.

The **political rights** and **civil liberties** categories contain numerical ratings between 1 and 7 for each country or territory, with 1 representing the most free and 7 the least free. The **status** designation of Free, Partly Free, or Not Free, which is determined by the combination of the political rights and civil liberties ratings, indicates the general state of freedom in a country or territory. The ratings of countries or territories that have improved or declined since the previous survey are indicated by notations next to the ratings. Positive or negative trends that do not warrant a ratings change since the previous year may be indicated by upward or downward trend arrows, which are located next to the name of the country or territory. A brief explanation of ratings changes or trend arrows is provided for each country or territory as required. For a full description of the methods used to determine the survey's ratings, please see the chapter on the survey's methodology.

The **10-year ratings timeline** lists the political rights and civil liberties ratings and status for each of the last 10 years. Each year that is included in the timeline refers to the year under review, *not* the edition of the survey. Thus, the ratings and status from the *Freedom in the World 2008* edition are listed under "2007" (the year that was under review for the 2008 survey edition).

Following the section described above, each country and territory report is divided into two parts: an **overview** and an analysis of **political rights and civil liberties**. The overview provides a brief historical background and a description of major recent events. The political rights and civil liberties section summarizes each country or territory's degree of respect for the rights and liberties that Freedom House uses to evaluate freedom in the world.

## ↓ Afghanistan

**Population:** 31,900,000  
**Capital:** Kabul

**Political Rights:** 5  
**Civil Liberties:** 5  
**Status:** Partly Free



**Trend Arrow:** Afghanistan received a downward trend arrow to reflect the worsening security situation, which impeded the ability of civil society and humanitarian organizations to operate freely throughout the country.

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

1998	1999	2000	2001	2002	2003	2004	2005	2006	2007
7,7NF	7,7NF	7,7NF	7,7NF	6,6NF	6,6NF	5,6NF	5,5PF	5,5PF	5,5PF

**Overview:** Warlords in the parliament joined forces in early 2007 to push through controversial legislation granting immunity for past war crimes. Meanwhile, little progress was made on various governance issues, including attempts by the central government to combat corruption, improve transparency, and strengthen the judicial and law enforcement services. In a prevailing atmosphere of impunity, numerous human rights abuses—including attacks on aid workers, political and social activists, journalists, and schools, as well as systematic violations of women's rights—were reported during the year. Ongoing insurgent and other violence killed more than 5,500 people in 2007, further hampering local and international organizations working to rebuild Afghanistan's shattered infrastructure and institutions.

After decades of intermittent attempts to assert control and ward off Russian influence in the country, Britain recognized Afghanistan as a fully independent monarchy in 1921. King Muhammad Zahir Shah ruled from 1933 until he was deposed in a 1973 coup, the leaders of which established a republic. Afghanistan entered a period of continuous civil conflict in 1978, when a Marxist faction staged a coup and set out to transform the country's highly traditional society. The Soviet Union invaded to support its allies in 1979, but faced fierce resistance from U.S.-backed mujahideen (guerrilla fighters) until its troops finally withdrew in 1989.

The mujahideen factions overthrew the Marxist government in 1992 and then battled one another for control of Kabul, killing more than 25,000 civilians in the capital by 1995. The Taliban militia, consisting largely of students from conservative Islamic religious schools, entered the fray, seizing control of Kabul in 1996 and quickly establishing control over most of the country. Parts of northern and central Afghanistan remained in the hands of the ethnic Tajik-dominated Northern Alliance. In response to the terrorist attacks of September 11, 2001, the United States launched a military campaign aimed at toppling the Taliban regime and eliminating

Saudi militant Osama bin Laden's terrorist network, al-Qaeda. The Taliban crumbled quickly, losing Kabul to Northern Alliance forces and surrendering the southern city of Kandahar by year's end.

As a result of the December 2001 Bonn Agreement, an interim administration headed by Pashtun tribal leader Hamid Karzai took office. In June 2002, the United Nations oversaw an emergency *loya jirga* (gathering of representatives) that appointed a Transitional Administration (TA) to rule Afghanistan for a further two years. Karzai won the votes of more than 80 percent of the delegates to become president and head of the TA, decisively defeating two other candidates. One of the TA's primary challenges was to assert central government authority while curbing the power of regional strongmen. Karzai signed a decree banning political leaders from taking part in military activity, undertook several reshuffles of provincial governors and other key officials, and initiated a voluntary program of disarmament, demobilization, and reintegration (DDR) in 2003.

In December of that year, a 502-member constitutional *loya jirga* met to debate a draft constitution, which was ratified in January 2004. It described Afghanistan as an Islamic republic in which no law should contravene the beliefs and practices of Islam, and called for a presidential system of government and a bicameral National Assembly. Equal rights for women and men were guaranteed, as was the right to practice minority religions, although human rights advocates expressed concern that enforcement mechanisms for these and other rights were inadequate.

Another milestone was the holding in October 2004 of Afghanistan's first election since 1969, a process overseen by the Joint Electoral Management Body (JEMB). More than 75 percent of registered Afghans voted in a presidential poll contested by 17 candidates, including one woman. Karzai, the incumbent, won 55 percent of the vote, and in December formed a cabinet that was a balanced mix of technocrats and regional power brokers.

After delays due to logistical complications and security concerns, relatively peaceful elections were held in September 2005 for the new National Assembly and 34 provincial councils. In total, almost 5,800 candidates (over 10 percent of whom were women) stood in the elections. Disappointingly, a large number of warlords and others involved in organized crime and human rights abuses were elected; according to the Afghan Independent Human Rights Commission (AIHRC), 80 percent of the victorious candidates had links to militia groups.

The new parliament convened in December 2005, and since then has made little progress on addressing political and economic reforms or passing key legislation. Some analysts expressed concern that the legislative branch would be weak and largely subservient to the executive, but it did clash with Karzai in 2006 over his cabinet appointments and his nominee to head the Supreme Court. Former and current warlords in both houses of parliament pushed hard to pass a bill granting amnesty to perpetrators of past war crimes, and Karzai signed the controversial law in March 2007. However, under the amended version that was enacted, victims of abuses could pursue cases against perpetrators in the court system. A new political alliance, the United National Front of Afghanistan (UNFA), formed in February 2007 with the goal of switching to a parliamentary system and empowering a strong prime minister. Nevertheless, disparate factions still struggled to form stable coalitions in parliament, and the legislature was often at odds with the

president during the year, making it difficult for him to advance the government's agenda.

The UN-mandated International Security Assistance Force (ISAF), which has been managed by NATO since August 2003, has gradually expanded its security and reconstruction mission from Kabul to the rest of the country. It completed its growth in 2006 by taking responsibility for the volatile south and east. The roughly 40,000 peacekeeping and combat troops of the ISAF are augmented by a separate force of about 12,000 U.S. troops engaged in counterterrorism missions. Despite the multinational troop presence and the development of the Afghan army, much of Afghanistan, particularly the south and east, remains under the sway of local military commanders, tribal leaders, warlords, drug traffickers, and petty bandits who are reluctant to submit to the central government. The Taliban have extended their influence over vast swaths of territory in the southern provinces of Kandahar and Helmand, establishing Sharia (Islamic law) courts and occupying local administrative centers.

More than 4,000 civilians, police, soldiers, officials, and foreign aid workers were killed or injured during 2007 by an increasing number of insurgent attacks, air strikes by coalition forces, and recurrent fighting among factional militias and criminal gangs. Casualties among militants have also increased as coalition forces have aggressively engaged them throughout the southern provinces. In a high-profile loss for the Taliban, senior military commander Mullah Dadullah was killed in May 2007. Several hundred civilians were killed during anti-Taliban airstrikes and other military operations in 2007, leading to mounting resentment among Afghans and protests by the Afghan government. Kidnapping has also emerged as a major concern. Afghans are frequently kidnapped for ransom, while some locals and most foreigners are abducted to force prisoner exchanges or to be killed outright.

Beginning in 2006, suicide attacks became more frequent, widespread, and effective. This trend worsened in 2007, with civilians continuing to bear the brunt of the violence. The previously more peaceful west and north of the country have witnessed an increase in attacks on aid workers, journalists, and others, both Afghan and foreign, in an apparent attempt to disrupt development work. Afghan journalist Ajmal Naqshbandi and a driver were kidnapped by the Taliban in March and then murdered, while the Italian journalist they were accompanying was released in exchange for five jailed fighters. In July, a group of 23 South Korean Christian aid workers and several other foreigners and Afghans were kidnapped, and a number were killed.

The marked deterioration in security poses a major challenge to the central and provincial governments' efforts to control areas under their jurisdiction, deliver basic services, and engage in vital reconstruction efforts. It has also had a negative effect on the ability of civil society and humanitarian organizations to operate freely. Attempts to contain the Taliban insurgency by nonmilitary means are increasingly being considered, although the Taliban have refused to negotiate unless foreign troops leave Afghanistan and Islamic law is reimposed. A joint Afghan-Pakistani jirga attended by around 650 delegates, most of them Pashtun, was held in August 2007 with the aim of improving security along the border and boosting bilateral cooperation.

**Political Rights and Civil Liberties:** Afghanistan is not an electoral democracy. While elections have been held and the government structures mandated by the 2001 Bonn Agreement are now in place, significant

problems remain with regard to the political framework, effective governance, and transparency. The 2004 constitution and the May 2005 electoral law provide for a bicameral National Assembly and a directly elected president who serves five-year terms and has the power to appoint ministers, subject to parliamentary approval. In the directly elected lower house of the National Assembly, the 249-seat Wolesi Jirga (House of the People), members stand for five-year terms, and in the 102-seat Meshrano Jirga (House of Elders), two-thirds of members are indirectly elected by the provinces while one-third are appointed by the president. At least 68 of the Wolesi Jirga seats are reserved for women, while 10 are reserved for the nomadic Kuchi community. Provisions for women's representation have also been made for the Meshrano Jirga and provincial councils.

The October 2004 presidential election was judged to be relatively free and fair despite allegations of intimidation by militias and insurgent groups, multiple voter registrations, partisanship within the JEMB, and other irregularities such as ballot stuffing and the improper use of indelible ink on voting day. Legislative elections originally scheduled for 2004 were postponed until September 2005 to allow more time for the government to map out district boundaries, conduct a census, enact election laws, and improve the security situation. These polls were also marred by what the JEMB termed "serious localized fraud," intimidation, some violence, and other irregularities, although the overall results were broadly accepted both by Afghans and by the international community. The safety of winners in the postelection period was threatened by a law known as the "assassination clause," which stated that if the winning candidate died or was disqualified prior to the convening of the new parliament, his seat would be filled by the candidate with the next highest number of votes. However, the law was amended in 2006 following the assassination of several winners in late 2005.

The elected central government is treated as legitimate by various regional strongmen, but its writ over many areas outside Kabul remains limited. The parliament contains a broadly representative blend of ethnic groups and, as mandated, a high proportion of women. Observers have expressed concern that more than half of elected members maintain ties to armed groups or are former warlords implicated in past human rights abuses. The balance of power between the executive and the legislature, as well as between the appointed provincial governors and newly elected local bodies, remains contentious and subject to negotiation.

Restrictions on political activity continue. Levels of political freedom are higher in Kabul and the eastern provinces, but a prevailing atmosphere of violence, insecurity, or repression in the south and west of the country contributes to widespread self-censorship and limits political choices. The 2003 Political Parties Law prohibits the registration of parties that are backed by armed forces; oppose Islam; or promote racial, religious, or sectarian strife. Critics have warned that the law's vague language could be exploited to deny registration on flimsy grounds. In addition, the adoption of the single-nontransferable-vote system for the 2005 legislative elections—in which voters choose individual candidates, and party names or symbols do not appear on the ballot—was viewed by analysts as a disadvantage for new political parties. Parties lack a formal role within the legislature, which further weakens their ability to contribute to a stable parliamentary system, according to a 2006 report by the International Crisis Group. During 2007, there were several attacks on



members of parliament as a result of political rivalries. Outspoken female lawmaker Malalai Joya was suspended by the parliament in May 2007 for criticizing her colleagues, a contravention of a parliamentary rule that guarantees freedom of speech. A number of legislators were killed or wounded in a bomb attack by suspected Taliban insurgents in Baghlan province in November.

Widespread corruption, nepotism, and cronyism remain issues of concern, although the government has professed a commitment to improving transparency and accountability, particularly in the disbursement of foreign aid, which makes up a significant part of the national budget. Corrupt behavior is exacerbated by extremely inadequate salaries for public sector workers, who take bribes to make ends meet. Under pressure from the donor community, the government has attempted to take a hard line against corruption in politics and the administration. President Hamid Karzai in 2006 gave the attorney general full authority to investigate and prosecute cases of official corruption, but while probes and arrests continued to take place in 2007, those involving well-connected figures generally made little headway. Afghanistan was included in Transparency International's Corruption Perceptions Index for the first time in 2007, ranking 172 out of 180 countries surveyed.

Afghan media continue to grow and diversify but faced rising threats in 2007, mostly in the form of physical attacks and intimidation. A growing number of journalists have been arrested, threatened, or harassed by politicians, security services, and others in positions of power as a result of their coverage. Kamran Mir Hazar, editor of a popular news website, was detained several times by national security forces in 2007 following several critical stories. Many reporters practice self-censorship, avoiding sensitive issues such as Islam, national unity, corruption, and crimes committed by specific warlords. Journalists are also increasingly being targeted by insurgents. In one case, the Taliban in March 2007 kidnapped Italian journalist Daniele Mastrogiacomo along with his Afghan driver and his fixer and interpreter, Ajmal Nasqhbandi. The driver was immediately beheaded, while Mastrogiacomo was released two weeks later in exchange for five Taliban fighters. However, when authorities refused to accede to further demands, Nasqhbandi was also killed. A prominent female radio journalist, Zakia Zaki, was murdered by unknown gunmen in June, and a female television presenter was killed in the same week. Convicted murderer Reza Khan, sentenced to death for killing four journalists in 2001, was executed in October.

A revised press law passed in 2005 guarantees freedom of expression and prohibits censorship, but it retains restrictions including registration requirements and overly broad guidelines on content. It also establishes five commissions intended to regulate media agencies and investigate complaints of misconduct. Amendments to the media law proposed in May 2007 could give authorities greater control over content and include vague prohibitions on defamation; these were opposed by local journalists. Media diversity and freedom are markedly higher in Kabul than elsewhere in the country, and some local warlords display limited tolerance for independent media in their areas. However, the number of outlets has grown steadily. Authorities have granted approximately 300 licenses to independent publications, and dozens of private radio stations and eight private television channels are now broadcasting. Some, such as the popular Tolo TV, have been criticized by conservative clerics for airing programs that "oppose Islam and national values," and several sta-

tions have been fined or given warnings for broadcasting "un-Islamic" material or offending local culture. The use of the internet and mobile telephones continues to grow rapidly and has broadened the flow of news and other information, particularly for urban Afghans.

Religious freedom has improved since the fall of the ultraconservative Taliban government in late 2001, but it is still hampered by intolerant attitudes that lead to violence against and harassment of religious minorities and reformist Muslims, according to the U.S. State Department's 2007 International Religious Freedom Report. The new constitution establishes Islam as the official religion but does not prohibit the practice of other faiths. Proselytizing by and conversion to such faiths are not legally prohibited but are strongly discouraged, and blasphemy and apostasy by Muslims are considered capital crimes. Shias (who make up roughly 20 percent of the population), particularly those from the Hazara ethnic group, have traditionally faced discrimination by the Sunni majority. Relations between the two sects remain somewhat strained, although conditions have vastly improved under the Karzai administration. Sectarian riots, possibly stoked by political rivals, erupted in Herat in February 2006, killing 8 people and injuring more than 200. The country's few non-Muslim residents are generally able to practice their faiths, although Hindus and Sikhs have had some difficulty building new houses of worship and accessing their traditional cremation grounds, and they report discrimination in public sector employment. In May 2007, the Supreme Court ruled that the Baha'i faith was distinct from Islam and represented a form of blasphemy, a finding that could have adverse affects on the country's small Baha'i community, particularly regarding marriage. During the year, there were a number of attacks by militant groups on mosques and clerics who were openly critical of the Taliban or who expressed progovernment views.

Academic freedom is not officially restricted. In an effort to counter the teaching of extremist ideologies in Taliban-dominated madrassahs, or religious schools, the government announced plans to open state-run madrassahs throughout the country, with a national curriculum and textbooks that emphasize moderate Islamic teachings and human rights. Schools, predominantly those with female teachers or students, have faced threats and deadly attacks by fundamentalists and local warlords, especially in the south. This trend reportedly worsened in 2006, according to a Human Rights Watch report, with more than 150 schools torched and several hundred more closed for fear of being attacked, depriving hundreds of thousands of students of educational opportunities. However, there was a drop in such attacks in late 2007, following increased government security measures and pledges from tribal elders to help protect schools, according to the IRIN news service.

The constitution has formally restored rights to assembly and association, subject to some restrictions, but they are upheld erratically from region to region. Police and other security personnel have occasionally used excessive force when confronted with demonstrations or protests. Several dozen people were killed or injured in May 2007 when police tried to disperse violent protests against the governor of Jowzjan province.

The work of hundreds of international and Afghan nongovernmental organizations (NGOs) is not formally constrained by the authorities, but their ability to operate freely and effectively is impeded by the worsening security situation in much of

the country. Both foreign and Afghan NGO staff have been targeted for kidnapping or violent attack by criminals and insurgents, and several dozen were killed during 2007, according to the Afghanistan NGO Safety Office. Civil society activists, particularly those who focus on human rights or accountability issues, continue to face some threats and harassment.

Despite broad constitutional protections for workers, labor rights are not well defined, and there are currently no enforcement or dispute-resolution mechanisms. UNICEF has estimated that a quarter of Afghan children between the ages of 7 and 14 are involved in various forms of work, mainly in the domestic sector, due to widespread poverty.

There is no functioning nationwide legal system, and justice in many places is administered on the basis of a mixture of legal codes by judges with minimal training. Outside influence over the judiciary remains strong, and judges and lawyers are often unable to act independently because of threats from local power brokers or armed groups. Salaries for judges are woefully inadequate, and corruption is widespread. In rural areas with no police or judicial institutions, unelected and often conservative tribal councils dispense justice. The Supreme Court, composed of religious scholars who have little knowledge of civil jurisprudence, is particularly in need of reform; the replacement of Fazl Hadi Shinwari as chief justice in 2006 was a positive step. The administration's plans to rebuild the judiciary have proceeded slowly, although a new criminal procedure code was promulgated in early 2004 and some progress has been made on the construction of courts and correctional facilities. Many Afghans still do not have access to judicial or legal services, and local warlords act with impunity in parts of the country that remain outside the central government's reach. In the south, the Taliban have established Sharia courts that employ a harsh form of Islamic law.

Prison conditions remain extremely poor. Many inmates are held illegally, and prisoners are forced to rely on relatives for food and other provisions, according to the AIHRC. Prison riots in Kabul in February 2006 left 5 people dead and over 50 wounded. In July 2006, human rights groups raised concerns over government plans to reestablish the Department for the Promotion of Virtue and Prevention of Vice, which had been notorious for imposing severe restrictions on behavior and dress under the Taliban. The proposed department, which would be part of the Ministry of Islamic Affairs, was still being considered by the president's office at the end of 2007.

Since taking power in 2002, the administration has faced the question of how to deal with perpetrators of past abuses. The cabinet in 2005 approved an Action Plan on Peace, Justice, and Reconciliation, including commemoration for victims, truth-seeking and justice mechanisms, and the vetting of potential state employees, but the plan was not formally launched until December 2006. Many perpetrators were elected to the National Assembly despite calls for them to be disqualified, and some, such as warlord Abdul Rasul Sayyaf, have established dominant positions in the new parliament, making any attempt at prosecution difficult. In March 2007, President Karzai signed a law initiated by parliament that provides a sweeping amnesty for war crimes committed prior to 2002, drawing criticism from human rights groups and some lawmakers.

In a prevailing climate of impunity, government ministers, as well as warlords in some provinces, sanction widespread abuses by the police, military, and intelligence

forces under their command, including arbitrary arrest and detention, torture, extortion, and extrajudicial killings. The AIHRC, which was formed in August 2002 and focuses on raising awareness of human rights issues as well as monitoring and investigating abuses, receives hundreds of complaints of rights violations each year. In addition to the abuses by security forces, reported violations have involved land-grabbing and forced migration, kidnapping and child trafficking, and forced marriage. In September 2007, the AIHRC raised an alarm after parliament voted to curtail its autonomy, seeking to have final say on the appointment of its commissioners and chairman.

Human Rights Watch has documented numerous cases of abuse of Afghan detainees by U.S. forces over the past several years, and eight detainees are confirmed to have died while in U.S. custody. Few of the U.S. service personnel involved in these deaths have been charged or punished, although CIA contractor David Passaro was sentenced to eight-and-a-half years in prison in February 2007 for the beating death of an Afghan detainee. The AIHRC has not been allowed access to detention centers, where some 500 Afghans are being held by coalition forces. In addition, some warlords, political leaders, and the national intelligence agency maintain their own prisons and do not allow access to detainees, many of whom are held without charge.

The Bonn Agreement recognized the need to create a national army and a professional police force, but progress on both fronts has been slow. By the end of 2007, the Afghan National Army had a strength of approximately 38,000 personnel, out of a proposed force of 70,000. However, the existing soldiers are well trained and have participated ably in a variety of counterterrorism operations. The army has also been deployed to prevent factional clashes, and provided security around polling centers during the 2005 elections. In contrast, the Afghan National Police, numbering about 60,000 officers, have been plagued by inadequate training, illiteracy, corruption, involvement in drug trafficking, and high levels of desertion.

Several thousand civilians were killed in 2007 as a result of attacks by the Taliban and other Islamist groups; during localized fighting between ethnic factions, particularly in the north; or during combat between Taliban fighters on one side and government and coalition forces on the other. Insurgents shifted tactics in 2006 by dramatically stepping up suicide attacks, and the trend continued in 2007. The security situation in much of the country has continued to decline despite the expansion of ISAF to the south and east in 2006. In addition to political and terrorist violence, criminal gangs kidnap foreigners and prominent Afghans for ransom, while drug traffickers and local warlords use force and extortion to defend their operations and influence.

An estimated 2,000 illegal armed groups, with as many as 125,000 members, continue to operate. A voluntary DDR program targeting irregular militia forces between 2003 and 2005, and the follow-up Disbandment of Illegal Armed Groups (DIAG) initiative, succeeded in demobilizing over 60,000 militiamen and collected a considerable amount of weaponry. However, more recently, progress on disarmament has stalled amid worsening security, and there are still an estimated 100,000 illegal weapons, mostly small arms, in the country. Many civilians, particularly in rural areas where the government is unable to provide security, are increasingly reluctant to hand over their weapons. In October 2007, the DIAG's mandate was extended until 2011.

More than 3.7 million Afghan refugees have returned to their homes in the last

six years, but the rate of returns has slowed, and several million remain in Pakistan and Iran. More than 150,000 civilians continue to be displaced within the country; some 100,000 more have been displaced in the last two years as a result of increased fighting in the southern provinces and smaller skirmishes between warlords in the north. Humanitarian agencies and Afghan authorities are ill-equipped to deal with the displaced. Factors like the poor security situation and widespread land-grabbing have prevented refugees from returning to their homes, and many congregate instead around major urban centers. In the absence of a functioning legal system, the state is unable to effectively protect property rights.

The end of Taliban rule freed women from extremely harsh restrictions and punishments that kept them veiled, isolated, and, in many cases, impoverished. Women's formal rights to education and employment have been restored, and in some areas women are once again participating in public life. The new constitution contains provisions guaranteeing equal rights for women and reserving a quarter of the seats in the Wolesi Jirga and provincial councils for women. Record numbers of women registered to vote—an average 41 percent of all registered voters were women—and took part in the 2004 and 2005 elections. In addition, more than 500 women, about 10 percent of all candidates, registered to contest the 2005 parliamentary elections. However, a 2005 Human Rights Watch report noted that women in the political sphere, particularly those standing as candidates, faced significant threats and harassment from armed factions and conservative religious leaders. Social norms restricting women's ability to travel independently and appear in public, particularly in the south, also negatively affected their efforts to run for office and participate fully as members of parliament.

Despite women's political gains, societal discrimination and violence remain pervasive, with domestic violence occurring in an estimated 95 percent of households, according to one survey. Women's choices regarding marriage and divorce remain circumscribed by custom and discriminatory laws, and the forced marriage of young girls to older men or widows to their husbands' male relations is a problem. Nearly 60 percent of Afghan girls are married before the legal age of 16, according to UNICEF. However, in March 2007 the Supreme Court approved a new formal marriage contract stipulating that the bride must be at least 16, a move welcomed by activists who hope that it will lead to fewer underage marriages. To the extent that it functions, the justice system discriminates against women. In most cases, according to a 2005 Amnesty International report, complaints of violence against women—including abduction, rape, forced marriage, and murder—are not adequately investigated by authorities. Cases of self-immolation by women seeking to escape forced or abusive marriages, particularly in the provinces of Herat and Kandahar, continued to be an issue in 2007, the AIHRC reported. Honor killings of women believed to have brought shame on their families are also reportedly on the rise. As a result of increasing lawlessness, women and children are subject to abduction, trafficking, and sexual violence. In certain areas, warlords impose Taliban-style dress and behavioral restrictions on women, further circumscribing their freedoms.

## Albania

**Population:** 3,200,000

**Capital:** Tirana

**Political Rights:** 3

**Civil Liberties:** 3

**Status:** Partly Free



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

1998	1999	2000	2001	2002	2003	2004	2005	2006	2007
4,5PF	4,5PF	4,5PF	3,4PF	3,3PF	3,3PF	3,3PF	3,3PF	3,3PF	3,3PF

### Overview:

**A partisan dispute over preparations for local elections continued through January 2007, and when the vote finally took place in February, it fell short of international standards. In July, Bamir Topi, the former deputy leader of the Democratic Party (PD), was elected by parliament as Albania's next president.**

Ruling from World War II until his death in 1985, Communist dictator Enver Hoxha turned Albania into the most isolated country in Europe. The Communist regime began to adopt more liberal policies in the late 1980s, and in March 1992, multiparty elections brought the Democratic Party (PD), led by Sali Berisha, to power. Continuing poverty and corruption weakened Berisha's government, and in 1997, the collapse of several popular pyramid investment schemes resulted in widespread arms looting and violence.

From 1997 to 2005, Albania was ruled by the Socialist Party (PS), led by Prime Minister Fatos Nano. The July 2005 legislative elections, in which more than 20 parties fielded candidates, were considered the most unpredictable since 1991. Although the opposition PD won a clear victory, the ruling PS contested the results in many constituencies, delaying the formation of a new Berisha government until September. The PD ultimately obtained 56 of 140 seats, with a further 24 controlled by its allies. The PS was perceived to have lost support due to the country's corruption, internal party disputes, and voters' desire for change. While the election was not free from fraud, it was praised for bringing Albania's first rotation of power without significant violence in the post-Communist era.

The adversarial relationship between the PD and PS in recent years has negatively affected the country's reform process. Although in the majority, the PD and its coalition partners have been short of the three-fifths supermajority necessary to pass key legislation. Consequently, the opposition in 2006 was able to block any amendments to the Electoral Code they disliked, causing systematic paralysis in advance of the local elections in early 2007. The political impasse was resolved on January 12, 2007, and although the resulting constitutional and electoral reforms were generally seen as an improvement, their late timing placed a serious logistical burden on the Central Electoral Commission. The local elections took place in Feb-

ruary and were criticized by the Organization for Security and Cooperation in Europe (OSCE) for failing to fully comply with international standards. Although the PD won in most races, the PS overwhelmingly won mayoral posts in larger cities, including Tirana.

In July 2007, the parliament elected PD candidate Bamir Topi as Albania's new president. Topi won in the fourth round of voting; failure to elect a president in five rounds would have triggered an early general election. Topi's victory was perceived as a major upset for the PS's leader, Edi Rama, because several members of the party (those loyal to Fatos Nano) actually voted for Topi. The presidential vote solidified the PD's control over the country's major political offices.

The European Union, which had signed a Stabilization and Association Agreement with Albania in 2006, continued to pressure the government to accelerate judicial reforms and anticorruption efforts in 2007. As a result, the authorities improved institutional capacity to investigate and prosecute corruption, leading to several high-level arrests. However, corruption and judicial shortcomings remain serious problems.

**Political Rights and Civil Liberties:** Albania is an electoral democracy. However, elections held in July 2005 for the 140-seat Kuvendi Popullor (People's Assembly) were judged to have complied only partially with international standards. Observers noted flawed procedures, including multiple voting and violations of secrecy. Violence was minimal compared with previous elections. Single-member districts comprise 100 of the parliamentary seats; the remaining 40 are filled by proportional representation. All members serve four-year terms. The prime minister is designated by the majority party or coalition, and the president—who does not hold executive powers but heads the military and plays an important role in selecting senior members of the judiciary—is chosen by the parliament for a five-year term.

A number of political parties operate throughout the country. The two major parties, the PD and the PS, differ more with regard to the personalities of their respective leaders than their political platforms or ideologies. In September 2007, Fatos Nano announced the formation of a new political party, the Movement for Solidarity. The Greek minority is represented mostly through the Union for Human Rights, which has three seats in the parliament. Other minorities are poorly represented and participate minimally in public life.

Although corruption pervades all areas of life, the government appears to be making some efforts to address the problem. The European Commission reported in November 2007 that Albania had adopted public procurement legislation, passed legislation on bribery, and improved its institutional capacity by creating a new task force within the chief prosecutor's office to combat corruption and financial crime. Furthermore, over 20 senior government officials were arrested in 2007 as part of the anticorruption campaign. Albania was ranked 105 out of 180 countries surveyed in Transparency International's 2007 Corruption Perceptions Index.

While the constitution guarantees freedom of expression, and freedom of the press has improved since the fall of communism, problems remain. The intermingling of powerful business, political, and media interests inhibits the development of independent outlets, and suits against journalists for legitimate criticism are com-

mon. Journalists are still subject to intimidation and attacks, although the identity and motives of the perpetrators are not always clear. In July 2007, the Southeast Europe Media Organization alleged that the government had increased economic pressures on the media, citing as an example the 12 million euro fine imposed on the popular television station Top Channel for unpaid taxes. The government does not limit internet access.

The constitution provides for freedom of religion and religious practice, and Albania has avoided the interreligious turmoil suffered by its neighbors. The government does not require registration of religious groups and has been reasonably accommodating in recognizing religious minorities. Jehovah's Witnesses, who were subjected to negative media coverage in previous years, received government cooperation in efforts to improve their image. The government generally does not limit academic freedom, although it has interfered with appointments at educational institutions.

Freedoms of association and assembly are generally respected. Independent nongovernmental organizations are active, and their influence on the government is slowly growing. The constitution guarantees workers the rights to organize and bargain collectively, and with the exception of military personnel, civil servants, and the police, all workers have the right to strike. However, effective collective bargaining remains limited, and union contracts are often difficult to enforce.

The constitution provides for an independent judiciary, but the structure of the judicial system leaves room for government pressure. The judiciary and law enforcement agencies are inefficient and prone to corruption, and judicial proceedings can be unjustifiably delayed. Enforcement of court decisions is weak, especially when they go against government interests. In November 2007, the minister of justice, Ilir Rusmajli, resigned amid allegations of corruption. He later admitted to promoting his brother's construction company in a bid to build a new prison.

In a controversial move in late November 2007, Prime Minister Sali Berisha fired the country's prosecutor general, Theodhori Sollaku, accusing him of inadequate job performance and the premature release of 22 prisoners. However, critics suggested that the firing was politically motivated; Sollaku had focused on prosecuting government corruption, even when it put him at odds with the prime minister. For example, Berisha openly tried to thwart Sollaku's investigation of a suspicious, open-ended contract between the government and the firm Bechtel-Enka, which was awarded without an open tender and was set to cost the state four times the original 200 million euro estimate.

Lawlessness plagues large parts of Albania. Weak state institutions have augmented the power of crime syndicates, and international law enforcement officials claim that Albania has become an important transshipment point for drug smugglers. In the north, traditional tribal law and revenge killings have come to fill the void left by the state.

Although Albania has created a basic framework to protect ethnic minorities, implementation of many measures is incomplete. The country's 95,000 Roma face significant discrimination and social and political marginalization. According to a 2007 European Commission report, less than 50 percent of Romany children attend elementary school, and only 25 percent complete primary education. The state has taken some steps to improve housing and employment opportunities for the Roma,



but very little real-life progress has been achieved thus far. Other minorities, including the Greeks, Serbs, Montenegrins, and Aromanians, are well integrated socially and economically. The constitution mandates that all minorities have the right to receive education in their native language.

The constitution places no legal restraints on women's role in politics and society, but women are vastly underrepresented in most governmental institutions. At the end of 2007, only one of 15 government ministers and 10 of 140 members of parliament were women. Traditional patriarchal social mores impose significant limits on the position of women in society. A gender equality law was adopted in 2004, but the situation for women has improved only slightly. Domestic violence is common and is not a criminal offense. Women who seek redress against domestic abuse are often ignored by the authorities, who generally lack training on such issues. Albania is a source country for trafficking in women and children. As the result of a national strategy to combat the problem, there has been a reduction in trafficking across the Adriatic and Ionian seas over the last few years. Moreover, a number of traffickers have been successfully tried and convicted in Albanian courts. Due to weak witness-protection programs, however, only about 10 percent of victims have been willing to testify against trafficking defendants.

## Algeria

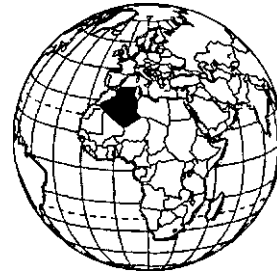
**Population:** 34,100,000

**Capital:** Algiers

**Political Rights:** 6

**Civil Liberties:** 5

**Status:** Not Free



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

1998	1999	2000	2001	2002	2003	2004	2005	2006	2007
6,6NF	6,5NF	6,5NF	6,5NF	6,5NF	6,5NF	6,5NF	6,5NF	6,5NF	6,5NF

**Overview:** Algeria suffered an upsurge in violence in 2007, including suicide bombings that targeted government and foreign interests. President Abdelaziz Bouteflika was ill for much of the year, prompting rumors that he would be sidelined, but by year's end he had reasserted leadership. His recovery also revived expectations that he would push for a constitutional amendment allowing a third presidential term. The ruling National Liberation Front (FLN) lost ground in parliamentary elections in May, though it retained a majority with the help of allied parties.

Unlike many other French colonies, Algeria was considered an integral part of France, leading to an especially bloody war of independence that stretched from 1954 to 1962. In 1965, the military overthrew the country's first president, Ahmed

Ben Bella, and installed Houari Boumedienne in his place. The military dominated Algerian politics for the next four decades, backing the National Liberation Front (FLN) to the exclusion of all other parties for most of that time.

Economic upheaval, spurred in large part by the 1986 oil market collapse, culminated in violent riots in 1988. Once peace was restored that year, President Chadli Benjedid permitted the establishment of legal opposition parties. Islamist groups quickly gained popularity in the face of the government's failures, and the Islamic Salvation Front (FIS) became the main opposition faction. By late 1991 and early 1992, it was apparent that the FIS was poised to win the scheduled parliamentary elections, prompting the army to intervene. It canceled the elections, forced Benjedid from office, and summarily imprisoned FIS leaders under a declared state of emergency.

Over the next decade, various Islamist groups engaged in a bloody civil conflict against the Algerian military and one another. All sides targeted civilians and perpetrated large-scale human rights abuses, causing well over 150,000 deaths and the disappearance of at least 6,000 people. Journalists and intellectuals were targeted as well; the conflict remains one of the deadliest for journalists in history.

In 1999, as the fighting continued, the military-backed candidate—former foreign minister Abdelaziz Bouteflika—handily won a presidential election after his opponents withdrew to protest fraud allegations. Bouteflika's first attempt at resolving the civil war was the promulgation of a civil harmony law, which granted partial amnesty to combatants who renounced violence. A few thousand militants surrendered, but the more uncompromising groups—the Armed Islamic Group (GIA) and the Salafist Group for Preaching and Combat (GSPC), which later renamed itself Al-Qaeda in the Islamic Maghreb—continued to kill government personnel and civilians. Attacks slowly subsided over the next several years, although there were occasional outbursts of violence and the government continued to commit human rights abuses.

The FLN secured 199 of 389 seats in the 2002 elections for the lower house of Parliament. The army-backed National Democratic Rally (RND), which previously held 155 seats, captured only 48. Islah, an Islamist "reform" party, won 43 seats, and the Movement for a Peaceful Society (MSP) took 38. The remaining seats went to leftist and Islamist parties or independents. Elections to the upper house in 2003 left the FLN with 22 seats; the RND, 17; the MSP, 4; and Islah, 2; one seat went to an independent candidate.

In April 2004, Bouteflika ran for reelection and won handily with 85 percent of the vote. The poll was not a model of free and fair elections, but the Organization for Security and Cooperation in Europe and other international monitors declared it to have been free of serious problems. The army was officially neutral, and Bouteflika began to distance himself from the military.

The president again made national reconciliation one of his priorities, and in September 2005, Algerians overwhelmingly approved a referendum on the Charter for Peace and National Reconciliation. The document was loosely worded to give the government room to maneuver, but it essentially offered a general amnesty to most militants and government agents for crimes committed during the civil war. The charter also called for victims to receive compensation. Although it received 97 percent support in the referendum, victims' groups have criticized the charter for not addressing the issue of the disappeared, and international human rights groups

have denounced it for not allowing perpetrators to be brought to justice. Critics also maintain that the criteria for determining which militants may benefit from the amnesty are far too vague and subject to political considerations. While many FIS leaders have been released from prison, they have not been integrated into the political structure in any meaningful way.

Algeria held elections for Parliament's lower house in May 2007, drawing a turnout of just 35 percent, the lowest in Algerian history. Many opposition groups, both Islamist and leftist, asked their supporters not to participate because they said the results would be rigged. Al-Qaeda in the Islamic Maghreb also called for a boycott, but the group's support is minimal. The FLN lost 63 seats in the voting, though it remained the largest party with 136. The RND took 61 seats, the Rally for Culture and Democracy (RCD) won 19, and the MSP captured 52, while Islah lost nearly all of its parliamentary presence, holding on to just 3 seats.

Also in 2007, Algeria was racked by attacks attributed to Islamist militants. Many of the attacks took the form of suicide bombings, a new phenomenon in Algeria. The government has had difficulty tackling the problem, and the security situation appeared likely to grow worse.

**Political Rights and Civil Liberties:** Algeria is not an electoral democracy. However, parliamentary elections are more democratic than in many other Arab states. The government and public has grappled with the question of who will succeed President Abdelaziz Bouteflika after the end of his second and final five-year term in 2009. He was ill for much of 2007, but his health improved toward the end of the year, and he began conducting his presidential duties on a normal schedule, reviving the possibility that he would seek to amend the constitution to allow a third term. While the military does not have the prominent role in politics it once did, powerful military personalities still have undue influence over state policy.

The People's National Assembly (APN), the lower house of the bicameral Parliament, has 389 members serving five-year terms. The upper house, the National Council (CN), has 144 members serving six-year terms. Members of the APN are elected by direct universal suffrage. In the CN, 96 members are chosen through indirect elections by local assemblies, and the president appoints the remaining 48.

The Ministry of the Interior must approve political parties before they can operate legally. While there are dozens of active political parties, movements that are deemed too radically Islamist are outlawed, and many of the Islamist groups that were banned in the 1990s remain illegal. The Front of Socialist Forces, Islah, and the Democratic and Social Movement were among the parties that called on their supporters to boycott the 2007 parliamentary elections. Parties close to the FLN hold a majority in Parliament and can pass most legislation they deem important.

High levels of corruption still plague Algeria's business and public sectors. In its 2007 Corruption Perceptions Index, Transparency International ranked Algeria 99 out of 180 countries surveyed.

Ever since Algeria established private newspapers, its journalists have aggressively covered the news. During the civil war, dozens were murdered, harassed, and threatened. The situation for journalists is much safer today, but the government uses harsh press laws and other statutes to punish reporters and editors who cross

the regime too often. Television and radio are controlled by the state, while the internet, a much less popular news source, is largely unrestricted.

According to international press freedom groups like the New York-based Committee to Protect Journalists, legal harassment of journalists continued in 2007, though at a reduced rate. In April, an appeals court suspended the sentences and reduced the fines that a lower court had imposed on Ali Fodil, editor of the Arabic-language daily *Ech-Chourouk*, and Naila Berrahal, a reporter at the paper. The case stemmed from an article published in 2006 suggesting that Libyan leader Mu' ammar al-Qadhafi was involved in negotiations with Touareg leaders to establish a state in the Sahel region of Algeria. In other cases during 2007, Talal Dhif of the daily *Al-Fajr* received a six-month prison sentence for defamation, and two journalists working for the daily *Al-Watan* received prison sentences and fines. Journalists rarely serve out prison sentences in defamation cases, but the financial burden and work stoppages they entail do negatively affect press freedom.

Algeria's population is overwhelmingly Sunni Muslim, but the small non-Muslim communities are able to practice their faiths without systematic harassment. Given Algeria's civil conflict, security services monitor mosques for Islamist activity. Academic freedom is largely respected.

The government acted to restrict freedom of assembly and association in 2007 as the country suffered its first suicide bombings, which resulted in over 100 civilian deaths. However, Algerian police can disperse peaceful demonstrations even in an ordinary security environment. Government permits are required to establish non-governmental organizations (NGOs), and the government is wary of any organization with Islamist leanings. Workers can establish independent trade unions. The main union, the General Union of Algerian Workers (UGTA), has been criticized for being too close to the government and failing to tackle labor issues aggressively. In October 2007, several independent trade unions led by the National Council for Teachers in Higher Education (CNES) announced a strike against a new government-proposed wage structure.

The judiciary is not independent and is susceptible to government pressure. The human rights situation remains poor, though it is much better than during the civil war. International human rights activists have accused Algerian police and security forces of practicing torture. In 2007, prominent human rights lawyers and government opponents Amine Sidhoum and Hassiba Boumerdassi faced charges of handing documents to prisoners without authorization. The charges have been described by Human Rights Watch as politically motivated. Under the February 2006 implementation of the Charter for Peace and Reconciliation, members of the armed forces and progovernment paramilitary groups have been granted amnesty; virtually all cases of forced disappearance dating to the civil war remain unresolved. Harsh treatment and overcrowding have been reported at Algerian prisons.

Algeria's ethnic composition is a mixture of Arabs and Berbers. Those who identify themselves as Arabs have traditionally formed the country's elite. In the last few years, following outbreaks of antigovernment violence in the Berber community, officials have made more of an effort to recognize Berber cultural demands. Tamazight, the Berber language, is now a national language.

Political opponents of the state and those suspected of having ties to terrorists may be monitored or restricted in their movements, but Algerians are generally able

to move freely throughout the country and abroad. Men of military draft age are not allowed to go abroad without government consent. The state of emergency, still in effect, gives the government discretion to restrict where certain people live and work.

Algerian women continue to face discrimination at both the legal and societal levels. According to the family code, which is based on Islamic law, women do not enjoy equal rights in marriage and divorce. There remains considerable room for improvement, particularly in the area of inheritance, where women receive less than men.

## Andorra

Population: 100,000

Capital: Andorra la Vella

Political Rights: 1

Civil Liberties: 1

Status: Free



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

1998	1999	2000	2001	2002	2003	2004	2005	2006	2007
1,1F	1,1F	1,1F	1,1F	1,1F	1,1F	1,1F	1,1F	1,1F	1,1F

### Overview:

**Andorra continued in 2007 to participate in the European Union Savings Tax Directive, which is aimed at ending the country's status as a major tax haven.**

As a co-principality, Andorra was ruled jointly for 715 years, from 1278 to 1993, by French and Spanish leaders; since 1607, this has involved the French head of state and the bishop of Seu d'Urgel, Spain. The 1993 constitution modified this feudal system, keeping the titular co-princes but transforming the government into a parliamentary democracy. Andorra became a member of the United Nations that year and a member of the Council of Europe in 1994, but it is not a member of the European Union (EU).

In April 2005, the country held national elections, returning the Liberal Party of Andorra (PLA) to power with 42 percent of the vote and 14 out of the 28 seats in the Consell General (parliament). However, the PLA lost the absolute majority it had gained in the 2001 elections. The Social Democratic Party (PS) doubled its support, winning 12 seats. The remaining two seats in the Consell were taken by CDA-Segle 21, a union of the two center-right parties (Andorran Democratic Center Party, or CDA, and Century 21, or S21). PLA leader Marc Forne stepped down as *cap de govern* (executive council president) and was replaced by former foreign minister Albert Pintat Santolaria.

The Pintat government continued to implement reforms required by the Organization for Economic Cooperation and Development to remove the country from its

list of uncooperative tax havens. In 2004, Andorra had agreed to participate in the EU Savings Tax Directive, which provides a way to tax revenue from savings accounts held by EU citizens in a member state other than their country of residence or in certain non-EU countries; it took effect in July 2005.

**Political Rights and Civil Liberties:** Andorra is an electoral democracy. About 80 percent of registered voters participated in 2005 elections for the Consell General, which selects the executive council (cabinet) president, or head of government. Popular elections to the 28-member Consell are held every four years. Half of the members are chosen in two-seat constituencies known as parishes, and the other half are chosen through a national system of proportional representation.

The people have the right to establish and join different political parties, and an opposition bloc exists. However, more than 60 percent of the population consists of noncitizens, who have no right to vote and face a number of hurdles that bar them from becoming citizens. As a result, there is little participation by non-Andorrans in government and politics.

The country currently participates in the EU Savings Tax Directive, which is designed to reduce tax evasion via "offshore" accounts. Because of a lack of available information, Transparency International did not review and rank Andorra in its 2007 Corruption Perceptions Index.

Freedom of speech is respected across the country. There are two independent daily newspapers (*Diari d'Andorra* and *El Periodic d'Andorra*), access to broadcasts from neighboring France and Spain, and unrestricted internet access.

Although Roman Catholicism is the predominant religion and the constitution recognizes a special relationship with the Roman Catholic Church, the state has ceased providing the Church with subsidies. There are no restrictions on proselytizing, and religious minorities like Mormons and Jehovah's Witnesses are free to seek converts. Despite years of negotiations between the Muslim community and the government, a proper mosque for the roughly 2,000 Muslims residing in the country has still not been built. The Muslim community's 2003 request to convert some public buildings into a mosque was turned down by the government. Similar requests made to the Catholic bishop to use a former church were not well received. The government does provide the Muslim community with public facilities for various religious functions. Academic freedom is respected, and the country boasts 100 percent school participation and literacy for children under 16.

Freedoms of assembly and association are generally respected. Domestic and international human rights organizations operate within the country with little government interference. Although the government recognizes that both "workers and employers have the right to defend their own economic and social interests," there is neither an explicit right to strike nor legislation penalizing antiunion discrimination. A law regulating collective bargaining has been expected from the parliament for some time. There have been few advances in labor rights in the country since the creation of a registry for associations in 2001, which has enabled trade unions to gain the legal recognition that they previously lacked.

The country's judicial system, which is based on Spanish and French civil codes, does not include the power of judicial review of legislative acts. Police can detain

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suspects for up to 48 hours without charging them with a crime. The country does not maintain a military force and depends on France and Spain for the defense of its borders. Prison conditions meet international standards.

The European Commission against Racism and Intolerance criticized Andorra in 2003 for its restrictive naturalization criteria. Even though a majority of those living in Andorra are noncitizens, a person can become a citizen only by marrying a resident Andorran or by residing in the country for more than 25 years. Prospective citizens are also required to learn Catalan, the national language. Although they do not have the right to vote, noncitizen residents receive most of the social and economic benefits of citizenship.

Immigrant workers, primarily from North Africa, complain that they lack the rights of citizens. Although about 7,000 immigrants have legal status, many hold only "temporary work authorizations." Temporary workers are in a precarious position, as they must leave the country when their job contract expires.

Citizens have the right to own property, but noncitizens can own only 33 percent of a company unless they have lived in the country for 20 years or more. A proposed law to reduce this requirement to 10 years is pending in the parliament.

Women enjoy the same legal, political, social, and professional rights as men, although they are underrepresented in government. Today, only four women occupy seats in the parliament. There are no specific laws addressing violence against women, which remains a problem across the country. There are no government departments for women's issues or government-run shelters for battered women. Abortion is illegal, except to save the life of the mother.

## Angola

**Population:** 16,300,000

**Capital:** Luanda

**Political Rights:** 6

**Civil Liberties:** 5

**Status:** Not Free



### Ten-Year Ratings Timeline For Year Under Review

#### Political Rights, Civil Liberties, Status

1998	1999	2000	2001	2002	2003	2004	2005	2006	2007
6,6NF	6,6NF	6,6NF	6,6NF	6,5NF	6,5NF	6,5NF	6,5NF	6,5NF	6,5NF

### Overview:

Legislative and presidential elections, originally scheduled for 1997, were delayed yet again in 2007. The legislative poll is now expected to be held in September 2008, followed by the presidential election in 2009. Also in 2007, the security forces faced fresh allegations of widespread abuse and torture, and Angola's oil-driven economic growth continued to be plagued by endemic corruption.

Angola was at war continually for nearly three decades following independence from Portugal in 1975. The 1991 Bicesse Accord temporarily ended fighting between the rebel National Union for the Total Independence of Angola (UNITA) and the government, controlled by the Popular Movement for the Liberation of Angola (MPLA), a Marxist group. However, the accord disintegrated when UNITA leader Jonas Savimbi, having lost the first round of a UN-supervised presidential election in 1992, once again took up arms. The collapse of a 1994 peace agreement (the Lusaka Protocol), ineffective sanctions, and the shooting down of two UN planes caused the United Nations to end its peacekeeping mission in Angola in 1999. After a 2002 ceasefire between UNITA and the ruling MPLA, spurred by Savimbi's death earlier that year and formalized in the Luena Memorandum of Understanding, UNITA appeared committed to peace and subsequently transformed itself from a disarmed military organization into Angola's largest opposition party. About 80,000 former rebel soldiers were demobilized, and 5,000 were integrated into the armed forces and police.

The conflict claimed an estimated one million lives, displaced more than four million people, and forced over half a million to flee to neighboring countries; according to a 2007 estimate by the Office of the UN High Commissioner for Refugees (UNHCR), some 410,000 Angolans had returned home in the previous four years, while about 190,000 continued to live outside the country. Many resettled people—particularly those in the peripheral provinces—remained without land, proper shelter and food, health care, jobs, education, or even identification documents. The resettlement process was slowed by the presence of an estimated 500,000 land mines and a war-ruined infrastructure, which continued to make large tracts of the country inaccessible to humanitarian aid. In March 2007, the UNHCR formally concluded its voluntary repatriation program for Angolan refugees.

Angola is Africa's second-largest oil producer. Due to increased oil production, rising global oil prices, and the government's wide access to oil-backed credit, the economy grew by an estimated 13 percent in real terms over the three years ending in 2007. Angola's leading creditor, China, has funded multiple billion-dollar development projects to rehabilitate the country's infrastructure. In March 2007, Angola cancelled negotiations with the International Monetary Fund (IMF) over an economic stabilization program, claiming it had sufficient resources to achieve consistent growth without the fund's conditional support. Nevertheless, corruption and mismanagement have prevented most Angolans from benefiting from the country's wealth. It is estimated that more than \$1 billion in oil revenue goes missing each year, and the bulk of new public investment has been directed toward the oil sector or the country's urban coast. Eighty-five percent of the population engages in subsistence agriculture, and the United Nations estimates that 68 percent of the population lives on less than \$1 a day. Angola's oil boom has led to a significant reduction in donor funding for humanitarian programs. In 2007, the World Food Programme, citing lack of funds, substantially reduced food aid distribution in Angola to just over 200,000 recipients, from 450,000 in 2006.

Though the northern exclave of Cabinda is internationally recognized as part of Angola, the government has been fighting secessionists there intermittently since 1975. Cabinda accounts for 60 percent of Angola's total oil revenues. In 2006, the government signed a peace agreement with former Front for the Liberation of Cabinda



(FLEC) leader Antonio Bento Bembe, the ostensible representative of the Cabinda Forum for Dialogue (CFD), an umbrella grouping of secessionists. Several factions of the CFD denounced the agreement and vowed to continue fighting. Nevertheless, the deal appeared to hold in 2007. According to the British Broadcasting Corporation (BBC), between 80 and 90 percent of FLEC fighters have either joined the army or demobilized.

**Political Rights and Civil Liberties:** Angola is not an electoral democracy. Angolans freely elected their representatives only once, in UN-supervised balloting held in 1992. While the 2002 Luena Memorandum of Understanding created a "government of unity and national reconciliation, the MPLA dominates the 220-seat National Assembly with 129 seats; UNITA holds 65 seats (after expelling five of its lawmakers in 2006). The National Assembly, whose members serve four-year terms under the constitution, has little power, and 90 percent of legislation originates in the executive branch. The president, who is supposed to serve five-year terms, directly appoints the prime minister, cabinet, and provincial governors.

General elections originally planned for 1997 have continually been delayed. In 2004, they were scheduled for 2006 to give time for voter registration, civil disarmament, and the formation of proper electoral authorities. President Jose Eduardo dos Santos in 2006 put the votes off for at least another year, citing dilapidated infrastructure and a stalled registration process. Then, in March 2007, the Council of the Republic, headed by the president, announced that legislative elections would be held in 2008, followed by a presidential vote in 2009; in December, legislative elections were set for September 2008. While an MPLA victory in both polls is likely, opposition parties and civil society organizations have accused dos Santos of stalling for political gain.

In September 2007, the government ended its voter registration drive, claiming that eight million Angolans had successfully registered. However, the electoral laws—amended in 2005 to allow dos Santos to run for a third consecutive term—have been widely criticized as inadequate for free and fair elections. In March 2007, a team from the Southern African Development Community (SADC) recommended that the government ministry tasked with organizing the elections be replaced by a more independent body. It also echoed opposition and civil society activists in objecting to the structure of the MPLA-dominated National Electoral Commission (CNE).

UNITA remains the most significant opposition party facing the ruling MPLA. Eighty-seven other opposition groups have formed a coalition with negligible weight. A total of about 125 parties are registered in Angola. While political violence has decreased significantly in each year since 2002, it is still a problem, and UNITA officials have argued that violence has increased during the voter registration process. UNITA leader Isaias Samakuva claims that 13 party members were killed for political reasons in 2006 and 2007, a claim the government denies. In March 2007, Samakuva accused police officers of trying to assassinate him during a tour of Kwanza Norte province, but the government denied that the incident took place. In February, members of the opposition Angolan Party for Progress and Democratic Assistance (PADEPA) were arrested and held incommunicado for five days before being released without charges.

Corruption and patronage are endemic in the government. Bribery underpins

much of Angolan business in both rural and urban areas. In 2005, a World Bank survey found that outdated, poorly implemented, and corruption-prone bureaucratic regulations made Angola one of the world's most hostile environments for microenterprise. A 2007 report by the Norway-based Chr. Michelsen Institute found that state budget making in Angola was extremely opaque and that budget execution was hampered by the country's inefficient public finance system and weak budget-related institutions. Angola was ranked 147 out of 180 countries surveyed in Transparency International's 2007 Corruption Perceptions Index.

Following the 2002 ceasefire between the government and UNITA, media restrictions became less stringent. However, despite constitutional guarantees of freedom of expression, journalists are often subject to intimidation, dismissal, detention, and legal sanction by authorities; the result is self-censorship. Defamation of the president or his representatives and libel are criminal offenses, punishable by imprisonment or fines. In May 2006, the government enacted a new Press Law that ended the state monopoly on television broadcasting, called for the creation of a public broadcaster that ensures the "right of citizens to inform, seek information and be informed," and allows journalists to use the truth defense in libel and defamation trials. However, the law includes several restrictive provisions concerning journalistic "duties," journalists' access to information, the right to practice journalism and to establish new media outlets, and the registration of both journalists and media outlets with the government.

The only daily newspaper and the sole television station are state owned. Private media outlets are often denied access to official information and events, and they report problems with funding. In addition, high-ranking government officials pressure independent media to cover the government in a more favorable light. There are several independent weekly newspapers and radio stations in Luanda that criticize the government, but the state dominates media elsewhere. As of 2007, authorities continued to prevent the outspoken Roman Catholic radio station Radio Ecclesia from broadcasting outside Luanda. Internet access is limited to a small elite, as most citizens lack computers or even electricity.

Religious freedom is widely respected, despite colonial-era statutes that ban non-Christian religious groups. The educational system barely functions, suffering from underpaid and often corrupt teachers and severely damaged infrastructure. According to UNICEF, 47 percent of girls and 53 percent of boys attend primary school.

The constitution guarantees freedom of assembly and association. Increasingly, authorities are allowing opposition groups to hold demonstrations in Luanda, though crackdowns are common in the interior. The right to strike and form unions is provided by the constitution, but the MPLA dominates the labor movement and only a few independent unions exist. Hundreds of nongovernmental organizations (NGOs) and civic groups operate in Angola, many of them demanding political reform, government accountability, and human rights protections. In particular, churches have grown more outspoken. However, the government often denies NGOs access to Cabinda on security grounds. In February 2007, British researcher Sarah Wykes, who was investigating corruption in the oil industry for the NGO Global Witness, was detained by Angolan police in Cabinda and accused of spying. She was allowed to return to Britain in March but may still face espionage charges in Angola. In 2006, Angolan military forces raided the headquarters of the Cabindan NGO Mpalabanda, which opposed that year's peace agreement, and arrested leader Raul

Danda. Now banned, Mpalabanda in August 2007 alleged that members had been arrested ahead of a visit to Cabinda by dos Santos.

The judiciary is subject to extensive executive influence, though courts do occasionally rule against the government. The government has yet to establish a Constitutional Court, as mandated by the constitution. Supreme Court judges are appointed to life terms by the president without legislative input or approval. Local courts rule on civil matters and petty crime in some areas, but an overall lack of training and infrastructure, a large backlog of cases, and corruption inhibit access to and functioning of the judiciary. Despite government efforts to train more municipal magistrates, municipal courts are rarely operational. As a result, traditional or informal courts are utilized.

Accused criminals are commonly detained for long periods while awaiting trial, and prisoners are subject to torture, severe overcrowding, sexual abuse, extortion, and a lack of basic services. Despite government efforts to reform security forces through increased resources and human rights training, officers continue to commit abuses with impunity. In September 2007, separate reports by Amnesty International and the UN Working Group on Arbitrary Detention (WGAD) noted that Angolans still faced arbitrary detention, abuse, and torture by security forces, and denial of access to legal counsel. An estimated four million weapons in civilian hands threaten to contribute to lawlessness, and Angola's diamond-mining industry is afflicted by murders and other abuses by government and private security personnel. The government created a national justice ombudsman's office in 2005 to improve human rights observance, but activists and civil society groups objected to their exclusion from the process.

Accusations of severe rights abuses, including extrajudicial executions, have been leveled throughout the duration of the Cabinda conflict. In September 2007, UN investigators reported that civilians were being held incommunicado at military bases in Cabinda.

Eight provinces (about 50 percent of the country) contain areas that were heavily mined, restricting freedom of movement. At least 80,000 people have lost limbs to mines over the years.

Angolans have the right to own property, but it is very problematic in practice. Since 2003, forced evictions from informal settlements in and around Luanda have displaced 20,000 people and destroyed over 3,000 homes, according to Human Rights Watch and SOS Habitat. These groups say the government usually fails to give prior notice or provide adequate resettlement and compensation. The government claims the residents are trespassing on state land that is needed for public development purposes. Land laws passed in 2004, requiring the registration of ownership within three years, have generally been welcomed in rural areas and opposed in urban areas.

Women occupy cabinet positions and National Assembly seats. Nevertheless, despite legal protections, *de facto* discrimination against women remains strong, particularly in rural areas. Violence against women is widespread, and spousal abuse is common. Women are often killed or injured by land mines as they search for food and firewood. Child labor is a major problem, and there were reports of trafficking in women and children for purposes of prostitution or forced labor. A recent study by the state's National Children's Institute and UNICEF found "a significant and growing" trend in the abuse and abandonment of children accused of witchcraft after the death of a family member, usually from HIV/AIDS.

## Antigua and Barbuda

Population: 100,000  
Capital: St. John's

Political Rights: 2  
Civil Liberties: 2  
Status: Free



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

1998	1999	2000	2001	2002	2003	2004	2005	2006	2007
4,3PF	4,3PF	4,2PF	4,2PF	4,2PF	4,2PF	2,2F	2,2F	2,2F	2,2F

### Overview:

**In 2007, the government of Prime Minister Baldwin Spencer was strongly criticized for ejecting two Caribbean journalists from the country. Separately, the World Trade Organization sided with Antigua in a long-running dispute with the United States over the online gambling industry.**

Antigua and Barbuda, a member of the Commonwealth, gained independence in 1981. In 1994, Vere Bird of the Antigua Labour Party (ALP) stepped down as prime minister in favor of his son Lester. In the run-up to that year's 1994 election, three opposition parties joined forces to form the United Progressive Party (UPP), which campaigned on a social democratic platform emphasizing the rule of law and good governance. But the ALP, led by Lester Bird, triumphed handily in both the 1994 and 1999 elections, even as his government continued to be dogged by scandals.

In March 2004, after a hard-fought and at times vitriolic campaign, the UPP, led by Baldwin Spencer, defeated the ALP. It took 12 seats in the 17-seat lower house, and its ally, the Barbuda People's Movement (BPM), won the seat representing Barbuda. The ALP was reduced to four seats. The elections brought an end to the Bird political dynasty, which had dominated politics in Antigua and Barbuda since 1976.

In the spring of 2006, police arrested ALP activist James "Tanny" Rose for charges related to financial transactions at the state-owned Antigua Broadcasting Service. Rose, a talk-show host on Radio ZDK, owned by Lester Bird, was a notorious critic of the UPP government. He was charged with wrongdoing related to advertising commissions and sales during his tenure as director general of the state radio service. Rose was freed in 2007, when the courts threw out the government's case against him.

In 2006, the Ministry of Tourism announced a boom in development, with 40 tourism-related construction and renovation projects totaling nearly US\$1.4 billion planned for the next five years. In February 2007, Antigua and Barbuda prevailed in a major trade dispute with the United States when the World Trade Organization (WTO) ruled that U.S. restrictions aimed at Antigua's online gambling industry violated international law. In December, a WTO arbitration panel ruled that Antigua and Barbuda was entitled to collect up to US\$21 million annually in compensation

by waiving intellectual property rights on U.S. music and books. Antigua's efforts to diversify its international partnerships continued in 2007, when it opened diplomatic relations with Saudi Arabia to strengthen ties with oil-producing states in the Persian Gulf.

**Political Rights and Civil Liberties:** Antigua and Barbuda is an electoral democracy. The 1981 constitution establishes a parliamentary system, with a governor-general representing the British monarch as ceremonial head of state. The bicameral Parliament is composed of the 17-seat House of Representatives (16 seats for Antigua, 1 for Barbuda), to which members are elected for five-year terms, and an appointed Senate. Of the senators, 11 are appointed by the governor-general on the advice of the prime minister, 4 on the advice of the parliamentary opposition leader, 1 on the advice of the Barbuda Council (an 11-member local government body that runs Barbuda's internal affairs), and 1 at the governor-general's discretion. Antigua and Barbuda's prime minister is typically the leader of the majority party or coalition that emerges from the legislative elections.

Political parties can organize freely. The government plans to reform the electoral system by establishing an Independent Electoral Commission to review electoral law and redraw constituency boundaries, creating a new voter registry, and introducing voter identification cards.

Although the government introduced anticorruption and integrity legislation in October 2002 and passed a bill in 2004 to improve governmental transparency, implementation has been slow. The 2004 Integrity of Public Life Act requires that public officials make an annual declaration of assets. In January 2005, the country became the fourth member of the Organization of Eastern Caribbean States to ratify the Inter-American Convention against Corruption, which requires public officials to declare their assets and liabilities, improves cooperation on anticorruption efforts, and strengthens corporate accounting practices. Antigua and Barbuda was not ranked by Transparency International in its 2007 Corruption Perceptions Index.

Antigua and Barbuda generally respects freedom of expression and freedom of the press, but in practice media outlets are concentrated among a small number of firms affiliated with either the current government or its predecessor. The Bird family continues to control television, cable, and radio outlets. The government owns one of three radio stations and the television station. In 2007, the government ejected two journalists from the country, one from Dominica and the other from Trinidad and Tobago, thereby violating the Caribbean Community's freedom of movement clause for journalists. The Association of Caribbean Media Workers expressed its "absolute condemnation" of the expulsions.

The government respects religious and academic freedom.

Nongovernmental organizations and labor unions can organize freely. The Industrial Court mediates labor disputes, but public sector unions tend to be under the sway of the ruling party. Demonstrators are occasionally subject to police harassment.

The country's legal system is based on English common law. The ALP government manipulated the nominally independent judicial system, which was powerless to address corruption in the executive branch. The UPP has since sought to increase the transparency of public affairs through new legislation and to establish clear guidelines for investment practices.

The islands' security forces are composed of the police and the small Antigua and Barbuda Defence Forces. The police generally respect human rights; basic police reporting statistics, however, are confidential. The country's prison is in primitive condition, and the abuse of inmates has been reported, though visits by independent human rights groups are permitted.

The government has responded to higher levels of crime with increased patrols, the reintroduction of roadblocks, and stiffer fines for firearms violations. The authorities attribute the crime to a new trend of gun possession among island youth and an influx of criminal deportees, with links to the drug trade, from the United States and Europe. In 2007, Antigua and Barbuda asked the United States to halt the flow of criminal deportees to the islands, but it received little assistance.

In March 2005, the government introduced the Equal Opportunity Act, which bars discrimination on the basis of race, gender, class, political affinity, or place of origin. Social discrimination and violence against women remain problems, however. The governmental Directorate of Women's Affairs has sought to increase awareness of women's legal rights. In 2007, Antigua and Barbuda swore in its first female governor general, Louise Lake-Tack, and the country revamped its youth policy to address the concerns of pregnant girls, teen mothers, and other vulnerable groups.

## Argentina

**Population:** 39,400,000

**Capital:** Buenos Aires

**Political Rights:** 2

**Civil Liberties:** 2

**Status:** Free



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

1998	1999	2000	2001	2002	2003	2004	2005	2006	2007
3,3F	2,3F	1,2F	3,3PF	3,3PF	2,2F	2,2F	2,2F	2,2F	2,2F

### Overview:

**Cristina Fernandez de Kirchner of the center-left Peronist party became Argentina's first elected female president in 2007, easily winning the October election. Her campaign was helped by the weakness and fragmentation of the opposition, as well as four years of strong economic growth under her husband and predecessor, Nestor Kirchner. He remained popular through the end of his term despite a string of corruption charges involving his party that emerged during the year.**

Argentina gained independence from Spain in 1816. Democratic rule was often interrupted by war and military coups over the following century. The end of Juan Peron's populist and authoritarian regime in 1955 led to a series of right-wing mili-

tary dictatorships that spawned left-wing and nationalist violence. Argentina returned to elected civilian rule in 1983, after seven years under a far-right military regime whose repression of leftist guerrillas and other real or suspected dissidents was known as the "dirty war."

Provincial governor Carlos Menem, running on an orthodox Peronist platform of nationalism and state intervention in the economy, won a six-year presidential term in 1989 amid hyperinflation and food riots. As president, however, he implemented—mostly by decree—an economic liberalization program and unconditionally allied the country with U.S. foreign policy. While traditional Peronists criticized his policies as betrayals of the party's principles, his convertibility plan, which pegged the peso to the U.S. dollar through a currency board, finally ended the country's chronic bouts of hyperinflation.

Buenos Aires mayor Fernando de la Rúa, of the center-left Alianza coalition, was elected president in October 1999. Facing an opposition-controlled National Congress, de la Rúa sought to cut spending, raise taxes, and push forward an anti-corruption agenda and unpopular labor reforms. De la Rúa reappointed Menem's former economy minister in an effort to restore government credibility and stave off default on Argentina's public sector debt. Record unemployment and reduced and delayed wages to government workers, effects of the highly overvalued and inflexible currency, spurred social mobilization and protests with an intensity that had not been seen for nearly a generation.

In December 2001, government efforts to stop a run on Argentina's banking system sparked widespread protests along with riots and looting. As the death toll reached 27, de la Rúa resigned. He was replaced by an interim president, who himself was forced to quit less than a week later. On December 31, Menem's former vice president, Eduardo Duhalde, was selected by Congress as Argentina's new president. A steep devaluation of the peso and a debilitating default on its foreign debt left Argentina teetering on the brink of political and economic collapse throughout 2002. Unemployment soared to levels unheard of since the founding of the republic, and violent crime spiraled out of control.

Nestor Kirchner, a little-known governor from the Patagonia region and a member of the Justicialist Party (PJ, commonly known as the Peronist Party), was elected president in April 2003 with just 22 percent of the vote, becoming Argentina's sixth president in 18 months. While working to stabilize the economy, Kirchner quickly moved to purge the country's military and police leadership of authoritarian elements. Seeking to make human rights a trademark of his administration, Kirchner also took steps to remove justices from the highly politicized Supreme Court—considered the country's most corrupt institution—and signed a decree that permitted the extradition of former military officials accused of human rights abuses.

The 2004 admission by the International Monetary Fund (IMF) that it had contributed to the Argentine economic crisis, and the role international financial institutions and private banks had played in financing the hated military in earlier decades, gave the Kirchner government unaccustomed room to maneuver in repaying foreign creditors. After making some efforts to put a brake on government spending, Kirchner presided over a long-hoped-for economic recovery bolstered by high international soya prices and increased demand for Argentina's principal exports. However, corruption and extrajudicial action by the country's law en-

forcement institutions continued to be a major problem, particularly in Buenos Aires province.

By March 2005, Economy Minister Roberto Lavagna was able to declare an end to the three-year battle to restructure Argentina's defaulted debt, with more than three-fourths of the holders of Argentine foreign bonds agreeing to a nonnegotiable offer of 30 cents on the dollar. The economy grew, and unemployment and poverty rates began to show improvement. Economic stability, along with the achievement of the largest debt reduction ever by a developing country, helped the Peronists increase their legislative majority after the October 2005 legislative elections.

In June 2005, the Supreme Court ruled that laws passed in the 1980s to protect the military from prosecution—justified at the time as a way to help avoid a military coup—were unconstitutional, thus making Argentina a world leader in efforts to fight military impunity. The decision laid the foundation for the prosecution of other military crimes. Kirchner's aggressive pursuit of former officials involved in the dirty war included a police sergeant connected with the military junta who was sentenced to 25 years in prison in 2006, and the reversal of presidential pardons granted by Menem to three military leaders. In addition, Isabel Peron, Juan Peron's third wife, who served as president from 1974 to 1976, was detained in Spain in 2007 for her alleged role in the disappearance of students during her time in power. In October 2007, a former priest was sentenced to life in prison for his complicity in seven murders and other human rights abuses.

In 2006, Kirchner implemented a series of measures centralizing political and economic power in the executive branch. Congress granted the president the authority to reallocate government spending as he sees fit, as long as the overall appropriation remains the same. Kirchner also changed the tax system to limit the influence of historically powerful provincial governors, and created new state-owned enterprises while nationalizing privatized ones, such as the postal service and Buenos Aires's water utility company.

In spite of Kirchner's initial pledge to combat corruption, it continues to pervade Argentina's public institutions. In March 2007, government officials were accused of receiving improper payments from a large gas-line project. Then, in June 2007, Economy Minister Felisa Miceli was forced to resign after more than \$60,000 was found in her office bathroom. The series of scandals also hit the defense minister, who was accused of tax evasion. Finally, in August 2007, \$800,000 in cash discovered in the suitcase of a Venezuelan businessman traveling on a private plane chartered by Argentina's state oil company was seized at the Buenos Aires airport. The source of the funds as well as their intended destination remain under investigation, but the incident raised further suspicions.

Kirchner's wife, Senator Cristina Fernandez de Kirchner, won the October 2007 presidential election with 45 percent of the vote, 22 points ahead of her nearest rival. The margin of victory negated the need for a runoff. Her campaign was helped by a strong economy, which had grown by 8 percent each year since her husband took office. The clear victory was also attributed to divisions within the opposition, which fielded 13 different candidates and diluted the "anti-Kirchner" vote. The new president took office on December 10. Her party, the Frente para la Victoria (FV), emerged from the legislative elections with a stronger majority in both houses.



**Political Rights and Civil Liberties:** Argentina is an electoral democracy. As amended in 1994, the constitution provides for a president elected for four years, with the option of reelection for one additional term. Presidential candidates must win 45 percent of the vote, or 40 percent with a 10-point lead, to avoid a runoff. The general elections in October 2007 were considered free and fair; midterm congressional elections are scheduled for 2009.

The National Congress consists of the 257-member Chamber of Deputies, directly elected for four years, with half the seats up for election every two years; and the 72-member Senate, directly elected for six-year terms, with one-third of the seats up for election every two years.

The right to organize political parties is generally respected. Major parties include the PJ, the FV, the Radical Civic Union (UCR), the Alternative for a Republic of Equals (ARI), and the Republican Initiative Alliance (PRO). The Peronists have been a dominant force in politics since 1946.

Nestor Kirchner's government initially made anticorruption efforts a central theme, and Decree 1172/03 established the public's right to information and other transparency guarantees. However, leading anticorruption activists have accused the administration of stalling on its good-governance agenda, particularly by failing to ensure the effective functioning of administrative controls. Argentina was ranked 105 out of 179 countries surveyed in Transparency International's 2007 Corruption Perceptions Index.

Freedom of expression is guaranteed by law, and government meddling in the press is not nearly as heavy-handed as during the presidency of Carlos Menem. However, government officials are still accused of verbally mistreating independent journalists, and provincial governments continue to manipulate official advertising to favor media outlets they consider friendly. After five years of debate in Congress, a Freedom of Information act failed in 2006.

The constitution guarantees freedom of religion. Nevertheless, Argentina's Jewish community, the largest in Latin America, is a frequent target of anti-Semitic discrimination and vandalism. Neo-Nazi and other anti-Semitic groups remain active, and the memory of the 1994 bombing of a Jewish cultural center still looms. No one has been convicted of the bombing, although it was found to have been planned and financed by the government of Iran. Nestor Kirchner catered to the Jewish population, creating a special commission to investigate the cultural center case and meeting with Jewish leaders several times each year. In November 2006, arrest warrants were issued for the eight individuals suspected of involvement in the attack.

Academic freedom is a cherished Argentine tradition and is largely observed in practice.

The rights to freedom of assembly and association are generally respected. Civic organizations are robust and play a large role in society, although some fall victim to Argentina's pervasive corruption. Labor is dominated by Peronist unions. Union influence, however, has diminished dramatically in the past decade because of corruption scandals and internal divisions.

Menem's manipulation of the judiciary undermined the country's separation of powers and the rule of law. Although positive steps have been taken under Nestor Kirchner, including the appointment of magistrates of professional quality, the tenure of scores of incompetent and corrupt judges remains a serious problem. More-

over, in February 2006, Congress voted to change the composition of the body responsible for selecting judges, making it less professional and more political.

Public safety is a primary concern for Argentines, especially in Buenos Aires where crime has increased markedly over the last decade. Much of the increase has been fueled by a growth in illegal drug use that began during the Menem years, and by the complicity of high-ranking judicial and law enforcement authorities in the drug trade.

Police have been accused of misconduct including growing numbers of extrajudicial executions. The Buenos Aires provincial police have been involved in drug trafficking, extortion, and vice. Arbitrary arrests and abuse by police are rarely punished in the courts owing to intimidation of witnesses and judges, particularly in Buenos Aires province. The torture of detainees in police custody in the province is endemic, and the provincial penal service is rife with corruption. Prison conditions are generally substandard throughout the country.

Argentina's indigenous peoples represent between 3 and 5 percent of the total population, and are largely neglected by the government. Approximately 70 percent of the country's rural indigenous communities lack title to their lands; however, the Nestor Kirchner administration returned lands to several communities.

In 2002, Buenos Aires became the first South American city to pass a domestic partnership law, and the country as a whole is considering following its lead by allowing same-sex unions.

Women actively participate in politics in Argentina, as reflected most recently by the election of Senator Kirchner as president and the second-place showing by another female candidate. However, domestic abuse remains a serious problem, and child prostitution is reported to be on the rise. An estimated 3,000 children are homeless in Buenos Aires, double the number prior to Argentina's 2001 economic collapse.

## Armenia

**Population:** 3,000,000

**Capital:** Yerevan

**Political Rights:** 5

**Civil Liberties:** 4

**Status:** Partly Free



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

1998	1999	2000	2001	2002	2003	2004	2005	2006	2007
4,4PF	4,4PF	4,4PF	4,4PF	4,4PF	4,4PF	5,4PF	5,4PF	5,4PF	5,4PF

### Overview:

Parliamentary elections in May 2007, in which the Republican Party of Armenia took the largest portion of the vote, served as a precursor to presidential elections scheduled for February 2008. President Robert Kocharian, who first took office in 1998, is constitutionally barred from serving another five-year term. Also in 2007, a con-

**troversial proposal to restrict foreign broadcast media elicited sharp criticism from the Organization for Security and Cooperation in Europe and other international human rights monitors.**

After a short period of independence amid the turmoil at the end of World War I, the predominantly Christian Transcaucasus republic of Armenia had been divided between Turkey and the Soviet Union by 1922. Most of the Armenian population in the Turkish portion was killed or driven abroad during the war and its aftermath, but those in the east survived Soviet rule. The Soviet republic of Armenia declared its independence in September 1991, propelled by a nationalist movement that had gained strength after the reformist Mikhail Gorbachev became the Soviet leader in the 1980s. The movement had initially focused on demands to transfer the substantially ethnic Armenian region of Nagorno-Karabakh from Azerbaijan to Armenia; Nagorno-Karabakh was recognized internationally as part of Azerbaijan, but by the late 1990s, it was held by ethnic Armenian forces who claimed independence. Prime Minister Robert Kocharian, the former president of Nagorno-Karabakh, was elected president in March 1998.

Parliamentary elections in May 1999 resulted in victory for the Unity bloc, a new alliance of Defense Minister Vazgen Sarkisian's Republican Party and former Soviet Armenian leader Karen Demirchian's People's Party, which campaigned on a political platform of greater state involvement in the economy and increased social spending. In June, Sarkisian was named prime minister and Demirchian became speaker of the National Assembly.

The country was thrust into a political crisis on October 27, 1999, when five gunmen stormed the National Assembly and assassinated Sarkisian, Demirchian, and several other senior government officials. The leader of the gunmen, Nairi Hunanian, maintained that he and the other assailants had acted alone in an attempt to incite a popular revolt against the government. Allegations that Kocharian or members of his inner circle had orchestrated the shootings prompted opposition calls for the president to resign. Due to an apparent lack of evidence, however, prosecutors did not press charges against Kocharian, who gradually consolidated his power during the following year.

In 2003, Kocharian was reelected in a presidential vote that was widely regarded as flawed. He defeated Stepan Demirchian, son of the late Karen Demirchian, in a March runoff with 67 percent of the vote. The Organization for Security and Cooperation in Europe (OSCE) described the elections as falling short of international standards and alleged widespread ballot-box stuffing. During the runoff, authorities placed more than 200 opposition supporters in administrative detention for over 15 days; the detainees were sentenced on charges of hooliganism and participation in unsanctioned demonstrations. The Constitutional Court rejected appeals by opposition leaders to invalidate the election results, although it did propose holding a "referendum of confidence" on Kocharian within the next year to allay widespread doubts about the validity of the election returns; Kocharian rejected the proposal. In response to the problems associated with the election, opposition parties boycotted sessions of the National Assembly. Protest rallies were mounted from April to June 2004 over the government's failure to redress the flawed 2003 presidential vote, but police violently dispersed them with water cannons, batons, and stun grenades.

A referendum held in November 2005 was designed to reduce presidential power and clarify the separation of powers between the judicial, executive, and legislative branches. Official results showed that 94 percent of participating voters endorsed the proposed changes, with a turnout of 64 percent. However, opposition parties, which advocated more drastic reforms, and a small contingent of monitors from the Parliamentary Assembly of the Council of Europe (PACE) questioned the veracity of those figures, citing evidence of sparse voter turnout, forged voter lists, and ballot stuffing. The Republican Party, led by Prime Minister Serzh Sarkisian, took the largest portion of the vote in the May 2007 parliamentary elections, winning control of 65 seats in the 131-seat National Assembly. The two other major pro-presidential parties won control of a total of 41 seats, giving the government a clear majority. Opposition parties confronted relative disadvantages regarding media coverage and the use of state administrative resources ahead of the vote. The OSCE's final report on the balloting said that election officials had "acted to address a number of previous shortcomings," for example, "during the pre-election period the Central Election Commission achieved notable improvements in its efficiency and transparency of performance."

At the same time, the report noted that "other issues are yet to be sufficiently addressed, notably related to campaign regulation and performance of election commissions particularly during the vote count and tabulation."

While meetings were held under the aegis of the OSCE's Minsk Group, the effort to resolve the Nagorno-Karabakh conflict did not bear fruit in 2007.

**Political Rights and Civil Liberties:** Armenia is not an electoral democracy. The unicameral National Assembly is elected for four-year terms, with 90 seats chosen by proportional representation and 41 through races in single-member districts. Before electoral reforms in 2005, there had been 56 proportional-representation seats and 75 single-mandate seats. The president is elected by popular vote for up to two five-year terms. The next presidential election is scheduled for February 2008.

Elections since the 1990s have been marred by serious irregularities, but the May 2007 parliamentary vote was described by the OSCE as an improvement over previous polls, albeit with a number of shortcomings. The Republican Party of Armenia (RPA), which had led the previous government's three-party coalition, took the largest portion of the vote. The OSCE's final report noted that the RPA's campaign overlapped with a longer-running defense ministry celebration of the Armenian army's 15th anniversary, helping to blur the lines between the party and the state.

At the exhortation of the Council of Europe, the Armenian government adopted modifications to the election code in 2005 and 2006. The amended code provides for a more balanced composition of election commissions, yet concerns remain about the potential for fair administration of the election process. For example, the OSCE cited the abolition of the quorum for election commissions to make decisions as a potential concern. Another measure viewed as a step in the right direction is a new vote-tabulation process, involving direct online summarization of preliminary Precinct Election Commission results at the Territorial Election Commission level through a computer network connected to the Central Election Commission. The final report

of the OSCE's election observation mission assessed the 2007 National Assembly elections as "largely in accordance with OSCE commitments and other international standards for democratic elections."

In the aftermath of the 2007 elections, the opposition claimed fraud, campaign finance violations, and widespread vote tampering. A number of street protests followed.

Bribery and nepotism are reported to be common among government bureaucrats, and government officials are rarely prosecuted or removed for abuse of office. Corruption is also believed to be a serious problem in law enforcement. Armenia was ranked 99 out of 180 countries surveyed in Transparency International's 2007 Corruption Perceptions Index.

There are limits on press freedom in Armenia. The authorities use informal pressure to maintain control over broadcast media—the chief source of news for most Armenians—including state-run Armenian Public Television (HI) and most private channels, whose owners are loyal to the president. The independent television station A1+ was shuttered by a government licensing decision in 2002, and it has since appealed its case to the European Court of Human Rights.

A July 2006 OSCE report noted that "Armenia has made significant progress in improving media legislation, but media pluralism remains limited to the independent, but financially weak and less influential, print media." The criminal code still includes libel as a criminal offense.

In July 2007, the parliament sought to pass a law that would have banned broadcasts of foreign programming on state-run public television and radio; Radio Free Europe/Radio Liberty was the only foreign broadcaster on public airwaves. The bill would have also forced private broadcasters to pay a fee for the airing of foreign-produced material. The measure was defeated, due in part to considerable international and domestic opposition. Meanwhile, members of the press continued to face physical violence in 2007. In September, opposition journalist Havannes Galadjian, editor of the newspaper *Iskakan Iravunk*, was beaten by unknown assailants in his office in Yerevan. The authorities do not interfere with internet access.

Freedom of religion is generally respected, and most registered religious groups reported no serious legal impediments to their activities. The Armenian Apostolic Church, to which 90 percent of Armenians formally belong, enjoys some privileges not afforded to other faiths. As of the end of September 2007, 82 Jehovah's Witnesses were serving prison terms for evading military service.

The government generally does not restrict academic freedom. In September 2002, the Ministry of Education ordered the compulsory display of portraits of President Robert Kocharian and the head of the Armenian Apostolic Church in secondary schools. The history of the Apostolic Church is a required school subject.

Open and free private discussion could be affected by a controversial law, passed in October 2007, which allows law enforcement to eavesdrop on telephone conversations without a warrant. Opponents of the law fear it will enable government surveillance of the political opposition, journalists, and others.

The authorities' violent response to election-related protests in 2003 and 2004 represented a low point for freedom of assembly in Armenia. The PACE in 2005 condemned the government's use of violence and administrative detention against protesters. In response to such criticism, the government in October 2005 revised

the law on organizing meetings, assemblies, rallies, and demonstrations, taking into account most of the recommendations of the OSCE Venice Commission.

Opposition parties were able to organize several rallies in Yerevan in the week preceding the May 2007 election. Separately, on October 23, 2007, police in the capital detained more than 20 people who sought to persuade passersby to attend a rally planned for October 26 by former president Levon Ter Petrosian. Among those arrested were the leaders of a number of parties, including the chairmen of the Conservative Party and the Democratic Homeland Party, as well as the editors of the newspapers *Haykakan Zhamanak* and *Chorrort Ishkhanutiun*; the detainees were released a day later. Also in 2007, the European Court of Human Rights rendered its first-ever ruling against the Armenian government, reproaching it for arresting opposition politician Armen Mkrtchian during a street protest in 2002.

Registration requirements for nongovernmental organizations (NGOs) are cumbersome and time-consuming. Some 3,000 NGOs are registered with the Ministry of Justice, although many of them are not active in a meaningful way. While the constitution provides for the right to form and join trade unions, labor organizations are weak and relatively inactive in practice.

The judicial branch is subject to political pressure from the executive branch and suffers from considerable corruption. Police make arbitrary arrests without warrants, beat detainees during arrest and interrogation, and use torture to extract confessions. Cases of abuse go unreported out of fear of retribution. Prison conditions in Armenia are poor, and threats to prisoner health are significant.

Although members of the country's tiny ethnic minority population rarely report cases of overt discrimination, they have complained about difficulties in receiving education in their native languages. The Yezidi community has claimed that police and local authorities sometimes subject them to discrimination.

Citizens have the right to own private property and establish businesses, but an inefficient and often corrupt court system and unfair business competition hinder such activities. Key industries remain in the hands of so-called oligarchs and influential cliques who received preferential treatment in the early stages of privatization.

Domestic violence and trafficking in women and girls for the purpose of prostitution are believed to be serious problems. According to the current election code, women must comprise 15 percent of a party's list for the proportional representation seats and hold every tenth position on party lists, an improvement over the rules for the 2003 parliamentary elections.

# Australia

**Population:** 21,000,000

**Capital:** Canberra

**Political Rights:** 1

**Civil Liberties:** 1

**Status:** Free



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

1998	1999	2000	2001	2002	2003	2004	2005	2006	2007
1,1F	1,1F	1, 1F	1,1F	1,1F	1,1F	1,1F	1,1F	1,1F	1,1F

**Overview:**

**Government mismanagement of a terrorism case and proposals for tightened censorship laws intensified public debate on antiterrorism measures, and a government report documenting widespread human rights abuses in Aboriginal communities spurred heated debate on an appropriate national response. The Labour Party under the leadership of Kevin Rudd won a major victory over the Liberal-National coalition led by Prime Minister John Howard in a November general election.**

The first British settlement in Australia was founded in 1788, and the continent's self-governing colonies united as a commonwealth in 1901. Since World War II, political power has alternated between the center-left Labour Party and a conservative coalition of the Liberal Party and the smaller, rural-based National Party. John Howard led the Liberal-National coalition from 1996 to 2007, making him the longest-serving prime minister in Australia's history.

Increased anxiety about immigration from Muslim countries and the prevention of terrorist attacks moved to the forefront of the Howard government following the 2001 attacks in the United States, leading to restrictive new measures to address both issues. Alarmed at the arrival by sea of some 1,500 asylum seekers from Afghanistan and Iraq in 2001, the government made arrangements with the small island nation of Nauru to host an offshore detention center for asylum seekers attempting to reach Australia. The government also tightened rules for establishing asylum claims. Human rights advocates criticize such measures, but they have received considerable public approval, particularly from legal migrants who complain that the refugees are "queue jumpers." Ethnic riots in Sydney in 2005 were indicative of ongoing tension between white Australians and those of Muslim or Arab descent, who currently comprise about 1.5 percent of the population.

A number of terrorism-related arrests have been made. In 2004, a British-born Muslim was the first person convicted under new counterterrorism laws for ties with al-Qaeda and involvement in planning a bomb attack in Israel. In May 2007, two Sri Lankan nationals were arrested in Melbourne on suspicion of fundraising for the Tamil Tiger rebel group. More controversial was the July 2007 arrest of an Indian Muslim immigrant doctor, Mohammed Haneef, for suspected links to a terrorist plot

in Britain. Charges were soon dropped, and the chief prosecutor admitted that "a mistake had been made" in pursuing the case. Courts ruled that the immigration minister's decision to strip Haneef of his work visa was improper. The incident stirred public debate about the content and application of counterterrorism laws, with civil liberties and immigrant groups asserting that the Haneef case would have a chilling effect on immigration by Muslims and South Asians. In another antiterrorism initiative in April, the government moved to expand laws restricting media material perceived to incite terrorism.

The year 2007 also brought significant developments regarding the federal government's treatment of Aborigines. A June 2007 report commissioned by the Northern Territory government found rampant pedophilia, juvenile prostitution, domestic abuse, and other problems in indigenous communities. The federal government responded by imposing a six-month ban on alcohol and pornography in indigenous settlements, implementing compulsory health checks for children, and increasing the number of police in the communities by the end of August. Public opinion broadly supported the plan, also endorsed by the Labour Party. Opponents maintained that the long-neglected problems were being dealt with in a heavy-handed manner due to the upcoming elections.

Howard called for elections on November 24, seeking a fifth term despite trailing significantly in opinion polls behind Kevin Rudd, his Labour opponent, because of his support for the war in Iraq and his positions on labor reform and the environment. All 150 lower house seats and 40 of the 76 Senate seats were contested. Labour won 83 seats in the lower house (or 55.33 percent of the vote) and 18 additional seats in the Senate for a total of 32 seats, coming in short of a plurality against the Liberal Party, which holds the same number of Senate seats.

**Political Rights and Civil Liberties:** Australia is an electoral democracy. The head of state is the British monarch, who is represented by a governor-general appointed on the recommendation of the prime minister. The prime minister is the leader of the majority party or coalition in Parliament. Voting is compulsory, and citizens participate in free and fair multiparty elections to choose representatives for Parliament. There are two houses of Parliament: the Senate and the House of Representatives. The Senate has 76 seats, with 12 senators from each of the six states and two from each of the two mainland territories. Half of the state members, who serve six-year terms, are up for election every three years; all territory members are elected every three years. The House of Representatives has 150 seats. All members are elected by popular preferential voting to serve three-year terms, and no state can have fewer than five representatives.

The Liberal and Labour parties are the two major parties. Others include the National Party, the Green Party, the Family First Party, and the Best Party of Allah, which was formed in 2005 to represent the interests of Muslim Australians.

Australia is regarded as one of the least corrupt societies in the world. It was ranked 11 out of 180 countries surveyed in Transparency International's 2007 Corruption Perceptions Index.

The constitution does not provide for freedom of speech and the press, but citizens and the media freely criticize the government without reprisal. The Australian Broadcasting Corporation operates national and local public television and ra-



radio stations as well as a television service for the Asia-Pacific region. A second public station delivers multilingual radio and television broadcasts. There are three major commercial television networks and many commercial radio stations. In 2006, the government approved plans to ease restrictions on foreign media ownership—removing its 25 percent ceiling for metropolitan newspapers and 15 percent ceiling for television broadcasters—and allow television stations and newspapers to merge.

Present laws restrict the publication and dissemination of material that promotes or incites terrorist acts. In April 2007, the government proposed a measure that would outlaw any media material deemed to glorify terrorism, thus expanding government authority to remove such material from library and bookstore shelves and ban it from entering the country. Authors would not be charged, however. Critics say such censorship is ineffective and can backfire, in part by hindering research on radical Islam and terrorism.

Internet access and mobile telephone use are widespread and competitively priced. In late 2007, the newly elected Labour government announced plans for new rules that would require internet service providers to install online filters to ensure that schools and households do not receive pornography or other inappropriate content.

Freedom of religion is respected, as is academic freedom. Nevertheless, citing concerns about terrorism, the government bars mosques and Islamic schools from disseminating anti-Australian messages.

Although the rights of assembly and association are not codified in law, the government respects these rights in practice. Workers can organize and bargain collectively. The adoption of the 2005 Workplace Relations Amendment Act, also known as the WorkChoices Act, introduced expansive amendments to the labor law. Employers are now required to comply with five conditions: a 38-hour work week, the government-set minimum wage, 10 days of personal/sick leave annually, 4 weeks of annual leave, and 12 months of unpaid parental leave for full-time employees. However, labor unions, church groups, and the Labour Party strongly opposed an amendment that exempts companies with fewer than 101 employees from unfair dismissal laws and all companies with 101 or more employees in cases where dismissals are made for operational reasons. All amendments took effect in 2006. The government monitors nongovernmental organizations to ensure that they do not fund terrorism.

The judiciary is independent, and prison conditions are generally good by international standards. In September 2005, the government introduced new counterterrorism laws that included powers to detain suspects for 48 hours without charge, "shoot to kill" provisions, the criminalization of violence against the public and Australian troops overseas, and authorization for the limited use of soldiers to meet terrorist threats on domestic soil. Many political leaders and counterterrorism experts voiced concern about the impact of the legislation on human rights and civil liberties. Only after introducing several amendments and a 10-year sunset clause was the government able to secure enough support to pass the legislation.

Aborigines are underrepresented at all levels of political leadership and receive low marks as a group on key social and economic development indicators. Compared with the general population, unemployment among Aborigines is 3 times higher, their life expectancy is 20 years shorter, and their imprisonment rate is 15 times higher.

There are claims of routine mistreatment by police and prison officials. Aboriginal groups have called for an official apology for the "stolen generation" of Aboriginal children who were taken from their parents by the government between 1910 and the early 1970s and raised by white foster parents and in orphanages. The Howard government firmly rejected such calls on the grounds that the present leadership has no responsibility for the wrongdoing of a previous generation. In August 2007, an Aboriginal man won a landmark case against the government on the issue. The court ruled that the state had unlawfully removed him from his family in 1958 and kept him from seeing them for 10 years. The government only acknowledged the removal policy in 1997, after the results of an inquiry were published.

Although women enjoy equal rights and freedoms and have attained greater parity in pay and promotion in public- and private sector jobs, violence against women remains a serious problem, particularly within the Aboriginal population. Homosexuals can serve in the military and federal law grants legal residence to foreign same-sex partners of Australian citizens. However, federal laws do not bar discrimination based on sexual orientation. The government amended the Federal Marriage Act in 2004 to define marriage as a union between a man and a woman "to the exclusion of all others," and in 2006 struck down the Civil Unions Act of the Australian Capital Territory (ACT) government, which gave formal recognition to same-sex partnerships.

## Austria

**Population:** 8,300,000

**Capital:** Vienna

**Political Rights:** 1

**Civil Liberties:** 1

**Status:** Free



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

1998	1999	2000	2001	2002	2003	2004	2005	2006	2007
1,1F	1,1F	1,1F	1,1F	1,1F	1,1F	1,1F	1,1F	1,1F	1, 1F

### Overview:

**In 2007, months of negotiations following the 2006 general elections finally produced a new government. The Social Democratic Party of Austria (SPO) narrowly defeated the center-right People's Party of Austria (OVP), but neither could form a majority coalition with its preferred allies among the smaller parties. As a result, the two large parties formed a grand coalition: Alfred Gusenbauer of the SPO became chancellor, but the OVP obtained several key ministries.**

Modern Austria emerged at the end of World War I, when the Austro-Hungarian Empire broke apart. It was annexed to Nazi Germany in 1938 and suffered defeat

in World War II. Postwar Austria, by consent of both sides, remained neutral during the Cold War. Focusing instead on economic growth, Austria has developed one of the wealthiest economies in Europe.

From 1986 until 2000, the two biggest political parties—the center-left Social Democratic Party of Austria (SPO) and the center-right People's Party of Austria (OVP)—governed together in a grand coalition. Members of the two parties shared in the administration of cabinet ministries, as well as in many other government functions. Labor relations were corporatist, with management and unions both represented not only in the decision making of individual firms, but also in national policy-making.

The 1999 elections saw the emergence of the first government since 1970 not to include the SPO. Instead, the OVP formed a coalition with the Freedom Party, a far-right nationalist party with vestigial Nazi sympathies. The Freedom Party had risen steadily in the polls as voters became disaffected with the power-sharing arrangement of the large parties and the near impossibility of major political change. The Freedom Party won 27 percent of the vote in 1999 and was thus included in a coalition led by the OVP. The reaction among fellow members of the European Union (EU) to the election results was dramatic. In 2000, the EU officially suspended ties with Austria. Support in Austria for the Freedom Party jumped, as Austrian voters resented the EU's interference. Later in 2000, the EU reinstated Austria.

Due to the sanctions, the controversial Joerg Haider (who once referred to the Nazi death camps as "punishment camps") stepped down as leader of the Freedom Party, though he remained governor of Carinthia. With his withdrawal, Austrian politics returned to near normality, as the Freedom Party was moderated by the day-to-day reality of governing. After an internal leadership struggle, the party withdrew from the coalition in September 2002. The parliamentary elections of November 2002 saw the Freedom Party's share of the vote fall to 10 percent. It rejoined the coalition with the OVP, but this time clearly as the junior partner.

Subsequent poor performance (for example in European Parliament elections) fueled internal rifts in the party. Most of its members of parliament, as well as Haider, chose in spring 2005 to leave the party and form the Alliance for the Future of Austria (BZO). The Freedom Party remained in parliament as a rump, though it retained many activists. The BZO became OVP's junior coalition partner.

In October 2006, parliamentary elections confirmed the OVP's relative decline. The SPO won with 35 percent of the vote and 68 seats, while the OVP took 34 percent and 66 seats. The Green Party secured a surprising third-place tie with the Freedom Party, with 21 seats each. The BZO took 7 seats. Neither of the large parties was able to form a coalition with any combination of the smaller parties, making a grand coalition the only feasible government.

However, antagonism between the SPO and the OVP, as a result of the hotly contested vote, made negotiations drag on into 2007. One issue was the SPO's campaign promise to cancel the previous government's purchase of 18 advanced Eurofighter jets, a pledge the OVP refused to accept. Finally, the two parties agreed on a coalition government in January. The SPO's Alfred Gusenbauer became chancellor, but most of the important ministries were given to the OVP, including the finance, foreign affairs, interior, and economy ministries. The SPO also climbed down on the Eurofighter issue; the jets were all scheduled to be delivered by 2008, with an

SPO promise to try to cut the costs of the deal. Many SPO voters and insiders felt that Gusenbauer gave too much to the OVP in order to make himself chancellor, though the coalition agreement did call for a boost in spending on education and social projects dear to the SPO base. Tension remained between the two parties for the rest of the year over the elimination of school tuition fees (they had been introduced by the previous OVP government and were disliked by the SPO), foreign policy (whether Austria should consider NATO membership), and other issues.

**Political Rights and Civil Liberties:** Austria is an electoral democracy. The lower house of the Federal Assembly, the Nationalrat (National Council), has 183 members chosen through proportional representation at the district, state, and federal levels to ensure both overall fairness and a voice for each region. Members of the Nationalrat serve four-year terms, and the chancellor, appointed by the president, needs the support of the legislature to govern. The 62 members of the upper house, the Bundesrat (Federal Council), are chosen by state legislatures.

Perhaps ironically, the participation of the Freedom Party in government highlighted the country's basic democratic rights in 2000, when other European countries tried unsuccessfully to induce Austrians to forgo their duly elected choice. Though there are competitive political parties and free and fair elections, the traditional practice of grand coalitions in Austria caused substantial disillusionment with the political process. Frustration with the cozy relationship between the OVP and the SPO contributed to the rise of the Freedom Party, but the party's participation in government brought it closer to the mainstream right.

Austria is now less corrupt than it was during the 1980s, when campaign donation laws were tightened somewhat. However, the 2006 collapse of Bawag, a bank owned by a union federation with strong ties to the SPO, led to a flurry of media stories about bad loans, the covering up of financial losses, and the lavish lifestyles of the bank's executives. Austria was ranked 15 out of 180 countries surveyed in Transparency International's 2007 Corruption Perceptions Index.

The media are free, though not highly pluralistic. The end of the monopoly by the state broadcaster ORF has not brought significant competition to the broadcast market, and print media ownership is concentrated in a few hands. Harassment and libel lawsuits by politicians (notably from the Freedom Party) against investigative and critical journalists have hampered reporters' work. There are no restrictions on internet access.

Nazi and anti-Semitic speech and writing are banned, and in 2005, David Irving, a British historian, was arrested on charges of Holocaust denial. He was sentenced to three years in prison in February 2006, but was released on probation in December of that year.

Religious freedom is respected in Austria and enshrined in the constitution. There are 13 officially recognized religions, which can draw on state funds for religious education. Recognition by the state requires a period of 10 years as a "confessional community" with fewer privileges, and the religion in question must have a membership equaling at least 0.05 percent of Austria's population. The Jehovah's Witnesses have complained that this practice violates their freedom of religion, although they are recognized as a confessional community. Academic freedom is respected.

The rights to freedom of assembly and association are protected in the constitution. Civic and nongovernmental organizations are able to operate without restrictions. Trade unions have traditionally been powerful. They not only are free to organize and strike, but have been considered an essential partner in national policy-making.

The judiciary is independent, and the Constitutional Court examines the compatibility of legislation with the constitution. Austria is a member of the Council of Europe, and its citizens have recourse to the European Court of Human Rights in Strasbourg, France. The quality of prisons and police generally meet high European standards, though isolated incidents of police brutality, as well as crowded and sometimes harsh prison conditions, are reported.

Residents generally are afforded equal protection under the law. However, immigration has fueled some resentment toward minorities and foreigners; as of 2002, Austria had one of the highest numbers of asylum seekers per capita in the world. The asylum law was tightened in December 2003, placing it among the strictest in the developed world and drawing criticism from the UN High Commissioner for Refugees (UNHCR). It allows some asylum seekers to be deported while appeals of their cases are pending. New arrivals are asked for full statements within 72 hours. The UNHCR has also criticized shortages of qualified legal advisers and interpreters for detainees.

A 1979 law guarantees women freedom from discrimination in various areas, especially the workplace. A 1993 law sought to increase women's employment in government agencies, where they were underrepresented.

## ↓ Azerbaijan

**Population:** 8,600,000

**Capital:** Baku

**Political Rights:** 6

**Civil Liberties:** 5

**Status:** Not Free



**Trend Arrow:** Azerbaijan received a downward trend arrow due to significantly intensified pressure on the news media by the authorities and especially the use of criminal libel suits to silence critics.

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

1998	1999	2000	2001	2002	2003	2004	2005	2006	2007
6,4PF	6,4PF	6,5PF	6,5PF	6,5PF	6,5NF	6,5NF	6,5NF	6,5NF	6,5NF

### Overview:

**The authorities intensified their pressure on the media in 2007, in part by pursuing libel and defamation cases against independent journalists. The government also al-**

**lowed the country's promising freedom of information law to languish, missing an important opportunity to make public affairs more transparent.**

After a brief period of independence from 1918 to 1920, Azerbaijan was occupied by Soviet forces and formally entered the Soviet Union in 1922 as part of the Transcaucasian Soviet Federated Socialist Republic. It became a separate Soviet republic in 1936. Following a referendum in 1991, Azerbaijan declared independence from the disintegrating Soviet Union.

In 1992, Abulfaz Elchibey, leader of the nationalist opposition Azerbaijan Popular Front, was elected president in a generally free and fair vote. A military coup one year later ousted him from power and installed the former first secretary of the Azerbaijan Communist Party, Heydar Aliyev, in his place. In the October 1993 presidential election, Aliyev was credited with receiving nearly 99 percent of the vote. Five leading opposition parties and some 600 independent candidates were barred from Azerbaijan's first post-Soviet parliamentary elections, held in November 1995, allowing Aliyev's Yeni Azerbaijan Party (YAP) to win the most seats. In October 1998, Aliyev was reelected with more than 70 percent of the vote in balloting that was marred by irregularities.

The ruling YAP captured the majority of seats in the November 2000 parliamentary elections. The Azerbaijan Popular Front and the Communist Party came in a distant second and third, respectively. International monitors from the Organization for Security and Cooperation in Europe (OSCE) and the Council of Europe cited widespread electoral fraud, including the stuffing of ballot boxes. However, the Council of Europe approved Azerbaijan's application for membership just days after the vote, in an apparent effort to encourage engagement with a country that sorely needed political reform.

An August 2002 referendum approved the adoption of a series of constitutional amendments, some of which critics said would further strengthen the ruling party's grip on power. One amendment stipulated that the prime minister would become president if the head of state resigned or was incapacitated. That ultimately allowed the ailing Aliyev to appoint his son, Ilham, to the premiership in order to facilitate a transfer of power within the Aliyev family. Opposition groups and the OSCE charged that the referendum was marred by fraud, including ballot-box stuffing, intimidation of election monitors and officials, and an inflated voter-turnout figure of nearly 90 percent.

In the months preceding the October 2003 presidential election, the political environment was marked by uncertainty over Heydar Aliyev's declining health and its implications for his reelection bid. He collapsed during a live television broadcast in April and left Azerbaijan that summer to receive medical treatment abroad. At the same time, government officials continued to deny that his health problems were serious, and he remained the official YAP candidate for the presidential election. In June, Prime Minister Ilham Aliyev was officially nominated as a presidential candidate, and the elder Aliyev withdrew his candidacy on October 2, 2003.

Final election results showed Ilham Aliyev defeating seven challengers with nearly 77 percent of the vote. His closest rival, opposition Musavat Party leader Isa Gambar, received only 14 percent of the vote, while six other candidates received less than 4 percent each. According to OSCE observers, the election was tainted by widespread fraud. During violent clashes between security forces and demonstra-

tors in Baku in October, at least one person was reportedly killed and several hundred were injured, and the authorities unleashed a crackdown against the opposition in which more than 600 people were detained. Among those arrested were opposition party leaders and supporters who had not been directly involved in the preceding days' violence, along with many election officials who refused to certify fraudulent results. Heydar Aliyev died in December 2003.

Less than half of all registered voters cast ballots in the November 2005 parliamentary elections, the lowest voter turnout in a decade. More than 2,000 candidates registered for the 125 constituencies, but about a fourth of them ultimately withdrew, in some cases because of intimidation, leaving 1,550 to take part on election day. The opposition captured just 10 of 125 seats in the Milli Majlis (National Assembly), with a substantial majority going to the ruling YAP and its allies. The results were contested by the opposition, which organized a number of rallies in the country's capital.

In April 2006, U.S. president George W. Bush hosted President Aliyev at the White House, with Azerbaijan's importance to U.S. security and energy interests apparently overriding the objections of human rights and democracy activists who opposed the meeting.

International mediators in 2007 failed to make progress toward a final settlement for the disputed territory of Nagorno-Karabakh, a region of Azerbaijan that had been ruled by ethnic Armenian separatists since the early 1990s. No country or international organization recognized Nagorno-Karabakh's self-proclaimed independence.

**Political Rights and Civil Liberties:** Azerbaijan is not an electoral democracy. The country's constitution provides for a strong presidency, and the parliament, the 125-member Milli Majlis, exercises little or no independence from the executive branch. Presidential and parliamentary terms are five years.

Elections since the early 1990s have been considered neither free nor fair by international observers. The most recent parliamentary elections, in 2005, were likewise afflicted by extensive irregularities. The OSCE's Office for Democratic Institutions and Human Rights reported the "interference of local authorities, disproportionate use of force to thwart rallies, arbitrary detentions, restrictive interpretations of campaign provisions and an unbalanced composition of election commissions."

Corruption is a major obstacle, with government officials rarely held accountable for corrupt practices. Nontransparent administrative structures, along with a lack of judicial and parliamentary independence from the executive and other institutional obstacles, create an environment that enables corruption. Corruption is also deeply entrenched in society, and by a number of measures it is increasing as the vast proceeds from the country's burgeoning energy industry flow into the government's coffers, creating new and more expansive opportunities for graft. Azerbaijan was ranked 150 out of 179 countries surveyed in Transparency International's 2007 Corruption Perceptions Index.

An extensive report issued in 2007 by the Media Rights Institute in Azerbaijan identified major shortfalls in the implementation of the country's December 2005 freedom of information law, finding that the government had taken no steps to establish or finance information-services departments within state agencies as called for in the legislation.

While Azerbaijan's constitution guarantees freedom of speech and the press, the authorities use a variety of tools to limit press freedom in practice. The broadcast media are the main source of information in the country. Of the 16 television stations, four broadcast to a national audience, and all four have clear or likely links to the regime. Independent and opposition newspapers struggle financially in the face of low circulation, limited advertising revenues, and heavy fines or imprisonment of their staff. State businesses rarely if ever advertise in opposition newspapers. While there is some pluralism in the print media, newspapers have relatively small print runs, are not distributed regularly in rural areas, and are frequently too expensive for many people to purchase.

In a bid to meet Council of Europe demands following the flawed 2003 presidential election, Azerbaijan launched its first public service broadcasting channel, iTV, in August 2005. The channel was not created in time to significantly affect the November 2005 elections, and although the opposition was afforded some television airtime during the campaign, overall news coverage was slanted toward the YAP. Since 2005, iTV's content has grown increasingly regime-friendly.

In the last weeks of 2006, the authorities mounted a concerted effort to hinder the few remaining outlets providing independent information to mass audiences. These measures included a decision by the National Television and Radio Broadcasting Council requiring domestic companies to obtain a license to rebroadcast programs from such news sources as the BBC and Radio Free Europe/Radio Liberty (RFE/RL). A campaign to silence the relatively independent media company ANS ultimately led RFE/RL and the BBC to find different frequencies on which to broadcast in 2007.

In 2007, the government intensified its pressure on the media, including using libel and defamation statutes to penalize journalists critical of the authorities. In April 2007, Eynulla Fatullayev, editor of the newspapers *Realni Azerbaijan* and *Gundelik Azerbaijan*, was convicted of criminal libel and insult and sentenced to 30 months in prison. Fatullayev was known for his reporting on issues of official corruption. Rovshan Kabrili, editor of *Mukhalifat* (Opposition), and a reporter from that newspaper, Yashgar Agazade, received 30-month prison sentences in a separate libel case.

Some 1,500 prisoners were amnestied and released by the government in May 2007. Few of those released were politically sensitive cases or those viewed as political prisoners. President Aliiev pardoned more than 100 prisoners in late December. Five of these included imprisoned journalists. Not included in this group were the high-profile journalist cases of Eynulla Fatullayev, Sakit Zahidov, and Ganimat Zahidov.

The authorities take a benign view toward the internet, and generally do not interfere with internet access. There are exceptions, however. In 2006, the government repeatedly blocked the foreign-hosted website [www.tinsohbeti.com](http://www.tinsohbeti.com), which offers satirical opposition views. The opposition website [www.susmayag.biz](http://www.susmayag.biz) was blocked in January 2007, after it launched a signature drive to protest the government's price hikes for energy and utilities. One of the site's founders, Bakhtiyar Hajiyev, was sentenced to 12 days in jail for sending SMS messages calling on citizens to protest the price increases.

The government restricts the activities of "nontraditional" minority religious groups through burdensome registration requirements and interference in the im-



portation and distribution of printed religious materials. Islam, Russian Orthodox Christianity, and Judaism are considered traditional religions, and their members can generally worship freely.

The authorities generally do not restrict academic freedom. However, some faculty and students have experienced political pressure, including reported threats to lower the grades of students who participate in opposition political activity. After the October 2003 election and in advance of the 2005 parliamentary poll, some professors and teachers said they were dismissed because of their membership in opposition parties.

The government restricts freedom of assembly, especially for political parties critical of the government. Registration with the Ministry of Justice is required for a nongovernmental organization (NGO) to function as a legal entity, and the registration process has been described as cumbersome and nontransparent. A week before the 2005 parliamentary elections, Azerbaijan lifted a ban that had prevented NGOs that received more than 30 percent of their funding from foreign sources from serving as election monitors. The lifting of this rule will be put to the test in the run-up to the next presidential election, which is due to take place by October 2008. Although the law permits the formation of trade unions and the right to strike, the majority of trade unions remain closely affiliated with the government, and most major industries are state owned.

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

In September 2007, Alesker Ismaylov, a prominent member of Popular Front Party in Nakhichevan, was arrested, interrogated, and placed in a local psychiatric facility. His detention apparently came after he filed complaints about his neighbor, the local police chief. Ismaylov was transferred to a psychiatric facility in Baku after 10 days and was released in October following a public outcry.

Some members of ethnic minority groups, including the small ethnic Armenian population, have complained of discrimination in areas including education, employment, and housing. Hundreds of thousands of ethnic Azeris who fled the war in Nagorno-Karabakh remain in Azerbaijan, often living in dreadful conditions.

Significant parts of the economy are in the hands of a corrupt elite, which severely limits equality of opportunity. Supporters of the political opposition face job discrimination, demotion, or dismissal.

Traditional societal norms and poor economic conditions restrict women's professional roles. Domestic violence is a problem, and there are no laws regarding spousal abuse. In 2004, Azerbaijan adopted a new national program to combat human trafficking. Azerbaijan is believed to be both a country of origin and a transit point for the trafficking of women for prostitution.

## Bahamas

**Population:** 300,000

**Capital:** Nassau

**Political Rights:** 1

**Civil Liberties:** 1

**Status:** Free



### Ten-Year Ratings Timeline For Year Under Review

(Political Rights, Civil Liberties, Status)

1998	1999	2000	2001	2002	2003	2004	2005	2006	2007
1,2F	1,1F	1,1F	1,1F	1,1F	1,1F	1,1F	1,1F	1,1F	1,1F

**Overview:** Voters in the Bahamas' May 2007 elections ousted the ruling Progressive Liberal Party (PLP) and brought former prime minister Hubert Ingraham of the Free National Movement (FNM) party back to power.

The Bahamas, a former British colony, became an independent state within the Commonwealth in 1973. Lynden Pindling served as the country's first prime minister and head of the Progressive Liberal Party (PLP) for a quarter-century. After years of allegations of corruption and involvement by high officials in narcotics trafficking, Pindling and the PLP were defeated by the Free National Movement (FNM) party in 1992 elections. The FNM ruled the Bahamas for 10 years under Prime Minister Hubert Ingraham, until the 2002 elections brought the PNP, led by Perry Christie, back to power. In May 2007, the FNM triumphed at the polls, winning 23 parliamentary seats to the PLP's 18, thereby restoring Ingraham to the prime minister's office and demoting Christie to leader of the opposition. Christie and Ingraham are close personal friends and business partners, which has left many Bahamians feeling that their country's politics are dominated by an exclusive clique. The economic and political policies of the Bahamas have remained remarkably consistent under both prime ministers.

As the Caribbean's only upper-income country, the Bahamas has established a model service economy based on an impressive tourism sector—which accounts for 30 percent of national income—and offshore financial services. However, the Christie administration did not effectively curb narcotics trafficking, and rising rates of violent crime associated with drug-gang activity have proven difficult to contain. The Bahamas also suffers from a new trend of marijuana cultivation and trafficking by foreign nationals residing in the country. In addition, the offshore financial system, despite having undergone reforms, continues to be used for illicit purposes.

The Bahamas has prioritized the effort to build closer ties with the United States. The government has allowed the U.S. Department of Homeland Security to place armed sky marshals on selected flights between the two countries. The United States and the Bahamas cooperate regularly on migration matters, but migration to the Bahamas from Cuba and Haiti remains apolitical flashpoint. In March 2006, two Cuban

dentists whose boat stalled in Bahamian waters en route to the United States were finally released after a year of detention. More than 600 Haitian migrants were captured in Bahamian waters during the first six months of 2007, an increase over the previous year.

**Political Rights and Civil Liberties:** The Bahamas is an electoral democracy. The lower house of the bicameral Parliament, the 41-member House of Assembly, is directly elected for five-year terms. The 16 members of the upper house, the Senate, are appointed for five-year terms by the governor-general, who represents the British monarch as head of state. Nine of the senators are appointed on the recommendation of the prime minister, four on the recommendation of the opposition leader, and three on the recommendation of the prime minister after consulting with the opposition leader. The head of the majority party or coalition in Parliament typically serves as prime minister.

Political parties can organize freely. The two leading parties are the FNM, headed by the new prime minister, Hubert Ingraham, and the PLP, led by outgoing prime minister Perry Christie.

The Bahamas was not ranked by Transparency International in its 2007 Corruption Perceptions Index.

The Bahamas has a well-developed tradition of respecting freedom of the press and freedom of expression. Daily and weekly newspapers, all privately owned, express a variety of views on public issues, as do the government-run radio station and four privately owned radio broadcasters. Following his 2007 electoral victory, Prime Minister Ingraham suspended two journalists from the Broadcasting Corporation of the Bahamas, alleging that they were involved with the PLP. Full freedom of expression is constrained by strict libel laws. Access to the internet is unrestricted.

The people's rights to religious and academic freedom are respected.

The Bahamas guarantees freedom of assembly. Constitutional guarantees of the right to organize civic organizations are generally respected, and human rights organizations have broad access to institutions and individuals. Labor, business, and professional organizations are generally free from government interference. Unions have the right to strike, and collective bargaining is prevalent. In 2007, mistreatment of migrant workers was reported, including claims of labor abuses from Mexican workers at local resort construction projects.

The judicial system is headed by the Supreme Court and a court of appeals, with the right of appeal under certain circumstances to the Privy Council in London. Some progress has been reported in reducing both the length of court cases and the backlog of criminal appeals. Nevertheless, some murder suspects have been held for up to four years before being brought to trial. In March 2006, the Privy Council ruled that death sentences for individuals convicted of murder in the Bahamas are unconstitutional. Violent crime is a continuing problem, although the country has not suffered the same crime levels as much of the rest of the Caribbean. The Royal Bahamas Police Force has increased coordination with the Royal Bahamas Defence Force to fight corruption and stem the illegal drug trade.

Nongovernmental organizations have documented the occasional abuse of prisoners and arbitrary arrest. Prison overcrowding remains a major problem, and juveniles are often housed with adults, increasing the risk of sexual abuse. A new

"correctional training institute" separates convict populations sentenced for different crimes.

Discrimination against people of Haitian descent persists, and between 30,000 and 40,000 Haitians reside illegally in the Bahamas. Strict citizenship requirements and a stringent work-permit system leave Haitians with few rights.

The government remains strongly opposed to homosexuality. The Bahamian Plays and Films Control Board banned the gay-themed American film *Brokeback Mountain* in 2006, prompting local gay rights groups to voice concerns about censorship.

Violence against women is widespread, and child abuse and neglect remain serious issues of concern. In October 2006, a man convicted of attempting to rape an elderly woman was sentenced to eight lashes with a cat-o'-nine-tails, prompting condemnation from human rights groups. A high incidence of child labor also continues to be a concern, and children who work face a high risk of sexual exploitation.

## Bahrain

**Population:** 800,000

**Capital:** Manama

**Political Rights:** 5

**Civil Liberties:** 5

**Status:** Partly Free



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

1998	1999	2000	2001	2002	2003	2004	2005	2006	2007
7,6NF	7,6NF	7,6NF	6,5NF	5,5PF	5,5PF	5,5PF	5,5PF	5,5PF	5,5PF

### Overview:

The government of Bahrain pursued its crackdown on opposition activists in 2007. Critics of the ruling al-Khalifa family staged regular public gatherings demanding greater human and political rights, which security forces forcibly dispersed. Authorities continued to limit free expression, blocking access to popular websites and detaining prominent figures who publicly criticized state leaders. Meanwhile, simmering sectarian tensions between the country's majority Shiite population and the ruling Sunni minority persisted during the year.

The al-Khalifa family, which belongs to Bahrain's Sunni Muslim minority, has ruled the Shiite-majority country for more than two centuries. Bahrain gained independence in 1971 after more than a hundred years as a British protectorate. The country's first constitution provided for a national assembly with both elected and appointed members, but the monarch dissolved the assembly in 1975 for attempting to end al-Khalifa rule.

In 1993, the emir established a consultative council of appointed notables, although this advisory body had no legislative power and did not lead to any major

policy shifts. In 1994, the arrest of prominent individuals who had petitioned for the reestablishment of democratic institutions sparked protests. The disturbances left more than 40 people dead, thousands arrested, and hundreds either imprisoned or exiled.

Sheikh Hamad bin Isa al-Khalifa's March 1999 accession to the throne marked a turning point in the country's political development. He released political prisoners, permitted the return of exiles, and eliminated emergency laws and courts. He also introduced the National Charter, which aimed to create a constitutional monarchy with an elected parliament, an independent judicial branch, and rights guaranteeing women's political participation.

In February 2001, voters approved the National Charter, and the country was proclaimed a constitutional kingdom the following year. However, the process of political reform had disappointed many Bahrainis by the time local and parliamentary elections were held in May and October 2002, respectively. Leading Shiite groups and leftists boycotted the elections to protest campaigning restrictions and electoral gerrymandering aimed at diminishing the power of the Shiite majority. Sunni groups won most of the seats in the new National Assembly.

Shiite groups that boycotted the 2002 voting took part in the next elections in 2006. Al-Wefaq, the Shiite political society, won 42 percent of the vote and 17 seats in the Council of Representatives, the lower house of the bicameral parliament. The overall results represented a victory for Islamist parties, which took 30 out of the lower chamber's 40 seats. The remaining 10 were awarded to liberal candidates. King Hamad appointed a liberal Consultative Council, the upper house, to offset the Islamist electoral gains. In the wake of the elections, scandals emerged over claims that a senior official was determined to keep the Shiite majority underrepresented. Critics also alleged that the authorities had stepped up the naturalization of foreign workers and non-Bahraini Arabs in advance of the elections, supposedly with the intent of boosting the number of Sunni voters.

In 2007, Bahraini authorities cracked down systematically and violently on the most outspoken members of the opposition. In February, police arrested two prominent activists, Abdulhadi al-Khawaja and Hassam Mushaima, for criticizing the prime minister. King Hamad pardoned both, but their arrests were consistent with an ongoing pattern of harassment. On December 17, security forces killed a demonstrator protesting the state's past use of torture in the predominantly Shiite village of Sinabis. The government subsequently arrested dozens of activists; more than two dozen remained imprisoned at year's end. Bahraini human rights organizations allege that the detainees have been subjected to regular torture and sexual assault.

**Political Rights and Civil Liberties:** Bahrain is not an electoral democracy. The 2002 constitution gives the king power over the executive, legislative, and judicial authorities. He appoints cabinet ministers and members of the 40-seat Consultative Council, the upper house of the National Assembly. The lower house, or Council of Representatives, consists of 40 popularly elected members serving four-year terms. The national assembly may propose legislation, but the cabinet must draft the laws. A July 2002 royal decree forbids the National Assembly from deliberating on any action that was taken by the executive branch before December 2002—the date the new National Assembly was inaugurated.

Formal political parties are illegal in Bahrain, but the government allows political societies or groupings to operate and organize activities in the country. In August 2005, the king, Sheikh Hamad bin Isa al-Khalifa, ratified a new political associations law that made it illegal to form political associations based on class, profession, or religion, and required all political associations to register with the Ministry of Justice.

Although Bahrain has some anticorruption laws, enforcement is weak, and high-ranking officials suspected of corruption are rarely punished. Bahrain was ranked 46 out of 180 countries surveyed in Transparency International's 2007 Corruption Perceptions Index.

Freedom of expression is restricted in Bahrain, and the authorities routinely harass activists who criticize them publicly. The government owns all broadcast media outlets, but the country's three main newspapers are privately owned. According to the 2002 Press Law, the state can imprison journalists for criticizing the king or Islam, or for threatening "national security," an intentionally vague provision that gives authorities wide latitude in cracking down on speech. Authorities continued to control access to opposition and human rights websites and to block access to blogs in 2007. Despite the restrictive nature of the Bahraini press law, print media features considerable debate among government supporters as well as the opposition regarding reform, parliament's effectiveness, and sectarianism.

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

Bahrain has no formal laws or regulations that limit academic freedom, but teachers and professors tend to avoid politically sensitive topics and issues in the classroom and in their research. Scholars who criticize the government are subject to dismissal from their jobs. While there are limits to public speech, Bahrainis engage in robust private discussion in their homes, cafes, and political salons.

Severe restrictions on freedom of assembly were enacted in 2006. Citizens must obtain a license to hold demonstrations, rallies, and marches, which are now banned from sunrise to sunset in any public arena. The new legislation further stipulates that protesters are forbidden to carry any weapons, flammable products, or sticks. Bahraini police regularly use violence to break up political demonstrations, most of which occur in Shiite villages. As frustration with the al-Khalifa family surged in 2007, state security forces, mostly composed of foreign nationals, regularly used force to disperse public gatherings.

Bahrain has seen growth in the number of nongovernmental organizations focused on charitable activities, human rights, and women's rights, but these groups continue to face restrictions. The Bahrain Center for Human Rights (BCHR) was closed and dissolved by the government in September 2004. Although the center remains officially closed, its members continue to operate. The Ministry of Social Development has threatened to pursue legal action against a number of civil and human rights groups that are operating without permits. The 1989 Societies Law prohibits any society from operating without an official permit.

In January 2007, a Bahraini court sentenced two political activists to prison terms for possessing leaflets calling for a boycott of the 2006 parliamentary elections; the two were released in February. Nevertheless, state authorities during the year con-

tinued to detain activists who spoke out against government policies. Human rights campaigner 'Abd al-Hadi al-Khawaja was arrested for the second time in three years and charged with treason. The king dropped the case against al-Khawaja and two others in May following violent street clashes between security forces and demonstrators. Also in 2007, Ghada Jamsheer, an outspoken advocate for women's rights and Sharia (Islamic law) court reform, was banned from appearing on local broadcast media or publishing in the Bahraini press.

Bahrainis have the right to establish independent labor unions without government permission. A royal decree conferring that right also imposes limits, including a two-week notice to employers before a strike and a prohibition on strikes in vital sectors such as security, civil defense, transportation, hospitals, communications, and basic infrastructure. A 2006 amendment to the labor law stipulates that private sector employees cannot be dismissed for union activities. Foreign workers are not protected by the labor law. They do not have the right to organize or seek help from Bahraini unions. As a result, foreign laborers are subject to various kinds of abuse. Throughout 2007, Bahraini activists pressed for greater protection for expatriates in Bahrain, most notably the country's 40,000 domestic workers.

The judiciary is not independent of the executive branch. The king appoints all judges, and courts have been subject to government pressure. The Ministry of the Interior is responsible for public security within the country and oversees the police and internal security services. Members of the royal family hold all security-related offices. Bahrain's antiterrorism law prescribes the death penalty for members of terrorist groups and prison terms for those who use religion to spread extremism. This legislation has been criticized on the grounds that its definition of terrorist crimes is too broad and could lead to a heightened risk of torture and arbitrary detention. Living conditions within prison facilities have greatly improved. Prisoners are permitted to make weekly telephone calls to their families, and prisoners of all faiths have access to holy books and clergy.

Although Shiites constitute a majority of the citizenry, they are underrepresented in government and face various forms of discrimination. Over the last four years, Bahrain's Sunnis have become increasingly sectarian, accusing the country's Shiites of not supporting the al-Khalifa family and serving as a fifth column for Iran. Fears of Shiite power have led to limited employment opportunities for young Shiite men in the public and private sectors, as well as attempts by the government to alter the country's demographic balance, mostly by granting citizenship to Sunnis from Saudi Arabia, Jordan, Syria, and Pakistan. Bahrainis have the right to travel freely inside and outside the country.

Although women have the right to vote and participate in local and national elections, they are underrepresented politically. In 2006, the first woman elected to the legislature, Lateefa al-Gaood, won her seat after running unopposed. In September 2007, Health Minister Nada Haffadh, Bahrain's first woman cabinet member, was replaced in a cabinet shuffle. Women are generally not afforded equal protections under the law, but are often partners in family decision making and enjoy rights to marry whom they choose and divorce.

## Bangladesh

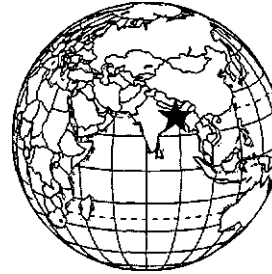
**Population:** 149,000,000

**Capital:** Dhaka

**Political Rights:** 5\*

**Civil Liberties:** 4

**Status:** Partly Free



**Ratings Change:** Bangladesh's political rights rating declined from 4 to 5 due to a military-backed replacement of the caretaker government in January 2007, the suspension of planned elections, and the imposition of a state of emergency under which political activity, freedom of assembly, and media freedom were curtailed.

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

1998	1999	2000	2001	2002	2003	2004	2005	2006	2007
2,4PF	3,4PF	3,4PF	3,4PF	4,4PF	4,4PF	4,4PF	4,4PF	4,4PF	5,4PF

**Overview:** Amid political polarization and violence in the run-up to elections scheduled for January 22, 2007, Bangladesh's caretaker government (CG) was dissolved and replaced by a military-backed CG on January 11. The new authorities issued emergency regulations that considerably restricted civil liberties and political activity, while impunity for human rights abuses remained the norm. For much of the year, the CG focused on election-related reforms and an anticorruption crackdown in which top politicians from both major parties were detained indefinitely pending trial. Elections were postponed until the end of 2008 at the earliest.

Bangladesh gained independence from Britain in 1947 as part of the newly formed state of Pakistan, and successfully split from Pakistan in December 1971, after a nine-month war. The 1975 assassination of independence leader and prime minister Sheikh Mujibur Rahman by soldiers precipitated 15 years of military rule and continues to polarize Bangladeshi politics. The country's democratic transition began with the resignation in 1990 of the last military ruler after weeks of prodemocracy demonstrations. Elections in 1991 brought the Bangladesh Nationalist Party (BNP) to power under Prime Minister Khaleda Zia.

The country's long-standing political deadlock began in 1994, when Sheikh Hasina Wajed's center-left Awami League (AL) party began boycotting parliament to protest alleged corruption in Zia's BNP government. The AL and the BNP differ little on domestic policy; their disputes often reflect the personal animosity between Hasina, the daughter of Rahman, and Zia, the widow of a military ruler who was allegedly complicit in his assassination. The AL boycotted the February 1996 elections, then forced Zia's resignation in March and triumphed in elections held in June. The BNP also marked its time in opposition by boycotting Parliament and organizing periodic nationwide strikes.



In October 2001, the AL was voted out of office in elections marred by political violence and intimidation. A new BNP-led coalition that included two Islamist parties took power with 214 of the 300 seats in Parliament. The AL initially refused to accept the election results and turned to parliamentary boycotts, countrywide *hartals* (general strikes), and other forms of protest to pressure the government on various issues.

In August 2004, a series of grenade explosions at an AL rally in Dhaka nearly killed Hasina and left 22 people dead and hundreds injured. Although the government appointed a commission to investigate the attacks, its impartiality was called into question, and the perpetrators remain at large. In January 2005, another grenade attack at an AL rally killed five people, including a senior party leader.

General lawlessness has increased in recent years, partly due to bombings and other attacks by Islamist extremist groups. Two of the largest—the Jamiat-ul-Mujahideen Bangladesh (JMB) and the Jagrata Muslim Janata Bangladesh (JMJB)—were banned in February 2005, and following an escalation of violence in late 2005, a government crackdown yielded the arrest of JMB leader Sheikh Abdur Rahman and JMJB head Siddiqui Islam (popularly known as Bangla Bhai, or "Bengali brother") in March 2006. Some 800 members of the two groups were also detained. In May 2006, these two men and several other JMB leaders were sentenced to death for the 2005 attacks, and six of the seven convicted militants were executed in March 2007. The threat of Islamist violence subsided after the 2006 crackdown, but it has not disappeared altogether.

Partisan disagreement over plans for January 2007 general elections led to heightened political tension and violence throughout 2006. The AL and its allies demanded reform of Bangladesh's caretaker government (CG) system, in which a theoretically nonpartisan government takes power temporarily to oversee parliamentary elections. The AL, echoing local and international monitoring groups, also raised concerns regarding the conduct and impartiality of the Election Commission (EC) and the preparation of a new voter list. After three days of violent rallies over the proposed "chief adviser," or head of the CG, President Iajuddin Ahmed appointed himself chief adviser, but the AL accused him of partisanship and objected to his dual role as president and CG head. In late November, the AL's legal challenge to the president's actions was stayed by the Supreme Court, leading to riots and claims that the higher judiciary had become politicized. In December, President Ahmed deployed the army to maintain law and order, and demonstrations at the presidential palace were banned. Meanwhile, the AL continued to call for nationwide strikes and threatened to boycott the elections unless their demands were met.

Faced with the possibility of an election that lacked both domestic and international credibility, the army on January 11, 2007, pressured the president to declare a state of emergency, cancel the elections, and resign as head of the CG. A new, military-backed CG, headed by technocrat Fakhruddin Ahmed, was appointed the next day, and it soon announced plans to tackle endemic corruption and prepare for new elections (postponed to an unspecified date, probably no sooner than the end of 2008). Under emergency regulations, freedoms of assembly and association were suspended, and controls were placed on the media. All political activity was banned, including indoor meetings, marches, and rallies; in addition, the right to appeal for bail was suspended. The state of emergency was indefinitely extended after it initially expired in May, and most restrictions remained in place through year's end, although the ban on indoor political meetings was lifted in September.

While the "soft coup" was carried out partly within the constitutional framework, stopping short of martial law and leaving a civilian CG in nominal control, a creeping military influence extended over key institutions during the year. A new EC formed in February was seen as relatively nonpartisan, but it included a role for the army; it also immediately requested legislation that would make any criticism of it punishable as "contempt." In order to quell disunity within the armed forces and bolster the "soft coup" adherents against those who favored an outright military takeover, the tenure of army chief Moeen U Ahmed was extended in June, and a number of his supporters were moved to more influential positions. After antiarmy student demonstrations in August left several people dead and hundreds injured, the authorities closed universities in several cities; arrested students, teachers, and other intellectuals; temporarily shut down the internet and mobile-telephone network; and imposed curfews and other forms of media censorship. As the year progressed, economic hardship and continuing restrictions on basic rights fueled discontent with the CG.

As part of the new government's anticorruption drive, an Anti-Corruption Commission (ACC), headed by a former army chief, was formed in January 2007. An unprecedented number of high-level politicians and their business allies were soon arrested, including Zia's son, senior BNP leader Tarique Rahman, in March. Most were held indefinitely under emergency regulations as investigators examined alleged discrepancies between their assets and known income. A number of minor politicians, ministers, and businessmen were subsequently convicted by a special court, including Zia aide Harris Chowdhury in May and former state minister Amanullah Aman, who received a 13-year prison sentence, in June. Hasina was arrested in July, while Zia and her younger son, Arafat Rahman, were arrested in September. In total, about 200 high-profile suspects were awaiting trial by year's end. Although the government in November began efforts to remove executive influence from the judiciary as promised, observers warned that the measures, while positive, might not end the creeping politicization of the judiciary. There were also doubts that the judiciary could deal impartially with the new raft of corruption trials and other politically sensitive cases.

An election road map announced in June 2007 included the preparation of an updated voter list and plans for municipal elections to be held on a rolling basis starting in early 2008. The EC made steady progress implementing the road map during the year, and in September it began talks with political parties aimed at spurring internal party reforms and leadership elections. However, its task was complicated by a split in the BNP between pro-Zia and reformist factions, each of which claimed to be the "real" BNP.

By year's end, another long-simmering issue had come to the fore: suspected war criminals' continued involvement in the political process. Of particular concern was the Jamaat-e-Islami, an Islamist party and member of the previous coalition government whose leaders and student wing played a well-documented role in atrocities against civilians during the 1971 war of independence. In an unusual display of unity, the BNP, AL, and other parties in December demanded that the EC ban "war criminals" from contesting the planned parliamentary elections, a step that, if taken, would indicate the CG's willingness to end impunity for past crimes.

**Political Rights and Civil Liberties:** Bangladesh is not an electoral democracy due to the January 2007 postponement of national elections. A referendum held in 1991 transformed the powerful presidency into a largely ceremonial head-of-state position in a parliamentary system. Terms for the unicameral National Parliament and the president are both five years. Parliament is nominally composed of 345 members, of which 300 are directly elected, and 45 are women nominated by political parties based on their share of the elected seats and voted on by their fellow lawmakers. The 1996 polls were the first held under a constitutional amendment requiring a CG to oversee the election process. The most recent national elections, held in October 2001, were described as generally free and fair despite concerns over polling irregularities, intimidation, and violence. More than 140 people were killed during the campaign period, which was the country's most violent to date. Elections scheduled for January 2007 were postponed due to widespread concerns that they would not be free and fair, as evidenced by widespread clashes, voter-list irregularities, and a biased EC.

Bangladeshi elections are typically hostile, polarizing events, and the losing side frequently resorts to boycotts and strikes to achieve its aims. The local nongovernmental organization (NGO) Odhikar reported that several dozen people were killed and more than 1,500 injured in election-related violence from October to December 2006. The government used emergency regulations to impose a total ban on political activity in March 2007, though this was partially lifted in September to allow "indoor politics" and closed-door meetings. Despite sweeping arrests of leaders and activists during the year, as well as unsuccessful attempts to exile the two party leaders, the AL and BNP retain widespread popularity and have not been marginalized from the political process.

Endemic corruption and criminality, weak rule of law, limited bureaucratic transparency, and political polarization have traditionally undermined government accountability. Boycotts by both major parties while in opposition have regularly crippled the legislative process, and Parliament effectively ceased to function for much of its last term. The two parties have also maintained links to criminal networks. An ACC launched in 2004 was authorized to conduct investigations and try cases in special courts, but it never achieved political or financial independence. This changed dramatically in early 2007, when the new government promised a crackdown on political corruption and reconstituted the ACC. In a campaign that targeted political parties and their networks but did not include the army, dozens of suspects were arrested and held pending trial. Bangladesh was ranked 162 out of 180 countries surveyed in Transparency International's 2007 Corruption Perceptions Index.

An already threatening environment for the media deteriorated further following the imposition of the state of emergency in January 2007. Immediately following the emergency declaration, television channels were asked to broadcast news produced by the state-run BTV, and all media were requested to refrain from any criticism of the authorities. The Emergency Powers Rules, announced in late January, restricted coverage of sensitive topics, allowed censorship of print and broadcast outlets, criminalized "provocative" criticism of the government, and imposed penalties, including up to five years in prison and hefty fines, for violations. In February and March, a number of journalists were detained or charged with defamation. Sedi-

tion charges were dropped against seven journalists in May, but Salah Uddin Shoaib Choudhury, who was first arrested in 2003, still faces sedition, treason, and blasphemy charges. In September, cartoonist Arifur Rahman was jailed, ostensibly for 30 days, for allegedly insulting Islam through a cartoon depicting a cat named Mohammad. The newspaper that published the cartoon faced protests and temporary suspension; its editors were forced to issue an apology, and Rahman remained in prison at year's end.

There was occasional censorship of publications throughout the year, such as the ban on an edition of the regional journal *Himal Southasian* in May. However, in general the print media were allowed more leeway than broadcasters and new media, particularly private television channels that provide 24-hour news coverage. During and following the student-led protests in August, authorities switched off mobile-phone networks and routed all internet traffic through the state telecommunications company (leading to a temporary slowdown or shutdown of the internet), asked television channels not to broadcast images of the riots or air live talk shows, and assaulted and detained dozens of journalists. In September, the new 24-hour news channel CSB, owned by a former lawmaker and businessman who was detained as part of the government's anticorruption crackdown, was shut down on a technicality after airing coverage of the August unrest. Journalists reported an increase in threatening phone calls from intelligence agencies seeking to prevent critical coverage.

Journalists are regularly harassed and attacked with impunity by organized crime groups, party activists, the authorities, and Islamist groups. Reporters who expose official corruption are particularly vulnerable. In May 2007, journalist Tasneem Khalil, who worked for the *Daily Star* as well as U.S.-based CNN and Human Rights Watch, was detained, tortured, and threatened by the Directorate General of Forces Intelligence (DGFI). After international pressure helped secure his release, Khalil sought asylum in Sweden. Many journalists practice self-censorship when reporting on sensitive topics.

Islam is the official religion, but about 10 percent of the population is Hindu, and there are smaller numbers of Buddhists and Christians. Although religious minorities have the right to worship freely, they face societal discrimination and remain underrepresented in politics and state employment. In recent years, minorities have experienced an increase in both general intolerance and attacks. Two Islamist parties were members of the last coalition government, and both the AL and BNP have made alliances with Islamist groups for political reasons. As documented by a 2005 Human Rights Watch report, the 100,000-strong Ahmadiyya sect, which is considered heretical by some mainstream Muslims, has faced increased attacks in the last several years from Islamist groups, including killings, beatings, assaults on Ahmadiyya mosques and homes, and economic and educational boycotts. Anti-Ahmadiyya extremist groups such as the Khatme Nabuwat Andolon Bangladesh have demanded that the state declare Ahmadis to be non-Muslims, but the government has not bowed to such pressures and generally acts to protect Ahmadis.

While authorities largely respect academic freedom, research on sensitive political and religious topics is discouraged, according to the U.S. State Department's 2006 human rights report. Political polarization at many universities inhibits education and occasionally leads to clashes between students and security forces. In recent years, a number of professors with secular views have been harassed or even

killed by suspected Islamists. Following antiarmy demonstrations by students in August 2007, authorities closed universities in six cities and arrested a number of students and professors on charges of inciting rioters.

The constitution provides for freedom of assembly, but the government frequently limits this right in practice. Demonstrators are occasionally killed or injured during clashes with police. Numerous world-class NGOs operate in Bangladesh and meet basic needs in fields such as education, health care, and microcredit. However, those perceived to have a political bias or to be overly critical of the government, particularly on human rights issues, are subject to intense official scrutiny and occasional harassment. A 2005 Amnesty International report noted that at least eight human rights defenders have been assassinated since 2000, and that many others have been injured or threatened by criminal gangs or party factions. Others have faced arbitrary arrest and torture by the authorities.

Labor union formation is hampered by a 30 percent employee-approval requirement and restrictions on organizing by unregistered unions. Employers can legally fire or transfer workers suspected of union activities. The law bars many civil servants from joining unions; these workers can form associations but are prohibited from bargaining collectively. As with other rights, labor rights were restricted under the 2007 emergency regulations.

The Supreme Court displays "some independence" and often rules against the executive, according to the U.S. State Department's human rights report. However, the Economist Intelligence Unit, the International Crisis Group, and others have reported that the judiciary is increasingly politicized, noting that there are politically appointed judges at every level and that the executive frequently meddles directly in lower-court decisions. Corruption is also a problem. Judges have faced increased death threats and attacks from Islamist groups advocating the introduction of Islamic law; the JMB killed two judges in Jhalakathi in November 2005. A 1999 Supreme Court directive ordered the separation of the judiciary from the executive, and unlike previous governments, the CG installed in January 2007 made this reform a priority. In November, the power to appoint judges and magistrates was transferred from the executive branch to the Supreme Court.

The judicial system is severely backlogged, pretrial detention is lengthy, and many defendants lack counsel. The indigent have little access to justice through the courts. Prison conditions are extremely poor, and severe overcrowding is common. According to the New Delhi-based Asian Centre for Human Rights, hundreds of juveniles are illegally held in prisons in contravention of the 1974 Children's Act. Prisoners are routinely subjected to unwarranted arrest and detention, demands for bribes, and physical abuse (including torture) at the hands of law enforcement officials. Torture is routinely used to extract confessions and intimidate political detainees. Authorities often detain thousands of political opponents and ordinary citizens (particularly prior to planned political agitation) and use serial detention to prevent releases. A climate of impunity has been exacerbated by the state of emergency, which empowers and reduces oversight of the various security forces. Instances of arbitrary detention, torture, and death in custody have continued under emergency rule, according to watchdog groups.

Abuse by the authorities is facilitated by legislation such as the 1974 Special Powers Act, which permits arbitrary detention without charge, and Section 54 of the

Criminal Procedure Code, which allows detention without a warrant. In April 2004, a court ruling directed the government to amend certain sections of the code within six months, but the order was not acted upon. While Bangladesh does not yet have a national human rights commission, the CG approved an ordinance to set up such a panel in December 2007.

Faced with a deteriorating law and order situation, the government deployed nearly 40,000 army personnel in a 2002 anticrime drive dubbed Operation Clean Heart. Officials in 2004 formed the paramilitary Rapid Action Battalion (RAB), composed of some 4,500 members of the armed forces and police. In 2006, the RAB was expanded and currently comprises 12 regional battalions. Although initially popular, the RAB and other units engaged in anticrime campaigns have been criticized for excesses like extrajudicial executions, whether in custody or during supposed shootouts. According to local rights watchdog Odhikar, 184 people were extrajudicially killed by law enforcement agencies in 2007, with about half of the deaths attributed to the RAB.

Islamist militant groups were severely weakened by the 2006 crackdown that followed a spate of attacks in late 2005, although a group that made statements against Ahmadis and NGOs carried out a series of nonfatal bombings at railway stations in May 2007. The primary aim of most Islamist groups—though their tactics vary—is the imposition of Islamic law (Sharia). Many also support religious schooling, the veiling of women, and an end to "un-Islamic" practices such as celebrating traditional festivals and watching movies. The government also struggles to contain a Maoist movement in the north that is connected to the banned Purbo Bangla Communist Party. Casualties from clashes involving leftist militants declined in 2007, according to the South Asia Terrorism Portal, with several dozen militants and fewer than 10 civilians killed.

Tribal minorities have little control over land decisions affecting them, and Bengali-speaking settlers continue to illegally encroach on tribal lands in the Chittagong Hill Tracts (CHT) with the reported connivance of government officials and the army. A 1997 accord ended a 24-year insurgency in the CHT that had sought autonomy for indigenous tribes and resulted in the deaths of 8,500 soldiers, rebels, and civilians. However, as documented by the Asian Centre for Human Rights, the terms of the accord have not been fully implemented, tribal inhabitants continue to be forced off their land to make way for army camps, and refugees have been unable to reclaim their land upon return to the CHT. The security forces have also been implicated in additional human rights violations, including the suppression of protests and the arrest of political activists on spurious charges. Two tribal leaders were reportedly detained and tortured in March 2007 after protesting the eviction of tribal families from their land. Indigenous people remain subject to physical attacks and property destruction by Bengali settlers, according to Amnesty International. Land rights for the Hindu minority continue to be tenuous despite the annulment of the discriminatory Vested Property Act.

Roughly 260,000 ethnic Rohingyas fleeing forced labor, discrimination, and other abuses in Burma entered Bangladesh in the early 1990s; some 28,000 refugees and 200,000 other Rohingyas not formally documented as refugees remain in the country. Bangladesh also hosts in camps some 300,000 non-Bengali Bihari Muslims who were rendered stateless at independence in 1971; many had initially sought repatriation to Pakistan.

Rape, dowry-related assaults, acid throwing, and other forms of violence against women occur regularly. A law requiring rape victims to file police reports and obtain medical certificates within 24 hours of the crime in order to press charges prevents most rape cases from reaching the courts. Police also accept bribes not to register rape cases and rarely enforce existing laws protecting women. The Acid Survivors Foundation (ASF), a local NGO, recorded 154 acid attacks from January to September 2007; they affected 187 victims, most of them women. While investigation of acid-related crimes remains inadequate, the police have taken some steps to improve enforcement, and attacks have steadily declined since the passage of the Acid Crime Prevention Act in 2002.

Under the legal codes pertaining to Muslims, women have fewer divorce and inheritance rights than men. In rural areas, religious leaders occasionally issue *fatwas* (religious edicts) that impose flogging and other punishments on women accused of violating strict moral codes. Women also face some discrimination in health care, education, and employment. They remain underrepresented in government, although a 2004 constitutional amendment reserves 45 parliamentary seats for women. Trafficking in both women and children remains extensive, but the government has taken steps to raise awareness and to prosecute traffickers more vigorously. Child labor is widespread.

## Barbados

**Population:** 300,000

**Capital:** Bridgetown

**Political Rights:** 1

**Civil Liberties:** 1

**Status:** Free



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

1998	1999	2000	2001	2002	2003	2004	2005	2006	2007
1,1F	1,1F	1.1F	1,1F	1.1F	1,1F	1,1F	1,1F	1,1F	1,1F

### Overview:

**In 2007, Barbadian Prime Minister Owen Arthur prepared to seek a fourth term in 2008 elections, while opposition leaders vowed to unseat him. Separately, a new prison facility was opened to relieve overcrowding following riots in 2005 that destroyed a previous prison.**

Barbados gained its independence from Britain in 1966 and is a member of the Commonwealth. The governing Barbados Labour Party (BLP) has been in power since 1994 under the leadership of Prime Minister Owen Arthur. During the most recent elections in 2003, the BLP won a clear majority of 23 seats in the lower house of Parliament, while the Democratic Labour Party (DLP) won the remaining seven

seats. In June 2007, the DLP launched its campaign to unseat Arthur in the upcoming 2008 elections, with opposition leader David Thompson calling the prime minister a "politically spent force." The People's Empowerment Party (PEP), established by the Clement Payne Movement in 2006, announced its first parliamentary candidate but appeared unlikely to get much traction at the polls.

In 2007, Barbados was an active member of the Caribbean Community and enjoyed warm relations with most of its neighbors. Relations with Trinidad and Tobago improved following the resolution of a bitter struggle over their maritime boundary and associated fishing rights. The final verdict, delivered in April 2006 by the UN-supported Permanent Court of Arbitration in The Hague, was seen as a victory for both parties because it recognized the rights of Barbadian fishermen to fish in Trinidadian waters but rejected a claim by Barbados to exclusive maritime access. Meanwhile, heavy migration flows from Guyana to Barbados remained a source of tension between the countries, and Barbados remained outside the Venezuelan-backed regional energy pact known as PetroCaribe due to concerns about accumulating additional debt. The pact offered Caribbean countries a guarantee of Venezuelan oil shipments on favorable financial terms. In June 2007, Prime Minister Arthur traveled to China to commemorate 30 years of diplomatic relations.

Barbados has been more successful than other Caribbean countries in combating violent crime, which remained at low levels in 2007. Joint patrols of the Royal Barbados Police Force and the all-volunteer Barbados Defence Force have been successful in containing the problem, often linked to narcotics trafficking, which had begun to emerge as a major concern. In January 2007, the Barbados Coast Guard confiscated 629 pounds of marijuana following a high-speed chase, which was seen as evidence of successful drug interdiction efforts.

**Political Rights and Civil Liberties:** Barbados is an electoral democracy. The 30-member House of Assembly, the lower house of the bicameral Parliament, is elected for a five-year term. The governor-general, who represents the British monarch as head of state, appoints the 21 members of the Senate: 12 on the advice of the prime minister, 2 on the advice of the leader of the opposition, and the remaining 7 at his own discretion. The prime minister is the leader of the political party with a majority in the House.

Political parties are free to organize. Historically, power has alternated between two centrist parties—the DLP and the BLP. In addition to the parties holding parliamentary seats, other political organizations include the small, left-wing Worker's Party of Barbados. In 2006, the Clement Payne Movement established the PEP as an opposition force favoring trade union rights and greater state intervention in the economy. The party's leader, David Comissiong, claimed that the current two-party system did not adequately address the full spectrum of the population's needs. The PEP got off to an inauspicious start when its founding members clashed over the new party's direction. In 2007, it continued to limp along and seemed unlikely to be a durable force in Barbadian politics, although it did begin fielding candidates for the elections expected in 2008.

Barbados was ranked 23 out of 180 countries surveyed in Transparency International's 2007 Corruption Perceptions Index.

Freedom of expression is fully respected. Public opinion expressed through the



news media, which are free of censorship and government control, has a powerful influence on policy. Newspapers, including the two major dailies, are privately owned. Four private and two government radio stations operate. The single television station, operated by the government-owned Caribbean Broadcasting Corporation, presents a wide range of political viewpoints. There is unrestricted access to the internet.

The constitution guarantees freedom of religion, which is widely respected for mainstream religious groups, although members of Barbados's small Rastafarian community have protested prison regulations that require inmates to have their long dreadlocks cut off while in detention. Academic freedom is fully respected.

Barbados's legal framework provides important guarantees for freedom of assembly, which are upheld in practice. The right to form civic organizations and labor unions is respected. Two major labor unions, as well as various smaller ones, are active. In 2007, a general strike shut down the Port of Barbados when workers banded together to support an employee who had been dismissed for security lapses.

The judicial system is independent, and the Supreme Court includes a high court and a court of appeals. Lower-court officials are appointed on the advice of the Judicial and Legal Service Commission. There are occasional reports and complaints of the use of excessive force by the Royal Barbados Police Force to extract confessions, along with reports that police do not always seek warrants before searching homes.

The prison system has taken steps to relieve overcrowding, including the construction of new facilities. A new prison facility with the capacity to house 1,250 inmates was completed in October 2007. The island's largest penitentiary had burned down in March 2005, after a prison riot caused a fire and forced the Barbadian government to summon 120 security personnel from its Caribbean neighbors to help restore order. Barbados is considering judicial reform that would reduce overcrowding by keeping courts open longer to hear more cases per year; implementation was stalled due to the lack of available judges. Although the authorities have made significant efforts to discharge prison personnel alleged to have beaten inmates, their prosecution has not made significant progress.

The country's crime rate, fueled by an increase in drug abuse and narcotics trafficking, has given rise to human rights concerns. The number of murders has remained constant over the last several years, and an execution has not been administered in more than two decades, but juries are increasingly sentencing violent criminals to death. Meanwhile, a proposed constitutional change would allow convicts to be hanged as soon as possible after their appeals are exhausted. In an effort to restore the death sentences of two convicts who had received commutations to life imprisonment from the Barbados High Court in 2002, the government in 2005 appealed the case to the newly formed regional Caribbean Court of Justice (CCJ), which Barbados has ratified as its highest appellate court. In November 2006, the CCJ dismissed the government's case and rejected efforts to impose the death penalty on the convicts. In 2007, a UN panel criticized Barbados's stance on the death penalty.

Barbados has refused to sign a bilateral agreement granting U.S. military personnel immunity from proceedings in the International Criminal Court. The United States initially responded by suspending military education programs and military equipment sales but is now seeking ways to bridge the impasse. Barbados's attorney general in 2007 called for greater cooperation among Caribbean police forces,

building on the mechanisms for coordination that had been developed to provide security for the Cricket World Cup, which the region hosted in May.

The 2007 UN Human Development Report gave Barbados the 31st highest ranking in the world for economic and social development, the best score in Latin America and the Caribbean. The report measured life expectancy, educational attainment, per capita income, and other important indicators. Women comprise roughly half of the country's workforce. A domestic violence law passed in 1992 gives police and judges greater power to protect women. Violence against and abuse of women and children continue to be serious social concerns.

## Belarus

**Population:** 9,700,000

**Capital:** Minsk

**Political Rights:** 7

**Civil Liberties:** 6

**Status:** Not Free



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

1998	1999	2000	2001	2002	2003	2004	2005	2006	2007
6,6NF	6,6NF	6,6NF	6,6NF	6,6NF	6,6NF	7,6NF	7,6NF	7,6NF	7,6NF

### Overview:

Now serving his third presidential term, Alyaksandr Lukashenka continued to repress all forms of potential opposition in 2007, including nongovernmental organizations, independent media outlets, and educational establishments. The authorities particularly targeted the Youth Front, refusing to register the group and detaining and harassing several key members. The fragmented opposition political parties barely survived during the year and failed to parlay popular grievances against the regime into a broad coalition. Meanwhile, Lukashenka's regime was losing the political and economic backing it once received from Russia, which now demands higher prices for its oil and gas. However, Belarus remained unable to develop better ties with the West due to its atrocious human rights record.

Belarus declared independence in 1991, ending centuries of foreign control by Poland, Russia, and the Soviet Union. Stanislau Shushkevich, a reform-minded leader, served as head of state from 1991 to 1994. That year, voters made Alyaksandr Lukashenka, a member of parliament with close links to the country's security services, Belarus's first post-Soviet president. He pursued efforts at reunification with Russia and subordinated the government, legislature, and courts to his political whims while denying citizens basic rights and liberties. A 1996 referendum, highly criticized by domestic monitors and the international community, adopted constitutional amendments that extended Lukashenka's term through

2001, broadened presidential powers, and created a new bicameral parliament (the National Assembly).

In October 2000, Belarus held deeply flawed elections to the House of Representatives, the parliament's lower house. State media coverage of the campaign was limited and biased, and approximately half of all opposition candidates were denied registration. Following a boycott by seven opposition parties, only three opposition candidates were elected.

Lukashenka won a controversial reelection in September 2001 amid accusations by former security service officials that the president was directing a government-sponsored death squad aimed at silencing his opponents. Four politicians and journalists who had been critical of the regime disappeared during 1999 and 2000. Western observers judged the election to be neither free nor fair. On election day, Lukashenka declared himself the victor with 75 percent of the vote, while opposition candidate Uladzimir Hancharyk was credited with 15 percent. However, independent nongovernmental exit polls showed that Lukashenka had received 47 percent of the vote and Hancharyk 41 percent, an outcome that by law should have forced a second round. By 2002, Lukashenka had launched a campaign of political retribution against those who had opposed him during the presidential campaign.

Legislative elections and a parallel referendum on the presidency were held in October 2004. The Central Election Commission claimed that 90 percent of voters took part in the plebiscite, with some 79 percent of them endorsing the government's proposal to allow Lukashenka to run for a third term in 2006. According to official results, not a single opposition candidate entered the National Assembly. A monitoring effort by the Organization for Security and Cooperation in Europe (OSCE) declared that the parliamentary elections fell "significantly short" of Belarus's OSCE commitments. An independent exit poll found that just 48.4 percent of eligible voters backed the referendum.

Ukraine's Orange Revolution, unfolding only five weeks after the Belarusian constitutional referendum, raised the regime's concerns that a similar protest movement could occur in Minsk. Lukashenka boosted the law enforcement agencies in 2005 and purged their ranks of potential dissenters. Amendments to the Law on Interior Troops introduced in February 2005 allowed for the discretionary use of firearms against protesters on orders from the president.

The March 19, 2006, presidential elections, in which Lukashenka won a third term, were neither free nor fair, and the OSCE declared that the voting did not meet democratic standards. Although four candidates competed, Lukashenka's victory was clear from the start. The government took harsh repressive measures against the opposition, detaining and beating many campaign workers, including Alyaksandr Kazulin, one of the opposition candidates. Though there were no reliable exit polls, the opposition asserted that Lukashenka could not have won the 83 percent of the vote that he claimed.

The elections provoked the largest public protest of Lukashenka's tenure, bringing 10,000 to 15,000 activists onto Minsk's October Square on election day. Between 500 and 1,000 individuals were arrested on March 25, including Kazulin. He remained in prison at the end of 2007, serving out a sentence of five and a half years for protesting the flawed elections and the subsequent crackdown. Most other protesters received sentences of 15 days or less. Opposition activity dwindled after the protests, and political prisoners remain behind bars.

The regime continued to harass its opponents throughout 2007. The strategy seemed to be to jail opposition leaders while intimidating rank-and-file members with fees and warnings. The authorities particularly cracked down on the Youth Front, whose leader, Zmitser Dashkevich, was sentenced to 18 months in jail in November 2006. Repeated attempts to register the group have failed, meaning activists face up to two-year prison terms for participating in its operations. Many members were given short jail sentences and other punishments for taking part in unauthorized demonstrations and gatherings, such as book readings and distributing illegal literature. On August 22, the police broke up a theater performance by the group Free Theater, which had been banned from performing in Belarus and, on December 12, they disbanded a rally protesting the possible merger of Belarus and Russia.

The opposition failed to unite behind a common leader at the Congress of Democratic Forces, held May 26-27. Delegates removed Alyaksandr Milinkevich as head of the Political Council of the United Democratic Forces and replaced him with four cochairs. The authorities initially tried to prevent the congress from taking place but relented under foreign pressure. With its numerous internal divisions, the opposition has not been able to channel popular grievances against the regime into unified political action.

Russia has ratcheted up pressure on Belarus, demanding that it pay higher prices for natural gas and oil imports and sell a 50 percent stake in the gas transport system to Gazprom, the Russian state-owned energy giant. The increased pressure on the Belarusian economy could weaken Lukashenka's hold on power, but there were no signs that the economy or the regime were faltering in 2007. Belarusian overtures to the West have fallen flat due to the country's poor human rights record. During the year, Minsk looked farther abroad for allies and energy imports, receiving visits from Iranian President Mahmoud Ahmadinejad and Venezuelan president Hugo Chavez.

**Political Rights and Civil Liberties:** Belarus is not an electoral democracy. Serious and widespread irregularities have marred all recent elections.

The National Assembly of the Republic of Belarus is composed of two houses. The 110 members of the House of Representatives are popularly elected for four years on the basis of single-mandate constituencies. The upper house, the Council of the Republic, consists of 64 members serving four-year terms; 56 are elected by regional councils and 8 are appointed by the president. The constitution vests most power in the president, giving him control over the government, courts, and even the legislative process by stating that presidential decrees have a higher legal force than the laws. The National Assembly serves largely as a rubber-stamp body. The president is elected for five-year terms, and there are no term limits.

As a result of the concentration of power in the hands of the president, political parties play a negligible role in the political process. Opposition parties have no representation in the National Assembly, while pro-presidential parties serve only formal functions. In 2007, the authorities threatened to revoke the registration of opposition parties that were planning to compete in the 2008 parliamentary elections. The January 14, 2007, local elections failed to give voters a choice, and the opposition declared that the outcome was falsified. There was minimal public participation.

Belarus was ranked 150 out of 180 countries surveyed in Transparency

International's 2007 Corruption Perceptions Index because of the overall lack of transparency in the government. Russian influence was also detrimental. Nepotism is a growing issue; President Alyaksandr Lukashenka appointed his son Viktor to the Security Council in January 2007, giving the newcomer equal ranking with the leaders of the KGB and Interior Ministry. The recent arrests of various law enforcement officers and the head of the state-run oil refining company have little to do with any real crackdown on corruption and more likely reflect various clan battles among the elite.

The Lukashenka regime systematically curtails press freedom. The Committee to Protect Journalists listed Belarus as one of the 10 most censored countries in the world in May 2006. Libel is both a civil and a criminal offense. State media are subordinated to the president, and harassment and censorship of independent media are routine. Belarusian national television is completely under the control and influence of the state and does not provide coverage of alternative and opposition views. The State Press Committee issues warnings to publishers for unauthorized activities such as distributing copies abroad or reporting on unregistered organizations; it also can arbitrarily shut down publications without a court order. The news bulletins and daily playlists of all FM radio stations are censored. The state-run press distribution monopoly refused in November 2005 to continue distribution of most of the country's independent newspapers.

Internet sites within the country are under the control of the government's State Center on Information Security, which is part of the Security Council, and their impact is limited. The authorities have filed criminal cases against bloggers and online media sites for alleged defamation and slander. On August 1, 2007, opposition politician Andrey Klimau was sentenced to two years in prison at a closed trial for publishing criticisms of the government on the internet. The next day, Lukashenka called for greater state controls over the internet.

Despite constitutional guarantees that "all religions and faiths shall be equal before the law," government decrees and registration requirements have increasingly restricted the life and work of religious groups. Amendments in 2002 to the Law on Religions provide for government censorship of religious publications and prevent foreign citizens from leading religious groups. The amendments also place strict limitations on religious groups that have been active in Belarus for fewer than 20 years. The government signed a concordat with the Belarusian Orthodox Church in 2003, and the church enjoys a privileged position. The authorities have discriminated against Protestant clergy and ignored anti-Semitic attacks, according to a U.S. State Department report. Lukashenka provoked an international scandal in October when he said "Jews do not care for the place they live" when describing conditions in the town of Bobruisk. Israeli officials condemned the remarks.

Academic freedom is subject to intense state ideological pressures, and institutions that use a Western-style curriculum, promote national consciousness, or are suspected of disloyalty face harassment and liquidation. Official regulations stipulate the immediate dismissal and revocation of degrees for students and professors who join opposition protests. On Sunday, March 25, 2007, some universities scheduled exams to prevent students from participating in anti-Lukashenka rallies commemorating Freedom Day, the anniversary of the country's 1918 declaration of independence prior to absorption by the Soviet Union. Wiretapping by state security agencies limits the right to privacy.

The Lukashenka government limits freedom of assembly by critical independent groups. Protests and rallies require authorization from local authorities, who can arbitrarily withhold or revoke permission. When public demonstrations do occur, police typically break them up and arrest participants.

Freedom of association is severely restricted. More than a hundred of the most active nongovernmental organizations (NGOs) were liquidated or forced to close down from 2003 through 2005. In December 2005, Lukashenka signed into law amendments to the criminal code that criminalized participation in an unregistered or liquidated political party or organization, allowing further punitive measures against groups that refused to shut down. As a result, most human rights activists operating in the country face potential jail terms ranging from six months to two years.

New regulations introduced in August 2005 ban foreign assistance to NGOs, parties, and individuals who promote "meddling in the internal affairs" of Belarus from abroad. In January 2007, the authorities threatened to throw the Belarusian Helsinki Committee out of its offices but relented under pressure from Western countries and rights groups. The organization remains under threat of closure. Independent trade unions are subject to harassment, and their leaders are frequently arrested and prosecuted for peaceful protests and dismissed from employment.

Although the country's constitution calls for judicial independence, courts are subject to significant government influence. The right to a fair trial is often not respected in cases with political overtones. The police in Belarus use excessive force, according to UN Special Rapporteur Adrian Severin. Human rights groups continue to document instances of beatings, torture, and inadequate protection during detention in cases involving leaders of the democratic opposition.

An internal passport system, in which a passport is required for domestic travel and to secure permanent housing, limits freedom of movement and choice of residence. On December 17, Lukashenka lifted a requirement for citizens to obtain a travel permit before going abroad, effective from the beginning of 2008. At the same time, the government created a database that will include nearly 100,000 people who cannot leave the country. The country's command economy severely limits economic freedom.

Ethnic Poles and Roma often face discrimination. Women are not specifically targeted for discrimination, but there are significant discrepancies in income between men and women, and women are poorly represented in leading government positions. As a result of extreme poverty, many women have become victims of the international sex-trafficking trade.

## Belgium

**Population:** 10,600,000

**Capital:** Brussels

**Political Rights:** 1

**Civil Liberties:** 1

**Status:** Free



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

1998	1999	2000	2001	2002	2003	2004	2005	2006	2007
1,2F	1,2F	1,2F	1,2F	1,1F	1,1F	1,1F	1,1F	1,1F	1,1F

**Overview:** After the June 2007 parliamentary elections, prime minister designate Yves Leterme was unable to establish a majority coalition amid ethnoregional divisions, and Belgium remained without a proper government at year's end. The outgoing prime minister, Guy Verhofstadt, stayed on in a caretaker capacity, but he was unable to take any major actions. King Albert II asked Verhofstadt to form an interim government in December, and he agreed to stay on until March 2008.

Modern Belgium dates to 1830, when the territory broke away from the Netherlands and formed an independent constitutional monarchy. Today the monarchy is largely ceremonial. Belgium was one of the founding members of the European Union (EU) and still hosts the organization's central administration in Brussels.

Ethnic and linguistic conflicts broke out between the different communities in the country during the 1960s, prompting a series of constitutional amendments in 1970, 1971, and 1993 that devolved considerable power from the central government to the three regions in the federation: French-speaking Wallonia in the south, Dutch-speaking Flanders in the north, and Brussels, the capital, where French and Flemish share the same official status. The small German minority in Wallonia, which consists of around 70,000 people, has also been accorded cultural autonomy. Another 1993 amendment granted the three regional assemblies primary responsibility in a number of important policy areas, including housing, education, and the environment, while keeping foreign policy, defense, justice, and monetary policy in the hands of the central government.

During parliamentary elections in May 2003, the two main blocs in the ruling coalition—the Liberals (the Flemish Liberal Democrats, or VLD, and the Reform Movement, or MR) and the Socialists (the Socialist Party, or PS, and the Socialist Party Alternative, or SPA)—both gained at the expense of the Greens, who were forced out of the coalition.

During local elections in October 2006, the far-right Vlaams Belang Party (the former Vlaams Blok) enjoyed its best showing yet, gaining 20 percent of the vote in Flanders. The party did, however, drop to second place in its stronghold, the city of Antwerp. A bogus report on the country's public television station, RTBF, at the

end of 2006 reported that Flanders had declared independence and that Belgium had ceased to exist. The spoof, which caused panicked calls to the station, was denounced as irresponsible and in poor taste by the prime minister's office.

In June 2007 parliamentary elections, the centrist Christian Democratic Party, led by Flanders premier Yves Leterme, won the largest number of seats, 30, in the lower house, while the VLD won 18. Leterme was thus invited by King Albert II to form a new government. However, because the Flemish and Walloon parties were unable to agree on coalition terms, the outgoing prime minister, Guy Verhofstadt, stayed on as a caretaker, but had no mandate to act. On November 6, Belgium broke its previous record, set in 1988, for the longest period without a government. On December 17, after months of stalemate, the king asked Verhofstadt to form an interim government; the five-party temporary government is expected to address the economic issues neglected during this period and to attempt to form a functioning government based on the June election results. The interim government's mandate will expire on March 28, 2008.

The cultural and economic differences between the country's regions helped to fuel the political impasse. The Flemish north has grown wealthy with its emphasis on high-tech industries and international business, and it has sought increased self-rule and reduced taxpayer support for the less prosperous south. Wallonia, once an important steel- and coal-producing region, currently has higher unemployment and welfare rates than Flanders.

In early November, the French-speaking parties walked out of a parliamentary vote on the linguistic division of an electoral district around Brussels, which had been supported by the Flemish parties. This violation of the unspoken rule against voting along language lines shocked many politicians and observers, and only strengthened the rifts among the parties. The king attempted to facilitate negotiations between the prospective coalition members, but his efforts had not produced results by year's end. A rare moment of unity came later in November, when a majority of parties rejected a bill proposed by the Vlaams Belang Party that would have partitioned Belgium, although intense speculation in the press over the possible dissolution of the country continued for much of the year.

**Political Rights and Civil Liberties:** Belgium is an electoral democracy. In February 2004, the parliament granted non-EU immigrants who have been living in the country for at least five years the right to vote in local elections. Voting is compulsory for those eligible.

Parliament consists of two houses: the Chamber of Deputies and the Senate. The 150 members of the Chamber of Deputies are elected directly by proportional representation. In the Senate, there are 71 seats, 40 of which are filled by direct popular vote and 31 by indirect vote. In both houses, members serve four-year terms. The prime minister, who is the leader of the majority party or coalition, is appointed by the monarch and approved by the Parliament. The party system is highly fragmented, with the VLD receiving only a little more than 12 percent of the vote in the 2007 election. In addition, political parties are generally organized along ethno-regional lines, with separate organizations in Flanders and Wallonia, a factor that makes for difficult coalitions.

In November 2004, Belgian courts banned the xenophobic Vlaams Blok Party for



violating the country's antiracism laws. The party changed its name to Vlaams Belang (Flemish Interest) and removed some of the most overtly racist elements from its platform, such as its call for the mandatory expulsion of all Muslim immigrants. However, the party maintains its anti-immigrant and anticrime policies, as well as its commitment to an independent Flanders. The May 2006 murder of a Malian nanny and the two-year-old girl in her care by a gunman with far-right associations raised concerns across the country about growing intolerance and rising support for Vlaams Belang.

Belgium was ranked 21 out of 180 countries surveyed in Transparency International's 2007 Corruption Perceptions Index.

Freedoms of speech and the press are guaranteed by the constitution and generally respected by the government. The Belgian Chamber of Deputies voted unanimously in March 2005 to approve a law on the protection of journalists' sources in Belgium. The vote came after police raids on the home and office of a Brussels reporter in 2004, which shocked the community of international journalists. In November 2007, the European Court of Human Rights ruled that Article 10 of the European Convention on Human Rights had been violated, and Belgium was ordered to pay the journalist damages and court expenses. Newspapers have gone through increased concentration of ownership since the 1960s, as corporations have steadily been buying papers. As a result, a handful of corporations currently run most of the country's newspapers. The government does not limit access to the internet.

Freedom of religion is protected in Belgium, where the state grants subsidies to Christian, Jewish, and Muslim institutions. About half of the population identifies itself as Roman Catholic. Members of a number of minority religions have complained of discrimination by the government, which has been criticized for its characterization of some non-Catholic religious groups as "sects." The government does not restrict academic freedom.

Freedom of association is guaranteed by law, except for membership in groups that practice discrimination "overtly and repeatedly." Freedom of assembly is also respected. About 63 percent of the Belgian workforce is unionized. Employers found guilty of firing workers because of union activities are required to reinstate the worker or pay an indemnity. According to the International Confederation of Free Trade Unions, Belgian employers prefer to pay the fines rather than reinstate the dismissed employees.

The judiciary is independent, and the rule of law generally prevails in civil and criminal matters. In July 2004, the UN Human Rights Committee issued a report that expressed concerns about a number of human rights abuses, including acts of brutality and racial discrimination by the police. The report also expressed concerns about the treatment of rejected asylum seekers and illegal immigrants awaiting deportation who were often placed in unsanitary conditions in the transit zone of Brussels national airport, sometimes for several months. A case of two Palestinian asylum seekers alleging abuse at the airport is currently before the European Court of Human Rights.

Specific antiracism laws prohibit and penalize the incitement of discrimination, acts of hatred, or violence based on race, ethnicity, or nationality. Despite these protections, equality of opportunity for foreigners is undermined by a relatively high degree of racial and ethnic intolerance in society. Police are empowered to reprimand or even imprison women found dressed in the burqa (a full-body covering worn by some Muslim women) on the street.

The law provides for the free movement of citizens at home and abroad, and the government does not interfere with these rights. In 2007, the government issued identity cards to all citizens and residents.

The government actively promotes equality for women. In 2003, it created the Institute for the Equality of Men and Women, formerly the Ministry of Labor's Division of Equal Opportunity, which is empowered to initiate sex-discrimination lawsuits. Women won more than 35 percent of the seats in the Chamber of Deputies during 2007 elections, and 38 percent of the seats in the Senate.

Belgium is a destination and transit point for trafficked persons. However, according to the U.S. State Department's Trafficking in Persons Report for 2007, the country made considerable efforts to prosecute traffickers, provide protection to victims, and prevent trafficking.

## Belize

**Population:** 300,000

**Capital:** Belmopan

**Political Rights:** 1

**Civil Liberties:** 2

**Status:** Free



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

1998	1999	2000	2001	2002	2003	2004	2005	2006	2007
1,1F	1,1F	1,1F	1,2F	1,2F	1,2F	1,2F	1,2F	1,2F	1,2F

### Overview:

**Government fiscal problems and corruption scandals sparked social protests in 2007, and public support for Prime Minister Said Musa's People's United Party (PUP) plummeted as the country headed toward the 2008 elections. Additional challenges during the year included a destructive hurricane season and the rise of violent crime.**

Belize achieved independence from Britain in 1981 but remained a member of the Commonwealth. The government has since changed hands a number of times, alternating between the center-right United Democratic Party (UDP) and the center-left People's United Party (PUP).

Prime Minister Said Wilbert Musa of the PUP was initially elected in 1998, and he became the country's first prime minister to secure a second consecutive term after the PUP won again in 2003. However, the opposition UDP swept the 2006 local elections amid public dissatisfaction with corruption scandals, increased taxation, and rising crime rates. In 2007, the prime minister's authority was further damaged by continuing divisions within his party and additional evidence of fiscal mismanagement.

Public protests broke out in February 2007, recalling a period of civil unrest in

2005. The demonstrations were focused on a variety of issues, including education, corruption, and the national budget. The Musa administration's plan to take over the private debt of Universal Health Services was particularly controversial. Also in February, the government finally succeeded in renegotiating Belize's national debt, which stood at 90 percent of gross domestic product (GDP). The amount was not reduced, but the repayment schedule and the size of payments were eased. Attempts to impose tighter fiscal measures had resulted in public protests and strikes in recent years; rioting over a series of unpopular new taxes had left at least one person dead in 2005.

Electoral politics also escalated in 2007 ahead of the scheduled 2008 elections, the funding of which became a cause for concern. Politicians were accused of using public funds to finance campaigns, and in September 2007, three smaller parties united to form the Alliance of the Reform Movement, which called on the public to help halt campaign finance and other abuses by the government. The Alliance also proposed a whistleblowers' protection act to prevent reprisals against those who reported abuses by public officials.

Belize's economy suffered in the aftermath of Hurricane Dean, which struck in late August 2007 and left some 2,000 people homeless, mostly in rural northern Belize. The storm caused an estimated US\$107 million in damage, including the destruction of crops such as papaya and sugarcane.

The discovery of oil deposits in Belize's western border region in 2006 raised hopes of substantial future earnings for the country, traditionally an oil importer. However, the discovery has also sparked environmental and corruption concerns. Belize in 2006 joined Venezuela's PetroCaribe program, which continued to supply the majority of the country's oil on favorable financing terms in 2007. Venezuela and Belize in 2006 also created a joint venture to search for additional Belizean reserves.

Belize is a member of the Caribbean Basin Initiative (CBI), a U.S. trade agreement that provides duty-free access to U.S. markets for most goods. The CBI is set to expire in September 2008 but is likely to be extended. The United States is Belize's top trading partner.

While Belize and Guatemala made progress in resolving their long-standing border dispute in 2005 and 2006, tensions rose in 2007 over the settlement of 134 Guatemalan citizens in the community of Santa Rosa, on Belizean territory. The Organization of American States (OAS) has ordered the relocation of the community to Guatemalan territory and continues to facilitate related negotiations. In September 2007, the OAS issued a report calling the settlers' status the last remaining obstacle to more substantive bilateral discussions on a host of important issues.

**Political Rights and Civil Liberties:** Belize is an electoral democracy. The head of state is the British monarch, represented by a governor-general. The 29-seat House of Representatives, the lower house of the bicameral National Assembly, is elected for five-year terms. The 12 members of the Senate are appointed to five-year terms, with 6 appointed by the governor-general on the advice of the prime minister, 3 on the advice of the opposition leader, and 3 on the advice of major civil society groups. There are no restrictions on the right to organize political parties, and the interests of Mestizo, Creole, Mayan, and Garifuna ethnic groups are represented in the National Assembly. The country's major parties are the center-right UDP and the center-left PUP.

Government corruption scandals have included the illegal sale of passports and birth certificates and bad loans made by the country's social security board. While the government initiated a U.S.-sponsored computerized system to check passports in 2005, the passport and birth certificate problems have both reportedly continued. Belize was ranked 99 out of 180 countries surveyed in Transparency International's 2007 Corruption Perceptions Index.

Belize has an open media environment, although laws allow for some government control. The government may imprison (for up to three years) or fine (up to US\$2,500) journalists or others who criticize the financial disclosures of government officials. The Belize Broadcasting Authority has the right to prior restraint of all broadcasts for national security reasons or reasons of national emergency. However, the government has not moved against journalists or invoked these rights for many years.

Although Belize has no daily newspapers, there are 10 weeklies, including 2 supported directly by political parties. Belize has 10 radio stations and two television networks, along with a variety of cable outlets. Internet penetration is the second highest in Central America, after Costa Rica, with nearly 20 percent of the population connected.

While there were no direct threats to journalists in 2007, the *Belize Times* newspaper in February was ordered to pay US\$20,000, the third highest award in the country's legal history, in a defamation case brought by attorney Lois Young Barrow and her former husband, opposition leader Dean Barrow. In general, however, Belizean media are notable for their diversity of opinion, and there is little or no fear of government reprisal for criticism.

There is full freedom of religion in Belize. Academic freedom is respected.

Freedoms of assembly and association are generally respected. A large number of nongovernmental organizations are active in social, economic, and environmental areas. Although labor unions have seen their ranks shrink, Belize has a number of well-organized and politically influential unions that represent a cross-section of workers. Official boards of inquiry adjudicate disputes, and businesses are penalized for labor code violations. However, the government has done little to improve the regulation of antiunion discrimination, and workers who are fired for union organizing rarely receive reparations.

The judiciary is independent and nondiscriminatory, and the rule of law is generally respected. Despite an increase in crime, the heavy backlog of cases has decreased recently because of the dismissal of several cases. About 21.7 percent of the prison population is currently awaiting trial. Cases are often prolonged for years while defendants are free on bail. Reports of police misconduct are investigated by the department's internal affairs office or by an ombudsman's office. Extrajudicial killing and use of excessive force are among the country's primary human rights concerns.

Violent crime, money laundering, and drug trafficking continued unabated in 2007 due to insufficient countermeasures and government corruption. The country's murder rate has risen steadily since 1997, with 97 homicides reported in 2007, up from 49 in 2006.

According to a global ranking by the International Center for Prison Studies, Belize has the 12th-highest prison-to-public ratio, with about 461 inmates per 100,000

inhabitants. Prisons do not meet minimum standards, although the Hattieville Prison was privatized and is run by a nonprofit foundation that has improved conditions somewhat. There have been investigations into the brutalization of inmates by prison authorities, and at least three senior prison officers have been dismissed over brutality and bribery allegations.

The government actively discourages racial and ethnic discrimination. Although the Maya claim to be the original inhabitants of Belize, the government has designated only 77,000 acres as Mayan preserves, and no recent action has been taken regarding the 500,000 acres of disputed land. Most of the indigenous population lives in the south, the poorest part of the country. The Belize Human Rights Commission is independent and effective, although it is allocated limited resources. There has been discussion in parliament about dissolving the ombudsman position.

Most of the estimated 40,000 Spanish speakers who have immigrated to this largely English-speaking country since the 1980s do not have legal status. Undocumented Guatemalan, Honduran, and Salvadoran workers, especially in the service and agricultural sectors, continue to be exploited. Chinese and Indian nationals have been found to be working as bonded labor, and the majority of women working in brothels are from Guatemala, Honduras, and El Salvador.

Violence against women and children remains a serious concern, as does the prevalence of child labor. Child laborers are overwhelmingly employed in the agricultural sector. Belize's rising HIV/AIDS rate was also a cause for concern in 2007, and according to UNAIDS, the adult HIV prevalence rate has reached about 2.4 percent. Belize is a source, transit, and destination country for women and children trafficked for prostitution and forced labor. After receiving the poorest ranking (Tier 3) in the U.S. State Department's 2006 Trafficking in Persons Report, Belize implemented a short-term plan proposed by the United States, including intensified intelligence gathering, unannounced raids, assistance to victims of trafficking, and a public information and education campaign. In February 2007, the authorities arrested three police officers for involvement in human smuggling. The U.S. State Department's 2007 report upgraded Belize to Tier 2, but human trafficking remains a major challenge facing the country.

# Benin

**Population:** 9,000,000  
**Capital:** Porto-Novo

**Political Rights:** 2  
**Civil Liberties:** 2  
**Status:** Free



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

1998	1999	2000	2001	2002	2003	2004	2005	2006	2007
2,2F	2,3F	2,2F	3,2F	3,2F	2,2F	2,2F	2,2F	2,2F	2,2F

**Overview:** **Boni Yayi, the new president of Benin, was able to consolidate his power with a victory for his political coalition in the March 2007 legislative elections. The vote, which the international community deemed free and fair despite a week-long delay in polling, saw 80 of the 83 seats in the National Assembly change hands, demonstrating the people's intense desire for new leadership.**

Six decades of French colonial rule in Benin ended in 1960, and Mathieu Kerekou took power 12 years later, ending a series of coups and countercoups. He imposed a one-party state and pursued communist policies. However, by 1990 economic hardship and rising internal unrest forced Kerekou to hold a national conference that eventually ushered in democracy. The transition culminated in his defeat by Nicephore Soglo in the 1991 presidential election, and the country's human rights record subsequently improved. Kerekou returned to power in the 1996 election.

The 2001 presidential election was marred by technical and administrative problems, as well as allegations of fraud against Kerekou that led to a boycott of the runoff by the second- and third-place finishers in the first round of voting. The boycott gave Kerekou a solid victory in the second round as he ran against an obscure fourth-place candidate from the first round. Several members of the Autonomous National Electoral Commission (CENA) stepped down in protest, citing a lack of transparency and poor administration of the election.

In March 2003, legislative elections gave the ruling coalition, the Presidential Movement, a majority in the National Assembly for the first time since democratization. While the elections were considered free and fair, voter turnout was low, there were a number of logistical problems, and the opposition accused the ruling party of voter intimidation. Local elections were held ahead of the legislative polls in a move toward decentralization, and pro-Kerekou candidates came out ahead in that voting as well.

Both Kerekou and Soglo were ineligible to run in the 2006 presidential election, having exceeded the constitutional age limit of 70. With Kerekou refusing to name a successor, the contest for the presidency was particularly competitive. In the end,

Boni Yayi, an independent candidate and former president of the regional development bank, dominated both the first and second rounds of the election. However, the absence of Kerekou and Soglo had caused divisions within the country's traditional parties, resulting in uncertainty about the new president's ability to build adequate support in the legislature.

Nevertheless, in March 2007, Benin held National Assembly elections that were widely considered to be a vote of confidence for Yayi. The coalition of parties he pulled together, the Cowrie Forces for an Emerging Benin (FCBE), won 35 of the 83 seats in the Assembly. The main opposition bloc, the Alliance for a Dynamic Democracy (ADD), won 20 seats and was primarily comprised of traditional parties angered at their exclusion from the new government. In the end, all but three of the seats in the Assembly changed hands, demonstrating the public's desire for new leadership.

Although the election was generally considered free and fair, the first round was held a full week after it was originally scheduled. On March 23, two days before the original date, CENA requested an extension due to "practical difficulties." The request was approved by the government and the Constitutional Court. The difficulties apparently included inability to transport voting equipment nationwide and an inadequate review of the electoral list. In addition, CENA's request had come a day after the removal of the commission's president, Antonin Akpinkoun, over a dispute about which company should be hired to print the ballot papers.

In keeping with his campaign promise to bring "young, new, and honest people" to government, Yayi composed his new cabinet primarily of political novices and refused to appoint members of the traditional parties even during a reshuffle in June 2007. Yayi has made it one of his objectives to fight corruption and has, among other things, ordered an audit of 60 state-run companies, suspended the activities of the two principal foreign telephone operators for alleged irregularities, and ordered investigations into the operations of Beninese embassies abroad.

In May, Yayi decided to reintroduce compulsory national service, intended to direct much-needed skills to sectors such as education and health and to help improve youth training. The recruits are contracted for a year and paid \$82 per month. Compulsory national service had not existed in Benin since the 1980s, prior to the establishment of democracy.

In September, much of West Africa was hit by severe flooding. By the end of the month, at least 50 villages had been destroyed and more than 43,000 people were displaced. There were few recorded deaths in the short term; however, the World Health Organization and other groups expressed concern that the floods could further spread waterborne diseases and increase the number of fatalities from malaria.

**Political Rights and Civil Liberties:** Benin is an electoral democracy. The country held its first multiparty elections in 1991 and now has dozens of political parties. Despite delays and disorganization, the 25-member independent electoral commission effectively oversaw the conduct of the 2007 legislative polls, which were considered to be free and fair.

The president is elected by popular vote for a five-year term and serves as both the chief of state and head of government. Delegates to the 83-member, unicameral National Assembly serve four-year terms.

Historically, Benin has been divided between northern and southern ethnic groups, which are the main roots of current political parties. However, since the 2006 presidential election, traditional parties like former president Mathieu Kerekou's Presidential Movement and former president Nicephore Soglo's Renaissance Party of Benin have given way to a plethora of smaller parties and new political alliances. These include the FCBE bloc, built around President Boni Yayi, and the ADD, billed as the primary opposition coalition.

Yayi has made the fight against endemic corruption a top priority, and he refused to nominate members of the previous administration to his cabinet. In 2006, he signed into law an official code of conduct for governmental management, and authorities that year arrested Sefou Fagbohoun, an influential petroleum tycoon and politician, on charges of fraud. In 2007, in addition to ordering an audit of 60 state-run companies and launching an investigation of the spending habits of Beninese embassies, Yayi participated in a 10-kilometer "walk against corruption" in the capital. Benin was ranked 118 out of 180 countries surveyed in Transparency International's 2007 Corruption Perceptions Index.

Constitutional guarantees of freedom of expression are largely respected in practice. An independent and pluralistic press publishes articles that are highly critical of government and political party leaders. However, in a disturbing move in 2007, Golf Media Group appears to have been targeted by the government. In December, a cameraman with the group's newspaper *La Gazette du Golfe* was arrested and beaten while covering a demonstration, and in February, a court in Cotonou sentenced the group's president and three of its former directors to six months in prison and a \$ 10,000 fine for criminal defamation linked to a story about presidential corruption under Kerekou. A draft law to ban prison sentences for criminal defamation remained under consideration in the National Assembly at year's end.

The government actively seeks to ensure religious and academic freedom. In recent years, through a number of high-profile cases, the Constitutional Court has reaffirmed religious rights and the separation of church and state, particularly within public schools. Religious groups must register with the Ministry of the Interior, and public schools are prohibited from providing religious instruction. Religious institutions are permitted to run private schools.

Freedom of assembly is respected in Benin, and requirements for permits and registration are often ignored. In 2006, demonstrations protesting a proposed election delay were conducted peacefully and went undisturbed by the police. Numerous nongovernmental organizations (NGOs) and human rights groups operate throughout the country without hindrance.

The right to organize and join unions is constitutionally guaranteed, and unions played a central role in the country's democratization. In January 2006, six of Benin's seven trade unions mounted strikes in response to the proposed election delay, temporarily immobilizing schools, government offices, and media outlets. No strikes or substantial demonstrations took place in response to the week-long delay in the legislative elections in 2007.

The judiciary is generally considered to be independent of and respected by the government. However, it is inefficient, susceptible to corruption, and not widely trusted among the population. More than 90 percent of cases for overdue payments are never resolved in the courts. Harsh prison conditions continue to



impede progress; in Abomey Prison for example, 1,000 inmates live in a space intended for 150. Moreover, according to a local NGO, Dispensary of Prisoners and Indigents, only 10 percent of prison inmates in Benin have been successfully tried and sentenced.

Relations among Benin's ethnic groups are generally good, although regional divisions occasionally flare up, particularly between the north and the south. Minority ethnic groups are well represented in government agencies, the civil service, and the armed forces. Societal prejudices against women in the workplace and blatant homosexuality are evident, though not ubiquitous. These prejudices tend to manifest themselves in a nonviolent manner.

As in much of West Africa, human trafficking is widespread in Benin and primarily targets women and children. Following the signing of a regional antitrafficking accord, the National Assembly passed a law formally outlawing human trafficking in 2006. However, the country still needs a more detailed legal framework to cover all potential violations, as well as the financial means to enforce such laws.

Although the constitution provides for gender equality, women enjoy fewer educational and employment opportunities than men, particularly in rural areas. In cooperation with UNICEF, the government has enacted a campaign to increase awareness of the need to educate women. A family code promulgated in 2004 improved women's inheritance, property, and marriage rights, and prohibited forced marriage and polygamy. Nonetheless, legal rights pertaining to family matters are frequently unknown or ignored.

## Bhutan

**Population:** 900,000

**Capital:** Thimphu

**Political Rights:** 6

**Civil Liberties:** 5

**Status:** Not Free



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

1998	1999	2000	2001	2002	2003	2004	2005	2006	2007
7,6NF	7,6NF	7,6NF	7,6NF	6,5NF	6,5NF	6,5NF	6,5NF	6,5NF	6,5NF

#### Overview:

As part of its ongoing political reform process, Bhutan legalized political parties in June 2007; two parties were registered ahead of lower-house elections scheduled for March 2008. On December 31, 15 members were elected to a new 25-member upper house. The 10 remaining members will join the house in early 2008. The final draft of a new constitution was published in October, and formal promulgation was scheduled for early 2008. Among other signs of progress, a bill providing for an independent judiciary was passed in January, and the fledgling Anti-Corruption

**Commission was active during the year. However, more than 100,000 ethnic-Nepali Bhutanese remained in refugee camps in Nepal, and Nepali speakers in southern Bhutan continued to endure poor conditions.**

Britain began guiding Bhutan's affairs in 1865, and in 1907, the British helped install the Wangchuck monarchy. A 1949 treaty allowed newly independent India to assume Britain's role in conducting Bhutan's foreign and defense policies. In 1971, Jigme Singye Wangchuck succeeded his father as king.

Reversing its long-standing tolerance of cultural diversity, the government in the 1980s began requiring all Bhutanese to adopt the dress of the ruling Ngalong Drukpa ethnic group. Authorities said they feared for the survival of Drukpa culture because of the large number of Nepali speakers, also known as Southern Bhutanese, in the south. In 1988, after a census showed Southern Bhutanese to be a majority in five districts, the government began using a strict 1985 citizenship law to strip thousands of Nepali speakers of their citizenship.

Led by the newly formed Bhutanese People's Party (BPP), Southern Bhutanese held demonstrations in September 1990 against the new measures. Arson and violence that accompanied the protests led authorities to crack down on the BPP. As conditions deteriorated, tens of thousands of Southern Bhutanese fled to Nepal in the early 1990s, many of them forcibly expelled by Bhutanese forces. Credible accounts suggest that soldiers raped and beat many villagers and detained thousands as "antinationals." About 105,000 Southern Bhutanese currently live as refugees in Nepal.

In December 2003, with support from Indian forces, the army expelled about 3,000 members of the United Liberation Front of Assam (ULFA), an Indian separatist group, from southern Bhutan. However, the security situation there remained poor; in September 2006, a tenuous ceasefire between the Indian army and the ULFA broke down amid reports that the guerrillas were reestablishing bases in southern Bhutan. India doubled troop levels along the border in October to prevent ULFA raids.

The government has made significant progress on political reform in recent years. The third and final draft of a new constitution, first published in 2005, was circulated in October 2007. It was due to be formally promulgated in early 2008. The draft provides for a bicameral parliament, a two-party political system, and some fundamental rights. However, it upholds the primacy of the monarchy, and analysts note that it may not adequately define and protect the rights of Nepali speakers. In preparation for the democratic transition, the king in January 2006 created the constitutional posts of election commissioner, anticorruption commissioner, and auditor general.

In December 2006, King Jigme abdicated in favor of his son, Dasho Jigme Khesar Namgyal Wangchuck, and announced plans for elections in 2008. Political parties were legalized in June 2007. On December 31, 15 members were elected to a new 25-member upper house. The 10 remaining members—5 elected and 5 appointed—are expected to join the house in January 2008. All candidates for the upper house ran as independents. Political parties will participate in elections to the lower house, or National Assembly, scheduled for March 2008. Despite the government's reform efforts, the king and the existing monarchical system apparently remained popular with the public, and many Bhutanese were apprehensive of the coming political changes.

**Political Rights and Civil Liberties:** Bhutan is not an electoral democracy. King Dasho Jigme Khesar Namgyal and a small group of elites make the key decisions and wield absolute power. The 150-member National Assembly has little independent authority. Every three years, village headmen choose 105 *chimis*, or National Assembly members, while the king appoints 35 members and religious groups choose 10 members. For the 105 district-based seats, each village nominates one candidate by consensus. The National Assembly was dissolved in December 2007 following elections to the 25-member National Council, the upper house of the new bicameral parliament. Elections for a lower house are scheduled for March 2008.

Political parties, which were previously illegal, were allowed to begin registering in June 2007. Two parties were registered at year's end. However, on November 27, the Election Commission denied registration for the Bhutan People's United Party, commenting that the party did not "have the capacity to fulfill ... national aspirations, visions and goals." The draft constitution forbids parties based on sex, religion, language, or region. A 2007 election law forbids individuals without bachelor's degrees from participating in government.

The government operates with limited transparency and accountability, although steps have been taken in recent years to improve both. In January 2006, King Jigme created the Anti-Corruption Commission (ACC), responsible for investigating reports of corruption and preventing corruption through education and advocacy. The Anti-Corruption Act, passed in July 2006, endowed the commission with substantial investigative powers and established protections for whistleblowers. ACC probes led to the prosecution of several local officials in 2007, although it has only pursued 16 of the 600 complaints received. Bhutan was ranked 46 out of 180 countries surveyed in Transparency International's 2007 Corruption Perceptions Index.

The authorities restrict freedom of expression, and a 1992 law prohibits criticism of the king and the political system. A July 2006 media law overhaul led to the establishment of two independent radio stations, but observers expressed concerns that the legislation provides no specific protections for journalists and does not guarantee freedom of information. Two independent weeklies, the *Bhutan Times* and the *Daily Observer*, were launched in the spring of 2006. Although they have published mainly progovernment articles, with the *Times* particularly supportive of the official stance on refugees in Nepal, both papers have occasionally been critical of the government. In June 2007, the authorities blocked the *Times* website for about two months due to antigovernment comments. The state-owned publication *Kuensel* generally reports positive news about the kingdom, although it occasionally covers criticism of government policies during Assembly meetings. State-run broadcast media do not carry opposition views. Cable television services, which air uncensored foreign programming, thrive in some areas but are hampered by a high sales tax and regulatory obstacles.

While Bhutanese of all faiths can worship relatively freely, government policy favors the Drukpa Kagyupa school of Mahayana Buddhism, the official religion. The government reportedly subsidizes Buddhist monasteries, shrines, and some monks. A 9,287-member Monastic Body is the sole arbiter on religious matters, and monks also wield political influence. However, the draft constitution protects freedom of thought, conscience, and religion, and a 2007 election law bars any ordained

religious figure or "religious personality" from voting or running in the parliamentary elections. No restrictions on academic freedom have been reported, although Bhutan's first university opened only in 2003.

Freedoms of assembly and association are restricted. The draft constitution guarantees freedom of assembly, but a protest is authorized only if the government approves its purpose. In recent years, security forces have arrested Southern Bhutanese refugees living in Nepal who crossed the border to demonstrate for the right to return home.

Nongovernmental organizations (NGOs) that work on human rights, the refugee issue, or other overtly political issues are not legally allowed to operate in the country. The Civil Society Organization Act, passed in June 2007, is designed to ensure the "transparency and accountability" of NGOs and requires all new NGOs to register with the government. The draft constitution guarantees freedom of association, although only for groups "not harmful to the peace and unity of the country." The government prohibits independent trade unions and strikes. In any case, some 85 percent of the workforce is engaged in subsistence agriculture. A labor and employment act passed in 2007 prohibits forced labor, discrimination, sexual harassment, and child employment in the private sector.

The Judiciary Service Act, passed in January 2007, created a financially and administratively independent Judicial Service Council to control all new appointments and promotions within the judiciary. Courts are also now required to make decisions within a year. Citizens are guaranteed legal counsel in court cases. Arbitrary arrest, detention, and torture remain areas of concern, and 43 political prisoners continue to serve lengthy sentences.

The government's human rights record has improved since the height of the campaign against Nepali speakers in the early 1990s. Prior to the mass expulsions of that period, the government had stripped thousands of Southern Bhutanese of their citizenship under a 1985 law that required both parents to be Bhutanese citizens. In addition, Bhutanese seeking to verify citizenship had to prove that they or both of their parents were residing in Bhutan in 1958.

While the UN High Commission for Refugees (UNHCR) asserts that the overwhelming majority of refugees in Nepal have documentary proof of Bhutanese nationality, the government continues to maintain that many left voluntarily or had been illegal immigrants. Several reports released by Human Rights Watch in 2007 documented the extremely poor living conditions of the roughly 105,000 refugees. Even if they were permitted to reenter Bhutan, ethnic Nepalis would face a lengthy and difficult citizenship process and would not receive compensation for lost property. The government has also actively sought to settle Bhutanese from the north in lands formerly occupied by the refugees. The UNHCR has increasingly called for a third-party solution, and in October 2006, the United States said it was prepared to accept up to 60,000 refugees. The offer has drawn mixed reactions in the camps, where many refugees maintain their right to return to Bhutan.

Conditions for Nepali speakers in Bhutan have improved somewhat, but several major problems remain. According to a 2007 Human Rights Watch report, ethnic Nepalis must obtain certificates verifying that they do not present a threat to the state in order to enter schools, receive health care, take government jobs, or travel within Bhutan or abroad. Schools in the south restrict even those Nepali speakers with certificates.

Restrictions on dress and cultural practices were imposed in the late 1980s in an attempt to safeguard Bhutan's heritage. A 1989 royal decree requires all citizens, including ethnic minorities, to wear the traditional dress of the ruling Drukpas in public places. A 2004 decree instructed all women to adhere to the custom of wearing a scarf draped over two shoulders instead of one.

Women participate freely in social and economic life but continue to be underrepresented in government and politics, despite some recent gains. The application of religious or ethnically based customary laws regarding inheritance, marriage, and divorce sometimes results in discrimination against women. There are no reports that trafficking of women or children is a problem in Bhutan.

## Bolivia

**Population:** 9,800,000

**Capital:** La Paz (administrative), Sucre (judicial)

**Political Rights:** 3

**Civil Liberties:** 3

**Status:** Partly Free



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

1998	1999	2000	2001	2002	2003	2004	2005	2006	2007
1,3F	1,3F	1,3F	1,3F	2,3F	3,3PF	3,3PF	3,3PF	3,3PF	3,3PF

**Overview:** **The Constituent Assembly, which had begun its task of drafting a new constitution in August 2006, continued to face procedural and substantive crises in 2007. Meanwhile, intensifying polarization between progovernment groups and opposition supporters throughout the country hampered attempts to achieve necessary reforms.**

After achieving independence from Spain in 1825, the Republic of Bolivia endured recurrent instability and military rule. However, the armed forces, responsible for more than 180 coups in 157 years, have refrained from political intervention since 1982, making 2007 the 25th anniversary of Bolivia's return to democracy.

In 1993, Gonzalo Sanchez de Lozada, a wealthy U.S.-educated businessman, was elected president. During his first term in office, he initiated a sweeping privatization program and stepped up eradication of the country's illegal coca production, measures that provoked widespread public protests and a decline in his popularity. Former dictator turned democrat Hugo Banzer Suarez succeeded Sanchez de Lozada following the 1997 presidential election, but the terminally ill Banzer resigned in 2001, and reformist vice president Jorge Quiroga finished the remaining year of Banzer's term.

No candidate in the June 2002 presidential election won a majority of the popular vote, and under Bolivia's constitution, members of the National Congress were tasked with deciding the outcome of the election. They selected Sanchez de Lozada,

who had received a small plurality of votes, over Evo Morales, a radical indigenous leader of the country's coca growers. Morales's Movement toward Socialism (MAS) party nonetheless won 10 seats in the upper house and 59 in the lower chamber in the concurrent congressional elections.

The coca industry has played a substantial role in the Bolivian economy for several decades. In 1995, Bolivia harvested enough coca leaf to produce 240 metric tons of cocaine; by 2006, U.S.-sponsored antidrug efforts had helped reduce that figure to 115 metric tons. The drop represented a substantial loss of income for the more than 50,000 Bolivian coca growers, whose families were left without viable alternatives. Morales gained prominence by capitalizing on the unpopularity of these policies among Bolivia's majority indigenous population, many of whom speak Spanish as a second language, use the coca leaf for traditional medicine, and have been excluded from the benefits of free-market economic reforms.

In 2003, Bolivian indigenous groups, workers, students, and coca growers rebelled against the planned construction of a \$5 billion pipeline for the export of Bolivian natural gas via longtime rival Chile to the United States and Mexico. The mass protests against Sanchez de Lozada were aggravated by resentment over the failure of nearly two decades of democratic reform and economic restructuring to improve the lot of the indigenous majority in a country where 64 percent of the population lived in poverty. Sanchez de Lozada responded by ordering harsh repression of the protests, leading to demands for his resignation. In October, after less than 15 months in office and at least 120 deaths stemming from the crackdown, Sanchez de Lozada resigned and fled to the United States.

Vice President Carlos Mesa, a nonpartisan former media personality and historian, assumed the presidency. In July 2004, he prevailed overwhelmingly in a national referendum regarding the disposition of oil and gas reserves, permitting natural gas exports while imposing greater state control over the energy industry and raising export taxes substantially. It was hoped that the outcome of the referendum would encourage greater political stability, but protests regarding gas revenues, coca, regional autonomy, and other issues continued to mount, and Mesa resigned in June 2005.

Supreme Court Chief Justice Eduardo Rodriguez Veltze assumed the presidency with the narrowly defined mandate of overseeing new elections, which were held in December 2005. Evo Morales won the presidential poll with 53.7 percent of the ballots amid high voter turnout. His campaign platform included anticorruption efforts, elections for a new Constituent Assembly, and a shift from coercion to cooperation in coca eradication. The United States and some other international observers expressed concern over his triumph because of his alignment with leftist Venezuelan president Hugo Chavez. Morales's MAS also emerged as the largest party in Congress and won three of nine races for departmental prefect (provincial governor); the latter posts were being filled through direct elections for the first time.

The Morales government moved to fulfill a campaign pledge in May 2006 by announcing the "nationalization" (in reality, merely increased state control) of Bolivia's oil and gas resources. The government also introduced a substantial land-reform plan that was viewed as a threat by the owners of large estates in the eastern lowlands. In July 2006, voters handed the MAS a majority in the Constituent Assembly, but even in coalition with smaller groups, it lacked the two-thirds margin required to overhaul the constitution on its own. In addition, four departments voted

in favor of regional autonomy, while five rejected the idea; the Constituent Assembly was tasked with resolving the autonomy issue.

The assembly was locked in a stalemate nearly from the moment it began its work, with MAS delegates insisting on a simple majority vote for changes to individual articles, in contrast to the two-thirds supermajority demanded by the opposition. The two sides finally reached compromise on that issue in February 2007, but other disputes quickly arose, including substantive questions about the limits of regional autonomy, indigenous rights, and state structure, as well as seeming side-shows, such as the issue of whether La Paz or Sucre would be the national capital. The government was slow to address opposition demands, while the opposition at times appeared to be using procedural measures to delay or even block the process.

Regional and ethnic friction remained high in 2007. Violence in Cochabamba in January caused three deaths and scores of injuries, while confrontations in other areas throughout the year left dozens wounded. Radicals on both sides even spoke of civil war—though this was at no point imminent—and large demonstrations were held in both progovernment and opposition-dominated cities.

Although the Constituent Assembly was originally supposed to complete its work by August, an agreement was reached in July to extend its mandate until December. However, the dispute over the capital resulted in the suspension of full meetings in August. While a "Special Council for Dialogue" was able to reach some consensus outside the official assembly framework, the wrangling over the capital continued to prove an insurmountable obstacle for the assembly and darkened the national mood. After numerous assembly attempts to meet were blocked by pro-Sucre protesters, a group comprised overwhelmingly of MAS delegates met on November 24 in a military installation outside the city and approved a draft constitution without the support (or presence) of the necessary two-thirds majority of the Constituent Assembly. Protesters in Sucre responded with two days of riots that left three people dead and several hundred injured.

On November 27, Congress approved a law allowing the final, article-by-article approval of the draft charter in a city other than Sucre if conditions there remained untenable. Opposition leaders countered with a general strike in several lowland provinces on November 28. On December 5, Morales attempted to placate the opposition by announcing that recall referendums would be held on him and the opposition prefects in 2008. Then, on December 9, the MAS and a few delegates from other parties met in Oruro to approve the final draft constitution. Among its 411 articles, the new charter called for autonomy at the departmental, regional, municipal, and indigenous levels. It would also end legal immunity for sitting legislators, authorize the popular election of Supreme Court judges, and add a fourth branch of government, the electoral branch. One article, regarding the maximum number of hectares of land one landowner can possess, was to be submitted to a national referendum along with the charter as a whole.

The opposition characterized the entire process as illegal due to the progovernment group's decision to change the rules so that the charter's approval required the vote of only two-thirds of those present. Five departments published autonomy statutes on December 15. By year's end, both sides were calling for dialogue on the entire range of proposals, including revisions to the draft constitution, the proposed recall referendums, and departmental autonomy.

**Political Rights and Civil Liberties:** Bolivia is an electoral democracy. The 2005 presidential and congressional elections and the 2006 Constituent Assembly elections were generally free and fair. Presidential and congressional terms are both five years. The National Congress consists of a 130-member Chamber of Deputies and a 27-member Senate. Senators are elected by party-list proportional representation. In the lower house, 68 members are elected in district races and 62 are elected through proportional representation. One of the draft constitution's controversial provisions included the possibility of two consecutive terms for presidents and legislators; Morales and the current Congress would be eligible for two full terms if elected under the new charter.

Bolivians have the right to organize political parties. Many of the traditional political parties—notably the center-right Nationalist Revolutionary Movement (MNR), which had been the dominant party since the 1952 revolution—saw their power effectively eliminated in the wake of the 2005 elections. The new dominant party is President Evo Morales's MAS, which is itself divided into multiple factions whose disputes Morales must mediate. The opposition in both the 2005 elections and the Constituent Assembly was led by the center-right Social Democratic Power (PODEMOS) party. After the 2005 elections, the base of opposition to the president shifted from Congress to the departmental prefects.

The European-descended elite controlled the machinery of government for most of Bolivia's postindependence history, but over the last decade the indigenous majority has played an increasingly prominent role. Indeed, the Aymara and Quechua ethnic groups form the political base of the MAS and intend to alter the constitution significantly in order to incorporate indigenous institutions and decision-making structures.

Although cases of corruption and nepotism remain common, the government has taken a strong zero tolerance line against corruption. A new anticorruption law was submitted to Congress in April 2006, but was not approved by the Chamber of Deputies until September 2007 and subsequently stalled in the Senate. Investigations continued throughout 2007 into possible corruption charges against former government officials, while several MAS appointees were fired after a job-selling scandal surfaced in March. Bolivia was ranked 105 out of 180 countries surveyed in Transparency International's 2007 Corruption Perceptions Index.

Although the constitution guarantees freedom of expression, the media are subject to some limitations in practice. Outlets are mostly private, and radio is by far the most important source of information in the country. Many media outlets are far more likely to feature opposition than progovernment opinion pieces. As a result, President Morales has taken an aggressive verbal approach to press criticism. The climate of hostility toward journalists has increased along with general political tensions. Over a dozen journalists were assaulted during the January 2007 unrest in Cochabamba, a scenario that was repeated on several other occasions throughout the year. Much of the violence was perpetrated by opposition supporters, but the police were blamed for aggression against at least five journalists during the December unrest in Sucre. The government does not restrict access to the internet.

Freedom of religion is guaranteed by the constitution. The government does not restrict academic freedom, and the law grants public universities autonomous status, which students defend vigorously.



Bolivian law provides for the rights of peaceful assembly and freedom of association, although social protests often turn violent. In 2007, politicians on both sides increasingly used the threat of protests as a tool of political negotiation. Both the human rights ombudsman and independent human rights organizations are able to report on brutality by the security forces. However, rights activists and their families have at times been subject to intimidation in recent years. The right to form labor unions is guaranteed by the constitution, and unions are an active force in Bolivian society.

The judiciary, headed by the Supreme Court, remains the weakest branch of government. It is corrupt, inefficient, and inaccessible to many Bolivians, especially non-Spanish speakers. Although the government has made serious efforts to improve the administration of justice, including making the courts more responsive to the needs of poor and rural citizens, lack of resources and political difficulties have limited progress. In addition, the system of selecting Supreme Court and Constitutional Tribunal (TC) justices, formerly conducted through an informal political quota system, broke down in 2007, leading to a crisis at the judiciary's highest levels. In May, the TC controversially ruled that four Supreme Court justices who had been granted temporary appointments by Morales at the end of 2006 must vacate their posts. The Chamber of Deputies responded by filing charges against four TC members for dereliction of duty. Given the opposition majority in the Senate, that process was halted, and new Supreme Court members were appointed following constitutional procedures. However, the TC remained in conflict; by year's end, most of its members had resigned, citing constant harassment by the executive branch, and the court was inquorate.

Although Bolivia's code of criminal procedure recognizes the conflict-resolution traditions of indigenous communities, judicial reform efforts to date have not effectively codified and incorporated indigenous customary law. This lack of clarity has in recent years resulted in dozens of acts of "communal justice," including lynching, in violation of international human rights norms. Prison conditions are harsh, and rehabilitation is essentially nonexistent. Crime in La Paz and other major cities is increasing, though it remains at a lower level than in many South American countries.

Bolivia, the poorest country in South America, is also a hemispheric leader in the unequal distribution of wealth. In the 2001 census, approximately 62 percent of the population over 15 years of age identified themselves as indigenous, primarily from the Quechua and Aymara groups, although no mestizo option was included in the survey. The 1994 Popular Participation Law guarantees respect for the integrity of Bolivia's 36 native groups, and the languages of the indigenous population are officially recognized. However, racism is rife in the country, especially by light-skinned Bolivians against the indigenous, but also occasionally on the part of certain indigenous militants. In addition, indigenous territories remain vulnerable to illegal exploitation by coca growers and timber thieves. Some rural employers keep indigenous workers in debt peonage, charging more for room and board than they pay in wages. Indigenous rights are a major theme of the Constituent Assembly process; the question of how to put into practice the recognition of native groups as "nations" has been a vexing topic in the assembly.

The law provides for freedom of movement within the country, and the government generally respects this right in practice, although there have been clashes

between landowners in the lowlands and migrants from the highlands. In addition, protesters often block highways and city streets, causing serious economic losses. Property rights are another subject of controversy in Bolivia. Foreign investors have grown wary in the wake of the government's aggressive renegotiation of contract terms in the energy, mining, and telecommunications industries. Sporadic land invasions by landless peasants continue to occur in the eastern lowlands. In December 2006 the government passed a law that allows for the redistribution of land deemed idle, and the government began to allocate land titles in 2007. Eastern landowners fear the law will be used to confiscate their holdings, while the law's supporters believe that many of those lands were acquired illegally.

Although women's political representation has increased notably in recent years, the observance of women's rights remains problematic. Violence against women is pervasive, women generally do not enjoy social status equal to that of men, and the justice system is ineffective at safeguarding women's legal rights. Child prostitution and child labor are problems, particularly in urban areas and in the Chaco and Chapare regions.

## Bosnia and Herzegovina

**Population:** 3,800,000

**Capital:** Sarajevo

**Political Rights:** 4\*

**Civil Liberties:** 3

**Status:** Partly Free



**Ratings Change:** Bosnia and Herzegovina's political rights rating declined from 3 to 4 due to a political crisis that ensued over reforms introduced by the internationally appointed High Representative.

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

1998	1999	2000	2001	2002	2003	2004	2005	2006	2007
5,5PF	5,5PF	5,4PF	5,4PF	4,4PF	4,4PF	4,3PF	4,3PF	3,3PF	4,3PF

#### Overview:

**In late 2007, Bosnia and Herzegovina experienced a serious political crisis over voting procedure reforms introduced by Miroslav Lajcak, the High Representative. The political dispute was resolved at the end of November, after which the country initiated a Stabilization and Association Agreement with the European Union. The agreement was seen as a reward for adopting the new voting rules and making progress on police reform.**

Formerly a constituent republic within socialist Yugoslavia, Bosnia and Herzegovina (BiH) is among the most ethnically diverse countries in the region. The

majority of the population consists of three ethnic groups: Bosniaks, who are mainly Muslim; Serbs, who are largely Orthodox Christian; and Croats, who strongly identify with the Roman Catholic Church. As Yugoslavia began to disintegrate in the early 1990s, BiH was recognized as an independent state in April 1992. A 43-month-long civil war immediately ensued, resulting in the deaths of tens of thousands of people and the forced resettlement of approximately half of BiH's population. In November 1995, the Dayton Peace Accords brought an end to the civil war by creating a loosely knit state composed of the Bosniak-Croat "Federation of Bosnia and Herzegovina" and the largely Serb "Republika Srpska." The final status of the Brcko District was decided in 1999 by a special arbitration council, which defined it as a self-governing administrative unit that is formally part of both the Federation and Republika Srpska.

The Dayton Accords gave the international community a decisive role in running postwar BiH, manifested in the significant powers and authority (known as the Bonn powers) granted to international civilian agencies such as the Office of the High Representative (OHR). Despite considerable efforts by the international community to aid the country's integration, most aspects of political, social, and economic life remain divided along ethnic lines. The October 2006 elections shifted power to more moderate parties, but they took nationalist stances in order to appeal to the constituents in their respective ethnic groups. The Alliance of Independent Social Democrats (SNSD) emerged as the winner in the Republika Srpska, and the Party for BiH (SzBiH) won the most votes in the Federation. The Croat Democratic Union (HDZ) remained the most popular party among Bosnian Croats.

Following a series of negotiations and amid considerable pressure by the international community, the new coalition government—led by Nikola Spiric of SNSD—was formed in February 2007. The coalition, however, remained highly unstable, particularly due to a thorny working relationship between SNSD leader Milorad Dodik and SzBiH leader Haris Silajdzic. The two politicians have very different visions for the future of BiH's two entities. Dodik is determined to preserve the current administrative status of Republika Srpska, while Silajdzic would like to strip the constituent entities of their powers and create a unitary BiH. Their disagreements broadened in late February after the International Court of Justice ruled that Serbia was not guilty of genocide in relation to the massacre of Bosniak men and boys in the Bosnian town of Srebrenica during the 1992-95 war. However, the same judgment indicated that Serbia failed to use its influence over the Bosnian Serbs to prevent the killings. Following the ruling, Silajdzic called for Srebrenica to be removed from the jurisdiction of Republika Srpska, which Dodik vehemently opposed.

In early 2007, the international community decided to extend the mandate of the OHR after it became clear that the reform process in BiH had been stymied. A Slovak diplomat with extensive experience in the former Yugoslavia, Miroslav Lajcak, replaced German diplomat Christian Schwartz-Schilling as the High Representative in July. Lajcak quickly demonstrated that he was more willing to use the Bonn powers than his predecessor. Only one week after his appointment, he fired a senior police official in Republika Srpska for his alleged involvement in a network protecting former Bosnian Serb military leader Ratko Mladic, who remains a fugitive.

In October, Lajcak introduced a set of reforms aimed at streamlining the decision-making process in BiH by changing the rules under which the central

government's quorum was calculated. These measures—welcomed by most international representatives in BiH and lawmakers in the Bosniak-Croat Federation—were viewed as necessary because politicians were often able to block major reform efforts by simply not showing up at cabinet meetings. Lajcak indicated that the changes would also be imposed on the BiH parliament on December 1 if they were not voluntarily adopted by that deadline.

The Bosnian Serb leadership, fearing it could be outvoted by other ethnic groups under the new rules, condemned the measures and called for Lajcak's powers to be restricted significantly. Spiric resigned as prime minister of the central government to protest the reforms, setting off what was seen as the worst political crisis in BiH since 1995. Public demonstrations sprouted across Republika Srpska, and Dodik threatened to withdraw his party's representatives from all BiH institutions. The crisis ended abruptly on November 30, after the parliament passed the proposed reform with some concessions to Bosnian Serb leaders, provoking speculation on behind-the-scenes deals. A few days later, the European Union (EU) initialed a Stabilization and Association Agreement (SAA) with BiH, generally seen as the first step toward full EU membership.

The prospects for police reform—previously identified as the main condition for initialing the SAA—did improve after the main BiH parties agreed in November on an action plan that included the creation of centralized police institutions and financing and the harmonization of police laws.

Republika Srpska held an extraordinary election for the entity president in early December, following the sudden death of its previous president, Milan Jelic. Rajko Kuzmanovic of SNSD won with approximately 41 percent of the vote. With the political crisis defused, Spiric was reappointed as prime minister of BiH in late December.

**Political Rights and Civil Liberties:** The Republic of Bosnia and Herzegovina (BiH) is not an electoral democracy. In general, voters in BiH can freely elect their representatives, but the Office of the High Representative (OHR) has the authority to remove elected officials if they are deemed to be obstructing the peace process, and ethnic divisions are institutionalized at several levels of government. The country does not have a single president, but a three-member presidency composed of one Bosniak, one Serb, and one Croat. The National Assembly is a bicameral body. The upper house, the House of Peoples, consists of 58 delegates, including 17 Bosniaks, 17 Serbs, 17 Croats, and 7 delegates belonging to other ethnic groups—all elected by the Bosniak-Croat Federation legislature and the Republika Srpska Assembly. The lower house, the House of Representatives, has 98 members popularly elected by secret ballot. The most important parties include the SNSD, the SzBiH, the mainly Bosniak Party of Democratic Action (SDA), the nationalist Serb Democratic Party (SDS), and the HDZ.

Corruption, which remains a serious problem, is most common in local politics, but it also penetrates the higher levels of the Bosnian leadership. In recent years, under pressure from the international community, the government has taken limited steps to combat the problem. Bosnian courts have made some progress in prosecuting individuals accused of corruption and enforcing legislation against conflicts of interest; however, a systematic effort against corruption is still absent. In late 2007, the Bosnian chapter of Transparency International (TI) alleged irregularities in the

privatization of the Brod oil refinery and the sale of the Gacko power plant by the government of Republika Srpska. BiH was ranked 84 out of 180 countries surveyed in TI's 2007 Corruption Perceptions Index.

The constitution and the human rights annex to the Dayton Peace Accords provide for freedom of the press; however, this right is not always respected in practice. Several sources asserted that self-censorship in Republika Srpska increased in 2007. In a step widely criticized by the international community, the government of Republika Srpska refused to work with the public broadcaster BHT-1 for a period of time in January in order to protest "hostile" coverage and treatment of its leaders by the station earlier that month. A large number of independent electronic and print media organizations operate in BiH. However, broadcast outlets and the press continue to be plagued by a relatively low level of professionalism, a reliance on foreign funding for survival, and a tendency to appeal only to narrow ethnic audiences. State-owned companies sometimes withhold advertising from media outlets that print or broadcast information critical of the government. Journalists who criticize the government or publish politically sensitive material at times face public denunciations and threatening telephone calls from government officials. Internet access in the country is open and unrestricted.

Citizens enjoy full freedom of religious belief and practice, but only in areas where their particular group represents a majority. A 2004 Law on Religious Freedom grants churches and religious communities legal status akin to that enjoyed by nongovernmental organizations. Acts of vandalism against holy sites associated with all three major faiths—Islam, Orthodox Christianity, and Roman Catholicism—continue to occur. Religious symbols are often exploited for political purposes.

While the various governments in BiH do not restrict academic freedom at institutions of higher education, academic appointments are subject to ethnic favoritism and politicization. Primary and secondary school curriculums are heavily politicized. In parts of the region of Herzegovina, students are divided by ethnicity, with separate classrooms, entrances, textbooks, and time shifts. Local politicians sought this "two schools under one roof" policy to prevent cultural assimilation. Sensitive subjects include history, geography, and language; depending on their ethnicity, children use textbooks printed in Croatia, Serbia, or Sarajevo. The Bosnian branch of the Helsinki Committee for Human Rights has likened the situation to "open segregation and apartheid." In July 2007, the government approved a law that modestly increased state control over higher education.

The constitution provides for freedoms of assembly and association, and the various levels of government generally respect these rights in practice. However, ethnic or religious minorities in a particular area often find it more difficult to exercise their rights than the local majority population. Although there are no legal restrictions on the right of workers to form and join labor unions, there are growing allegations of discrimination against union members.

Corruption in the judiciary, police forces, and civil service forms a considerable obstacle to the establishment of the rule of law in BiH. The judiciary remains influenced by nationalist political parties and the executive branch of government. Judges who demonstrate some independence are reported to have faced various forms of intimidation. The War Crimes Chamber of the Court of Bosnia and Herzegovina, established in 2005, has successfully prosecuted and convicted a number of indi-

viduals, demonstrating that Bosnian judicial institutions are slowly maturing. However, the most sought-after indicted war crimes suspects—former Bosnian Serb political leader Radovan Karadzic and former Bosnian Serb military leader Ratko Mladic—remain at large. In July 2007, investigations commenced on over 90 individuals suspected of aiding fugitive war crimes suspects or playing a role in the 1995 Srebrenica massacre.

Ethnic nationalism in Bosnian society is widespread and presents a major obstacle to the country's integration. Individuals are discriminated against in terms of employment, housing, and social services in regions not dominated by their own ethnic group.

In 2004, the UN High Commissioner for Refugees announced that one million Bosnian refugees and displaced persons had returned since the end of the war, roughly half the total number driven from their homes during the fighting. The vast majority of property-restitution cases left over from the war have now been resolved. Despite these relative successes, however, many people are returning to their pre-war homes only to sell their property and move back to areas where they belong to the local ethnic majority. Consequently, BiH is now divided into largely homogeneous Bosniak, Croat, and Serb areas. When returnees decide to stay in areas where their group constitutes a minority, they are subject to discrimination, threats, and attacks. The Brcko district is an exceptional case in its ability to achieve a relatively high level of ethnic integration in the postwar setting.

Women are legally entitled to full equality with men. However, they are significantly underrepresented in politics and government and face frequent discrimination in the workplace in favor of demobilized soldiers. To compensate for the absence of women in public life, political parties are legally required to include three women among the top 10 names on their lists of candidates. At the end of 2006, women captured 14 percent of seats in the BiH House of Representatives and 23 percent of seats in the Republika Srpska National Assembly. Domestic violence remains a problem, and the police are still largely unresponsive to violent domestic disputes. Postwar BiH has emerged as a destination country for women trafficked for the purpose of prostitution, and UN reports claim that the large international civil and military presence in the country provides considerable demand for such services. A Bosnian criminal code that went into effect in March 2003 criminalized trafficking in human beings and increased penalties for related offenses.

## Botswana

**Population:** 1,800,000

**Capital:** Gaborone

**Political Rights:** 2

**Civil Liberties:** 2

**Status:** Free



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

1998	1999	2000	2001	2002	2003	2004	2005	2006	2007
2,2F	2,2F	2,2F	2,2F	2,2F	2,2F	2,2F	2,2F	2,2F	2,2F

**Overview:** Despite some initial obstacles, members of the San (Bushmen) community began returning to the Central Kgalagadi Game Reserve (CKGR) in 2007. Their return follows a much-publicized 2006 high court ruling that the government had wrongfully evicted them from the CKGR. Also in 2007, civil society activists and the political opposition criticized a proposed Intelligence and Security Services Bill, saying it lacked parliamentary oversight provisions and would undermine due process.

Elected governments, all led by the Botswana Democratic Party (BDP), have ruled the country since it gained independence from Britain in 1966. Vice President Festus Mogae, a former central bank chief, rose to the presidency when longtime president Ketumile Masire retired in 1998, and he was confirmed as the country's leader in 1999. The ruling BDP won by a wide majority in legislative elections that year. Polling was deemed free and fair, although the BDP enjoyed preferential access to state-run media.

The BDP firmly defeated a fractured opposition in October 2004 legislative elections, taking 44 of the 57 contested seats in the National Assembly and securing Mogae a second term in office. The main opposition party, the Botswana National Front (BNF), won 12 seats, while the Botswana Congress Party (BCP) won a single seat. International observers declared polling free and fair but recommended measures to strengthen the democratic process, including giving the opposition equal access to state-run media and setting the date for elections well in advance.

In 2002, a suit brought by 243 members of the San ethnic group, also known as Bushmen, challenged a 1997 government decision to evict them from their lands in the Central Kgalagadi Game Reserve (CKGR) and relocate them to nearby settlements. In 2006, a three-judge panel of the high court in Lobastse issued a long-awaited ruling in favor of the San, judging them wrongly evicted from the CKGR and ordering the government to allow them to return. Despite initially being denied access, some of the evicted San began returning to the CKGR in January 2007. San advocates and the government continue to argue about how many San will be allowed to live in the reserve.

More than 37 percent of Botswana's population is infected with HIV, and the

UN Children's Fund estimates that AIDS has created more than 120,000 orphans in the country. The government has taken a pioneering regional role in combating the pandemic, offering free antiretroviral drugs and introducing routine HIV testing in all public health facilities. The latter policy has drawn objections from civil libertarians, who are concerned that Batswana are not adequately informed before being tested and that their privacy rights are open to abuse. In August 2007, the government mandated that all pilots and air traffic controllers must be regularly tested for HIV.

Economic progress in Botswana has been built on sound fiscal management and low rates of corruption, and privatization is progressing slowly. Efforts are under way to diversify the economy, which relies on the diamond and cattle industries. Nevertheless, the unemployment rate is an estimated 40 percent.

**Political Rights and Civil Liberties:** Botswana is an electoral democracy. The 63-seat National Assembly, elected for five years, chooses the president to serve a concurrent five-year term; despite being elected indirectly, the president holds significant power. Of the Assembly's 63 members, 57 are directly elected, 4 are nominated by the president and approved by the Assembly, and 2—the president and attorney general—are ex-officio members.

The 15-member House of Chiefs, which serves primarily as an advisory body to the National Assembly and the government, represents the country's eight major Setswana-speaking tribes and some smaller ones. Groups outside the eight major tribes tend to be marginalized from the political process; under the Territories Act, land in ethnic territory is distributed under the jurisdiction of majority groups. A lack of representation in the House of Chiefs has allowed the imposition of patriarchal Tswana customary law on minority groups, which often have different rules for inheritance, marriage, and succession.

The BDP has dominated politics in Botswana since independence. Neither its majority in the National Assembly nor its control of the presidency has ever faced a serious challenge. Opposition parties, namely the BCP and the BNF, have accused the government of effectively institutionalizing the BDP's dominant status. Nevertheless, the Independent Election Commission, created in 1996, has helped consolidate Botswana's reputation for fairness in voting. President Festus Mogae has said that he will not serve a full five-year term and plans to hand over the presidency to his appointed vice president, Seretse Ian Khama, in 2008—a year before the next elections. Some analysts and opposition politicians have argued that this practice of "automatic succession" reduces presidential accountability to the electorate.

After a series of corruption scandals involving BDP leaders, the government passed a bill in 1994 that set up an anticorruption body with special powers for investigation, arrest, and search and seizure; the resulting conviction rate has been more than 80 percent. Botswana was ranked 38 out of 180 countries surveyed in Transparency International's 2007 Corruption Perceptions Index and has had the best rank among African countries for several years running.

A free and vigorous press thrives in cities and towns, and political debate is open and lively. Several independent newspapers and magazines are published in the capital. However, the government dominates the broadcast media, which reach far more residents than the print media, and provides inadequate access to the op-



position and government critics. In addition, the government sometimes censors or otherwise restricts news sources or stories that it finds undesirable. In 2007, the editor of the independent *Tswana Times* claimed that the state's Botswana Telecommunications Corporation withdrew advertisements from the paper in retaliation for a critical story.

The private Gaborone Broadcasting Corporation television system and two private radio stations have limited reach, although Botswana easily receives broadcasts from neighboring South Africa. A 2006 draft of the Botswana Broadcasting Bill is under consideration by the National Assembly. The bill includes plans to establish a new community broadcasting sector as well as a public entity to monitor the quality and objectivity of state-owned media. The government does not restrict internet access, though such access is almost absent outside cities. Botswana does not have a freedom of information law, and critics accuse the government of excessive secrecy.

Freedom of religion is guaranteed, but all religious organizations must register with the government.

Academic freedom is generally respected. However, in February 2005, Mogae employed the National Security Act of 1986 to declare Australian-born academic Kenneth Good a "prohibited immigrant" and deport him from Botswana. Good had criticized the government, saying it was run by a small elite and was manipulative of state media.

The government generally respects the freedoms of assembly and association, which are guaranteed by the constitution. Nongovernmental organizations (NGOs), including human rights groups, operate openly without government harassment. The government has barred San rights organizations, including the First People of the Kalahari group, from entering the CKGR, and demonstrations at the reserve have been forcibly dispersed. While independent labor unions are permitted, workers' rights to strike and bargain collectively are restricted.

The courts are generally considered to be fair and free of direct political interference, although the legal system is affected by staffing shortages and a large backlog of cases. Trials are usually public, and those accused of the most serious violent crimes are provided with public defenders. Civil cases, however, are sometimes tried in customary courts, where defendants have no legal counsel. Trials held under the National Security Act may be conducted in secret.

Authorities have been reported to occasionally use beatings and other forms of abuse to obtain evidence and elicit confessions. Botswana has been criticized by rights groups for continuing to use corporal and capital punishment. In 2007, the government introduced a draft Intelligence and Security Services Bill in the National Assembly. Among other reforms, it would create a Directorate of Intelligence and Security in the office of the president. Civil society organizations and opposition politicians strongly criticized the bill, saying it vested too much power in the director of the new agency—by allowing him to authorize arrests without warrants, for instance—and lacked appropriate mechanisms for parliamentary oversight. Prisons are overcrowded and suffer from poor health conditions, but the government has been making moves to address the problem by building new facilities and providing prisoners with access to HIV testing.

Discrimination against ethnic minorities is a problem. Since 1985, authorities have

relocated about 5,000 San to settlements outside the CKGR. Almost all of those remaining, 530 people, left in 2002 when the government cut off water, food, health, and social services. The government insists that the San have been adequately compensated in money and cattle and are provided decent education and health facilities in the new settlements, and it rejects assertions by critics that it simply wanted unrestricted access to diamond reserves in the region. The San tend to be marginalized educationally and do not enjoy the same employment opportunities as more privileged groups.

Illegal immigrants from Zimbabwe face increasing xenophobia and are accused, sometimes legitimately, of criminal activity. These immigrants are subject to exploitation in the labor market. Botswana is building an electric fence along its border with Zimbabwe, ostensibly to control foot-and-mouth disease among livestock, but the barrier is popularly supported as a means of halting illegal immigration. In 2006, some 38,000 Zimbabweans were deported from Botswana. Botswana features a vibrant market economy and was ranked highest among African countries in the Heritage Foundation's 2007 Index of Economic Freedom.

Women enjoy the same rights as men under the constitution, but customary laws limit their property rights. Women married under traditional laws are deemed legal minors. Progress in improving women's rights has been slow. However, in 2004, the government enacted the Abolition of Marital Powers Act, establishing equal control of marriage estates and equal custody of children, removing restrictive domicile rules, and setting the minimum marriage age at 18. A May 2007 report by Physicians for Human Rights stated that women's disempowerment and lack of adequate rights protections perpetuated the HIV/AIDS pandemic in Botswana. Domestic violence is rampant, and trafficking in women and children for purposes of prostitution and labor is a problem. The law prohibits homosexuality.

## Brazil

**Population:** 189,300,000

**Capital:** Brasilia

**Political Rights:** 2

**Civil Liberties:** 2

**Status:** Free



### Ten-Year Ratings Timeline For Year Under Review

(Political Rights, Civil Liberties, Status)

1998	1999	2000	2001	2002	2003	2004	2005	2006	2007
3,4PF	3,4PF	3,3PF	3,3PF	2,3F	2,3F	2,3F	2,2F	2,2F	2,2F

### Overview:

**In spite of the corruption scandals plaguing his administration since 2004 and stubbornly high crime rates in Brazil's larger cities, President Luiz Inacio "Lula" da Silva remained quite popular in 2007. His popularity was bolstered by his effective redistribution policies and the country's overall macroeconomic stability. How-**

**ever, in spite of his congressional majority, da Silva did not advance necessary structural reforms in the tax, social security, and legal systems due to tensions between the fourteen progovernment parties as well as political maneuvering ahead of the midterm elections in late 2008.**

After gaining independence from Portugal in 1822, Brazil retained a monarchical system until a republic was established in 1889. Democratic governance was interrupted by long periods of authoritarian rule, especially under the military regime that was in control from 1964 to 1985, after which elected civilian rule was reestablished. Democracy in Brazil then gradually took root, with peaceful transitions between democratically elected administrations. However, civilian rule has been marred by frequent corruption scandals. One scandal eventually led Congress in 1992 to impeach President Fernando Collor de Mello, who had been elected in 1989.

In early 1994, Fernando Henrique Cardoso—a market-oriented, centrist finance minister in the interim government that followed Collor de Mello's resignation—forged a three-party, center-right coalition around his Brazilian Social Democracy Party (PSDB). Cardoso won the presidency in October of that year, and in 1995 he initiated the highly successful *real plan*—a currency-stabilization program that included fiscal reform, privatization of state enterprises, and a new currency pegged to the U.S. dollar. He also ushered in a new era of dialogue with international human rights and good-governance groups. His popular tenure in office allowed him to secure a constitutional amendment permitting presidential reelection. In 1998, Cardoso handily won a second term in a rematch against his 1994 opponent, former labor leader and political prisoner Luiz Inacio "Lula" da Silva, of the left-leaning Workers' Party (PT).

Da Silva ran for president for the fourth time in 2002, attacking the effects of globalization on the poor and Brazil's high levels of foreign debt and unemployment. Da Silva received more votes than any presidential candidate in Brazilian history, beating Jose Serra, a center-left former PSDB health minister, 61 percent to 39 percent. Amid high expectations as Brazil's first leftist leader, da Silva began his presidential term in January 2003 by promising orthodox economic policies and meaningful social programs. He was able to maintain a stable economy while also preserving cordial relations with the United States, and quickly established himself as one of the world's foremost voices for developing nations. In March 2005, in a move that signaled Brazil's economic recovery, the government announced that it did not need to renew a standby credit agreement with the International Monetary Fund (IMF). Da Silva maintained his campaign commitment to social welfare, initiating "Bolsa Familia," a cash-transfer program that benefited approximately one-fourth of Brazil's population, as well as "ProUni," a fund providing scholarships for private colleges to low-income students. Da Silva also continued Brazil's internationally recognized public health campaign; over the previous decade, it had stabilized the country's HIV/AIDS epidemic, which affected an estimated 600,000 Brazilians.

Beginning in 2004, evidence of pervasive government corruption was uncovered, and successive corruption scandals continued to consume the legislative agenda and taint both the da Silva administration and Brazil's global image in 2007. The highlights of the last several years include the vote-buying *mensalao* (monthly stipend) and the "bloodsucker" scandals, the latter of which involved government officials selling overpriced ambulances to municipalities.

Da Silva was reelected with a comfortable margin in the October 2006 presidential runoff, principally as a result of his popularity among working-class Brazilians. In spite of the fact that the legislature was widely seen as the most corrupt in Brazil's history, the PT did not suffer electoral losses in Congress, and Lula continues to enjoy record popularity levels. Yet aside from an economic growth acceleration program (PAC) announced in January 2007, Lula has not advanced other structural reforms. Ongoing corruption scandals and tensions among the progovernment parties in the run-up to next year's midterm elections eroded

Tellingly, 91 members of Congress whose terms ended in December 2006 were accused of corruption, but only 4 of them were expelled. The most recent corruption scandals involved public works payoffs and construction firms. A May 2007 undercover operation, codenamed "Operation Razor," resulted in the arrest of 46 individuals for accepting kickbacks for public works contracts. Those arrested included several members of Congress as well as a former governor. Days later, one of da Silva's cabinet members was forced to resign after a federal surveillance video captured him receiving a bribe from a major building contractor. Yet another scandal involved kickbacks to the president of the Senate, Renan Calheiros of the centrist Party of the Brazilian Democratic Movement (PMDB), one of da Silva's most important allies.. On December 4, 2007, Calheiros resigned his post as president, but retained his congressional seat.

In August 2007, the government released a 500-page report that outlined the fate of political opponents who were "disappeared" by the Brazilian military between 1961 and 1988. The report was the result of an 11-year investigation led by Brazil's national Commission on Political Deaths and Disappearances. Because Brazil, thanks to a 1979 amnesty law, has never tried those responsible for these atrocities, the report was viewed as a step toward political reconciliation.

**Political Rights and Civil Liberties:** Brazil is an electoral democracy. The October 2006 national elections were free and fair. The current constitution, which took effect in 1985 and was heavily amended in 1988, provides for a president, to be elected for four years, and a bicameral National Congress. The Senate's 81 members serve eight-year terms, with a portion coming up for election every four years, and the 513-member Chamber of Deputies is elected for four years. A constitutional amendment adopted in 1997 permits presidential reelection, which supporters said would enhance presidential accountability. The next midterm elections will be held in October 2008.

In the wake of the 2006 elections, the four largest Brazilian political parties, comprising 70 percent of the seats in the Chamber of Deputies and over half of the Senate seats, are the centrist PMDB, the leftist PT, the conservative Democratic Party (the former Liberal Front Party, or PFL, which changed its name in March 2007 in an attempt to update its image), and the center-left PSDB. Fourteen other parties are also represented in Congress.

Despite a constitutional right of access to public information, Brazil does not have specific laws to regulate and guarantee transparency. Corruption is a serious and seemingly growing problem in Brazil, which was ranked 72 out of 180 countries surveyed in Transparency International's 2007 Corruption Perceptions Index. The task of combating Brazil's pervasive corruption is complicated by weak party loy-

alty and legal loopholes that allow those who resign from any public office to later seek reelection. However, in March 2007, the Tribunal Superior Eleitoral (TSE) ruled that federal deputies who switched parties after election would have to give up their seats in Congress. If put into effect, the rule would ameliorate the decades-old problem of rampant party switching. The matter will likely be decided by the Supreme Court in 2008.

The constitution guarantees freedom of expression. The press is privately owned, but foreigners can acquire only a 30 percent stake in a media company and are restricted in their ability to influence editorial decisions or management selection. There are dozens of daily newspapers and numerous other publications throughout the country. The print media have played a central role in exposing official corruption. At the same time, reporters—especially those who focus on organized crime, corruption, or impunity issues—are frequently the targets of threats and occasionally even killings. The government does not impose restrictions on the use of the internet.

The constitution guarantees freedom of religion, and the government generally respects this right in practice. The government does not restrict academic freedom.

The rights of freedom of association and assembly are generally respected, as is the right to strike. Industrial labor unions are well organized. Although they are politically connected, unions in Brazil tend to be freer from political party control than those in most other Latin American countries. Labor-related issues are adjudicated in a system of special labor courts. Intimidation of rural labor union leaders continues to be a problem.

The country's largely independent but weak judiciary is overburdened, plagued by chronic corruption, and virtually powerless in the face of organized crime. Because the judiciary uses its independence above all to resist change, there has been less progress in judicial reform in Brazil than in any other large country of the region. In addition, judges regularly employ legal formalisms to overturn government modernization efforts, including those aimed at privatizing state-owned industries and reforming the ineffective public welfare system.

Brazil has one of the highest homicide rates in the world and the world's highest death rate by firearms. The nation's homicide rate was 23.8 per 100,000 residents, compared with 5.6 per 100,000 residents in the United States in 2006. Police say that most violent crime in the country is directly or indirectly related to the illegal drug trade. The highly organized and armed drug gangs frequently fight against the military police, as well as private militias comprising off-duty police officers, prison guards, and firefighters. These militias have instituted their own form of extortion, charging citizens a mandatory tax for ousting drug traffickers from their areas and intimidating human rights activists. It is reported that the militias now control 90 of Brazil's 600 favelas, or shantytowns, adding to the violence and lawlessness that plague Brazil's poor communities. In May 2006, Sao Paulo's principal criminal gang launched several coordinated attacks against prison guards, banks, and public buses. The crime wave and resulting clash with police resulted in the deaths of an estimated 150 people and brought the city to a standstill. In December 2006, similar attacks struck Rio de Janeiro.

Brazil's police are among the world's most violent and corrupt, and the violence has only increased in recent years. According to official estimates, police in the state of Sao Paulo killed 328 people in the first half of 2006, an 84 percent increase from the

same period in 2005. An investigation by an independent committee found overwhelming evidence that many of the killings reported from the May 2006 attacks in Sao Paulo were in fact summary executions by the police. In the rare instances when police officers are indicted for such abuses, convictions are not obtained; typically the charges are dismissed for "lack of evidence." Torture is used systematically to extract confessions from suspects, and extrajudicial killings are portrayed as shootouts with dangerous criminals. However, the National Committee for the Prevention and Control of Torture, which was created in June 2006, aims to address Brazil's torture problem. The committee is tasked with designing mechanisms to minimize torture and inspecting detention centers.

The prison system in Brazil is anarchic, overcrowded, and largely unfit for human habitation. Over 400,000 people are incarcerated in Brazil, despite the official prison capacity of 234,000. Human rights groups charge that torture and other inhumane treatment common to most of the country's detention centers turn petty thieves into hardened criminals.

Racial discrimination, long officially denied as a problem in Brazil, began to receive both recognition and remediation from President Luiz Inacio "Lula" da Silva during his first term. Blacks in Brazil earn less than 50 percent of the average earnings of other citizens, and they suffer from the highest homicide, poverty, and illiteracy rates. In a precedent-setting series of actions, da Silva upon taking office named four Afro-Brazilians to his cabinet, appointed the country's first Afro-Brazilian Supreme Court justice, and pressed for the adoption of a Racial Equality Statute to redeem his pledge that Afro-Brazilians would make up at least one-third of federal employees within five years. Two controversial affirmative-action bills, which would introduce quotas for public universities and jobs, are currently being considered in Congress.

The owners of large estates control nearly 60 percent of the country's arable land, while the poorest 30 percent of the population shares less than 2 percent. In rural areas, land invasions are organized by the grassroots Landless Workers' Movement (MST), which claims that the seized land is unused or illegally held. However, many of the occupied properties are legally owned by others. The courts have increasingly supported the eviction of the squatters, and some owners have resisted invasions with force. The MST is not formally affiliated with the PT, but it has enjoyed some PT support.

Although Brazil abolished slavery in 1888, the government in 2004 acknowledged that at least 25,000 Brazilians were working under "conditions analogous to slavery," with other estimates putting the figure as high as 50,000. Landowners who enslave workers face two to eight years in prison, in addition to fines. However, the fines are minimal, and few if any of the modern-day slaveholders ever spend time in jail.

Beginning in 2003, the Brazilian government promised to demarcate wide swaths of ancestral lands as the first step in creating indigenous reserves. To date, 27 indigenous territories have yet to be formally demarcated, down from 134 in 2005. In response to strong political pressure, da Silva established a national Commission on Indigenous Policy in April 2007. Still, violence and discrimination against Brazil's estimated indigenous population of 460,000 continues, and half of the indigenous population lives in poverty.

A June 2001 decree granted same-sex partners the same rights as married couples

with respect to pensions, social security benefits, and taxation. While laws prohibit discrimination based on sexual orientation, violence against homosexuals remains a problem.

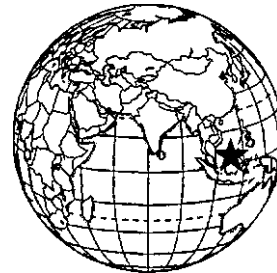
In January 2003, a legal code took effect that made women equal to men under the law for the first time in the country's history. Moreover, the August 2006 "Maria da Penha" Law aimed to reduce violence against women by creating shelters and specially designed police centers for victims. Nevertheless, violence against women and children is a common problem, and protective laws are rarely enforced. Forced prostitution of children is widespread. Child labor is also prevalent—a 2007 International Labor Organization report revealed that there are three million child workers in Brazil—and laws against it are not applied effectively.

Brazil is a source for victims of both domestic and international human trafficking. According to the U.S. State Department's 2007 Trafficking in Persons Report, Brazil does not comply with the minimum standards for eliminating human trafficking, and prosecutions for forced labor remain deficient. However, significant progress was made in 2007. Convictions of trafficking offenders increased during the year, and in a November 2006 ruling, the Supreme Court increased the federal government's ability to punish those who utilize or traffic in slave labor.

## Brunei

**Population:** 400,000  
**Capital:** Bandar Seri Begawan

**Political Rights:** 6  
**Civil Liberties:** 5  
**Status:** Not Free



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

1998	1999	2000	2001	2002	2003	2004	2005	2006	2007
7,5NF	7,5NF	7,5NF	7,5NF	6,5NF	6,5NF	6,5NF	6,5NF	6,5NF	6,5NF

**Overview:** **Demonstrating greater demand for government accountability, the Legislative Council scrutinized the national budget and requested transparency regarding government investment agencies in March 2007. Also during the year, one of Brunei's three political parties was deregistered by the Registrar of Societies without explanation.**

The oil-rich sultanate of Brunei became a British protectorate in 1888. The 1959 constitution vested full executive powers in the sultan while providing for five advisory councils, including a Legislative Council. In 1962, Sultan Omar Ali Saifuddin annulled legislative election results after the leftist Brunei People's Party (BPP), which sought to end the monarchy, won all 10 elected seats in the 21-member council. After British troops crushed an insurgency mounted by the BPP, Omar declared a state of

emergency, which has remained in force ever since. Continuing his father's absolute rule, Hassanal Bolkiah Mu'izzaddin Waddaulah became Brunei's 29th sultan in 1967. The British granted Brunei full independence in 1984.

In September 2004, Hassanal reconvened the Legislative Council, which had been suspended since 1984. The Council passed a constitutional amendment to expand its size to 45 seats, with 15 elected positions. Hassanal in September 2005 convened a new Legislative Council, including five indirectly elected members representing village councils. Plans for the 45-person legislature with 15 popularly elected slots remained on the table in 2006 and 2007, but elections had still not been scheduled by year's end. The sultan's family and appointees continue to hold all state power, with the Internal Security Act (ISA) maintaining virtually untrammled powers for the sultan himself.

The Legislative Council appears to have taken on budget review as a regular function in recent years, meeting in 2006 and 2007 to scrutinize government expenditures. At the Council's March 2007 meeting, one member demanded from the country's second finance minister information about government investment agencies, including the Brunei Investment Agency (BIA) and the Employees Trust Fund. In April, in another rare call for accountability, the minister of home affairs—part of the sultan's appointed cabinet—called for wise use of the national budget.

This modestly increased activity on the part of the Council and heightened attention on government spending—along with the plans for elected Council members, Brunei's 2006 accession to the Asian Development Bank, and government efforts to promote the private sector while curbing corruption and radical Islam—are considered preparations for the anticipated depletion of the country's oil and gas reserves, which currently account for 90 percent of state revenues. The funds have long allowed the government to stave off demands for political reform by employing most of the population, providing citizens with extensive benefits, and sparing them an income tax.

Also in 2007, the government's Registrar of Societies exercised tighter control over political party activity, requiring the president of the Brunei National Solidarity Party (PPKB) to step down and disbanding the People's Awareness Party (PAKAR) altogether.

Brunei continued to strengthen ties with the Philippines through joint naval exercises in September and by sending a new group of peacekeepers to monitor the ceasefire in Mindanao in October.

**Political Rights and Civil Liberties:** Brunei is not an electoral democracy. The sultan wields broad powers under a long-standing state of emergency, and no direct legislative elections have been held since 1962.

Citizens convey concerns to their leaders through government-vetted councils of elected village chiefs. In April 2007, the minister of home affairs called on these councils to be more active in local development following the government's allotment of \$125,000 to support their activities. The government promotes a combination of Islamic values, local Malay culture, and allegiance to the monarchy through a national ideology called Malay Muslim Monarchy, and portrays abandonment of these values as treason or *haram* (sin).

The reform efforts of Sultan Hassanal Bolkiah Mu'izzaddin Waddaulah have



been largely superficial and are designed to encourage international investment in Brunei's economy. The unicameral Legislative Council has no political standing independent of the sultan. However, mounting pressure in 2007 from Council members to disclose information on government investment agencies and civil-service salary increases reflect a growing demand for government accountability and responsible spending.

Despite plans to establish a 45-member legislature with 15 popularly elected members, political activity remains extremely limited. The number of political parties fell from three to two in 2007, when the Registrar of Societies deregistered the PAKAR without official explanation after detecting internal splits over the last several years. The PPKB, an offshoot of one of two parties that were banned in 1988, elected a new president in an emergency session in April after the Registrar of Societies required party president Mohd Atta to resign. The country's other remaining party—the National Development Party (NDP), headed by former political prisoner, exile, and insurgent leader Awang Muhammad Yasin Affendy bin Abdul Rahman—was permitted to register in 2005 after pledging to work as a partner with the government and swearing loyalty to the sultan; it held its first congress in 2006. When active at all, parties generally focus on social rather than political issues because of the country's extensive political restrictions.

The vast wealth of the sultan and his family lends itself to profligacy among officials. Brunei claims to have launched a three-pronged, zero-tolerance policy on corruption, and its Anti-Corruption Bureau has made efforts to cooperate with regional partners and the Ministry of Education in recent years. A ruling by the UK Privy Council in November 2007 seconded a 2006 ruling by the Brunei high court requiring the sultan's brother and former finance minister, Prince Jefri Bolkiah, to transfer billions of dollars in assets to the sultanate after being charged with misappropriating oil revenues. No verdict has been issued in the corruption trial of former minister of development Haji Ismail, which began in February 2006. Brunei was not included in Transparency International's 2007 Corruption Perceptions Index.

Journalists in Brunei face considerable restrictions. Legislation enacted in 2001 allows officials to shut down newspapers without cause and to fine and jail journalists for articles deemed "false and malicious." The national sedition law was amended in 2005 to strengthen prohibitions on criticizing the sultan and the national ideology. In April 2007, the deputy prime minister warned the media not to "play with fire" when reporting on the sultanate, and to respect government decisions to withhold certain information. The largest daily, the *Borneo Bulletin*, practices self-censorship, though it does publish letters to the editor that criticize government policies. A second English-language daily, the *Brunei Times*, was launched in July 2006 by prominent businessmen in an effort to attract foreign investors; it covers a wider range of international, finance, and opinion pieces, as well as online polls on government policies. A smaller, Malay-language newspaper and several Chinese-language newspapers are also published. Brunei's only television station is state run, but residents can receive Malaysian broadcasts and satellite channels, which deliver international news. The country's internet practice code stipulates that content must not be subversive or encourage illegitimate reform efforts. Access to the internet is reportedly unrestricted.

The Shafeite branch of Sunni Islam, Brunei's official religion, permeates all lev-

els of society. The constitution allows for the practice of other religions, but religious freedom for non-Muslims is restricted. Proselytizing and the importation of religious teaching materials and scriptures by other faiths is prohibited, while Muslim religious authorities regularly organize *dakwah* (proselytizing) activities and offer incentives to converts. The government requires all residents to carry identity cards stating their religion. Marriage between Muslims and non-Muslims is not permitted. Muslims require permission from the Ministry of Religious Affairs to convert to other faiths, and official and societal pressure make conversion nearly impossible. Christianity is considered the greatest threat to Islam and is the most common target of censorship. Radical Islam is discouraged, in part due to the government's interest in attracting investment. The Islamist Al-Arqam movement and the Baha'i faith are banned. The country's various groups coexist peacefully, however.

The study of Islam, Malay Muslim Monarchy ideology, and the Jawi (Arabic script used for writing the Malay language) are mandatory in all public schools. The teaching of all other religions is prohibited, and the Ministry of Religious Education has controlled religious education since 2006. In January 2007, the Ministry of Education announced a new, five-year strategic education plan in an effort to diversify the country's workforce.

Emergency laws continue to restrict freedom of assembly. Most nongovernmental organizations are locally based professional or business groups, and under the January 2005 Societies Order, all organizations must register and name all members. Registration can be refused for any reason. Brunei's three, largely inactive trade unions, which must also register, are all in the oil sector and represent only about 15,000 workers. Strikes are illegal, and collective bargaining is not recognized. Brunei became a member of the International Labor Organization in January 2007.

The constitution does not specifically provide for an independent judiciary, but the courts generally appear to act independently. The legal system is based on English common law, plus legislation enacted by the sultan. The local magistrates' courts try most cases, while more serious cases are reserved for the high court, for which British judges are appointed. Sharia (Islamic law) takes precedence in areas including divorce, inheritance, and some sex crimes. Sharia does not currently apply to non-Muslims. In March 2007, Brunei's chief justice called for the appointment of an additional judge to the high court to help resolve the country's backlog of capital cases, which results in lengthy pretrial detention for those accused of serious crimes.

Religious enforcement officers raid homes and arrest *khalwat* offenders—those suspected of violating the Islamic prohibition on the mingling of unrelated Muslim men and women. The authorities also detain suspected antigovernment activists under the ISA, which permits detention without trial for renewable two-year periods. Five ISA detainees arrested in 2004 for distributing counterfeit money were released in July 2007 after swearing allegiance to the sultanate. Prison conditions generally meet international standards.

Citizens enjoy considerably greater autonomy, rights, and benefits than Brunei's many "stateless" people, mostly longtime ethnic Chinese residents who are denied recognition as citizens, and migrant workers, who comprise 30 to 40 percent of the country's workforce but are largely unprotected by the country's labor laws. Authorities are very strict on illegal entry, and workers who overstay visas are regularly imprisoned and, in some cases, caned or whipped.

Women are treated as unequal to men in areas such as divorce, in accordance with Islamic law, but an increasing number of women have entered the workforce in recent years. Women in government-run institutions and non-Muslim female students are required or pressured to wear traditional Muslim head coverings.

## Bulgaria

**Population:** 7,700,000

**Capital:** Sofia

**Political Rights:** 1

**Civil Liberties:** 2

**Status:** Free



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

1998	1999	2000	2001	2002	2003	2004	2005	2006	2007
2,3F	2,3F	2,3F	1,3F	1,2F	1,2F	1,2F	1,2F	1,2F	1,2F

#### Overview:

**Bulgaria officially joined the European Union on January 1, 2007, and held its first elections for the European Parliament in May. A report by the European Commission in June warned that the government would risk penalties if it failed to make further progress in combating corruption and organized crime by mid-2008. A new center-right party won the most votes in both the May polling and municipal elections held in the fall.**

Bulgaria gained autonomy within the Ottoman Empire in 1878 and full independence in 1908. It lost some territory as a result of World War I, and was occupied by Soviet forces toward the end of World War II; the monarchy was abolished shortly after the war. Communist leader Todor Zhivkov ruled the country from 1954 to 1989, when the broader political changes sweeping the region inspired a massive prodemocracy rally in Sofia.

Over the next 12 years, power alternated between the Bulgarian Socialist Party (BSP), successor to the Communist Party, and the center-right Union of Democratic Forces (UDF). The latter achieved significant success in privatizing and restructuring most of the old state-run economy, as well as winning an invitation for European Union (EU) membership talks, which began in 2000. In 2001, Bulgaria's former child king, Simeon II, returned from exile and formed the National Movement for Simeon II (NDSV). It won that year's elections and formed a governing coalition with the Movement for Rights and Freedoms (DPS), a party representing the country's Muslim and ethnic Turkish minorities.

By the time of new elections in 2005, Simeon's government had lost popular support owing to economic difficulties and widespread corruption. Amid record-low turnout, the BSP captured 82 seats in parliament. The NDSV placed second (53

seats), followed by the DPS (34 seats). The ultranationalist Ataka (Attack) party, running for the first time, took 9 percent of the vote (21 seats). The three largest parties formed a coalition, with BSP leader Sergei Stanishev as prime minister. In the October 2006 presidential election, incumbent Georgi Parvanov easily defeated Ataka leader Volen Siderov for a second term. Voter turnout remained low at about 42 percent.

Bulgaria formally joined the EU on January 1, 2007. The country's first elections for its 18 seats in the European Parliament were held on May 20, but voter apathy and foul weather drove turnout down to about 29 percent. The BSP and a new center-right opposition party—Citizens for the European Development of Bulgaria (GERB)—each received five seats, with GERB taking advantage of a government corruption scandal to narrowly win the most ballots. The DPS secured four seats; Ataka, running a stridently anti-Turkish campaign, took three; and the NDSV took one.

The European Commission released a report on Bulgaria's reform progress in June, warning that the country would have to take additional steps to combat high-level corruption and organized crime by mid-2008 or risk possible EU penalties.

Municipal elections held in two rounds in late October and early November were marred by reports of vote buying and the organized busing of voters from Turkey. Large and complicated ballot papers contributed to the rejection of 8 percent of ballots cast, and a raft of lawsuits challenged the results in various districts. GERB claimed to have captured the most votes and called for early parliamentary elections, but Stanishev rejected the proposal, noting that the three governing parties combined had outpolled GERB. Voter turnout fell from 42 percent in the first round to 29 percent in the second, both down from 47 percent in the 2003 municipal elections.

**Political Rights and Civil Liberties:** Bulgaria is an electoral democracy. The unicameral National Assembly, composed of 240 members, is elected every four years. Georgi Parvanov of the BSP is currently serving his second five-year term as president, having won reelection in October 2006. The president serves as head of state, but presidential powers are very limited. The legislature chooses the prime minister, who serves as head of government.

The top voter-earners in the 2005 parliamentary elections were the left-wing BSP, the centrist DPS, and the center-right NDSV, which was renamed the National Movement for Stability and Progress in 2007. There are several small Romany (Gypsy) parties, and Roma were better represented on the main party lists in the 2007 municipal elections. GERB, a new center-right party led by Sofia mayor Boyko Borisov, won the most votes in the 2007 polls but has not yet contested parliamentary elections. After a bitter debate ahead of the European Parliament elections, the legislature enacted rules requiring Bulgarian voters to have lived in Bulgaria or another EU state for at least 60 days in the three months before the balloting. The measure, principally aimed at ethnic Turkish citizens, had the effect of removing some 234,000 people from the voter lists, including 186,000 living in Turkey.

Corruption is a serious concern in Bulgaria. Reforms in 2005 and 2006 introduced financial disclosure rules, conflict-of-interest safeguards, and mechanisms for removing parliamentary immunity. However, very few high-level officials have been prosecuted, and the European Commission's June 2007 report noted that current laws barred investigations of unexplained wealth in the absence of a clear link to

criminal activity. The report also pointed out that a number of officials and agencies were tasked with fighting corruption, meaning that there was no unified effort and little accountability for results. Corruption scandals in May 2007 led to the firing or resignation of Economy and Energy Minister Rumen Ovcharov; his deputy, Kornelia Ninova; and Delyan Peevski, the deputy minister of disaster management. Bulgaria was ranked 64 out of 180 countries surveyed in Transparency International's 2007 Corruption Perceptions Index.

Bulgarian media have evolved considerably since 1989, but political and economic pressures sometimes lead to self-censorship. Although the state-owned television station, radio station, and news bureau are often very critical of the government, ineffective legislation leaves them vulnerable to political influence. Intimidation from local authorities and organized crime groups remains the biggest obstacle to press freedom. In February 2007, Ataka party leader Volen Siderov and a number of supporters entered the offices of the affiliated newspapers *24 Chasa* and *168 Chasa* to object to a recent article. They reportedly made physical threats and verbally abused journalists. In separate incidents, an investigative reporter was threatened with an acid attack in February, and police officers in May beat a photojournalist as he attempted to comply with their demand to delete pictures of a witness's heavily armed security detail outside a courthouse. The government does not place any restrictions on internet access.

A special commission charged with opening the archives of the Communist-era security services began work in 2007, vetting electoral candidates and top officials for past collaboration. Candidates linked to the security services were not disqualified, but their parties could opt to remove them from party lists. Under the 2006 law that created the panel, the public would eventually have full access to the files, with exceptions covering current ambassadors, intelligence chiefs, and national security issues.

Members of minority faiths report occasional instances of harassment and discrimination despite constitutional guarantees. The government has in recent years made it difficult for "nontraditional" religious groups—those outside the Orthodox Christian, Roman Catholic, Muslim, and Jewish communities—to obtain registration permits for their activities, and has withdrawn recognition for one side in a Bulgarian Orthodox Church schism. Calls for the construction of new mosques have reportedly met with opposition among politicians and the public. The Ataka party has used hostile and provocative language aimed at Jews and Muslims during its political campaigns since 2005.

The government does not restrict academic freedom. However, researchers at a German university drew a nationalistic response from Bulgarian media and politicians, including Parvanov, in April 2007, when they questioned contemporary accounts of an 1876 massacre by Ottoman Turkish forces.

The authorities generally respect constitutional freedoms of assembly and association. Trade union rights are in place, but the laws are insufficient to prevent employers from discriminating against union members. Among the year's demonstrations, taxi drivers protesting violent crime blocked roads in Sofia in February 2007, police used force to disperse an unauthorized protest by coal miners seeking higher wages in July, and teachers mounted a two-month strike from September to November over low wages and inadequate state spending on education.

The complicated judicial system is enshrined in the constitution, inhibiting reform. Some progress has been made in recent years, including improvements to the public defender system and an increased judicial budget in 2006, but the 2007 European Commission report found that low salaries were contributing to corruption among judges. The report also noted the justice system's failure to solve multiple contract killings aimed at organized crime figures and local politicians. More than 100 urban contract killings over the past decade remain unsolved. Public opinion polls have reportedly shown widespread lack of confidence in the courts and the police.

Incidents of mistreatment by police continue to be reported, and the European Court of Human Rights has ruled against Bulgaria on a number of such cases. The claims have included beatings during questioning and the use of firearms against unarmed suspects; vague language in the Interior Ministry's code of conduct reportedly permits the latter practice. Prison conditions have improved somewhat thanks to EU-backed reforms, but they remain inadequate in many places.

Ethnic minorities, particularly the Roma, continue to face discrimination in employment, health care, education, and housing. Government assistance, including a new aid plan adopted in 2006, has focused on improving living conditions for the Roma, but critics argue that such subsidies provoke resentment among other Bulgarians and fail to address shortfalls in Romany education and employment. A number of raced-based attacks and clashes were reported in 2007.

Women remain underrepresented in political life, making up about 20 percent of National Assembly members. Domestic violence is an ongoing concern. The country is a source of human-trafficking victims, with an estimated 10,000 women trafficked abroad each year, and internal trafficking is increasing. Romany children are disproportionately affected by child trafficking. The government in October 2007 appeared to reverse plans to legalize prostitution, which is neither banned nor permitted by any specific law at present. Prosecutors had warned that legalization could encourage human trafficking and sex tourism.

## Burkina Faso

**Population:** 14,800,000

**Capital:** Ouagadougou

**Political Rights:** 5

**Civil Liberties:** 3

**Status:** Partly Free



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

1998	1999	2000	2001	2002	2003	2004	2005	2006	2007
5,4PF	4,4PF	4,4PF	4,4PF	4,4PF	4,4PF	5,4PF	5,3PF	5,3PF	5,3PF

### Overview:

**In elections for the National Assembly in May 2007, President Blaise Compaore's Congress for Democracy and**

**Progress (CDP) party increased its representation by 16 seats, winning 73 of the legislature's 111 seats, while the main opposition party won only 14 seats, a loss of three. Also during the year, flooding that began in July displaced over 8,000 people and killed at least 30. In October, soldiers took to the streets to demand improvements in compensation and living standards.**

Burkina Faso experienced a series of military coups after gaining independence from France in 1960. In 1987, Blaise Compaore, an army captain, seized power in a coup against Thomas Sankara, the populist president who had risen to power through a coup in 1983. Sankara and several of his supporters were killed. In 1991, a democratic constitution was approved in a referendum, and Compaore easily won that year's presidential election thanks to an opposition boycott. Compaore secured another seven-year term in the November 1998 election.

In December 1998, Norbert Zongo, a journalist investigating the death of an employee of Compaore's brother, was assassinated. An independent investigative body concluded in 1999 that Zongo's murder was linked to his reporting and identified six members of the presidential guard as suspects. Only one suspect was charged, and an appeals court dismissed the charges in August 2006, citing a lack of evidence.

The government undertook a series of political reforms after 1998, including the introduction of an independent electoral commission, a single-ballot voting system, public campaign financing, and a third vice presidential position in the legislature for the opposition leader. The 2002 National Assembly elections were the first conducted without a significant opposition boycott. Compaore's Congress for Democracy and Progress (CDP) party won only 57 of the National Assembly's 111 seats, compared with 101 in 1997. In 2000, a constitutional amendment had shortened presidential terms from seven to five years, and a 2001 amendment had limited presidents to two terms in office. However, the CDP argued that the latter change was not retroactive, and Compaore secured a third term in 2005. The country's first municipal elections, for 350 newly created municipalities, were held in April 2006, with the CDP capturing nearly two-thirds of the local council seats.

National Assembly elections were held in May 2007, and the CDP gained 16 seats for a total of 73, with voter turnout just under 57 percent. The largest opposition party, the Alliance for Democracy and Federation-African Democratic Rally (ADF-RDA), won only 14 seats, a loss of three.

Burkina Faso's relations with neighboring Cote d'Ivoire have been strained by allegations that Compaore has supported Ivorian rebels, as well as by Burkinabe migrants' use of land and water resources in Cote d'Ivoire. However, Compaore has played a mediating role in the Ivorian civil conflict, and the two sides signed a peace agreement in Ouagadougou in March 2007. Also in early 2007, tensions increased between Burkina Faso and Niger, with mutual accusations that security forces had crossed the border and harassed villagers. The case was brought before the International Court of Justice in March; the body is also expected to adjudicate a border dispute between Burkina Faso and Benin.

In October 2007, soldiers took to the streets to demand further improvements in military living standards. The government had initially agreed to enact reforms after the December 2006 killing of a soldier by the police sparked fighting between the two services, causing five deaths and providing an opportunity for soldiers to voice other grievances.

The country remains a regional transshipment point for drugs, diamonds, and small arms. However, the government has used the UN General Assembly as a forum to address the issue, and Burkinabe authorities have successfully intercepted some illegal shipments.

Burkina Faso is one of the world's poorest countries, and over 80 percent of the population engages in subsistence agriculture. The economy is highly dependent on cotton exports, leaving it vulnerable to poor harvests and fluctuations in global prices. Agricultural production was set back by flooding that began in July 2007. The disaster displaced some 8,000 people and killed at least 30.

**Political Rights and Civil Liberties:** Burkina Faso is not an electoral democracy. President Blaise Compaore's CDP party dominates politics. International monitors concluded that the 2005 presidential election was generally free, although not entirely fair, due to Compaore's privileged access to state resources and the media. The president is currently serving his final five-year term in office and will step down in 2010. Likewise, international observers considered the 2006 municipal elections, in which CDP members secured the vast majority of seats, to be free but not fair, due to the greater resources available to CDP candidates. The 111-seat National Assembly is unicameral, and members serve five-year terms. The legislature is independent, but subject to executive influence. Although election monitors from the African Union (AU) concluded that the voting in the May 2007 legislative elections was free and transparent, members of the opposition complained that the ruling party distributed gifts to potential voters in advance of the election.

The constitution guarantees the right to form political parties, and as of May 2007, a total of 126 parties were registered. However, Burkina Faso lacks a coherent party system, and only 13 parties are represented in the legislature. Opposition members have been critical of 2004 revisions to the electoral code, saying they favor larger parties. Many parties have unclear ideologies, and while some private media outlets have organized political debates, opposition parties' access to the state media is limited.

Corruption remains widespread, despite a number of public and private anticorruption initiatives. The courts have been unwilling or unable to adequately prosecute many senior officials charged with corruption. However, the National Network to Fight Against Corruption (RENLAC), a countrywide anticorruption network, has been successful in raising awareness about corruption. Burkina Faso was ranked 105 out of 180 countries surveyed in Transparency International's 2007 Corruption Perceptions Index.

Although freedom of expression is constitutionally guaranteed and generally respected in practice, many media outlets practice self-censorship. There are over 50 private radio stations, a private television station, and several independent newspapers, and the government does not restrict internet access. However, in January 2007, a court convicted two journalists of libeling Compaore's brother as part of their coverage of the Norbert Zongo murder case, and in March, a journalist was arrested for allegedly insulting an official in the National Gendarmerie. In April, a presenter at a private radio station received death threats for coverage critical of Compaore's regime and, in October, his car was destroyed in a fire. In May, another journalist received death threats from a group insulted by his reporting.



Burkina Faso is a secular state, and freedom of religion is respected. Academic freedom is also unrestricted. Since 1991, political debate has been tolerated, and many competing groups openly criticize the government.

The constitution provides for the right to assemble, though demonstrations are sometimes suppressed or banned. Many nongovernmental organizations, including human rights groups that have reported detailed accounts of abuses by security forces, operate openly and freely. There are six main labor unions and about a dozen smaller ones, although only a minority of the workforce is unionized. The constitution guarantees the right to strike, and unions are able to engage freely in strikes and collective bargaining.

The judicial system is formally independent, although it is subject to executive influence and is characterized by corruption. The judiciary is further weakened by a lack of adequate resources and citizens' poor knowledge of their rights. Although the right to own property is legally guaranteed, the weak judicial system and the recourse to traditional courts in rural areas limit this right in practice.

Human rights advocates in Burkina Faso have repeatedly criticized the military and police for acting with impunity. Police often use excessive force and disregard pretrial detention limits. Prison conditions are harsh, although during 2007, renovations were completed on two prisons, and separate quarters for women were being constructed in two other locations.

Discrimination against members of Burkina Faso's various ethnic minorities occurs but is not widespread. However, the disabled, homosexuals, and those infected with HIV routinely experience discrimination. The HIV prevalence rate is currently 2 percent.

The constitution provides for freedom of movement within the country, although security checks on travelers are common. Equality of opportunity is hampered in part by the advantages conferred on CDP members, who receive preferential treatment in securing public contracts.

Discrimination on the basis of gender is prohibited, but women's rights are not consistently enforced. Discrimination against women is common in employment, education, property, and family rights, particularly in rural areas. There are currently 13 women in parliament, and, in 2007, a proposal to establish a quota for women in government was drafted for legislative review. Abortion is prohibited, except when the mother's life is at risk or in cases of fetal impairment, incest, or rape. Unpaid child labor is common, despite laws prohibiting forced labor. Although the government outlawed female genital mutilation in 1996, the practice still occurs. In September 2007, a 14-year-old girl died after an excision, the first such death in two years. Burkina Faso is a source, transit, and destination country for trafficking in women and children, who are subject to forced labor and sexual exploitation. The government has criminalized child trafficking, but adult trafficking is not prohibited, and sentences for convicted traffickers often lack severity.

## Burma (Myanmar)

Population: 49,800,000

Capital: Rangoon

Political Rights: 7

Civil Liberties: 7

Status: Not Free



**Trend Arrow:** Burma received a downward trend arrow due to increased economic mismanagement and exploitation, including dramatic fuel-price increases in August 2007, and for the violent repression of subsequent protests.

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

1998	1999	2000	2001	2002	2003	2004	2005	2006	2007
7,7NF	7,7NF	7,7NF	7,7NF	7,7NF	7,7NF	7,7NF	7,7NF	7,7NF	7,7NF

### Overview:

**A 500 percent fuel-price increase in August 2007 exacerbated already dire economic conditions in Burma, leading to a series of public protests that culminated in mass marches in Rangoon in late September. Protesters led by Buddhist monks called for greater political rights and better economic management. A violent government response smothered the protests and resulted in thousands of arrests and an unknown number of deaths. Meanwhile, the National Convention, tasked with drafting a new constitution as an ostensible first step toward democracy, concluded in September and issued constitutional guidelines that would guarantee continued military dominance. A government-appointed body is currently composing the final draft of the charter. Separately, severe human rights abuses and mass displacement continued in ethnic minority states during the year.**

After occupation by the Japanese during World War II, Burma achieved independence from Great Britain in 1948. The military has ruled since 1962, when the army overthrew an elected government that had been buffeted by an economic crisis and a raft of ethnic insurgencies. During the next 26 years, General Ne Win's military rule helped impoverish what had been one of Southeast Asia's wealthiest countries.

The present junta, led by General Than Shwe, dramatically asserted its power in 1988, when the army opened fire on peaceful, student-led, prodemocracy protesters, killing an estimated 3,000 people. In the aftermath, a younger generation of army commanders created the State Law and Order Restoration Council (SLORC) to rule the country. However, the SLORC refused to cede power after it was defeated in a landslide election by the National League for Democracy (NLD) in 1990. The junta jailed dozens of members of the NLD, which had won 392 of the 485 parliamentary seats in Burma's first free elections in three decades.

In an effort to improve the junta's international image, Than Shwe and several

other leading generals refashioned the SLORC into the State Peace and Development Council (SPDC) in 1997. In late 2000, encouraged by the efforts of UN special envoy Razali Ismail, the government began holding talks with NLD leader Aung San Suu Kyi, which led to an easing of restrictions on the party by mid-2002. Suu Kyi was released from house arrest and allowed to make several political trips outside the capital, and the NLD was permitted to reopen a number of its branch offices.

Suu Kyi's growing popularity and her revitalization of the NLD during the first half of 2003 apparently rattled hard-liners within the regime. On May 30, a deadly ambush on Suu Kyi's NLD motorcade by SPDC supporters left an unknown number of people killed or injured. Suu Kyi and dozens of other NLD officials and supporters were detained following the attack, NLD offices were again shut down, and universities and schools were temporarily closed in a bid to suppress wider unrest. Since then, authorities have continually tried to undermine the popularity of the NLD. Suu Kyi was released from prison in September 2003 but remains under house arrest, as do other senior party leaders. Periodic arrests and detentions of political activists, journalists, and students remain the norm.

The junta organized an October 2004 government purge in which Khin Nyunt, the prime minister and head of military intelligence, was removed from office and placed under house arrest. A relative moderate, he had advocated limited dialogue with both the NLD and Burma's armed ethnic factions. Hard-liner Lieutenant General Soe Win, who has been accused of masterminding the May 2003 attack on Suu Kyi, replaced him. In 2005, authorities began shifting the country's capital 600 kilometers (370 miles) inland, to a new site called Nay Pyi Taw, near the town of Pinyin. The city was officially designated the capital in 2006. Foreign embassies remain in Rangoon, however.

The National Convention, which was responsible for drafting principles for a new constitution but had not met since 1996, reconvened in May 2004 as part of a new "road map to democracy." However, the convention was boycotted by the main political parties, which refused to take part under conditions of extreme political repression. The format and conduct of the proceedings were heavily restricted, as authorities handpicked most of the delegates and limited the scope of permissible debate. Although the convention was reconvened in February 2005 and October 2006 for short sessions, it was again boycotted by the NLD and the Shan Nationalities League for Democracy (SNLD). The National Convention concluded its 14 years of deliberation in August 2007. The delegates agreed to draft principles that enshrined the military's role in government, recommending that 25 percent of the seats in any future parliament be reserved for the military, and that the president have "significant" military experience. One article calls "for the Tatmadaw [Burmese security forces] to ... participate in the national political leadership role of the state." A measure preventing individuals with foreign-national spouses from running for parliament effectively bars Suu Kyi from government. In October, the government appointed 54 officials to draft the constitution in line with the convention's recommendations.

A series of protests in 2007 raised international awareness of the dire economic and political conditions in Burma. At least 30 percent of the Burmese population lives in extreme poverty as a result of years of economic mismanagement and government corruption. Health care and education are extremely poor throughout the

country. In February 2007, a rare protest in Rangoon called for lower inflation and better social services. Police briefly detained three journalists and one protester. Another small protest focused on economic conditions took place in April. Protests broke out across the country in August following a 500 percent fuel-price increase. Demonstrations were initially led by students and sought better economic management and greater political freedom. The 88 Generation Students, an emerging group comprised of dissidents active in the 1988 protests, were at the forefront of many protests. Demonstrations continued through September, despite the arrest of 60 activists during the first week of major protests. In mid-September, soldiers fired over the heads of protesting Buddhist monks. Leading monks demanded an apology, and when they failed to receive one, thousands of monks took to the streets on September 17. Many carried prodemocracy banners. They were joined and encouraged by the general populace.

Protests peaked on September 24, when approximately 100,000 demonstrators marched through Rangoon. The scale of the march prompted the government, which had allowed the monk-led protests to proceed generally unmolested, to launch a major crackdown. Warnings were issued against further protests, and a two-month nighttime curfew was announced. Troops flooded Rangoon's streets and surrounded monasteries. Over the next week, protesters were beaten, arrested, and in some cases killed. The city then became quiet. The government claimed that 10 people died and 3,000 were arrested in the course of the crackdown. The Democratic Voice of Burma, a Burmese news organization, estimates that 138 were killed and 6,000 arrested.

The international community generally condemned the crackdown. In October, the United States and the European Union stepped up sanctions, but China and India, Burma's key trading partners, did not follow suit. UN special envoy Ibrahim Gambari traveled to Burma during the protests and again in November in an attempt to mediate between the junta and opposition leaders. Aung San Su Kyi met with government officials in October and, in November, was allowed to meet with members of the NLD for the first time in three years. However, the junta has rejected a UN mediation plan and shown no sign of deviating from its "roadmap to democracy."

**Political Rights and Civil Liberties:** Burma is not an electoral democracy. The country continues to be governed by one of the world's most repressive regimes. The SPDC rules by decree; controls all executive, legislative, and judicial powers; suppresses nearly all basic rights; and commits human rights abuses with impunity. Military officers hold most cabinet positions, and active or retired officers hold most top posts in all ministries, as well as key positions in the private sector.

Since rejecting the results of the 1990 elections and preventing the unicameral, 485-seat People's Assembly from convening, the junta has all but paralyzed the victorious NLD party. Authorities have jailed many NLD leaders, pressured thousands of party members and officials to resign, closed party offices, harassed members' families, and periodically detained hundreds of NLD supporters at a time to block planned party meetings. Hundreds of NLD members were arrested in the course of the fall 2007 protests, including several members of the central committee. The Union Solidarity and Development Association (USDA), a state-sponsored organization,

frequently harassed, intimidated, and attacked opposition party members in 2007. Besides the NLD, there are more than 20 ethnic political parties that remain suppressed by the junta.

In a system that lacks both transparency and accountability, official corruption is rampant at both the national and local levels. Transparency International gave Burma, along with Somalia, the worst ranking out of 180 countries surveyed in its 2007 Corruption Perceptions Index.

The junta sharply restricts press freedom and either owns or tightly controls all daily newspapers and broadcast media. Although the market for private publications is growing, the government subjects private periodicals to prepublication censorship and also restricts the importation of foreign news periodicals. Following the publication of a subversive advertisement in a state-run paper in August 2007, the government issued 28 new guidelines designed to tighten censorship of advertising. A Japanese cameraman was killed while covering the fall protests, and the government detained at least 15 other journalists. Rangoon journalists were warned not to cover the protests, and many local publications made no mention of the demonstrations for fear of government reprisal. The internet, which operates in a limited fashion in the cities, is tightly regulated and censored. During the September protests, dissidents used the internet to transmit images and videos to international news agencies, who then broadcasted the media within Burma through the internet or satellite television. In response, the government cut internet access in late September. Access was restored on October 6.

Ordinary Burmese can worship with some freedom. However, the junta shows a preference for Theravada Buddhism, discriminating against non-Buddhists in the upper levels of the public sector and coercively promoting Buddhism in some ethnic-minority areas. Nonetheless, during protests in October 2007, monks were beaten, arrested, and in some cases killed by the Tatmadaw. The government also banned public gatherings by monks and maintained close surveillance on monasteries, many of which have now been abandoned. Many of the thousands of monks arrested in the crackdown were still being held without charge at year's end. Meanwhile, violence and discrimination against the Muslim and Christian minorities continues to be a problem.

Academic freedom is severely limited. Teachers are subject to restrictions on freedom of expression and publication and are held accountable for the political activities of their students. Since the 1988 student prodemocracy demonstrations, the junta has sporadically closed universities, limiting higher education opportunities for a generation of young Burmese. Most campuses have been relocated to relatively isolated areas to disperse the student population.

Freedoms of association and assembly are restricted. An ordinance prohibits unauthorized outdoor gatherings of more than five people, and authorities regularly use force to break up peaceful demonstrations and prevent prodemocracy activists from organizing events or meetings. During the fall 2007 protests, the government imposed curfews and beat or arrested thousands of peaceful protesters. Several hundred are estimated to have been killed by the Tatmadaw.

Some public sector employees, as well as other ordinary citizens, are compelled to join the USDA. Domestic human rights organizations are unable to function independently, and the regime generally dismisses critical scrutiny of its human rights

record by international nongovernmental organizations (NGOs). In February 2006, the government released new guidelines that further restricted NGOs, leading Medecins Sans Frontieres and the Centre for Humanitarian Dialogue to cease activities in Burma. However, many small NGOs provide social services in remote areas.

Independent trade unions, collective bargaining, and strikes are illegal, and several labor activists are serving long prison terms for their political and labor activities. The regime continues to use forced labor despite formally banning the practice in October 2000. Laborers are commandeered to construct roads, clear minefields, porter for the army, or work on military-backed commercial ventures. The practice appears to be most widespread in states populated by ethnic minorities. In February 2007, however, the government pledged to allow victims of forced labor to submit complaints to local offices of the International Labor Organization without fear of retaliation.

The judiciary is not independent. Judges are appointed or approved by the junta and adjudicate cases according to the junta's decrees. Administrative detention laws allow people to be held without charge, trial, or access to legal counsel for up to five years if the SPDC feels they have threatened the state's security or sovereignty. Some basic due process rights are reportedly observed in ordinary criminal cases, but not in political cases, according to the U.S. State Department's 2007 human rights report.

Detailed reports issued by Amnesty International have raised a number of concerns about the administration of justice, highlighting laws and practices regarding detention, torture, trial, and conditions of imprisonment. The frequently used Decree 5/96, issued in 1996, authorizes prison terms of up to 20 years for aiding activities "which adversely affect the national interest." Although the junta released some political prisoners in early 2007, prior to the fall protests there were about 1,150 political prisoners in Burma. Thousands more were arrested in September and October, many of whom remained in custody at year's end. Political prisoners are frequently held incommunicado in pretrial detention, facilitating the use of torture and other forms of coercion, and are denied access to family members, legal counsel, and medical care. Prisons are often overcrowded, and in 2006 the International Committee for the Red Cross was barred from conducting visits to prison facilities.

Some of the worst human rights abuses take place in the seven states populated by ethnic minorities, who comprise roughly 35 percent of Burma's overall population. In these border states, the Tatmadaw kill, beat, rape, and arbitrarily detain civilians. The Chin, Karen, and Rohingya minorities are frequent victims of violence and repression. According to a March 2007 report released by the Women's League of Chinland, Burmese soldiers rape and beat Chin women with impunity and are promised 100,000 kyat (\$16,000) for marrying Chin women as part of a strategy of "Burmanization." A 2006 British Broadcasting Corporation (BBC) news report noted that the vast majority of Rohingya are denied citizenship and face severe restrictions on their freedom of movement, their right to own land, and their ability to marry. However, in January 2007, some 35,000 identification cards were issued to Rohingya in a first step toward citizenship.

Seventeen rebel groups have reached ceasefire deals with the junta since 1989, under which they have been granted effective administrative authority in the areas under their control and are able to retain their own militias. However, the junta continues to face low-grade insurgencies by the Karen National Liberation Army and at

least five other ethnic rebel armies. Some rebel groups have displaced villagers, used forced labor, and recruited child soldiers, according to the U.S. State Department's 2007 human rights report. In November 2005, the army stepped up its attacks in Karen State, leading to a prolonged offensive that has continued through 2007. Several reports have accused the Burmese military of targeting civilians and destroying fields and food supplies. Approximately 40,000 Karen have been displaced as a result of the attacks. Tens of thousands of ethnic minorities in Shan, Karenni, Karen, and Mon states remain in squalid and ill-equipped relocation centers set up by the military. In addition, according to Refugees International, several million Burmese have fled to neighboring countries. Thailand hosts at least 150,000 Karen, Mon, and Karenni in refugee camps near the Burmese border, as well as hundreds of thousands more who have not been granted refugee status. An estimated 26,000 Rohingya live in refugee camps in Bangladesh.

Burmese women have traditionally enjoyed high social and economic status, but domestic violence is a growing concern, and women remain underrepresented in the government and civil service. Several 2007 reports by the Women's League of Burma detailed an ongoing nationwide pattern of sexual violence—including rape, sexual slavery, and forced marriage—against women by SPDC military personnel and other authorities. Violence against women is particularly common in minority states. Criminal gangs have in recent years trafficked thousands of women and girls, many from ethnic minority groups, to Thailand and other destinations for prostitution, according to reports by Human Rights Watch and other organizations.

## Burundi

**Population:** 8,500,000

**Capital:** Bujumbura

**Political Rights:** 4

**Civil Liberties:** 5

**Status:** Partly Free



### Ten-Year Ratings Timeline For Year Under Review

(Political Rights, Civil Liberties, Status)

1998	1999	2000	2001	2002	2003	2004	2005	2006	2007
7,6NF	6,6NF	6,6NF	6,6NF	6,5NF	5,5PF	5,5PF	3,5PF	4,5PF	4,5PF

### Overview:

**Burundi made limited progress in resolving long-standing ethnic and political cleavages and developing democratic institutions in 2007. In January, a former president was acquitted of coup-plot charges, which had been seen by many as politically inspired. A tentative peace agreement was reached with the last significant rebel group in June, and in August, the head of a truth and reconciliation commission was named. Rival parties signed an agreement in September, at least temporarily resolving a political crisis that had threatened Burundi's nascent democracy.**

The minority Tutsi ethnic group governed this small African country for most of the period since independence from Belgium in 1962. The military, judiciary, educational system, business sector, and news media have also traditionally been dominated by the Tutsi. Violence between them and the majority Hutu has broken out repeatedly since independence. A 1992 constitution introduced multiparty politics, but the 1993 assassination of the newly elected Hutu president, Melchior Ndadaye of the Front for Democracy in Burundi (FRODEBU) party, resulted in sustained and widespread carnage.

Ndadaye's murder fatally weakened FRODEBU's hold on power. Negotiations on power sharing took place over the succeeding months, as ethnic violence continued to rack the country. Ndadaye's successor was killed in 1994, along with Rwandan president Juvenal Habyarimana, when their plane was apparently shot down as it approached Kigali airport in Rwanda. This event triggered the Rwandan genocide and intensified the violence in Burundi.

Under a 1994 power-sharing arrangement between FRODEBU and the mainly Tutsi-led Unity for National Progress (UPRONA) party, Hutu politician Sylvestre Ntibantunganya served as Burundi's new president. He was ousted in a 1996 military coup led by former president Pierre Buyoya, a Tutsi whom Ndadaye had defeated in the 1993 election. Peace and political stability within the country continued to be elusive as armed insurgents sporadically staged attacks and government security forces pursued an often ruthless campaign of intimidation.

In 2000, negotiations mediated by former South African president Nelson Mandela resulted in an agreement in principle by most parties on a future democratic political solution to the conflict. Nineteen organized groups from across the political spectrum agreed to recommendations on the nature of the conflict, reforms for the nation's governing institutions, security issues, and economic restructuring and development. The specific form of the political institutions through which power would be shared and the reform of the military proved to be especially sensitive issues. In November 2001, a transitional government was installed with Buyoya temporarily remaining chief of state and FRODEBU's Domitien Ndayizeye as vice president. The failure of key elements of two Hutu rebel groups, the Forces for the Defense of Democracy (FDD) and the National Liberation Forces (FNL), to participate in the transition resulted in both continued negotiations and violence.

By the end of 2002, most of the factions had agreed to stop the fighting and participate in transitional arrangements leading to national elections, initially scheduled for late 2004. In April 2003, Buyoya stepped down and was replaced as president by Ndayizeye. In October of that year, the FDD reached an agreement with the government. Progress continued in 2004, with an August agreement on the shape of new democratic institutions designed to balance the interests of the Hutu and Tutsi populations and on the holding of elections.

In 2005, Burundi achieved a major milestone by holding the first local and national elections since 1993. These resulted in a fundamental political realignment as the largely Hutu National Council for the Defense of Democracy (CNDD), the political wing of the FDD, emerged as the country's largest party, eclipsing the traditionally dominant parties and taking 59 out of 100 seats in the National Assembly, the lower house of Parliament. FRODEBU took 24 seats, and UPRONA won 10 seats. Parliament subsequently chose Pierre Nkurunziza as president, handing him 151 of



the 162 votes cast. Domestic and international observers generally regarded the local and national legislative elections as legitimate and reflective of the people's will.

In 2006, Burundi's fragile attempts to develop democratic institutions received a boost as a key faction of the sole remaining rebel group, the FNL, agreed to lay down its arms and participate in the political process. The country was rocked by political instability, however, as several senior figures, including opposition leaders, were arrested in August in connection with an alleged coup plot. Critics claimed that the supposed plot was a fabrication, and the vice president resigned in September, in part to protest the arrests. In addition, the ruling CNDD party leadership showed increasing signs of intolerance toward opposition and independent viewpoints through, for example, the arrest of print and radio journalists.

In January 2007, former president Ndayizeye and four other accused conspirators were acquitted of the coup-plot charges, while two others were sentenced to jail terms ranging from 15 to 20 years. In June, the Palipehutu-FNL, the last armed group resisting the peace accords, reached an agreement with the government to implement a ceasefire, but disputes remained over issues including the integration of rebels into the military command and control structure, and violence continued. Meanwhile, a chairman for the long-delayed Truth and Reconciliation Commission was appointed in August. In September, political parties signed an agreement stipulating greater political freedoms and a strengthened fight against corruption, resolving a political crisis involving a boycott of the legislative process by FRODEBU and UPRONA that had threatened Burundi's democratic opening.

**Political Rights and Civil Liberties:** Burundi is an electoral democracy. In 2005, citizens were able to change their government democratically. Restrictions on political parties were lifted, and parties and civic organizations now function with greater freedom than previously. Burundi currently has representative institutions at the local, municipal, and national levels, in both the legislative and executive branches of government.

While the lower house of Parliament—the 100-seat National Assembly—is directly elected for a five-year term, locally elected officials choose members of the Senate, also for five-year terms. Each of Burundi's 17 provinces chooses two senators—one Tutsi and one Hutu. Carefully crafted constitutional arrangements require the National Assembly to be 60 percent Hutu and 40 percent Tutsi, with three additional deputies from the Twa ethnic minority, who also are allocated three senators. In both houses, a minimum of 30 percent of the legislators must be women. Former presidents also hold Senate seats; apart from this provision, there are no rules to increase the size of either chamber by adding nonelected members.

Both houses of Parliament elect the president to a five-year term. The president appoints two vice presidents, one Tutsi and one Hutu, and they must be approved separately by a two-thirds majority in the lower and upper houses of Parliament. Governments must include all parties that have won at least 5 percent of the votes cast in parliamentary elections. CNDD members currently hold 13 out of 20 cabinet positions, and 7 of the cabinet ministers are women. The non-CNDD cabinet posts are held by UPRONA, FRODEBU, and two small Tutsi-oriented parties, the Party for National Recovery (PARENA) and the Movement for the Rehabilitation of Citizens (MRC).

There are more than two dozen active political parties in the country, ranging from those that champion radical Tutsi positions to those that hold extremist Hutu positions. Most are small in terms of membership. Many Tutsis have now joined formerly Hutu-dominated parties

Some government revenues and expenditures have not been regularly listed on the budget, which has contributed to corruption problems. In August 2007, the head of the Burundi Central Bank was arrested on charges of embezzling \$23 million. Burundi was ranked 131 out of 180 countries surveyed in Transparency International's 2007 Corruption Perceptions Index.

Freedom of speech is legally guaranteed and exists in practice, with some limitations. For example, the media have been subject to self-censorship and periodic government censorship. In recent years, the media have presented a wider range of political perspectives, and the opposition press does function, though sporadically. Radio is the main source of information for many Burundians. The government runs the sole television station and the only radio station with national reach, as well as the only newspaper that publishes regularly. The British Broadcasting Corporation (BBC) World Service, Radio France Internationale, and the Voice of America are available on FM in the capital, Bujumbura. Several private radio stations exist, but they generally have a short broadcast range. Print runs of most newspapers are small, and readership is limited by low literacy levels. Access to the internet remains largely confined to urban areas.

Freedom of religion is generally observed. For many years the ongoing civil strife and the Tutsis' social and institutional dominance impeded academic freedom by limiting educational opportunities for Hutus, but there are indications that this may be changing under the current government. In 2007, President Pierre Nkurunziza stated that university campuses were being renovated and enlarged and that updating of course syllabi was under way.

The constitution provides for freedoms of assembly and association, although past transitional governments occasionally restricted these rights in practice. There is modest but important civil society activity with a focus on the protection of human rights. Constitutional protections for organized labor are in place, and the right to strike is protected by the labor code. The Organization of Free Unions of Burundi has been independent since the rise of the multiparty system in 1992. Most union members are civil servants and have bargained collectively with the government.

The judicial system is seriously burdened by a lack of resources and training, and by corruption. Given Burundi's recent history, there are far more pending cases than can easily be handled by the current judiciary, and many of them are politically sensitive. The government has yet to establish a special tribunal called for by the United Nations. Many crimes go unreported. Conditions in prisons continue to be poor and at times life-threatening. Despite extensive negotiations and discussions regarding the establishment of some form of broad-based truth commission to address past human rights violations, no such body has yet been created. Amnesty International and other national and international human rights organizations have previously criticized the practices of the security services in Burundi and have reported that individuals opposed to the CNDD are particularly at risk of torture or worse. Numerous human rights groups have noted governmental impunity in wake of 31 extrajudicial killings in 2006 in Muyinga province.

As part of the peace agreement, the composition of the national security forces must have an equal ethnic balance. The process of integrating former guerrillas into the armed forces continued in 2007 despite continuing opposition by the Palipehutu-FNL faction.

With the improvement in the political environment, many of Burundi's internally displaced and refugee populations began returning home in 2006. According to the United Nations, over 7,000 returned in August 2007. Burundians continued to be subjected to arbitrary violence, whether by the government or guerrillas. Most of the abuses occurred in the provinces of Bujumbura Rural and Bubanza, the main areas of FNL activity.

An annual per capita gross domestic product of \$700 places Burundi among the poorest countries in the world. According to the World Bank, "poverty is widespread and has increased significantly since 1993, in both rural and urban areas. There has been a sharp deterioration in all social indicators which have become among the worst in Africa." According to the UN Office for the Coordination of Humanitarian Affairs, chronic malnutrition affects up to 40 percent of the population.

Women have limited opportunities for advancement in the economic and political spheres, especially in rural areas. As part of the 2005 constitution, 30 percent of Parliament members are to be women. Only 5 percent of eligible females are enrolled in secondary school. Widespread sexual violence against women continues to occur, according to Amnesty International.

## Cambodia

**Population:** 14,400,000

**Capital:** Phnom Penh

**Political Rights:** 6

**Civil Liberties:** 5

**Status:** Not Free



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

1998	1999	2000	2001	2002	2003	2004	2005	2006	2007
6,6NF	6,6NF	6,6NF	6,5NF	6,5NF	6,5NF	6,5NF	6,5NF	6,5NF	6,5NF

### Overview:

**After nearly three years of difficulties in securing funding and cooperation from the Cambodian government, in November 2007 the special tribunal tasked with trying crimes against humanity and genocide cases dating to the Khmer Rouge period began its work. Meanwhile, government officials continued to engage in land grabs and other abuses with impunity, failing to improve social and economic conditions for the majority of the population.**

Cambodia won independence from France in 1953. King Norodom Sihanouk ruled

until he was ousted in 1970 by U.S.-backed military commander Lon Nol, and the Chinese-supported Khmer Rouge seized power in 1975. Between 250,000 and 2 million of Cambodia's 7 million people died through disease, overwork, starvation, or execution under the Khmer Rouge before Vietnamese forces toppled the regime and installed a new Communist government in 1979. Fighting continued in the 1980s between the Hanoi-backed government and the allied armies of Sihanouk, the Khmer Rouge, and other political contenders. The 1991 Paris Peace Accords brought an end to warfare, but the Khmer Rouge waged a low-grade insurgency until its disintegration in the late 1990s.

Prime Minister Hun Sen, who first entered government as part of the Vietnamese-backed regime in 1979, has long dominated Cambodian politics. His Cambodian People's Party (CPP) has used its control of the National Assembly as well as the military, courts, and police to remove and outmaneuver any opposition. For example, after forming a coalition government with the royalist party, known as Funcinpec after its French acronym, in 2004, Hun Sen and the CPP turned to attack opposition leader Sam Rainsy and his eponymous party. To stop Rainsy's criticism of government corruption and abuses, the CPP-dominated National Assembly stripped him and fellow Sam Rainsy Party (SRP) legislators of their parliamentary immunity in 2005. Rainsy was charged with defaming Hun Sen and Funcinpec leader Prince Norodom Ranariddh, and after he fled Cambodia to escape arrest, he was convicted in absentia. Another SRP legislator was convicted of fraud and sentenced to seven years in prison.

Pressure from international donors, who finance much of Cambodia's budget, compelled Hun Sen to negotiate a settlement with Rainsy. The opposition leader received a royal pardon in exchange for recanting his allegations and issuing a public apology to Hun Sen, and he returned to Cambodia in February 2006, after a year of self-imposed exile. The CPP and SRP subsequently formed a new alliance, and Hun Sen then turned on Ranariddh and Funcinpec. He accused the prince of corruption, including financial mismanagement of major development projects and extramarital affairs (Ranariddh had on many occasions attended public functions with a woman who was not his wife). The CPP-dominated National Assembly passed an antiadultery law, and by March 2006, Ranariddh had fled Cambodia. He was charged with adultery and sentenced in absentia to 18 months in prison. He was also ousted and sued by Funcinpec for allegedly embezzling \$3.6 million through the sale of the party headquarters. As of the end of 2007, Ranariddh had not returned to Cambodia and had established a new party under his own name. Given the factional fighting within and among opposition groups, Hun Sen and the CPP were left with little real threat to their dominance.

Weak governance, widespread poverty, and corruption were a few of the major factors contributing to the World Bank's designation of Cambodia as a fragile state in 2006. A UN envoy had also warned of the government's increasing totalitarian tendencies and deteriorating human rights conditions. The National Assembly's 2006 passage of a new law requiring military conscription for all men between 18 and 30 years of age raised international concern, as it followed years of efforts and millions of dollars to demobilize the army and remove weapons from society. The government claimed that conscription was needed for security reasons, but critics characterized the move as a crude attempt to provide employment for a rapidly growing population, including 300,000 young men who enter the targeted age bracket every year.

In 2007, a special tribunal, officially known as the Extraordinary Chambers in the Courts of Cambodia, made its final preparations for trying former Khmer Rouge officials charged with genocide and other crimes against humanity. The parliament first approved the plan to establish the special tribunal in Phnom Penh with help from the United Nations in 2004. However, the project was delayed first by a lack of funds and then by the government's refusal to accept international legal standards. The government also insisted on appointing politically loyal judges and demanded limits on the public airing of trial information. By mid-2007, all of these issues appeared to have been settled. The tribunal will have \$56.3 million and three years to complete its work, and the first court hearings are expected to begin in 2008. Cases will be decided by majority vote among the five justices, three of whom are Cambodian. The maximum penalty is life imprisonment, and foreign lawyers can represent defendants. Victims must file complaints to the court as a group.

In November 2007, the special tribunal charged five former high-level Khmer Rouge leaders with war crimes or crimes against humanity, marking the first time anyone has ever faced charges for the killings and other atrocities committed by the Khmer Rouge. Charges were brought against head of state Khieu Samphan, Foreign Minister Ieng Sary, Social Affairs Minister Ieng Thirith, second-in-command of the Khmer Rouge Nuon Chea, and chief of the notorious Tuol Sleng prison Kang Kek Ieu (or "Duch"). Khmer Rouge mastermind Pol Pot and his successor, Ta Mok, died before they could be brought to trial.

**Political Rights and Civil Liberties:** Cambodia is not an electoral democracy. The country is a constitutional monarchy with a bicameral parliament consisting of the National Assembly and the Senate. The current constitution was promulgated in 1993 by the king, who serves as head of state. The monarchy remains highly revered by the people as a symbol of national unity. Prince Norodom Sihamoni succeeded his father, King Norodom Sihanouk, in 2004 after the latter abdicated for health reasons. The new king has lived abroad for much of his life.

The government, consisting of the prime minister and a council of ministers, must be approved by a two-thirds vote in the 123-seat National Assembly. Assembly members are elected by popular vote to serve five-year terms. The Senate has 61 members, of whom 2 are appointed by the king, 2 are elected by the National Assembly, and 57 are chosen by functional constituencies. Senators serve five-year terms.

Prime Minister Hun Sen and the CPP dominate national and local politics through their control of the security forces, officials at all levels of government, and the state-owned media. Other important political parties are the SRP, formerly the main opposition party and now the coalition partner of the CPP and Funcinpec. Political violence continues to threaten peace and stability in the country. In July 2005, bloody battles between supporters of Hun Sen and Ranariddh raged for three days, and several people were killed.

Corruption and abuse of power are very serious problems. Cambodia was ranked 162 out of 180 countries surveyed in Transparency International's 2007 Corruption Perceptions Index. A World Bank report released in 2006 found that "unofficial payments" are "frequent, mostly, or always required" for business transactions. The International Monetary Fund also concluded that corruption and bureaucratic ob-

stacles significantly hinder economic growth. Land grabs and other abuses by the political elite, top bureaucrats and the military generally go unchecked. Trees are illegally logged, mines are exploited, and commercial crops are grown to enrich the elite and their supporters, according to Global Witness, a British-based environmentalist group. Nevertheless, the international donor community pledged \$690 million in assistance to Cambodia in 2007, 15 percent more than the previous year.

The government does not fully respect freedom of speech; controls are largely focused on local broadcast media, which is the primary source of information for most Cambodians. Many newspapers and private television and radio stations operate in Cambodia, including several that are owned and operated by the ruling and opposition parties, and there are no restrictions on privately owned satellite dishes receiving foreign broadcasts. Print journalists are somewhat freer to criticize government policies and senior officials, and the internet is fairly free of government control. However, public access to the print media is limited to about 10 percent of the population, while internet access is largely limited to those who reside in urban centers. Mobile telephones have gained widespread use, especially among urban populations. There were over 1.5 million subscribers as of March 2007, and subscription rates are growing at 35 percent per year.

The majority of Cambodians are Theravada Buddhists who can generally practice their faith freely, but discrimination against ethnic Cham Muslims is widespread. The government generally respects academic freedom, although criticism of the state is not well tolerated.

Freedoms of association and assembly are respected by the government to a certain degree because of pressure and scrutiny by international donors. Many civil society groups work on a broad spectrum of issues and offer social services, frequently with funding from overseas donors. Public gatherings, protests, and marches occur and are rarely violent, although the government occasionally uses uniformed police and others to intimidate participants.

Cambodia has a small number of independent unions. Workers have the right to strike, and many have done so to protest low wages and poor or dangerous working conditions. However, lack of resources and experience limit union success in collective bargaining. Union leaders have reported harassment and physical threats.

The judiciary is not independent and is marred by inefficiency and corruption. There is a severe shortage of lawyers, and judges are poorly trained, underpaid, and frequently linked to the CPP. Lower courts in particular do not meet basic international standards. Abuse by law enforcement officers, including illegal detention and the torture of suspects, is common. Delays in the judicial process and corruption allow many suspects to escape prosecution. Jails are seriously overcrowded, and inmates often lack sufficient food, water, and health care. Police, soldiers, and government officials are widely believed to tolerate, or to be involved in, the trafficking of guns, drugs, and humans, as well as other crimes.

Discrimination against ethnic Cham Muslims is common. The Chams have come under new suspicion from the Khmer majority in the wake of Islamist terrorist attacks in Southeast Asia and elsewhere. Extreme poverty and a lack of government assistance have compelled many to seek help from overseas donors. People of Vietnamese descent also face various forms of discrimination and harassment by the state and society.

The constitution guarantees the right to freedom of travel and movement. The government generally respects this right, but there have been reports of authorities restricting travel for opposition politicians, particularly during election campaigns. Although the economy continues to grow, widespread corruption means that wealth is increasingly concentrated in a small cadre of the ruling elite.

Women suffer widespread economic and social discrimination. Rape and domestic violence are common, and women and girls are trafficked inside and outside of Cambodia for the purpose of prostitution. The sex trade has fueled the spread of HIV/AIDS. In 2007, the government began drafting a law against human trafficking. Also, international pressure and funding motivated the government to form a national task force that will bring together government ministers, law enforcement agencies, and international bodies to address the problem.

## ↓ Cameroon

Population: 18,100,000  
Capital: Yaounde

Political Rights: 6  
Civil Liberties: 6  
Status: Not Free



Trend Arrow: Cameroon received a downward trend arrow to reflect the consolidation of President Paul Biya's regime and significant irregularities in the 2007 elections.

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

1998	1999	2000	2001	2002	2003	2004	2005	2006	2007
7,5NF	7,6NF	7,6NF	6,6NF	6,6NF	6,6NF	6,6NF	6,6NF	6,6NF	6,6NF

**Overview:** **President Paul Biya's Cameroon People's Democratic Movement (CPDM) consolidated its hold on power in 2007, winning commanding majorities in legislative and municipal elections that signaled the country's steady return to a one-party system. The CPDM continued to curb free expression and avoid accountability during the year, resisting any transition to genuine democracy.**

Colonized by the Germans in the late 19th century, Cameroon was later administered by Britain and France, first as League of Nations mandates after World War I and then as UN trust territory after World War II. Independence for French Cameroon in 1960 was followed a year later by independence for Anglophone Cameroon, part of which opted for union with Nigeria. The rest joined Francophone Cameroon in a federation, which became a unitary state in 1972.

The country's first president, Ahmadou Ahidjo, oversaw a repressive, one-party system until his resignation in 1982. He was succeeded by Paul Biya, whose Cameroon

People's Democratic Movement (CPDM) did not face multiparty legislative elections until 1992. It failed to win an absolute majority, despite a boycott by the main opposition party, the Anglophone-led Social Democratic Front (SDF). Biya was reelected the same year in a vote that was roundly condemned by international observers.

Municipal elections in 1996 saw the CPDM lose control of all major councils in the country. A constitutional revision that year extended the presidential term from five to seven years. Biya won a fourth term in 1997, obtaining 93 percent of the votes cast amid numerous irregularities and a boycott by the main opposition parties. The CPDM led the 1997 legislative elections and dominated the legislative and municipal elections of 2002, which were again tainted by widespread irregularities. Biya secured reelection in October 2004 with 75 percent of the vote. The two main opposition candidates charged fraud and appealed unsuccessfully to the Supreme Court to annul the vote.

The July 2007 legislative and municipal polls followed the pattern of the previous elections. Thanks to electoral gerrymandering, the CPDM made significant inroads into the stronghold of the SDF, grabbing 9 of the available 20 seats, compared with 1 in 2002. The United States, Britain, and the Netherlands called the relatively peaceful July vote "a missed opportunity for Cameroon to continue building public confidence in the democratic process."

Elections in Cameroon have been hampered in part by the lack of an independent electoral commission. The National Elections Observatory has little practical influence, since the Ministry of Territorial Administration and Decentralization controls each step in the actual conduct of elections, from voter registration to the publication of results. A new elections commission, Elections Cameroon (ELECAM), was created in December 2006 but is not expected to become operational until June 2008, and the fact that its members will be appointed by President Biya has cast serious doubts regarding its neutrality and impartiality.

Cameroon is overwhelmingly poor, with a mainly agricultural economy. Although the country earned significant debt relief under the International Monetary Fund/World Bank Heavily Indebted Poor Countries (HIPC) initiative, the resources released by the program have not been diverted to antipoverty efforts. Unemployment hovers around 20 percent, and Cameroon was ranked 144 out of 177 countries in the UN Development Programme's 2007 Human Development Index.

**Political Rights and Civil Liberties:** Cameroon is not an electoral democracy. Although the 1996 constitutional revisions created an upper chamber for the legislature, a decentralized regional system of government, and a Constitutional Court, none of those changes have been implemented. Cameroon's centralized government is dominated by the powerful presidency. The president, elected for up to two seven-year terms, is not required to consult the National Assembly, and the judiciary is subordinate to the Ministry of Justice. The Supreme Court may review the constitutionality of a law only at the president's request. Since 1992, every bill passed by parliament has been initiated by the executive. Biya's current term ends in 2011, but on December 31, during his annual state of the nation address, he announced plans to modify the constitution and seek a third seven-year mandate. The unicameral National Assembly has 180 seats, 153 of which were held by the ruling CPDM after the 2007 elections. Members are elected by direct popular vote to serve five-year terms.



There are more than 180 recognized political parties in Cameroon, although Biya's CPDM and the Anglophone-led SDF are dominant. The hundreds of smaller political and civic organizations have little effect on public policy and decision-making processes. The Anglophone-Francophone linguistic divide constitutes the country's most volatile political fault line. The public perception of an Anglophone problem stems from the systematic exclusion of Anglophones from high public office. Since independence, no Anglophone has been president, nor has any Anglophone ever been appointed to the important finance, defense, or territorial administration cabinet portfolios. Such marginalization of a region that produces 70 percent of gross domestic product is fueling a campaign for Anglophone independence, led by the Southern Cameroons National Council (SCNC). Every October 1, security forces clash with Anglophone activists as they commemorate Southern Cameroons Independence Day.

Despite some high-profile convictions of former regime officials, corruption remains endemic. Biya's long years in power have encouraged high levels of corruption and cronyism, and his bloated administration includes more than 60 government ministries. Key positions are held by members of Biya's Beti ethnic group, feeding a system of endemic graft and ethnic clientelism. Cameroon signed on to the Extractive Industries Transparency Initiative (EITI) in September 2007, but revenue from the oil, gas, and mining sectors remains clouded in secrecy. A constitutional provision requiring the president and all top civil servants to declare their assets before and after leaving office has been ignored. Cameroon was ranked 138 out of 180 countries surveyed in Transparency International's 2007 Corruption Perceptions Index. The corruption problem has discouraged vital foreign investment; Cameroon was ranked 154 out of 178 countries in the World Bank's 2007 Doing Business index.

The constitution guarantees free speech, but genuine freedom of expression remains elusive. Private radio and television stations operate, and dozens of independent newspapers are published. Although the 1996 constitution ended prepublication censorship, the charter's Article 17 imposes a serious restriction on free expression by giving administrative officials the power to seize and ban newspapers based on a claimed threat to public order. There are no legal provisions guaranteeing equal access to information, and libel and defamation remain criminal offenses. Judicial harassment, arrests, detentions, and torture of journalists have engendered fear and self-censorship, especially within the state-owned media. The lack of structural and editorial independence at the state-owned *Cameroon Tribune* and Cameroon Radio & Television (CRTV) has transformed them from public-service outlets into propaganda organs of the ruling party. The Pan-African News Agency (PANA) has reported that since 1990, 450 trials have been conducted against the media in Cameroon. The government has not attempted to restrict or monitor internet communications.

Freedom of religion is generally respected. Although there are no legal restrictions on academic freedom, state security informants operate on university campuses, and many professors exercise self-censorship.

The requisite administrative authorization for public meetings is often used to restrict freedoms of assembly and association. Meetings of the banned SCNC are routinely disrupted. Trade union formation is permitted, but it is subject to numerous restrictions and government interference.

The courts are subject to extensive political influence and corruption. The executive controls the judiciary and appoints provincial and local administrators. Military tribunals exercise jurisdiction over civilians in cases involving civil unrest or organized armed violence. Various intelligence agencies operate with impunity. Torture, ill-treatment of detainees, and indefinite administrative or pretrial detention under extremely harsh conditions are routine. The absence of habeas corpus as a fundamental principle in Francophone civil law further undermines due process. The government has disregarded international efforts to scrutinize its human rights record, repeatedly refusing to grant entry to Amnesty International representatives who were investigating reports that dozens of extrajudicial executions were carried out in 2002 as part of an anticrime campaign. In the north, traditional rulers (*lamibee*) operate their own private militias, courts, and prisons, which are used against the regime's political opponents. The Human Rights Commission, created by the government in 1992, has yet to publish a single report.

Slavery reportedly persists in parts of the north, and indigenous groups and ethnic minorities, particularly the Baka (Pygmies), face discrimination. Many laws contain gender-biased provisions and penalties. There is widespread violence and discrimination against women, who often are denied inheritance and property rights. Female genital mutilation is practiced in the Southwest and Far North provinces, according to the World Health Organization, and homosexuality is both culturally taboo and illegal. Cameroon is a market for child labor and a transit center for child-trafficking. Abortion is prohibited except in cases of rape or to preserve the life of the mother.

## Canada

**Population:** 32,900,000

**Capital:** Ottawa

**Political Rights:** 1

**Civil Liberties:** 1

**Status:** Free



### Ten-Year Ratings Timeline For Year Under Review

(Political Rights, Civil Liberties, Status)

1998	1999	2000	2001	2002	2003	2004	2005	2006	2007
1,1F	1,1F	1,1F	1,1F	1,1F	1,1F	1,1F	1,1F	1,1F	1,1F

### Overview:

Debate continued in 2007 over antiterrorism legislation, Canada's military role in Afghanistan, provincial government funding for religiously affiliated schools, and land disputes involving Canada's indigenous community. Canada also faced growing controversy over freedom of the press and freedom of expression, triggered by investigations aimed at journalists who had written critically about Muslims and Islam.

Colonized by French and British settlers in the 17th and 18th centuries, Canada was secured by the British Crown under the terms of the Treaty of Paris in 1763. After granting home rule in 1867, Britain retained a theoretical right to override the Canadian Parliament until 1982, when Canadians established complete control over their own constitution.

After a dozen years of center-left Liberal Party rule, the Conservative Party emerged from the 2006 parliamentary elections with a plurality and established a fragile minority government. With 124 seats in the House of Commons, the Conservatives held only a narrow lead over the Liberals, who placed second with 103 seats. The Bloc Quebecois, a separatist-oriented party, took 51 seats, while the left-leaning New Democratic Party (NDP) won 29.

The Conservatives' status was weakened further in 2007 by setbacks in several provincial elections, most notably in Ontario. The Conservative provincial government there had advocated expanding state assistance for religious schools to include a variety of faiths; state aid had long been restricted to schools operated by the Roman Catholic Church. The electorate apparently rejected the proposal, dealing the Conservatives a major blow at the polls.

Meanwhile, advocates of press freedom and freedom of expression grew increasingly concerned over legal cases filed against journalists who wrote critically about Muslims and Islam. In one case, four Muslim law students filed a grievance against Mark Steyn, a columnist, and *Maclean's*, a prominent magazine, in response to a 2006 article featuring the argument that Muslims would eventually dominate the world due to current demographic trends. The complaints were filed with human rights commissions in Ontario and British Columbia on the grounds that the article "subjects Canadian Muslims to hatred and contempt." In another case, charges were brought by a Muslim leader against the publisher of the *Western Standard* after the newspaper republished controversial Danish cartoons that had lampooned the prophet Muhammad. Journalists' associations and press freedom organizations argued that the willingness of government entities to give such complaints a hearing could send disturbing signals about the freedom to publish articles on certain contentious subjects.

Since the 2001 terrorist attacks on the United States, Canada has struggled to find a balance between ensuring the nation's security and safeguarding civil liberties. A number of laws adopted soon after the 2001 attacks have been modified or struck down by the courts. While Canada itself has not been the victim of a terrorist attack in recent years, Canadian citizens have been arrested in the United States and elsewhere on charges of conspiring to commit such attacks. In February 2007, Canada's Supreme Court struck down a law that allowed authorities to detain foreign terrorism suspects indefinitely without disclosing the evidence against them. The government has introduced legislation to allow preventive detention without a warrant if it were deemed necessary to prevent a terrorist act. Another proposed measure would compel an individual with knowledge of a planned terrorist action to speak before a judge.

Also in 2007, debate intensified over Canadian troops' participation in a NATO-led mission to fight a resurgent Taliban militia in Afghanistan. Canadian forces have suffered a number of casualties during the conflict, and critics noted that Canada's troops were fighting in Afghanistan's volatile southern provinces while a number

of other NATO countries restricted their forces to noncombat missions in the relatively peaceful north. In response, the Conservative government threatened to withdraw its forces if allied countries failed to take on more of the combat burden.

**Political Rights and Civil Liberties:** Canada is an electoral democracy. The country is governed by a prime minister, his cabinet, and Parliament, which consists of an elected 308-member House of Commons and an appointed 105-member Senate. Senators may serve until age 75, and elections for the lower house have been held at least every five years. However, a law enacted in 2007 stipulated that lower-house elections would be held every four years, with early elections called only if the government lost a parliamentary no-confidence vote. The British monarch remains head of state, represented by a ceremonial governor-general who is appointed on the advice of the prime minister. As a result of government canvassing, Canada has nearly 100 percent voter registration. Prisoners have the right to vote in federal elections, as do citizens who have lived abroad for fewer than five years. Political parties operate freely. The main parties are the Conservative Party, the Liberal Party, the Bloc Quebecois, and the NDP.

Civil liberties have been protected since 1982 by the federal Charter of Rights and Freedoms, but are limited by the constitutional "notwithstanding" clause, which permits provincial governments to exempt themselves with respect to individual provisions in their jurisdictions. Quebec has used the clause to retain its provincial language law, which restricts the use of languages other than French on signs. The provincial governments exercise significant autonomy.

In 2004, the Supreme Court upheld legislation that places a limit on the amount lobbying groups can spend on advertisements that support or oppose political candidates, a measure designed to prevent corruption. While Canada has a reputation for vigorous prosecution of corruption involving public officials, the country has endured several high-profile scandals in recent years. In 2007, a German lobbyist sued former prime minister Brian Mulroney for money he said he had paid Mulroney to obtain contracting and business favors during the early 1990s. This and other scandals aside, Canada is regarded as a society with a low level of official corruption. It was ranked 9 out of 180 countries surveyed in Transparency International's 2007 Corruption Perceptions Index.

The media are generally free, although they exercise self-censorship in areas such as violence on television, and there is concern that this tendency may also apply to coverage of the country's minority groups, especially Muslims. Limitations on freedom of expression range from unevenly enforced "hate laws" and restrictions on pornography to rules on reporting. Some civil libertarians have expressed concern over an amendment to the criminal code that gives judges wide latitude in determining what constitutes hate speech on the internet. Nevertheless, recent judicial decisions have restricted the authority of the government to demand that reporters turn over their research materials and interview notes or reveal the identity of confidential sources.

Religious expression is free and diverse. Academic freedom is respected.

Freedom of assembly is respected, and many political and quasi-political organizations function freely. Trade unions and business associations enjoy high levels of membership and are free and well organized.

The judiciary is independent. Recently, critics have complained that the judiciary has become overly activist, issuing decisions that effectively usurp the powers of the legislature. Canada's criminal law is based on legislation enacted by Parliament; its tort and contract law is based on English common law, with the exception of Quebec, where it is based on the French civil code.

Canada maintains relatively liberal immigration policies. However, concern has mounted over the possible entry into Canada of immigrants involved in terrorist missions. The 2002 Immigration and Refugee Protection Act seeks to continue the tradition of liberal immigration by providing additional protection for refugees while making it more difficult for potential terrorists, people involved in organized crime, and war criminals to enter the country. Some officials have also raised questions about Canada's rules allowing immigrants to maintain dual citizenship. About 10 percent of foreign-born Canadians hold passports from another country, leading critics to charge that some immigrants use Canadian citizenship primarily as a safety net while maintaining principal loyalty to their country of origin. Others have objected more broadly to Canada's policies of multiculturalism in education, law, and social life. At the same time, defenders of immigrant rights have complained of the abuse of temporary workers lured to Canada by promises of high wages but treated, as one police official put it, as "economic slaves" after arriving in the country.

The authorities have taken important steps to protect the rights of native groups, although some contend that indigenous people remain subject to discrimination. Indigenous groups continue to lag badly on practically every social indicator, including those for education, health, and unemployment. There are frequent controversies over control of land in various provinces; in 2007, a British Columbia court gave native peoples control over a huge tract in that province.

Canada in 2005 became one of the few countries in the world to legalize same-sex marriage. Several provinces had authorized the practice before the federal legislation was enacted.

The country boasts a generous welfare system that supplements the largely open, competitive economy.

Women's rights are protected in law and practice. Women have made major gains in the economy and are well represented in such professions as medicine and law. However, women's rights advocates report high rates of violence against women in indigenous communities.

## Cape Verde

Population: 500,000  
Capital: Praia

Political Rights: 1  
Civil Liberties: 1  
Status: Free



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

1998	1999	2000	2001	2002	2003	2004	2005	2006	2007
1,2F	1,2F	1,2F	1,2F	1,2F	1,1F	1,1F	1,1F	1,1F	1,1F

**Overview:** **The National Assembly in June 2007 unanimously approved changes to the country's electoral code that were aimed at strengthening the National Electoral Commission's independence and transparency. In November, the European Union agreed to a special partnership with Cape Verde to promote cooperation on good governance, security, and stability, including tackling illegal drug trafficking and illegal migration to Europe. Investment in a budding tourism industry spurred economic growth, and the United Nations announced that Cape Verde would graduate in 2008 from the category of Least Developed Countries to that of Medium Developed Countries.**

After achieving independence from Portugal in 1975, Cape Verde was governed for 16 years as a Marxist, one-party state under the African Party for the Independence of Guinea and Cape Verde, later renamed the African Party for the Independence of Cape Verde (PAICV). In 1991, the country became the first former Portuguese colony in Africa to abandon Marxist political and economic systems, and the Movement for Democracy (MPD) won a landslide victory in the first democratic elections that year. In 1995, the MPD was returned to power with 59 percent of the vote. President Antonio Mascarenhas Monteiro's mandate ended in 2001, after he had served two terms.

Cape Verde had a spectacularly close presidential election in 2001. In the second round of voting, opposition candidate Pedro Verona Rodrigues Pires defeated ruling party contender Carlos Alberto Wahnnon de Carvalho Veiga by 12 votes, overturning a decade of MPD rule. Despite the closeness of the election, the public continued to trust the country's institutions, and the results were accepted.

In legislative elections in January 2006, the PAICV won a majority of the 72 seats in the National Assembly, taking 41 compared with the MPD's 29; the Democratic and Independent Cape Verdean Union, a smaller opposition party, won the remaining 2 seats. Pires of the PAICV won a new five-year mandate in the presidential election that followed in February, taking 51.2 percent of the vote. His closest rival, Veiga, claimed that the results were fraudulent, but international election monitors deemed them free and fair.

In June 2007, Cape Verde's parliament unanimously approved changes to the electoral code ahead of municipal elections scheduled for 2008. Under the new pro-

visions, aimed at strengthening the National Electoral Commission's transparency and independence, the commission's president would need the support of two-thirds of the National Assembly. The new code also provided for a new electoral census, to be conducted between September and December 2007. However, the appointment of a new electoral commission and the start of the census were delayed until November and December, respectively, due to disputes between the ruling PAICV and the main opposition Movement for Democracy party over the commission's membership.

Large numbers of migrants from other African countries continued to stop in Cape Verde while trying to reach Europe. Under pressure from the European Union (EU), local authorities continued to crack down on would-be migrants, apprehending and repatriating several hundred in 2007. Also during the year, the government announced that it would seek to negotiate exemptions from clauses guaranteeing free circulation and migration between members of the Economic Community of West African States (ECOWAS), to which Cape Verde belonged. In April, U.S. naval forces conducted training exercises with the Cape Verdean coast guard to improve maritime security, and the Spanish government in July sent a boat and aircraft to patrol the waters surrounding Cape Verde in an effort to curb immigration and drug trafficking through West Africa to Europe. In November, the EU agreed to a special partnership with Cape Verde on good governance, security, and stability. The partnership enhances EU support for economic development in Cape Verde, while aiming to turn the archipelago into a shield against traffickers of migrants and illegal drugs by opening up its waters to EU security agencies' patrols and intelligence-gathering.

While Cape Verde lacks significant natural resources and is one of Africa's smallest and poorest countries, the economy has benefited in recent years from increasing numbers of tourists drawn by the country's beaches and natural scenery. The International Monetary Fund projected economic growth in 2007 to reach 7 percent, driven by investment in tourism-related construction. The United Nations announced during the year that Cape Verde would graduate from the category of Least Developed Countries, becoming a Medium Developed Country effective January 2008. (Cape Verde is the second country ever to make this transition, following Botswana in 1994.) However, government officials expressed concern that the change in status, which will cause Cape Verde to lose preferential trade benefits and certain types of international loans, could in fact undermine antipoverty programs. In November, Cape Verde completed entry negotiations with the World Trade Organization, paving the way to membership in 2008. The country continued to suffer from unemployment rates of roughly 20 percent, and remittances by Cape Verdean expatriates provided a large portion of national income. Only 11 percent of the archipelago's land is arable.

Cape Verde benefited from international aid during 2007. In March, the World Bank approved a \$10 million poverty reduction credit to support good governance, develop human capital, and improve access to social services. This was the third and last in a series of antipoverty grants from the international agency. In July, the World Bank approved \$3 million in additional financing to support the implementation of the Cape Verde Growth and Competitiveness Project, ongoing since 2003.

**Political Rights and Civil Liberties:** Cape Verde is an electoral democracy. The president and members of the 72-seat National Assembly are elected by universal suffrage for five-year terms. The prime minister,

who nominates the other members of the cabinet, is himself nominated by the National Assembly and appointed by the president. International observers considered the 2006 presidential and legislative elections to be free and fair.

The left-leaning PAICV has dominated Cape Verde for much of its postindependence history. The main opposition party is the centrist Movement for Democracy (MPD). The only other party to hold seats in the National Assembly is the much smaller Democratic and Independent Cape Verdean Union.

In an October 2006 opinion article, Prime Minister Jose Maria Pereira Neves claimed that Cape Verde had "zero" corruption. While the actual toll of corruption is difficult to gauge, the country has repeatedly been singled out by donor nations and international organizations for good governance. The U.S. government gave the country a vote of confidence in 2005 by agreeing to provide \$110 million in aid from the Millennium Challenge Account, based on a positive evaluation of its good governance and anticorruption initiatives. In March 2007, the government announced that it would introduce a new law to strengthen anticorruption provisions. Cape Verde was ranked 49 out of 180 countries in Transparency International's 2007 Corruption Perceptions Index.

Freedom of the press is legally guaranteed and generally respected in practice. While government authorization is needed to publish newspapers and other periodicals, there were no reports of licenses being denied or revoked in 2007, and two new private newspapers were launched in September. The independent press is small but vigorous, and there are several private and community-run radio stations. State-run media include a radiobroadcaster and a television station, and there are two foreign-owned television stations. Criticism of the government by state-run media is limited by self-censorship stemming from employees' fear of demotion or dismissal.

Religious freedom is respected in practice, and the constitution requires the separation of church and state. However, the vast majority of Cape Verdeans belong to the Roman Catholic Church, whose followers enjoy a somewhat privileged status. Academic freedom is respected.

Freedoms of assembly and association are legally guaranteed and respected in practice. Human rights groups, including the National Commission on the Rights of Man and the Ze Moniz Association for Solidarity and Development, operate freely. The constitution also protects the right to unionize, and workers may form and join unions without restriction. The U.S. State Department has found in its annual human rights report that while collective bargaining is permitted, it rarely occurs.

The judiciary is independent but understaffed and slow-moving, and cases are frequently delayed. In May 2007, National Assembly president Aristides Lima acknowledged that the judicial police force lacks funding and is unable to cover the entire country. Prison conditions are poor and characterized by overcrowding. In December 2005, prison guards reportedly abused inmates at the Sao Martinho Prison following a riot in which a prisoner was killed. A criminal case was brought against several prison guards in connection with the incident, the status of which was unclear in 2007.

Ethnic divisions are not a salient problem in Cape Verde, although tensions occasionally flare between the authorities and West African immigrants.

Three women were newly elected to parliament in the 2006 elections, bringing the postelection total of women legislators to 11. However, discrimination against women persists despite legal prohibitions against gender discrimination and provisions for social and economic equality.



At the encouragement of the government and civil society, more women are reporting criminal offenses such as spousal abuse and rape. The government amended the penal code in 2004 to include sex crimes and verbal and mental abuse against women and children as punishable acts. The government is a signatory to the African Protocol on the Rights of Women, which came into force in November 2005. The protocol seeks to set international legal standards for women's rights, such as the criminalization of female genital mutilation and the prohibition of abuse of women in advertising and pornography. In 2007, a government reproductive health official announced that Cape Verde's fertility rate had decreased by half over the past 20 years.

## Central African Republic

**Population:** 4,300,000

**Capital:** Bangui

**Political Rights:** 5

**Civil Liberties:** 5\*

**Status:** Partly Free



**Ratings Change:** The Central African Republic's civil liberties rating declined from 4 to 5 due to the extent to which the deteriorating security situation inhibited freedom of association and the work of humanitarian agencies, particularly in the conflict zones of the north.

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

1998	1999	2000	2001	2002	2003	2004	2005	2006	2007
3,4PF	3,4PF	3,4PF	5,5PF	5,5PF	7,5NF	6,5NF	5,4PF	5,4PF	5,5PF

**Overview:** With at least three armed insurgencies under way, the Central African Republic (CAR) was in a state of profound crisis in 2007. Embattled President Francois Bozize continued to grapple with a medley of armed rebel groups, warlords, and bandits in the landlocked country, which together with Chad and Sudan constituted a vortex of violence in the heart of Africa. As the security and humanitarian conditions worsened, the country's already scorched economy suffered further, and the work of aid agencies, especially in the northern conflict areas, was inhibited.

The Central African Republic (CAR) gained independence from France in 1960, after a period of brutal colonial exploitation. Colonel Jean-Bedel Bokassa seized power from President David Dacko in a 1966 coup. Erratic and violent, Bokassa exercised absolute power, and in December 1976, he proclaimed himself Emperor Bokassa I, converting the republic into a monarchy. His increasingly bizarre personal dictatorship was marked by numerous human rights atrocities. With the backing of French forces, former president Dacko led a coup against Bokassa in 1979. Dacko was in turn deposed by General Andre Kolingba in 1981.

Mounting political pressure led Kolingba in 1991 to introduce a multiparty system, creating a national commission tasked initially with rewriting the constitution. Ange-Felix Patasse, leader of the Movement for the Liberation of the Central African People (MLPC), won a second-round victory in rescheduled presidential elections in October 1993. Salary arrears, labor unrest, and unequal treatment of military officers from different ethnic groups led to three mutinies against the Patasse government in 1996 and 1997. French forces quelled the riots, and an African peacekeeping force occupied the capital, Bangui, until 1998, when a UN peacekeeping mission relieved it.

Patasse was elected to a second six-year term in September 1999. Although international observers judged the vote to be free, there were reports of irregularities. Kolingba and other candidates claimed fraud. UN peacekeepers withdrew in February 2000 and were replaced by a UN peace-building office. In May 2001, Kolingba led a failed coup attempt. In the country's fourth coup since independence, General Francois Bozize in March 2003 deposed Patasse, who fled into exile in Togo. Bozize's regime sought his arrest there on corruption charges, but issued a general amnesty for the participants in the failed 2001 coup and lifted a 2002 death sentence imposed in absentia on Kolingba. Bozize also created a National Transitional Council featuring delegates from the country's 16 provinces, as well as from the political class and civil society. Voter turnout for a December 2004 constitutional referendum reached 77 percent, with 90 percent approving the new constitution.

An independent electoral commission was created to oversee elections in 2005, and despite some minor hitches, the first round of presidential and parliamentary elections was held in March 2005. Bozize backpedaled on his earlier promise not to seek office and ran as an independent candidate with the backing of the National Convergence Kwa Na Kwa, a grouping of smaller parties, military officials, and political leaders. Kolingba also ran, while former prime minister Martin Ziguele took up the banner of Patasse's MLPC. Bozize won with 65 percent of the vote in a runoff against Ziguele. Kwa Na Kwa obtained 42 of 105 seats in the National Assembly, while the MLPC won 11. Several of the smaller parties and independent candidates who won seats subsequently joined Kwa Na Kwa to give it a majority in the legislature.

In keeping with a trend in recent years, security and humanitarian conditions in the CAR worsened in 2007, particularly in the northwestern and northeast parts of the country, where rebels seeking to overthrow the Bozize government, mercenaries from Chad and Sudan, bandits, and CAR security forces battled one another and indiscriminately targeted civilians. Human Rights Watch reported serious abuses against civilians. The UN refugee agency (UNHCR) estimated that 265,000 people had either been displaced internally or were forced to flee to neighboring Cameroon and Chad, while thousands more sheltered precariously in the bush.

The violence included government assaults on villages suspected of supporting rebel groups, and aid workers reportedly criticized Bozize's presidential guard in particular for carrying out such attacks. The roughly 380 peacekeepers from neighboring Economic and Monetary Union of Central Africa (CEMAC) countries, deployed in late 2005 to help the government reassert its influence over rebel-controlled areas, have been unable to restore law and order. Meanwhile, the UN Security Council approved a peacekeeping force for Chad and the CAR to protect civilians bordering Darfur. The peacekeepers, made up of EU troops and UN police, will have the right to use force. The security situation remains precarious, however,

and the government's writ does not extend beyond Bangui and the surrounding area. A negotiated settlement appeared unlikely, given the fractious nature and uncertain aims and identities of the various armed groups.

Despite abundant natural resources, including diamonds, gold, uranium, and timber, the CAR is one of the least developed countries in the world, and approximately 80 percent of the population relies on subsistence agriculture. Decades of conflict and poor governance have led to economic and social collapse. The economy suffered further in 2007 from declining security conditions and political turmoil, and population displacement has had a negative effect on agricultural yields. The CAR was ranked 172 out of 177 countries surveyed in the UN Development Programme's 2007 Human Development Index, which measures life expectancy, literacy, education, and living standards.

**Political Rights and Civil Liberties:** The CAR is an electoral democracy. Its independent electoral commission organized the March 2005 presidential and parliamentary polls, which were deemed free and fair by international and domestic monitors. President Francois Bozize won a six-year term, while representatives from seven parties and 34 independent candidates won five-year terms in the unicameral, 109-member National Assembly. The president has broad powers, and the executive dominates the legislative and judicial branches. The president is limited to two elected terms in office. Though Kwa Na Kwa is the country's dominant political force, other political parties operate freely, including former president Ange-Felix Patasse's MLPC and General Andre Kolingba's Central African Democratic Assembly.

Corruption remains pervasive, despite some steps toward reform in recent years. The CAR is the world's fifth-largest producer of diamonds, but approximately half of its diamond exports are smuggled out of the country privately. Insecurity has exacerbated poor governance and left the dysfunctional bureaucracy even more susceptible to graft and rent-seeking. The CAR was ranked 162 out of 180 countries surveyed in Transparency International's 2007 Corruption Perceptions Index. It was ranked 177 out of 178 countries surveyed in the World Bank's 2007 Doing Business index.

The government generally respects the right to free speech, but many journalists practice self-censorship. While libel and slander were decriminalized in 2004, journalists still face prison terms for inciting hatred or violence. In late 2005, the government announced penalties for reports that disrespect women. The state dominates the broadcast media, although some private radio stations exist. Private newspapers, while critical of the government, have limited public impact because many residents are illiterate or lack the financial means to buy newspapers regularly. Insecurity prevents journalists from traveling freely outside the capital and reporting on conditions in the volatile northwest. There are no restrictions on internet access.

Religious freedom is generally respected, and many university professors and students are able to engage in political activity without reprisal.

Freedoms of assembly and association have typically been observed by the government, but the deteriorating security situation, especially in the north, has restricted both freedoms in practice. Several hundred human rights and other civic organizations operate in the country, and with the government serving as the single largest employer, active public sector trade unions play an important role. However,

such activity has been hindered by the growing violence, and some humanitarian agencies have curtailed operations in volatile areas.

Corruption, political interference, and lack of training hinder the efficiency and impartiality of judicial institutions. Judges are appointed by the president, and judicial proceedings are prone to executive influence. Limitations on searches and detention are often ignored, and although the penal code prohibits torture, police brutality remains a serious problem. Prison and detention conditions are poor, aggravated by dilapidated facilities. Much of the country remains subject to violence and human rights abuses perpetrated by government security forces, rebels, and other armed groups.

Members of northern ethnic groups, especially Bozize's Baya ethnic group, hold all key positions in the government and the military, and discrimination against indigenous ethnic groups, such as the Aka, persists. Insecurity restricts the movement of citizens and greatly undermines the protection of private property. Constitutional guarantees for women's rights are not enforced, especially in rural areas. Violence against women is common, and the incidence of rape has increased in conflict areas. Female genital mutilation has been illegal since 1996 and is reportedly diminishing. Abortion is prohibited. The law does not prohibit human trafficking, and there have been reports in previous years that the CAR is a source and destination country for child trafficking.

## Chad

**Population:** 10,800,000

**Capital:** N'Djamena

**Political Rights:** 7\*

**Civil Liberties:** 6

**Status:** Not Free



**Ratings Change:** Chad's political rights rating declined from 6 to 7 due to increased corruption associated with a lack of transparency in the management of oil revenues.

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

1998	1999	2000	2001	2002	2003	2004	2005	2006	2007
6,4NF	6,5NF	6,5NF	6,5NF	6,5NF	6,5NF	6,5NF	6,5NF	6,6NF	7,6NF

**Overview:** Between January and April 2007, as many as 30,000 Chadians fled across the border to Sudan's Darfur region to escape militia attacks and communal violence. In September, the UN Security Council passed a resolution authorizing the establishment of a joint United Nations-European Union peacekeeping mission to Chad and the Central African Republic. Renewed fighting erupted in late October between the government and members of the United Front for Change (FUC) rebel group. The government that month declared a state of emergency for three regions in the north and east in response to continuing ethnic conflict. Fighting in the east of the

**country between Chadian authorities and several rebel groups continued at year's end. Corruption related to the use of oil revenue remained a significant problem during the year as Chadian authorities continued to divert resources away from poverty alleviation activities for security purposes.**

Civil conflict and rebellions have been common in Chad since it gained independence from France in 1960. In 1982, Hissene Habre seized control of the government and led a one-party dictatorship characterized by widespread atrocities against individuals and ethnic groups perceived as threats to the regime. In 1989, Idriss Deby, a military commander, launched a rebellion against Habre from Sudan. With support from Libya and no opposition from French troops stationed in Chad, Deby overthrew Habre in 1990.

Voters approved a new constitution in a March 1996 referendum, and presidential elections were held in June and July, despite the ongoing threats posed by rebel insurgencies. Deby won with nearly 70 percent of the second-round vote. In legislative elections held the following year, members of his Patriotic Salvation Movement (MPS) party won 65 of the National Assembly's 125 seats. International observers charged that both elections were beset by irregularities.

In 2001, Deby was reelected president with more than 63 percent of the vote. Alleging fraud, the six opposition candidates called for the results to be annulled and were briefly arrested. Political protests continued despite the government's ban on gatherings of more than 20 people. The number of seats in the National Assembly had been increased to 155 in 2000, and MPS candidates secured a firm majority of 110 seats in the 2002 legislative elections, although several opposition parties boycotted the polls. A constitutional referendum to eliminate presidential term limits passed in June 2005 with just under 66 percent of the vote. There were reports of irregularities, however, and the government cracked down on independent media during the campaign period.

Tensions rose sharply before the May 2006 presidential election, and several officials defected from Deby's government to join dissident groups in eastern Chad. In April, rebel forces backed by the Sudanese government launched an attack on the capital. With the aid of French intelligence and aircraft, the government fended off the rebels, and the presidential election was held on schedule despite an opposition boycott and calls for postponement. Deby secured a third term with just under 65 percent of the vote. French forces assisted the government in a renewed assault against the rebels in September 2006. The subsequent fighting led many international humanitarian organizations to withdraw staff from the region in November and December. The government declared a six-month state of emergency in November for most of the eastern part of the country and the capital. The declaration included a ban on media coverage of sensitive issues, which prompted privately owned newspapers to suspend publication and radio stations to alter programming in protest.

Chad continued to experience widespread insecurity in 2007. The United Nations estimated that between January and April, as many as 30,000 Chadians fled to Sudan's Darfur region to escape militia attacks and communal violence in eastern Chad. In March, between 200 and 400 Chadians were killed in the southeastern villages of Tiero and Marena in attacks the Chadian government attributed to Sudanese *janjaweed* and Chadian Arab militias. Meanwhile, beginning in January, over 1,700 refugees fled to Chad to escape fighting between government and rebel forces in the Central African

Republic (CAR). The United Nations reported that the refugee population in Chad at the end of 2006 already numbered about 300,000, consisting of Sudanese fleeing violence in Darfur, CAR citizens fleeing their home country, and internally displaced Chadians. In an added blow to these groups, the activities of humanitarian organizations in eastern Chad were hampered by severe flooding beginning in August 2007.

In September 2007, the UN Security Council passed a resolution authorizing the establishment of a joint United Nations-European Union peacekeeping mission to Chad and the CAR. By year's end, the mission had not yet deployed due to burden-sharing disagreements among European Union (EU) member states. In early October, the Chadian government and four rebel groups reached an agreement to end fighting. Within weeks, however, renewed clashes erupted between the government and members of the United Front for Change (FUC), the rebel group responsible for the April 2006 assault on the capital. In response to continuing interethnic fighting, the government on October 16 declared a state of emergency for three regions in the north and east. Fighting in the east of the country continued at year's end between the Chadian government and rebel groups, including the FUC, the Union of Forces for Democracy and Development (UFDD), and the Rally of Forces for Change (RFC).

Relations between the Chadian and Sudanese governments remained strained following an April 2006 rupture over accusations that Sudan had increased support for Chadian rebels. An agreement reached in August 2006 called for each country to expel rebel groups that launched cross-border attacks on the other's territory, but tensions mounted over the Sudanese government's claim that Chadian forces had killed 17 Sudanese soldiers in April 2007 while pursuing Chadian rebels over the border. The two sides in May concluded an agreement aimed at stopping cross-border incursions.

The government announced in June that local elections, originally scheduled for 2005, would be held in 2008. In August 2007, the government and opposition groups agreed to reform the organization of legislative elections and conduct a new census. The legislative elections were postponed until 2009.

Despite its mineral wealth, including hundreds of millions of dollars in oil revenues earned since 2004, Chad is one of the world's poorest and least developed countries. In return for World Bank financing of loans to cover its stake in the oil industry, Chad had initially promised to spend 80 percent of its oil revenue on development projects and to set aside 10 percent for future generations. Since 2005, however, the government has sought greater control over oil revenues, increasing the potential for corruption related to the use of oil revenue. In January 2006, the World Bank suspended loans following the government's announcement that it would eliminate the fund for future generations. An agreement was reached in July 2006 that required Chad to devote 70 percent of its budget to poverty-reduction programs. However, under the terms of the new agreement, spending on security is permitted as a poverty-reduction activity. An international arrest warrant issued in Belgium in 2005 charged former president Habre with crimes against humanity dating to his 1982-90 dictatorship, and the African Union ruled in 2006 that he could be prosecuted in Senegal, where he lives in exile. By year's end, Senegalese authorities were finalizing trial preparations with the assistance of EU member states. In December, six French aid workers with the nongovernmental organization Zoe's Ark, who were arrested in late October for the trafficking of 103 children and sentenced to eight years of hard labor, were returned to France to serve their sentences.

**Political Rights and Civil Liberties:** Chad is not an electoral democracy. The country has never experienced a free and fair transfer of power through elections. The constitution provides for the direct election of the president every five years. An amendment passed in 2005 abolished term limits. The last presidential election was held on schedule in May 2006 despite opposition calls for a postponement. Many opposition members boycotted the election, and observers charged that there were irregularities. Voter turnout figures were widely disputed, and may have been as low as 10 percent in some areas. The unicameral National Assembly consists of 155 members elected for four-year terms. The last legislative election, in April 2002, was also marked by widespread irregularities. The prime minister is appointed by the president.

The August 2007 political accord on the organization of elections mandated that future votes be conducted and monitored by the Independent National Electoral Commission (CENI), composed of 15 members from the governing party and 15 from the opposition. In past elections, representatives and allies of the ruling party have dominated the electoral commission.

There are over 70 political parties in Chad, although a number of parties were created by the government to divide the opposition. Parties other than the ruling MPS have limited influence. Despite rivalries within President Idriss Deby's northeastern Zaghawa ethnic group, members of that and other northern ethnic groups continue to control Chad's political and economic levers, causing resentment among the country's more than 200 other ethnic groups.

Corruption is rampant within Deby's inner circle. Weaknesses in revenue management and oversight facilitate the diversion of oil revenues from national development projects to private interests as well as growing military expenditures, which amount to at least 12 percent of the budget. The government's decision in late 2005 to amend provisions of the oil law and assert greater control over revenues has increased opportunities for graft. Chad was ranked 172 out of 180 countries surveyed in Transparency International's 2007 Corruption Perceptions Index.

Freedom of expression is increasingly restricted in Chad, and self-censorship is common. There are at least four private weekly newspapers that circulate in the capital and carry articles critical of the government, but these have limited influence on the overwhelmingly illiterate population. Radio is the principal source of news, and broadcast media are controlled by the state. The High Council of Communications, Chad's media regulatory body, exerts control over the content of most radio broadcasts and restricts private outlets through high licensing fees and closures for coverage deemed inappropriate. There are roughly a dozen private radio stations, and in addition to state-owned Telechad, the first privately owned television station was launched in September 2007.

Radio Brakos, a small independent station, has been repeatedly closed by the government. The authorities have arrested members of its staff, including the station manager, who was imprisoned in April 2006 for advocating the postponement of the presidential election. In March 2007, a court in N'Djamena sentenced the director of the bimonthly *Le Miroir* to a six-month suspended prison term for accusing a Catholic priest of corruption. The general censorship decree issued in November 2006 in connection with rebel activity in the east was lifted in May 2007. Nonetheless, journalists attempting to cover events in eastern Chad do so at great per-

sonal risk, and several have been abducted by rebel or government forces. There are no restrictions on internet access, but the government reportedly monitors online communications.

Although Chad is a secular state, religion is a divisive force. Muslims, who make up slightly more than half of the population, hold a disproportionately large number of senior government posts, and some policies favor Islam in practice, such as government sponsorship of *hajj* trips to Mecca. Islamic congregations are thought to receive preferential treatment when requesting approval for certain activities. The government does not restrict academic freedom.

Despite the constitutional guarantee of free assembly, Chadian authorities restrict this right through bans on demonstrations by groups thought to be critical of the government. Despite harassment and occasional physical intimidation, Chadian human rights groups operate openly and publish findings critical of the government. However, the worsening-security situation in N'Djamena and parts of eastern and southern Chad in 2007 has made it increasingly difficult for members of these groups to carry out their activities.

The constitution guarantees the rights to strike and unionize, which are generally respected in practice. Civil servants in 2006 were successful in negotiating a wage increase with the government. A general strike launched by publicsector workers in May 2007 led to the closure of schools and hospitals, but it was suspended in August after the government announced a 15 percent salary increase and pension improvements.

The rule of law and the judicial system remain weak, with courts heavily influenced by the executive branch. Civilian authorities do not maintain effective control of the security forces, which routinely ignore constitutional protections regarding search, seizure, and detention. Human rights groups credibly accuse Chadian security forces and rebel groups of killing and torturing with impunity. Overcrowding, disease, and malnutrition make prison conditions harsh, and many inmates are held for years without charge.

Interethnic clashes are common between Christian farmers of the various Nilotic and Bantu ethnic groups, who generally inhabit the south, and Muslim Arab groups living largely in the north. Turmoil linked to ethnic and religious differences is exacerbated by clan rivalries and external interference along the insecure borders. Communal tensions in eastern Chad have worsened due to the proliferation of small arms and ongoing disputes over the use of land and water resources. Reports of armed violence and vandalism throughout Chad are on the rise.

The government restricts the movement of citizens within the country, a practice that has increased in tandem with the civil conflicts. The Chadian army and its paramilitary forces, as well as rebel forces, have recruited child soldiers. The government has been slow to follow through on its agreement to demobilize them.

Chadian women face widespread discrimination and violence. Female genital mutilation is illegal but routinely practiced by several ethnic groups. Abortion is prohibited, with exceptions to preserve the health of the mother or in cases of fetal impairment. Prostitution, also illegal, has increased in the southern oil-producing region. Chad is a source, transit, and destination country for child trafficking, and the government has not made significant efforts to eliminate the problem.



## Chile

Population: 16,600,000

Capital: Santiago

Political Rights: 1

Civil Liberties: 1

Status: Free



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

1998	1999	2000	2001	2002	2003	2004	2005	2006	2007
3,2F	2,2F	2,2F	2,2F	2,1F	1,1F	1,1F	1,1F	1,1F	1,1F

**Overview:** Despite majority support in both houses of Congress, President Michelle Bachelet endured a difficult year in 2007 due to ongoing macroeconomic sluggishness, her perceived inability to govern, and divisions within the ruling Concertacion coalition regarding Chile's economic policy. However, revenue stemming from record-high copper prices allowed the government to increase investment in social and education programs, which has contributed to an overall decline in poverty levels.

The Republic of Chile was founded after independence from Spain in 1818. Democratic rule predominated in the 20th century until the 1973 military coup against President Salvador Allende, led by General Augusto Pinochet. An estimated 3,000 people were killed or "disappeared" under Pinochet's regime. The 1980 constitution provided for a plebiscite in which voters could reject another presidential term for Pinochet. When the poll was held in 1988, some 55 percent of voters rejected eight more years of military rule, and competitive presidential and legislative elections were scheduled for the following year.

In 1989, Christian Democrat Patricio Aylwin, the candidate of the center-left bloc Concertacion (Coalition of Parties for Democracy), was elected president. Concertacion's Eduardo Frei, a businessman and the son of a former president, was elected to succeed Aylwin in 1993. Frei promised to establish full civilian control over the military, but he found that he lacked the necessary votes in Congress. Frei was also forced to retreat on his call for full accountability for human rights violations that had occurred under military rule.

Ricardo Lagos of Concertacion defeated former Pinochet adviser Joaquin Lavín, the candidate of the center-right Alliance coalition, in the December 1999 presidential election. Though Lagos remained popular throughout his tenure, political corruption scandals tainted his administration. In response, he forged a working alliance with the opposition's strongest party to push for anticorruption reforms.

In the first step in what would become a years-long effort to hold Pinochet responsible for human rights atrocities, the former president was detained in London in 1998 under an extradition order from Spain. After being released from detention in London for health reasons in 2000, he returned to Chile, where he was eventually

indicted in 2004 for tax evasion and two outstanding human rights cases. A series of pretrial legal battles over his health status and immunity from prosecution ended with a September 2006 Supreme Court decision that cleared the way for his trial. However, the case against Pinochet came to a close with the former dictator's death in December 2006.

Running on a pledge to tackle inequality while maintaining economic discipline, Michelle Bachelet, Lagos's health and defense minister, was elected president in January 2006. Because of Concertacion's strong performance in the 2005 legislative elections and a reform that eliminated the institution of unelected senators, she became the first president to govern with majorities in both houses of Congress. However, this majority was relatively short lived. In December 2007, the Christian Democratic Party—one of the Concertacion coalition's three parties—suffered a serious split causing six of its members to leave.

Bachelet has experienced moderate difficulties throughout her presidency. The problems began with massive student demonstrations in the summer of 2006, in which protesters demanded improvements in the country's education system. Tellingly, the World Economic Forum's 2006-07 Global Competitiveness Report ranked Chile 76th in the world for the quality of its education system, below many countries with similar income levels. That ranking came despite a fourfold increase in education spending since 1990. Bachelet's other problems include her perceived inability to govern and lower economic growth in 2006 and 2007 (4 percent and 5.2 percent, respectively) as high energy prices outweighed record copper revenues. She has also faced dissent from leftist elements within Concertacion that consider her administration's fiscal policies to be too conservative, especially given the increased state revenues from record-high copper prices. However, Bachelet can point to many accomplishments, including the construction of new hospitals and nursery schools, and the financing of scholarships for poor students. Furthermore, recent statistics show a decline in poverty rates, from 18.7 percent of the population in 2003 to 13.7 percent in 2006.

**Political Rights and Civil Liberties:** Chile is an electoral democracy. Elections are considered free and fair. The constitution, which took effect in 1981 and has been amended several times, currently calls for a president elected for a single four-year term, and a bicameral National Congress. The Senate's 38 members serve eight-year terms, with a portion coming up for election every four years, and the 120-member Chamber of Deputies is elected for four years. A presidential candidate is required by law to win more than 50 percent of the vote to avoid a runoff contest.

In 2005, the Senate finally passed reforms that repealed the last vestiges of military rule, ending authoritarian curbs on the legislative branch and restoring the president's right to remove top military commanders. The reform package included the abolition of the Senate's nine unelected seats and reduced the presidential term from six years to four.

There are three major political groupings in Chile: the center-left Concertacion coalition, formed in 1989, comprising the Christian Democratic Party (PDC), the Socialist Party (PS), the Party for Democracy (PPD), and the Social Democratic Radical Party (PRSD); the center-right Alliance coalition, formed in 1999, comprising the

Independent Democratic Union (UDI) and the National Renewal party (RN); and the Communist Party.

In response to a public outcry over political corruption scandals, Congress passed significant transparency and campaign finance laws in 2003, and the measures appear to have been effective. Transparency International's 2007 Corruption Perceptions Index gave Chile a ranking of 22 out of 180 countries surveyed, making it the best performer in Latin America. In June 2007, Congress passed a government-backed law designed to improve transparency, in part by protecting public employees who expose corruption.

Guarantees of free speech are generally respected, and the media operate without constraint. Some laws barring defamation of state institutions remain on the books. The print media are dominated by two right-leaning companies, but the television market is considered highly diverse. Chile has no law guaranteeing access to public information. There are no government restrictions on the internet.

The constitution provides for freedom of religion, and the government generally respects this right in this predominately Roman Catholic country. The government does not restrict academic freedom.

The right to assemble peacefully is largely respected, and the constitution guarantees the right of association, which the government has also upheld. Protests and demonstrations are common, and range from demands for improved education to increased salaries. Workers may join existing unions or form unions without prior authorization.

The constitution provides for an independent judiciary, and the courts are generally free from political interference. Most sitting judges come from the career judiciary, and all judges are appointed for life. The constitution provides for the right to legal counsel, but indigent defendants have not always received effective legal representation.

Chile has two national police services: a uniformed service, the Carabineros, and a smaller, plainclothes investigation service. In response to public complaints, the government in June 2006 dismissed a special forces commander and his deputy after their unit was implicated in police brutality during that year's student protests. Prisons are overcrowded and antiquated, with facilities operating at an estimated 155 percent of capacity nationwide.

In 1990, the Truth and Reconciliation Commission was formed to investigate human rights violations committed under military rule. Its report implicated the military and secret police leadership in the deaths or forced disappearances of 2,279 people between 1973 and 1990. Chilean courts convicted several former military officers of heinous crimes, ruling that a 1978 amnesty decree was inapplicable in cases of forced disappearance.

The army, the military branch most implicated in human rights violations, has offered limited cooperation to judicial investigations. In mid-2003, President Ricardo Lagos announced a series of measures relating to the criminal prosecution of former members of the military as well as reparations for victims of past crimes. President Michelle Bachelet has continued the push to prosecute these crimes by clearly invalidating the 1978 amnesty law for all murder and torture charges.

Indigenous groups in the country's southern region are increasingly vocal about their rights to ancestral lands. The last census, conducted in 2002, recorded approxi-

mately 692,000 people who identified themselves as being of indigenous origin, or 4.6 percent of Chile's population. A bill supporting constitutional recognition for indigenous people failed to pass Congress in January 2006, but Bachelet has publicly called on lawmakers to support the measure.

Violence against women and children remains a problem, though discrimination toward women is showing improvement. In 2004, Congress passed a law that legalized divorce; Chile had been one of only a handful of countries in the world to prohibit divorce. Bachelet has worked against a number of aspects of gender discrimination, including higher medical insurance premiums for women during childbearing years and lower salaries than men for comparable work. She initially fulfilled a campaign promise by appointing women to half of her cabinet seats, and in 2006, she helped enact a new public sector labor code that removes job candidates' gender from applications and mandates job training during regular working hours.

## China

**Population:** 1,318,000,000

**Capital:** Beijing

**Political Rights:** 7

**Civil Liberties:** 6

**Status:** Not Free



### Ten-Year Ratings Timeline For Year Under Review

(Political Rights, Civil Liberties, Status)

1998	1999	2000	2001	2002	2003	2004	2005	2006	2007
7,6NF	7,6NF	7,6NF	7,6NF	7,6NF	7,6NF	7,6NF	7,6NF	7,6NF	7,6NF

### Overview:

**The Chinese Communist Party continued to implement "democracy with Chinese characteristics" in 2007, appointing the first nonparty government ministers since the 1970s, passing significant legislation after public consultation, and allowing the most open debate on economic and political reform since 1989. However, the government's overriding concern with stability, especially in the run-up to the party's 17th National Congress in October, led to continued restrictions on the media and repression of those seen as challenging the regime.**

The Chinese Communist Party (CCP) took power in mainland China in 1949. Aiming to hasten the country's socialist transformation, CCP leader Mao Zedong oversaw devastating mass-mobilization campaigns, such as the Great Leap Forward (1958-61) and the Cultural Revolution (1966-76), that resulted in millions of deaths. Following Mao's death in 1976, Deng Xiaoping emerged as China's paramount leader. Over the next two decades, he maintained the CCP's absolute rule in the political sphere while initiating limited market-based reforms to stimulate the economy.

The CCP signaled its resolve to maintain political stability with the deadly 1989

assault on prodemocracy protesters in Beijing's Tiananmen Square. Following the crackdown, Jiang Zemin replaced Zhao Ziyang as general secretary of the party. Jiang was named state president in 1993 and became China's top leader following Deng's death in 1997. Jiang continued Deng's policy of rapid economic growth, recognizing that regime legitimacy now rested largely on the CCP's ability to boost living standards.

Hu Jintao succeeded Jiang as party general secretary in 2002, state president in 2003, and head of the military in 2004. Hu faced pressing socioeconomic problems that had emerged in the course of China's modernization, including a rising income gap, unemployment, the lack of a social safety net, environmental degradation, and corruption. The CCP viewed these developments as the source of rising social unrest and a threat to its ruling status.

In response, Hu and Prime Minister Wen Jiabao promoted policies aimed at building a "harmonious society." The 11th Five-Year Program (2006-10) signaled a shift in China's declared economic development model from the pursuit of gross domestic product (GDP) growth to a balancing of growth with social welfare and environmental protection, although implementation of these goals has been halting. The drive to bridge the income gap and reduce social tensions included programs aimed at establishing a "new socialist countryside," boosting spending on rural areas, and issuing regulations to protect the rights of internal-migrant workers.

Fighting corruption remained a priority. Shanghai mayor Chen Liangyu and other high-ranking officials were arrested in 2006, and the former head of the State Food and Drug Administration (SFDA), Zhen Xiaoyu, was executed in July 2007 after being convicted of bribery. Also in 2007, new regulations compelling local governments to disclose information of public interest and the establishment of the National Corruption Prevention Agency were partially aimed at curbing malfeasance by local officials. Meanwhile, the utility of village elections in reducing corruption continued to be compromised due to violence allegedly condoned by local authorities, who also apparently authorized attacks on journalists attempting to report wrongdoing. In January 2007, reporter Lan Chenzhang was beaten to death while investigating illegal coal mines in Shanxi Province.

As part of the larger effort to improve governance, the CCP continued to implement "democracy with Chinese characteristics," a concept outlined in a 2005 government white paper. It called for establishing a consultative style of rule that combined CCP leadership with an expanded role for experts and public opinion in the decision-making process and for greater reliance on law in policy implementation, while rejecting political reforms that would challenge the party's monopoly on power. In 2007, nonparty ministers were appointed to the government for the first time since the 1970s, and draft legislation—including the Property Rights Law, the Labor Contract Law, and the Emergency Response Law—was changed to reflect input from society.

Although it permitted the most open debate on China's political and economic reforms since 1989, the CCP in 2007 remained preoccupied with stability, especially in the run-up to the 17th party congress in October. This overriding concern prompted continued restrictions on political rights and the media, and the repression of critics of the regime.

China began to feel a backlash against its more assertive foreign policy in 2007

and faced international criticism for concluding economic deals in Africa without addressing serious human rights concerns, particularly in Sudan. Relations with the United States were strained by China's surprise testing of an antisatellite missile in January and a series of scandals involving the safety of Chinese-made consumer products.

**Political Rights and Civil Liberties:** China is not an electoral democracy. Although the state has permitted the growth of private sector economic activity, Chinese citizens cannot democratically change their leaders at any level of government. As stipulated in the Chinese constitution, the CCP possesses a monopoly on political power. Party members hold almost all top national and local posts in government, the military, and the internal security services. A 3,000-member National People's Congress (NPC) is, in principle, China's parliament. While it has shown signs of independence, sometimes questioning proposed legislation before approving it, the NPC remains subordinate to the party. The only competitive elections are for village committees and urban residency councils, both of which are technically "grassroots" rather than government organs. Citizens can also vote for local people's congress representatives at the county level and below.

The state closely monitors political activity and uses an opaque State Secrets Law to justify the detention of those who engage in political activity without party approval. Opposition groups, such as the China Democracy Party, are suppressed.

Corruption remains a severe problem. In the first five months of 2007, over 15,000 officials were under investigation, including more than 1,000 above the county level. The number of commercial bribery cases was up 8.2 percent in the first seven months as compared to the same period in 2006, reaching 4,406; some 94 percent of those cases involved public servants. The new regulations compelling local governments to disclose information of public interest, such as budgets and financial plans, and the establishment of the National Corruption Prevention Agency, which transferred oversight from the local to the central government, were aimed in part at combating endemic corruption at the local level, where personal connections among party, government, and business leaders perpetuates the problem. China was ranked 72 out of 180 countries surveyed in Transparency International's 2007 Corruption Perceptions Index.

Under the constitution, Chinese citizens are guaranteed freedom of speech and freedom of the press. Although freedom of speech continues to expand in practice, as indicated by the public debate on both economic and political reform in 2007, expression on topics deemed sensitive by the CCP remains severely limited. In December 2007, prominent AIDS activist Hu Jia was arrested. The tightly controlled media are barred from criticizing senior leaders. Journalists who do not adhere to party dictates are harassed, fired, or jailed. Singapore *Straits Times* reporter Ching Cheong and *Bijie Daily* reporter Li Yuanlong remained imprisoned in 2007. Writer Lu Gengsong was detained in October 2007.

A number of restrictive regulations issued since 2005 remain in place, requiring publishers not to reprint politically sensitive books, restricting popular access to foreign films and television programs, and encouraging media self-censorship. While the Emergency Response Law passed in August 2007 did not include provisions from the original draft that would have resulted in heavy fines for media outlets, the

legislation still allowed media licenses to be revoked for the reporting of "false information." Amid criticism of 2006 regulations authorizing China's official news agency, Xinhua, to censor foreign news agencies' reports, the government in January 2007 issued new rules allowing foreign journalists unfettered access to cover preparations for the 2008 Olympic Games. Nevertheless, local officials continued to block foreign reporters. An *Economist* journalist was briefly detained in Henan in January, and a British Broadcasting Corporation (BBC) team was expelled from Hunan in March. Some international radio and television broadcasts remain jammed.

The government routinely cracks down on the internet and monitors personal communications, including cellular telephone text-messaging. The authorities block websites they deem politically threatening and detain those responsible for posting content; cyberdissident Zhang Jianhong was jailed for six years in March 2007, and Chen Shuqing was jailed for four years in August. Foreign internet companies cooperate with the Chinese government on censorship enforcement. Although government plans to make it obligatory for bloggers to register under their real names were abandoned, major internet companies including Yahoo! and Microsoft signed onto a "self-discipline code" in August 2007 that leaves the door open for censorship. Between April and September, access to over 18,400 websites was blocked. The popular site MaoFlag.net was shut down temporarily, and the online publication *China Development Brief* was closed.

Though constitutionally recognized, religious freedom is narrowly circumscribed. All religious groups are required to register with the government. While officially sanctioned groups are tolerated, members of unauthorized religious groups are harassed and imprisoned. The crackdown on "underground" Christian churches and other groups like Falun Gong continued in 2007. Thirty "house church" leaders were detained in May, and four Americans meeting with the group were expelled from China. In June, two house church leaders were sentenced to a year of "reeducation through labor." In the Xinjiang Autonomous Region, the government has used the pretext of counterterrorism to crack down on members of Islamic organizations, labeling them religious extremists. Restrictions on Muslims' religious activity, teaching, and places of worship in Xinjiang are "implemented forcefully," according to the U.S. State Department's 2006 human rights report, published in 2007.

Academic freedom has expanded but remains restricted with respect to sensitive political issues. Many scholars practice self-censorship in the interest of personal safety and risk losing their positions if they publicly criticize the party.

Freedom of assembly is severely restricted in China. Nongovernmental organizations are required to register with the government and follow strict regulatory guidelines, with the constitution specifically prohibiting activities that go against the "interests of the state."

Chinese workers are not allowed to form independent labor unions. The only union permitted is the government-controlled All China Federation of Trade Unions. Independent labor leaders are harassed and jailed. Collective bargaining is nominally legal but actually prohibited. Although workers lack the legal right to strike, there has been a rise in labor unrest; from 1995 to 2006, the number of labor disputes rose by 13.5 percent. Concerns over social unrest prompted the government to solicit opinions from over 190,000 people before passing the Labor Contract Law in 2007. Employers frequently flaunt such regulations, however, and fail to implement

required health and safety measures. Chinese officials claimed that the number of workplace accidents fell by 10 percent from 2006 to 2007, though the accidents that did occur killed 101,480 people.

The party controls the judiciary. The CCP directs verdicts and sentences, particularly in politically sensitive cases. Despite advances in criminal procedure reforms, trials—which are often mere sentencing hearings—are frequently closed, and few criminal defendants have access to counsel in practice. Regulations issued in July 2006 failed to stop authorities from using torture to coerce confessions, which are frequently admitted as evidence. Police conduct searches without warrants and monitor personal communications to collect evidence against suspected dissidents. Many defendants are deprived of trials altogether, detained instead by bureaucratic fiat in "reeducation through labor" camps. Endemic corruption exacerbates the lack of due process in the judicial system. According to officials, who did not disclose exact figures, executions reached a "10-year low" in 2007 after the Supreme People's Court (SPC) began reviewing all death sentences handed out by lower courts in January. Some 65 crimes carry the death penalty, but in September, the SPC called on all courts to limit capital punishment and commute death sentences for crimes such as corruption and family-related murder cases.

Though in most cases security forces are under direct civilian control, they work closely with the party leadership at each level of government, which contributes to frequent misuse of authority. Cases of extrajudicial and politically motivated murder, torture, and arbitrary arrest continue to be reported. Ahead of the 17th party congress, authorities harassed and detained those viewed as potential threats to the regime, including activists Hu Jia, Yao Lifa, and Lu Banglie. Lawyers who are overly vocal in defending the rights of their clients are frequently harassed or detained; civil rights lawyer Li Jianqiang's license was not renewed in August 2007, Gao Zhisheng was detained in September, and Li Heping was abducted and beaten in October.

The Ministry of Public Security reported that the number of "mass incidents" fell by a fifth in the first nine months of 2006, to 17,900. However, "mass incidents" are more narrowly defined than "public order disturbances," of which 87,000 were reported in 2005. One of the major sources of discontent is the confiscation of land without adequate compensation, often involving collusion between local government and rapacious developers. Local authorities continue to employ excessive force to quell the disturbances. In August 2007, one person was reportedly killed when villagers clashed with police over a land dispute in Heilongjiang.

In response to such incidents, in August 2007 the central government announced a review of all land sales concluded between January 2005 and December 2007 and recentralization of urban land-sales management through a new "land superintendency." A landmark Property Rights Law, which gives equal protection to state and private property, was passed in March 2007. An October amendment to property management regulations also increased protection for private owners.

Despite antidiscrimination legislation, minorities, the disabled, and people with HIV/AIDS face severe bias in mainstream society. A new law passed in September 2007 will give employees the right to sue for illegal discrimination. Concerns over the need to control China's "floating population" of some 140 million internal-migrant workers have prompted the government to experiment with reform of the house-



hold registration, or *hukou*, system, to allow greater mobility. However, restrictions remain on changing one's employer or residence, and with quotas limiting the number of temporary residence permits issued in urban areas, many migrants remain outside the system, unable to gain full access to social services.

China's population-control policy remains in place. Couples may have no more than one child, though the policy is less stringently enforced in rural areas. Legislation requires couples who have unapproved children to pay extra fees and gives preferential treatment to couples who do not. Compulsory abortion or sterilization by local officials citing family-planning rules still occurs but is illegal and far less common than in the past. In May 2007, disputes over family-planning policies led to major riots across two counties in Guangxi.

Serious human rights violations against women and girls continue. The one-child policy and cultural preference for boys over girls have led to sex-selective abortion and a general shortage of females, which exacerbates the problem of human trafficking.

## Colombia

**Population:** 46,200,000

**Capital:** Bogota

**Political Rights:** 3

**Civil Liberties:** 3

**Status:** Partly Free



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

1998	1999	2000	2001	2002	2003	2004	2005	2006	2007
3,4PF	4,4PF	4,4PF	4,4PF	4,4PF	4,4PF	4,4PF	3,3PF	3,3PF	3,3PF

### Overview:

The effort to investigate and process demobilized right-wing paramilitaries continued in 2007, overshadowed by hard evidence of their political connections that resulted in the arrests of over a dozen congressmen. As discussion of a humanitarian prisoner exchange with leftist guerrillas continued sporadically, 11 prominent captives were killed in unclear circumstances. Local and regional elections were held in a relatively stable atmosphere in October.

Following independence from Spain in 1819, Gran Colombia broke up into what became Venezuela, Ecuador, and modern Colombia. The 1903 secession of Panama, engineered by the United States, left Colombia with its present boundaries. A civil war between Liberals and Conservatives, known as La Violencia, erupted in 1948 and resulted in some 200,000 deaths before subsiding after 1953. From 1958 to 1974, the two parties alternated in the presidency under the terms of a 1957 coalition pact

(the National Front) aimed at ending civil strife. Colombia has since been marked by the corrupt politics of the Liberal and Conservative parties, as well as by left-wing guerrilla insurgencies, right-wing paramilitary violence, the emergence of vicious drug cartels, and human rights abuses committed by all sides.

Conservative candidate Andres Pastrana won a June 1998 presidential election and, in an effort to consolidate the peace process, arranged for the leftist Revolutionary Armed Forces of Colombia (FARC) guerrillas to regroup and peacefully occupy a so-called demilitarized zone consisting of five southern districts, or about 51,000 square kilometers. The effort to secure peace with the leftist guerrillas ultimately failed. In 2001, it became clear that the FARC was using its "demilitarized zone" to coordinate military and criminal operations, and the government began a new offensive.

In the May 2002 presidential election, Colombians chose Alvaro Uribe, a former provincial governor who ran independently of the country's two dominant parties. The target of multiple assassination attempts by leftist guerrillas, Uribe had run on a platform of no concessions to the insurgents and the implacable use of the military to eliminate them.

Soon after his inauguration, Uribe decreed a state of emergency, stepped up antiguerrilla efforts in urban areas, and created special combat zones in 27 municipalities in which the military was allowed to restrict civilian movement and conduct searches without a warrant. Uribe also dramatically increased the number of Colombian drug traffickers extradited to the United States. Operations by the right-wing paramilitary death squads known as the United Self-Defense Forces of Colombia (AUC) also continued to play a prominent role in combat against the guerrillas in both rural and urban areas.

In 2003, the country continued to be racked by massacres, drug trafficking, and the highest rate of kidnapping in the Western Hemisphere. Uribe was praised for his strong leadership, work ethic, and communications skills, but critics faulted him for his authoritarian bent and apparent lack of concern for human rights issues. In addition, Uribe created a firestorm of protest when he proposed granting an amnesty to paramilitaries that would entail reduced prison sentences or the payment of reparations in lieu of jail time for leaders who were found guilty of atrocities.

Meanwhile, the Constitutional Court stripped Uribe of the emergency powers he had assumed in 2002, signaling its willingness to intervene if the president overstepped his legal authority. Voters also rejected referendum proposals that would have given Uribe increased fiscal powers. In November 2003, more than 850 members of the AUC disarmed and were allowed to return to civilian life, even as human rights groups charged that the move made a mockery of justice. By the end of 2004, nearly 3,000 combatants from five separate AUC paramilitary blocs had demobilized. The United States was wary, noting that more than a dozen chiefs of the AUC, which was blacklisted as a terrorist organization, were wanted in the United States for narcotics-related crimes.

Although leftist guerrillas had largely ceded control of major cities to the paramilitaries, the FARC appeared determined to hold out in remote areas, using the narcotics trade and extortion for financial support. Moreover, government military successes against the rebels were rarely followed up with extensive efforts to improve social conditions in recaptured areas. Many rural zones, in particular, experi-

enced no human rights or social improvements—and sometimes deteriorated further—as paramilitary control replaced guerrilla presence.

Between 2005 and 2007, debate continued over the paramilitaries' demobilization. Human rights groups claimed that the Justice and Peace Law, adopted in June 2005, would not lead to genuine demobilization or lasting peace. They maintained that it failed to sufficiently mandate the permanent dismantling of the paramilitary organizations, and did not allow adequate time for their many crimes to be investigated. In addition, the law did not oblige fighters to make a full confession about their past or collaborate with government forces. The government denied that the law encouraged impunity—combatants are required to spend between five and eight years in prison—and noted that it did not apply to drug-related offenses. In May 2006, the Constitutional Court found that certain elements of the law were unconstitutional and ruled that full confessions were required, along with the seizure of illicitly gained assets and the provision of reparations to victims.

As the March 2006 legislative elections neared, the FARC carried out several serious attacks on civilians and local politicians. In several departments with heavy paramilitary influence, candidates not aligned with the militias were intimidated and killed. However, violence declined in the run-up to the May presidential election, in which Uribe's prospects were bolstered by a growing economy and the perception of improved security. After a campaign marked by lackluster debate, Uribe was re-elected with 62 percent of the vote, fully 40 points ahead of his closest rival, Carlos Gaviria of the Alternative Democratic Pole (PDA).

By late 2006, more than 30,000 paramilitaries had formally demobilized. However, in 2007, human rights groups reported problems with former paramilitaries' civilian reintegration, a lack of resources for investigations, delays in reparation payments and physical protection for victims, and the increasing presence of other groups, including the FARC and neo-paramilitaries, in territory vacated by demobilized combatants. New armed groups, often composed of recalcitrant or rearmed AUC members, were estimated to comprise between 4,000 and 8,000 fighters, and were operating in at least half of Colombia's 32 departments. These groups continued to undertake actions previously associated with the AUC, including drug trafficking, extortion, and assassinations, in some cases including collaboration with security forces.

Demobilized and imprisoned AUC leaders, meanwhile, warned that they would rearm if the government did not uphold promises to prosecute them as political criminals, which would allow for eventual political rehabilitation. In August 2007, Carlos Maria Jimenez (alias "Macaco") became the first prominent AUC leader to lose the benefits of the Justice and Peace Law after he was found to be controlling a drug-trafficking network from prison. Top AUC leaders continued in 2007 to testify about their crimes. In some cases, the process deteriorated into a travesty, with leaders refusing to admit culpability or even busying in supporters to cheer outside the courtroom. However, other cases yielded valuable information regarding unsolved murders and paramilitary operations.

Scandal abounded in 2007, starting with the ongoing "parapolitics" scandal linking scores of politicians with paramilitaries. By year's end, more than a dozen congressmen—including the president's cousin, Mario Uribe—had been arrested, with several dozen others under investigation. In addition, the top ranks of the national police were purged in May following the exposure of an illegal wiretapping opera-

tion targeting journalists, politicians, and other officials. The government asserted that the torrent of revelations reflected the success of its security policies, which provided space for the country to finally confront its entrenched problems.

The urgent need for a humanitarian prisoner exchange with the FARC was highlighted in June, when it emerged that 11 state legislators who had been held captive by the FARC for over five years had been shot to death under unclear circumstances. Uribe attempted to take the initiative by unilaterally releasing scores of FARC prisoners, but the guerrillas refused to commit to an exchange without the establishment of a sizable demilitarized zone. In September and October, government forces killed two important FARC commanders. Venezuelan president Hugo Chavez acted as an eager intermediary between the FARC and the government in the second half of the year. Despite some signs of progress, Uribe called a halt to his participation on November 21 due to perceived violations of protocol; he also alleged that the FARC was using the negotiations to garner international publicity. A bitter dispute between Chavez and Uribe ensued, with name-calling and threats to freeze economic and diplomatic relations. By late December, however, the government had accepted the rebels' plan to release three prisoners to Venezuelan and international mediators. Yet further setbacks followed at year's end as a result of complications, which the rebels blamed on Colombian military activity and the government attributed to the FARC's not actually holding one of the captives scheduled for release.

Also in 2007, several rounds of peace talks were held with a smaller leftist guerrilla group, the National Liberation Army (ELN), but little progress was made. Tension with Ecuador remained high over border security issues and the use of glyphosate spray to eradicate coca. In recognition of this and other problems with aerial spraying, the government in July announced that it would shift toward manual eradication as the primary method of combating coca cultivation. Several powerful drug traffickers, including Diego Montoya, head of the Norte del Valle cartel, were arrested during the year.

**Political Rights and Civil Liberties:** Colombia is an electoral democracy. Though there was violence prior to the 2006 legislative elections, that year's presidential contest was relatively peaceful. The 2007 regional and local elections marked an improvement over the 2003 contest.

The Congress is comprised of the Senate and the Chamber of Deputies, with all seats in both houses up for election every four years. The Senate consists of 102 members, with 2 chosen by indigenous communities and 100 by the nation at large. Senators are elected through a party-list system with a national 2 percent threshold. The Chamber of Deputies consists of 166 members elected by party-list proportional representation in multimember districts. President Alvaro Uribe's reelection came after a drawn-out campaign to change the constitution to allow a second four-year presidential term; by October 2007, his congressional allies had already pledged to work toward a third term.

A major shift in party politics continued in 2006, replacing the traditional Liberal-Conservative duopoly with a Congress roughly divided between anti-Uribe forces on the left and pro-Uribe forces on the right. The shift was partly the result of 2003 reforms designed to open the system and contain the problem of party fragmentation, while also leveling the playing field with regard to campaign financing

and media access. The October 2007 regional and local elections were, as with past subnational elections, marred by district-switching, opaque financing, and violence—mainly carried out by the FARC—that left nearly two dozen candidates dead. Nonetheless, more candidates participated, overall violence declined, and election day was more peaceful than in previous polls. Despite continued paramilitary intimidation, independent candidates were able to win mayoral and gubernatorial races in some areas that had been dominated by paramilitaries.

Corruption affects virtually all aspects of public life. In 2007, several high-ranking military officials were fired after their complicity with drug traffickers was revealed. Details of how paramilitaries plundered local treasuries also emerged during the demobilization process. Colombia was ranked 68 out of 180 countries surveyed in Transparency International's 2007 Corruption Perceptions Index.

The constitution guarantees freedom of expression. However, crime and conflict make it difficult for journalists to conduct their work. Dozens of journalists have been murdered since the mid-1990s, many for reporting on drug trafficking and corruption; most of the cases remain unsolved. Although just two journalists were killed for reasons potentially associated with their work in 2007, aggression and threats against reporters continued, at least 16 reporters were forced to flee their homes, and self-censorship remained common. The Uribe administration has repeatedly questioned the patriotism of journalists and accused them of antigovernment bias. In 2007, Uribe accused several journalists of defamation or links to guerrillas; one of these reporters, Gonzalo Guillen of Miami's *El Nuevo Herald*, was forced to flee the country after receiving death threats. The government does not limit or block access to the internet or censor websites.

The constitution provides for freedom of religion, and the government generally respects this right in practice. The authorities also uphold academic freedom, and campus debates are often vigorous, although paramilitary groups and guerrillas maintain a presence on many university campuses to generate political support and intimidate opponents.

Constitutional rights regarding freedoms of assembly and association are restricted in practice by politically motivated and drug-related violence and by the government's inability to guarantee the security of its citizens. Numerous human rights workers in Colombia have been murdered by the military or by rightist paramilitary forces. Uribe has called rights workers "terrorist sympathizers" and cowards, and claimed that many members of nonofficial domestic human rights organizations are "spokespeople for terrorism." These remarks are sometimes interpreted as a green light for violence against such individuals. In 2007, at least four victims' rights and land activists were killed, while during June and July the offices of several nongovernmental organizations were burglarized.

The murder of trade union activists has made Colombia the most dangerous country in the world for organized labor; over 60 percent of all trade unionist killings occur in Colombia. More than 2,500 trade union activists and leaders have been killed in the last two decades, with an impunity rate of over 95 percent. However, in 2007 the number of killings dropped to 39 from 72 in 2006. Labor leaders are frequently targeted for attack by paramilitary groups, guerrillas, and narcotics traffickers. In 2007, the issue proved to be a major roadblock in the effort to get a free-trade agreement passed in the U.S. Congress. In response, the government worked with

the International Labor Organization and formed a specialized staff within the prosecutor-general's office that began to prosecute effectively assassinations of union members.

The justice system remains compromised by corruption and extortion. Colombia's civil law system is being phased out in favor of procedures traditionally associated with the adversarial common law system. The Constitutional Court and Supreme Court have, on several occasions, demonstrated independence from the executive, which has frequently led to tensions with President Uribe. In July 2007, Uribe criticized the Constitutional Court for "ideological bias" after it ruled that demobilized paramilitaries should be treated as common criminals rather than political ones. In October, Uribe accused a Supreme Court judge of attempting to implicate him in the murder of a paramilitary leader, leading the Supreme Court to strongly denounce the president's interference.

The civilian-led Ministry of Defense is responsible for internal security and oversees both the armed forces and the national police, between which there is a fierce rivalry. Since Uribe took office, defense expenditures and the size of the army and police force have increased substantially. Civilian management of the armed forces, however, is limited; many soldiers operating in Colombia's complex security environment carry out operations under limited civilian oversight. Colombian and international human rights groups in 2007 reported that, over the past several years, there had been a marked rise in extrajudicial killings conducted by state agents. In many cases, soldiers killed civilians, dressed them as guerrillas, and tampered with crime scenes to inflate battle statistics and cover up evidence of their actions. The Uribe government was blamed in part for applying pressure on the military to show body-count-based results.

Right-wing paramilitaries and left-wing guerrillas, some of whom protect narcotics-production facilities and drug traffickers, systematically violate human rights. FARC guerrillas also regularly extort payments from businesspeople and use hostages as human shields while evading pursuit by the security forces. Impunity is rampant, and most violent crimes are never solved. Victims of the conflict remain frustrated, often perceiving that the government places a low priority on both economic reparations and judicial processes against perpetrators of grave crimes.

There are over 80 distinct ethnic groups among Colombia's more than 1.7 million indigenous inhabitants; they live on more than 34 million hectares granted to them by the government, often located in resource-rich, strategic regions that are contested by the various armed groups. Despite their attempts to remain neutral in the conflict, indigenous people are frequently the targets of all sides, including the security forces. Afro-Colombians, who account for 25 percent of the population, comprise the largest sector of Colombia's 3.8 million displaced people, and 80 percent of Afro-Colombians fall below the poverty line. The displaced population as a whole suffers from social stigma, arbitrary arrest, and exploitation, as well as generalized poverty.

Homosexuals are actively discriminated against, but in October 2007, after a prolonged congressional debate, the Constitutional Court ruled that homosexual couples must be made eligible for various benefits. Child labor is a serious problem in Colombia, as is the problem of child recruitment into the armed groups. An estimated 14,000 minors act as combatants for guerrillas and their opponents, and female child-soldiers are reportedly subjected to sexual abuse.

Sexual harassment, violence against women, and the trafficking of women for sexual exploitation remain serious problems. Amnesty International has reported that soldiers, leftist rebels, and rightist paramilitaries treat women as "trophy of war." Almost 60 percent of the displaced population is female. The country's active abortion-rights movement has used international treaties to challenge restrictive national laws, and in 2006, a Constitutional Court ruling allowed abortion in cases of rape or incest or where the mother's life would be endangered by childbirth.

## Comoros

**Population:** 700,000

**Capital:** Moroni

**Political Rights:** 4\*

**Civil Liberties:** 4

**Status:** Partly Free



**Ratings Change:** Comoros' political rights rating declined from 3 to 4 as a result of the illegitimate reelection of the president of Anjouan, one of the country's constituent islands.

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

1998	1999	2000	2001	2002	2003	2004	2005	2006	2007
5,4PF	6,4PF	6,4PF	6,4PF	5,4PF	5,4PF	4,4PF	4,4PF	3,4PF	4,4PF

### Overview:

**Comoros continued to suffer from political instability in 2007. The president of the island of Anjouan refused to leave office at the end of his term in April and mounted unauthorized elections to legitimize his continued rule. Also during the year, scores of Comorans drowned while attempting to emigrate illegally to the neighboring French territory of Mayotte; thousands who survived the journey were deported back to Comoros.**

The Union of the Comoros comprises three islands: Grande Comore, Anjouan, and Moheli. Mayotte, the fourth island of the archipelago, voted to remain a French overseas territory in a 1974 referendum and today enjoys a far higher standard of living, thanks in part to French subsidies. Comorans are among the world's poorest people.

Two mercenary invasions and at least 18 other coups and attempted coups have shaken the Comoros since its independence from France in 1975. Mohamed Taki Abdoukarim was elected president in a 1996 poll that was considered free and fair by international monitors. Anjouan voted for self-determination in a 1997 referendum, repulsed an attempted military takeover by the central government, and then experienced widespread violence as rival separatist groups took up arms against one another. Separatists on Moheli also declared independence.

Assoumani Azali, a colonel in the armed forces, staged a coup in 1999. A reconciliation agreement known as the Fomboni Declaration was signed in 2000 between the Azali government and Anjouan separatists. Referendum voters in December 2001 approved a new constitution that gave greater autonomy to the three islands.

In 2002, while elections for the president of each of the three islands were deemed largely free and fair, the poll for the federal presidency was not. Azali won the latter contest after his two opponents claimed fraud and withdrew. In September 2002, an agreement was reached for holding legislative polls. Key terms of the accord included central government control over the army, island government control over the police, and the establishment of a provisional customs council to fairly distribute revenue among the islands.

Comoran and international observers assessed the April 2004 federal legislative elections—which resulted in Azali supporters capturing only 6 of the 33 seats—as legitimate. In May 2006, a moderate Islamist preacher and businessman, Ahmed Abdallah Sambu, captured the federal presidency with 58 percent of the vote in an election that was also deemed legitimate by most observers. Sambu pledged to focus on improving the economy.

Serious tensions between the islands persisted in 2007. In a continuing show of defiance against federal authorities, Colonel Mohamed Bacar, president of Anjouan, refused to leave office at the end of his term in April. He organized unauthorized elections in June to legitimize his continued rule, claiming to have won with 90 percent of the vote.

According to a 2007 UN report, the Comoran economy grew by only 1 percent in 2006. The country relies heavily on foreign aid and remittances from workers overseas and earns a small amount from spice exports. Many Comorans illegally emigrate to Mayotte, either for permanent residence or to seek entry into metropolitan France. Dozens died in 2006-07 while attempting the journey, and French authorities reported that more than 16,000 Comorans were deported from the island in 2006. In 2007, according to French government officials, the number could be as high as **20,000**.

**Political Rights and Civil Liberties:** Comoros is an electoral democracy. Since 1996 Comorans have voted freely in several parliamentary and presidential elections. Under the archipelago's constitution, adopted in 2001, the executive presidency rotates among the islands every four years. The current leader, Ahmed Abdallah Sambu, is from Anjouan. The unicameral Assembly of the Union consists of 33 members, with 15 selected by the three islands' local assemblies and 18 by universal suffrage. All members serve five-year terms. The Assembly is currently dominated by deputies elected in opposition to then-president Assoumani Azali. The main parties include the Movement for the Comoros, the Camp of the Autonomous Islands, and the Convention for the Renewal of the Comoros. Parties are mainly identified by their positions regarding the division of power between the federal and local governments.

Corruption is a major problem in Comoros. In August 2007, former Moheli president Said Mohamed Fazul received an 18-month suspended prison term and a fine for fraud. There have also been complaints of corruption among the security forces and unpaid salaries for teachers and other government workers. Comoros was ranked



123 out of 180 countries surveyed in Transparency International's 2007 Corruption Perceptions Index.

The constitution and laws provide for freedom of speech and of the press, but the government partially limits press freedom. In 2006, paramilitary police detained the editor of an independent newspaper after he published a story critical of the military. Several private newspapers that are at times critical of the government are sporadically published in the capital. Two state-run radio stations broadcast, as do about 20 regional radio stations and five local private television stations. The authorities reportedly closed an independent radio station just before the 2006 presidential elections, accusing it of airing threats and calls for demonstrations. Internet access is extremely limited for economic reasons.

Islam is the official state religion, but tensions have risen between Sunni and Shia Muslims. In February 2007, about 60 senior Sunni clerics in the Comoros called for Shia Islam to be banned and for the expulsion of foreigners accused of spreading the sect. Non-Muslims are legally permitted to practice their faiths, but they are reportedly subject to restrictions, detentions, and harassment. Proselytizing for any religion except Islam is illegal. Academic freedom is generally respected.

The government typically upholds freedoms of assembly and association. However, security forces sometimes respond to demonstrations with excessive force. In September 2005, police violently dispersed demonstrators protesting rising fuel prices; 1 person was reported killed and 16 were wounded. A few human rights and other nongovernmental organizations operate in the country. Unions have the right to bargain collectively and to strike, but collective bargaining is rare.

The Comoran judicial system is based on both Sharia (Islamic law) and the French legal code and is subject to influence by the executive branch and other elites. Most minor disputes are settled by village elders or civilian courts. A series of reforms in 2005 transferred some courts to the jurisdiction of the autonomous islands and left only the Supreme Court under the authority of the central government. In September 2006, five senior judges who had been appointed by Azali were suspended after they freed several high-ranking Azali administration officials who had been accused of corruption. A complex and overlapping system of security forces exists. Harsh prison conditions are marked by severe overcrowding and the lack of adequate sanitation, medical care, and nutrition.

Women possess constitutional protections. In practice, however, they enjoy little political or economic power and have far fewer opportunities for education and salaried employment than men, especially in rural areas. Economic hardship has forced growing numbers of young girls into domestic servitude; they receive room and board, but little or no pay.

## ↓ Congo, Democratic Republic of (Kinshasa)

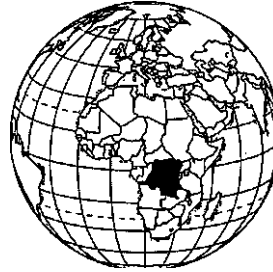
**Population:** 62,700,000

**Capital:** Kinshasa

**Political Rights:** 5

**Civil Liberties:** 6

**Status:** Not Free



**Trend Arrow:** The Democratic Republic of Congo received a downward trend arrow for the forced exile of the main opposition leader, illustrating President Joseph Kabila's intolerance for political opposition.

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

1998	1999	2000	2001	2002	2003	2004	2005	2006	2007
7,6NF	7,6NF	7,6NF	6,6NF	6,6NF	6,6NF	6,6NF	6,6NF	5,6NF	5,6NF

#### Overview:

**The threat of a wider conflict rose in 2007 as government forces in the eastern Democratic Republic of Congo (DRC) battled fighters loyal to Rwandan-backed Congolese Tutsi general Laurent Nkunda. Also during the year, the DRC signed a trade and development deal with China said to be worth \$5 billion, and the nascent democracy that had emerged from the 2006 elections remained precarious as the main opposition leader, Jean-Pierre Bemba, was forced into exile. Human rights abuses continued unabated.**

As the Congo Free State and then the Belgian Congo, the vast area of Central Africa that is now the Democratic Republic of Congo (DRC) was exploited in the late 19th and early 20th centuries with a brutality that was extreme even by colonial standards. After it was granted independence from Belgium in 1960, the country became an arena for Cold War rivalries and remained so after Colonel Joseph Mobutu seized power with CIA backing in 1965. Mobutu changed the country's name to Zaire in 1971, changed his own name to Mobutu Sese Seko, and assumed dictatorial powers.

Western governments largely ignored Mobutu's excesses, which included corruption on a scale that made him one of the world's richest men and left his citizens among the world's poorest people. Following the end of the Cold War, domestic agitation and international pressure for democratization forced Mobutu to open the political process. A sovereign national conference in 1992 stripped Mobutu of most of his powers and named a new prime minister, but Mobutu created a rival government, leading to a political standoff. In a compromise that marginalized the conference's prime minister, the two governments merged in 1994, with Mobutu remaining head of state. Presidential and legislative elections were scheduled repeatedly but never took place.

After the 1994 genocide in neighboring Rwanda, the Rwandan and Ugandan governments tapped into popular hatred for Mobutu and turned their cross-border pursuit of members of the ethnic Hutu Interahamwe—the Rwandan militia responsible for much of the mass killing of ethnic Tutsis—into an advance on Kinshasa. Rwandan troops, accompanied by representatives of the Alliance of Democratic Forces for the Liberation of Congo-Zaire (AFDL), a coalition led by former Zairian rebel leader Laurent-Desire Kabila, entered eastern Zaire in October 1996 and reached Kinshasa in May 1997; Mobutu fled to Morocco and died soon thereafter. Kabila quickly consolidated power, declaring himself president and changing the country's name back to the Democratic Republic of Congo.

Relations between Kabila and his backers in Rwanda and Uganda deteriorated after he ordered all foreign troops to leave the DRC in 1998. Rwanda intervened in support of a newly formed rebel group, the Congolese Rally for Democracy (RCD), but the DRC government was defended by Angolan, Namibian, and Zimbabwean troops. Uganda later backed a rival rebel group, the Movement for the Liberation of the Congo (MLC), establishing control over the northern third of the DRC, while the RCD held much of the eastern Kivu region. The war eventually drew in forces from Chad, Sudan, and Burundi as well, and the country's vast mineral wealth spurred the involvement of multinational companies, criminal networks, and more distant foreign governments.

Military stalemate and international pressure led to the signing of the Lusaka Peace Agreement in 1999. The accord called for a ceasefire, the deployment of UN peacekeepers, the withdrawal of foreign troops, and the launch of talks to form a transitional government. Kabila drew increasing international criticism for blocking the deployment of UN troops and suppressing internal political activity. He was assassinated in January 2001 and succeeded by his son Joseph, who revived the peace process. The resulting Sun City Peace Agreement, reached in December 2002, created a transitional government that included former rebel leaders, opposition representatives, and Kabila supporters, who were grouped under the People's Party for Reconstruction and Democracy (PPRD). A transitional government was formed in July 2003, bringing a formal end to the five-year war.

A new constitution passed by the bicameral transitional legislature in May 2005 was approved by 84 percent of voters in a December 2005 referendum. Presidential and legislative elections, the first democratic polls since independence, were held on July 30, 2006. Despite daunting logistical challenges, the elections were largely peaceful, and turnout was over 70 percent. Kabila's PPRD gained the most seats in the National Assembly, but fell short of an outright majority. In a field of 33 presidential candidates, Kabila won about 45 percent of the vote, leading to a second round against MLC leader and transitional vice president Jean-Pierre Bemba. The October 29 runoff was generally peaceful despite minor hitches. Kabila was declared the winner, with 58 percent to Bemba's 42 percent. Bemba challenged but ultimately accepted the result.

Meanwhile, two broad alliances emerged in the 500-seat National Assembly: the AMP comprised of the Parti Lumumbiste Unifié (PPRD) and the Union des Democratres Mobutistes (UDEMO) with more than 300 seats in support of President Kabila, and a political opposition, the Union Pour la Nation (UpN), comprised of parties that supported former vice president Bemba in his presidential bid, including the MLC, and a number of former presidential candidates with some 116 seats.

In the January 2007 Senate elections, 11 provincial assemblies voted; Kabila's AMP won 56 seats while Bemba's opposition UpN secured 18. Nine provincial assemblies elected governors and vice-governors on January 27. Gubernatorial polls in Kasai Occidental and Kasai Oriental were delayed until February 15. AMP-affiliated candidates won 10 governorships, while a UpN candidate won the governorship of Equateur province. Violence followed the elections after candidates from the opposition-dominated provincial assemblies in Kinshasa, Bas Congo, Bandundu, Kasai Oriental, and Maniema elected members of the ruling party as state governors. Following widespread allegations of corruption and vote buying, appeals were filed in appeals courts in nine provinces, but the Supreme Court upheld the results in all but Maniema, for which a decision is still pending.

Despite the relatively successful elections, the country's democratic transition remained uncertain. In March 2007, fighting broke out in the capital between the authorities and Bemba loyalists after Bemba's personal security force resisted government calls to disarm. As many as 600 people, most of them civilians, died in the fighting. Bemba himself sought refuge in the South African embassy before going into exile in Portugal in April. The crackdown on the country's top opposition leader added to existing doubts about whether Kabila would allow genuine political pluralism to emerge.

The presence of armed groups remains a source of instability that has displaced at least 1.2 million people within the DRC, according to the United Nations. Fighting involving government troops and a rebel force led by Congolese Tutsi general Laurent Nkunda in eastern North Kivu province has reportedly displaced some 370,000 people since December 2006, causing severe malnutrition and outbreaks of disease. The UN peacekeeping mission, known as MONUC, numbers about 18,000 troops and has so far prevented the conflict from escalating dramatically, but it is unclear how long the mission's \$1 billion annual cost can be sustained.

In January 2007, Kabila struck a controversial deal allowing thousands of Nkunda fighters to be inducted into special mixed army brigades, ostensibly to break down Nkunda's command structure. The mixed brigades were to pursue Rwandan Hutu rebels whose disarmament and repatriation had been a condition for the withdrawal of Rwandan troops. But the operations against the rebels deteriorated into a campaign of terror against civilians that forced more than 200,000 Congolese (the largest new displacement since 2003) to flee their homes. By March 2007, the campaign was called off, leaving Nkunda stronger than before. A 2007 report by the Center for American Progress noted that Nkunda used government money for salaries to replenish his supplies and increase his military capacity while keeping the command structure of his organization intact. The Congolese government accuses Nkunda of war crimes, but a straightforward assault on the general could provoke an intervention by Rwanda. It remained unclear whether the two sides would be willing or able to implement the plan fully but a renewed outbreak of violence forced MONUC to dispatch additional troops to the area, and sporadic clashes continue.

A crucial factor behind the ongoing crisis in Congo is competition to control the country's vast mineral wealth, which includes some of the world's most significant deposits of cobalt, diamonds, coltan, gold, and copper. A 2003 UN investigating panel listed 85 countries operating in the DRC and detailed how the exploitation of mineral resources was fueling the civil war and feeding into international busi-

ness networks. The country has virtually imploded under the combined effects of war, economic crisis, and the breakdown of political institutions. At least 4 million people have died since the conflict began, and humanitarian groups estimate that 1,000 people continue to die daily from hunger, disease, and other effects of the war. According to the United Nations, Congolese people on average manage to get access to health care once every seven years, and they are among the poorest and least healthy people on earth. Critical social services are nonexistent, and the country's infrastructure has all but disintegrated. Congo ranked 168 out of 177 countries on the 2007 UN Human Development Index.

The DRC was granted access to the International Monetary Fund/World Bank Heavily Indebted Poor Countries (HIPC) initiative in 2003. Despite significant efforts to restore economic vitality, the economy has yet to improve. President Kabila has tried to break with the tradition of printing money to meet budget shortfalls, but there have been reports that the central bank has counterfeited its own currency to make ends meet. Between March and July 2007, the Congolese franc lost 20 percent of its value against the dollar. In September, the country signed a deal of extraordinary scale and ambition with China. The \$5 billion package is the largest single loan to any African country. In return, China obtained rights over copper and cobalt reserves worth an estimated \$14 billion. Somewhat caught off guard by the transaction, the IMF, World Bank, and a number of NGOs sought clarification.

**Political Rights and Civil Liberties:** The DRC is not an electoral democracy. The 2006 elections were an important milestone but still problematic. The main opposition Union for Social Democracy & Progress (UDPS) party was not allowed to participate as a result of the party leader's call for a boycott of the constitutional referendum the same year. Further, international observers noted that the elections were marred by voter registration irregularities, especially in the capital, and corruption that compromised the credibility of the process. The campaign period included clashes between opposition militants and government forces as well as an attempt on Bemba's life. The 2007 Senate elections were similarly plagued by political corruption, with allegations of vote buying (elected opposition councilors voted for progovernment candidates).

Under the new constitution, the president is elected to a five-year term, renewable once. The president nominates a prime minister from the leading party or coalition in the 500-seat National Assembly, the lower house of the bicameral legislature, whose members are popularly elected to serve five-year terms. The provincial assemblies elect the upper house, the 108-seat Senate, for five-year terms. Under the new decentralized government, elected governors oversee the provincial parliamentary structures.

Of the approximately 247 registered political parties, only a dozen have broad representation. President Joseph Kabila's coalition, the AMP, currently holds 332 seats in the National Assembly and 56 in the Senate. The April 2007 exile of Jean-Pierre Bemba, whose MLC is the largest single opposition party, represented a severe blow to prospects for political pluralism.

Corruption is rampant in the DRC, particularly in the mining sector. By one calculation, royalties in the last financial year should have been about \$160 million but the government's direct income from mining was reported at \$32 million, suggesting that much of the wealth from the industry flowed into private hands. Some antigraft

measures were taken during the transitional period, but there were no convictions of corrupt officials. In 2006, the government approved new investment and mining codes and established a commercial court to protect foreign investment, and the National Assembly's Lutundula Commission implicated a number of senior officials in corruption, some of whom were fired. In April 2007, Kabila bowed to international pressure for transparency and announced a review of over 60 mining contracts with foreign companies that had bought concessions at extremely low prices. But the government rejected calls for an independent body to oversee the review, and the report has not been released. Mismanagement caused donors to suspend many lending programs in 2007, and the country held the bottom rank in the World Bank's 2007 Doing Business survey of 178 countries. The DRC ranked 168 out of 180 countries surveyed in Transparency International's 2007 Corruption Perception Index.

Although guaranteed by the constitution, freedom of speech and expression is limited in practice. The High Authority of Media (HAM) is tasked with implementing the country's press laws and media code of conduct, but the government continues to use criminal libel laws to suppress free speech and limit press freedom. In a country where journalists are imprisoned even for covering police operations, independent journalists are frequently threatened, arrested, attacked, and even killed. At least three journalists were killed in 2007 according to the International Federation of Journalists (IFJ). Radio is the dominant medium; there are approximately 119 radio stations, 52 television stations, and 176 newspapers and magazines. In October 2007, the government banned 40 television and radio stations for improper licenses, including CCTV and Canal Kin TV, owned by Bemba. A handful of stations, including state-run RTNC, broadcast across the country. The United Nations and a Swiss-based organization, *Fondation Hirondelle*, launched Radio Okapi in 2002 to provide voter and civic education as well as accurate news. The government does not restrict access to the internet, but penetration is limited by cost and lack of infrastructure.

The constitution guarantees religious freedom, which is generally respected in practice, although religious groups must register with the government to be recognized. Academic freedom is effectively restricted by fears of government harassment, which often lead university professors to engage in self-censorship.

The rights to freedom of assembly and association are sometimes limited under the pretext of maintaining public order, and groups holding public events must inform local authorities in advance. Labor unions, though legal, exist only in urban areas and have largely been inactive as a result of the collapse of the country's formal economy. Some unions are affiliated with political parties, and labor leaders and activists have faced harassment.

Despite guarantees of independence, the judiciary remains subject to corruption and manipulation by both official and nonstate actors. Civilian and military justice personnel were deployed to provincial centers with MONUC assistance in 2005, but the judicial system still lacks both trained personnel and resources. Prison conditions are often abysmal, and long periods of pretrial detention are common.

Civilian authorities do not maintain effective control of the security forces. Members of the forces are poorly trained and paid and regularly commit serious human rights abuses, including the rape of women and girls on a massive scale. Low pay and inadequate provisions commonly lead soldiers to seize goods from civilians, and demobilized combatants have not been successfully integrated into the

civilian economy. The induction of former rebels into the military has resulted in competing chains of command and conflicts between nominally unified factions, with many fighters answering to former commanders and political leaders rather than formal superiors. Some 80,000 troops remain in separate units, and if war were to break out again, the former factions could quickly reassemble.

Societal discrimination based on ethnicity is practiced widely among the country's 200 ethnic groups, particularly against the various indigenous Pygmy tribes and the Congolese Banyamulenge Tutsis. The ongoing fighting in the eastern Kivu region is driven in part by ethnic rivalries. The ubiquity of firearms and deep mutual resentment over land security has helped to harden ethnic identities.

Although the law provides for freedom of movement, it is restricted by security forces seeking bribes or travel permits, and foreigners must regularly submit to immigration controls when traveling internally. In conflict zones, various armed groups and soldiers have seized private property and destroyed homes.

Despite constitutional guarantees, women face discrimination in nearly every aspect of their lives, especially in rural areas, where there is little government presence. The law requires a married woman to obtain her husband's permission before engaging in routine legal transactions. Violence against women, including rape and sexual slavery, has soared since the war began in 1996. Congolese women are also subjugated as agricultural laborers, and armed groups regularly loot their harvests. Abortion is prohibited. Save the Children has ranked the DRC among the world's five worst conflict zones in which to be a woman or child.

## ↓ Congo, Republic of (Brazzaville)

**Population:** 3,800,000  
**Capital:** Brazzaville

**Political Rights:** 6  
**Civil Liberties:** 5  
**Status:** Not Free



**Trend Arrow:** Congo received a downward trend arrow due to the government's refusal to create an independent electoral commission, as well as persistent weaknesses in the electoral framework that effectively prevent voters from changing their leaders democratically.

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

1998	1999	2000	2001	2002	2003	2004	2005	2006	2007
7,5NF	6,5NF	6,4PF	5,4PF	6,4PF	5,4PF	5,4PF	5,5PF	6,5NF	6,5NF

**Overview:** **President Denis Sassou-Nguesso's Congolese Labor Party (PCT) strengthened its grip on Parliament in legislative elections in 2007 that were boycotted by the opposition.**

Congo's history since independence from France in 1960 has been marked by armed conflict and a series of coups. In 1968, army officer Marien Ngouabi seized power but maintained the country's Marxist bent. Following Ngouabi's assassination in 1977, Colonel (later General) Joachim Yhomby-Opango took over. He was overthrown two years later in a "palace coup" by the defense minister, Colonel Denis Sassou-Nguesso, who maintained one-party rule and consolidated power. Domestic and international pressure forced Sassou-Nguesso to convene a national conference and hold multiparty elections in 1992, which he lost, coming in a distant third in the first-round presidential vote. Former prime minister Pascal Lissouba defeated Bernard Kolelas in the runoff.

Disputed parliamentary elections in 1993 triggered violent clashes between rival militia groups that ended only in October 1997, when Sassou-Nguesso ousted Lissouba with the help of Angolan troops and French political support. Lissouba, who fled into exile, was convicted in absentia in 2001 on treason and corruption charges and sentenced to 30 years of hard labor. Kolelas, a former mayor of Brazzaville and founder of the dreaded "Ninja" militia, was accused of war crimes and sentenced to death in absentia in 2000. However, at the president's request, Parliament granted Kolelas amnesty in December 2005.

Sassou-Nguesso oversaw the adoption of a new constitution by referendum in January 2002. He won the presidential election in March with more than 89 percent of the vote after his main challenger, former National Assembly president Andre Milongo, claimed that the vote was rigged and withdrew. Lissouba and Kolelas were barred from running and remained in exile. The 2002 legislative elections left Sassou-Nguesso's Congolese Labor Party (PCT) and its allies with about 90 percent of the seats. The polls failed to create the conditions for genuine reconciliation and dialogue, although a March 2003 peace agreement was signed by virtually all of the country's rebel factions. That enabled the government, with the support of the World Bank, to launch a program aimed at demobilizing the estimated 30,000 combatants and retrieving thousands of illegal weapons that were in circulation.

The 2007 legislative elections were boycotted by the main opposition parties after the government ignored calls to create an independent electoral commission. Irregularities were so widespread that the government dismissed the chief election officer four days after the vote, although it still validated the results. African Union observers called for an independent electoral commission to organize future elections. The PCT and its allies won a commanding majority of 125 out of 137 seats in the National Assembly, Parliament's lower house. Given the opposition boycott, the participation of Frederic Bintsamou's National Resistance Council (NRC) was hailed as a major step toward peace. The NRC, better known as the Ninjas, were based in the southern Pool region, and had fought a 10-year civil war against Sassou-Nguesso's northern-dominated government. The president's appointment of Bintsamou, also known as Pastor Ntoumi, to the post of delegate general for peace and war reparations in May 2007 was intended to help pacify Pool, but lasting peace remained elusive.

Congo is sub-Saharan Africa's fifth-largest oil producer. Oil accounts for approximately 52 percent of gross domestic product, more than 85 percent of exports, and 70 percent of public revenue, according to the World Bank. Despite joining the Extractive Industries Transparency Initiative (EITI) in 2004, there is widespread cor-



ruption in the oil industry, and graft disputes have become heavily politicized. The government has failed to hold itself up to the standards of civil society engagement in the EITI implementation and validation process. An eight-month trial of two anticorruption activists—Christian Mounzeo and Brice Mackosso, of the local chapter of the anticorruption watchdog *Publish What You Pay*—ended in December 2006 with suspended sentences and fines. The defendants argued that the verdict was intimidation designed to stop them from acting as independent experts on two new anticorruption committees and appealed the decision in January 2007. The government itself has been embroiled in legal disputes with creditors who accuse it of hiding oil revenues and refusing to pay its debts.

Despite Congo's natural wealth, corruption and decades of instability have worsened humanitarian conditions, especially in the rebellious south. Entire provinces lack potable water, and the poverty rate is estimated at 50 percent. Without roads, schools, and basic health-care services, the Pool region has suffered a "humanitarian disaster," according to the United Nations. Congo ranked 139 out of 177 countries on the 2007 UN Human Development Index.

In August 2007, an inspection team visited Congo to discuss its return to the Kimberly Process—an international initiative aimed at preventing the sale of diamonds from conflict zones—but found that smuggling-control mechanisms remained inadequate. Congo had been expelled from the Kimberly Process in July 2004, after discrepancies between production and exports raised concerns that it was serving as a transshipment point for illicit diamonds.

**Political Rights and Civil Liberties:** The Republic of Congo is not an electoral democracy. Elections held in 2002 and 2007 were not deemed fair, in part because of irregularities and the absence of an independent electoral commission. The amended constitution, promulgated in 2002, limits the president to two seven-year terms. The next presidential election will be held in 2009. The bicameral Parliament comprises a 66-seat Senate and a 137-seat National Assembly; members of both houses are elected by popular vote for five-year terms. Most of the over 200 registered political parties are personality driven and ethnically based, and the ruling PCT-led coalition faces a weak and fragmented political opposition.

Corruption in Congo's extractive industries remains pervasive. According to the International Monetary Fund (IMF) and World Bank, the government maintains inadequate internal controls and accounting systems. In June 2007, the mining law was revised and the draft law to establish an anticorruption observatory was passed by Parliament.

President Denis Sassou-Nguesso and his family have been beset by allegations of graft. Foreign media and anticorruption groups were able to obtain and publish records of their extravagant personal expenditures in 2006 and 2007, and police in France are investigating how Sassou-Nguesso paid for the property he owns there. Congo was ranked 150 out of 180 countries surveyed in Transparency International's 2007 Corruption Perception Index.

Despite the abolition of censorship and introduction of sharply reduced penalties for defamation in 2000, the government's respect for press freedom is limited. Speech that incites ethnic hatred, violence, or civil war is illegal in practice. The

government monopolizes the broadcast media, which reach a much larger audience than print publications. However, about 10 private newspapers that appear weekly in Brazzaville often publish articles and editorials that are critical of the government. There are no government restrictions on internet access.

Religious and academic freedoms are guaranteed and respected.

Freedoms of assembly and association are generally upheld in practice, although public demonstrations are rare. Nongovernmental organizations operate more or less freely. Workers' rights to join trade unions and to strike are legally protected, and collective bargaining is practiced freely. Most workers in the formal business sector, including the oil sector, are union members, and unions have made efforts to organize informal sectors, such as agriculture and retail trade.

Congo's weak judiciary has a backlog of cases and is subject to corruption and political influence. In rural areas, traditional courts retain broad jurisdiction, especially in civil matters. The government does not fully control all members or units of the country's overlapping and poorly coordinated security forces, which include the police, gendarmerie, and military. Members of these forces act with impunity in committing human rights abuses, and there have been reports of security personnel killing people during apprehension and detainees dying in custody. Prison conditions are life threatening, with reports of beatings, overcrowding, and other ill-treatment. Women and men, as well as juveniles and adults, are incarcerated together, and rape is common.

Ethnic discrimination persists. Members of Sassou-Nguesso's northern ethnic group and related clans hold key posts in government. Pygmy groups suffer discrimination, and many are effectively held in lifetime servitude through customary ties to ethnic Bantu "patrons." In a highly publicized incident of anti-Pygmy discrimination in 2007, a group of 20 Pygmy musicians invited to a pan-African musical festival in Brazzaville were housed in a tent at the city's zoo while other artists were given accommodation in hotels. Members of virtually all ethnicities favor their own groups in hiring practices, and urban neighborhoods tend to be segregated.

Harassment by military personnel and militia groups inhibits travel, though such practices have declined. Congo's overburdened and underresourced judicial system offers limited protection for business and property rights. The country ranked 175 out of 178 nations surveyed in the World Bank's 2007 Doing Business index.

Despite constitutional safeguards, legal and societal discrimination against women is extensive. Access to education and employment, especially in the countryside, is limited, and civil codes and traditional practices regarding family and marriage formalize women's inferior status; for example, adultery is illegal for women but not for men. Under traditional or common-law marriages, widows are often not able to inherit any portion of their spouses' estates. Excessive bride prices make divorce extremely difficult for women who cannot reimburse the large sums. Violence against women is reportedly widespread. Abortion is prohibited.

## Costa Rica

**Population:** 4,500,000

**Capital:** San José

**Political Rights:** 1

**Civil Liberties:** 1

**Status:** Free



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

1998	1999	2000	2001	2002	2003	2004	2005	2006	2007
1,2F	1,2F	1,2F	1,2F	1,2F	1,2F	1,1F	1,1F	1,1F	1,1F

#### Overview:

**The debate over a free-trade agreement with the United States and other countries in the region, known as DR-CAFTA, dominated Costa Rican politics in 2007, even causing social unrest. The trade agreement was finally approved in an October 2007 referendum. President Oscar Arias then faced the challenge of restoring confidence in his government after a related scandal forced his vice president to resign. Meanwhile, Costa Rica experienced worsening living conditions for the poorest segments of the population, including indigenous communities.**

Costa Rica achieved independence from Spain in 1821 but belonged to larger political formations in the region until it gained full sovereignty in 1838. For most of its subsequent history, the country enjoyed relative political stability, with an economy based on cultivation of coffee and other agricultural exports. In 1948, Jose "Pepe" Figueres launched a 40-day civil war to restore power to the rightful winner of that year's presidential election, which the incumbent had sought to invalidate. Figueres also successfully pushed to disband Costa Rica's military, and in 1949 the country adopted a new constitution that ultimately strengthened democratic rule. Figueres later served as president for two separate terms under the banner of the National Liberation Party (PLN). Since 1949, power has passed back and forth multiple times between the PLN and the Social Christian Unity Party (PUSC).

The PUSC's Abel Pacheco was the winning candidate in the 2002 elections; Miguel Angel Rodriguez, also of the PUSC, had preceded him. However, in February 2006, the PLN regained the presidency for the first time since 1998 as Nobel Peace Prize laureate and former president Oscar Arias was reelected. Meanwhile, the PUSC lost its former prominence after Rodriguez was sentenced on corruption charges. In the 2006 contest, the closest presidential election in Costa Rican history, Arias defeated Citizens' Action Party (PAC) candidate Otton Solis by a mere 1.12 percentage points, 40.92 percent to 39.80 percent. The elections also resulted in a politically fractured Legislative Assembly; the PLN won 25 seats, the PAC 17, the Libertarian Movement Party (PML) 6, the PUSC 5, and other small parties won the remaining 4 seats.

The Dominican Republic-Central America Free Trade Agreement (DR-CAFTA) with the United States continued to be a dominant political issue in 2007, prompting

demonstrations and strikes by opponents. A national referendum on DR-CAFTA was held in October 2007, with voters narrowly approving the trade agreement; Costa Rica was the final signatory country to ratify the pact. Critics of the trade agreement claimed that it was not in country's best interests and could hurt vulnerable portions of the population, such as farmers and indigenous groups. The revelation in October 2006 that local representatives of U.S. weapons manufacturer Raytheon had donated funds to Arias's presidential campaign raised questions about his motives in promoting DR-CAFTA, with critics arguing that a decree he had signed in August of that year effectively paved the way for weapons production on Costa Rican soil. In response, Arias in October signed a law banning arms manufacturing, including in duty-free industrial zones.

Arias came under criticism in 2007, when a memo from Vice President Kevin Casas became public, outlining controversial tactics to garner support for DR-CAFTA, including a "campaign of fear." Casas resigned in September 2007 in the wake of the scandal. Social unrest increased in the final days before the national referendum on DR-CAFTA, as opponents staged demonstrations and mobilized over 100,000 people. However, voters approved the treaty in the October 7 referendum, which was generally considered free and fair.

While quality of life in Costa Rica is relatively high for the region, incomes have declined for the bottom fifth of the population in recent years, and economic growth is hampered by the national debt and inflation. Indigenous groups and the large numbers of Nicaraguan migrants in the country suffer from high poverty rates and low education levels. According to UNICEF, indigenous communities in 2007 displayed the same health indicators as Costa Rica as a whole did in 1980. Since 2001, Costa Rica's rank in the UN Development Programme (UNDP) Human Development Index has consistently worsened; it placed 48 out of 177 countries surveyed in the 2007 index. Public opinion polls in 2007 showed plummeting approval of Arias's performance in fighting poverty.

**Political Rights and Civil Liberties:** Costa Rica is an electoral democracy. Legislative and presidential elections held in 2006 were generally considered free and fair. The president and members of the 57-seat, unicameral Legislative Assembly are elected for single four-year terms; they were banned from seeking a nonconsecutive second term until the rule was overturned in 2003. The main political parties are the PNL, the PAC, the PML, and the PUSC. There are 22 women in the Legislative Assembly, including 7 committee chairwomen, 1 black member, and no indigenous members.

Every president since 1990 has been accused of corruption after leaving office. In December 2005, investigators reopened a probe into alleged illegal donations to former president Abel Pacheco's 2002 presidential campaign by French telecommunications firm Alcatel and a Taiwanese businessman, in addition to suspected kickbacks from other foreign firms. Former president Miguel Angel Rodriguez (1998—2002) is awaiting sentencing for allegedly taking illegal campaign financing from Taiwan's government and a bribe of \$1.4 million from Alcatel. Former president Jose Maria Figueres (1994-98) has allegedly admitted to accepting \$900,000 in "consulting fees" from Alcatel after leaving office. Former president Rafael Angel Calderon (1990-94) was accused of taking an \$800,000 kickback from the Finnish

firm Instrumentarium and was convicted in February 2008. Costa Rica ranked 46 out of 180 countries surveyed in Transparency International's 2007 Corruption Perceptions Index.

The Costa Rican press, radio, and television are generally free from state interference, thanks in part to a press freedom law dating to 1835. Ninety percent of the population is literate, and there are six privately owned dailies. Both public and commercial television and radio stations are available, including at least four private television stations and more than 100 private radio stations. The Inter-American Court of Human Rights, based in Costa Rica, struck down a 1999 defamation conviction against leading daily *La Nación* in 2004, but the government had not modified its antiquated libel and defamation laws or removed excessive penalties as of the end of 2007. The media have freely reported on the various corruption scandals that have buffeted the Costa Rican political scene. Internet access is unrestricted.

Freedom of religion is recognized, and there is complete academic freedom.

The constitution provides for freedom of assembly and association, and numerous nongovernmental organizations (NGOs) are active. Although labor unions organize and mount frequent protests with minimal governmental restraint, employers often ignore minimum-wage and social security laws, and the resulting fines are insignificant.

The judicial branch is independent, with members elected by the legislature. The legal system includes a Supreme Court, courts of appeal, and district courts. A specialized chamber of the Supreme Court (known as Sala Cuarta) can rule on the constitutionality of laws and chooses an independent national election commission. There are often substantial delays in the judicial process, including long pretrial detention. Prisons are notoriously overcrowded and offer inadequate medical services, though the government has made efforts to reduce overcrowding. There have been some police brutality complaints, which are collected by an ombudsman's office.

The 1949 constitution bans the formation of a national army; security and law enforcement bodies are overseen by the Ministry of Public Security. In 2006, the UNDP reported that 38.7 percent of Costa Rican households have been affected by some form of violence, including domestic violence, child abuse, homicides, and assaults as a result of organized crime. According to the same UNDP survey, 77 percent of citizens perceive the country to be unsafe.

At least 500,000 Nicaraguan immigrants live in the country illegally, causing some alarm given the overall population of 4.5 million. In August 2006, the legislature enacted a law that permits security forces to raid any home, business, or vehicle where they suspect the presence of undocumented immigrants, and allows police to detain immigrants indefinitely. There have been reports of abuse and extortion of migrants by the Border Guard.

Indigenous rights are not a government priority, and it is estimated by NGOs that about 73 percent of the country's 70,000 indigenous people live in remote areas with little access to health and education services, electricity, or potable water. The infant mortality rate in indigenous communities is 13.1 per 1,000 births and can reach 18.4 in some areas, compared with a national rate of 9.2. According to UNICEF, only 21 percent of indigenous youth have more than a primary-school education, and only 0.001 percent attend college. Costa Ricans of African descent have also faced racial and economic discrimination.

Women still face discrimination in the economic realm, and only about a third of

the economically active population is female. The majority of female employment is in the informal sector, where women on average earn 50 percent less than men. According to a study cited by Inforpress Centroamericana, Costa Rica is ranked 128 out of 144 countries rated for gender equality in the workplace.

Violence against women and children is a major problem. The Patronato Nacional de la Infancia reports that approximately 3,500 children were victims of sexual exploitation in 2007. An increasing number of sex tourists visit Costa Rica as a negative offshoot of the country's successful tourism industry, and a 1999 law criminalizing sex with minors has failed to curb the problem. Costa Rica is also a transit and destination country for trafficked persons. In 2005, the Judicial Investigative Police created a new unit dedicated to combating human trafficking, but few of the hundreds of investigations launched resulted in convictions. Costa Rica passed a law in July 2007 that, among other things, criminalizes the possession of child pornography and makes sex with minors punishable by 13 to 16 years in prison.

## Cote d'Ivoire

**Population:** 20,200,000

**Capital:** Yamoussoukro (official); Abidjan (de facto)

**Political Rights:** 7

**Civil Liberties:** 5\*

**Status:** Not Free



**Ratings Change:** Cote d'Ivoire's civil liberties rating improved from 6 to 5 due to the signing of the Ouagadougou Peace Accords, which included the peaceful, albeit delayed, initiation of the citizen identification process and the opening of the internal border between north and south.

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

1998	1999	2000	2001	2002	2003	2004	2005	2006	2007
6,4NF	6,4PF	6,5PF	5,4PF	6,6NF	6,5NF	6,6NF	6,6NF	7,6NF	7,5NF

**Overview:** In March 2007, President Laurent Gbagbo and New Forces rebel leader Guillaume Soro met in Burkina Faso and signed the Ouagadougou Accords, in which Soro was temporarily appointed prime minister and plans were made to hold elections in early 2008. The voting schedule seemed overly optimistic by year's end, but some progress had been made. The voter identification process got under way in September, and the deconstruction of the "confidence zone" that had separated the two halves of the country was finally completed.

Cote d'Ivoire gained independence from France in 1960, and President Felix Houphouet-Boigny ruled until his death in 1993. Henri Konan Bedie, then the speaker

of the National Assembly, assumed power and won a fraudulent election in 1995. Alassane Ouattara, the opposition's most formidable candidate, was barred from the contest on the grounds of his alleged Burkinabe origins, demonstrations were banned, and the media were intimidated.

General Robert Guei seized power in 1999 and stood for a presidential election in 2000. When initial results showed that he was losing to Laurent Gbagbo, Guei sacked the electoral commission, detained its officers, and declared himself the winner. Tens of thousands of people took to the streets in a popular uprising that toppled Guei from power. Clashes followed between supporters of Gbagbo's Ivorian Popular Front (FPI), who claimed electoral victory, and Ouattara's Rally of Republicans (RDR), who called for new elections. Supported by security forces, Gbagbo refused to call new polls and was eventually declared the winner. The surrounding political violence, in which hundreds of civilians died, led to a deepening division between the largely Muslim north and mainly Christian south, although the conflict was not strictly rooted in a north-south, Muslim-Christian divide. The FPI dominated the 2000 legislative elections, winning 96 seats, while its closest rival, the RDR, took only 5.

Civil war erupted in September 2002, when some 700 soldiers attempted to stage a coup by simultaneously attacking a number of cities nationwide. Under unclear circumstances, government forces killed Guei in Abidjan on the first day of fighting. Clashes intensified between troops loyal to the government and the disgruntled soldiers, who formed a rebel group called the Patriotic Movement of Cote d'Ivoire (MPCI). The MPCI quickly seized the northern part of the country and called for Gbagbo to step down. Other groups in the west, angered by the killing of Guei, echoed the calls for Gbagbo's resignation. By December 2002, the rebels had united to form the New Forces (NF), led by Guillaume Soro.

In 2003, Gbagbo's government and the NF signed a ceasefire brokered by France that called for a broad-based coalition to rule until elections could be held. However, that accord broke down. Following the deaths of nine French peacekeepers in a government bombing campaign against the NF in November 2004, France destroyed the Ivorian Air Force and—with the backing of the African Union (AU)—persuaded the UN Security Council to impose a strict arms embargo on the country.

In April 2005, South African president Thabo Mbeki brokered a new peace accord that set presidential and legislative elections for the end of that year, but disarmament and preparations for the polls were not completed in time. As a result, the AU extended Gbagbo's term in office for another year and, with Mbeki's help, appointed economist Charles Konan Banny as interim prime minister.

Despite moderate political improvements in early 2006, when leading members of the major coalitions met numerous times to discuss prospects for peace, the likelihood of elections being held by the end of Gbagbo's extended mandate in October 2006 grew increasingly dim. In particular, the two prerequisites for a successful election—the identification of potential voters and the disarmament of combatants—had both stalled by August. Gbagbo ended the identification process after the progovernment Young Patriot militia violently intimidated those going to register in the south, resulting in a number of fatalities. The disarmament process was halted when it became obvious that fighters were attempting to sign up without handing over weapons. By November, the National Assembly's mandate had expired, and there was no election in sight. The UN Security Council subsequently passed a reso-

lution ostensibly transferring all political and military power to the prime minister. But Gbagbo refused to accept the authority of the Security Council and instead called for the removal of all foreign troops from the country.

By 2007, the situation seemed more hopeful. Gbagbo and Soro met in the Burkinabe capital, Ouagadougou, and in March signed a bilateral peace accord in which the UN plan was discarded and Soro was appointed interim prime minister until elections could be held in 2008. Although opposition political parties were essentially left out of the talks, the accord was accepted by the international community for its potential to bring peace after other efforts had failed. Throughout the summer, a number of symbolic steps were taken to demonstrate progress—for example, Gbagbo's first visit to the north since 2002 and the freeing of the last remaining NF troops being held in the south—but substantive measures were lacking. Only in September was the "confidence zone" separating the north and south officially dismantled and the last international checkpoint removed. Also that month, the voter identification process was finally able to get under way. Although the violence associated with this process in 2006 was noticeably absent in 2007, it remained unclear whether identification papers could be successfully distributed to all legitimate citizens, including many in the north without birth records.

The country suffered a major environmental disaster in 2006 when the Netherlands-based company Trafigura Beheer BV dumped some 400 tons of petrochemical waste containing hydrogen sulfide, a toxic substance, in and around Abidjan. Ten people were believed to have died, more than 80,000 people sought medical treatment, and Banny suspended a number of high-ranking officials for their involvement in the scandal. A few months later, in an act of defiance, Gbagbo reappointed the officials. In 2007 Trafigura agreed to pay the Ivorian government \$198 million in exchange for the abandonment of official legal action. Gbagbo announced that the majority of the money would go to the victims, but they later complained of never receiving the money.

Cote d'Ivoire is by far the world's leading producer of cocoa, and the country was once a beacon of stability and economic progress in West Africa. In June 2007, the European Union announced that it would discontinue its emergency aid, finding that stability had begun to return. Since 2002, the European Union has spent 25 million euros (US\$36 million) in Cote d'Ivoire, primarily on refugee aid and the provision of basic infrastructure needs like water and sanitation. At the same time, China has canceled 40 percent of the country's debt, amounting to almost \$25 million.

**Political Rights and Civil Liberties:** Cote d'Ivoire is not an electoral democracy. The constitution provides for the popular election of a president and a 225-seat unicameral National Assembly for five-year terms. However, legislative and presidential elections have been repeatedly postponed as the peace process has stalled, and both branches are essentially governing without a mandate. The next elections are planned for mid-2008, but this is dependent on the successful distribution of identification cards and the thorough disarmament of both the NF and the progovernment militias. The president traditionally appoints the prime minister; in 2007, President Laurent Gbagbo removed Charles Konan Banny, the UN-backed prime minister, and appointed NF leader Guillaume Soro to the post following the accord between the two men in Ouagadougou. Gbagbo's FPI won an over-



whelming number of seats in the most recent legislative elections, in December 2000. Other major parties include the Democratic Party of Cote d'Ivoire-African Democratic Rally and the RDR.

Corruption is a serious problem in Cote d'Ivoire. Profits from cocoa, cotton, and weapons, as well as informal taxes, have given many of those in power—including members of the military and rebel forces—an incentive to obstruct peace and political normalization. Corruption did not noticeably improve in 2007. Cote d'Ivoire ranked 150 out of 180 countries surveyed in Transparency International's 2007 Corruption Perceptions Index.

Despite constitutional protections for press freedom, it is generally not respected in practice, though the situation seems to have improved slightly since 2006. The greatest threat faced by journalists in 2007 was from defamation suits and the possibility of interrogation and imprisonment for articles critical of the president. Throughout the year, a number of journalists were charged with defamation, and many received crippling fines for covering such issues as the toxic waste scandal. Despite a 2004 law that removed criminal penalties for press offenses, a journalist with the private daily *Soir Info* was held for five days in January on contempt of court charges after he published an article accusing the state prosecutor of corruption. Between May and July, four separate media outlets with a variety of political affiliations were raided by burglars. The incidents were not believed to be politically motivated.

Legal guarantees of religious freedom are not always upheld in practice. In the past, the government has shown a preference for Christians, particularly as the north-south divide corresponds roughly with the Muslim and Christian populations. In 2006, local Abidjan officials attempted to destroy a mosque to make space for a shopping center, but the effort was thwarted, and direct attacks on Muslims have, on the whole, decreased in recent years. In 2007, Gbagbo met with Muslim leaders to discuss the completion of a prominent mosque and the annual pilgrimage to Mecca, among other things.

The government, which owns most educational facilities, inhibits academic freedom by requiring authorization for all political meetings held on college campuses. The progovernment Student Federation of Cote d'Ivoire (FESCI), operating on the University of Abidjan campus, regularly intimidates students through physical violence and sexual harassment. In 2007, FESCI members ransacked the offices of a local human rights group after it showed support for a teachers' union strike.

The constitution protects the right to free assembly, but it is often denied in practice. In recent years, opposition demonstrations have been violently dispersed by progovernment forces, leaving many dead. However, in 2006, a number of peaceful antigovernment demonstrations were successfully staged, notably in response to Gbagbo's decision to reappoint the civil servants accused of involvement in the toxic waste scandal. Human rights groups generally operate freely, although some face death threats and harassment. Labor unions are legally protected, and workers have the right to bargain collectively. In August and September 2007, doctors went on strike demanding better wages. During the August strike, they allowed a minimum of services to be provided at state hospitals, but by the time of the September strike, even potentially fatal cases were being turned away from hospitals manned only by menial staff and interns.

The judiciary is not independent. Judges are political appointees without tenure and are highly susceptible to external interference and bribes. A June 2007 report by the UN Mission in Cote d'Ivoire found that corruption was endemic to the judicial system. Also in June, the government announced its intention to redeploy judges and other civil servants to the north, where no functioning judiciary had existed since 2002. By year's end, it appeared that a number of high-ranking officials had in fact returned.

Cote d'Ivoire's cocoa industry has historically attracted and depended on workers from neighboring countries, but conflicts between immigrant populations and longer-term residents, coupled with the xenophobic concept of "Ivoirite," have contributed to the current political crisis. The disenfranchisement of many in the north who were born in Cote d'Ivoire but whose families originated in countries like Burkina Faso and Guinea is one of the primary concerns of the NF. The success of the voter identification process, particularly in the north, could significantly ease the tension among these groups.

Freedom of movement between the government-controlled south and the rebel-held north has been severely curtailed in recent years, but the United Nations began to dismantle the internal border after the Ouagadougou agreement in March 2007, and the last of the international checkpoints was removed in September. Nonetheless, arbitrary roadblocks remain throughout the country, forcing travelers to pay informal tolls and bribes.

Child labor and child trafficking are problems throughout West Africa, but Cote d'Ivoire has made a number of symbolic efforts to combat them. Even so, tens of thousands of children from all over the region are believed to be working on Ivorian plantations.

Despite official encouragement of their constitutional rights, women suffer widespread discrimination. Equal pay is offered in the small formal business sector, but women have few chances of obtaining formal employment. In 2007, both Human Rights Watch and Amnesty International released studies on the widespread instances of sexual abuse perpetrated by both government and rebel forces during the civil war. Although the government has officially recognized the problem, none of the culprits have been prosecuted.

## Croatia

**Population:** 4,400,000

**Capital:** Zagreb

**Political Rights:** 2

**Civil Liberties:** 2

**Status:** Free



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

1998	1999	2000	2001	2002	2003	2004	2005	2006	2007
4,4PF	4,4PF	2,3F	2,2F	2,2F	2,2F	2,2F	2,2F	2,2F	2,2F

### Overview:

**In the 2007 parliamentary elections, the closest held since Croatia's independence in 1991, the ruling Croatian Democratic Union (HDZ) won the most votes but remained shy of a majority. The incumbent prime minister, Ivo Sanader, was invited in December to form a new government. Meanwhile, prospects for the country's eventual membership in the European Union and NATO remained encouraging.**

As part of the Socialist Federal Republic of Yugoslavia, Croatia held its first multiparty elections in 1990, choosing the nationalist Franjo Tudjman as president. His Croatian Democratic Union (HDZ) party ruled Croatia from 1990 to 1999. Even as the country declared independence from Yugoslavia in 1991, the predominantly Serb region known as Krajina declared its independence from Croatia, resulting in a de facto partition. In 1995, Croatian military offensives overran the Serb enclave, and a majority of Croatia's Serbs either fled or were forcibly expelled from the country.

Tudjman died in December 1999, and voters in a January 2000 presidential election chose Stjepan Mesic, who ran as a joint candidate of the Croatian Peasant Party (HSS), the Croatian People's Party (HNS), the Liberal Party, and the Istrian Democratic Assembly. In legislative elections that also took place that month, a center-left coalition wrested control of parliament from the HDZ. The leader of the SDP (the former League of Communists of Croatia—now the Social Democratic Party of Croatia), Ivo Sanader, was named prime minister.

The HDZ, under the leadership of Ivo Sanader, returned to power in November 2003 and repositioned itself as a standard European Christian-democratic party, although some of its more controversial nationalist figures remained in influential positions. Prime Minister Sanader's government has since worked to facilitate the return of refugees, repair war-damaged houses, and improve minority rights in order to meet the conditions for European Union (EU) accession.

The EU opened the first stage of membership talks with Croatia in October 2005, after establishing that it was fully cooperating with the International Criminal Tribunal for the former Yugoslavia (ICTY) in The Hague, the Netherlands. The top Croatian war crimes suspect, Ante Gotovina, was arrested in Spain in December 2005, but his trial, originally scheduled for May 2007, was delayed following a decision to remove

three defense attorneys due to a potential conflict of interest. The government has continued to pay for Gotovina's legal defense and has contributed to the defense fund for other Croatian war crimes suspects currently in The Hague.

After months of fierce campaigning, parliamentary elections were held in November 2007. The incumbent HDZ won a plurality of the votes (36.6 percent), and the SDP came in second with 31.2 percent. According to the Organization for Security and Cooperation in Europe (OSCE), the elections were free, fair, and transparent. New laws on the State Electoral Commission (SEC), voter lists, and party financing had been enacted in 2006 and 2007 to remedy previous electoral problems. Still, the OSCE noted that the government needed to implement additional steps, such as making the SEC permanent and adding a provision requiring full transparency in campaign spending.

On December 15, President Mesic asked Sanader to form the new government. According to the constitution, the president is obliged to give the first opportunity to form a government to the person he believes is most capable of achieving majority support.

Also in December, in a scandal that showcased uneasy connections between Croatian war crime suspects and top government officials, retired general Mladen Markac was photographed on a hunting trip with Interior Minister Ivica Kirin; the trip violated the terms of his provisional release by the ICTY. Markac, who was awaiting trial along with Gotovina and General Ivan Cermak, was accused of murdering and expelling the Serb population during the 1995 offensive to regain rebel Serb territories. The hunting incident prompted Kirin to resign, and Markac was transferred back to The Hague on December 30.

Following a series of high-level meetings in October and joint Croatia-NATO military exercises the same month, the Croatian foreign minister announced that Croatia would likely be invited to join NATO in April 2008. Moreover, following a fairly positive assessment by the European Commission in November 2007 and encouraging remarks by the EU's commissioner for enlargement, it was expected that Croatia would join the EU in 2010, so long as it continued to aggressively pursue reform efforts.

**Political Rights and Civil Liberties:** Croatia is an electoral democracy. Both the January 2005 presidential poll and the November 2007 parliamentary elections were assessed as generally free and fair. The parliament is a unicameral body composed of 140 members from geographical districts, 8 representing ethnic minorities, and a variable number representing Croatians living abroad, for a current total of 153 members. All members are elected to four-year terms. The largest parties are the HDZ and SDP, but several smaller parties, including the HSS-Croatian Social Liberal Party coalition and the HNS, have been able to gain seats in the parliament. The president is head of state and is elected by popular vote for a five-year term, with a maximum of two terms. The prime minister is appointed by the president but must be approved by the parliament.

Corruption remains a problem in Croatia, with a nexus of security institutions and businesspeople often at the center of corruption cases. However, according to the 2007 European Commission report, the legal framework to combat corruption has improved, and the Office for the Fight against Corruption has become more active.

In June, seven individuals from the Croatian Privatization Fund were arrested due to allegations that they solicited \$4 million in bribes from investors interested in buying state-owned companies. The government claimed the arrests as a success, but the opposition said the state authorities had been too slow in uncovering the problem. Croatia was ranked 64 out of 180 countries surveyed in Transparency International's 2007 Corruption Perceptions Index.

The constitution guarantees freedom of expression and the press. These rights are generally respected, although several prominent journalists have alleged that the media are becoming increasingly beholden to the interests of powerful advertisers. In June 2006, the parliament amended the criminal code to remove prison sentences for libel. The most important media outlet, HRT (Croatian Radio and Television), remains vulnerable to political pressure despite long-running efforts to transform it into a European-style, public service broadcaster. Several acts of journalist intimidation were reported in 2007. Robert Valdec, anchor of a popular program on Nova TV, received threatening telephone and e-mail messages in late 2006 and early 2007. The home of a *Globus* magazine journalist, Gordan Malic, was burglarized several times, most recently in January 2007. Moreover, several press associations criticized the removal in April of the editor-in-chief Radio Karlovac, alleging that the move was politically motivated. Access to the internet is unrestricted.

The issue of war crimes remains a sensitive topic, and journalists face pressure and intimidation if their reporting criticizes the Croatian role in the 1991-95 Balkans conflict. The ICTY's 2005 and 2006 indictments of journalists who revealed the names of protected witnesses provoked a debate on journalistic ethics and the balance between media freedom and the rule of law. In November 2007, eight journalists were summoned by the ICTY over allegations that they had published confidential information regarding the charges against indicted Croatian generals. However, press freedom advocates argued that the information was published in the public interest and was already available in the public sphere.

Freedom of religion is guaranteed by the constitution. A group needs at least 500 members and to be registered as an association for five years in order to be recognized as a religious organization. Some international organizations have criticized these requirements as too restrictive. Members of the Serbian Orthodox Church continue to report incidents of intimidation and vandalism. However, the number of attacks decreased slightly in 2007.

The constitution provides for freedom of association and assembly. A variety of both international and domestic nongovernmental organizations (NGOs) operate in Croatia, and there were no reported instances of governmental harassment of NGOs during 2007. In February and May, the parliament adopted laws to bring greater transparency in the allocation of state funding to NGOs and further stimulate the development of civil society. The constitution allows workers to form and join trade unions, and they do so freely. Approximately 64 percent of the workforce is unionized.

The judicial system suffers from numerous problems, most notably inefficiency. Judicial personnel shortages have led to a huge backlog of cases, though it decreased from an estimated 1.6 million in 2005 to 1.2 million in 2006 to 1 million in 2007. Excessive trial length and a lack of enforcement of judicial decisions, especially in cases related to the repossession of property owned by Serbs, also plague the system.

Despite some improvements, a lack of impartiality among the local courts remains a problem, and ethnicity continues to be a factor in the prosecution and sentencing of war crimes suspects. Prison conditions in Croatia do not fully meet international standards due to overcrowding and poor medical care.

Respect for minority rights has improved since 1999, but various forms of harassment and discrimination persist. Ethnic minorities, particularly Serbs, are underrepresented in local and regional governments, state administration, and judicial bodies. The local authorities sometimes refuse to hire qualified Serbs even when no Croats apply for a position. In May 2007, the government adopted the Civil Service Employment Plan, which will for the first time set predefined targets for minority hires at the national level. Many impediments to the sustainable return of Serb refugees remain, and Serbs who attempt to return to their prewar property are frequently harassed by the local population.

The Romany population faces significant social and economic obstacles, as well as widespread discrimination. In March 2005, the government adopted a special action plan to improve the conditions for Roma in employment, health, housing, and education. However, most Roma are excluded from mainstream society, and only 18 percent of those older than 15 were employed in 2006.

The constitution prohibits discrimination on the basis of gender. In July 2003, the parliament passed the Law on Gender Equality, intended to further empower women in the workplace and public life. Women secured 31 seats in the November election, slightly fewer than previously held at 33. Domestic violence against women is believed to be widespread and underreported. Trafficking in women for the purpose of prostitution continues to be a problem, and Croatia is considered to be primarily a transit country for trafficked women sent to Western Europe. The government ratified the Council of Europe Convention on Action against Trafficking in Human Beings in June 2007.

## Cuba

**Population:** 11,200,000

**Capital:** Havana

**Political Rights:** 7

**Civil Liberties:** 7

**Status:** Not Free



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

1998	1999	2000	2001	2002	2003	2004	2005	2006	2007
7,7NF	7,7NF	7,7NF	7,7NF	7,7NF	7,7NF	7,7NF	7,7NF	7,7NF	7,7NF

#### Overview:

Acting president Raul Castro managed Cuba's day-to-day affairs in 2007 as his ailing brother, Fidel Castro, remained largely in the background, although he did write regular

**essays on international affairs and occasionally appeared in prerecorded television interviews. Raul Castro opened up limited debate on economic reform but implemented few policy changes. Also during the year, the number of political prisoners in Cuba dropped below 250, marking a 20 percent decline from the previous year.**

Cuba achieved independence from Spain in 1898 as a result of the Spanish-American War. The Republic of Cuba was established in 1902 but remained under U.S. tutelage until 1934. In 1959, the U.S.-supported dictatorship of Fulgencio Batista, who had ruled Cuba for 18 of the previous 25 years, was ousted by Fidel Castro's July 26th Movement. Castro declared his affiliation with communism shortly thereafter, and the island's government has been a one-party state ever since.

Following the 1991 collapse of the Soviet Union and the end of some \$5 billion in annual Soviet subsidies, Castro opened some sectors of the island's economy to direct foreign investment. The legalization of the U.S. dollar in 1993 created a new source of inequality, as access to dollars from remittances or through the tourist industry enriched some, while the majority continued to live on peso wages averaging less than \$10 a month.

The Castro government remains highly repressive of political dissent. Although the degree of repression has ebbed and flowed over the past decade, the neutralization of organized political dissent remains a regime priority. In February 1999, the government introduced tough legislation against sedition, with a maximum prison sentence of 20 years. It stipulated penalties for unauthorized contacts with the United States and the import or supply of "subversive" materials, including texts on democracy and documents from news agencies and journalists. The government has undertaken a series of campaigns to undermine the reputations of leading opposition figures by portraying them as agents of the United States.

In 2002, the Varela Project, a referendum initiative seeking broad changes in the decades-old socialist system, won significant international recognition. Former U.S. president Jimmy Carter praised the project on Cuban television during his visit to the island, and its leader, Oswaldo Paya of the Christian Liberation Movement, later received the European Parliament's Sakharov Prize for Freedom of Thought. However, the referendum proposal was rejected by the constitutional committee of the National Assembly, and the government instead held a counterreferendum in which 8.2 million people supposedly declared the socialist system to be "untouchable."

The government initiated a crackdown on the prodemocracy opposition in March 2003. Seventy-five people, including 27 independent journalists, 14 independent librarians, and more than 40 signature collectors for the Varela Project, were sentenced to an average of 20 years in prison following one-day trials held in April. Cuba's "Ladies in White," a group of wives of those imprisoned in 2003 who hold weekly public demonstrations for the release of their husbands, won the Sakharov Prize in 2005, following in the footsteps of Paya.

On July 31, 2006, Fidel Castro passed power on a provisional basis to his younger brother, military chief Raul Castro, after serious internal bleeding forced him to undergo emergency surgery and begin a slow convalescence. The transfer of authority, which occurred shortly before Fidel's 80th birthday on August 13, marked the first time he had relinquished control since the 1959 revolution. In addition to Raul

Castro, six ministers were named to manage the portfolios for health, education, energy, and finance. The 75-year-old Raul subsequently kept a low profile, while other top officials, including Vice President Carlos Lage, Foreign Minister Felipe Perez Roque, and National Assembly president Ricardo Alarcon, took on more prominent roles. The authorities declared the state of Fidel's health to be a state secret, but later released several video recordings of him meeting with foreign dignitaries in his hospital room. Although most Cubans were initially stunned by news of the president's illness, routine life continued without disruption. Increased security measures were evident in major cities in the days following the transfer of power, including the deployment of military personnel to prevent possible public demonstrations.

In February 2007, five dissidents held without trial since July 2005 were sentenced to two years in prison. The well-known Catholic magazine *Vital*, which was often critical of the government, was closed in April when a conservative new bishop was appointed to the Pinar del Rio diocese. In June, the leading domestic human rights group reported that Raul Castro's government had not improved the plight of dissidents, but it acknowledged that the number of political prisoners had declined to 246, a drop of more than 20 percent from the previous year (12 more were released during the course of the year). By the end of 2007, 59 of the activists arrested in 2003 remained in prison, 16 won conditional release for health-related reasons, and 2 subsequently left the country.

The United States continued to put pressure on the Cuban regime in 2007. The U.S. Congress in September appropriated \$46 million to support democracy groups in Cuba, although many dissidents complained that such money never reaches the island. U.S. president George W. Bush had long sought to destabilize the Castro government, announcing plans in 2004 to increase broadcasts to Cuba, aid dissidents, and limit the amount of money Cuban Americans could pass to the country on visits or through remittances. In 2005, the U.S. State Department had appointed a "transition coordinator" to oversee efforts to usher in democratic change.

Meanwhile, Cuba's relations with Venezuelan president Hugo Chavez continued to deepen. Chavez met with Fidel Castro several times in 2007, and Vice President Lage traveled to Venezuela to discuss a regional trade pact and joint ventures in telecommunications. In February, the two countries signed agreements on projects worth \$1.5 billion, including the development of 11 ethanol plants. The Venezuelan state oil company announced in August that it was partnering with Cuban enterprises to explore for oil off the island's shores. Cuba also enjoyed warmer ties with a range of other countries. Honduras named its first full ambassador to Cuba in 45 years. In April, Spanish foreign minister Miguel Angel Moratinos became the most senior Spanish official to visit Cuba in more than a decade. He met with Raul Castro and carried a letter to Fidel Castro from King Juan Carlos. Top Chinese officials met with Raul Castro to pledge continuing political and economic cooperation. Also during the year, Russia announced that it was considering restructuring Cuba's \$166 million in debt.

The Cuban government forecast an economic growth rate of 10 percent for 2007, slightly lower than the 12.5 percent growth reported in 2006. Outside analysts put Cuba's growth figures at closer to 7 percent for the year. Several top officials hinted that the government was considering economic changes, but only minor adjustments were implemented, such as the liberalization of milk prices and a temporary moratorium on fines for illegal taxicabs.



**Political Rights and Civil Liberties:** Cuba is not an electoral democracy. President Fidel Castro and, more recently, his brother Raul Castro, dominate the political system. The country is a one-party state with the Cuban Communist Party (PCC) controlling all government entities from the national to the local level. The 1976 constitution provides for a National Assembly, which designates the Council of State. That body in turn appoints the Council of Ministers in consultation with its president, who serves as chief of state and head of government. However, Fidel Castro controls every lever of power through his various roles as president of the Council of Ministers, chairman of the Council of State, commander in chief of the Revolutionary Armed Forces (FAR), and first secretary of the PCC. The most recent PCC congress took place in 1997, and no date has been set for the next meeting.

In October 2002, some eight million Cubans voted in tightly controlled municipal elections. An election was held for the National Assembly in 2003, with just 609 candidates—all supported by the regime—vying for 609 seats. Members of the body serve five-year terms. In 2007, officials began preparations for the January 2008 National Assembly elections and vowed that Fidel Castro would again be on the ballot.

All political organizing outside the PCC is illegal. Political dissent, spoken or written, is a punishable offense, and dissidents frequently receive years of imprisonment for seemingly minor infractions. The government has continued to harass dissidents, often using arbitrary sweeps and temporary detentions of suspects. The regime has also called on its neighbor-watch groups, known as Committees for the Defense of the Revolution, to strengthen vigilance against "antisocial behavior," a euphemism for opposition activity. Several dissident leaders have reported "acts of repudiation" by state-sponsored groups that attempt to intimidate and harass government opponents. However, the absolute number of political prisoners in Cuba declined by about one-fifth in 2007.

Official corruption remains a serious problem, with a culture of illegality shrouding the mixture of private and state-controlled economic activities that are allowed on the island. Cuba was ranked 61 out of 180 countries surveyed in Transparency International's 2007 Corruption Perceptions Index.

Freedom of the press is tightly curtailed, and the media are controlled by the state and the Communist Party. The government considers the independent press to be illegal and uses Ministry of Interior agents to infiltrate and report on the media outlets in question. Independent journalists, particularly those associated with a dozen small news agencies established outside state control, have been subjected to continued repression, including terms of hard labor and assaults by state security agents. Foreign news agencies may only hire local reporters through government offices, limiting employment opportunities for independent journalists. More than 20 independent journalists arrested in March 2003 remain imprisoned in degrading conditions, including physical and psychological abuse; acts of harassment and intimidation have also been directed against their families.

Access to the internet remains tightly controlled. It is illegal for Cubans to connect to the internet in their homes. State-owned internet cafes exist in major cities, but websites are closely monitored, and costs put access beyond the reach of most Cubans. Only select state employees are permitted workplace access to e-mail and to an intranet system that blocks websites deemed inappropriate.

In 1991, Roman Catholics and other believers were granted permission to join the Communist Party, and the constitutional reference to official atheism was dropped the following year. In 1998, Pope John Paul II visited Cuba and called for greater religious freedom; his visit was followed by a temporary easing of restrictions on religious worship. However, according to the Cuban Conference on Catholic Bishops, official obstacles to religious freedom remain as restrictive as before the pope's visit. Cuba continues to employ authoritarian measures to control religious belief and expression. Churches are not allowed to conduct educational activities, and church-based publications are subject to control and censorship by the Office of Religious Affairs. An estimated 70 percent of the population practices some form of Afro-Cuban religion.

The government restricts academic freedom. Teaching materials for subjects including mathematics and literature must contain ideological content. Affiliation with official Communist Party structures is generally needed to gain access to educational institutions, and students' report cards carry information regarding their parents' involvement with the Communist Party. In 2003, state security forces raided 22 independent libraries and sent 14 librarians to jail with terms of up to 26 years. Many of the detainees were charged with working with the United States to subvert the Cuban government. Several political prisoners have subsequently been released for health reasons, but they are subject to re-arrest at any time.

Limited rights of assembly and association are permitted under the constitution. However, as with all other constitutional rights, they may not be "exercised against the existence and objectives of the Socialist State." The unauthorized assembly of more than three people, even for religious services in private homes, is punishable by law with up to three months in prison and a fine. This prohibition is selectively enforced and is often used to imprison human rights advocates.

Workers do not have the right to bargain collectively or to strike. Members of independent labor unions, which the government considers illegal, are often harassed, dismissed from their jobs, and barred from future employment. The government has also been reducing opportunities for private economic activity; a trend toward revoking self-employment licenses continues, and privately run farmers' markets have also come under increased scrutiny.

The executive branch controls the judiciary. The Council of State, of which Castro is chairman, serves as a de facto judiciary and controls both the courts and the judicial process as a whole.

According to a domestic monitoring group, the Cuban Commission for Human Rights and National Reconciliation, there were 234 prisoners of conscience in Cuba at the end of 2007, most held in cells with common criminals and many convicted on vague charges such as "disseminating enemy propaganda" or "dangerousness." Members of groups that exist apart from the state are labeled counterrevolutionary criminals and are subject to systematic repression, including arrest; beatings while in custody; loss of work, educational opportunities, and health care; and intimidation by uniformed or plainclothes state security agents. Dissidents reported being subject to even tighter surveillance following Fidel Castro's illness, as the government mobilized to thwart any potential public disruptions.

Since 1991, the United Nations has voted annually to assign a special investigator on human rights to Cuba, but the Cuban government has refused to cooperate.

Cuba also does not allow the International Committee of the Red Cross or other humanitarian organizations access to its prisons. Cuba's prison population is disproportionately black.

Many Afro-Cubans have only limited access to the dollar-earning sectors of the economy, such as tourism and employment by joint ventures with foreign companies.

Freedom of movement and the right to choose one's residence and place of employment are severely restricted. Attempting to leave the island without permission is a punishable offense. Inter-city migration or relocation is also restricted and requires permission from the local Committee for the Defense of the Revolution and other local authorities. In the post-Soviet era, only state enterprises can enter into economic agreements with foreigners as minority partners; regular citizens cannot participate. PCC membership is still required to obtain good jobs, serviceable housing, and real access to social services, including medical care and educational opportunities. The government systematically violates international salary standards, terms of contract, and other labor codes for workers employed on the island by foreign-owned firms.

About 40 percent of all women work, and they are well represented in most professions. However, Cuba's dire economic situation ensures that prostitution remains commonplace.

## Cyprus

**Population:** 1,000,000

**Capital:** Nicosia

**Political Rights:** 1

**Civil Liberties:** 1

**Status:** Free



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

1998	1999	2000	2001	2002	2003	2004	2005	2006	2007
1,1F	1,1F	1,1F	1,1F	1,1F	1,1F	1,1F	1,1F	1,1F	1,1F

### Overview:

**Accusations of official mistreatment of minorities in Cyprus continued in 2007, with three immigrants claiming to have been beaten by police. Meanwhile, there was little progress during the year on resolving the island's north-south division.**

Annexed by Britain in 1914, Cyprus gained independence in 1960 after a five-year guerrilla campaign by partisans demanding union with Greece. In July 1974, Greek Cypriot National Guard members, backed by the military junta in power in Greece, staged an unsuccessful coup aimed at such unification. Five days later, Turkey invaded northern Cyprus, seized control of 37 percent of the island, and expelled 200,000 Greeks from the north. Today, the Greek and Turkish communities are almost completely separated in the south and north, respectively.

A buffer zone, called the "Green Line," has divided Cyprus since 1974. The capital, Nicosia, is similarly divided. Tensions between the two populations have plagued the island since independence. UN resolutions stipulate that Cyprus is a single country of which the northern third is illegally occupied. In 1983, Turkish-controlled Cyprus declared its independence, a move recognized only by Turkey.

The Turkish government elected in November 2002 was much more supportive of the reunification of Cyprus than its predecessors, since Turkey's own chances of membership in the European Union (EU) had been linked to a resolution of the island's division. Significant pressure from the EU and the United States, as well as UN intervention, also helped to move the two sides closer to a settlement. A new pro-unification government was elected in Northern Cyprus in December 2003.

However, the latest and most promising round of reunification negotiations, led by UN Secretary-General Kofi Annan, collapsed in 2004 after no consensus was reached. As previously agreed, Annan himself then proposed a plan that was put to a vote in simultaneous, separate referendums on both sides of the island in April 2004. Greek Cypriots, who had previously been more enthusiastic with respect to reunification, had reservations about the plan, especially concerning security and international guarantees that the Turkish side would comply. Ultimately, 76 percent of Greek Cypriots voted against the plan, while 65 percent of Turkish Cypriots voted in favor. With the island still divided, only Greek Cyprus joined the EU as planned in May 2004. The EU had used the prospect of membership as a bargaining tool with Cyprus, and since membership was granted, a new reunification plan has been more difficult to achieve.

At first, the overwhelming approval of the Turkish Cypriots for reunification sparked international efforts to reward them by ending their isolation. However, the Greek Cypriots oppose the most far-reaching proposals, such as direct trade between the north and the rest of the world. Their veto in EU decisions has made EU openings to the north less likely. Meanwhile, trade has increased between the two sides, and travel across the island is much freer.

In parliamentary elections held in the south in 2006, a record 487 candidates from nine parties contested the 56 seats. The Democratic Party (DIKO) won 11 seats, while the Democratic Rally (DIS Y) and Progressive Party of the Working People (AKEL) each took 18 seats; three other parties captured the remaining 9 seats. The 2004 referendum and the prospects for reunification became major campaign issues, and the results were considered a signal of support for President Tassos Papadopoulos of DIKO and his rejection of the UN plan; the United Democrats, who had supported the UN plan, did not win a single seat. In 2007, the resolution of Cyprus' north-south division was stalemated.

**Political Rights and Civil Liberties:** Cyprus is an electoral democracy. Suffrage is universal, and elections are free and fair. The 1960 constitution established an ethnically representative system designed to protect the interests of both Greek and Turkish Cypriots; the Greek Cypriots maintain that the constitution still applies to the entire island. There is a clear separation of powers between the executive and legislature through a presidential system.

The president is elected by popular vote to serve a five-year term. The unicameral House of Representatives has 80 seats filled through proportional representa-

tion for five-year terms. Of these, 24 are reserved for the Turkish Cypriot community, but the Turkish Cypriot representatives withdrew in 1964 and have not been replaced to date. Instead, the Turkish Cypriots maintain their own parliament in the northern part of the island. Voting is compulsory, although there is no penalty for those who do not vote.

Following a ruling against Cyprus by the European Court of Human Rights (ECHR) in 2004, a law was passed allowing Turkish Cypriots living in the south to vote and run for office in Greek Cypriot elections. About 270 Turkish Cypriots registered in 2006, and 1 ran for office. After the Supreme Court in April 2007 rejected an appeal to allow Turkish Cypriots from the north to vote in Greek Cypriot elections as well, the case went to the ECHR. Turkish Cypriots cannot run for president, as the constitution states that a Greek Cypriot should hold that post and a Turkish Cypriot should be vice president. The Maronites (Catholics of Lebanese descent), Armenians, and Latins (Catholics of European descent) elect special nonvoting representatives. Women are very poorly represented politically, with men holding all cabinet posts.

Corruption is not a significant problem in Cyprus. A 2004 anticorruption law instituted compulsory asset declarations by state officials, although evidence has shown that many do not comply with the law. The auditor-general has reported serious financial mismanagement in government departments, and the government in 2007 investigated alleged deals between officials and developers who have made suspicious gains from zoning changes. Cyprus was ranked 39 out of 180 countries surveyed in Transparency International's 2007 Corruption Perceptions Index.

Freedom of speech is constitutionally guaranteed and generally respected. A vibrant independent press frequently criticizes authorities. Several private television and radio stations in the Greek Cypriot community compete effectively with government-controlled stations. In the run-up to the legislative elections in 2006, the political opposition accused the state broadcaster of favoring the government. Although Turkish Cypriot journalists can enter the south, Turkish journalists based in the north often report difficulties crossing the border. Access to the internet is unrestricted.

Freedom of religion is provided for by the constitution and protected in practice. Nearly all the inhabitants of southern Cyprus are Greek Orthodox Christians. Cypriots registered with the Church were eligible to vote in 2006 for special representatives in the first phase of an election for the island's top Orthodox cleric. The vote was marred by claims of irregularities. State schools use textbooks containing negative language about Turkish Cypriots and Turkey.

Freedoms of association and assembly are respected. Nongovernmental organizations, including human rights groups, operate without government interference, although they have been accused of inactivity. Workers have the right to strike and to form trade unions without employer authorization.

The independent judiciary operates according to the British tradition, upholding the presumption of innocence and the right to due process. Standard procedure calls for trial before a judge, and requests for trial by jury are regularly granted. Excessive delays in cases going to trial in Cyprus has been an issue brought before the European Court of Human Rights. Accusations of prison overcrowding decreased in 2007, although it remains a problem. Police and prison brutality have also been

alleged, including targeted beatings of minorities; a bureau to investigate complaints against the police, established in 2006, received an average of two complaints a week in its first eight months of operation; it has reported a lack of witnesses, preventing prosecution, and also a lack of staff. In January 2007, three Syrian immigrants accused police of beating them in the street and, subsequently, at the police station. In a separate case of 11 plainclothes police who were caught on video beating two 27-year-old men in December 2005, the trial of the 10 facing the most serious charges was ongoing at the end of 2007.

A 1975 agreement between the Greek and Turkish sides of the island governs treatment of minorities. Turkish Cypriots are now entitled to Republic of Cyprus passports, and thousands have obtained them. In practice, Turkish Cypriots in the south have reported difficulty obtaining identity cards and other documents, as well as harassment and discrimination. The Romany (Gypsy) population has encountered widespread prejudice and disadvantages, including in their treatment by the government. The ombudswoman's report in 2007 stated that homosexuals do not report crimes for fear of making their sexual orientation public. The EU has reported concern over racism and religious discrimination in Cyprus, but the chair of the Cypriot legislature's Human Rights Committee in August 2007 denied that they were problems.

Since Cypriot accession to the EU in 2004, all citizens can move freely throughout the island.

The status of property abandoned by those moving across the Green Line beginning in 1974 is one of the major points of contention in reunification negotiations. Under changes in the law in the north, Greek Cypriots can appeal to a new property commission to resolve disputes, but the government in the south doubts the legitimacy of this commission. A 1991 law states that property left by "Turkish Cypriots" belongs to the state. In May 2007, the Supreme Court rejected the appeal of a Turkish Cypriot living in the north who sought to regain his land in the south.

Sexual harassment in the workplace and violence against women are problems. In March 2007, DISY's women's movement spoke of an increase in domestic violence. The police have set up a Human Trafficking Prevention Bureau, and a law passed in October 2007 created a governmental body to combat trafficking, but Cyprus remains a transit and destination country for the trade. The number of cases prosecuted has been increasing since 2004, and police have received special training on the issue. In 2006, one women's group reported a 30 percent gap between men's and women's salaries in both the public and private sectors.

## Czech Republic

**Population:** 10,300,000

**Capital:** Prague

**Political Rights:** 1

**Civil Liberties:** 1

**Status:** Free



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

1998	1999	2000	2001	2002	2003	2004	2005	2006	2007
1,2F	1,2F	1,2F	1,2F	1,2F	1,2F	1,1F	1,1F	1,1F	1,1F

#### Overview:

**The Civic Democratic Party successfully formed a coalition government in January 2007, ending nearly seven months of deadlock following the June 2006 elections. A package of economic reform measures passed by a slim margin in August, staving off fears that opposition to the legislation would break up the fragile governing majority. Meanwhile, the Czech Republic struggled with discrimination issues.**

Czechoslovakia was created in 1918 amid the collapse of the Austro-Hungarian Empire. After the turmoil of Nazi German occupation and World War II, Soviet forces helped establish a Communist government. In 1968, Soviet tanks crushed the so-called Prague Spring, a period of halting political liberalization under reformist leader Alexander Dubcek.

In December 1989, a series of peaceful anti-Communist demonstrations led by dissident Vaclav Havel and the Civic Forum opposition group resulted in the resignation of the government in what became known as the Velvet Revolution. The country's first post-Communist elections were held the following year. In 1992, a new constitution and Charter of Fundamental Rights and Freedoms were adopted, and the country began an ambitious program of political and economic reform under Finance Minister Vaclav Klaus of the Civic Democratic Party (ODS), who became prime minister that year. In 1993, the state dissolved peacefully into separate Czech and Slovak republics, and Havel became president of the former.

Close parliamentary elections in 1998 led to Czech Social Democratic Party (CSSD) control of the government, although an "opposition agreement" between the CSSD and the ODS limited meaningful political competition and brought about several years of political gridlock. The CSSD won the 2002 elections, and Vladimir Spidla, the party's chairman, became prime minister. Klaus won the February 2003 presidential poll.

In May 2004, the Czech Republic joined the European Union (EU), fulfilling one of the government's most important goals. EU accession had required years of work to reach strict EU standards, such as the creation of a stable market economy, a consolidated democracy, a cleaner environment, and laws protecting minority rights. In the country's first elections for the European Parliament in June 2004, the ruling CSSD secured just 9 percent of the vote, while the unreformed Communist Party of

Bohemia and Moravia (KSCM) captured 20 percent. Spidla stepped down in favor of Stanislav Gross, who formed a new CSSD-led government with the same set of coalition partners: the Christian and Democratic Union-Czechoslovak People's Party (KDU-CSL) and a free-market liberal party, Freedom Union-Democratic Union (US-DEU).

The CSSD was further weakened in 2005 by allegations of corruption and complaints from the opposition, which led to the collapse of the governing coalition in April. Jiri Paroubek replaced Gross as prime minister, and the CSSD formed a new government with its partners, the KDU-CSL and the US-DEU. The coalition held a bare majority, with 101 seats in the 200-seat lower house of Parliament.

The June 2006 elections continued the country's tradition of political turmoil. On the left, the CSSD and the KSCM captured 100 seats (74 and 26, respectively). The other three parties winning seats—the ODS, the KDU-CSL, and the Greens—also won 100 (81, 13, and 6, respectively). Months of negotiations failed to produce a workable government, as no party was willing to work with the KSCM, which refuses to apologize for the repression of the Communist era. A short-lived government of the ODS, KDU-CSL, and Greens failed a confidence vote in October after serving only one month. The two largest parties—the ODS and CSSD—were unable to agree on a grand coalition due to personal and political differences. The ODS easily won local and Senate elections in late October, strengthening its public position and offering a possible way out of the impasse.

In January 2007, President Klaus reappointed Prime Minister Mirek Topolánek of the ODS, who had remained in office in a caretaker capacity since the last coalition collapsed. Topolánek's new government—again consisting of the ODS, KDU-CSL, and Greens—narrowly won a parliamentary confidence vote on January 19 after two CSSD lawmakers abstained. The government managed to pass a package of economic reforms in August, overcoming a hurdle that had threatened to bring down the ruling coalition yet again.

**Political Rights and Civil Liberties:** The Czech Republic is an electoral democracy. Since the Velvet Revolution in 1989, the country has enjoyed free and fair elections. The Chamber of Deputies, the lower house of Parliament, has 200 members who are elected for four-year terms by proportional representation. The Senate has 81 members elected for six-year terms, with one-third up for election every two years. The president, elected by Parliament for five-year terms, appoints judges, the prime minister, and other cabinet members, but has few other formal powers. The prime minister, whose recommendations determine the cabinet appointments, relies on support from a majority in the Chamber of Deputies to govern.

The three largest political parties are the center-left CSSD; the center-right, market-oriented ODS; and the leftist KSCM. In the 2006 parliamentary elections, two other parties passed the 5 percent threshold required to enter the Chamber of Deputies: the KDU-CSL and, for the first time, the Greens.

The Czech Republic continues to confront remnants of the Communist era, including corruption that affects many sectors of society, especially government and business. The government has taken little action to improve transparency and prevent corruption. The Czech Republic was ranked 41 out of 180 countries surveyed in Transparency International's 2007 Corruption Perceptions Index.



Freedom of expression is respected, although the Charter of Fundamental Rights and Freedoms, a document that forms part of the Czech constitution, prohibits threats against individual rights, state and public security, public health, and morality. The country's print and electronic media are largely in private hands. In 2000, the Law on Free Access to Information took effect, and Parliament amended broadcasting laws to meet EU standards. The legislature in 2001 adopted a bill designed to limit political influence over Czech Television (CT), the state broadcaster. Under this law, nongovernmental groups, rather than politicians, nominate candidates for the CT's governing council. In 2005, the Constitutional Court helped protect investigative journalism by ruling that journalists cannot be compelled to reveal their sources. Internet access is unrestricted.

The government generally upholds freedom of religion. A 2002 law that provides for the registration and regulation of religious groups, including pay for clergy, has been criticized by the Roman Catholic Church as unduly restrictive of its activities. In 2006, Muslim authorities were denied an exemption from the registration law that would have granted them permission and state financing for activities including religious instruction in schools and performing marriages; they had not met the law's requirements for such status, including proof of membership equivalent to at least 0.1 percent of the Czech population. Academic freedom is widely respected in the Czech Republic.

Czech citizens may assemble peacefully, form associations, and petition the government. Trade unions and professional associations function freely. Judges, prosecutors, and members of the armed forces and police may not strike. On January 1, 2007, a new labor code came into effect despite criticism from trade unions. The code abolishes several restrictions of freedom of association but requires trade unions within a single enterprise to act in concert when conducting collective bargaining.

The independent judiciary consists of the Supreme Court, the Supreme Administrative Court, and high, regional, and district courts. There is also a Constitutional Court. Czech authorities in 2002 issued new guidelines to police and prison wardens, including improvements in short-term detention facilities. In October 2007, three of the five judges resigned their advisory council positions in protest over Supreme Court chairwoman Iva Brozova's decisions on how staff should be admitted. Brozova in recent years has clashed with justice ministers and President Vaclav Klaus on a number of issues.

The Charter of Fundamental Rights and Freedoms gives minorities the right to participate in the resolution of matters pertaining to their group. A 1999 law restored citizenship to many residents, including Roma (Gypsies), who continue to experience discrimination. In 2001, Parliament approved legislation for the protection of ethnic minority rights, including the creation of a governmental minority council. However, in June 2007, the European Commission cited the Czech Republic for not fully incorporating principles of racial equality into its laws, and racist violence has risen. A Czech court in October issued the first judgment awarding financial compensation to a Romany woman who was involuntarily sterilized; several such cases are pending. Promoting denial of the Holocaust and inciting religious hatred are illegal. In September, the Senate passed a proposal to prohibit extremism and its symbols, specifically Nazism and communism. Should the proposal become law in 2008, the KSCM would be banned, as it has never renounced its hard-line Communist

platform. Property ownership, choice of residence, and fair wages are legally protected, and citizens generally enjoy all of these rights in practice.

Gender discrimination is legally prohibited. However, sexual harassment in the workplace appears to be fairly common, and women are underrepresented at the highest levels of government and business. Trafficking of women and girls for prostitution remains a problem. The government has taken steps in recent years to strengthen the reporting and punishment of domestic violence.

## Denmark

Population: 5,500,000  
Capital: Copenhagen

Political Rights: 1  
Civil Liberties: 1  
Status: Free



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

1998	1999	2000	2001	2002	2003	2004	2005	2006	2007
1,1F	1,1F	1,1F	1,1F	1,1F	1,1F	1,1F	1,1F	1,1F	1,1F

**Overview:** Danish authorities made several arrests involving alleged terrorist plots in 2007, one of which was linked to al-Qaeda in Pakistan. Parliamentary elections were held in November reinstating Anders Fogh Rasmussen as prime minister. Also during the year, the demolition of a youth center in Copenhagen's Norrebro district sparked a series of riots, leading to hundreds of arrests.

Denmark has been a monarchy since the Middle Ages, but after the promulgation of its first democratic constitution in 1849, the monarch's role became largely ceremonial. The country was occupied by Nazi Germany during World War II despite its attempts to maintain neutrality, and in 1949 it joined NATO. In 1973, Denmark became a member of the European Economic Community (EEC), forerunner to the European Union (EU).

Post-World War II Danish politics have been dominated by the Social Democratic Party. However, in the November 2001 elections, a right-wing coalition led by Anders Fogh Rasmussen's Liberal Party won control of the government on pledges to reduce immigration and lower taxes. The coalition, which also included the Conservative People's Party, was supported by the anti-immigrant and Euroskeptic Danish People's Party.

Denmark has had a conflicted relationship with the EU. When the Maastricht Treaty was written in 1992, extending the EU's jurisdiction into justice, foreign, and monetary policy, Danish voters rejected it in a referendum. Since then, Denmark has opted out of participation in those areas, although polls show that the population is

slowly moving toward support for Danish participation in EU defense and judicial cooperation. In 2000, Denmark rejected the use of the euro as the country's sole currency. In June 2005, due to uncertainty raised by negative French and Dutch referendum results on a new EU constitutional treaty, Denmark postponed plans for its own referendum on the charter, which remained suspended throughout 2007.

In parliamentary elections in February 2005, the Liberal Party won 29 percent of the vote and 52 seats, gaining a second term in office. The Liberals continued their coalition with the Conservative People's Party, which won 10 percent of the vote and 18 seats. The coalition continued to be supported externally by the Danish People's Party, which won 24 seats, 2 more than in the 2001 elections. The opposition Social Democratic Party took almost 26 percent of the vote and 47 seats.

A series of violent protests erupted in 2006 over the fate of a youth center in the Norrebro district of Copenhagen, and the clashes with police continued in March 2007, when squatters were evicted and the building was demolished. Rioting broke out again in September and October, as demonstrators marked the passage of six months since the building's destruction and then attempted to occupy another structure. Hundreds were arrested during the several months of protests in 2007.

Also in 2007, eight men were arrested in September for an alleged terrorist plot against Denmark. The suspects, the first in a Danish terrorism case to be accused of direct links to the Pakistan-based leadership of al-Qaeda, were said to have been producing explosives for a pending attack. Six of the men were released after questioning, fueling suspicion that the threat was overstated, though two others remained in custody at year's end. In March, four men had been arrested for acquiring explosive-producing chemicals often used by suicide bombers. Separately that year, a 17-year-old Palestinian was sentenced to seven years in prison after his 2005 arrest on terrorism charges. Denmark has become a target for Islamic extremists due to its participation in the Iraq war and a Danish newspaper's 2005 publication of cartoons depicting the prophet Muhammad.

In the run-up to the November 2007 parliamentary elections, the Danish People's Party was threatened by a Palestinian terrorist group, Al-Aqsa Martyrs Brigades, for its use of images of the prophet Muhammad in campaign materials. The party enjoyed a minor victory in the election gaining one seat, which was subsequently lost when MP Pia Christmas-Moller left the party to serve as an independent. The Socialist People's Party doubled their number of seats from 11 to 23. Victory was claimed by the Liberal Party when incumbent Anders Fogh Rasmussen was reinstated as prime minister. Asama Abdol-Hamid, a Muslim television show host, made waves in April 2007 when she announced that she would run in the next parliamentary elections.

**Political Rights and Civil Liberties:** Denmark is an electoral democracy. The current Danish constitution, adopted in 1953, established a single-chamber parliament (the Folketing) and retained a monarch, currently Queen Margrethe II, with mostly ceremonial duties. The parliament's 179 representatives are elected at least once every four years through a system of modified proportional representation. The leader of the majority party or coalition is usually chosen to be prime minister by the monarch.

Danish governments most often control a minority of seats in parliament, ruling

with the aid of one or more supporting parties. Since 1909, no single party has held a majority of seats, a history that has helped create a tradition of interparty compromise.

The semiautonomous territories of Greenland and the Faeroe Islands each have two representatives in the Folketing. They also have their own elected home-rule governments, which have power over almost all areas of governance.

Levels of corruption in Denmark are very low. The country tied with Finland and New Zealand as the best performers among 180 countries surveyed in Transparency International's 2007 Corruption Perceptions Index. In one recent case, former Farum mayor Peter Brixtofte was found guilty in April 2007 of abuse of power and misuse of funds for lavish dinners. Brixtofte was previously convicted of funneling money to a handball team, bringing his sentence to a total of four years in prison.

The constitution guarantees freedom of expression. The media reflect a wide variety of political opinions and are frequently critical of the government. The state finances radio and television broadcasting, but state-owned television companies have independent editorial boards. Independent radio stations are permitted but tightly regulated. In 2007, journalist Katherine Krone was fired from Greenland's public broadcaster, KNR, for reporting on a state-owned tannery using clubs to hunt seals. Managers were acting on pressure from Krone's fellow employees, who apparently feared that the news story would hurt the country's image. Academic freedom is guaranteed for all.

Freedom of worship is legally protected. However, the Evangelical Lutheran Church is subsidized by the government as the official state religion. The faith is taught in public schools, although students may withdraw from religious classes with parental consent. At present, about half of all schoolchildren in Denmark are exempted from the catechism taught in public schools.

The constitution provides for freedom of assembly and association. Civil society is vibrant, and workers are free to organize. The labor market is mainly regulated by agreements between employers' and employees' organizations. In November 2007, truck drivers began a strike that halted the transportation of goods into Norway and Sweden in order to protest EU regulations on working hours.

The judiciary is independent, and citizens enjoy full due-process rights. The court system consists of 100 local courts, 2 high courts, and the 15-member Supreme Court, with judges appointed by the monarch on the government's recommendation. A 2007 report by the International Commission of Jurists found ethnic bias in "a limited scope" of Danish court rulings and suggested mandatory training courses on discrimination for judges and lawyers. Prisons generally meet international standards, and police brutality was not an issue during the year.

Discrimination is prohibited under the law. However, Denmark introduced what it has described as one of Europe's strictest immigration laws in May 2002. The measure restricts citizens' ability to bring foreign spouses into the country, requiring both partners to be aged 24 or older. The law also requires the Dane to pass a solvency test, prove that he or she has not drawn social security for at least a year, and post a bond of almost \$10,000. A reunified family's husband and wife must both prove "close ties to Denmark." Many Copenhagen-based Danes with foreign spouses have consequently chosen to live in the nearby southern Swedish city of Malmö and commute to Copenhagen for work. The law primarily affects Denmark's Muslim immigrant community, which has increasingly complained of social and economic

discrimination and burgeoning anti-immigrant sentiment in the country. This tension is seen as related to the string of terrorism arrests in recent years.

Denmark has closed 47 asylum centers since the introduction of the new immigration law, although in 2007, a record number of immigrant residency papers were issued, mostly to Poles and Swedes. In June 2006, the government secured reforms including tighter unemployment rules designed to promote job-seeking and greater workforce integration on the part of immigrants. However, in the 2007 Migrant Integration Policy Index, Denmark was ranked the second-worst performer out of 28 mostly EU countries for migrant eligibility to enter the labor market.

Women enjoy equal rights in Denmark and represent half of the Danish labor force. However, disparities have been reported in the Faroe Islands and Greenland. Denmark is a destination and transit point for women and children trafficked for the purpose of sexual exploitation. Following the adoption in 2003 of legislation that defined and criminalized such trafficking, the government began working regularly with nongovernmental organizations in their trafficking-prevention campaigns.

## Djibouti

Population: 800,000  
Capital: Djibouti

Political Rights: 5  
Civil Liberties: 5  
Status: Partly Free



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

1998	1999	2000	2001	2002	2003	2004	2005	2006	2007
5,6NF	4,6PF	4,5PF	4,5PF	4,5PF	5,5PF	5,5PF	5,5PF	5,5PF	5,5PF

**Overview:** The authorities in 2007 closed the country's only private newspaper after it ran an article accusing the president's brother-in-law of accepting a bribe. The closure came less than a year before legislative elections, which were scheduled for early 2008.

Djibouti, formerly the French Territory of the Afars and Issas, gained independence in 1977. Its people are deeply divided along ethnic and clan lines, with the majority Issa (Somali) and minority Afar peoples traditionally falling into opposing political camps. The Issa make up about 60 percent of the population and the Afar about 35 percent. Ethnic conflict broke out in 1991, with Afar rebels of the Front for the Restoration of Unity and Democracy (FRUD) launching a guerrilla war against Issa domination. In 1994, the largest FRUD faction agreed to end its insurgency in exchange for inclusion in the government and electoral reforms.

President Hassan Gouled Aptidon controlled a one-party system until 1992, when a new constitution authorized four political parties. In 1993 Gouled won a fourth six-

year term in Djibouti's first contested presidential election, which was considered fraudulent by both the opposition and international observers. In the 1997 legislative elections, which were also considered unfair, the ruling People's Progress Assembly (RPP), in coalition with the legalized arm of the FRUD at the time, won all 65 legislative seats.

Gouled stepped down in 1999. The RPP's Ismael Omar Guelleh—Gouled's nephew and a former head of state security—won the presidential poll with 74 percent of the vote, while his leading opponent received 26 percent. For the first time since elections began in 1992, no group boycotted the vote, which was regarded as generally fair. In 2001, a comprehensive peace accord aimed at ending the decade-long ethnic Afar insurgency was signed. In 2003 parliamentary elections, a bloc of four parties under the umbrella Union for the Presidential Majority (UMP) ran against the four-party opposition bloc, Union for a Democratic Alternative (UAD). The ruling UMP captured all 65 seats despite the UAD receiving 37 percent of the vote.

In April 2005, Guelleh won a second six-year term. The only challenger withdrew from the election, citing government control of the media and repression of the opposition's activities. The country's human rights league called the official turnout of 79 percent "highly unlikely." According to the *Indian Ocean Newsletter*, a number of opposition supporters were arrested.

As president, Guelleh has used Djibouti's strategic importance to generate international support and development assistance. The country has granted foreign armed forces, particularly those of the United States, access to its port and airport facilities. Since 2004, approximately 2,000 U.S. military personnel have been stationed in Djibouti, alongside a similar number of French troops. Guelleh has endorsed actions taken by the United States and its allies to combat terrorism. In March 2006, the United States and Djibouti renewed their agreement on U.S. use of military facilities in the country, the only such arrangement in sub-Saharan Africa.

Djibouti's only private newspaper was closed by the authorities in 2007 in the wake of a libel suit involving the president's brother-in-law. The move came less than a year before legislative elections, which were scheduled to take place in early 2008. Also in 2007, former president Gouled died at age 90.

Djibouti has virtually no industry and few natural resources, and the UN Population Fund has reported that more than 40 percent of its residents live below the national poverty line. The country is heavily dependent on foreign assistance to support its balance of payments and to finance development projects. The port and transport sector accounts for one-third of gross domestic product (GDP). Ethiopia is an important economic partner, with links to approximately 85 percent of the goods moving through the port of Djibouti. Two-thirds of the inhabitants live in the capital city, most of the remainder being nomadic herders. Scant rainfall limits crop production, and most food must be imported.

**Political Rights and Civil Liberties:** Djibouti is not an electoral democracy. The trappings of representative government and electoral processes have little relevance to the real distribution and exercise of power. The ruling party has traditionally used the advantage of state resources to maintain itself in power.

The elected president serves six-year terms, and the 65 members of the unicam-

eral parliament, the National Assembly, are directly elected for five-year terms. In the 2003 legislative elections, opposition parties were significantly disadvantaged by electoral rules and the government's abuse of the administrative apparatus. In addition, although the ruling UMP coalition won just 62 percent of the vote, it captured all the seats in parliament because the election law stipulates that the majority victor in each of the country's five electoral constituencies is awarded all seats in that district. While the opposition UAD alleged widespread voter fraud, its case was rejected by the Constitutional Council.

Political parties are required to register with the government. Some opposition leaders engage in self-censorship and refrain from organizing popular demonstrations and other party activities so as to avoid a government crackdown. This reluctance explains, in part, the lack of competition in the 2005 presidential election.

Efforts to curb the country's rampant corruption have met with little success. According to the Heritage Foundation's 2007 Index of Economic Freedom, the economy has been hampered by excessive government interference, a relative lack of property rights, and high levels of corruption. For example, the Center for Public Integrity, citing a recent unpublished report by the Djiboutian Court of Auditors, notes widespread concern about the use of port revenues that are not reported in the official budget. Djibouti was ranked 105 out of 180 countries surveyed in Transparency International's 2007 Corruption Perceptions Index.

Despite constitutionally mandated protections, freedom of speech is not upheld in practice. The government owns the principal newspaper, *La Nation*, as well as Radiodiffusion-Television de Djibouti (RTD), which operates the national radio and television stations. Journalists generally avoid covering sensitive issues, including human rights, the army, the FRUD, relations with Ethiopia, and French financial aid. The opposition-oriented *Le Renouveau* newspaper was closed by the authorities in May 2007 on grounds of libel, due to an article stating that a businessman had paid a bribe to the national bank governor, President Ismael Omar Guelleh's brother-in-law. The move reportedly made Djibouti one of three African countries, along with Eritrea and Equatorial Guinea, that lacked private newspapers. FM radio relays of the British Broadcasting Corporation (BBC) and Radio France Internationale are available in Djibouti. There is only limited internet access.

Islam is the official state religion, and most of the population is Muslim. Freedom of worship is respected, although the government discourages proselytizing. While academic freedom is generally respected, educational choices are limited and the government only authorized the establishment of a university in 2006.

Freedoms of assembly and association are nominally protected under the constitution, but the government has demonstrated little tolerance for political protests. The Ministry of the Interior requires permits for peaceful assembly and monitors opposition activities. Political candidates and union leaders have complained of harassment by the authorities. Local human rights groups do not operate freely. In March 2007, the chairman of the Djibouti League of Human Rights was found guilty of "defamation and spread of false information" and sentenced to six months in prison. However, women's groups and some other nongovernmental organizations are able to work without much interference.

Workers may join unions and strike, but the government routinely obstructs the free operation of unions. Two Djibouti Trade Union officials were arrested in

March 2006 after they returned from training in Israel, and were accused of engaging in "secret contacts with a foreign power" and perpetrating an "affront to the President of the Republic." An international labor union delegation subsequently sent to investigate the situation was expelled.

The judicial system, which includes lower courts, an appeals court, and a Supreme Court, is based on the French civil code, although Sharia (Islamic law) prevails in family matters. The courts are not independent of the government. The Constitutional Council is charged with ensuring the constitutionality of laws and protecting the individual, but in practice its rulings do not always uphold civil and human rights. Security forces often arrest Djiboutians without a proper decree from a judicial magistrate, in violation of constitutional requirements. Security forces at times have physically abused prisoners and detainees. Prison conditions remain harsh, and overcrowding is a serious problem. No action has been taken against security personnel who used excessive force to disperse demonstrations in previous years.

The Afar people, Yemeni Arabs, and non-Issa Somalis suffer from social and economic discrimination. In 2002, a "Family Law" took effect, designed to protect women's and children's rights. Although women in Djibouti enjoy a higher public status than in many other Muslim countries, progress on women's rights and family planning has been hampered by a number of obstacles, many of them stemming from poverty. Few women hold senior government positions; a record number of seven women were elected to parliament in January 2003. Women continue to suffer serious discrimination under customary practices in inheritance and other property matters, in divorce, and regarding the right to travel. Female genital mutilation is widespread, and legislation forbidding mutilation of young girls is not enforced; women's groups are engaged in efforts to curb the practice.

## Dominica

Population: 100,000

Capital: Roseau

Political Rights: 1

Civil Liberties: 1

Status: Free



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

1998	1999	2000	2001	2002	2003	2004	2005	2006	2007
1,1F	1,1F	1,1F	1,1F	1,1F	1,1F	1,1F	1,1F	1,1F	1,1F

#### Overview:

**The Dominica Labour Party (DLP) of Prime Minister Roosevelt Skerrit remained popular in 2007, while the head of the opposition United Workers Party resigned. Also during the year, the government vowed never again to embrace an International Monetary Fund program, bolstered by the island's return to economic growth.**



Dominica gained independence from Britain in 1978. The centrist Dominica Labour Party (DLP) swept to victory for the first time in 20 years in the January 2000 parliamentary elections, winning 10 of the 21 elected seats and forming a coalition with the right-wing Dominica Freedom Party (DFP). DLP leader Roosevelt "Rosie" Douglas was named prime minister, but died of a heart attack in October 2000. He was replaced by Pierre Charles, his communications and works minister. In January 2004, Charles, 49, collapsed and died of heart failure. He was succeeded by Roosevelt Skerrit, also of the DLP, who had been serving as education and youth affairs minister.

Skerrit's government inherited tremendous financial troubles, compounded by a loss of public support due to the implementation of austerity measures. Increased global competition hit the agriculturally based economy especially hard, and the imposition of an International Monetary Fund (IMF) stabilization and adjustment program proved highly unpopular. Despite those difficulties, in April 2004, the DLP won a by-election by a landslide, confirming the government's mandate. Also that month, China promised \$122 million in aid in return for Dominica's revocation of its recognition of Taiwan.

Skerrit and the DLP handily triumphed in the 2005 elections, winning 12 parliament seats; the results ensured a DLP majority even without the support of the DFP. Former prime minister Edison James, leader of the opposition United Workers Party (UWP), initially accepted his second successive electoral defeat, but later claimed that five of the DLP seats were obtained through fraud. In 2007, he resigned as opposition leader and was replaced by Earl Williams, an attorney and UWP stalwart. This followed the pattern set by other political parties seeking to become more competitive. In 2006, members of the DFP had demanded and won the resignation of their leader, Charles Savarin, and former DLP leader William "Para" Riviere announced the formation of a new party, the People's Democratic Movement, which would plan to participate in the 2010 general elections.

In 2007, Dominica's economy continued to benefit from a construction and tourism boom that offset the recent downturn in the agricultural sector. Skerrit vowed that Dominica would never again embrace an IMF program under his rule.

**Political Rights and Civil Liberties:** Dominica is an electoral democracy. The government is headed by a prime minister, and the unicameral House of Assembly consists of 30 members serving five-year terms. Twenty-one members are elected, and nine senators are appointed—five by the prime minister and four by the opposition leader. The president is elected by the House of Assembly for a five-year term; the prime minister is appointed by the president. Currently, President Nicholas Liverpool serves as chief of state, while Prime Minister Roosevelt Skerrit manages the daily affairs of the government.

The three major political parties are the DLP, which is currently in power; the UWP; and the once-robust DFP, which ruled from 1980 to 1995 but no longer has a seat in parliament and voted to replace its leader in 2006.

Dominica ranked 37 out of 180 countries surveyed in Transparency International's 2007 Corruption Perceptions Index, with better financial controls prompting a major improvement over the previous year.

The press is free, and there is no censorship or government intrusion. Four private newspapers and an equal number of political party journals publish without

interference. Although the main radio station is state owned, there is also an independent station. Citizens have unimpeded access to cable television and regional radio broadcasts, as well as to the internet.

Freedom of religion is recognized. While a majority of the population is Roman Catholic, some Protestant churches have been established. Certain religious and cultural minorities feel that the law infringes on their rights. In 2007, Rastafarians demanded the repeal of a 1974 measure that outlaws their religion, and the Kalinago indigenous tribe called for the legalization of polygamy, saying it was part of their culture. Academic freedom is respected.

The authorities uphold freedoms of assembly and association, and advocacy groups operate freely. Workers have the right to organize, strike, and bargain collectively. Although unions are independent of the government and laws prohibit antiunion discrimination by employers, less than 10 percent of the workforce is unionized.

The judiciary is independent, and the rule of law is enhanced by the courts' subordination to the interisland Eastern Caribbean Supreme Court. In 2007, Dominica weighed whether to accept the Caribbean Court of Justice as its final court of appeal, replacing the Privy Council in London. The judicial system operated smoothly over the year, and its efficient handling of cases compares favorably with other islands in the region. Understaffing continues to lead to a large backlog of cases, however.

The only prison on Dominica, Stock Farm Prison in Roseau, is overcrowded and has sanitation problems. In the fall of 2005, the government announced plans to build a separate youth detention center, but the project has not yet been completed. Dominica in May 2006 signed a prisoner transfer agreement with Britain that would allow convicted criminals to serve out their sentences in their countries of origin.

The Commonwealth of Dominica Police Force (CDPF) became responsible for security after the Dominica Defense Force (DDF) was disbanded in 1981. In 2007, Dominica worked with other Caribbean governments to help strengthen the police force and fight crime, building on a national policy on crime prevention and control that was created a year earlier, in order to maintain the country's position as a low-crime island. Dominica's crime rate dropped markedly in 2007—by 20 percent—with only three instances of murder or burglary over the year. In the late 1990s, the police created the Internal Affairs Department to investigate public complaints against the police and provide officers with counseling. The police force operated professionally in 2007, and the number of human rights complaints decreased.

In 2007, Dominica implemented new banking rules and increased the quality of its surveillance of financial transactions, which improved its reputation as a business-friendly climate. Improved economic growth was managed in an equitable fashion, making Dominica less prone to the extreme variations of wealth that exist elsewhere in the Caribbean.

The Protection against Domestic Violence Act allows abused persons, usually women, to appear before a judge and request a protective order without seeking legal counsel. There are no laws mandating equal pay for equal work for men and women in private sector jobs. Inheritance laws do not fully recognize women's rights. When a husband dies without a will, the wife cannot inherit their property, though she may continue to inhabit their home.

## Dominican Republic

**Population:** 9,400,000

**Capital:** Santo Domingo

**Political Rights:** 2

**Civil Liberties:** 2

**Status:** Free



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

1998	1999	2000	2001	2002	2003	2004	2005	2006	2007
2,3F	2,3F	2,2F	2,2F	2,2F	3,2F	2,2F	2,2F	2,2F	2,2F

**Overview:** In 2007, President Leonel Fernandez's Dominican Liberation Party, the opposition Dominican Revolutionary Party, and other political groups stepped up their campaign activity ahead of the 2008 elections. The country continued its high rate of economic growth, but labor strikes over low wages and high gas prices signaled persistent discontent.

After achieving independence from Spain in 1821 and from Haiti in 1844, the Dominican Republic endured recurrent domestic conflict, foreign occupation, and authoritarian rule. The assassination of General Rafael Trujillo in 1961 ended 30 years of dictatorship, but a 1963 military coup led to civil war and U.S. intervention. In 1966, under a new constitution, civilian rule was restored with the election of conservative president Joaquin Balaguer.

Since the 1990s, Dominican politics have been defined by competition between the ruling Dominican Liberation Party (PLD), currently led by President Leonel Fernandez, and the Dominican Revolutionary Party (PRD). In the 2000 elections, the term-limited Fernandez was replaced as president by the PRD's Rafael Hipolito Mejia Dominguez, a former agriculture minister. Striking a chord among citizens who felt left out of the country's economic prosperity, Mejia easily beat his competitors and was bolstered by the fact that his party had captured majorities in both houses of Congress in 1998.

In 2003, a major bank scandal that cost the equivalent of 15 percent of gross domestic product (GDP) triggered an economic collapse, leading to months of protests and leaving the government widely reviled. Mejia had successfully implemented a constitutional change to allow a second consecutive presidential term, but he lost his 2004 reelection bid when Fernandez entered the race and won an overwhelming first-round victory.

While his 1996-2000 presidential term had featured substantial economic growth, Fernandez returned to face a ballooning \$6 billion foreign debt, a 16 percent unemployment rate, annual inflation of some 32 percent, and a deep energy crisis. Within a short period, however, inflation had been brought into the single digits, and macroeconomic stability had improved dramatically, with the economy posting a 9 per-

cent growth rate in 2005. In return for International Monetary Fund (IMF) financing, the government agreed to cut subsidies on gas and electricity and reduce the bloated government payroll. In July 2005, the U.S. Congress ratified the regional free-trade agreement known as DR-CAFTA, which included Costa Rica, El Salvador, Guatemala, Honduras, Nicaragua, and the Dominican Republic.

Fernandez's successful handling of the economy yielded political benefits in May 2006, when his PLD won a majority in both houses of Congress, overcoming an alliance between the PRD and the Social Christian Reformist Party (PRSC). In the Senate, the PLD took 22 seats, while the PRD won only six. In the Chamber of Deputies, the PLD won 96 seats, the PRD won 60, and the PRSC took 22. The Organization of American States (OAS) observation mission declared the elections to be free and fair. Backed by a solid congressional majority, Fernandez placed constitutional reform at the top of the national agenda. In August 2006, he named 13 judges to head a commission of experts that would formulate and review reform proposals, which could include allowing Dominicans residing abroad to run for elected office. In 2007, the process languished as presidential politics began to heat up ahead of the 2008 elections.

Fernandez convincingly won the PLD's presidential primary in 2007 and was favored to win the general election, but his bitter contest against PLD insider Danilo Medina increased divisions in the party. Former public works minister Miguel Vargas Maldonado won the PRD nomination, and Amable Aristy Castro was set to represent the PRSC. Another candidate, Eduardo Estrella, won the nomination of a new political coalition called La Cuarta Via, or the Fourth Way.

**Political Rights and Civil Liberties:** The Dominican Republic is an electoral democracy. The 2004 presidential election and the 2006 legislative elections were determined to have been free and fair. The constitution provides for a president and a bicameral National Congress, both elected to four-year terms. The Congress consists of the 32-member Senate and the 150-member Chamber of Deputies; a 1998 census led to the expansion of the Chamber of Deputies from 120 to 150 members.

At the end of 2001, the Congress approved a package of constitutional and electoral changes that allowed presidents to serve two consecutive terms. In 2006, President Leonel Fernandez established a new commission to review the prospects for additional constitutional reforms.

The Dominican Republic has three major political parties: the PLD, which won the presidency in 2004 and took both chambers of Congress in 2006; the PRD, now the main opposition force; and the smaller PRSC.

Official corruption remains a serious problem. Fernandez, whose first term was marred by a scandal involving the disappearance of \$100 million in government funds, made fighting corruption a central theme of his 2004 election campaign. In his inaugural address, he pledged austerity for his government and promised large cuts in the borrowing, hiring, and heavy spending that had characterized the administration of outgoing president Rafael Hipolito Mejia Dominguez. While Fernandez made progress toward fulfilling those pledges in the first year of his new term, polls conducted in 2007 showed that a plurality of Dominicans expected corruption to be the defining feature of the next generation (above democracy and equality before the

law). The Dominican Republic was ranked 99 out of 180 countries surveyed in Transparency International's 2007 Corruption Perceptions Index.

The law provides for freedom of speech and of the press, and the government generally respects those rights. There are five national daily newspapers and a large number of local publications. The state-owned Radio Television Dominicana operates radio and television services. Private owners operate more than 300 AM and FM radio stations, and more than 40 television stations, most of them small, regional broadcasters. In March 2005, Fernandez signed a ruling providing the mechanisms to implement a 2004 freedom of information law. Internet access is unrestricted but not widely available outside of large urban areas.

Constitutional guarantees regarding religious and academic freedom are generally observed.

The government upholds the right to form civic groups, and civil society organizations in the Dominican Republic are some of the best organized and most effective in Latin America. Labor unions are similarly well organized. Although legally permitted to strike, they are often subjected to government crackdowns. In 2003 and 2004, general strikes triggered by the government's handling of the economic crisis resulted in several deaths and mass arrests. In more peaceful labor actions in 2007, leaders from the transportation unions joined with a new movement, the Alternative Social Forum, in calling two general strikes to protest low wages and high gas prices, highlighting the fact that economic concerns persisted despite the impressive 7 percent growth rate. Peasant unions are occasionally targeted by armed groups working for major landowners.

The judiciary, headed by the Supreme Court, is politicized and riddled with corruption, and the legal system offers little recourse to those without money or influence. However, reforms implemented in recent years, including measures aimed at promoting greater efficiency and due process, show some promise of increasing citizen access to justice through the courts. In the fall of 2004, a new Criminal Procedures Code that gives suspects additional protections took effect. A new Code for Minors, which provides for more protection and stiffer penalties in cases of sexual or commercial exploitation, was inaugurated later that year.

Extrajudicial killings by police remain a problem, though the government has begun to refer cases of military and police abuse to civilian courts instead of nontransparent police or military tribunals. Police salaries are low, and there is a high level of corruption throughout the country's law enforcement institutions. Prisons suffer from severe overcrowding, poor health and sanitary conditions, and routine violence that results in a significant number of deaths. In March 2005, a riot at a badly overcrowded detention center in the city of Higuey led to a fire that killed at least 134 inmates. New initiatives launched as part of President Fernandez's democratic security plan include a crackdown on illegal weapons, tougher policing measures, and a curfew on alcohol sales. The overall security situation has improved as the rate of homicides and other violent crimes has declined. Dominican authorities have also prosecuted the major bank corruption case that disrupted the economy in 2003.

The Dominican Republic is a major transit hub for South American drugs, mostly cocaine, headed to the United States. Local, Puerto Rican, and Colombian drug smugglers use the country as both a command-and-control center and a transshipment point. The government estimates that some 20 percent of the drugs entering

the country remain there as "payment in kind." This phenomenon has contributed to increasing drug abuse and street crime. The mistreatment of Haitian migrants—both real and perceived—has badly damaged the Dominican Republic's international reputation, but no strategy has been adopted to handle this growing problem. In 2007, the government attempted to strip citizenship from Sonia Pierre, a Dominican-born activist for Haitian rights, but backed down under international pressure.

Violence and discrimination against women remain serious problems, as do trafficking in women and girls, child prostitution, and child abuse. In 2007, the potential legalization of abortion emerged as a major political issue, but the drive toward legalization failed due to the concerted opposition of large segments of the Dominican population and the Catholic Church. An estimated 100,000 Dominican women work overseas as prostitutes, many on other Caribbean islands or in the United States.

## East Timor

**Population:** 1,000,000

**Capital:** Dili

**Political Rights:** 3

**Civil Liberties:** 4

**Status:** Partly Free



### Ten-Year Ratings Timeline For Year Under Review

#### Political Rights, Civil Liberties, Status

1998	1999	2000	2001	2002	2003	2004	2005	2006	2007
--	6,4PF	6,3PF	5,3PF	3,3PF	3,3PF	3,3PF	3,3PF	3,4PF	3,4PF

#### Overview:

**Following an inconclusive first round, former prime minister Jose Ramos Horta won the presidency by a landslide in May 2007. Legislative elections in June yielded a political impasse between incumbent ruling party Fretilin and a coalition led by former president Kay Rala Xanana Gusmao's new National Congress for Timorese Construction (CNRT), with both sides claiming the right to control government. President Ramos Horta granted authority to the coalition, known as the Alliance of the Parliamentary Majority (AMP), and appointed Gusmao prime minister in August, prompting violence in Fretilin strongholds that added to the numbers of internally displaced East Timorese. Fretilin lawmakers ultimately took up their seats but refused to recognize the new government.**

Portugal abruptly abandoned East Timor in 1975, after four centuries of ineffective colonial rule. Indonesia, under the staunchly anti-Communist regime of General Suharto, invaded when the leftist Revolutionary Front for an Independent East Timor (Fretilin) declared independence later that year, and East Timor became Indonesia's 26th province in 1976.

Over the next two decades, Fretilin's armed wing, Falintil, waged a low-grade

insurgency against the Indonesian army (TNI), which committed widespread human rights abuses as it consolidated control. Civil conflict and famine may have killed up to 180,000 Timorese during Indonesian rule.

International pressure on Indonesia mounted following the 1991 Dili massacre, in which TNI soldiers were captured on film killing more than 200 participants in a funeral march. In 1999, 78.5 percent of the East Timorese electorate voted for independence in a referendum approved by Suharto's successor, B. J. Habibie. The TNI's scorched-earth response to the vote killed roughly 1,000 civilians, drove more than 250,000 into Indonesian West Timor, and destroyed approximately 80 percent of buildings and infrastructure before an Australian-led multinational force restored order.

In 2001, the country elected a Constituent Assembly to draft a constitution. Fretilin's representatives fell just short of the two-thirds majority required to give it absolute control. Kay Rala Xanana Gusmao, a former head of Falintil and chairman of Fretilin until he broke from the party in 1988 to form a wider resistance coalition, won the presidency the following year. Independence was officially granted in May 2002. Despite growing frustration with heightened unemployment and corruption, Fretilin's strong party machinery brought it a solid victory in the country's first local elections in 2004 and 2005.

The UN Security Council has authorized various UN missions in East Timor since 1999, charged primarily with maintaining security and overseeing reconstruction and institution-building. Responsibility for external defense and internal security was transferred from the United Nations to East Timor in May 2004.

Widespread rioting and violence erupted in the capital in early 2006 in response to the firing of 600 defense force (FDTL) troops as well as frustration over rampant corruption and high levels of unemployment. Clashes with the police resulted in numerous deaths and displaced 150,000 people, necessitating the deployment of Australian-led foreign troops to restore security. Allegations emerged that Prime Minister Mari Alkatiri had formed a hit squad to kill off his political opponents, and after a high-pressure political standoff between the president and prime minister, Alkatiri was forced to step down in late June. Nobel Prize winner and former foreign minister Jose Ramos Horta was then appointed prime minister, and the UN Integrated Mission in Timor-Leste (UNMIT) was established to help consolidate stability and rebuild the national police. A UN commission of inquiry blamed Alkatiri for the outbreak of violence, implicated the former interior and defense ministers, and called for those responsible to be prosecuted.

In February 2007, UNMIT's mandate was extended until February 2008. Charges against Alkatiri were dropped the same month, but in March, former interior minister Rogerio Lobato was found guilty of arming a hit squad in the run-up to the 2006 violence. He was sentenced to 7.5 years in jail.

The 2007 presidential and legislative elections revealed a significant decline in public support for Fretilin. None of the eight presidential candidates who contested the first round on April 9 secured a 50 percent majority, necessitating a runoff on May 9 between the independent Ramos Horta, who secured 23 percent in the first round, and Fretilin party president Francisco Guterres, who won 29 percent. Collecting the lion's share of votes from backers of the eliminated candidates, Ramos Horta scored a landslide victory in the second round and assumed office on May 20.

Fretilin's Estanislau da Silva assumed the position of prime minister until one could be appointed by the newly elected Parliament.

Outgoing president Gusmao launched a new party, the National Congress for Timorese Construction (CNRT), in April to contest the June 30 legislative elections, which initially yielded no clear victor. While Fretilin received the greatest percentage of the vote (29) and number of seats (21), it fell short of a majority in the 65-seat legislature (and far short of its 57 percent victory in 2001). The CNRT secured 24 percent of the vote and 18 seats. In July, the CNRT announced that it would form a coalition, the Alliance of the Parliamentary Majority (AMP), with three smaller parties to attain a total of 37 seats. Both Fretilin and the AMP claimed the right to control government based on distinct constitutional provisions. Deadlock ensued, and Ramos Horta asked the CNRT to form a government, before incumbent Fretilin, which Fretilin perceived as bias. Neither the AMP nor Fretilin was able to bridge their differences and form a unity national government. In August, President Horta appointed Gusmao prime minister and granted authority to the AMP, ushering in an era of coalition politics. Violence erupted among Fretilin supporters in Dili, Lautem, Manufahi, and Viqueque districts, adding thousands to the number of displaced East Timorese, while Fretilin lawmakers contested the legality of the decision and refused to recognize the new government. However, they took their seats by early fall.

With a 50 percent unemployment rate, 40 percent of the population living under the poverty line, and more than 100,000 displaced persons, East Timor remains the poorest country in Southeast Asia. Revenue from oil and gas is expected to increase in the next few years, and the new government will face the challenge of managing it effectively through the Petroleum Fund, established in 2005. The country's interest in becoming a full member of the Association of Southeast Asian Nations (ASEAN), in which Indonesia is a key player, continues to influence relations with the regional organization. Bilateral ties with Australia remain strong, although some East Timorese resent the continued presence of Australian troops, partly because of perceived bias against Fretilin.

**Political Rights and Civil Liberties:** East Timor is an electoral democracy. The directly elected president is a largely symbolic figure, with formal powers limited to the right to veto legislation and make certain appointments, although President Jose Ramos Horta has pledged to make the post more active. In line with the constitution's five-year terms, elections for the presidency and the unicameral Parliament were held in April and June 2007, marking the country's first direct legislative elections since the Fretilin-dominated Constituent Assembly automatically became the Parliament after writing the charter in 2002. Some 3,000 international observers deemed the legislative elections free and fair, although there was some violence; CNRT and Fretilin supporters clashed in May, and a CNRT supporter and a policeman guarding outgoing president Kay Rala Xanana Gusmao were killed following a CNRT rally in June. Personalities and old loyalties tied to the resistance of the 1970s influenced political outcomes more than issues, as evidenced by Gusmao's and Ramos Horta's retention of the country's two top executive posts.

A code of conduct was established among parties in May 2007, and electoral reforms passed that month reduced the total number of seats in Parliament from 88 to 65. Contradictory provisions in the constitution and electoral law regarding con-



trol of Parliament led to confusion following the June legislative elections. The constitution ultimately authorizes the president to appoint and swear in the prime minister, but Fretilin immediately claimed that Gusmao's appointment was unconstitutional and illegal.

Despite the initial impasse, the legislative elections ultimately brought greater pluralism to Parliament and an end to Fretilin's dominance of government. While Fretilin continues to be the largest single party with 21 seats, it is outnumbered by the CNRT-led coalition's 37 seats—the CNRT has 18, the Democratic Party (PD) holds 8, and the Social Democratic Association of Timor-Social Democratic Party (ASDT-PSD) has 11. However, the new government is less unified and enjoys only a slim majority, giving Fretilin, which continues to deny the new government's legitimacy, significant leverage as an opposition party.

In 2005, the World Bank identified corruption as one of East Timor's greatest challenges, particularly as it affects the allocation of oil revenues. Frustration with persistent corruption has been cited as one of the key reasons for Fretilin's relatively poor showing in the 2007 elections. Transparency International's 2007 Corruption Perceptions Index ranked East Timor 123 out of 180 countries surveyed.

The slightly improved security situation brought a modest improvement in freedom of expression in 2007, although heightened political tensions yielded some attacks and threats against journalists. In March, Fretilin members beat a *Timor Post* journalist for photographing them while they were being searched at a checkpoint. In April, a Fretilin lawmaker threatened a journalist and cameraman from National Television of Timor Leste (TVTL) for covering legislative activity following allegations that Parliament members' involvement in the presidential campaigns was preventing plenary sessions from being held. The office of *Suara Timor Lorosa'e*, a major newspaper believed to favor the CNRT, was attacked by a group of unknown men in August following Gusmao's appointment as prime minister. In February, officials reopened the investigation into the deaths of the "Balibo Five"—Australian and British journalists who had been killed in 1975 by Indonesian troops and Timorese paramilitaries preparing to invade the territory. Witness testimony during the year revealed that the Australian government knowingly withheld information proving the Indonesian army's responsibility; the former army officer in charge of the attack was arrested in March.

A revised penal code that would criminalize defamation and allow fines and jail terms of up to three years for anyone who publishes comments deemed harmful to an official's reputation has remained with the Ministry of Justice for consideration since February 2006. The criminal defamation provisions of the Indonesian penal code continue to apply until a new East Timorese penal code is promulgated.

East Timor is a secular state, but the Roman Catholic Church plays a central role; 98 percent of the population is Roman Catholic. Church rules prohibit persons living under religious vows from holding political office. There are no significant threats to religious freedom or clashes among the country's different groups. Religious education is compulsory in schools. There is a small minority of Muslims, mostly from Indonesia, and a growing number of evangelical Christian denominations. The practice of indigenous rituals remains strong, despite the dominance of the Catholic faith. Academic freedom is generally respected.

Freedoms of association and assembly are constitutionally guaranteed, yet the

2004 Law on Freedom, Assembly, and Demonstration regulates political gatherings and prohibits demonstrations aimed at "questioning constitutional order" or disparaging the reputations of the head of state and other government officials. The law requires that demonstrations and public protests be authorized in advance. Thousands of supporters of escaped rebel Alfredo Reinado launched violent protests in March 2007 after international troops raided his hideout. Reinado rose to prominence in 2006, fighting against the Fretilin leadership over the issue of treatment of the military; many East Timorese considered him a hero despite his use of violence.

East Timor's labor code, which is based on International Labor Organization standards, permits workers other than police and army personnel to form and join worker organizations. It also guarantees the rights to bargain collectively and to strike, although written notice must be given 10 days before a strike. Foreigners are barred from joining unions. Unionization rates are low due to high unemployment and the fact that more than 80 percent of the working population is employed in the informal sector.

The country suffers broadly from weak rule of law, a prevailing culture of impunity, and inadequate security forces. Many of these problems stem from the lack of accountability for abuses committed during the period of Indonesian rule and the country's struggle for independence. The legal system is fragile, with thousands of cases backlogged. The rights to due process and an expeditious, fair trial are often restricted or denied, largely because of a lack of resources and trained personnel. The conviction and imprisonment of former interior minister Rogerio Lobato in March 2007 was hailed as a victory for the justice system. However, the Fretilin-dominated Parliament passed a clemency law in June that would allow criminals to apply for clemency for "appropriate crimes" committed between April 2006 and April 2007. While justified as an effort to help the country move forward from the 2006 crisis and avoid further overcrowding the country's prisons, President Ramos Horta opposed the law and in July sent it to the Court of Appeals for constitutional review, where it remained at year's end.

The UN police force (UNPOL) assumed full control of national policing in September 2006, and UNMIT has been charged with reforming and rebuilding the national police force (PNTL). An additional 140 UN police were brought in to help maintain law and order during the 2007 elections. Neither the PNTL nor the military enjoy the trust or confidence of the population, and significant tensions dating back to the independence struggle persist between the two. An Australian-led International Stabilization Force (ISF) has been charged with supporting UNMIT and maintaining security since May 2006. The Gusmao government has called for the ISF to remain throughout 2008 and UNMIT through 2012 in order to fully restore security and allow the tens of thousands of displaced people to safely return home.

In 2007, ISF efforts focused on capturing Reinado, who led a raid on police posts along the Indonesian border in February, threatening to draw the country back into large-scale violence. The manhunt ceased in May when he agreed to many of the conditions for his surrender. East Timor continues to face the challenge of balancing the interests of justice against the need to reconcile with Indonesia, whose goodwill is essential to the poverty-stricken nation's economic growth. Efforts to prosecute and convict Indonesian officials for past abuses were halted in 2005, and the

Commission on Truth and Friendship (CTF), a body without the power to prosecute, was established. Despite persistent UN pressure to seek accountability, President Ramos Horta agreed in June 2007 to extend the CTF's mandate for another six months and to grant amnesty for perpetrators of crimes against humanity on the condition that they publicly confess to the commission. CTF hearings were held in September and October and commissioners met with Indonesian president Susilo Bambang Yudhoyono regarding the production of a final report.

Equal rights for women are constitutionally guaranteed, yet domestic violence remains a persistent problem. The country's weak legal system, coupled with the prevalence of customary law at the local level, means that abuse is rarely prosecuted. While women's participation in government remains much lower than that of men, women secured 18 out of 65 seats in Parliament in the 2007 legislative elections, one of the highest such proportions in Asia.

## Ecuador

**Population:** 13,500,000

**Capital:** Quito

**Political Rights:** 3

**Civil Liberties:** 3

**Status:** Partly Free



### Ten-Year Ratings Timeline For Year Under Review

(Political Rights, Civil Liberties, Status)

1998	1999	2000	2001	2002	2003	2004	2005	2006	2007
2,3F	2,3F	3,3PF	3,3PF	3,3PF	3,3PF	3,3PF	3,3PF	3,3PF	3,3PF

**Overview:** Ecuador's legislative, judicial, and executive branches clashed repeatedly during 2007, further weakening the country's already debilitated institutions. President Rafael Correa used his personal popularity to secure an overwhelming victory for his political movement in elections to an assembly charged with drafting a new constitution. The constituent assembly began its work in late November amid opposition concerns that Correa was intent on centralizing power.

Established in 1830 after achieving independence from Spain in 1822, the Republic of Ecuador has endured many interrupted presidencies and military governments. The last military regime gave way to civilian rule when a new constitution was approved by referendum in 1978.

In January 2000, Vice President Gustavo Noboa took over as president after demonstrators forced his predecessor to step down. Midlevel military officers led by Colonel Lucio Gutierrez joined the main protests by indigenous groups, which were reportedly manipulated by putschist senior army commanders. Despite the protesters' acclamation of a three-person "junta" that included Gutierrez, Congress met in

emergency session in the city of Guayaquil to ratify Noboa, who did not belong to any political party, as the new constitutional president.

In October 2002 legislative elections, the Social Christian Party (PSC) secured the largest number of seats. Gutierrez won a surprise victory in that year's presidential election, pledging to eliminate corruption and ease acute rural poverty. His January 2003 inauguration marked the first time that Ecuador's head of state shared the humble background and ethnicity of the country's large indigenous population.

By the end of 2003, the president had been weakened by the conflicting demands of his heterogeneous leftist coalition and the immediate effects of his economic reforms, which included an overhaul of the corrupt customs service, tough fiscal policies, and price increases for energy and transportation. Supporters argued that the changes curbed inflation and improved Ecuador's balance of payments. The powerful Confederation of Indigenous Nationalities of Ecuador (CONAIE) movement soon withdrew support for Gutierrez, and dissent over the fiscal and labor reforms spilled into the streets.

In September 2004, Gutierrez met in Panama with self-exiled former president Abdala Bucaram, who was forced from office in 1997 on grounds of "mental incapacity" amid rampant corruption scandals. Bucaram, known as "El Loco" (The Madman), controlled a small political party that was considered a key potential ally in the upcoming elections. Gutierrez's anticorruption credentials were further damaged when he fired the head of the national tax agency, who had cracked down on business-tax scofflaws and boosted collection rates.

In the October 2004 regional and municipal elections, Gutierrez's Patriotic Society Party (PSP) failed to receive even the 5 percent of the vote required for official recognition as a party. Subsequently, the opposition began to press for Gutierrez's removal. In December, Gutierrez dismissed the Supreme Court for political bias, replacing the panel with loyal judges who granted immunity to several exiled politicians accused of corruption, including Bucaram. However, when Bucaram returned to Ecuador vowing to lead a "revolution of the poor" in the manner of Venezuelan president Hugo Chavez, middle-income groups in Quito joined the protest movement against Gutierrez. The president sought to placate protesters by dismissing the new Supreme Court in April 2005, but his unpopular free-market economic policies, support for U.S. antinarcotics efforts, and allegations of corruption all doomed his administration. His ouster that month, which was technically based on a spurious charge of "abandonment of post," marked the third time in nine years that an elected president was thrown out of office by Congress and street protests.

Assuming the presidency, Vice President Alfredo Palacio replaced top military commanders and reinstated CONAIE representatives at the head of several state bodies as part of an elaborate factional balancing act. He also reversed his predecessor's tough fiscal policies, diverting funds to social expenditures. In late 2005, in an apparent attempt to bolster his waning popularity, Palacio demanded that contracts with foreign oil companies be renegotiated to meet terms more favorable to the state. He also pushed for a referendum to form a constituent assembly, but it was blocked by Congress and the politicized Supreme Electoral Tribunal (TSE).

Demonstrations against foreign oil companies and a proposed free-trade agreement (FTA) with the United States dominated the first half of 2006, leading to emergency declarations in six provinces in February and March. In May, the government

annulled the contract of U.S.-based Occidental Petroleum, accusing the company of violating its terms; the move prompted the United States to suspend FTA talks indefinitely. Meanwhile, relations with Colombia deteriorated as that country's military and bands of Revolutionary Armed Forces of Colombia (FARC) guerrillas crossed the border on several occasions.

Rafael Correa—a charismatic former finance minister who pledged to align Ecuador with Chavez, renegotiate the country's foreign debt, and end the FTA talks with the United States—unexpectedly finished second to banana magnate Alvaro Noboa in the first round of the presidential election on October 15. Noboa's Institutional Renewal Party of National Action (PRIAN) led congressional elections the same day, taking 28 out of 100 seats. Gutierrez's PSP placed second with 24. Correa won the second presidential round in November with some 57 percent of the vote.

Correa soon began pressing Congress to authorize a referendum summoning a constituent assembly. By the end of March 2007, the fight to determine the rules of the prospective assembly had led the congressional opposition to remove the head of the TSE. The TSE subsequently dismissed 57 legislators, many of whom were replaced by alternates more sympathetic to the executive. When the Constitutional Court declared the dismissals to be illegal, the reshaped Congress removed all nine of its judges. According to Human Rights Watch, all of the decisions "were without any credible basis in law."

Meanwhile, on April 15, some 82 percent of referendum voters approved the call for a constituent assembly with "full powers." Correa and his Country Alliance Movement took advantage of a dizzied and fragmented opposition and captured 80 of the assembly's 130 seats in the September 30 delegate elections. One of the new body's first moves in November was to place Congress in recess and assume legislative powers. Though opposition began to coalesce around Guayaquil mayor Jaime Nebot, at the end of the year Correa appeared to be in firm control of the assembly. To his backers, this meant that Ecuador's feeble political system could finally be overhauled, while to his detractors, Ecuador's institutions were falling under the sway of a radical, illiberal leader.

**Political Rights and Civil Liberties:** Ecuador is an electoral democracy. However, it suffers from an unstable political system that has brought it eight presidents in the past 12 years. The 2006 elections, while generally free and fair, were plagued by technical glitches that delayed first-round results for several days. In the second round, attempts to contain campaign spending, especially by wealthy presidential candidate Alvaro Noboa, were ineffective. Elections to the constituent assembly in 2007 were sanctioned as free and fair by the European Union.

The 1998 constitution provides for a president elected to a four-year term. Currently, presidential candidates must win 40 percent of the votes in first-round balloting, and beat his or her closest rival by at least 10 percentage points, in order to avoid a runoff. The unicameral National Congress is composed of 100 members elected on a provincial basis every four years. The current constituent assembly is discussing constitutional changes including longer presidential terms and possible consecutive terms.

Ecuador's largely personality-based, clientelist, and fragile political parties in-

elude Noboa's PRIAN, the PSP, the PSC, the Ecuadorian Roldosista Party (PRE), the Democratic Left (ID), and the Pachakutik Movement (MUPP-NP). President Rafael Correa's Country Alliance party did not run in 2006 congressional elections but actively contested the 2007 constituent assembly race.

Politics are affected by regionalist tension between the coast, which is the base of both the economic elite and the Afro-Ecuadorean minority, and the interior (both the Andean mountain region and the Amazon River basin), where indigenous groups are centered. Indigenous representation has increased greatly over the past 15 years; the CONAIE indigenous movement is the most vocal, if not the most powerful, social group in the country.

Ecuador is racked by corruption; numerous politicians and functionaries have been investigated for graft, and the public perceives corruption to be present in nearly every social sphere. The country was ranked 150 out of 180 countries surveyed in Transparency International's 2007 Corruption Perceptions Index.

Constitutional guarantees of freedom of expression are generally observed, and the media, which are mostly private, are outspoken. However, relations between the press and President Correa deteriorated rapidly following his inauguration. He frequently accused the media of improper links with private interests, and often referred to journalists as corrupt liars and feral beasts, among other slurs. In May 2007, Correa filed a defamation suit against the editor of the newspaper *La Hora* for an editorial that accused him of governing with "tumult, sticks and stones." Following a scandal in which then economy minister Ricardo Patino was taped discussing Ecuadorian debt payments with securities brokers, Correa banned the media from showing video taped without the knowledge of the subjects. The president has requested stricter regulation of the media in the new constitution. Internet access is unrestricted.

The constitution provides freedom of religion, and the authorities respect this right in practice. The government does not require religious groups to be licensed or registered unless they form nongovernmental organizations (NGOs) that engage in commercial activity. Missionary activity and religious demonstrations by all sects are permitted. Academic freedom is not restricted.

The right to organize political parties, civic groups, and unions is upheld by the authorities. Ecuador has numerous human rights organizations, and despite occasional acts of intimidation, they report openly on arbitrary arrests and instances of police brutality and military misconduct. The government cracked down on demonstrations in Orellana department in December 2007, arresting several dozen people in a manner that human rights groups criticized as arbitrary. The country's labor unions are well organized and have the right to strike, though the labor code limits public sector strikes.

The judiciary, broadly undermined by the corruption afflicting all state institutions, is headed by the Supreme Court, the Constitutional Court, and the TSE, all of which were weakened by the political clashes of 2007. After the political crisis of 2005, a special commission mandated by the legislature began appointing Supreme Court judges according to a merit-based system. The new arrangement was considered relatively effective. The Constitutional Court and the TSE, however, are considered to be politicized bodies.

A new criminal code in 2001 replaced the civil law, inquisitorial system with as-

pects of a common-law, adversarial system, including jury trials and oral testimony. However, judicial processes remain slow; in late 2007, several thousand inmates reached the time limit for pretrial detention. Congress resolved the issue through a technical fix that kept most inmates in jail. Torture and ill-treatment of detainees and prisoners remain widespread.

Correa's first defense minister, Guadalupe Larriva, died in a helicopter crash in January 2007, causing controversy throughout the year as her family claimed that the ensuing investigation was insufficient. Her replacement, Lorena Escudero, resigned in August after allegedly clashing with high officials in the armed forces. Separately, Correa vowed that the United States would be forced to leave its base at Manta when the lease expired in 2009. Police courts that are neither impartial nor independent continue to try members of security forces accused of human rights violations.

More frequent cross-border incursions by both Colombian guerrillas and Colombian soldiers in recent years have exacerbated the effects of Colombia's civil war on public safety in Ecuador. In 2007, in recognition of the poor living conditions of hundreds of thousands of Colombian refugees, Correa presented an ambitious plan to provide greater spending on services to refugees in Ecuador. However, Defense Minister Wellington Sandoval's claim that Colombia lacked control of its side of the border increased bilateral tensions in November.

Despite their significant political influence, indigenous people continue to suffer discrimination at many levels of society. In the Amazon region, home to much of the country's natural wealth, indigenous groups have attempted to win a share of oil revenues and a voice in natural-resources and development decisions. Although the government tends to consult indigenous communities on natural-resources matters, their wishes are not always granted. Indigenous activists frequently report threats and violence against them by police, soldiers, and private security forces.

Women hold 45 of 130 seats in the constituent assembly. Violence against women is common, particularly in indigenous areas, where victims are reluctant to speak out against other members of their community. Abortion is legal only if pregnancy threatens the woman's life or health, and in cases of rape if the victim is mentally handicapped or insane. A 1987 law granted women the same rights as men with regard to divorce, property distribution, and inheritance, implementing provisions of the 1978 constitution that require equal rights for both sexes.

## ↓ Egypt

**Population:** 73,400,000

**Capital:** Cairo

**Political Rights:** 6

**Civil Liberties:** 5

**Status:** Not Free



**Trend Arrow:** Egypt received a downward trend arrow due to its suppression of journalists' freedom of expression, repression of opposition groups, and the passage of constitutional amendments that hinder the judiciary's ability to balance against executive excess.

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

1998	1999	2000	2001	2002	2003	2004	2005	2006	2007
6,6NF	6,5NF	6,5NF	6,6NF	6,6NF	6,6NF	6,5NF	6,5NF	6,5NF	6,5NF

**Overview:** Egyptians voted in 2007 for constitutional amendments that many warned would enshrine aspects of the Emergency Law and curtail political rights and civil liberties. Also during the year, opposition groups, particularly the Muslim Brotherhood, faced a renewed government crackdown on their activities. Journalistic freedom was set back when several high-profile editors were arrested for publishing information on President Hosni Mubarak's ill health.

Egypt formally gained independence from Britain in 1922 and acquired full sovereignty following World War II. After leading a coup that overthrew the monarchy in 1952, Colonel Gamel Abdel Nasser established a state centered on the military hierarchy that he ruled until his death in 1970. The constitution adopted in 1971 under his successor, Anwar al-Sadat, established a strong presidential political system with nominal guarantees for political and civil rights that were not fully respected in practice. Sadat signed a peace treaty with Israel in 1979 and built a strong alliance with the United States, which has provided the Egyptian government with roughly \$2 billion in aid annually for the last quarter-century.

Following Sadat's assassination in 1981, then vice president Hosni Mubarak became president and declared a state of emergency, which has been in force ever since. Despite abundant foreign aid, the government failed to implement comprehensive economic reforms. A substantial deterioration in living conditions and the lack of a political outlet for many Egyptians fueled an Islamist insurgency in the early 1990s. The authorities responded by jailing thousands of suspected militants without charge and cracked down heavily on political dissent. Although the armed infrastructure of Islamist groups had been largely eradicated by 1998, the government continued to restrict political and civil liberties as it struggled to address Egypt's dire socioeconomic problems.



High levels of economic growth in the late 1990s temporarily alleviated these problems, but the country experienced an economic slowdown after the 2001 terrorist attacks in the United States. Popular disaffection with the government spread palpably, and antiwar protests during the U.S.-led invasion of Iraq in 2003 quickly evolved into antigovernment demonstrations, sparking a harsh response by security forces.

The government embarked on a high-profile effort to cast itself as a champion of reform in 2004. Mubarak removed several "old guard" ministers, appointed a new cabinet of younger technocrats, and introduced some economic reforms. However, the awarding of all key economic portfolios to associates of the president's son, Gamal Mubarak, raised concerns that the changes were simply preparations for a hereditary transition.

Meanwhile, a consensus emerged among leftist, liberal, and Islamist political forces as to the components of desired political reform: direct, multicandidate presidential elections; the abrogation of emergency law; full judicial supervision of elections; the lifting of restrictions on the formation of political parties; and an end to government interference in the operation of nongovernmental organizations (NGOs). The opposition nevertheless remained polarized between unlicensed and licensed political groups, with the latter mostly accepting the regime's decision to put off reform until after the 2005 elections.

In December 2004, Kifaya (Arabic for "enough"), an informal movement encompassing a broad spectrum of secular and Islamist activists, held the first-ever demonstration explicitly calling for Mubarak to step down. Despite a heavy-handed response by security forces, Kifaya persisted with the demonstrations in 2005, leading other opposition groups to do likewise.

While reluctant to crack down decisively on the protests for fear of alienating the West, the government was quick to detain opposition leaders who crossed the line. Authorities arrested and eventually convicted Al-Ghad (Tomorrow) Party chairman Ayman Nour on charges of forging signatures in his party's petition for a license. Almost simultaneously, Mubarak called for a constitutional amendment that would allow Egypt's first multicandidate presidential election. The amendment restricted eligibility to candidates nominated by licensed parties or a substantial bloc of elected officials. Consequently, all major opposition groups denounced the measure and boycotted the referendum that approved it.

The presidential election campaign was characterized by open and contentious public debate as well as an unprecedented assertion of judicial independence. The Judges' Club, a quasi-official syndicate, successfully pressured the authorities to permit more direct (if inadequate) judicial supervision of the voting.

Still, the results were predictably lopsided, with Mubarak winning 88 percent of the vote. Three rounds of legislative elections in November and December 2005 featured a strong showing by the Muslim Brotherhood, which increased its representation in parliament sixfold, but otherwise confirmed the dominance of the ruling National Democratic Party (NDP). Voter turnout was low, and violent attacks on opposition voters by security forces and progovernment thugs abounded. Judges criticized the government for failing to prevent voter intimidation and refused to certify the election results, prompting authorities to suppress judicial independence in 2006.

Egypt that year experienced a surge in terrorist violence, leading some analysts

to declare the return of Islamist militant activity after a seven-year lull. In April 2006, three bombs exploded simultaneously in the Sinai resort of Dahab, killing at least 23 people.

The government postponed the 2006 municipal elections until 2008. Mubarak argued that time was needed for reforms to make the process more democratic and grant the municipal councils greater powers. In reality, the government feared that another strong showing by the Muslim Brotherhood would affect the next presidential election in 2011. After giving it some leeway in 2005-06, the authorities in 2007 renewed their crackdown on the Brotherhood, arresting prominent members, freezing its assets, and limiting its participation in June elections for the Shura Council. The group failed to win any seats on the Council. The government also rejected Ayman Nour's bid to be released for health reasons. Despite this fresh repression of the opposition, a new political party, the Democratic Front, was formed in 2007 by Osama al-Ghazali Harb, a former member of the NDP.

In March 2007, a set of 34 constitutional amendments were submitted to a national vote. Official reports stated that only 25 percent of eligible voters participated, with 76 percent of those approving the proposals, but independent monitors put the turnout closer to 5 percent. Opposition leaders boycotted the referendum on the grounds that the amendments would limit judicial monitoring of elections and prohibit the formation of political parties based on religious principles. The Judges' Club accused the government of ballot stuffing and vote buying. The Shura Council elections that June were similarly marred by irregularities.

Also in 2007, Egyptian newspapers reported on the ill health and possible death of President Mubarak, prompting the government to arrest a number of well-known editors for publishing "false reports insulting the president and harming the symbols of the ruling party."

Economic reform continued steadily in 2007. The World Bank ranked Egypt number 1 out of 155 countries for trade-policy reforms. It was also one of the top 10 economic reformers in the World Bank's Doing Business survey. However, the continued growth of the informal economic sector, which represents an estimated 35 percent of gross domestic product, is a barrier to future economic growth and reform. Inflation reached an estimated 12 percent in 2007, and the price of bread increased over 25 percent. There have been a number of public protests over the lack of government services, particularly the delivery of water. Despite Egypt's poor human rights record over the decades, in 2007 it was elected to the UN Human Rights Council.

**Political Rights and Civil Liberties:** Egypt is not an electoral democracy. The process of electing the president, who serves unlimited six-year terms and appoints the prime minister, cabinet, and all 26 provincial governors, is not fully competitive. Article 76 of the constitution, as amended in May 2005, requires that prospective presidential candidates either sit on the executive board of a political party controlling at least 5 percent of the seats in both houses of parliament or secure the support of 250 members of parliament and municipal councils.

The 454-seat People's Assembly (Majlis al-Sha'b), or lower house of parliament, exercises only limited influence on government policy, as the executive initiates al-

most all legislation. Ten of its members are appointed by the president, and the remainder are popularly elected to five-year terms. The 264-seat upper house, the Consultative, or Shura, Council (Majlis al-Shura), functions only in an advisory capacity. The president appoints 88 of its members; the rest are elected to six-year terms, with half coming up for election every three years. As a result of government restrictions on the licensing of political parties, state control over television and radio stations, and systemic irregularities in the electoral process, legislative elections do not meet international standards. Owing mainly to closer judicial supervision of the polls, presidential and parliamentary elections in 2005 witnessed fewer allegations of massive fraud than preceding polls, but there were widespread irregularities in both, and international monitors were prohibited.

The recent constitutional amendments of 2007 now allow citizens to form political parties "in accordance with the law," but no party can be based on religion, gender, or ethnic origin. Previously, new parties required the approval of an NDP-controlled body linked to the Shura Council. Religious parties have long been banned, but members of the Muslim Brotherhood have competed as independents. Also under the new rules, a party must have been established and continuously operating as a party for at least five consecutive years and occupying at least 5 percent of the seats in parliament in order to nominate a presidential candidate. Another constitutional amendment in 2007 established an electoral commission to oversee all elections by forming general committees consisting of members of the judiciary. However, judicial independence remains weak, and the continuation of the Emergency Law undermines any formal enhancement of democratic rights and institutions.

The June 2007 Shura Council elections put the new constitutional amendments into practice. Police detained a number of Muslim Brotherhood members on election day, including six candidates, for violating the ban on religious parties. Observers also reported that only NDP supporters were allowed to enter many polling stations. Clashes outside one polling station resulted in the death of an opposition supporter. Egyptian newspapers also reported that NDP-affiliated election observers received bribes to promote NDP candidates.

The Muslim Brotherhood faced a severe crackdown on its activities and numerous arrests of its members in 2007. Human Rights Watch collected the names of 1,000 Muslim Brotherhood members who were arrested between March 2006 and March 2007, and claimed that 223 Muslim Brothers were still in detention as of May 2007. Many of the detentions followed the announcement of the Brotherhood's new political platform. Essam al-Erian, a prominent Brotherhood member and spokesman, was one of those arrested. In May 2007, Sabri Amer and Ragab Abu Zeid, two members of parliament associated with the Muslim Brotherhood, were stripped of their immunity. As of August 2007, 40 high-profile Brotherhood members, including deputy leader Khairat al-Shatir, had been charged with terrorism and money laundering. Al Shatir was detained in December 2006 in a predawn raid along with several students from al Azhar University. Egyptian courts froze the assets of 29 Brotherhood financiers in February 2007 and put them on trial for financing terrorism. President Hosni Mubarak then ordered the transfer of all 40 Muslim Brotherhood cases to military court, where they are still being prosecuted.

Corruption in Egypt is pervasive. Investors frequently complain that bribery is necessary to overcome bureaucratic obstacles to doing business. Some form of

payment or influence, known as *wasta*, is needed to get virtually anything done—from expediting paperwork to finding employment or obtaining seats in parliament. Newspapers have increased their reporting on high-profile corruption cases, but small, daily acts of corruption are a part of every Egyptian's life. In 2006, the opposition Kifaya movement published an extensive report on corruption, concluding that the problem was hampering Egypt's economic, social, and political development. Egypt was ranked 105 out of 180 countries surveyed in Transparency International's 2007 Corruption Perceptions Index.

Freedom of expression is restricted by vaguely worded statutes criminalizing direct criticism of the president, the military, and foreign heads of state, as well as speech that is un-Islamic, libelous, harmful to the country's reputation, or disruptive to sectarian coexistence. The government passed a new press law in July 2006 that abolished custodial sentences for libel, but also increased the fines that could be imposed. Journalists and human rights groups say the bill puts new limits on press freedom because it allows judges to determine whether imprisonment is appropriate for related offenses other than libel.

The government encourages legal political parties to publish newspapers, but restricts the licensing of nonpartisan newspapers and exercises influence over all privately owned publications through its monopoly on printing and distribution. The three leading daily newspapers are state controlled, and their editors are appointed by the president. Foreign publications and Egyptian publications registered abroad are subject to direct government censorship. Independent newspapers were allowed to open in 2005, but limitations on press freedom still abound, especially when reporters attempt to cover issues the government does not want to highlight.

In 2007, several prominent newspaper editors were arrested for publishing reports on the ill health of President Mubarak and editorials demanding more information from the government. In September, four editors—Ibrahim Issa of *Al-Dustour*, Adel Hamouda of *Al-Fajr*, Wael al-Abrashi of *Sawtal-Umma*, and Abdul Halim Qandil of *Al-Karama*—were convicted of "insulting the president" and publishing false reports harming the ruling party; they were sentenced to a year in prison. The conviction of such well-respected editors was a shock to the journalistic community. Mohamed Sayyed Said, editor of *Al-Badil*, was tried for the same offenses. The government also used the state-run press to insult newspapers that reported on Mubarak's ill health. As a result, 22 newspapers went on strike in October 2007.

The government owns and operates all terrestrial broadcast television stations. Although several private satellite television stations have been established, their owners have ties to the government, and their programming is subject to state influence. Films, plays, and books are subject to censorship, especially on grounds of containing information that is "not in accordance with the principles of Islam" or harmful to the country's reputation. A number of books and movies have been banned based on the advice of the country's senior clerics. In 2007, the authorities detained Mohamed al-Darini, a leader of Egypt's small Shiite Muslim community, for promoting his 2006 book about being tortured while in detention.

The government does not significantly restrict or monitor internet use, but publication of material on the internet is subject to the same statutes as the regular press. The Muslim Brotherhood claimed that the government continued to pressure the country's main internet service providers to block access to its website. Blogger

Abdul Monem Mahmood was arrested in April 2007 for belonging to the Brotherhood and defaming the government. He was released after 45 days in detention. Another blogger, Abdel Kareem Nabil Suleiman, was sentenced to four years in jail for "inciting hatred of Islam" and insulting the president; he had been arrested in 2006. His case was the first instance of a blogger being formally prosecuted for internet activities.

Islam is the state religion. The government appoints the staff of registered mosques and attempts to closely monitor the content of sermons in thousands of small, unauthorized mosques. Most Egyptians are Sunni Muslims, but Coptic Christians comprise a substantial minority and there are small numbers of Jews, Shiite Muslims, and Baha'is. Although non-Muslims are generally able to worship freely, religious expression considered deviant or insulting to Islam is subject to prosecution. Egyptian law does not recognize conversion from Islam to other religions, though Ali Gomaa, Egypt's grand mufti, said in July 2007 that conversion from Islam deserves "no worldly punishment" after an Egyptian court ruled that a group of Coptic converts to Islam could revert back to their original faith without penalty. Allegations of conversion sparked clashes between Muslims and Copts in 2007.

Anti-Christian employment discrimination is evident in the public sector, especially the security services and military. The government frequently denies or delays permission to build and repair churches. Muslim extremists have carried out several killings of Coptic villagers and frequent attacks on Coptic homes, businesses, and churches in recent years. In February 2007, clashes broke out between Muslims and Copts in Upper Egypt, leading security services to declare a state of siege in the town of Armant, when a number of stores owned by Copts were burned after allegations of a relationship between a Coptic woman and a Muslim man. Members of the Baha'i faith continue to be denied a range of civil documents, including identity cards, birth certificates, and marriage licenses.

Anti-Shiite sentiment is also on the rise, with many accusing the government of targeting Shiite figures including al-Darini and Ahmad Sobh of the Imam Ali Human Rights Center.

Academic freedom is limited in Egypt. Senior university administrators are appointed by the government, and the security services reportedly influence academic appointments and curriculum on sensitive topics. University professors and students have been prosecuted for political and human rights advocacy outside of the classroom, and dozens of students were punished in 2007 for participating in the Free Student Union. The authorities arbitrarily block dissidents from leaving the country to attend high-profile academic events abroad.

Freedoms of assembly and association are heavily restricted. Organizers of public demonstrations must receive advance approval from the Interior Ministry, which is rarely granted. The Emergency Law allows arrest for innocuous acts such as insulting the president, blocking traffic, or distributing leaflets and posters. The government in 2007 banned the annual Muslim Brotherhood gathering as part of its renewed crackdown on the group.

The Law of Associations prohibits the establishment of groups "threatening national unity [or] violating public morals," bars NGOs from receiving foreign grants without the approval of the Social Affairs Ministry, requires members of NGO governing boards to be approved by the ministry, and allows the ministry to dissolve

NGOs without a judicial order. Security services have rejected registrations, decided who could serve on boards of directors, harassed activists, and intercepted donations. In September 2007, the government used the associations law to shut down the Association for Human Rights Legal Aid, saying it had received foreign funding without permission.

The 2003 Unified Labor Law limits the right to strike to "nonstrategic" industries and requires workers to obtain approval for a strike from the government-controlled Egyptian Trade Union Federation, the only legal labor federation. There were a number of strikes by labor organizations, especially in the textiles industry, accompanied by a heavy handed government response in 2007. The Mahala Weaving Company staged a strike and sit-in in September. Additional spinning companies joined the strike when promises to redistribute annual profits did not materialize. Other industries also joined the stoppage, including real estate tax collectors, minibus drivers, and telephone workers. Labor unions were closed down as a result of the spreading labor unrest.

The Supreme Judicial Council, a supervisory body of senior judges, nominates and assigns most judges. However, the Justice Ministry controls promotions and compensation packages, giving it undue influence over the judiciary. A new Judicial Authority Law was passed in July 2006 that offered some concessions to judicial independence but fell short of the reforms advocated by the Judges' Club.

In May 2007 the official retirement age for judges was raised to 70 from 68. The Judges' Club argued that the government was simply trying to keep longtime NDP partisans in key positions, but said it would abide by the decision. Many judges also argued against the constitutional amendment establishing an elections commission as currently written, saying it would place limits on independent judicial monitoring of elections.

Egypt remains subject to the Emergency Law, invoked in 1981 and renewed most recently in April 2006 despite Mubarak's 2005 promise that it would be replaced with specific antiterrorism legislation. Under the Emergency Law, security cases are usually placed under the jurisdiction of exceptional courts that are controlled by the executive branch and deny defendants many constitutional protections. The special courts issue verdicts that cannot be appealed and are subject to ratification by the president. Although judges in these courts are usually selected from the civilian judiciary, they are appointed directly by the president. Arrested political activists are often tried under the Emergency Law. The recently approved amendments to the constitution essentially enshrine many controversial aspects of the Emergency Law, such as the president's authority to transfer civilians suspected of terrorism to military courts.

Since military judges are appointed by the executive branch to renewable two-year terms, these tribunals lack independence. Verdicts by military courts are often handed down on the basis of little more than the testimony of security officers and informers, and are subject to review only by a body of military judges and the president. In 2007, legislation was passed that allows for limited appeal for military court decisions. Opposition figures denounced it as an inadequate attempt to bolster the rights guarantees of the new constitutional amendments.

The Emergency Law restricts many other basic rights. It empowers the government to tap telephones, intercept mail, search persons and places without warrants, and indefinitely detain without charge suspects deemed a threat to national security.

The Egyptian Organization for Human Rights (EOHR) reports that as many as 16,000 people are detained without charge for security-related offenses, and thousands have been convicted and are serving sentences. Conditions in Egyptian prisons are very poor; prisoners are subject to overcrowding, abuse, torture, and a lack of sanitation, hygiene, and medical care. In 2002, the UN Committee against Torture concluded that there is "widespread evidence of torture and ill-treatment" of suspects by the State Security Intelligence agency. Torture is not reserved for political dissidents, but is routinely used to extract information and punish petty criminals. Incidents of police torture and mistreatment garnered a great deal of attention in 2007, including the case of a 12-year-old boy accused of burglary who died after being beaten and tortured by police. Other high-profile incidents involved a bus driver who was tortured and raped while in custody, and a man who was burned alive in a police station in Siwa. In some cases, suspects' family members were tortured to extract confessions. EOHR detailed over 26 publicly known torture cases, but many are believed to go unreported. Meanwhile, the government has dismissed the public cases as isolated incidents, and security services have punished journalists for covering the issue. In January 2007, reporter Howaida Taha was detained while producing a documentary on police torture and charged with "harming the national interests of the country." She was sentenced to six months in prison.

Tensions between the government and the Bedouin community in the Sinai mounted in 2007. In July and September, hundreds of Bedouin protested publicly against the government's neglect and unfair security practices. They demanded the release of detained members of their community after a wave of arrests associated with the resort bombings of 2006. During the July protests, a boy was shot by the security services as they clashed with demonstrators.

Although the constitution provides for equality of the sexes, some aspects of the law and many traditional practices discriminate against women. Unmarried women under the age of 21 need permission from their fathers to obtain passports. A Muslim heiress receives half the amount of a male heir's inheritance, though Christians are not subject to such provisions of Islamic law. Domestic violence is common, and marital rape is not illegal. Job discrimination is evident even in the civil service. However, in 2007 the government appointed 31 female judges despite protestations from conservative Muslim groups. The law provides for equal access to education, but the adult literacy rate of women lags well behind that of men (34 percent and 63 percent, respectively). Female genital mutilation is practiced despite government efforts to eradicate it.

## El Salvador

Population: 6,900,000  
Capital: San Salvador

Political Rights: 2  
Civil Liberties: 3  
Status: Free



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

1998	1999	2000	2001	2002	2003	2004	2005	2006	2007
2,3F	2,3F	2,3F	2,3F	2,3F	2,3F	2,3F	2,3F	2,3F	2,3F

**Overview:**                    **The implementation of a new antiterrorism law drew criticism from human rights defenders in 2007, especially after the arrest of 13 protesters and a journalist on terrorism charges in July. The government reported favorable economic growth during the year, but persistent poverty continued to fuel crime and outward migration.**

El Salvador gained independence from Spain in 1821 and broke away from a Central American federation in 1841. A republican political system dominated by the landowning elite, and subject to foreign interference, gave way to military rule in the mid-20th century. The country endured a civil war from 1979 to 1992 that left more than 75,000 people dead and 500,000 displaced. During the war—which pitted the right-wing military government against Marxist guerrillas led by the Farabundo Marti National Liberation Front (FMLN)—paramilitary death squads terrorized the capital and other urban centers.

The National Republican Alliance (ARENA) has held the presidency since 1989. The current president, Elias Antonio "Tony" Saca Gonzalez, is the third elected since the end of the civil war. The March 2004 presidential election was relatively peaceful and free of major irregularities, despite threats of violence and intervention from both within the country and abroad. Saca won with 58 percent of the vote, while Shafik Handal of the FMLN—which had evolved into an opposition political party after the war—received 36 percent.

Handal, the FMLN's legendary leader, died of a heart attack in January 2006, but the event did not appear to affect the outcome of legislative and municipal elections that March. ARENA won 34 of 84 seats in the Legislative Assembly, up from 27 in 2003. The FMLN placed second with 32 seats, the National Conciliation Party (PCN) captured 10, the Christian Democratic Party (PDC) won 6, and the Democratic Convergence party took 2.

In 2007, the conservative ARENA and PCN, responding to the rise of the left in neighboring Nicaragua and other Latin American countries, began to build an alliance aimed at blocking the FMLN from taking power in the 2009 elections. The Supreme Electoral Tribunal in June scheduled the presidential contest for March 2009 and other elections—legislative, municipal, and for the Central American Parliament—for January 2009. In late September 2007, the FMLN chose



Mauricio Funes, a prominent journalist and a longtime FMLN leader, as its presidential candidate.

El Salvador's murder rate dropped slightly in 2007, with an average of 10 murders per day; this is nearly one victim less per day than in 2006. According to the Institute of Legal Medicine, the total number of murders committed in 2007 was 3,491. The murder rate in 2005 was 10.4 per day, for a total of 3,802, and the 2006 rate was 10.8 per day, for a total of 3,928. El Salvador suffers roughly 68 homicides for every 100,000 inhabitants; the World Health Organization considers rates higher than 10 per 100,000 to be an epidemic. Most murders in El Salvador are committed with firearms and target young men, although the proportion of female victims rose to 13 percent in 2007, from 10 percent the year before. Crime has affected commerce as well as individuals, and businesses are subject to regular extortion by organized criminal groups.

Saca's administration has claimed that street gangs (*maras*), with an estimated 100,000 members and associates, are behind the country's crime wave. The forced repatriation of hundreds of Salvadorans with criminal records from the United States has contributed to the problem and reflects the international reach of major gangs like Mara Salvatrucha (also known as MS-13), which has members in other Central American countries as well as the United States. The government has responded with round-ups of suspected members and crackdowns on the display of gang symbols. Unofficial death squads and vigilantes, allegedly linked to the police and army, have also emerged to combat the gangs with extrajudicial killings.

The Central American Free Trade Agreement (CAFTA-DR), which lowered trade barriers between five Central American countries, the Dominican Republic, and the United States, took effect in March 2006. However, the increased foreign investment and job creation predicted by the Saca administration remains to be seen. In 2007, the administration announced gross domestic product growth of 4.2 percent, but the expansion has not been felt by the majority of Salvadoran households. The United Nations Development Programme (UNDP) estimates that half of all Salvadorans live in poverty, and 70 percent of the potential workforce is either underemployed or unemployed.

Poor economic conditions and a recent series of natural disasters have spurred further mass emigration from El Salvador, which began during the civil war. Between 13 and 40 percent of all Salvadorans live outside the country, particularly in the United States. According to the Inter-American Development Bank, the migrants sent nearly \$3.32 billion in remittances to El Salvador in 2006, but mounting deportations from the United States threaten to reduce this income.

**Political Rights and Civil Liberties:** El Salvador is an electoral democracy. The 2006 legislative and 2004 presidential elections were deemed free and fair.

The constitution provides for a president elected for a five-year term and an 84-member, unicameral Legislative Assembly, elected for three years. The two largest political parties are the conservative ARENA and the FMLN, formerly a left-wing guerrilla organization. Other parties include the PCN, the PDC, and Democratic Convergence.

Corruption is regarded as a serious problem throughout government. In 2006, the legislature approved an Ethics Law designed to combat corruption in the public

sector, but critics, including Governance Commissioner Gloria Salguero Gross, stressed that the law needed to be strengthened with an access-to-information component. El Salvador was ranked 67 out of 180 countries surveyed in Transparency International's 2007 Corruption Perceptions Index.

The Salvadoran constitution provides for freedom of speech and of the press, and these rights are generally respected in practice. The media are privately owned, but ownership is confined to a small group of powerful businesspeople who often impose controls on reporters to protect their political or economic interests. In 2007, the FMLN accused the newspaper *Prensa Grafica* of obstructing freedom of expression when it refused to print an advertisement criticizing the government. There are five newspapers with a combined daily circulation of about 250,000. One government and five private television networks reach most of the country. However, TeleCorporacion Salvadoreno (TCS), which is openly aligned with ARENA, owns three of those networks and dominates the country's ratings. Reporters are subject to criminal defamation laws, and judges can close legal proceedings to the media on national security grounds. In 2003, the Legislative Assembly exempted journalists from having to reveal their sources if ordered to testify in a court case. At least 14 reporters were assaulted in July 2006, either by protesters or police, while covering street demonstrations. In July 2007, journalist Maria Haydee Chicas was arrested while filming a demonstration in Suchitoto. Some reporters have been accused of using their status for personal and family gain, raising ethical concerns. There is unrestricted access to the internet, and the government and private organizations have worked to extend internet access to the poor.

The government does not encroach on religious freedom. Academic freedom is respected.

Freedoms of assembly and association are generally upheld by the authorities, but a vaguely worded antiterrorism law passed in late 2006 has raised concerns about a possible return to repressive practices. Police arrested 14 people on terrorism charges during the July 2007 protest in Suchitoto against the privatization of water services. In addition to the journalist, Chicas, the detainees included the leaders of local labor unions and community activist groups. The president later proposed increasing the punishment for disorderly conduct during demonstrations to 15 years in prison, drawing public criticism in light of the government's perceived failure to tackle more serious crimes. Opponents fear that the antiterrorism law and disorderly conduct proposal are aimed at repressing left-leaning social movements as the left gains ground in the wider region.

El Salvador is home to a wide array of nongovernmental organizations (NGOs) that generally operate without government restrictions, but some NGOs have reported difficulties in registering with the government. Labor unions have long faced obstacles in a legal environment that has traditionally favored business interests. Under pressure from the European Union, El Salvador ratified International Labor Organization conventions 87, 98, 135, and 151 in August 2006. However, many activists have voiced doubts as to whether these historic protections would be enforced in practice.

The ineffectual and corrupt judicial system continues to promote impunity, especially for the well connected. Members of the National Security Commission estimate that 95 percent of crimes against life go unpunished, and the UNDP reports

that less than 20 percent of homicide cases reach the courts. The World Bank-financed Judicial Modernization Project began in 2006, with the goal of enhancing the judicial system's effectiveness and credibility through a system of monitoring and evaluation. The project is slated to last until 2008.

The Office of the Human Rights Ombudsman, who is elected by the National Assembly for a three-year term, was created by the 1992 peace accords. While human rights abuses have declined steadily since the end of the war, civil liberties are still limited by sporadic political violence, repressive police measures, and the activities of "social cleansing" vigilante groups. President Elias Antonio Saca Gonzalez, like other Central American leaders, has continued to use "iron fist" (*mano duro*) tactics against the country's powerful gangs, including house-to-house sweeps by the police and military. However, judges have often refused to approve warrants for such wide searches.

Beyond the gang-related violence, law enforcement officials have been criticized for brutality, corruption, arbitrary arrest, and lengthy pretrial detention. In 2007, the National Civil Police reported evidence that some officers were moonlighting as hired assassins. El Salvador's prison population has increased by 50 percent over the past three years, and the total represents 174 percent of available bed spaces. It is estimated that about half of the inmates are awaiting trial. Thousands of prisoners launched a hunger strike in 2005 to protest torture and denial of food, medical care, and family visits.

Salvadoran law, including a 1993 general amnesty, bars prosecution of crimes and human rights violations committed during the civil war. In 2006, the Inter-American Court of Human Rights chastised the government for failing to fully comply with its 2005 order to investigate the 1981 massacre of more than 500 people by government troops in the village of El Mozote. Saca had denounced the investigation, saying it could disrupt the country's peace. Some NGOs have begun addressing wartime human rights violations such as the disappearance of children, and many rebuke the authorities for refusing to support such efforts.

There are three different indigenous groups in El Salvador: Nahua-Pipiles, Lencas, and Cacaoperas. However, much of the indigenous population has been assimilated into Spanish culture. There are no national laws regarding indigenous rights. According to the U.S. State Department's 2007 human rights report, access to land and credit remain problems for indigenous peoples.

While women are granted equal rights under family and property law, they are occasionally discriminated against in practice; women also suffer discrimination in employment. Child labor and human trafficking for purposes of prostitution are serious problems in the country. One 2007 estimate held that up to a third of the workers on the country's sugarcane plantations were under the age of 18. Violence against women and children is widespread and common.

## Equatorial Guinea

**Population:** 500,000

**Capital:** Malabo

**Political Rights:** 7

**Civil Liberties:** 6

**Status:** Not Free



### Ten-Year Ratings Timeline For Year Under Review

(Political Rights, Civil Liberties, Status)

1998	1999	2000	2001	2002	2003	2004	2005	2006	2007
7,7NF	7,7NF	7,7NF	6,6NF	7,6NF	7,6NF	7,6NF	7,6NF	7,6NF	7,6NF

### Overview:

**Equatorial Guinea signed a series of new oil contracts in October 2007, continuing to reap huge profits from its natural resources even as the majority of its citizens remained mired in poverty. Meanwhile, President Teodoro Obiang Nguema Mbasogo maintained his stranglehold on power in a country with one of the worst human rights records in Africa.**

Equatorial Guinea achieved independence from Spain in 1968 and has since been one of the world's most tightly closed and repressive societies. Current president Teodoro Obiang Nguema Mbasogo seized power in 1979 by deposing and murdering his uncle, Francisco Macias Nguema. Pressure from donor countries forced Obiang to legalize a multiparty system in 1992, though he and his clique continued to control political power.

Obiang won the 1996 presidential election amid official intimidation, a boycott by the political opposition, and very low voter turnout. The ruling Democratic Party of Equatorial Guinea (PDGE) won 75 of 80 seats in similarly flawed parliamentary elections in 1999. The president secured another seven-year term with 99.5 percent of the vote in 2002, after four opposition challengers withdrew to protest fraud and irregularities. Following the election, Obiang formed a "government of national unity" that included eight smaller parties, but key portfolios were held by presidential relatives and loyalists. The PDGE won 68 of 100 seats in 2004 parliamentary elections, with allied parties taking 30. The opposition Convergence for Social Democracy (CPDS) won the remaining 2 seats.

An apparent coup attempt involving foreign mercenaries was foiled in March 2004 with the arrests of 19 men in Equatorial Guinea and 70 others in Zimbabwe. A crackdown on foreigners ensued, and hundreds of immigrants were deported or fled. The government accused three men of plotting the coup: Severo Moto, an opposition figure living in exile in Spain; South African financier and oil broker Eli Calil; and Sir Mark Thatcher, son of former British prime minister Margaret Thatcher. Tried in a South African court, Thatcher testified as part of a plea bargain that he had unwittingly helped bankroll the coup attempt. Moto and eight of his political allies were tried in absentia and convicted of treason. A separate group of 19 Equatorial Guineans

accused of involvement in an October 2004 coup attempt were tried in Malabo and received sentences of up to 30 years in prison in September 2005.

Amnesty International expressed concern over the likely use of torture in extracting confessions from the defendants in Malabo, particularly in the case of a German suspect who died in custody. In 2005, Obiang granted amnesty to six Armenian pilots convicted of involvement in the mercenaries' coup. Under international pressure, he freed several South Africans citizens in the group as part of a larger clemency granted to 41 political prisoners in June 2006. Obiang has pledged to free all political prisoners but has not done so to date.

Equatorial Guinea is Africa's third-largest oil producer, and its energy sector has drawn billions of dollars in foreign investment from the United States, China, and other countries. In October 2007, contracts to develop seven new oil blocks were awarded to groups including the South African oil and gas company Ophir, India's Oil and Natural Gas Corporation, the Nigerian National Petroleum Corporation, and Swiss-based Glencore. Equatorial Guinea's surging oil revenues have yet to reach the majority of the population, which continues to suffer from poverty, very low literacy rates, and lack of access to clean water. Health-care facilities are basic in urban areas and virtually nonexistent in rural areas. Equatorial Guinea ranked 127 out of 177 countries on the UN Development Programme's 2007 Human Development Index.

**Political Rights and Civil Liberties:** Equatorial Guinea is not an electoral democracy. The country has never held a credible election. President Teodoro Obiang Nguema Mbasogo, whose current seven-year term will end in 2009, holds broad powers and limits public participation in the policy-making process. The 100 members of the unicameral House of People's Representatives are elected to five-year terms but wield little power, and 98 of the seats are held by the ruling PDGE and allied parties. The activities of the few opposition parties, in particular the CPDS, are closely monitored by the government. A clan network linked to the president underlies the formal political structure and plays a major role in decision making.

Equatorial Guinea is considered one of the most corrupt countries in the world. Obiang and members of his inner circle and clan continue to amass huge personal profits from the oil windfall. The president has argued that information on oil revenues is a "state secret," resisting calls for transparency and accountability. Equatorial Guinea was ranked 168 out of 180 countries surveyed in Transparency International's 2007 Corruption Perceptions Index.

Although the constitution guarantees press freedom, the 1992 press law authorizes government censorship of all publications. A few private newspapers and underground pamphlets are published irregularly, but they face financial and political pressure. Libel remains a criminal offense, and all journalists are required to register with the government. The state holds a monopoly on broadcast media except for RTV-Asonga, a private radio and television outlet owned by the president's son, Teodorino Obiang Nguema. Satellite television is increasingly popular, and Radio Exterior, Spain's international shortwave service, is listened to widely. Equatorial Guinea's only internet service provider is state affiliated, and the government reportedly monitors internet communications.

The constitution protects religious freedom, and government respect for freedom of individual religious practice has generally improved. Most of the population is Roman Catholic. Although the government does not restrict academic freedom, self-censorship among faculty is common.

Freedoms of assembly and association are severely restricted, and official authorization is mandatory for gatherings deemed political. There are no effective human rights organizations in the country, and the few international nongovernmental organizations are prohibited from promoting or defending human rights. The constitution provides for the right to organize unions, but there are many legal barriers to collective bargaining. While it has ratified key International Labor Organization conventions, the government has refused to register the Equatorial Guinea Trade Union, whose members operate in secret. The country's only legal labor union, the Small Farmers' Syndicate, received legal recognition in 2000.

The judiciary is not independent. Laws on search and seizure—as well as detention—are ignored by security forces, which generally act with impunity. Civil cases rarely go to trial, and military tribunals handle cases tied to national security. Prison conditions, especially in the notorious Black Beach prison, are extremely harsh. The authorities have been accused of widespread human rights abuses, including torture, detention of political opponents, and extrajudicial killings. The UN Human Rights Council's Working Group on Arbitrary Detention cited the country in an October 2007 report for apparently holding detainees in secret, denying detainees access to lawyers, and holding detainees for long periods without charge.

Obiang's Mongomo clan, part of the majority Fang ethnic group, has monopolized political and economic power to the exclusion of other groups. Differences between the Fang and the Bubi are a major source of political tension that has often erupted into violence. Fang vigilante groups have been allowed to abuse Bubi citizens with impunity.

All citizens are required to obtain exit visas to travel abroad, and some members of opposition parties have been denied such visas. Those who do travel abroad are sometimes subjected to interrogation on their return.

Constitutional and legal guarantees of equality for women are largely ignored, and violence against women is reportedly widespread. Traditional practices including primogeniture and polygamy discriminate against women. Abortion is permitted to preserve the health of the mother, but only with spousal or parental authorization.

## Eritrea

**Population:** 4,900,000

**Capital:** Asmara

**Political Rights:** 7

**Civil Liberties:** 6

**Status:** Not Free



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

1998	1999	2000	2001	2002	2003	2004	2005	2006	2007
6,4PF	7,5NF	7,5NF	7,6NF	7,6NF	7,6NF	7,6NF	7,6NF	7,6NF	7,6NF

### Overview:

**The government of Eritrea continued its long-standing suppression of democratic and human rights in 2007, and a group of independent journalists imprisoned in 2001 remained behind bars. There was no movement toward developing pluralist political institutions during the year. Eritrea maintained its activist foreign policy in the region, which has included conflict with Ethiopia, support for antigovernment forces in Somalia, tension with Yemen, and involvement in Sudanese civil conflicts.**

Britain ended Italian colonial rule in Eritrea during World War II, and the country was formally incorporated into Ethiopia in 1952. Its independence struggle began in 1962 as a nationalist and Marxist guerrilla war against the Ethiopian government of Emperor Haile Selassie. The seizure of power in Ethiopia by a Marxist junta in 1974 removed the ideological basis of the conflict, and by the time Eritrea finally defeated Ethiopia's northern armies in 1991, the Eritrean People's Liberation Front (EPLF) had discarded Marxism. Internationally recognized independence was achieved in May 1993 after a referendum supervised by the United Nations produced a landslide vote for statehood.

War with Ethiopia broke out again in 1998. In May 2000, an Ethiopian military offensive made significant territorial gains. The two sides signed a truce in June 2000, and a peace treaty was signed that December. The agreement provided for a UN-led buffer force to be installed along the Eritrean side of the contested border and stipulated that further negotiations should determine the final boundary line. The war had dominated the country's political and economic agenda, reflecting the government's habitual use of real or perceived national security threats to generate popular support and political unity.

In May 2001, 15 senior ruling-party members known as the Group of 15, publicly criticized President Isaias Afwerki and called for "the rule of law and for justice, through peaceful and legal ways and means." Eleven members of the dissident group were arrested for treason in September 2001 and remain incarcerated. The small independent media sector was also shut down, and 18 journalists were imprisoned.

The Eritrean government in 2005 clamped down on nongovernmental organizations (NGOs) by withdrawing tax exemptions, increasing registration requirements,

and ordering the U.S. Agency for International Development (USAID) to end its operations in the country. Separately, tensions remained high with Ethiopia, as Eritrea objected to the inconclusive results of international mediation on its long-standing border dispute. It claimed that the Ethiopians were not respecting the 2000 agreement, and the authorities banned UN helicopter flights in Eritrean airspace, restricted UN ground patrols, and expelled some of the peacekeepers.

In 2006, reports emerged that hundreds of followers of various unregistered churches (mostly Protestant) were being detained, harassed, and abused. In 2007, approximately 2,000 individuals remained in detention at year's end because of their religious affiliation, according to the NGO Compass Direct. The government in 2006 also expelled several development NGOs, including Concern Worldwide, Mercy Corps, and Acord. Official suppression of democratic and human rights continued throughout 2007. Especially given evidence of Eritrea's support for Islamist rebels in Somalia, the U.S. government was considering placing Eritrea on its list of state sponsors of terrorism.

The 2006 UN Human Development Index ranked Eritrea at 157 out of 177 countries measured. Per capita gross domestic product (GDP) was \$977. According to a recent study by the Peace and Conflict Review, Eritrea has the world's highest level of per capita military imports as a percentage of GDP.

**Political Rights and Civil Liberties:** Eritrea is not an electoral democracy. Created in February 1994 as a successor to the EPLF, the Popular Front for Democracy and Justice (PFDJ) maintains complete dominance over the country's political life. Instead of moving toward a democratic political system, the PFDJ has taken significant steps backward since the end of the war with Ethiopia. The 2001 crackdown on those calling for greater political pluralism and subsequent repressive steps clearly demonstrate the Eritrean government's authoritarian stance.

In 1994, a 50-member Constitutional Commission was established. A new constitution was adopted in 1997, authorizing "conditional" political pluralism with provisions for a multiparty system. The constitution calls for the 150-seat legislature, the National Assembly, to elect the president from among its members by a majority vote. However, national elections have been postponed indefinitely. Regulations governing political parties have never been enacted, and independent political parties do not exist. In 2004, regional assembly elections were conducted, but they were carefully orchestrated by the PFDJ and offered no real choice.

Eritrea has long maintained a reputation for a relatively low level of corruption. In recent years, however, graft appears to have increased somewhat. Eritrea was ranked 111 out of 180 countries surveyed in Transparency International's 2007 Corruption Perceptions Index.

Government control over all broadcasting outlets and the repression of independent print publications have eliminated the vehicles for dissemination of opposing or alternative views. In its September 2001 crackdown, the government banned all privately owned newspapers while claiming that a parliamentary committee would examine conditions under which they would be permitted to reopen. Journalists arrested in 2001 remain imprisoned, and other journalists have subsequently been arrested. The Committee to Protect Journalists lists Eritrea as one of the five worst



countries for press freedom in the world. Internet use remains limited but growing, with an estimated 100,000 users in 2007 out of a population of nearly five million.

The government places significant limitations on the exercise of religion. It officially recognizes only four faiths—Islam, Orthodox Christianity, Roman Catholicism, and Lutheranism as practiced by the Evangelical Church of Eritrea. Persecution of minority Christian sects has escalated in recent years, particularly against Jehovah's Witnesses, who were stripped of their basic civil rights in 1994, and evangelical and Pentecostal churches. Amnesty International cites Abune Antonios, patriarch of the Eritrean Orthodox Church, as a prisoner of conscience; he has been under house arrest since January 2006. According to Amnesty, members of other minority churches have been jailed and tortured or ill-treated to make them abandon their faith, and about 2,000 are currently imprisoned. Some Muslims have also been targeted. In 2007, the U.S. Department of State renewed its classification of Eritrea as a "country of concern" with regards to its restrictions on religious liberty.

Academic freedom is constrained. High school students are required to comply with a highly unpopular policy of obligatory military service, and they are often stationed at bases far from their homes, such as the training camp in Sawa, in the far western part of the country near the Ethiopian border. The conscription periods can be open-ended, and no conscientious objector clause exists. Freedom of assembly does not exist. The government continues to maintain a hostile attitude toward civil society. Independent NGOs are not allowed, and the legitimate role of human rights defenders is not recognized. In 2005, Eritrea enacted legislation to regulate the operations of all NGOs, requiring them to pay taxes on imported materials, submit project reports every three months, renew their licenses annually, and meet government-established target levels of financial resources. International human rights NGOs are barred from the country, and in 2006 the government expelled three remaining development NGOs.

The civil service, the military, the police, and other essential services have some restrictions on their freedom to form unions. In addition, groups of 20 or more persons seeking to form a union require special approval from the Ministry of Labor. The military conscription of men aged 18 to 45 has also created a scarcity of skilled labor.

A judiciary was formed by decree in 1993. It has never issued rulings significantly at variance with government positions, and constitutional guarantees are often ignored in cases related to state security. The provision of speedy trials is limited by a lack of trained personnel, inadequate funding, and poor infrastructure.

According to Amnesty International and Human Rights Watch, torture, arbitrary detentions, and political arrests are widespread. Religious persecution and ill-treatment of those trying to avoid military service are increasing, and torture is systematically practiced by the army. Prison conditions are poor, and outside monitors such as the International Committee of the Red Cross have been denied access to detainees.

There have been reports of government and societal discrimination against the Kunama, one of the country's nine ethnic groups. Historically, the Kunama, who reside primarily in the west, have resisted attempts to integrate them into the national society.

Official government policy is supportive of free enterprise, and citizens generally have the freedom to choose their employment, establish private businesses, and operate them without government harassment. Critics have alleged that the

system of military conscription constitutes forced labor. In addition, according to the World Bank, Eritrea ranks poorly in terms of regulatory checks on the economy.

Women played important roles in the guerrilla movement, and the government has worked to improve the status of women. In an effort to encourage broader participation by women in politics, the PFDJ in 1997 named 3 women to its executive council and 12 women to its central committee. Women participated in the Constitutional Commission, filling almost half of the positions on the 50-member panel, and hold senior government positions, including minister of justice and minister of labor. Approximately 40 percent of all households are headed by women. Equal educational opportunity, equal pay for equal work, and penalties for domestic violence have been codified. However, traditional societal discrimination against women persists in the largely rural and agricultural country.

## Estonia

**Population:** 1,300,000

**Capital:** Tallinn

**Political Rights:** 1

**Civil Liberties:** 1

**Status:** Free



### Ten-Year Ratings Timeline For Year Under Review

#### Political Rights, Civil Liberties, Status

1998	1999	2000	2001	2002	2003	2004	2005	2006	2007
1,2F	1,2F	1,2F	1,2F	1,2F	1,2F	1,1F	1,1F	1, 1F	1,1F

### Overview:

**The planned relocation of a controversial World War II monument in April 2007 sparked two days of rioting in the capital that left one person dead and some 150 injured.**

**The crisis, which was quickly followed by a series of cyber attacks against Estonian websites, as well as anti-Estonian demonstrations in Moscow, further strained Estonia's relations with Russia. Meanwhile, parliamentary elections in March led to a ruling coalition comprising the Reform Party, the Union of Pro Patria and Res Publica, and the Social Democratic Party, with Andrus Ansip returning as prime minister.**

Estonia gained independence from Russia in 1918, but it was captured—along with Latvia and Lithuania—by Soviet troops during World War II. Under Soviet rule, approximately one-tenth of Estonia's population was deported, executed, or forced to flee abroad. Subsequent Russian immigration substantially altered the country's ethnic composition, with ethnic Estonians constituting just over 61 percent of the population in 1989. Estonia regained its independence with the disintegration of the Soviet Union in 1991. It adopted a new constitution in July 1992 and held its first legislative elections in September of that year. Russian troops withdrew from Estonia in 1994.

In 2003 legislative elections, the left-wing Center Party and Res Publica, a newly formed right-of-center party, each captured 28 seats in the 101-seat Parliament. Res Publica leader Juhan Parts became prime minister after outmaneuvering Center Party leader Edgar Savisaar to form a centrist coalition with the Reform Party and the People's Union.

Mounting tensions between Res Publica and the Reform Party came to a head in March 2005, when Parliament passed a vote of no confidence against Justice Minister Ken-Marti Vaher, prompting Parts to step down as prime minister. Vaher had announced plans to implement a quota system for the number of corruption cases to be prosecuted, a move that many in the country regarded as reminiscent of Soviet-era practices. Parts's resignation resulted in the formation of a new cabinet headed by the Reform Party's Andrus Ansip, who assumed the premiership in April.

Although initially expected to win a second term, President Arnold Ruutel was defeated in Estonia's 2006 presidential election by a former foreign minister, Toomas Hendrik Iivask. The poll, which three rounds of balloting in Parliament in August had failed to resolve, was decided the next month through a simple majority vote by an expanded electoral college that included representatives from local governments.

In the March 4, 2007, parliamentary elections, the Reform Party captured 27.8 percent of the vote and 31 seats, followed closely by the Center Party, with 26.1 percent and 29 seats. The Union of Pro Patria and Res Publica placed third with 17.9 percent and 19 seats. The remainder was won by the Social Democratic Party (10 seats), the Greens (6 seats), and the People's Union (6 seats). Despite its second-place finish, the Center Party was not included in the new government. Instead, the Reform Party, the Union of Pro Patria and Res Publica, and the Social Democratic Party formed a coalition, and Ansip returned as prime minister.

The new government faced a major crisis in April, as the authorities began preparations to relocate a controversial Soviet World War II memorial, known as the Bronze Soldier, from the center of Tallinn, and to exhume the remains of Soviet soldiers buried next to the statue. While many of Estonia's Russian-speaking population regarded the monument as a tribute to those who fought Nazi Germany, ethnic Estonians generally saw it as a symbol of Soviet occupation. Hundreds of protesters, many of them apparently young ethnic Russians, gathered at the site. The demonstrations erupted into two days of violence on April 26 and 27, as police responded with tear gas and water cannons to widespread looting and vandalism. About 150 people were injured, 1 protester died, and some 1,200 people were detained by police, though most were held only briefly. The monument, which was hastily removed from its site on April 27, was relocated to a nearby military cemetery.

The crisis provoked a response in Moscow, where protesters from the pro-Kremlin youth group Nashi surrounded and besieged the Estonian Embassy for days, harassed the country's diplomats, and disrupted a news conference with the Estonian ambassador. In what some observers described as the world's first "cyber war," various Estonian government and commercial websites suffered a series of large-scale cyber attacks for several weeks beginning on April 27, forcing them to shut down temporarily. The initial attacks were reportedly traced to internet addresses registered in Russia, including some in the presidential administration, although direct links to the Russian government could not be proven.

These events caused Estonia's already strained relations with Russia to dete-

riorate further. The relocation of the Bronze Soldier provoked angry condemnation from Russian officials, including calls to sever diplomatic relations with or impose sanctions on Estonia. Meanwhile, members of the Estonian government and some analysts accused Russia of provoking the protests in Estonia and Moscow and orchestrating the cyber attacks in an attempt to inflame ethnic tensions and destabilize the country.

**Political Rights and Civil Liberties:** Estonia is an electoral democracy. The 1992 constitution established a 101-seat, unicameral Parliament, or Riigikogu, whose members are elected for four-year terms. A prime minister serves as head of government, and a president with a five-year term fills the largely ceremonial role of head of state. After the first president was chosen by popular vote in 1992, presidential elections reverted to parliamentary ballot. The prime minister is chosen by the president and confirmed by Parliament. Estonian elections have been free and fair. The 2007 polls were notable as the world's first parliamentary elections to employ internet voting; about 30,000 people voted online. Political parties are allowed to organize freely, though only citizens may be members. The country's two main right-wing parties, Pro Patria and Res Publica, merged in 2006 to become the Union of Pro Patria and Res Publica. Other major parties include the Center Party, the Reform Party, the Social Democratic Party, the Greens, and the People's Union.

Corruption is regarded as a relatively minor problem in Estonia, which was ranked 28 out of 180 countries surveyed in Transparency International's 2007 Corruption Perceptions Index. In late 2007, the security police announced a corruption probe into a land-exchange deal involving well-known political and business figures. Legal guarantees for public access to government information are respected in practice. Government decisions are almost instantly available on the internet, where Estonians may comment and exchange views.

The government respects freedom of the press. Three national television stations, including two in private hands, broadcast both Estonian- and Russian-language programs, and dozens of independent newspapers and radio stations offer diverse viewpoints. Estonia is one of the most internet-friendly countries in the world. The wave of cyber attacks in late April 2007 temporarily disrupted access to the online versions of some of the country's newspapers.

Religious freedom is respected in law and in practice in this predominantly Lutheran country. A new synagogue—the only building in Estonia specifically designated for that purpose—opened in May 2007; the country's Jewish community numbers approximately 2,500. Estonia does not restrict academic freedom. In September 2007, the government began implementing a plan calling for 60 percent Estonian-language instruction in Russian-language high schools by 2011.

The constitution guarantees freedoms of assembly and association, and the government upholds those rights. Public gatherings may be prohibited to ensure public safety; in April 2007, an unauthorized demonstration against the relocation of a controversial World War II monument led to two nights of riots and looting in the capital. Civil society is vibrant, and the government involves nongovernmental organizations in the drafting of legislation. Although workers have the right to organize freely, strike, and bargain collectively, the Estonian Confederation of Trade Unions has reported antiunion discrimination in the private sector.

The judiciary is independent and generally free from government interference. Laws prohibiting arbitrary arrest and detention and ensuring the right to a fair trial are largely observed, though lengthy pretrial detention remains a concern. There have been reports of police officers physically or verbally abusing suspects. During the April 2007 riots in Tallinn, some police allegedly used excessive force against demonstrators; of eight criminal cases opened against officers, charges were dropped in six, and two were pending at year's end. Meanwhile, four ethnic Russians accused of organizing the riots were set to stand trial in January 2008. The country's prison system continues to suffer from overcrowding and a shortage of funds.

Many ethnic Russians arrived in Estonia during the Soviet era and are now regarded as immigrants who must apply for citizenship through a process that requires knowledge of the Estonian language. The use of Estonian is mandatory in certain work environments, including among public sector employees, medical professionals, and service personnel. Recent reports by Amnesty International and the Council of Europe have criticized Estonia's language and citizenship laws for discriminating against the Russian-speaking population, though both praised the government's decision to reimburse the costs of Estonian language courses. Between 1992 and 2007, the proportion of de facto stateless residents in the population declined from 32 percent to just over 8 percent, with some 147,000 people acquiring Estonian citizenship during the same period. Only citizens may participate in national elections, though resident noncitizens may vote (but not serve as candidates) in local elections. The granting of asylum or refugee status in accordance with the 1951 UN Convention Relating to the Status of Refugees and its 1967 protocol is legally protected.

Women enjoy the same legal rights as men, but they do not always receive equal pay for equal work. About one-fifth of the members of Parliament are women. Violence against women, including domestic violence, remains a problem. Estonia is a source, transit point, and destination for women trafficked for the purpose of prostitution. In August 2007, a gay rights parade in Tallinn proceeded peacefully.

## Ethiopia

**Population:** 77,100,000

**Capital:** Addis Ababa

**Political Rights:** 5

**Civil Liberties:** 5

**Status:** Partly Free



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

1998	1999	2000	2001	2002	2003	2004	2005	2006	2007
4,4PF	5,5PF	5,5PF	5,5PF	5,5PF	5,5PF	5,5PF	5,5PF	5,5PF	5,5PF

### Overview:

Opposition leaders and activists who had been charged with capital offenses in the wake of 2005 postelection protests

**were pardoned and released in 2007. Their case had attracted considerable domestic and international attention. Also during the year, the authorities continued to seriously limit freedom of the press. The Ethiopian military sought to quell ongoing unrest in the eastern Ogaden region, and also battled Islamist fighters and clan militias while shoring up the Transitional Federal Government in neighboring Somalia.**

One of the few African countries to avoid European colonization during the 19th and early 20th centuries, Ethiopia ended a long tradition of monarchy in 1974, when Emperor Haile Selassie was overthrown in a Marxist military coup. Colonel Mengistu Haile Mariam subsequently established a brutal dictatorship that lasted more than 15 years. He was overthrown in 1991 by a coalition of guerrilla groups led by forces from the northern Tigray region. The main rebel group, the Ethiopian People's Revolutionary Democratic Front (EPRDF), formed a new regime, and EPRDF leader Meles Zenawi became interim president.

During the ensuing transitional period, the EPRDF government fostered the emergence of democratic institutions, and a new constitution took effect in 1995. The EPRDF dominated that year's elections, which were boycotted by most of the opposition, and Meles became prime minister. He began a second five-year term after the May 2000 elections, which the EPRDF won in a landslide victory over the weak and divided opposition. Opposition parties and some observers criticized the government's conduct of the vote.

A dispute over the border with neighboring Eritrea resulted in open warfare from 1998 until 2000. The Eritrea-Ethiopia Boundary Commission (EEBC) was established in the wake of the bloody conflict to draw a new border. It announced its decision in April 2002, laying out a boundary that assigned the town of Badme to Eritrea. The commission's judgments were supposed to be binding on both sides, but Ethiopia has continued to formally reject the EEBC decision.

The May 2005 elections for the powerful lower house of Parliament resulted in a major increase in opposition representation. The EPRDF and its allies won 327 seats, while the two main opposition parties took 161 seats, up from 12 in the previous Parliament. The governing coalition also won elections for eight of nine regional parliaments. Notwithstanding their significant gains, opposition parties argued that interference and fraud in the electoral process had deprived them of outright victory. Street demonstrations led to violence, excessive use of force by the authorities, and widespread arrests. At least 193 people were killed and more than 4,000 were arrested, including leading opposition figures who were later charged with capital offenses. The government subsequently imposed a ban on demonstrations in the capital and arrested more opposition supporters.

In 2006, domestic and international attention focused on the trial of the opposition leaders arrested the previous year. Under considerable pressure from human rights groups, the government in 2007 pardoned and released defendants who had been charged with capital offenses. However, the authorities also tightened restrictions on the print media.

At the end of 2006, Ethiopia sent troops into Somalia, routing Islamist groups that had taken control of Mogadishu and the southern parts of the country. The offensive enabled Somalia's fragile Transitional Federal Government to establish a

presence in Mogadishu, but clashes between Ethiopian forces and Somali militias continued in 2007. Also during the year, the military sought to quell persistent unrest in Ethiopia's eastern Ogaden region. The prospect of renewed violence in the border dispute with Eritrea presented another area of concern.

**Political Rights and Civil Liberties:** Ethiopia is not an electoral democracy. However, the presence of a significant elected opposition since 2005 marks a potential step forward in the development of the country's democratic political culture.

In addition to fraud claims by the opposition, the European Union and other observers stated that the 2005 elections did not meet international standards. However, former U.S. president Jimmy Carter, who led a team of observers at the polls, concluded that despite serious problems—including faulty voter-registration lists and significant administrative irregularities—the balloting essentially represented the will of the Ethiopian people. The 2005 national elections were the third since 1991. Previous elections had resulted in allegations from opposition parties and civil society groups of major irregularities, including unequal access to media, lack of transparent procedures, a flawed election law, and a partisan National Electoral Board.

The country's legislature is bicameral, consisting of a 108-seat upper house, the House of Federation, and a 547-seat lower house, the House of People's Representatives. The lower house is filled through popular elections, while the upper chamber is selected by the state legislatures. Lawmakers in both houses serve five-year terms. Executive power is vested in a prime minister, who is chosen by the House of People's Representatives. The 1995 constitution has a number of unique features, including a federal structure that grants certain powers and the right of secession to ethnically based states. However, in 2003 the central government acquired additional powers to intervene in states' affairs when public security is deemed to be at risk.

More than 60 legally recognized political parties are active in Ethiopia, but the political scene continues to be dominated by the EPRDF. Opposition parties argue that their ability to function is seriously impeded by government harassment, although observers also note that some opposition parties have at times used rhetoric that could be interpreted as advocating violence or otherwise failed to comport themselves in a manner consistent with a democratic political culture.

Ethiopia was ranked 138 out of 180 countries surveyed in Transparency International's 2007 Corruption Perceptions Index. The government has taken a number of steps to limit corruption, but it has also been accused of participating in corrupt practices. In 2007, former prime minister Tamrat Layne and former defense minister Seye Abreha were convicted on corruption charges.

The news media are dominated by state-owned broadcasters and government-oriented newspapers. Opposition and civic organizations have criticized slanted news coverage. A number of privately owned newspapers exist, but they struggle to remain financially viable and face intermittent government harassment. In 2006, licenses were awarded to two private FM stations in the capital. There is extremely limited internet usage, confined mainly to major urban areas. The Committee to Protect Journalists (CPJ) in 2007 cited the Ethiopian government for backtracking on press freedom issues. It noted increased imprisonments of journalists, with many either choosing or being forced into exile. The CPJ noted that in 2006, the authorities banned

eight newspapers, expelled two foreign reporters, and blocked critical websites. However, all journalists who had been imprisoned on charges related to the 2005 postelection violence were released in 2007.

Constitutionally mandated religious freedom is generally respected, although religious tensions have risen in recent years. The Ethiopian Orthodox Church is influential, particularly in the north. In the south there is a large Muslim community, made up mainly of Somalis, Oromos, and Afari.

Academic freedom is restricted. In recent years, student strikes to protest police brutality and various government policies have led to scores of deaths and injuries as well as hundreds of arrests. Student grievances include perceived government repression of the Oromo ethnic group. Many students were killed, injured, or arrested during protests against the May 2005 election results.

Freedoms of assembly and association are limited. A number of nongovernmental organizations (NGOs) are active, but they are generally reluctant to discuss issues and advocate policies that may bring them into conflict with the government. The authorities closely regulate NGO activities.

According to the Workers' Group of the International Labor Organization (ILO), severe restrictions on the rights of trade unions exist in Ethiopia. The labor laws authorize only one trade union in companies employing more than 20 workers. Government workers in "essential industries," a term that is broadly defined, are not allowed to strike. The Confederation of Ethiopian Unions is under government control. The law governing trade unions states that a trade organization may not act in an overtly political manner, and some union leaders have been removed from their elected offices or forced to leave the country. All unions must be registered, but the government retains the authority to cancel union registration.

The judiciary is officially independent, although there have been few significant examples of decisions at variance with government policy. The efficacy of police, judicial, and administrative systems at the local level is highly uneven. Some progress has been made in reducing a significant backlog of court cases. Human Rights Watch in 2006 reported that the government used intimidation, arbitrary detentions, and excessive force in rural areas in the wake of the 2005 election-related protests.

The government has tended to favor Tigrayan ethnic interests in economic and political matters. Politics within the EPRDF have been dominated by the Tigrayan People's Democratic Front. Discrimination against and repression of other groups, especially the Oromo, have been widespread.

The government recently established a women's affairs ministry, and Parliament has passed legislation designed to protect women's rights in a number of areas. In practice, however, women's rights are routinely violated. Women have traditionally had few land or property rights, especially in rural areas, where there is little opportunity for female employment beyond agricultural labor. Violence against women and social discrimination are reportedly common. Societal norms and limited infrastructure prevent many women from seeking legal redress for their grievances. While illegal, the kidnapping of women and girls for marriage continues in parts of the country. General deficiencies in education exacerbate the problems of rural poverty and gender inequality. According to the NGO Save the Children, Ethiopia has one of the lowest rates of school enrollment in sub-Saharan Africa.



## Fiji

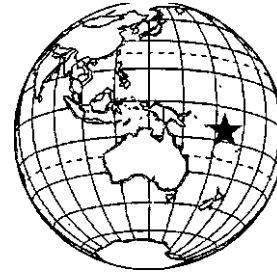
**Population:** 900,000

**Capital:** Suva

**Political Rights:** 6

**Civil Liberties:** 4

**Status:** Partly Free



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

1998	1999	2000	2001	2002	2003	2004	2005	2006	2007
4,3PF	2,3F	6,3PF	4,3PF	4,3PF	4,3PF	4,3PF	4,3PF	6,4PF	6,4PF

#### Overview:

**A military-led interim government was created in January. Its anticorruption efforts won some public support, but its low tolerance for criticism and lack of a road map for return to democratic rule stirred deeper public concern. Under considerable domestic and international pressure, the interim government pledged to hold general elections in March 2009.**

Fiji, colonized by Britain in 1874, became an independent member of the Commonwealth in 1970. Intense ethnic rivalry between indigenous Fijians and Indo-Fijians is the main source of political and social tension. Indians were first brought to Fiji by the British in the 19th century to work on sugar plantations. Today they make up nearly two-thirds of the population and control a large share of the economy. Armed coups by indigenous factions in 1987 and 2000 overthrew governments led by Indo-Fijian parties. These events marred Fiji's democratic heritage, intensified ethnic-based partisanship in politics, and greatly damaged the economy. In the aftermath of the 2000 coup, the military installed Laisenia Qarase, a banker and indigenous Fijian from the United Fiji Party (UFP), to lead an interim government. Qarase was elected prime minister in the 2001 general elections, and won a second term in 2006. Although tensions between Qarase's UFP and the largely Indo-Fijian Labour Party never eased, the more destabilizing rift was that between Qarase and military chief Commodore Frank Bainimarama over the government's handling of individuals involved in the 2000 coup. Bainimarama wanted suspects prosecuted and convicts sent to prison, but Qarase's government repeatedly suspended or reduced prison sentences for unspecified reasons, paid salaries to convicted senior officials, and granted political appointments to convicted officials. Bainimarama publicly demanded that Qarase resign after he proposed to grant amnesty to and clear the criminal records of those convicted for the coup and immunity to those not yet charged. Qarase refused, and Bainimarama ousted him in a bloodless coup in December 2006 with a promise to clean up rampant government corruption.

Bainimarama became head of the interim military government and appointed Jona Senilagakali, a former military doctor, as the caretaker prime minister. Public reaction to the coup was initially mixed because of frustration with Qarase's policies, but

opinions soon turned against Bainimarama as freedoms of assembly and expression were curtailed and no timetable was set for a return to democratic rule.

In January 2007, Bainimarama handed executive authority to President Ratu Josefa Iloilo, who in turn appointed Bainimarama as the interim prime minister. Bainimarama also retained his position as the head of the army. Iloilo granted immunity to Senilagakali, Bainimarama, and his soldiers, and validated all declarations and decisions made by the military and the interim government since the December 2006 coup.

The interim government tried to live up to its pledge to combat corruption, requiring all civil service appointments be made by the Public Service Commission; creating a new anticorruption investigation team to collect evidence of fraud and graft in all government organizations; and establishing an independent commission to adjudicate evidence gathered by the investigators. As a result, numerous high-profile actions were taken in a matter of months, including the suspension of the chief executive of the \$2 billion National Provident Fund for alleged corruption and abuses and of the assistant police commissioner for accepting bribes.

Bainimarama also pledged to rid the system of race-based politics so as to restore social peace, curb the exodus of skilled Indo-Fijians, and revive the economy. He proposed replacing the race-based election rolls with communal rolls based on location of residence, and reviewing school-funding policies that favored indigenous Fijian schools. As a result, Hindi and Fijian will be taught in all primary and secondary schools to promote interethnic understanding, and former Fijian citizens can invest, work, and conduct business in Fiji under a new residency status.

Nevertheless, public anxiety about when democratic rule will return grew as alleged corrupt civilian officials were largely replaced by military officers. Senior civil servants, journalists, human rights activists, and lawyers alleged the government tries to crush any criticism. For example, in May 2007, the military pressed the country's sole internet service provider to block access to a blog site said to feature criticism of the interim government. The government also imposed travel bans on many individuals, citing the needs of its investigations, and suspended the Great Council of Chiefs (GCC) in April after the body rejected Bainimarama's nomination of Senilagakali for vice president. The death of an alleged drug dealer under the custody of soldiers and police and the interim's government's perceived high-handedness in dealing with 17 persons alleged to be part of a plot to assassinate Bainimarama also increased public concern about continuing rule by a military regime. The interim government also alienated the civil service and judges by imposing a 5 percent pay cut, which did not apply to lawmakers. Considerable domestic and international pressure pushed the interim government to pledge to hold general elections in March 2009.

In the meantime, Qarase asked the High Court to declare illegal the interim government and coup; in defense, the interim government asked the High Court to dismiss the lawsuit on the grounds that President Iloilo had granted immunity to Bainimarama and his allies. Bainimarama also sought legal nullification of the 2006 general elections after a Fiji Human Rights Commission inquiry found evidence of vote buying, vote rigging, corruption, and other irregularities that gave Qarase and the UFP an unfair advantage. No results came out of these actions as of the end of 2007.

**Political Rights and Civil Liberties:** Fiji is not an electoral democracy, due primarily to the latest military coup. Under the constitutional system, the bicameral Parliament consists of the 32-seat Senate and the 71-seat House of Representatives. The president appoints 14 senators on the advice of the GCC, 9 on the advice of the prime minister, 8 on the advice of the opposition leader, and 1 on the advice of the council representing outlying Rotuma Island. House members are elected for five-year terms, with 25 seats open to all races and ethnicities, 23 reserved for indigenous Fijians, 19 for Indo-Fijians, 3 for other ethnic groups (mainly citizens of European and East Asian extraction), and 1 for Rotuma voters. The president is appointed to a five-year term by the GCC in consultation with the prime minister, who is in turn appointed by the president. The prime minister is generally the leader of the majority party or coalition in Parliament. The two main political parties are largely based on ethnicity: indigenous Fijians support the UFP, and Indo-Fijians support the Labour Party.

Official corruption and abuses are widespread, and repeated government reform pledges have not produced significant results. Fiji was not rated in Transparency International's 2007 Corruption Perceptions Index.

The government has considerable legal authority to censor the media and restrict freedom of speech. For example, the Television Act allows the government to control programming content and the Press Correction Act authorizes the arrest of anyone who publishes "malicious" material. Nevertheless, Fiji has a vibrant media despite lawsuits, arrests, and intimidation by elected official and senior civil servants. The interim government imposed travel bans for some journalists and blocked a blog site that criticized the December 2006 coup. Until now, the government-owned Fiji Broadcasting Corporation operates four radio stations and broadcasts in English, Fijian, and Hindustani. Internet access is expanding but remains limited by cost and connectivity constraints outside the capital.

The Suva High Court ruled in October that Fiji media organizations can publish any government or statutory body of information regardless of how it was obtained. Owners can bar a publication only if they can prove that it is not in the public interest in accordance with constitutional provisions. This ruling stemmed from the attempt by the Fiji National Provident Fund to stop Fiji Television from reporting on an Ernest and Young audit report on the fund. Also, citing economic reasons, the interim government sold its majority stake in the *Daily Post*, the leading paper. It also fully opened up competition in the free-to-air television broadcast and mobile telephone markets.

The constitution provides for freedom of religion. Religious affiliation largely runs along ethnic lines; indigenous Fijians are Christians and Indo-Fijians are mostly Hindus. The number of attacks on Hindu and Muslim places of worship has increased in recent years. The current leader of the traditionally influential Methodist Church has called for a more restrained role for the church in politics.

Academic freedom is generally respected. The government provides eight years of free education, but the system suffers from lack of funding, facilities, and qualified personnel at all levels and is plagued by increasing political intervention.

Freedoms of assembly and association are guaranteed in the constitution, but organizers must obtain government permission for gatherings. Workers can organize, and several trade unions are currently active.

The judiciary is independent, and trials are generally free and fair, but a lack of resources and trained professionals has created a severe backlog for court hearings. Prisons are severely overcrowded, with poor sanitary and living conditions.

Political, economic, and social debates are frequently divided along ethnic lines, and race-based discrimination is pervasive. Indigenous Fijians receive preferential treatment in education, housing, land acquisition, and other areas; some jobs are open only to them. Discrimination and political and economic troubles have caused more than 120,000 Indo-Fijians to leave Fiji since the late 1980s. Part of the resulting void has been filled by legal and illegal migrants from mainland China, who now make up about 1 percent of the population and control 5 percent of the economy. Their growing economic strength has made them new targets of indigenous Fijian resentment and attacks.

Discrimination and violence against women are widespread. The number of rape, child abuse, and incest cases continues to rise. Women's groups claim many offenders use traditional reconciliation mechanisms to avoid felony charges and bribery to delay police action. Women are not well represented in government and leadership positions and do not enjoy equal pay. The government says legal protections against discrimination do not include homosexuality.

## Finland

**Population:** 5,300,000

**Capital:** Helsinki

**Political Rights:** 1

**Civil Liberties:** 1

**Status:** Free



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

1998	1999	2000	2001	2002	2003	2004	2005	2006	2007
1,1F	1,1F	1,1F	1,1F	1,1F	1,1F	1,1F	1,1F	1,1F	1,1F

### Overview:

**Prime Minister Matti Vanhanen's Center Party suffered a setback in March 2007 parliamentary elections, as the opposition National Coalition Party made gains. However, the Center Party maintained a plurality and formed a four-party coalition government that included the National Coalition Party. The polls left Finland with the highest proportion of female cabinet members in the world. Separately, the first Finnish Muslim political party was established in September.**

Finland was ruled by Sweden until the early 18th century and then became a grand duchy of Russia until independence in 1917. The country is traditionally neutral, but its army has enjoyed broad popular support since it fended off a Soviet invasion during World War II. Finland joined the European Union (EU) in 1995 after

its friendship treaty with the Soviet Union became void. It has been an enthusiastic member state and is the only Scandinavian country to have adopted the euro currency.

In the February 2000 presidential election, Taija Halonen of the Social Democratic Party (SDP) was chosen as the country's first woman president. She defeated four other female candidates—in a total field of seven—from across the political spectrum.

Finland emerged as a leader of the smaller states within the EU during the 2003 drafting of the EU constitution. Unlike in other member states, the proposed charter was uncontroversial in Finland, and Prime Minister Matti Vanhanen of the Center Party ruled out a possible referendum on it in August 2004.

Halonen won a second term as president in 2006, defeating the candidate of the opposition National Coalition Party. However, the 2007 parliamentary elections represented a victory for the center-right National Coalition. Although the Center Party held onto its plurality by one seat, capturing 23.1 percent of the vote, the National Coalition Party gained 10 seats, winning 22.3 percent of the vote. Meanwhile, the labor parties received less support than they ever have historically. The Communist Party received only 0.7 percent of the vote and gained no seats. The SDP gained just 21.4 percent of the vote—its worst results since 1962. Other parties in Parliament included the Left Alliance (8.8 percent), the Green League (8.5 percent), the Christian Democrats (4.9 percent), the Swedish People's Party (4.6 percent), and the True Finns (4.1 percent). Acknowledging the shift to the right, Vanhanen formed a four-party coalition consisting of the Center Party, the National Coalition, the Greens, and the Swedish People's Party, leaving the SDP in opposition for the first time since 1995.

The elections were historic for Finland, as 12 out of 20 ministers appointed to the resulting cabinet were women, the highest proportion in the world. In addition, 84 women were voted in as members of Parliament, capturing 42 percent of the seats. Only Rwanda and Sweden had greater female representation in their legislatures.

In September 2007, Abdullah Tammi established the Islamic Party of Finland, the country's first Muslim-oriented political party. Though the group did not yet have enough members to qualify for official party status, it aimed to reach the threshold in time to participate in the 2011 elections.

**Political Rights and Civil Liberties:** Finland is an electoral democracy. The prime minister has responsibility for running the government. The president, whose role is mainly ceremonial, is directly elected for a six-year term. The president appoints the prime minister and deputy prime minister from the majority party or coalition after elections. The selection must be approved by Parliament.

Representatives in the 200-seat unicameral Parliament, or Eduskunta, are elected to four-year terms. The Aland Islands—an autonomous region located off the southwestern coast of Finland whose inhabitants speak Swedish—have their own 29-seat parliament as well as 1 seat in the national legislature. The indigenous Saami of northern Finland also have their own parliament.

Since 2000, Finland has been ranked as the country with the lowest level of per-

ceived corruption in Transparency International's annual Corruption Perceptions Index. In 2007, it was tied with Denmark and New Zealand at the top of the rankings, which covered 180 countries. In May 2005, Parliament passed a law criminalizing the acceptance of a bribe.

Finnish law provides for freedom of speech, which is also respected in practice. Finland has a large variety of newspapers and magazines, grants every citizen the right to publish printed material, and protects the right to reply to public criticism. Newspapers are privately owned but publicly subsidized, and many are controlled by or support a particular political party. In February 2004, the Eduskunta substantially liberalized a controversial media law that had placed burdensome restrictions on internet publishers and service providers. As a result, internet traffic logging is no longer required, and online discussion groups are beyond the scope of the law. However, web publications must name a responsible editor in chief and archive published material for at least 21 days. In 2007, two editors and the author of a letter were fined under Finland's hate speech laws for publishing a letter containing anti-Semitic statements.

Finns enjoy freedom of religion. The Evangelical Lutheran Church and the Orthodox Church are both state churches and receive public money from income taxes, but citizens may exempt themselves from contributing to those funds. Other religious groups are eligible for tax relief if they register and are recognized by the government. The government officially recognizes some 55 religious groups. Religious education is part of the curriculum in all secondary public schools, but students may opt out of such classes in favor of more general instruction in ethics. The government respects academic freedom, and privacy rights are also protected.

Freedoms of association and assembly are respected in law and in practice. Workers have the right to organize, bargain collectively, and strike. Approximately 80 percent of workers belong to trade unions.

The constitution provides for an independent judiciary, which consists of the Supreme Court, the supreme administrative court, and the lower courts. The president appoints Supreme Court judges, who in turn appoint the lower-court judges. The Ministry of the Interior controls police and Frontier Guard forces. Ethnic minorities and asylum seekers report occasional police discrimination, and according to the International Helsinki Federation for Human Rights, Finland was found to be in violation of Article 6 of the European Convention on Human Rights and Fundamental Freedoms on six occasions in 2005. The rights of ethnic and religious minorities are protected in Finland. The criminal code covers ethnic agitation, and penalizes anyone who threatens a racial, national, ethnic, or religious group. Since 1991, the indigenous Saami, who make up less than 1 percent of the population, have been heard in the Eduskunta on relevant matters. The constitution guarantees the Saami cultural autonomy and the right to pursue their traditional livelihoods, which include fishing and reindeer herding. Their language and culture are also protected through public financial support. However, representatives of the community have complained that they cannot exercise their rights in practice and that they do not have the right to self-determination with respect to land use. While Roma (Gypsies) also make up a very small percentage of the population, they are more widely disadvantaged and marginalized.

In May 2004, a new Aliens Act streamlined the procedures for asylum and im-

migration applications, as well as for work and residency permits. The new law also allowed for the granting of residency permits for individual humane reasons. Finland is the only major European country that has not produced a right-wing anti-immigrant political party. In the 2007 Migrant Integration Policy Index, Finland was named one of the most accommodating countries to migrants. The state provides aid for skill recognition in the labor market and assists with language acquisition.

Women enjoy equal rights in Finland. In 1906, Finland became the first country in Europe to grant women the vote and the first in the world to allow women to become electoral candidates. In the current Parliament, 42 percent of the delegates are women, as are 12 of the 20 government ministers. However, women in Finland earn only about 80 percent as much as men of the same age, education, and profession in spite of a law stipulating equal pay for equal work. Women are generally employed in lower-paid occupations due to a deeply entrenched idea of "men's jobs" and "women's jobs." Three preachers faced criminal charges for discrimination against women in 2007 after refusing to perform a Sunday service with a female pastor in March. A trial was pending at year's end. Domestic violence is a problem in Finland, though in 2007 police received special training to identify potential cases of domestic violence.

Finland is both a destination and a transit country for trafficked people. In 2004, new legislation came into force, making trafficking in persons a criminal offense. The Finnish government unveiled a National Action Plan to combat trafficking in 2005. It established a number of services for victims, including a national assistance coordinator, temporary residences, a witness-protection program, and legal and psychological counseling. In July 2006, antitrafficking laws led to prosecution for the first time ever, after 7 men and a woman were caught trafficking 15 Estonian women.

## France

**Population:** 61,700,000

**Capital:** Paris

**Political Rights:** 1

**Civil Liberties:** 1

**Status:** Free



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

1998	1999	2000	2001	2002	2003	2004	2005	2006	2007
1,2F	1,2F	1,2F	1,2F	1,1F	1,1F	1,1F	1,1F	1,1F	1,1F

**Overview:** **Nicolas Sarkozy of the center-right Union for a Popular Movement won the 2007 presidential election, defeating Segolene Royal of the Socialist Party in the second round of voting. Sarkozy's party also won the subsequent legislative elections, though with a smaller majority than polls predicted. He assembled a diverse cabinet and began several domestic reforms as well as a partial reorientation of French foreign policy during the second half of the year. Violence reemerged in the country's troubled suburbs at year's end.**

After the French Revolution of 1789, republics alternated with Bonapartist and Bourbon monarchies until the creation of the Third Republic in 1871. The Fourth Republic was established after World War II, but it eventually fell victim to domestic political turbulence and a series of colonial setbacks. In 1958, Charles de Gaulle, France's wartime leader, returned to create the strong presidential system of the Fifth Republic, which stands today.

Jacques Chirac, a right-leaning Gaullist, was first elected president in 1995. In the 2002 presidential election, it was expected that he and Lionel Jospin, the prime minister and head of the rival center-left Socialist Party (PS), would reach the second round of voting. However, Jean-Marie Le Pen, the head of the far-right, xenophobic National Front, stunned France and the world by receiving more votes than Jospin in the first round. Chirac defeated Le Pen overwhelmingly in the second round, and in the subsequent June parliamentary elections, the newly created Union for a Presidential Majority (UMP), later renamed the Union for a Popular Movement, won a comfortable majority of seats in Parliament for Chirac.

In early 2003, France joined Russia in blocking UN Security Council authorization for the U.S.-led invasion of Iraq, which nevertheless proceeded in March of that year. France's stance severely strained its relations with the United States, but bolstered Chirac's popularity at home. After the invasion, Chirac worked to strengthen the European Union (EU) as a counterweight to U.S. power.

A strong EU foreign policy was a key French goal in the drafting of a new constitution for the bloc. Both the UMP and the PS backed the charter, giving it a broad base of support among the political leadership. However, in 2005, French voters



rejected the proposed constitution in a referendum. The "no" vote by France, a founding member of the EU, helped to suspend progress on the constitution for well over a year. Economic concerns had been central to France's rejection of the draft constitution. Though the charter did not deal extensively with the economy, it kindled fears of immigration from poorer EU member states in Central and Eastern Europe. Voters also linked the constitution to the question of Turkish membership, which many opposed.

In late 2005, France was traumatized by ethnic upheaval. The accidental deaths of two teenagers of North African descent, electrocuted in a power substation while fleeing police, touched off weeks of riots. The violence caused massive property damage, especially car burnings, as well as at least one death and many injuries. Most of the rioters were youths descended from immigrants from North and sub-Saharan Africa. Despite their French birth and citizenship, many reported economic discrimination and harassment by police in recent anticrime operations. The violence caused the government to invoke a state of emergency and a rarely used curfew law. It also provoked a major discussion about the failure to fully integrate minorities into French society.

With the president and prime minister in political decline, French voters' attention turned to the 2007 presidential election. The UMP candidate was Nicolas Sarkozy, the party leader. He suffered in popularity during the riots of late 2005, having been the interior minister associated with the harsh policing tactics that helped inspire them. The PS named Segolene Royal as its candidate, making her the first woman to be so chosen by one of the major political parties.

Sarkozy's law-and-order message, pro-American foreign-policy views, opposition to Turkish EU membership, and other positions made him a controversial candidate. Royal's campaign focused on increasing social protections and social spending, though she too played a patriotic card, saying all French families should own a French flag. She suffered from a perception as amateurish, however, due in part to foreign-policy gaffes. A third-party candidacy by the centrist Francois Bayrou added uncertainty to the campaign. However, Sarkozy and Royal made it to the second round, where Sarkozy won with 53 percent of the vote on May 6. The UMP did somewhat worse than expected in the June parliamentary elections, though it still won a majority in the National Assembly.

Sarkozy sought to dispel his combative image with his first moves in office. He appointed Bernard Kouchner, a popular Socialist politician, as foreign minister, and Rachida Dati, a North African-descended Muslim woman, as minister of justice. The president's main domestic goal was to liberalize the economy, for example by weakening the 35-hour workweek introduced by Jospin's Socialist government, and by guaranteeing minimum public transport service during strikes to undermine the power of trade unions. On foreign policy, Sarkozy played an important role in drafting a treaty to replace the rejected EU constitution, and while he continued to oppose Turkish membership, he allowed the accession negotiations to continue. The government took a tough line on Iran, with Kouchner proving conspicuously outspoken on the need to prevent that country from developing nuclear weapons.

However, the government's popularity took a blow when violence reemerged in the suburbs in November. After two teenagers of African descent were killed in a collision with a police car, riots erupted. Unlike in 2005, the riots seemed better orga-

nized, and scores of police were wounded, many by shotgun fire. Having been part of the government that promised a major effort to improve the suburbs after 2005, these developments hurt Sarkozy's political position and credibility six months into his presidency.

**Political Rights and Civil Liberties:**

France is an electoral democracy. The president is elected for a five-year term, reduced from seven years as of the 2002 election. Members of the key house of Parliament, the 577-seat National Assembly, are also elected to five-year terms; the upper house, the 321-seat Senate, is an indirectly elected body. The prime minister must be able to command a majority in Parliament. For most of the Fifth Republic's history, the president and prime minister have been of the same party, and the president has been the most powerful figure in the country. However, there have been several periods, such as 1997-2002, in which the president and prime minister belonged to rival parties. In such circumstances, the prime minister has the dominant role in domestic affairs, while the president largely guides foreign policy.

Parties organize and compete on a free and fair basis. In addition to the center-left PS and the center-right UMP, political parties with significant support range from the largely unreformed French Communist Party on the left to the anti-immigrant and anti-EU National Front on the right. France remains a relatively unitary state, with some administrative powers devolved to regions and smaller prefectures, but with key decisions made in Paris.

President Jacques Chirac used his immunity as head of state to avoid prosecution on corruption allegations stemming from his time as mayor of Paris, and since he left office no charges have been brought, perhaps to avoid damaging respect for the presidency. His protege, Alain Juppe, was convicted in 2004 for allowing UMP party workers to be paid out of Paris's municipal treasury when he was the city's treasurer and Chirac was its mayor. The more recent Clearstream affair, in which Dominique de Villepin is accused of seeking to procure evidence smearing Nicolas Sarkozy in a corruption scandal while the two were rival ministers under Chirac, has also tarnished the political class. Members of the French elite, trained in a small number of prestigious schools, often move between politics and business, increasing opportunities for corruption. France was ranked 19 out of 180 countries surveyed in Transparency International's 2007 Corruption Perceptions Index.

The media operate freely and represent a wide range of political opinion. Though an 1881 law forbids "offending" various personages, including the president and foreign heads of state, the press remains lively and critical. However, journalists covering events involving the National Front or the Corsican separatist movement have been harassed. Members of the press were also injured in the riots of 2005 and 2007, and generally face difficulty covering unrest in the volatile suburbs. Journalists reporting on criminal cases have been pressured by courts to reveal their sources, and for publishing material from confidential court documents. Internet access is unrestricted.

Freedom of religion is protected by the constitution, and strong antidefamation laws prohibit religiously motivated attacks. Not all branches of the Church of Scientology and the Jehovah's Witnesses are recognized as religious associations for tax purposes. A law that took effect in 2004 bans "ostentatious" religious sym-

bols in schools. Widely believed to be aimed at the *hijab*, a headscarf worn by some Muslim women and girls, the controversial ban was supported by most voters. Militants kidnapped two French journalists in Iraq in August 2004, demanding that the ban be overturned; the journalists were freed in December that year, but the law remained in place. Academic freedom is generally respected by French authorities.

In October 2006, the National Assembly passed legislation making it illegal to deny that Turkey committed genocide against the Armenians during and after World War I. The offense would be punishable by up to a year in prison and a fine of 45,000 euros (US\$56,000). However, Chirac declined to sign the bill. France does prohibit denial of the Nazi Holocaust.

Freedoms of assembly and association are respected. Civic organizations and nongovernmental organizations can operate freely. Trade unions are strong in France, although membership has declined over the past two decades.

France has a well-qualified judiciary, and the rule of law is firmly established. The legal system is based on Roman law, and French citizens are for the most part treated equally. However, France's antiterrorism campaign has included surveillance of mosques, and apparently unrelated government raids, such as those involving tax violations, have appeared to target places where Muslims in particular are found, like *halal* butcher shops. Terrorism suspects can be detained for up to four days without being charged. France is more willing than other European countries to deport radical Muslim clerics for speech that is considered incitement to extremism or terrorism. The police are frequently criticized for aggressiveness in random personal checks, which often target youths of North and sub-Saharan African descent. Such police checks have deepened resentment between minorities and the authorities. A Council of Europe delegation reported in 2004 that French prisons suffer from overcrowding and poor conditions, though no prisoner maltreatment was found.

The violence of 2005 and 2007 has fueled concerns about Arab and African immigration and the failure of integration policies in France. The rise of the National Front has tempted the government to tighten immigration and asylum rules, which are perceived to be abused by economic migrants. In 2005, the government supported the beginning of talks on Turkish accession to the EU, but there is strong popular opposition in France to Turkish membership and the influx of Muslim migrants it could bring. In 2007, Rachida Dati was named justice minister, making her the first Muslim, and the first person of non-European descent, to become a minister in the French cabinet.

The dispute over Corsican autonomy continues. In 2001, the government devolved some legislative powers to the island and allowed teaching in the Corsican language in public schools. However, voters on the island, which hosts a sometimes violent separatist movement, rejected a government proposal for devolution of more authority to local Corsican institutions in June 2003. Low-level attacks against property and government targets are frequent, though people are rarely harmed.

Gender equality is protected in France, and a law governing the 2002 legislative elections threatened to reduce public funding for political parties whose candidate lists for the National Assembly consisted of more men than women. No party fully complied; women made up 37 percent of the list run by the Socialists, who had introduced the parity bill. In 2007, women won 107 of 577 seats in the legislature, or 18.5 percent (up from 16.9 percent in 2002). However, many women have reached the

pinnacle of French politics, serving as justice, defense, finance, and agriculture ministers, as well as prime minister; Segolene Royal made history in 2007 by reaching the second round of the presidential election. Despite equal legal status and well-established social liberty, women earn about three-quarters of what men earn. The rights of homosexuals are protected in France, and a type of nonmarriage civil union, the PACS, or civil solidarity pact, is recognized.

## Gabon

**Population:** 1,300,000

**Capital:** Libreville

**Political Rights:** 6

**Civil Liberties:** 4

**Status:** Partly Free



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

1998	1999	2000	2001	2002	2003	2004	2005	2006	2007
5,4PF	5,4PF	5,4PF	5,4PF	5,4PF	5,4PF	5,4PF	6,4PF	6,4PF	6,4PF

### Overview:

**President Omar Bongo, Africa's longest-serving ruler, was beset in 2007 by an environmental controversy surrounding a \$3.5 billion iron-ore mining deal with China.**

**The president continued to face pressure to diversify the economy amid dwindling oil reserves. Nevertheless, presidential elections are not due until 2012, and with all credible opposition either crushed or co-opted, President Bongo's ruling Gabonese Democratic Party (PDG) party was expected to win a landslide in the December 2007 local elections that were postponed to April 2008. Bongo appointed a new, 41-member cabinet in December 2007, marked by the absence of opposition leaders.**

Gabon gained independence from France in 1960. President Omar Bongo took power in 1967 and declared the country a one-party state the following year. In 1990, protests prompted by economic hardship forced him to allow multiparty legislative elections, but he retained power in a rigged 1993 presidential vote.

The 1996 parliamentary elections were also seriously flawed. Following opposition gains in that year's local elections, including mayoral victories in Libreville and other major cities, the government transferred key electoral functions from the electoral commission to the Interior Ministry. Bongo's reelection in 1998 followed a campaign that made profligate use of state resources. The polling itself, partially boycotted by the opposition, was marked by serious irregularities. However, as in 1993, the president mollified many of his opponents through negotiations and promises of future reforms.

Another partial opposition boycott, low voter turnout, and government interference in the polls helped assure victory for the ruling Gabonese Democratic Party

(PDG) in the 2001 legislative elections. In the 2003 senatorial elections, municipal and regional government officials elected 91 senators, all from the PDG, to six-year terms amid widespread reports of irregularities.

After results of a census released in 2005 showed that the population had grown by 50 percent to 1.4 million from 1993 to 2003, opposition leaders and independent experts accused the government of inflating the figures in order to falsify the electoral register and manipulate economic data to qualify for increased aid.

The 2005 presidential election occurred over two days, with security forces voting on November 25 and the public on November 27, an arrangement criticized by the opposition for increasing opportunities for fraud. Though generally peaceful, the election was marred by inaccurate voter lists, the abuse of state resources, and allegedly falsified turnout figures. Official results gave Bongo 79 percent of the vote, followed by Pierre Mamboundou of the Union for Gabonese People (UPG) with 14 percent and former cabinet minister Zacharie Myboto with about 7 percent. The government refused to register Myboto's newly created party, the Gabonese Union for Democracy and Development (UGDD), forcing him to run as an independent.

Mamboundou challenged the results, and police used tear gas and batons to disperse protests by his supporters in December 2005. In May 2006, the government reached an agreement with opposition parties, including the UPG and the newly registered UGDD, on an electoral reform package that would establish a permanent national electoral commission in time for the 2007 local elections. Legislative elections were held in December 2006, with the PDG and allied parties taking 97 of the 120 seats. The elections were judged to be credible, and a major improvement over the flawed 2005 presidential contest. With all credible opposition either crushed or co-opted, President Bongo's ruling PDG party was expected to sweep the board in the local elections due in December 2007; however, elections were postponed to April 2008 by the Autonomous and Permanent National Electoral Commission (CENAP).

Four decades of corrupt, autocratic rule have made Bongo one of the world's richest men, although some of the revenues from oil production have trickled down to the relatively small population and contributed to higher education standards. New oil discoveries and higher world prices in recent years have provided a temporary boost to Gabon's economy, but reserves are gradually dwindling, and the state currently depends on oil income for about 60 percent of its revenue. The need to diversify the economy helped motivate Bongo to begin an International Monetary Fund (IMF) structural adjustment program in 2005, including the privatization of state companies and cuts to public sector employment.

Environmental groups in 2007 pressed the government to reveal the details of the Belinga project, a \$3.5 billion iron-ore mining deal with a Chinese state-owned company. They warned that Gabon's portion of the Congo Basin forest could be seriously damaged by unchecked mining and related timber exploitation. However, Bongo insisted that the Belinga project would proceed as planned. Gabonese are outraged at the terms of the project and the likely damage to the country's national parks. The recently founded *Compagnie Minière de Bélinga* (Comibel), jointly owned by China (85 percent) and the Gabonese government (15 percent), will manage the project.

**Political Rights  
and Civil Liberties:**

Gabon is not an electoral democracy. However, international observers reported that the December 2006 legislative elections were an improvement over past elections. Local elections scheduled for December 2007 were postponed until April 2008.

The president is elected for seven-year terms, and a 2003 constitutional change removed a 1997 amendment that had imposed term limits on the presidency. The president's extensive powers include the authority to dissolve parliament, declare a state of emergency, and appoint or dismiss the prime minister and cabinet. The bicameral legislature consists of a 91-seat Senate and a 120-seat lower chamber, the National Assembly. Regional and municipal government officials elect senators for six-year terms. National Assembly members are elected by direct popular vote to serve five-year terms.

Freedom to form and join political parties is generally respected, but civil servants face harassment and potential discrimination if they affiliate with opposition groups. President Omar Bongo's PDG has held power continuously since its creation in 1968, and it is the only party with national reach. Of some 50 other registered parties, 40 are part of the ruling PDG-led coalition, the Union for the Gabonese Presidential Majority (UMPG); the coalition often serves as a vehicle for dispensing patronage to regime loyalists.

Corruption is widespread. A special anticorruption ministry was established in 2003 but has yet to issue a report or take action against corrupt officials. The rampant graft prevents significant oil, mining, and logging revenues from reaching the impoverished majority of the population; Gabon ranked 119 out of 177 countries surveyed in the UN Development Programme's 2007 Human Development Index, which measures life expectancy, literacy, and standards of living. In June 2007, a judge in Bordeaux, France, found President Bongo guilty of accepting a bribe to free French citizen Rend Cardona from jail in 1996. Gabon ranked 84 out of 180 countries surveyed in Transparency International's 2007 Corruption Perceptions Index.

Press freedom is guaranteed in law but often restricted in practice. State censorship of the press continued in 2007, with publications printed outside of the country, usually in Cameroon, subject to review before distribution. In October 2007, the National Communications Council, Gabon's media regulator, banned two publications in one day: the Paris-based, pan-African bimonthly *Le Gri-Gri* and the bimonthly *La Nation*. Journalists practice self-censorship, and the state is authorized to criminalize civil libel suits. The Pan-African News Agency reported in September 2007 that 250 trials have been conducted against the media in Gabon since 1990. State-controlled outlets dominate the broadcast media, but there are some private broadcasters, and foreign news sources like Radio France Internationale are also available. Access to the internet is not restricted by the government.

Religious freedom is enshrined in the constitution and generally upheld by authorities. The government does not restrict academic freedom.

The rights of assembly and association are guaranteed, but not always respected. Nongovernmental organizations operate openly, but local human rights groups are weak and not entirely independent. Virtually the entire formal private sector workforce is unionized. Collective bargaining is allowed by industry, not by firm.

The judiciary is not independent. However, rights to legal counsel and a public criminal trial are generally respected. Judges may deliver summary verdicts, and torture is sometimes used to produce confessions. Prison conditions are marked by beatings and insufficient food, water, and medical care. Arbitrary arrest and long periods of pretrial detention are common.

Discrimination against African immigrants, including harassment by security forces and arbitrary detention, is a problem. Though equal under the law, most of Gabon's several thousand indigenous Pygmies live in extreme poverty in isolated forest communities without access to government services, and they are often exploited as cheap labor by other ethnic groups.

While no legal restrictions on travel exist, interference by the authorities occurs regularly. Business conditions remain difficult; Gabon ranked 144 out of 178 countries in the World Bank's 2008 Doing Business survey.

Gabon has been criticized for the exploitation of thousands of child laborers who are sent from other Central or West African countries to work as domestic servants. The government has cooperated with international organizations to fight child trafficking but says it lacks sufficient resources to tackle the problem.

Legal protections for women include equal-access laws for education, business, and investment, but these laws favor educated women in urban areas. Women continue to face legal and cultural discrimination, particularly in rural areas, and domestic violence is reportedly widespread. Rape is illegal, but cases are seldom prosecuted. Women have no property rights in common-law marriages, which are practiced widely. Abortion is prohibited and the death penalty, which had not been applied for over 20 years, was abolished in September 2007.

## The Gambia

**Population:** 1,500,000  
**Capital:** Banjul

**Political Rights:** 5  
**Civil Liberties:** 4  
**Status:** Partly Free



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

1998	1999	2000	2001	2002	2003	2004	2005	2006	2007
7,5NF	7,5NF	7,5NF	5,5PF	4,4PF	4,4PF	4,4PF	5,4PF	5,4PF	5,4PF

### Overview:

The ruling Alliance for Patriotic Reorientation and Construction party swept legislative elections in January 2007, overcoming weak and fragmented opposition parties. A UN envoy was expelled in February after she criticized President Yahya Jammeh's claim that he could "cure" AIDS patients with traditional medicine. Sepa-

**rately, two Amnesty International researchers and a local journalist were detained for a week in October while investigating widespread human rights abuses.**

After gaining independence from Britain in 1965, The Gambia functioned as an electoral democracy under President Sir Dawda Jawara and his People's Progressive Party for almost 30 years. A 1981 coup by leftist soldiers was reversed by intervention from Senegal, which borders The Gambia on three sides. The two countries formed the Confederation of Senegambia a year later, but it was dissolved in 1989.

Lieutenant Yahya Jammeh deposed Jawara in a military coup in 1994. The junior officers who led the coup denounced the ousted government's alleged corruption, promising transparency, accountability, and early elections. Instead, they quickly issued draconian decrees curtailing civil and political rights. A new constitution, adopted by a closely controlled 1996 referendum, allowed Jammeh to transform his military dictatorship into a nominally civilian administration.

Jammeh secured a victory in the 2001 presidential poll, defeating opposition leader Ousainou Darboe, a human rights lawyer who headed a three-party opposition coalition, by 53 percent of the vote to 33 percent. Three other candidates won a combined total of 14 percent. In the January 2002 National Assembly elections, the ruling Alliance for Patriotic Reorientation and Construction (APRC) won all but three seats. The polls showed signs of improvement over the previous, highly flawed legislative vote in 1997, but were marred by an opposition boycott.

In March 2006, officials announced that they had foiled an attempted coup. More than 20 suspects were arrested during the year, including senior intelligence and defense personnel. Amnesty International expressed concern that detainees could be subject to torture after five suspects, including former National Intelligence Agency (NIA) director Daba Marena, reportedly disappeared while in custody. Ten military officers were convicted of involvement in the coup and sentenced to lengthy prison terms in April 2007. The coup attempt also sparked a wave of repression against The Gambia's tiny private press, as the NIA arrested several prominent journalists and shut down a leading private newspaper, the *Independent*.

Jammeh won a new five-year mandate in a presidential election held in September 2006, taking 67.3 percent of the vote. Darboe, running as a candidate for the United Democratic Party (UDP), received 26.6 percent, while another opposition leader, Halifa Sallah, captured the remaining share. The conduct of the polls was undermined by government repression of the media and opposition in the run-up to the vote. Darboe rejected the results as a "sham."

The APRC won 42 out of 48 seats in legislative elections held on January 25, 2007, and gained another 5 that are filled by presidential appointees. The UDP won four seats, and the smaller opposition National Alliance for Democracy and Development (NADD) party took one; the remaining elected seat was captured by an independent candidate. Voter turnout was just under 42 percent. Opposition parties accepted the results.

In early 2007, President Jammeh announced that he would personally cure HIV-positive Gambians using a mixture of traditional herbs, sparking international condemnation. A UN envoy was expelled in February after expressing concern over patients abandoning antiretroviral drugs in favor of this treatment.

In October 2007, two Amnesty International researchers were detained for a week,



along with a Gambian journalist who was working with them, while investigating human rights abuses including extrajudicial detentions. Two other Gambian journalists faced trial on criminal charges in 2007; one of them, Fatou Jaw Manneh, is based in the U.S. but was kept in Banjul on "sedition" charges for most of the year. The International Federation of Journalists reported that three local journalists fled the country in 2007 out of fear for their safety, while another, Chief Ebrima Manneh, has been missing since 2006.

The Gambia is a small, poor country with few natural resources, and its economy is dependent on peanut exports, tourism, and remittances from Gambians living abroad. In June 2006, the U.S. government suspended The Gambia's eligibility for aid under the Millennium Challenge Corporation, citing concerns over political freedom and human rights as well as "diminishing" anticorruption efforts. A September 2007 International Monetary Fund report was relatively optimistic, however, projecting 7 percent economic growth for the year.

**Political Rights and Civil Liberties:** The Gambia is not an electoral democracy. While the 2006 presidential poll was deemed free and fair by regional observers, serious government repression of the media and the opposition in the run-up to the vote made a level playing field for the three candidates impossible. The president is both chief of state and head of government. He is elected by popular vote for five-year terms; the number of terms is not restricted. Of the 53 members of the unicameral National Assembly, 48 are elected by popular vote and five are appointed by the president; members serve for five years.

Major political parties include the ruling APRC; the UDP, led by Ousainou Darboe; the National Reconciliation Party (NRP); and the NADD, a coalition of several smaller opposition groups including the People's Democratic Organization for Independence and Socialism (PDOIS). In November 2005, three opposition leaders—Hamat Bah, Omar Jallow, and Halifa Sallah—were detained for several weeks after they formed a coalition with the UDP in order to unseat President Yahya Jammeh in the 2006 presidential election. The coalition splintered in early 2006.

Official corruption remains a serious problem in The Gambia. The few high-level corruption-related prosecutions that have taken place, including the conviction in 2004 of former National Assembly majority leader Baba Jobe, have been dogged by procedural irregularities and the appearance of political motivations. The Gambia ranked 143 out of 180 countries surveyed in Transparency International's 2007 Corruption Perceptions Index.

The private press in The Gambia has been all but extinguished by frequent arrests, threats, and legal harassment. Since 2000, several prominent critical media outlets have been targeted by arson attacks, none of which have been investigated and prosecuted by authorities. State-run Radio Gambia broadcasts only tightly controlled news programming, which is also relayed by private radio stations. The country has a single, government-run television station. The December 2004 assassination of prominent Gambian journalist and press freedom activist Deyda Hydara has remained unsolved; Hydara was killed only days after the legislature passed new amendments strengthening the criminal penalties for press offenses and multiplying the fees for media licenses. In 2006, authorities shuttered the *Independent*, a critical private newspaper. The New York-based Committee to Protect

Journalists in 2007 listed The Gambia as one of the world's 10 worst "backsliders" on press freedom.

While the state generally does not restrict internet usage, several alleged local contributors to a U.S.-based antigovernment website were detained in 2006 by the NIA, after their names were leaked to Gambian authorities.

Freedom of religion is legally guaranteed and upheld by the government. Academic freedom is also respected.

Freedoms of assembly and association are provided by law but not always observed in practice. Security forces often crack down violently on demonstrators. In the lead-up to an African Union summit held in Banjul in July 2006, the government barred a coalition of regional civil society organizations from holding a forum on free expression. Gambians, except for civil service employees and members of the security forces, have the right to form unions, strike, and bargain for wages.

The constitution provides for an independent judiciary. Lower courts are hampered by corruption and are sometimes subject to executive influence, but the judiciary has demonstrated its independence on several occasions, at times in significant cases. A number of judges have been brought to The Gambia from other African countries, and they tend to operate fairly and vigorously. The judicial system recognizes customary law and Sharia (Islamic law), primarily with regards to personal and family law.

Impunity for the country's security forces is a problem. A 1995 decree, still in effect, allows the NIA to "search, arrest, or detain any person, or seize, impound, or search any vessel, equipment, plant, or property without a warrant" in the name of "state security." In such cases, the right to seek a writ of habeas corpus is suspended. The National Assembly passed a law in 2001 giving amnesty "for any fact, matter or omission to act, or things done or purported to have been done during any unlawful assembly, public disturbance, riotous situation or period of public emergency." Torture of prisoners, including political prisoners, has been reported. Diplomatic relations with Ghana have been strained over The Gambia's failure to investigate the deaths in 2005 of 50 African migrants, including Ghanaians, reportedly while in Gambian custody.

The Gambia's various ethnic groups coexist in relative harmony, though critics have accused Jammeh of privileging members of the Jola ethnic group within the military and other positions of power. The constitution prohibits discrimination based on religion, language, ethnicity, gender, and other factors, and the government generally enforces these provisions, according to the U.S. State Department.

Religious and traditional obstacles to the advancement of women are being addressed by both the government and women's organizations. Women have fewer opportunities for higher education and wage employment than men, especially in rural areas. However, the government has waived school fees for girls, and women occupy senior government posts. Sharia provisions regarding family law and inheritance restrict women's rights. Female genital mutilation is not banned and is widely practiced, but women's groups are working to eliminate it.

## Georgia

Population: 4,500,000  
Capital: Tbilisi

Political Rights: 4\*  
Civil Liberties: 4\*  
Status: Partly Free



**Ratings Change:** Georgia's political rights rating declined from 3 to 4 due to the restrictions placed on political opposition following the November 2007 emergency declaration, and the civil liberties rating declined from 3 to 4 due to the circumscription of media and expression in the aftermath of the November protests.

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

1998	1999	2000	2001	2002	2003	2004	2005	2006	2007
3,4PF	3,4PF	4,4PF	4,4PF	4,4PF	4,4PF	3,4PF	3,3PF	3,3PF	4,4PF

#### Overview:

**Georgians took to the streets to oppose President Mikheil Saakashvili in October and November 2007, turning out in the largest numbers since the 2003 "Rose Revolution," which swept Saakashvili to power. The authorities violently dispersed the demonstrators, causing hundreds of injuries, and imposed a state of emergency on November 7. The next day, Saakashvili called a snap presidential election for January 5, 2008. The state of emergency, which remained in place until November 16, banned all news broadcasts except state-controlled television and restricted public assembly. Also in 2007, former defense minister Irakli Okruashvili, a onetime Saakashvili ally who subsequently emerged as a principal political rival, was charged with corruption, jailed, and then quickly released. Georgia's opposition exerted considerable pressure on Saakashvili during the year but remained unable to promote coherent alternatives to the policies of the ruling National Movement party. Meanwhile, Georgia continued to face considerable external pressures, including an ongoing trade and transport embargo by Russia. In August, an aircraft entered Georgian airspace from Russia and dropped a missile that landed in the Gori region near South Ossetia.**

Absorbed by Russia in the early 19th century, Georgia gained its independence in 1918. In 1922, it entered the Soviet Union as a component of the Transcaucasian Federated Soviet Republic, becoming a separate Soviet republic in 1936. An attempt by the region of South Ossetia to declare independence from Georgia and join Russia's North Ossetia in 1990 sparked a war between the separatists and Georgian forces. Although a ceasefire was signed in June 1992, South Ossetia's final political status remains unresolved.

Following a national referendum in April 1991, Georgia declared its independence from the Soviet Union. Nationalist leader and former dissident Zviad Gamsakhurdia

was elected president in May. The next year, he was overthrown by opposition forces and replaced with former Georgian Communist Party head and Soviet foreign minister Eduard Shevardnadze. Parliamentary elections held in 1992 resulted in more than 30 parties and blocs winning seats, although none secured a clear majority.

In 1993, Georgia experienced the violent secession of the Abkhazia region and an insurrection by Gamsakhurdia loyalists. Shevardnadze legalized the presence of some 19,000 Russian troops in Georgia in return for Russian support against Gamsakhurdia, who, once defeated, committed suicide. In early 1994, Georgia and Abkhazia signed an agreement in Moscow that called for a ceasefire, the stationing of Commonwealth of Independent States (CIS) troops under Russian command along the Abkhazian border, and the return of refugees under UN supervision. In parliamentary elections in November and December 1995, the Shevardnadze-founded Citizens' Union of Georgia (CUG) captured the most seats, while Shevardnadze was elected with 77 percent of the vote in a concurrent presidential poll.

The CUG won again in the October 1999 parliamentary elections, and observers from the Organization for Security and Cooperation in Europe (OSCE) concluded that, despite some irregularities, the vote was generally fair. In the April 2000 presidential poll, Shevardnadze won a second five-year term as expected, but his wide margin of victory led to fraud accusations that were supported by the findings of election monitors.

Following the parliamentary elections, Shevardnadze faced growing opposition from prominent members of the CUG, including Parliament Speaker Zurab Zhvania and Justice Minister Mikheil Saakashvili, who criticized the president's failure to contain widespread corruption. While Shevardnadze resigned as CUG chairman in September 2001, Saakashvili left the CUG to form his own party, the National Movement, and a formal party split was ratified in May 2002. The CUG lost ground to several rival parties in June 2002 local elections, and Saakashvili was later named chairman of the Tbilisi City Council.

A flawed parliamentary vote in November 2003 sparked a campaign of street protests, known as the Rose Revolution, that ultimately led to Shevardnadze's resignation. Official results put the pro-Shevardnadze coalition For New Georgia in the lead with 21 percent, followed by a party headed by the leader of the semiautonomous southwestern region of Ajaria with nearly 19 percent, Saakashvili's National Movement with 18 percent, and three smaller factions. However, independent domestic monitors concluded that the National Movement had actually won the election with nearly 27 percent of the vote, leaving For New Georgia in second place with about 19 percent. OSCE monitors reported violations including ballot-box stuffing, inaccurate voter lists, biased media coverage, harassment of some domestic election monitors, and pressure on public employees to support progovernment candidates.

Mass demonstrations in the wake of the flawed vote culminated on November 22, when Saakashvili led protesters into the Parliament building and forced the president, who was addressing the new legislature's opening session, to flee the premises. Shevardnadze resigned the following day, and Parliament Speaker Nino Burjanadze, a Saakashvili ally, was named interim president. Meanwhile, the Supreme Court cancelled the results of the parliamentary elections.

Saakashvili won a snap presidential election in January 2004, running virtually

unopposed and capturing 96 percent of the vote. Fresh parliamentary elections in March gave two-thirds of the seats to the National Movement-Democrats bloc (composed of the National Movement and the allied parties of Buijanadze and Zhvania), followed by the Rightist Opposition bloc (composed of the Industrialists and the probusiness New Rights Party) with nearly 10 percent. Seven other parties received 8 percent or less of the total number of seats.

Saakashvili's relations with Russia soured as he quickly reestablished Tbilisi's control over Ajaria and declared his intention to reintegrate the separatist enclaves of Abkhazia and South Ossetia, which were tacitly supported by Russia. A trade and transport embargo imposed by Russia in 2006—in response to Georgia's brief detention of several alleged Russian spies—continued through 2007. The Georgian government accused Russia of interference in the "frozen conflicts" over Abkhazia and South Ossetia. In August, the authorities reported that a military aircraft had entered Georgian airspace from Russia and dropped a guided missile that failed to explode. The incident took place in the Gori region, near South Ossetia.

Former defense minister Irakli Okruashvili, who had taken a hard line on the separatist enclaves and left the government in late 2006, attempted to challenge Saakashvili's ongoing dominance of the political landscape in 2007. In September, he announced the formation of a new opposition group and claimed that the president had ordered the murders of political opponents, although he offered no evidence to support the allegation. Shortly thereafter, Okruashvili was arrested on corruption charges, then released on bail following a televised retraction of his accusations. Speaking from Germany in November, Okruashvili maintained that the retraction was coerced. He was detained late that month by German authorities acting on a Georgian Interpol request, and the Georgian government has sought his extradition. Both Okruashvili and business mogul Badri Patarkatsishvili—one of Georgia's wealthiest men, founder of the Imedi media company, and a political opponent of Saakashvili—remained outside Georgia through the end of 2007.

Also in late 2007, tens of thousands of Georgians took to the streets to express opposition to the Georgian president. The second wave of protests in early November drew between 50,000 and 100,000 demonstrators, prompting a violent police crackdown and the imposition of a state of emergency on November 7. The state of emergency, which remained in force until November 16, barred opposition media from the airwaves and restricted street protests. Responding to opposition demands for early elections, Saakashvili scheduled a snap presidential vote for January 5, 2008, giving his opponents relatively little time to prepare. To become a candidate, Saakashvili resigned and left Burjanadze, the speaker of Parliament, as acting president. Patarkatsishvili entered the race as a challenger.

**Political Rights and Civil Liberties:** Georgia is an electoral democracy. According to an observer mission from the OSCE, the January 2004 presidential and March 2004 parliamentary elections represented "commendable progress in relation to previous elections," which had fallen short of international standards.

The president serves five-year terms, and members of the unicameral Parliament serve four-year terms. The Parliament in 2005 passed amendments to modify its composition, effective after the next parliamentary elections in 2008. The date for those

elections will be determined by a vote to be held at the time of the snap presidential election on January 5, 2008. A plebiscite gauging public support for Georgia's eventual entry into NATO will also be part of that day's voting. Under the 2005 amendments, Parliament will shrink from 235 to 150 members, with 100 members to be elected by party list and 50 through single-member districts. Currently, 150 members are elected by party list and 75 through single-member districts, with 10 additional members representing displaced citizens from Abkhazia.

President Mikheil Saakashvili's National Movement has been the dominant party since the 2003 Rose Revolution. There are two parliamentary opposition blocs: the New Conservatives-Industrialists and the Democratic Front. The latter, formed in 2005, is comprised of two party groups—the Republicans and the Conservatives, which were formerly part of the National Movement—along with a number of independent members of Parliament. The violent dispersal of demonstrators and state of emergency in November 2007 quashed the opposition's first major effort to assert itself against Saakashvili, and it remained unclear whether opposition parties would be able to compete effectively in the January 2008 election process or begin to offer coherent policy alternatives.

The current administration has made combating corruption a priority. A number of officials were arrested in 2004 for alleged graft during the presidency of Eduard Shevardnadze. In June 2005, the government adopted an anticorruption plan aimed at improving the transparency and effectiveness of the civil service while strengthening the role of inspectors general within public agencies; the implementation of this plan is in its nascent stages. Despite progress in fighting lower- and mid-level corruption, Georgia apparently continues to suffer from corruption at elite levels, and the political opposition has seized on the issue in its criticisms of the Saakashvili government. As the administration has become more insular, opportunities for cronyism and insider deals have grown. Georgia was ranked 79 out of 180 countries surveyed in Transparency International's 2007 Corruption Perceptions Index.

Georgia's constitution provides guarantees for press freedom, and the print media, though limited in reach, feature a diversity of political opinions and perspectives. The state television and radio outlets were converted into public-service broadcasters in 2005. Critics assert that, over time, Georgia's public broadcasting has become more friendly to the authorities. The broadcast media reflect the quality of the country's political debate, which is sorely lacking a thoughtful discussion of public policy. Nevertheless, private broadcasters such as Imedi and the more polemical Kafkasia have been regularly critical of the government. In October 2007, the U.S.-based News Corporation acquired Imedi from its founder and owner, Badri Patarkatsishvili. During the November 2007 political turmoil, security forces raided Imedi's broadcast facility and shut down its operations. Saakashvili's assertions that Imedi used its news broadcasts to subvert the government were denied by News Corporation officials. Imedi returned to the airwaves on December 12, but the station's management, citing pressure from the authorities, ceased broadcasting on December 26 for an undetermined period. The authorities do not restrict access to the internet, but high-speed internet connections are prohibitively expensive for many citizens.

Freedom of religion is respected for the country's largely Georgian Orthodox Christian population and some traditional minority religious groups, including Muslims and Jews. However, members of newer groups, including Baptists, Pentecos-

tals, and Jehovah's Witnesses, have faced harassment and intimidation by law enforcement officials and Georgian Orthodox extremists.

The government does not restrict academic freedom. Georgia has put in place significant reforms to improve academic standards and independence. These steps have helped eliminate the bribes students previously paid to receive high marks or pass entrance examinations.

Respect for the freedoms of association and assembly were tarnished in November 2007, when the authorities used tear gas and water cannons to disperse thousands of protesters. Several hundred people were injured. The state of emergency further restricted assembly rights for the eight days it was in force.

Nongovernmental organizations (NGOs) are able to register and operate without arbitrary restrictions. The country's NGOs play an active role in public debate, though their influence has diminished somewhat under the current administration. The constitution and the Law on Trade Unions allow workers to organize and prohibit antiunion discrimination. The Amalgamated Trade Unions of Georgia, the successor to the Soviet-era trade federation, is the principal trade union bloc. It is not affiliated with, and receives no funding from, the government.

The judiciary has been unable to establish itself as an independent institution, and continues to suffer from extensive corruption and pressure from the executive branch. The payment of bribes to judges is reportedly common, and judicial reform efforts have been slow in moving forward.

The police force has improved its performance since the government dismissed half of its personnel in August 2004 as part of an anticorruption overhaul. Among other results, the reforms led to a virtual eradication of corrupt vehicle stops by police to extract bribes from motorists—previously a part of daily life and still prevalent in nearly all other former Soviet republics. Prison conditions in Georgia remain grim.

The government generally respects the rights of ethnic minorities in areas of the country that are not contested by separatists. Freedom of residence and freedom to travel to and from the country are generally respected, although the embargo imposed by Moscow prevents travel to and from Russia.

Societal violence against women is a problem. The Georgian authorities have acknowledged the issue and in June 2006 passed the first law on domestic violence, which allows victims to file immediate protective orders against their abusers and permits police to issue a temporary restrictive order against suspects.

While there are no laws that specifically criminalize spousal abuse or violence against women, the criminal code classifies rape, including spousal rape, and sexual coercion as crimes. Georgian law prohibits trafficking in persons, but the country remains a source, transit point, and destination for the trade.

## Germany

**Population:** 82,300,000

**Capital:** Berlin

**Political Rights:** 1

**Civil Liberties:** 1

**Status:** Free



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

1998	1999	2000	2001	2002	2003	2004	2005	2006	2007
1,2F	1,2F	1,2F	1,2F	1,1F	1,1F	1,1F	1,1F	1,1F	1,1F

### Overview:

The "grand coalition" of the center-right Christian Democratic Union/Christian Social Union and the center-left Social Democratic Party reached the midpoint of its term in office in 2007. An alleged terrorist plot was foiled in September, leading to proposals to tighten antiterrorism laws and a debate over the balance of security and civil liberties in Germany.

Modern Germany emerged in 1871, when the existing patchwork of German states unified under Prussian leadership. Defeated in World War I, and again more devastatingly in World War II, Germany was divided into two states—the capitalist and democratic Federal Republic in the west and the Communist German Democratic Republic in the east—during the ensuing Cold War. The Berlin Wall, which had kept East Berliners from fleeing west, was opened in 1989, and East Germany was absorbed into the Federal Republic the following year. Despite more than a decade of massive subsidies, eastern Germany remains considerably poorer than the rest of the country, with higher levels of unemployment. The economic situation has contributed to greater support for extremist political groups in the east.

A coalition of the Social Democratic Party (SPD) and the Green Party was elected in 1998, with the SPD's Gerhard Schroeder as chancellor. The government's first term was marked by slow economic growth, and the SPD's opinion-poll ratings languished in late 2002. However, Schroeder drew voter support by vocally opposing U.S. preparations to invade Iraq, and the coalition parties bested the opposition alliance of the Christian Democratic Union and Christian Social Union (CDU/CSU) in the September 2002 legislative elections.

The government's poll ratings sank quickly again after the elections, and the SPD lagged far behind the CDU/CSU in popularity for most of Schroeder's second term. The primary reason was dissatisfaction with the economy, which shrank slightly in 2003. The unemployment rate remained stubbornly high, at around 10 percent. Schroeder began to tackle that issue in earnest with labor-market reforms in 2002, making it easier for firms to fire workers, encouraging the creation of part-time and lower-wage "mini-jobs," and cutting benefits to the unemployed if they proved unwilling to take an available job or to move to take a job. However, the reforms



irritated labor unions, a key component of the SPD's electoral base, and failed to improve the economy quickly enough for voters.

The SPD's May 2005 state electoral defeat in North Rhine-Westphalia, a traditional party stronghold, led the chancellor to call for a parliamentary vote of confidence, which he planned to lose in order to bring national elections forward by a year. He duly lost the vote, and after the Constitutional Court granted its approval, early elections were set for September.

The CDU/CSU, which chose Angela Merkel as its candidate for chancellor, mounted a lackluster and error-prone campaign that eroded its substantial lead in the polls. In the end, the alliance won just 225 seats, while the SPD took 222. The CDU/CSU's preferred coalition partner, the socially liberal, market-oriented Free Democratic Party (FDP), won 61 seats, up from 47. However, that was not enough to grant the prospective coalition a majority, and the incumbent coalition of the SPD and Greens also fell short. Both sides were unwilling to cooperate with the newly formed Left Party, a combination of left-wing SPD rebels and the successor to East Germany's Communist Party that won 54 seats. After unusually protracted coalition negotiations, the CDU/CSU and the SPD were obliged to form a "grand coalition," and Merkel became Germany's first female chancellor.

Merkel began her term with extremely high personal popularity ratings. However, over the course of 2006 and 2007, the grand coalition proved slow to move on new legislation as the two constituent parties engaged in long negotiations over a wide variety of issues. A modest health-care reform agreement was reached in 2006. In 2007, other coalition accords trimmed the payroll tax and made it easier for foreign engineers to work in Germany. An economic upswing removed the impetus for more aggressive legislative action.

Concerns over the assimilation of Muslim immigrants were prominent in 2006. A German politician of Turkish descent was badly beaten in May, allegedly by neo-Nazis. In August, two crude bombs, which failed to detonate, were found on German trains. A Mozart opera, *Idomeneo*, was canceled in September because of security concerns over a controversial staging that featured the severed heads of Jesus, Buddha, and the prophet Muhammad.

In 2007, immigration laws were tightened as assimilation worries continued. One measure required spouses migrating to Germany to pass a German language test, drawing objections from Germany's large Turkish minority. In September of that year, an alleged terrorist plot to attack Frankfurt's airport and a U.S. airbase was foiled. The fact that two of the suspected plotters were native German converts to Islam raised fears that the terrorist threat would be increasingly difficult to combat. Government ministers proposed strengthening antiterrorism laws. Some steps, including making it easier for the intelligence services and police to share information, were relatively uncontroversial. But a proposal for remote electronic eavesdropping, and a suggestion by the defense minister that he would order hijacked airplanes being used as missiles to be shot down, proved more contentious. The Constitutional Court in 2006 had ruled against the idea of shooting down hijacked planes, leading to complaints that the defense minister was ignoring the rule of law.

Merkel enjoyed international prominence during 2007, which sustained her popularity at home. In June, she hosted the annual Group of 8 summit in Heiligendamm, where she won commitments on global warming from the assembled leaders, includ-

ing U.S. president George W. Bush. Merkel also held the rotating presidency of the European Union (EU) for the first six months of the year, leading successful negotiations on a new treaty to replace the draft EU constitution that had been defeated in French and Dutch referendums in 2005. However, tensions between the two parties of the grand coalition began to build in the second half of the year, as each tried to distinguish itself as the government entered the second half of its term.

**Political Rights and Civil Liberties:** Germany is an electoral democracy. The constitution provides for a lower house of parliament, the 614-seat Bundestag (Federal Assembly), elected at least every four years through a 50-50 mixture of proportional representation and single-member districts, as well as an upper house, the Bundesrat (Federal Council), which represents the states and approves key legislation, including economic bills. Its 69 members are delegates from the individual state governments, and each state's delegation must vote as a block. The country's head of state is a largely ceremonial president, chosen jointly by the Bundestag and a group of state representatives to serve up to two five-year terms. In Germany's federal system, state governments have considerable authority over matters such as education and policing, as well as substantial powers to tax and spend. The chancellor, the head of government, is elected by the Bundestag and usually serves for the duration of a four-year legislative session. He or she can only be deposed in the middle of a term if the Bundestag chooses a replacement, in a so-called constructive vote of no confidence.

Political pluralism has been constrained by laws restricting the far left and far right. The Communist Party of Germany was banned in the Federal Republic in 1956. However, the former ruling party of Communist East Germany, renamed the Party of Democratic Socialism (PDS), was a legal and democratic far-left party that participated in state governments. It merged with former left-wing SPD members to form the new Left Party ahead of the 2005 elections and has since grown in prominence.

The two main far-right parties, the National Democratic Party (NDP) and the German People's Union (DVU), are hostile to immigration and the EU. Although they sometimes receive a small share of the vote—the NDP won 9 percent in a state election in Saxony in 2004, and 7.3 percent in Mecklenburg-Western Pomerania in 2006—they are routinely kept out of government and pose little threat to democratic rule. Their strength, like that of the Left Party, is greater in the former East Germany, where unemployment and poor economic conditions feed political frustration. However, tightened asylum and immigration laws have undercut basic support for the far-right parties, which once again failed to win seats in the 2005 federal elections. (Parties must win at least 5 percent of the vote to be represented in the Bundestag.) Nazism is illegal, but the government's attempts to ban the NDP as a neo-Nazi group were stalled in court in 2003 when it was revealed that many of those testifying against the party were government agents.

The government is accountable through open debates in parliament, which are covered widely in the media. Germany is free of pervasive corruption and was ranked 16 out of 180 countries surveyed in Transparency International's 2007 Corruption Perceptions Index.

Freedom of expression is protected in the constitution, and the media are largely free and independent. However, it remains illegal to advocate Nazism or deny the

Holocaust. The authorities have sought unsuccessfully to prosecute internet users abroad who post Nazi propaganda aimed at Germany.

In March 2003, the Constitutional Court ruled that surveillance of journalists' telephone calls could be deemed legal by judges in "serious" cases. The lack of a definition for "serious" is a cause for concern among reporters, who fear that the word's vagueness invites abuse. Journalists have also been prosecuted for "divulging state secrets," for example on the government's antiterrorism efforts. Nevertheless, the press remains lively, investigative, and professional.

Freedom of belief is protected under law. Religions that fulfill certain requirements have the status of a "corporation under public law," and the government collects taxes from members on the religious groups' behalf, for a fee. However, Germany has taken a strong stance against the Church of Scientology, which it deems an economic organization rather than a religion. The four biggest political parties deny membership to Scientologists, and the group has been under surveillance by intelligence agencies. The Jehovah's Witnesses were denied public-law corporation status in 1997 for failing to demonstrate "indispensable loyalty" to the democratic state, but this ruling was overturned on church-state separation grounds in 2000. The state of Berlin resisted granting public-law corporation status to the Witnesses until 2006, when court rulings forced it to do so. The Jehovah's Witnesses' organizations also have tax-exempt status. Several states have passed laws prohibiting female Muslim schoolteachers from wearing headscarves (*hijab*) on duty, amid a climate of incrementally rising hostility toward Muslim immigrants and their German-born children. In late 2007, a court ruled that the state of Hesse's ban on public servants wearing the *hijab* did not violate the state's constitution. Other states have considered similar bans. Academic freedom is generally respected in Germany.

Civic groups and nongovernmental organizations operate without hindrance. The right of peaceful assembly is not infringed upon, except in the case of outlawed groups, such as those advocating Nazism or opposing the democratic order. Trade unions, farmers' groups, and business confederations are free to organize, and they have traditionally played a prominent role in Germany's consensus-based policy-making system. However, unions have weakened in recent years.

The judiciary is independent, and the rule of law prevails. The Federal Constitutional Court vets the compatibility of legislation with the basic law. In addition to having its own provisions, Germany is a party to the European Convention on Human Rights. Prison conditions are adequate, though the Council of Europe has criticized the practice of preliminary detention before formal arrest; people so detained may not contact a lawyer or family members. Anti-immigrant sentiments have led to attacks on members of ethnic minorities, but immigrants in Germany are less "ghettoized" than in some neighboring countries, such as France.

Women's rights are well protected, with generous maternity policies and anti-discrimination laws, though the latter do not prevent some wage discrimination. There are 6 women in the 14-member federal cabinet. Limited gay partnership rights are respected.

## Ghana

**Population:** 23,000,000

**Capital:** Accra

**Political Rights:** 1

**Civil Liberties:** 2

**Status:** Free



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

1998	1999	2000	2001	2002	2003	2004	2005	2006	2007
3,3PF	3,3PF	2,3F	2,3F	2,3F	2,2F	2,2F	1,2F	1,2F	1,2F

**Overview:** In July 2007, eight cabinet ministers resigned in order to vie for the presidential nomination of the ruling New Patriotic Party ahead of the 2008 elections. In December, the party elected Nana Addo Dankwa Akufo-Addo, the former minister of foreign affairs, as its candidate. Meanwhile, corruption cases plagued both the ruling party and the opposition National Democratic Congress. Severe flooding hit the country in August, killing an estimated 22 people and destroying more than 20,000 homes.

Ghana emerged from British rule in 1957, becoming sub-Saharan Africa's first European colony to achieve independence. After the 1966 overthrow of its charismatic independence leader, Kwame Nkrumah, the country was rocked for 15 years by a series of military coups. Successive military and civilian governments vied with one another in both incompetence and dishonesty.

In 1979, air force officer Jerry Rawlings led a coup against the ruling military junta and, as promised, returned power to a civilian government after a purge of corrupt senior army officers. However, he seized power again in December 1981, claiming that the move was necessary to restore a worthy government to Ghana. Despite its populist objectives, Rawlings's new administration proved to be brutally repressive, banning political parties and quelling all dissent. In the late 1980s, faced with a crumbling economy and mounting demands for political representation, Rawlings agreed to legalize political parties and hold elections. However, the subsequent voting, in which Rawlings was confirmed as head of state, was considered neither free nor fair. More genuine elections were held in 1996, but Rawlings and the ruling National Democratic Congress (NDC) party retained power thanks to opposition disunity and the exploitation of state media and resources.

The 2000 presidential and parliamentary polls were widely considered to be free and fair. They also marked the first time in Ghana's history that one democratically elected president was succeeded by another, as the term-limited Rawlings stepped down. The opposition, led by John Kufuor and the New Patriotic Party (NPP), alleged intimidation in the second round of presidential voting, but it soon became clear that Kufuor had won soundly with 57 percent of the vote, compared with 43

percent for Vice President John Atta Mills of the NDC. During concurrent legislative polls, the opposition broke the NDC's stranglehold on Parliament.

Kufuor was reelected in 2004 with 53 percent of the vote, followed by Atta Mills with 44 percent. The constitution requires a runoff between the top two candidates if the front-runner receives 51 percent of the vote or less in the first round. Given the proximity of Kufuor's 53 percent to this limit, the NDC alleged irregularities and called for a vote recount, but the Electoral Commission turned down the request.

In that year's legislative elections, the NPP won 128 seats, and the NDC took 94. An alliance of civil society groups, the Coalition of Domestic Election Observers, deployed thousands of monitors across the country for both 2004 polls. Sporadic violence was reported, as were a few incidents of intimidation and other irregularities, but domestic and international observers judged the elections to have been generally free and fair.

Preparations for the 2008 elections dominated the Ghanaian political scene for the next three years. While the NDC maintained an appearance of party unity, its chosen presidential candidate—again Atta Mills—continued to be associated with the corruption and mismanagement of the Rawlings administration. The NPP faced internal division, as some 20 rivals vied to succeed Kufuor. Eight of the NPP candidates were cabinet ministers who were forced to resign in July 2007 in order to campaign. Beginning on December 14, members of the NPP met to elect their party's presidential candidate. Nana Adoo Dankwa Akufo-Addo—most recently the minister of foreign affairs—won the nomination with 48 percent of the vote. Though he fell short of the 50 percent required to cinch the nomination, the second-place candidate conceded defeat in the name of party unity.

Corruption charges tainted both of the leading political parties in 2007. Daniel Abodakpi, an NDC lawmaker, was sentenced in February to 10 years in prison for causing financial losses to the state. That brought the number of NDC politicians serving prison time for fraud to five, although Abodakpi was the first sitting member of Parliament to be sentenced. In May, a court in the United States indicted Nana Amoakoh, an NPP lawmaker, on charges of grand larceny and money laundering.

Ghana has become a relatively peaceful country in a region plagued by conflict and instability. However, violence occasionally flares up, particularly concerning the installation of regional chiefs. In 2006, rival clans in the northern town of Bimbilla clashed over who was the rightful heir to the throne of a paramount chief. Tribal riots erupted in Accra in June 2007, after it was alleged that the NPP had worked to install a regional chief in the Ga tribe who was favorable to their cause.

In August and September 2007, severe flooding hit much of West Africa, but Ghana was the worst affected. By the end of the year, Kufuor had declared three regions in the north to be disaster areas, an estimated 22 people had lost their lives, and more than 20,000 homes had been destroyed. The situation deteriorated further when neighboring Burkina Faso opened a dam to relieve pressure from the floodwaters.

The Kufuor administration's reputation for good governance has won aid from foreign donors, but Ghana has recently been working to move away from donor dependency and toward a self-sufficient economy. In August 2006, Kufuor signed an agreement with the U.S. government's Millennium Challenge Corporation to receive \$547 million in antipoverty aid—the largest grant awarded by the corporation to date.

**Political Rights and Civil Liberties:** Ghana is an electoral democracy. The December 2004 presidential and parliamentary elections were considered generally fair and competitive. The president and vice president are directly elected on the same ticket for four-year terms. Members of the unicameral, 230-seat Parliament are also elected for four-year terms. In February 2006, the president signed the Representation of the People Amendment Act, giving Ghanaians living overseas the right to vote. Parliament had quickly passed the bill during a boycott by NDC lawmakers, who vehemently opposed the measure. Many observers believe it could benefit the NPP in the 2008 elections.

The political system is dominated by the ruling NPP and the opposition NDC. A number of smaller parties also hold seats in Parliament, and their support for one of the two main parties could be a deciding factor in the election of the next president.

The government of President John Kufuor has made efforts to improve transparency and reduce corruption, but these have rarely proven successful, and the graft problem continued to grow in 2007. The year's two most prominent cases each involved a member of Parliament—one from the NPP and one from the NDC. The NDC also accused the Kufuor administration of corruption and nepotism in the cabinet reshuffling that followed the July resignation of eight ministers. One of the new cabinet members, the deputy minister of manpower, youth, and employment, was currently facing allegations in court of financial mismanagement and sexual deviance. Ghana was ranked 69 out of 180 countries surveyed in Transparency International's 2007 Corruption Perceptions Index.

Freedom of expression is constitutionally guaranteed and generally respected. Numerous private radio stations operate, and many independent newspapers and magazines are published in Accra. However, Ghana has yet to pass legislation protecting freedom of information. The situation for the media noticeably deteriorated in 2007, as a number of journalists suffered violent harassment or abuse during the year. In the most serious incident, Samuel *Enin*, news editor for the radio station Ash FM and the regional chairman of the Ghana Journalists' Association, was shot and killed by two unknown assailants in February. It was unclear whether the attack was related to his work. Internet access is unrestricted.

Religious freedom is respected, and the government continued its prosecution of perpetrators of religious violence in 2007.

Academic freedom is also guaranteed and respected. In 2005, in line with the UN Millennium Development Goals for education, the government removed all fees for access to primary and secondary education, though university tuitions remain. Student enrollment has risen by more than 16 percent since the new policy was implemented, putting a strain on the education system. According to the UN Office for the Coordination of Humanitarian Affairs, the Ministry of Education, Science, and Sport claims that the country needs 17,000 additional teachers and 13,400 new schools in order to deal with the increase in the student body.

The rights to peaceful assembly and association are constitutionally guaranteed, and permits are not required for meetings or demonstrations. Under 2003 labor laws that conform to International Labor Organization (ILO) conventions, every worker has the right to form or join a trade union. About 20 percent of the workforce is employed in the formal sector, but less than 9 percent of those are unionized, partly due to the weak economy. In 2006, secondary-school teachers staged a nationwide

strike for better pay, but the Accra High Court found the action to be illegal. Health workers went on strike sporadically in 2007, demanding better pay and infrastructure. Though they were peaceful, these strikes proved to be relatively ineffective.

Ghanaian courts have acted with increased autonomy under the 1992 constitution, but corruption remains a problem. Scarce resources compromise the judicial process, and poorly paid judges are frequently tempted by bribes. In June 2007, Parliament approved the nomination of Georgina Theodora Wood as the new chief justice. Wood served on the Supreme Court since 2002 and promised to do more to protect women's rights. She also indicated that problems with the judicial infrastructure, particularly the lack of adequate courtrooms, needed to be addressed for the courts to function effectively.

While the government has taken steps to improve prisons, conditions remain harsh and sometimes life threatening. Delays in the prosecution of the accused often lead to extended periods of pretrial detention. In order to mark the 50th anniversary of Ghana's independence, the Kufuor administration in 2007 freed or commuted the sentences of 1,206 prisoners, some of whom were on death row.

Communal and ethnic violence occasionally flares in Ghana. The north of the country in particular is dominated by various tribal associations, many of which have ties to major political parties based in the south. However, in 2007 it was the Accra region in the south that experienced a series of riots in response to the NPP's alleged involvement in the nomination of a new chief to the Ga tribe. Police fired plastic bullets in an effort to disperse the rioters, but no one was seriously injured.

Ghanaians are generally free to travel throughout the country despite occasional roadblocks erected by security forces or civilians seeking payments from motorists. In addition, citizens from neighboring countries are free to travel to Ghana. According to the Office of the UN High Commissioner for Refugees, Ghana currently hosts some 46,000 refugees and 5,500 asylum seekers from around the region. That figure is an improvement over the 62,000 refugees reported in 2006. The reduction stems from the UN's effort to repatriate 15,000 Liberians and the return of a few thousand Togolese refugees as the political situations in both countries have begun to improve.

Despite their equal rights under the law, Ghanaian women suffer societal discrimination, especially in rural areas where opportunities for education and wage employment are limited. However, women's enrollment in universities is increasing. Domestic violence against women is said to be common but often goes unreported, and even formal complaints are rarely resolved in court. Sexual violence against girls is a particular problem in the country's otherwise thriving educational sector. Female genital mutilation was outlawed in 1994, and those who perform the operation face a prison sentence of at least three years. In 2007, the government proposed revising the law so that it punishes anyone who gives permission for the procedure, including family members. Nonetheless, the proposed measure had not been passed by year's end. Ghana has yet to ratify the African Union Protocol on Women's Rights.

## Greece

Population: 11,200,000

Capital: Athens

Political Rights: 1

Civil Liberties: 2

Status: Free



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

1998	1999	2000	2001	2002	2003	2004	2005	2006	2007
1,3F	1,3F	1,3F	1,3F	1,2F	1,2F	1,2F	1,2F	1,2F	1,2F

### Overview:

**Wildfires ravaged Greece's Peloponnesian peninsula in August 2007, killing over 60 people and destroying nearly 500,000 acres of countryside. The conservative government was accused of a slow response to the disaster. The ruling New Democracy party lost a number of seats in parliamentary elections in September, but it secured enough to remain in power.**

The core of modern Greece gained independence from the Ottoman Empire in 1830. The ensuing century brought additional territorial gains at the Ottomans' expense, as well as domestic political struggles between royalists and republicans. Communist and royalist partisans mounted a strong resistance to Nazi German occupation during World War II, but national solidarity broke down in the early post-war period, when royalists won national elections and eventually defeated the Communists in a civil war. In 1967, a group of army officers staged a military coup, suspending elections and arresting hundreds of political activists. A referendum in 1974 rejected the restoration of the monarchy, and a new constitution in 1975 declared Greece a parliamentary republic.

The Panhellenic Socialist Movement (PASOK) governed the country from 1981 to 2004, except for a brief period from 1990 to 1993, when the conservative New Democracy party held power. In the March 2004 elections, New Democracy took 165 of the 300 seats in Parliament, unseating PASOK, which captured 117. A nationalist and xenophobic party, the Popular Orthodox Rally (LAOS), fell short of a 3 percent threshold for entering the national legislature, but it took 4.1 percent of the vote during European Parliament elections in June 2004. LAOS is led by a populist journalist, Yeoryios Karatzaferis, who has been accused by human rights groups of holding racist and anti-Semitic views.

In January 2007, a rocket was fired at the U.S. embassy in Athens, causing minor damage and no injuries. Separately, a riot at a soccer game in March left one fan dead, prompting the government to ban about 300 team supporters' clubs. Wildfires ravaged the countryside of the Peloponnesian peninsula in August, killing over 60 people and scorching nearly 500,000 acres. The government's response to the fires was criticized as slow and sparked widespread anger.



The ruling New Democracy party returned to power in September parliamentary elections, but with just 152 seats, 13 fewer than in 2004. PASOK, the main opposition party, also lost support, capturing 102 seats. Among the smaller parties, LAOS won 10 seats, entering Parliament for the first time; the Communist Party of Greece (KKE) took 22 seats, and the Coalition of the Left and Progress (Synaspismos) won 14.

**Political Rights and Civil Liberties:** Greece is an electoral democracy. All 300 members of the unicameral Parliament are elected according to a system of proportional representation. The largely ceremonial president is elected by a supermajority of Parliament for a five-year term. The current president, Karolos Papoulias of PASOK, was elected unopposed in March 2005. The prime minister, the most powerful person in Greek politics, is chosen by the president and is usually the leader of the party with a majority in Parliament; the current prime minister is Konstandinos Karamanlis of the New Democracy party. Five parties won seats in Parliament in 2007: the center-left PASOK, the conservative New Democracy, the leftist KKE and Synaspismos, and the far-right LAOS.

The country has generally fair electoral laws, equal campaigning opportunities, and a system of compulsory voting that is weakly enforced. Some representatives of the Romany (Gypsy) community complain that certain municipalities have failed to register Roma who did not fulfill basic residency requirements.

Corruption continues to be a problem. Greece was ranked 56 out of 180 countries surveyed in Transparency International's 2007 Corruption Perceptions Index. According to the 2006 U.S. State Department report on human rights, numerous judges have been dismissed for corruption. In 2006, the police department's Bureau of Internal Affairs took several disciplinary measures against corrupt officers.

The constitution includes provisions for freedom of speech and the press. There are, however, some limits on speech that incites fear, violence, and disharmony among the population, as well as on publications that offend religious beliefs, are obscene, or advocate the violent overthrow of the political system. A proposed media law currently being discussed in Parliament states that the main transmission language of radio stations must be Greek. It also requires that radio stations keep a certain amount of money in reserve and hire a certain number of full-time staff, both factors that would disproportionately hurt smaller, minority-owned stations. Internet access is not restricted.

In July 2007, the European Court of Human Rights ruled that a Greek law that holds journalists responsible for the declarations and opinions of people taking part in controversial talk shows was a breach of the freedom of expression. In the original case, a Greek court had ruled that the journalist/coordinator of a radio program was liable for a guest speaker's on-air criticism of certain public personalities. Separately, the leader of a journalists' union, Dimitris Trimis, was sent to jail in March for his union activities during a 2004 strike.

While the constitution guarantees the right of all citizens to practice the religion of their choice, the Orthodox Church is considered the "prevailing" denomination of the country. Members of some minority religions face social discrimination and legal barriers. For example, some religious groups have encountered legal restrictions on inheriting property as a religious entity. Although all religious organizations have to pay taxes, the government subsidizes the Orthodox Church. In addition, "known"

religious groups are required to obtain permits from the Ministry of Education and Religion in order to open houses of worship. Proselytizing is prohibited, and consequently, Mormons and members of the Jehovah's Witnesses are routinely arrested and have reported abuse by police officers for their religious beliefs. Anti-Semitism remains a problem in the country. Until 2006, when approval for construction was granted, Athens had been the only European Union capital without a functioning mosque built for the purpose of worship. Academic freedom is not restricted in Greece.

The constitution allows for freedom of association, but there are limits on the freedom of groups representing ethnic minorities. International and local nongovernmental organizations (NGOs) generally operate in the country without interference from authorities. In some cases, domestic human rights groups receive government funding and assistance. The right to freedom of assembly is guaranteed by the constitution and generally protected by the government.

The constitution and laws provide workers with the right to join and form unions. Twenty-seven percent of all nonagricultural salaried workers are union members. A general strike in March 2006, launched to protest the conservative government's economic reforms, caused widespread disruption to transportation and other public services.

The judiciary is independent, and the constitution provides for public trials. During the year, several judges were under investigation and some dismissed for charges of corruption. However, a number of NGOs have raised concerns about the ill-treatment of detainees, especially immigrants and members of religious minorities, by law enforcement officials. Prison overcrowding remains a problem.

Despite government efforts, racial intolerance is still pervasive in society and is often expressed by figures in the media, in politics, and in the Orthodox Church. Ethnic and religious minority groups face a number of barriers. The government does not officially recognize the existence of any non-Muslim minority groups, particularly Slavophones. Macedonian is not recognized as a language, as officials fear secessionist aspirations among its speakers. Using the terms *Turkos* or *Tourkikos* ("Turk" and "Turkish," respectively) in the title of an association is illegal and may lead to persecution. Police officers have recently been provided with training on human rights and the prohibition of racial discrimination.

Immigrants are disproportionately affected by institutional problems in the judicial system. Bureaucratic delays in the legalization process for immigrants force many into a semilegal status when they are not able to effectively renew their immigration papers, putting them in jeopardy of deportation. The British Broadcasting Corporation (BBC) has reported that many migrants who manage to enter illegally are locked up in unhygienic, overcrowded detention centers, without any prior screening to determine whether their asylum claims are legitimate. Amnesty International in 2007 documented several incidents of police brutality against immigrants, including one that was videotaped and posted on the internet.

The Romany community continues to face considerable discrimination, particularly in housing cases, as they are often targeted for eviction. More than 200 Romany households are currently at risk of eviction to make way for the construction of a soccer stadium in the Votanikos district of Athens. In January 2007, the prefect of Athens, Yannis Sgouros, became the first high-ranking Greek official to personally visit the Votanikos Romany community to review the situation.

Women lack specific legislation to deal with domestic violence and face gender-based discrimination in the workplace. Following the September 2007 elections, women held roughly one in six seats in Parliament. Trafficking in women and children for prostitution remains a problem, but the government has attempted over the past few years to address the issue. The U.S. State Department ranked Greece as a Tier 2 country in its 2007 Trafficking in Persons Report, noting that officials made efforts to prosecute traffickers in 2006. The country had been on the Tier 2 Watch List in 2005. In July 2007, Amnesty International reported that the state does not sufficiently support victims of sex trafficking, since it forces women to decide within a one-month period whether to "cooperate with authorities" and testify against their traffickers in order to be recognized as a victim.

## Grenada

**Population:** 100,000  
**Capital:** St. George's

**Political Rights:** 1  
**Civil Liberties:** 2  
**Status:** Free



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

1998	1999	2000	2001	2002	2003	2004	2005	2006	2007
1,2F	1,2F	1,2F	1,2F	1,2F	1,2F	1,2F	1,2F	1,2F	1,2F

### Overview:

**In 2007, Prime Minister Keith Mitchell reshuffled his cabinet and advanced plans to establish a broadcasting authority that prompted concerns about press freedom on the island. Separately, the London-based Privy Council in February struck down the life prison sentences of the 13 members of the "Grenada 17" who had remained in prison following their conviction for the 1983 assassination of Prime Minister Maurice Bishop. The inmates received reduced sentences in June, and three were released immediately.**

Grenada gained independence from Britain in 1974. Maurice Bishop's Marxist New Jewel Movement seized power in 1979, creating a People's Revolutionary Government (PRG). In 1983, Bishop was murdered by New Jewel hard-liners Bernard Coard and Hudson Austin, who took control of the country. However, a joint U.S.-Caribbean military intervention quickly removed the PRG and set the country on a path toward new elections. In 1986, Coard and 18 others were sentenced to death; subsequently, 2 of the 19 were pardoned, and the rest—who became known as the Grenada 17—had their sentences commuted to life imprisonment. In December 2006, an additional 4 of the 17 were released. The London-based Privy Council ruled in February 2007 that the same findings that had invalidated the death sentences also

rendered the life sentences unconstitutional. The 13 remaining inmates received reduced sentences in June; 3 were released immediately, and the other 10, resentenced to 40 years in prison, would be eligible for release within a few years.

Prime Minister Keith Mitchell has ruled Grenada since 1995. In the 2003 elections, his New National Party (NNP) captured 8 seats in the 15-member House of Representatives, while the opposition National Democratic Congress (NDC), headed by Tillman Thomas, won 7 seats. Contentious relations between the government and opposition prompted Mitchell to reshuffle his cabinet in 2007. Also during the year, the NDC called for the establishment of a special committee to investigate corruption allegations regarding an oil and gas investment deal that the government signed with international investors. Separately, a legal inquiry was reopened into whether Mitchell had accepted US\$500,000 from German-born Eric E. Resteiner in exchange for Resteiner's appointment as trade counselor for Grenada in 1999.

By 2007, Grenada still had not fully recovered from Hurricane Ivan, which struck the island in September 2004 and caused nearly U.S.\$900 million in damage, more than twice the country's annual gross domestic product. The country did achieve a 7 percent growth rate in 2007, however, and successfully hosted several matches for the 2007 Cricket World Cup.

#### **Political Rights and Civil Liberties**

Grenada is an electoral democracy. The 2003 parliamentary elections were considered generally free and fair, despite some allegations of voter-list manipulation. The bicameral Parliament consists of the directly elected, 15-seat House of Representatives, whose members serve five-year terms, and the 13-seat Senate, to which the prime minister appoints 10 members and the opposition leader names 3. The prime minister is typically the leader of the majority party in the House of Representatives and is appointed by the governor-general, who represents the British monarch as head of state. Grenada's main political parties are the ruling NNP, the opposition NDC, the Grenada United Labor Party (GULP), and the People's Labor Movement (PLM).

Corruption remains a contentious political issue in Grenada, and the country compares unfavorably with several of its neighbors. Grenada was ranked 79 out of 180 countries surveyed in Transparency International's 2007 Corruption Perceptions Index.

The right to free expression is generally respected. The media, including three weekly newspapers and several other publications, are independent and freely criticize the government. A private corporation, with a minority stake owned by the government, operates the principal radio and television stations. There are also nine privately owned radio stations, one privately owned television station, and a privately owned cable company. In 2007, the government introduced a bill to create a broadcasting authority. Media advocates raised concerns that it would stifle press freedom through excessive regulation. Access to the internet is unrestricted.

Citizens of Grenada generally enjoy the free exercise of religious beliefs, and there are no official restrictions on academic freedom.

Constitutional guarantees regarding freedoms of assembly and association are respected. Grenada has a robust civil society that participates actively in domestic and international discussions, although limited resources hamper its effectiveness.

Workers have the right to organize and bargain collectively. Independent labor unions represent an estimated 20 to 25 percent of the workforce. All unions belong

to the Grenada Trades Union Council (GTUC). A 1993 law allowed the government to establish tribunals to make "binding and final" rulings when a labor dispute is considered to be of vital interest to the state; the GTUC claimed that the law was an infringement on the right to strike.

The authority of Grenada's independent and prestigious judiciary is generally respected by the Royal Grenada Police Force. There are no military courts. In 1991, Grenada rejoined the Organization of Eastern Caribbean States court system, with the right of appeal to the Privy Council in London. Grenada is a charter member of Caribbean Court of Justice, which was inaugurated in Trinidad and Tobago in 2005, but the country still relies on the Privy Council as its final court of appeal. Detainees and defendants are guaranteed a range of legal rights, which the government respects in practice. However, a lack of judges and facilities has led to a backlog of six months to one year for cases involving serious offenses. In addition, the highly publicized case of the Grenada 13 has been repeatedly criticized for its perceived political manipulation by the government. Amnesty International classified the 13 as political prisoners.

In 2007, violent attacks on the wife of the Cuban ambassador and Italy's honorary consul prompted the Ministry for National Security to provide police protection for diplomats. Grenada's prison conditions are poor, but they meet minimum international standards, and the government allows visits by human rights monitors. Flogging is still legal but employed rarely, primarily as a punishment for sex crimes and theft. In June 2006, the government opened a military-style delinquency camp for juveniles convicted of minor offenses.

Grenada has no significant problems involving discrimination against minorities. Women are represented in the government, though there are more in the ministries than in Parliament. Women generally earn less than men for equal work. Domestic violence against women is common, and most instances of abuse go unreported or are settled out of court.

## Guatemala

**Population:** 13,400,000

**Capital:** Guatemala City

**Political Rights:** 3

**Civil Liberties:** 4

**Status:** Partly Free



### Ten-Year Ratings Timeline For Year Under Review

(Political Rights, Civil Liberties, Status)

1998	1999	2000	2001	2002	2003	2004	2005	2006	2007
3,4PF	3,4PF	3,4PF	3,4PF	4,4PF	4,4PF	4,4PF	4,4PF	3,4PF	3,4PF

### Overview:

**Guatemala held national elections amid record violence in 2007, with more than 50 candidates, activists, and their relatives killed during the campaign. The voting was nev-**

ertheless considered free and fair by international observers. **Businessman Alvaro Colom won the presidency in a runoff against former general Otto Perez Molina, and former dictator Efraín Ríos Montt, who was wanted in Spain on genocide charges, won a congressional seat and its attendant immunity from prosecution. Also in 2007, violent crime continued unabated, and environmental and human rights activists, as well as union leaders, suffered threats and attacks. The highly publicized murders of three Salvadoran congressmen in Guatemala in February, and the subsequent killings of the perpetrators in a Guatemalan prison, called international attention to the existence of death squads within national police forces. Separately, the government approved the creation of the International Commission Against Impunity in Guatemala, intended to expose corruption and organized crime in public institutions and civil society.**

The Republic of Guatemala, which was established in 1839, has endured a history of dictatorship, coups, and guerrilla insurgencies. Civilian rule followed the 1985 elections, and a 36-year civil war, which claimed the lives of more than 200,000 people, ended with the signing of a peace agreement in 1996. The peace accords led to the successful demobilization of the Guatemalan National Revolutionary Unity (URNG) guerrillas and their legalization as a political group. A truth commission mandated by the peace accords began receiving complaints of rights violations committed during the conflict. However, in a May 1999 referendum, voters rejected a package of amendments to the constitution that had been approved by Congress a year earlier and prepared in accordance with the peace plan. The general consensus was that the government had failed to implement substantive reforms addressing social and economic inequalities, including ending military impunity, fully recognizing the rights of the Maya Indians, and reforming taxation to pay for health, education, and housing programs for the poor.

In July 2003, the Constitutional Court ruled that retired general Efraín Ríos Montt—who used the army to employ brutal "scorched earth" tactics against the URNG during his 18 months as ruler of Guatemala in 1982 and 1983—could run for the presidency. Before the decision, violent demonstrations were staged in Guatemala City, as the Guatemalan Republican Front (FRG) brought armed supporters to intimidate the court's justices and critics. Ríos Montt was later chosen as the FRG's candidate. In the first round of the presidential election, Oscar Berger of the Grand National Alliance (GAN), a former mayor of Guatemala City, received 34 percent of the vote. Alvaro Colom of the National Unity for Hope (UNE) obtained 26 percent, and Ríos Montt came in third with 19 percent. In the runoff election, Berger won the presidency with 54 percent of the vote.

Violent crime, which had been escalating for several years, fell slightly in 2007 to an estimated 14.5 murders per day, down from 17 murders a day in 2006. Approximately 5,292 homicides were committed in 2007, marking a notable decline from a total of 5,886 homicides in 2006, which represented a 10 percent increase from the 5,338 homicides in 2005, which had in turn been a 15 percent increase over the total in 2004. Nevertheless, Guatemala continues to be one of the most violent countries in Latin America, and murder rates are highest in areas associated with drug trafficking and gang activity, including the departments of Escuintla, Peten, Izabal, and Guatemala City. The murder rate in the capital reached about 108 per 100,000 people in

2007. Meanwhile, the continued practice of lynching, mutilation, torture, and political assassinations—carried out by plainclothes security forces, angered mobs, gangs, and other groups—has shocked the country. The upsurge in violent crime has been exacerbated by the proliferation of arms, continued economic ills, and weak criminal justice institutions. The national police force has a limited ability to combat crime, and has allegedly been infiltrated by organized criminal groups and death squads that perform extrajudicial killings. Private security officers outnumber the police in Guatemala.

The United States partnered with the Guatemalan government in 2007 to carry out the New Horizons military exercise, which focused on combating drug trafficking and illegal immigration on the Guatemala-Mexico border in San Marcos. In 2006, Guatemalan authorities eradicated poppy plants in that department, seized 120 kilograms of cocaine, and destroyed 80 clandestine drug-trafficking landing strips in the northern department of Peten. Progress in combating drug trafficking has been hampered by police corruption. Police officers were presumed to have been responsible for the theft of 475 kilograms of cocaine from a police warehouse early in 2006.

The country came under international scrutiny when three Salvadoran congressmen were killed by Guatemalan police officers while traveling through Guatemala in February 2007. The perpetrators quickly confessed and were sent to a maximum security prison, but they were killed in custody four days later. The police blamed the killings on prison riots, while inmates claimed to have seen men in military clothing enter the cells and execute the four incarcerated officers. The case created a diplomatic conflict between El Salvador and Guatemala, exposed the existence of death squads within the police force, and generally called national attention to the corruption and lawlessness that plagues the Guatemalan justice system. Security Minister Carlos Vielmann, national police chief Erwin Sperisen, and the head of the prison system, Victor Rosales, offered their resignations in March in connection with the scandal.

The 2007 presidential, congressional, and municipal elections were the bloodiest in Guatemala's recent history, with more than 50 candidates, activists, and their relatives slain during the campaign period. Candidates and staffers from several parties were targeted. Electoral violence has been fueled by the drug trade, gang activity, and armed groups including rogue soldiers and paramilitary forces; some of the killings surrounding the elections were not overtly political, forming part of the broader pattern of violent crime in the country. Despite the violence, the September vote was regarded by international observers as largely free and fair. In the presidential contest, Colom of the UNE led the first round with 28 percent of the vote, followed by former general Otto Perez Molina of the Patriot Party with 24 percent. Colom then defeated Perez in the runoff, capturing 53 percent of the ballots amid a relatively high turnout of 45 percent. The congressional elections yielded a legislative seat for Rios Montt, the former dictator. In 2006, a court in Spain had issued arrest warrants for eight former military leaders, including Rios Montt, for crimes against humanity; the congressional seat gave him immunity from prosecution. In the municipal elections, former president Alvaro Arzu was reelected mayor of Guatemala City. The electoral success of the traditional political elite at all levels of government dampened hopes for major reform in the near term, and rural and indigenous Guatemalans remain largely disenfranchised.

Guatemala's economic difficulties mounted in 2007, with the price of corn, a staple of the national diet, increasing by 78 percent in the first third of the year. The poverty rate had increased by 5 percent in 2006, despite the enactment of the Dominican Republic-Central American Free Trade Agreement (DR-CAFTA)—which linked five Central American countries and the Dominican Republic to the United States—in July of that year. Critics of the treaty said it would harm Guatemalan interests, and the country in 2006 experienced its first trade deficit with the United States in nine years. However, the pact's supporters maintained that it would eventually boost U.S. investment in Guatemalan industry and lead to overall economic growth. Approximately 100,000 young people join the workforce each year, but formal sector jobs increased by only 0.43 percent in 2006. About 75 percent of Guatemala's economically active population works in the informal sector.

**Political Rights and Civil Liberties:** Guatemala is an electoral democracy. Though the campaigns were marred by intimidation and violence, the 2007 presidential and legislative elections were regarded by international observers as generally free and fair. The 1985 constitution, amended in 1994, provides for a four-year presidential term and prohibits reelection. The unicameral Congress of the Republic, consisting of 158 members, is elected for four years. Elections take place within a highly fragmented and fluid multiparty system. Two traditional parties are the FRG and the National Advancement Party (PAN). Newer parties include the URNG, formerly a guerrilla movement, and the UNE, founded in 2001 and led by the 2007 presidential victor, Alvaro Colom. The GANA coalition, which had supported outgoing president Oscar Berger, included the Patriot Party, the National Solidarity Party (PSN), and the Reformist Movement (MR) party.

Indigenous activist and Nobel laureate Rigoberta Menchu Turn ran for president in 2007 as the candidate of an alliance between the Winaq indigenous movement and the Encounter for Guatemala party. While her candidacy earned attention abroad, where she is well known for her human rights work, it failed to garner votes within Guatemala's heterogeneous indigenous communities. She finished in sixth place, with just 3 percent of the vote. The reasons behind Menchu's failure to rally indigenous Guatemalans around her candidacy are complex and may be contributed to the disunity between the 19 Mayan linguistic groups in Guatemala, negative reactions to a female candidate among older, more traditional voters, and her reputation among many low-income voters as a rich outsider who has lost touch with the poor, resulting from her well-publicized investment in a chain of pharmacies.

Efforts to promote transparency and combat corruption have made little progress. Guatemala was ranked 111 out of 180 countries surveyed in Transparency International's 2007 Corruption Perceptions Index. Corruption within the police force is particularly pronounced and led to the dismissal of 2,500 officers in 2005. Police were allegedly responsible for the disappearance of 475 kilograms of cocaine in early 2006. Corruption concerns have also surrounded the reconstruction effort stemming from Tropical Storm Stan, which struck in late 2005.

While freedom of speech is protected by the constitution, those who stridently condemn the government or past human rights abuses can face persecution. The press and most broadcast media outlets are privately owned, and media ownership is extremely concentrated. A Mexican businessman, Angel Gonzelez, owns a mo-



nopoly of broadcast television networks and has significant holdings in radio. Newspaper ownership is concentrated in the hands of moderate business elites, and most papers have centrist or conservative editorial views. Six dailies are published in the capital, but only two of those circulate in other parts of the country. Violence against journalists continued in 2007 and was exacerbated by the year's elections. Staff members of the television station Cable Guatevision received death threats after covering the high-profile murders of three Salvadoran congressmen on Guatemalan territory. The journalists were reportedly photographed by security forces while covering the story. Several journalists were attacked in 2007, at least one fatally, and the incidents increased in the run-up to elections. Two installations of Radio Nuevo Mundo suffered armed attacks in September, while Cable Star Channel reporter Erwin David Hernandez was kidnapped that month and ordered not to say anything about a local mayor. The government does not restrict internet access.

The constitution guarantees religious freedom. However, members of indigenous communities have faced discrimination for the open practice of their Mayan religion. The government does not interfere with academic freedom, but scholars have received death threats for raising questions about past human rights abuses or continuing injustices.

While the constitution guarantees freedom of association, human rights groups are the targets of frequent death threats and acts of violence. The Guatemalan human rights prosecutor's office pushed for a UN-appointed commission to deal with the problem, resulting in the 2004 creation of the Commission for the Investigation of Illegal Bodies and Clandestine Security Apparatus. Nevertheless, human rights, labor, and environmental activists were attacked in 2007, often fatally, and sometimes with members of their families. Many more community leaders and nongovernmental organizations (NGOs) received threats during the year, and even international agencies and their employees faced intimidation and office burglaries. At least three organizations involved in exhuming mass graves or legal work related to past massacres received threats or suffered assaults and intimidation of employees. Freedom of assembly is guaranteed and generally respected in practice, but police often use force to break up demonstrations, which has resulted in the injury and death of several protesters.

Trade unions are subject to intimidation, physical attacks, and assassinations, particularly in rural areas during land disputes. Workers are frequently denied the right to organize and face mass firings and blacklisting, especially in export-processing zones, where the majority of workers are women. In January 2007, Pedro Zamora Alvarez, leader of the Quetzal Port Company Workers' Union (STEPQ), was killed in front of his children. Marco Tulio Portela Ramirez, a leader of the Izabal Banana Workers' Union, was killed in September 2007.

The judiciary is plagued by corruption, inefficiency, capacity shortages, and violent intimidation of judges, prosecutors, and witnesses. According to the U.S. State Department's human rights report, there were 125 cases of threats against judicial-sector workers reported in 2007, compared with 71 in 2006. While the constitution provides a litany of procedural rights, the ineffectiveness of the judiciary restricts these rights in practice. Approximately 44 percent of those incarcerated are awaiting trial; pretrial detention is legally limited to three months, but inmates often spend years in jail before trial. Prison conditions are harsh, and the facilities are rife

with gang- and drug-related violence and corruption. The indigenous population continues to be shut out of the national justice system. Although indigenous languages are now being used in courtrooms across the country, Guatemalan authorities mostly dismiss traditional justice mechanisms.

Police regularly employ lethal force, in many instances without justification. Police officers abuse and torture detainees, corruption is pervasive, and some officers engage in extortion and kidnapping for ransom. Human rights groups have accused the police of carrying out extrajudicial killings of suspected gang members as a reaction to the growing level of crime. During the first eight months of 2007, only 52 of 922 police officers investigated because of complaints against the National Civilian Police (PNC) were removed from duty; 870 were exonerated. The government's use of the military to maintain internal security remains controversial, since the 1996 peace accords placed limits on the practice.

In a positive step, the Guatemalan Congress voted in August 2007 to create the International Commission Against Impunity in Guatemala (CICIG), which will examine the extent of corruption, violence, and organized crime within public institutions, political parties, and civil society. The commission had been jointly proposed by the United Nations and the Guatemalan government in December 2006, and is seen as a historic advance in strengthening institutions and fighting Guatemala's culture of impunity.

Roughly 80 percent of the population lives below poverty level and does not benefit from social security. Guatemala also continues to rank high on inequality indicators, with some 63 percent of gross domestic product concentrated in the hands of 20 percent of the population. Unemployment and underemployment levels remain high. Infant mortality rates among the Maya are among the highest in the Western Hemisphere, and discrimination against the Mayan community continues to be a major concern. The government in recent years has approved the eviction of indigenous groups from areas of development, particularly where there are mining and hydroelectric projects.

Violence against women and children is widespread. Street children and women, especially those believed to be engaged in prostitution, are the most common victims of murder. Women and children are drawn into prostitution both locally and in neighboring countries. The number of women murdered has risen consistently for four consecutive years, with over 2,500 women and girls slain since 2001. Between January and October 2007, the NGO Grupo Guatemalteco de Mujeres reported that 341 women were killed. According to Guatemala's Human Rights Ombudsman, 70 percent of all homicides are not investigated, and in 98 percent of cases in 2006, no arrests were made. Transgender women and gay men also continue to be targets of violent attacks.

Guatemala has the highest rate of child labor in the Americas, with one-third of school-aged children forced to work on farms or in factories. As much as 20 percent of the workforce consists of children, with 70.5 percent of those children working in agriculture. Guatemala is a source, transit point, and destination country for women and children trafficked for purposes of sexual exploitation and child labor. International adoptions became increasingly controversial in 2007, as unethical and profit-driven practices within the unregulated system were brought to light. President Berger announced that they would be suspended as of January 1, 2008, due to al-

leged abuses. The United States processed approximately 5,000 adoptions from Guatemala in 2007.

Sexual harassment in the workplace remains legal. Young women who migrate to the capital for work are especially vulnerable to harassment and inhumane labor conditions, and women overall earn 60 percent of what men in the same jobs earn. Nearly 75 percent of workers in the textile industry are women.

## Guinea

**Population:** 10,100,000

**Capital:** Conakry

**Political Rights:** 6

**Civil Liberties:** 5

**Status:** Not Free



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

1998	1999	2000	2001	2002	2003	2004	2005	2006	2007
6,5NF	6,5NF	6,5NF	6,5NF	6,5NF	6,5NF	6,5NF	6,5NF	6,5NF	6,5NF

**Overview:** A general strike to protest corruption and the high price of basic goods spiraled into a near-revolt in January and February 2007. In spite of the government's attempts to crush the demonstrations using brute force, the unrest continued until President Lansana Conte agreed to appoint Lansana Kouyate, an experienced diplomat, as prime minister with executive powers. While Kouyate's appointment was applauded within Guinea and abroad, he faced an uphill battle to improve government services, stem inflation, and assert civilian control over the security forces.

Under Ahmed Sekou Toure, Guinea declared independence from France in 1958. Alone among France's many African colonies, Guinea rejected continued close ties with France. Paris retaliated quickly, removing or destroying all "colonial property" and enforcing an unofficial but devastating economic boycott. Sekou Toure's one-party rule became highly repressive, and Guinea grew increasingly impoverished under his Soviet-style economic policies. Lansana Conte seized power in a 1984 coup, and won the country's first multiparty presidential elections in 1993. He captured just over 51 percent of the vote, but international observers said the polls were deeply flawed.

After putting down a 1996 army mutiny, Conte was returned to office in a 1998 vote marked by state patronage, media that strongly backed the incumbent, broad manipulation of the electoral process, and opposition disunity. Hundreds of people were arrested after the vote, including the official third-place finisher, Alpha Conde. The 2002 People's National Assembly elections, in which the ruling Party for Unity and Progress (PUP) easily won a two-thirds majority, were undermined by an opposition boycott and the government's control of the electoral system. Major opposi-

tion parties also boycotted the 2003 presidential election, in which Conte won a third term amid criticism from international observers. The PUP won 272 out of 341 seats in December 2005 municipal elections, as the opposition claimed massive fraud. The Union of Progress and Renewal (UPR), the only opposition party represented in the legislature, withdrew from the body in protest in January 2006.

In early 2007, a general strike to protest corruption, the high cost of basic goods, and the poor provision of government services turned into nationwide antigovernment demonstrations. The protests were sparked in part by Conte's personal intervention to free his close associate, influential businessman Mamadou Sylla, from imprisonment on corruption-related charges. Under pressure to end the unrest, Conte agreed to invest some executive powers in a new prime minister—the position had remained vacant since April 2006, when Conte sacked then prime minister Cellou Dalein Diallo. However, when a Conte ally, Eugene Camara, was named to the post, the protests resumed and spiraled into a near-revolt of unprecedented scale. Security forces opened fire on demonstrators, killing over 100, and martial law was declared in February. The media were also targeted, as security forces took control of the state broadcaster, raided two private radio stations, and arrested several local journalists.

Union leaders agreed to suspend the strikes in late February, and Conte tapped Lansana Kouyate, an experienced diplomat who was seen as politically neutral, to replace Camara. The appointment was greeted with optimism within Guinea and abroad, particularly as Kouyate organized a new cabinet that excluded several officials who were notorious for their abuses of power. However, he faced an uphill battle to address the economic and political roots of the unrest, including deeply entrenched corruption, uncontrolled security forces, and a lack of basic infrastructure. In addition, concern remained over the possible consequences if Conte, who rarely appeared in public and was rumored to suffer from grave illness, were to die before the expiration of his term in 2010.

Guinea is one of the world's largest producers of bauxite and is also rich in gold, diamonds, and iron ore. However, corruption, mismanagement, and conflict have negatively affected the economy, and lenders have shunned Guinea for bad governance and improper fiscal practices. Kouyate's administration made economic reforms and improved donor relations a priority, announcing in April 2007 that the government would review Guinea's notoriously opaque mining contracts. In July, foreign donors including the World Bank and the European Union pledged over \$400 million in antipoverty assistance.

**Political Rights and Civil Liberties:** Guinea is not an electoral democracy. In the 2003 presidential election, President Lansana Conte, who reportedly captured more than 90 percent of the vote, faced only one relatively unknown opponent; a Supreme Court panel had disqualified six other candidates for reasons ranging from a failure to pay the application fee to questionable dates of birth. The main opposition parties boycotted the election. The president benefits from unlimited seven-year terms in office and the power to appoint local officials and Supreme Court judges. The 114 members of the unicameral People's National Assembly are elected by direct popular vote to serve five-year terms. Some political reforms were enacted after the president appointed Lansana Kouyate as prime minister in February 2007, following antigovernment protests. For example, in

June, the National Assembly approved the creation of an Independent National Electoral Commission.

Conte's PUP controls much of the government as well as substantial patronage networks in the military and civil bureaucracy. Opposition parties include the UPR, which was the only opposition party represented in parliament after the 2002 elections; the Union of Republican Forces (UFR), led by former prime minister Sidya Toure; and the Union of Democratic Forces of Guinea, of which former prime minister Cellou Dalein Diallo was appointed leader in November 2007.

The cabinet and the military leadership include members of all major ethnic groups, but a disproportionate number of senior military officers belong to Conte's Soussou ethnic group, according to the U.S. State Department. The ruling party is more ethnically integrated than opposition parties, which have clear regional and ethnic bases. The International Crisis Group warned in 2003 that squabbling for power among Guinea's three main ethnic groups—the Soussou, Peuhl, and Malinke—and among the country's different political and military factions could plunge the country into violence.

Corruption has been cited as a serious problem in the country by both the International Monetary Fund and the World Bank. Kouyate's administration initiated a review of all government mining contracts, canceling several dozen in November 2007, though many government activities continue to be shrouded in secrecy. Guinea was ranked 168 out of 180 countries surveyed in Transparency International's 2007 Corruption Perceptions Index.

Conte's administration has maintained tight controls over the local press. The government has wide powers to bar any communications that allegedly insult the president or disturb the peace, and defamation and slander are considered criminal offenses. Foreign-based publications, such as the French news weekly *Jeune Afrique L'Intelligent*, are occasionally seized by authorities before distribution if they carry articles on sensitive topics, such as the president's health. Guinea was the last country in West Africa to allow independent broadcasting, granting licenses to the country's first private radio stations in August 2006. When martial law was declared in February 2007, security forces raided two of the stations and arrested several journalists in apparent retaliation for critical programming. Internet access is unrestricted, but exists almost solely in urban areas.

Constitutionally protected religious rights are respected in practice, though the main body representing the country's Muslim majority is government controlled. Academic freedom is generally respected, but the government influences hiring and curriculum content.

Several statutes restrict freedoms of association and assembly in apparent contravention of the constitution; the government may ban any gathering that "threatens national unity." Nevertheless, human rights groups and many other nongovernmental organizations operate openly. The constitution provides for the right to form and join unions. Several labor confederations compete and have the right to bargain collectively. An eight-day general strike in 2006 resulted in rioting and alleged human rights abuses by the authorities, and ended with an agreement on wages and prices for basic goods. Trade unions demonstrated immense political influence in early 2007, when nationwide strikes led Conte to assign some executive powers to a newly appointed prime minister.

While nominally independent, the judicial system remains affected by corruption, nepotism, ethnic bias, and political interference, and lacks resources and trained personnel. Arbitrary arrests and detention are common, and persistent maltreatment and torture of detainees have been reported. Prison conditions are harsh and sometimes life threatening. Security forces commit abuses, including extrajudicial execution, with impunity. Human Rights Watch reported that during a crackdown on the antigovernment demonstrations in early 2007, "security forces fired directly into crowds of unarmed demonstrators, frequently before having exhausted non-lethal means of crowd control, and also gunned down demonstrators trying to flee to safety," leaving at least 129 people dead and nearly 2,000 wounded.

Women have far fewer educational and employment opportunities than men, and many societal customs discriminate against women. Constitutionally protected women's rights are often unrealized. Women have access to land, credit, and business, but inheritance laws favor men. In 2007, Human Rights Watch reported that thousands of young girls in Guinea were being abused as unpaid domestic workers, and were subject to beatings or rape by their employers. Advocacy groups are working to eradicate the illegal but widespread practice of female genital mutilation.

## Guinea-Bissau

**Population:** 1,700,000

**Capital:** Bissau

**Political Rights:** 4

**Civil Liberties:** 4

**Status:** Partly Free



**Trend Arrow:** Guinea-Bissau received a downward trend arrow to reflect the erosion of the rule of law, political accountability, and media freedom due to the infiltration of the administration and military by international drug cartels.

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

1998	1999	2000	2001	2002	2003	2004	2005	2006	2007
3,5PF	3,5PF	4,5PF	4,5PF	4,5PF	6,4PF	4,4PF	3,4PF	4,4PF	4,4PF

**Overview:** Guinea-Bissau's three major political parties agreed to form a government of national unity in March 2007, including the main opposition party, which had been excluded from the cabinet since 2005. Following a tense political standoff with President Joao Bernardo Vieira, the consensus candidate, Martinho N'Dafa Cabi, became prime minister in April. However, Guinea-Bissau's fragile institutions were threatened by drug cartels using the country as a transit point between Latin America and Europe. The cartels had reportedly infiltrated the military and the civilian administration, further undermining the rule of law.

Guinea-Bissau won independence from Portugal in 1973, after a 12-year guerrilla war. The African Party for the Independence of Guinea-Bissau and Cape Verde (PAIGC) held power for the next 18 years. Luis Cabral became president in 1974 and made Joao Bernardo Vieira, a former guerrilla commander, his prime minister; however, Vieira toppled Cabral in 1980. Constitutional revisions in 1991 ended repressive one-party rule by the PAIGC. Vieira won the country's first free and fair presidential election in 1994, but he later came to be seen as the leader of a corrupt ruling class.

An army mutiny broke out in 1998 after Vieira sacked General Ansumane Mane, accusing him of smuggling arms to separatist rebels in the southern Casamance region of neighboring Senegal, which for years had complained of Bissau-Guinean involvement. Encouraged by France, Senegal and Guinea sent about 3,000 troops to intervene on behalf of Vieira. However, a military junta led by Mane overthrew Vieira in 1999 after the foreign troops were replaced by an unarmed regional peacekeeping mission.

The populist Kumba Yala of the Social Renewal Party (PRS) was elected president in early 2000. Fighting broke out the same year between military supporters of Yala and Mane after the latter declared himself head of the armed forces; Mane was subsequently killed. In 2002, Yala dissolved the National People's Assembly, failed to promulgate a constitution approved in 2001, and governed by decree. Following military intervention in 2003, a Transitional National Council (TNC) was established to oversee a pledged return to elected government, with businessman Henrique Rosa serving as interim president.

In 2004 legislative elections that were considered free and fair by international observers, the PAIGC won 45 of the 100 seats in the National People's Assembly, followed by the PRS with 35 seats, and the United Social Democratic Party (PUSD) with 17 seats. Smaller parties captured the remainder.

There were fears that the July 2005 presidential election would be marred by violence. Prior to the first round of voting, Yala demanded that he be reinstated as president, and several of his armed supporters briefly occupied the presidential palace. While both Yala and Vieira had been barred from running for president, the Supreme Court cleared the way for their candidacies. More than a dozen candidates contested the first round, but only three made a strong showing. Malam Bacai Sanha, a former interim president running for the PAIGC, won 36 percent, followed by Vieira (who ran as an independent candidate) with 29 percent, and Yala with 25 percent. The electoral commission said there had been some voting irregularities, but the Supreme Court determined that the poll had been free and fair. Vieira won 52.4 percent of the second-round vote, to Sanha's 47.6 percent, after Yala threw his support behind Vieira.

In October 2005, Vieira dismissed Prime Minister Carlos Gomes Junior and replaced him in November with a political ally, Aristides Gomes, despite the fact that Gomes Junior's PAIGC was the largest party in the Assembly and therefore had the right to nominate the prime minister. The move, which was undertaken by decree and left the PAIGC excluded from the cabinet, sparked concern among international observers. In March 2007, the PAIGC and two parties of the ruling coalition, the PRS and PUSD, agreed to form a government of national unity. Vieira initially rejected the coalition's consensus candidate for prime minister, Martinho N'Dafa Cabi, causing a tense political standoff. Aristides Gomes resigned as prime minister after losing a no-confidence vote in the Assembly, and Cabi became prime minister in April.

In January 2007, former navy chief of staff Mohamed Lamine Sanha was assassinated, sparking demonstrations in Bissau in which one person was killed by police. Local media quoted Gomes Junior as accusing Vieira of complicity in the murder, causing Gomes Junior to briefly seek UN protection; he said had been misquoted. The public prosecutor announced plans to question Prime Minister Cabi and other officials in connection with the murder. In December 2007, parliament passed a law granting amnesty for perpetrators of political violence between 1980 and 2004, drawing criticism from the Guinea-Bissau League of Human Rights.

Evidence mounted in 2007 that Guinea-Bissau had become a transit point for Latin American drug-trafficking cartels moving cocaine to Europe, with apparent high-level involvement by segments of the government and military. In September 2006, 674 kilograms of cocaine disappeared from official custody, while the suspects captured with the drugs were released without charge; the disappearance remained unsolved despite the formation in 2007 of an official commission of inquiry. The police force was crippled by a lack of resources, including patrol cars and gasoline, and judicial police chief Orlando Antonio da Silva was abruptly fired in June 2007 after winning international praise for his success in pursuing drug traffickers. A UN official warned in September 2007 that without international intervention to contain the drug cartels, the country "is going to explode and it will have a domino effect everywhere."

Guinea-Bissau is among the world's poorest countries. The vast majority of residents are engaged in subsistence farming, and cashew exports provide most of the country's meager foreign-exchange earnings. In June 2007, the United Nations and the International Monetary Fund appealed for assistance to keep the country from slipping into chaos, saying help was needed to finance antidrug measures and state employee salaries, which had gone unpaid for four months. The UN Development Programme pledged \$116 million in July toward a five-year development plan.

**Political Rights** Guinea-Bissau is an electoral democracy. The 100 members  
**3rd Civil Liberties:** Of the unicameral National People's Assembly are elected by popular vote to serve four-year terms. The president is elected for a five-year term; there are no term limits. The 2004 legislative elections were marked by strong turnout, and international observers declared the polls largely free and fair despite some administrative problems. A national electoral commission oversaw the 2005 presidential election, which international monitors agreed was free and fair.

Joao Bernardo Vieira won the presidency as an independent candidate but benefited from the support of two parties in the Assembly, the PRS and PUSD. The third major party is the opposition PAIGC. In March 2007, the three agreed to form a government of national unity, and supported the appointment of Martinho N'Dafa Cabi as a consensus prime minister. In December 2007, supporters of President Vieira announced they would form a new political party to support his candidacy in elections the following year.

Guinea-Bissau ranked 147 out of 180 countries surveyed in Transparency International's 2007 Corruption Perceptions Index. Widespread official corruption has reportedly helped international drug cartels infiltrate the military and the civilian administration.



The law provides for freedom of speech and the press, but journalists occasionally practice self-censorship and face some harassment. There are a number of private and community radio stations. Several private newspapers publish sporadically, more because of financial constraints than government interference. Internet access is unrestricted. In 2007, a local reporter was criminally charged and several prominent local correspondents for international media went into hiding in connection with their reporting on alleged official involvement in the drug trade.

Religious freedom is legally protected and usually respected in practice. Academic freedom is similarly guaranteed and respected.

The rights to peaceful assembly and association are protected by law and generally upheld by the authorities. Nongovernmental organizations operate openly. Workers are legally allowed to form and join independent trade unions; however, since most Bissau-Guineans work in subsistence agriculture, only a small percentage are in the wage-earning sector. The law provides for the right to strike, and workers—particularly teachers and civil servants—frequently exercise this right. In September 2006, police used force to break up a peaceful demonstration by several hundred health workers who were requesting pay raises and other benefits, the U.S. State Department reported.

Poor training, scant resources, and corruption seriously challenge judicial independence. Traditional law usually prevails in rural areas. Police routinely ignore privacy rights and protections against unreasonable search and seizure. Because Guinea-Bissau lacks formal prisons, most prisoners are detained in "makeshift detention facilities" on military bases in Bissau and neighboring cities, according to the U.S. State Department. There were reports that the judiciary had been influenced by drug traffickers after a Bissau judge ordered the release without charge of two suspected smugglers captured in 2006 with over 600 kilograms of cocaine. Coverage of the incident by the Reuters news agency cited unnamed diplomatic and drug enforcement officials expressing concern over Guinea-Bissau's "weak justice system" and corruption in the judiciary.

Insecurity in northern Guinea-Bissau has periodically affected the population. In 2006, the military launched a month-long offensive against Senegalese separatist rebels based in the area, displacing thousands of civilians.

Ethnic identity is a serious factor in politics and governance; the military has been dominated by the Balanta ethnic group, the country's largest. According to the U.S. State Department, all major ethnic groups were represented in government in 2007.

Women face significant traditional and societal discrimination, despite some legal protection. They generally do not receive equal pay for equal work and have fewer opportunities for education and jobs in the small formal sector. Women of certain ethnic groups cannot own or manage land or inherit property. Domestic violence against women is common, and female genital mutilation is widespread.

## Guyana

Population: 800,000  
Capital: Georgetown

Political Rights: 2  
Civil Liberties: 3  
Status: Free



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

1998	1999	2000	2001	2002	2003	2004	2005	2006	2007
2,2F	2,2F	2,2F	2,2F	2,2F	2,2F	2,2F	3,3F	2,3F	2,3F

**Overview:** In 2007, President Bharrat Jagdeo's relationship with the opposition People's National Congress-Reform party remained highly acrimonious. Separately, a United Nations ruling granted Guyana the right to explore offshore oil reserves, providing the poverty-stricken country with a potential financial windfall.

Guyana gained independence from Britain in 1966 and was ruled by the autocratic, predominantly Afro-Guyanese People's National Congress party (PNC) for 26 years. In 1992, Cheddi Jagan of the largely Indo-Guyanese People's Progressive Party (PPP) was elected president in Guyana's first free and fair election. He died in 1997, and the presidency passed to his wife, Janet, who resigned in 1999 for health reasons. She was succeeded by Finance Minister Bharrat Jagdeo of the PPP-C, an alliance of the PPP and the Civic Party. President Jagdeo was elected in his own right in 2001.

Guyanese politics remained split between descendants of indentured workers from India, known as Indo-Guyanese, who make up about half of the population and generally back the PPP-C, and Afro-Guyanese, who compose 36 percent of the population and are descended from African slaves. A rising crime rate and a parliamentary impasse dominated the political scene during Jagdeo's first term. The PPP-C and the main opposition PNC-Reform party (PNC-R) traded bitter words over the issue of payment for opposition members engaged in a boycott of the National Assembly that began in March 2002 and lasted for 14 months.

In 2004, the political climate showed brief signs of improving when the two main parties announced that they had reached agreement on a wide variety of issues, including tax reform, procurement, and the composition of the commissions that controlled appointments, promotions, and discipline in the judiciary, the police, public administration, and public education. Then, however, a police informant revealed the existence of death squads that included serving and former police officials. The groups allegedly enjoyed official sanction and had killed some 64 people. An investigation revealed apparent links to the home affairs minister, Ronald Gajraj, and both the United States and Canada revoked the minister's visas. To protest Gajraj's alleged wrongdoing, the PNC-R boycotted most sessions of the National Assembly

for several weeks, including the presentation and debate of the 2004 budget. The breakdown effectively eclipsed the two parties' recent policy accord. Gajraj was largely exonerated by an official inquiry in 2005 that nevertheless criticized his use of a criminal informant who—it was later revealed—was a professional hit man, and his practice of granting firearms licenses to applicants without the required police background checks.

In January 2005, the government declared Georgetown a disaster zone as days of continuous rain led to severe flooding in which more than 30 people were killed, tens of thousands were displaced, and agriculture suffered widespread damage. According to the United Nations, Guyana sustained \$465 million in losses that affected more than one-third of the population.

Violence escalated in 2006 ahead of that year's elections. In the spring, Agriculture Minister Satyadeo Sawh was brutally slain by masked gunmen, and four newspaper employees were shot dead on the outskirts of the capital in early August. The National Assembly was dissolved amid acrimony and mudslinging, and the elections were delayed by several weeks as deep conflicts within the seven-member Guyana Elections Commission undermined the credibility of the process. Despite those concerns, the elections unfolded without incident in August, due in part to the heavy presence of international observers.

President Jagdeo handily won another five-year term as his PPP-C received 54 percent of the vote and 36 seats in the 65-member National Assembly. The PNC-R won 34 percent of the vote and 21 seats. A new party, the Alliance for Change (AFC), won 5 seats, and two minor parties, the United Force and the Justice for All Party, each won a single seat. The emergence of the multiracial AFC indicated that the fierce racial divide of Guyanese politics may be softening. However, the political climate remained acrimonious in 2007, as opposition leader Robert Corbin of the PNC-R accused Jagdeo's government of condoning the illegal drug trade.

A September 2007 ruling by a United Nations tribunal gave both Guyana and Suriname access to offshore oil deposits that could radically change Guyana's economy. The country is one of the poorest in Latin America and the Caribbean, with a per capita gross domestic product of about US\$1,000.

**Political Rights and Civil Liberties:** Guyana is an electoral democracy. The 2001 elections generated a broader consensus about the importance of electoral reform to the democratic process. The 1980 constitution provides for a strong president and a 65-seat National Assembly, elected every five years. An Assembly Speaker is also elected, and two additional, nonvoting members are appointed by the president. The leader of the party with a plurality of parliamentary seats becomes president for a five-year term, and appoints the prime minister and cabinet.

The 2006 elections strengthened the hand of the ruling PPP-C, but also demonstrated that some Guyanese are beginning to vote across racial lines, as symbolized by the establishment of the multiracial AFC. The main opposition party remains the PNC-R. Other significant political parties or groupings include the Alliance for Guyana, the Guyana Labor Party, the United Force, the Justice for All Party, the Working People's Alliance, and the Guyana Action Party, which enjoys strong support from indigenous communities in the south.

Guyana was ranked 123 out of 180 countries surveyed in Transparency International's 2007 Corruption Perceptions Index, the worst ranking in the English-speaking Caribbean. The country is a transshipment point for South American cocaine destined for North America and Europe, with counternarcotics efforts undermined by corruption that reaches to high levels of the government. The informal economy is driven primarily by drug proceeds and may be equal to between 50 and 60 percent of formal economic activity.

Several independent newspapers operate freely, including the daily *Stabroek News*. In 2007, the government launched an advertising boycott of the paper in retaliation for its critical coverage during the 2006 elections. The state owns and operates the country's sole radio station, which broadcasts on three frequencies. Seventeen privately owned television stations freely criticize the government. However, opposition party leaders complain that they lack access to the state media. There are no government restrictions on the internet.

Guyanese generally enjoy freedom of religion, and the government does not restrict academic freedom.

The government largely respects freedoms of assembly and association in practice. The right to form labor unions is also generally upheld, and unions are well organized. However, employers are not required to recognize unions in former state enterprises that have been sold off by the government.

The judicial system is independent, but due process is undermined by shortages of staff and funds. In 2005, Guyana cut all ties to the Privy Council in London, the court of last resort for other former British colonies in the region, and adopted the Trinidad-based Caribbean Court of Justice as its highest appellate court. Prisons are overcrowded, and conditions are poor. In 2007, the ruling PPP-C passed a bill empowering the chancellor of the judiciary to oversee how Guyana's high court handled its cases, a move protested by the opposition.

The Guyana Defence Force and the national Guyana Police Force are under civilian control. Racial polarization has seriously eroded law enforcement, with many Indo-Guyanese complaining that they are victimized by Afro-Guyanese criminals and ignored by the predominantly Afro-Guyanese police. Meanwhile, many Afro-Guyanese claim that the police are manipulated by the government for its own purposes. Official inquiries have repeatedly pointed to the need for improved investigative techniques, more funding, community-oriented policing, better disciplinary procedures, greater accountability, and a better ethnic balance in the police force, but the government has taken few concrete steps to implement the proposed reforms. In June 2007, Guyanese authorities were shocked to learn that one naturalized U.S. citizen from Guyana and two Guyanese nationals had been arrested for an alleged plot to blow up fuel lines at a New York City airport.

Guyana is home to nine indigenous groups with a total population of about 80,000. Human rights violations against them, particularly with respect to land and resource use, are widespread and pervasive. Indigenous peoples' attempts to seek redress through the courts have been met with unwarranted delays by the judiciary. Racial clashes have diminished in the last decade. However, long-standing animosity between Afro- and Indo-Guyanese remains a serious concern. A Racial Hostility Bill passed in September 2002 increased the penalties for race-based crimes.

Domestic violence and violence against women in general are widespread. Rape,

including spousal rape, is illegal, but often goes unreported and is infrequently prosecuted. In May 2006, Amnesty International released a study criticizing Guyana's justice system for not prosecuting rapes. It reported that only 9 of 647 cases between 2000 and 2004 ended with convictions. The Guyana Human Rights Association has charged that the legal system's treatment of victims of sexual violence is intentionally humiliating. Sodomy is punishable with a maximum sentence of life in prison. Guyana has the second-highest HIV prevalence rate in Latin America and the Caribbean.

## ↑ Haiti

**Population:** 9,000,000  
**Capital:** Port-au-Prince

**Political Rights:** 4  
**Civil Liberties:** 5  
**Status:** Partly Free



**Trend Arrow:** Haiti received an upward trend arrow due to improved political stability and greater security in urban areas.

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

1998	1999	2000	2001	2002	2003	2004	2005	2006	2007
5,5PF	5,5PF	6,5PF	6,6NF	6,6NF	6,6NF	7,6NF	7,6NF	6,5PF	4,5PF

**Overview:** In 2007, Haitian president Rene Preval's government made some progress in improving security, combating police corruption, and stabilizing the economy, but his relations with parliament grew tense. The president's pleas for continued international involvement were validated when the UN Security Council extended the mandate of its peacekeeping mission in Haiti until October 2008.

Since gaining independence from France in 1804 following a slave revolt, the Republic of Haiti has endured a history of poverty, violence, instability, and dictatorship. A 1986 military coup ended 29 years of rule by the Duvalier family, and the army ruled for most of the next eight years. Under international pressure, the military in 1987 permitted the implementation of a French-style constitution, which remains in place today.

Jean-Bertrand Aristide, who was revered as a defender of the powerless, was first elected president in 1990. He was deposed and exiled by a military triumvirate after only eight months in office. While paramilitary thugs terrorized the populace, the new ruling junta engaged in blatant narcotics trafficking. The United States and the United Nations imposed a trade and oil embargo, and in 1994 the United Nations authorized a multinational force to restore the legitimate Haitian authorities. In Sep-

tember 1994, facing an imminent U.S. invasion, the military rulers stepped down. U.S. troops took control of the country, and Aristide was reinstated. He dismantled the military before the June 1995 parliamentary elections, but his support began to fracture when international observers questioned the legitimacy of the balloting. Aristide retained the backing of the more militant Lavalas Family (FL) party, but the National Front for Change and Democracy (FNCD), a leftist coalition that had supported him in 1990, claimed fraud and boycotted the runoff elections. The FL won an overwhelming parliamentary majority.

The FL nominated Rene Preval, who had been Aristide's prime minister in 1991, as its next presidential candidate, despite the fact that he was not a party member. In the December 1995 election, Preval won about 89 percent of the vote, with a turnout of less than one-third of eligible voters. He took office in February 1996. The United Nations had planned to withdraw its troops by the end of the month, but the new U.S.-trained Haitian National Police (HNP) lacked the competence to fill the void. The UN force extended its stay at Preval's urging, but cut its presence to 1,300 troops by June; the U.S. combat force had withdrawn two months earlier.

Aristide was voted back into the presidency in November 2000. The election was boycotted by all major opposition parties and held amid widespread civil unrest and voter intimidation. Aristide ran on a populist platform of economic revitalization; opponents claimed that he was bent on establishing a one-party state. His win with nearly 92 percent of the ballots was mirrored in that year's parliamentary elections, which gave his supporters 80 percent of the seats in the lower house and all but one seat in the upper house.

Despite the electoral victory, Aristide's second term as president was undermined by business elites and opposition groups who banded together to oppose him. Foreign donors cut their aid programs in 2000 when a standoff between Aristide and his opponents prevented new elections, and poverty worsened. An armed revolt, led by a combination of political gangs and former army officers, threatened Aristide's hold on power in February 2004. The United States and France declined to send peacekeepers in the absence of a political settlement between Aristide and opposition groups, and, faced with the possibility of a violent ouster, he was spirited out of the country in a plane chartered by the United States and deposited in the Central African Republic. He initially protested the circumstances of his departure, but eventually accepted exile in South Africa.

Aristide's sudden resignation was quickly papered over by a constitutional transition that elevated Boniface Alexandre, head of the Supreme Court, to the position of president. Prime Minister Yvon Neptune, an Aristide ally, agreed to remain in office to help the transition process, but was later jailed by the interim government. Political decay continued throughout the rest of the country. In March 2004, a commission of elder statesmen announced that Gerard Latortue, who had been in exile in the United States, would become the country's new prime minister. The UN peacekeeping force gradually expanded beyond the capital and was renewed with troop contributions from Brazil and other Latin American countries. The force eventually reached 9,000 troops and civilian police, and the United Nations extended its mandate several times.

Following multiple delays due to disorganization and a worsening security environment, Haitian electoral authorities finally held presidential and legislative elec-

tions in February 2006, with a second round of parliamentary elections coming in April. Despite initial turbulence when some polling stations opened late, the voting was deemed the cleanest and fairest in Haitian history, and turnout surpassed 50 percent. The elections yielded evidence of both political consensus and continued fragmentation. Former president Preval won a second term with 51 percent of the vote, triumphing over at least 33 other contenders, but his newly organized Lespwa party failed to win a majority in either house of parliament. Lespwa captured just over a third of the Senate seats and a quarter of the seats in the Chamber of Deputies.

The presidential election, which was conducted peacefully, temporarily deteriorated into competing allegations of fraud and massive street demonstrations, with the losing candidates challenging the legitimacy of the result. The fact that 34 candidates chose to vie for the presidency demonstrated the high level of atomization among the country's political classes, though the robust voter support for a single candidate, Preval, showed that the poor were much more united. The newly elected lawmakers embraced an active role in discussing policies, but generated no concrete legislative proposals during the year. In December, municipal elections were successfully held, along with a final round of voting to decide a handful of unresolved parliamentary races.

In 2007, Preval ended attempts to negotiate a disarmament process with Haiti's gangs and instead asked UN forces to initiate a crackdown, especially in troubled Port-au-Prince neighborhoods like Cite Soleil and Martissant. The ensuing law enforcement operations dramatically improved security during the year, and the UN Security Council extended the peacekeeping force's mandate until October 2008. On the political front, Preval's relations with the opposition-dominated parliament grew contentious during the summer, when lawmakers passed a vote of no-confidence against the culture minister for alleged corruption.

Haiti's economy continues to be crippled by high levels of unemployment, but an overall growth rate of about 4 percent was achieved in 2007, signaling the beginnings of a recovery from years of stagnation or contraction.

**Political Rights and Civil Liberties:** Haiti is an electoral democracy. In 2006, citizens changed their government in the most credible elections since 1990.

The country's 1987 constitution provides for a president elected for a five-year term, a National Assembly composed of the 30-member Senate and the 99-member Chamber of Deputies, and a prime minister appointed by the president. Senators are elected for six-year terms and deputies for four-year terms. There are no legislative term limits, but the president cannot serve consecutive terms. Many lawmakers remain sorely short of financial and administrative resources, and the parliament itself has played a largely reactive role in government, either opposing or accepting initiatives from the executive branch.

The legislature is currently divided among several small parties, with no single faction holding a majority. Most parties are driven by personality or support from a particular region. President Rene Preval's first-round election victory in 2006 helped to sweep many candidates from his untested Lespwa party into parliament, but the party's grassroots support was not very substantial.

Endemic corruption continues to hobble Haiti's political and economic development. A number of lawmakers elected in 2006 have reportedly been involved in

criminal activities, and they sought parliament seats primarily to obtain the immunity from prosecution they conferred. Haiti was ranked 177 out of 180 countries surveyed in Transparency International's Corruption Perceptions Index. Still, the Haitian government began to show greater accountability, principally due to President Preval's willingness to work with a range of political groupings. Preval also announced that the fight against corruption would be a major priority, and hundreds of police officers suspected of corruption were purged from the force and replaced.

Freedom of speech and the press has been constrained by the absence of a viable judicial system and widespread insecurity, but violence against journalists declined in 2007. Media outlets tend to practice self-censorship to avoid violent retribution for critical reporting. There are a variety of newspapers, including the two French-language papers *Le Matin* and *Le Nouvelliste*, with a combined circulation of fewer than 20,000 readers. The weekly newspaper *Haiti Progres* is published in French but offers one page of Creole-language news and one page in English. While opposition to the government can be found in the press, most Haitians lack access to such publications due to illiteracy and poverty. There are 275 private radio stations, including more than 40 in the capital. Most stations carry news and talk shows, which many citizens regard as their only opportunity to speak out with some freedom. Television is state run and has traditionally been strongly biased in favor of the government. There are five television stations; while satellite television is available, it has a minimal impact, as most Haitians cannot afford it. The few stations carrying news or opinion programming express a range of views. There is no official censorship of books or films, and access to the internet is unrestricted, but Haitians fear violence from nonstate actors if they express their views openly. In August 2007, Haitian journalists formed an independent commission to push for faster investigations into the unsolved deaths of the eight journalists killed since 2000.

The government generally respects religious and academic freedom. However, the absence of a functional police force means that there is little protection for those who are persecuted for their views.

The freedoms of assembly and association, including labor rights, are not respected in practice. Haiti has rich civil society traditions at the local level, but many of its formally organized civil society groupings have been co-opted by political and economic elites. Unions are too weak to engage in collective bargaining, and their organizing efforts are undermined by the country's high unemployment rate. However, Haiti's peasant groups began to show greater cohesiveness and became increasingly active in pressuring their elected representatives to respond to the needs of the country's rural population.

The judicial system continues to be corrupt, inefficient, and dysfunctional. It is burdened by a large backlog of cases, outdated legal codes, and poor facilities. Moreover, official business is conducted in French rather than Creole. Prison conditions are harsh, and the ponderous legal system guarantees lengthy pretrial detentions. Amnesty International estimates that Haitian authorities are holding some 2,000 people without charge, including 100 political prisoners, although several key figures held during the interim government of 2004-06 were released, including former prime minister Yvon Neptune and activist priest Gerard Jean-Juste.

The HNP increased from 5,700 officers in 2006 to more than 7,000 officers in 2007, but it has yet to reach its goal of 15,000 officers. The police force virtually collapsed



during the 2004 uprising and is only slowly evolving into a cohesive organization. Haiti's current police chief is well respected and has made important strides in purging corrupt officers and training new recruits. The UN peacekeeping force has helped to establish a minimum level of security in some parts of the country, but the HNP remains unprepared to take over in the peacekeepers' absence.

The trafficking of drugs and people remained a serious problem in 2007. There is widespread violence against women and children in Haiti. Up to 300,000 children serve in *restavec* ("live with," in Creole), a form of unpaid domestic labor with a long national history.

## Honduras

**Population:** 7,100,000

**Capital:** Tegucigalpa

**Political Rights:** 3

**Civil Liberties:** 3

**Status:** Partly Free



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

1998	1999	2000	2001	2002	2003	2004	2005	2006	2007
2,3F	3,3F	3,3PF	3,3PF	3,3PF	3,3PF	3,3PF	3,3PF	3,3PF	3,3PF

### Overview:

**Conflicts between political interests and the media reached new heights in 2007, as President Jose Manuel Zelaya Rosales attempted to impose more favorable coverage of his administration. Meanwhile, the country was shaken by persistently high levels of gang-related crime as well as protests over social issues including education, the environment, and land rights.**

The Republic of Honduras was established in 1839, some 18 years after independence from Spain. The country has endured decades of military rule and intermittent elected governments, with the last military regime giving way to civilian authorities in 1982. However, the military continued to be the most powerful institution in the country through much of the 1980s and 1990s. Under the 1982 constitution, Honduran presidents have the power to veto the military and choose its leaders; the first president to exercise that authority did so in 1999.

In the decades following the transition to civilian rule, power alternated between the Liberal Party (PL) and the National Party (PN). The most recent turnover occurred in November 2005, when Jose Manuel Zelaya Rosales of the PL defeated the PN's Porfirio Lobo Sosa to win the presidency. In the concurrent legislative elections, the PL took control of the unicameral National Congress, winning 62 of the 128 seats. The PN was left with 55 seats, and three minor parties split the remainder. The run-up to the balloting had been marred by political violence. In

several cases, PL supporters were left injured after severe beatings, and at least two were killed.

In 2006, various groups—including teachers, students, environmental activists, indigenous communities, doctors, and taxi drivers—took part in strikes, roadblocks, and demonstrations supporting an array of social causes and economic demands. Protests and strikes continued into 2007. In July, demonstrators demanded mining law reforms that would protect the environment and indigenous land rights; the protests were broken up by force, resulting in at least 59 arrests and 18 injuries.

The effectiveness of Zelaya's institutional management was called into question in 2007, when the National Registry of Persons was shut down due to a lack of funds. Internal corruption was blamed for the organization's failure. The National Electric Energy Company also teetered close to bankruptcy during the year, and Zelaya passed control of the ailing firm to the Ministry of Defense in June.

The Inter-American Development Bank in 2007 recognized the failure of its 2001-06 antipoverty program for Honduras, although the UN Development Programme reported a slight decline in the poverty rate, from 65 percent in 2005 to 62 percent in 2006. The highest poverty rates occur in rural areas, where about half the population lives. Many families rely on remittances—worth nearly \$2.36 billion in 2006—from the more than one million Hondurans living in the United States, but some 700,000 of those are undocumented immigrants, and an increase in deportations in 2007 threatened this source of income.

Honduras implemented the Dominican Republic-Central America Free Trade Agreement (DR-CAFTA), which linked six Latin American countries and the United States, in April 2006. However, Honduran exports to the United States dropped from \$684.1 million in 2005 to \$663.8 million in 2007, while imports from the United States rose. Some economists believe that Honduras will be the country most adversely affected by DR-CAFTA.

**Political Rights and Civil Liberties:** Honduras is an electoral democracy. The 2005 elections, although marred by violence and vote-counting problems, were considered free and fair by international and local observers. The constitution provides for a president and a 128-member, unicameral National Congress, both elected for four-year terms. The number of votes received by a party's presidential candidate determines its proportional representation in the Congress. The legislature is currently dominated by the ruling Liberal Party and the opposition National Party, but three smaller parties also hold seats—the Democratic Unification Party (five), the Christian Democratic Party (four), and the National Innovation and Unity Party (two).

Official corruption continues to cast a shadow over the political scene. The army exerts considerable if waning influence on the government, and officers have been found guilty of involvement in drug trafficking and related cartel conflicts. The 2006 passage of a Transparency Law was marred by claims that it contained amendments designed to protect corrupt politicians, and in 2007, three commissioners were appointed to the regulatory Access to Public Information Institute in a reportedly politicized manner. Honduras was ranked 131 out of 180 countries surveyed in Transparency International's 2007 Corruption Perceptions Index.

Authorities generally respect constitutional guarantees of freedom of speech

and the press. Newspapers circulate freely, numerous radio and television stations broadcast without interference, and there is unrestricted access to the internet. Media ownership is concentrated in the hands of a few powerful business interests with intersecting political and economic ties, and although the Supreme Court in 2005 struck down restrictive defamation laws that protected public officials, many journalists continue to practice self-censorship. Lack of access to government officials and information is a significant obstacle for many reporters. Corruption among journalists—including accepting payment for favorable coverage, or moonlighting as public relations officials—also remains a problem. President Jose Manuel Zelaya Rosales announced in May 2007 that television and radio stations must broadcast 10 two-hour programs outlining the achievements of his administration. He claimed that unfairly negative media coverage had caused a climate of instability in the country. While the mandated television programs were suspended after only three had aired, many felt that Zelaya had abused his power and posed a threat to free speech.

Freedom of religion is respected, and academic freedom is also usually honored.

Constitutional guarantees regarding freedom of association are generally observed, and citizens have the right to freely assemble. The National Congress passed a Citizen Participation Law in 2006, protecting the role of civil society groups and individuals in the democratic process. Labor unions are well organized and can strike, but labor actions often result in clashes with security forces. Labor, gay and transgender rights, land rights, environmental, and Afro-Honduran activists remain vulnerable to threats and repression.

The judicial system is weak and inefficient, and there have been reported cases of lengthy pretrial detention, denial of due process to detainees, and harsh prison conditions, including the beating and abuse of inmates by security forces. About 79 percent of prisoners in Honduras are awaiting trial.

The criminal justice system has been buffeted by high levels of street crime and harsh police crackdowns. While the murder rate dropped from 154 per 100,000 inhabitants in 1999 to 48 per 100,000 in 2007, it is still among the highest in the region. Authorities reported 2,404 homicides between January and September 2007, and it is estimated that by the end of 2007, approximately 3,140 murders were committed. The murder rate increased from 8.2 homicides per day in 2006 to 8.6 in 2007. Most of the slayings are attributed to youth gangs, including transnational groups like Mara Salvatrucha (MS-13) and 18th Street, which are especially active in the cities of Tegucigalpa and San Pedro Sula. The government has adopted an "iron fist" approach to the problem, making membership in a gang punishable by up to 12 years in prison and using the military to conduct raids and help maintain order in major cities. Security personnel, particularly the police, have also acted independently or with other vigilante groups to commit extrajudicial killings, arbitrary arrests, and illegal searches. Nongovernmental organizations (NGOs) working in Honduras, such as Casa Alianza, have reported the killings of hundreds of young adults and children in "social cleansing" campaigns. According to one NGO, some 2,000 youths have died since the adoption of the "iron fist" policy. In an October 2006 ruling on the extrajudicial killings of three youths and one adult in 1995, the Inter-American Human Rights Court ordered officials to initiate programs for the security forces that would address the rights of

children and youths, as well as a public-awareness campaign to curb violence against children.

Indigenous and Afro-Honduran residents have faced various forms of abuse by property developers and their allies in recent years. In 2006, the Inter-American Commission on Human Rights ordered protection measures for the Garifuna community of San Juan Tela, but Honduran authorities have yet to fully comply. Also that year, the World Bank agreed to look into accusations of corruption in a controversial property-titling project that has failed to accommodate indigenous and Afro-Honduran land rights. The Garifuna population suffers disproportionately from a growing HIV/AIDS epidemic; the United Nations reports that about 8.4 percent of Garifuna adults carry the virus, compared with 1.5 percent in the general population. Honduras accounts for about 60 percent of HIV cases in Central America.

Women are vulnerable to exploitation by employers, particularly in the low-wage *maquiladora* (assembly plant) export sector, where hundreds of thousands of workers have reportedly been denied full wages and forced to work overtime in the past decade. Calls to update labor laws to protect such workers have gone unanswered.

Child labor is a problem in rural areas and in the informal economy. A recent national household survey revealed that nearly 25 percent of youths aged 13 to 15 and 42 percent of those aged 16 to 18 are working. Casa Alianza estimates that as many as 10,000 girls and boys are working as prostitutes, many of them rural children brought to tourist areas along the coast. According to UNESCO, 29 percent of Honduran children drop out of school before fifth grade, and youths head about 10 percent of Honduran households. The overall population is dominated by young people: 41 percent are under 15, and 20 percent are aged 15 to 24.

## Hungary

**Population:** 10,100,000

**Capital:** Budapest

**Political Rights:** 1

**Civil Liberties:** 1

**Status:** Free



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

1998	1999	2000	2001	2002	2003	2004	2005	2006	2007
1,2F	1,2F	1,2F	1,2F	1,2F	1,2F	1,1F	1,1F	1,1F	1,1F

### Overview:

**Prime Minister Ferenc Gyurcsany's government struggled to maintain control in 2007 after losing popularity due to its fiscal austerity measures and a 2006 scandal involving**

**Gyurcsany's leaked admission that he had lied to the people about the country's budgetary and economic health. The government's troubles spurred opposition protests and the rise of a new extreme-right nationalist group. Nonetheless, the austerity plan showed signs of success in lowering the budget deficit. Also during the year, confidence in the police force dropped after several senior law enforcement officials were fired or resigned due to alleged criminality among officers, while a report from Amnesty International exposed police discrimination against women who are raped or abused within marriage.**

King Stephen I, who ruled from 1001 to 1038, is credited with founding the Hungarian state. In the centuries that followed, Hungarian lands passed through Ottoman and Austrian hands. Hungary established a liberal constitutional monarchy under the Austrian Hapsburgs in the mid-19th century, but two world wars and a Communist dictatorship in the 20th century forestalled true independence.

The Soviet Union crushed an uprising by Hungarians seeking to liberalize the political and economic system in 1956, an event that remains prominent in the country's consciousness. Subsequent Communist policy in Hungary was fairly liberal compared with the rest of the Soviet bloc, but in the late 1980s, the ruling Hungarian Socialist Worker's Party came under intense pressure to accept reforms. Ultimately, the party congress dissolved itself, and Hungary held its first free, multiparty parliamentary elections in 1990. The country subsequently followed an aggressive path of reform and pursued the popular cause of European integration.

In the 1998 legislative elections, Fidesz-Hungarian Civic Union captured the largest number of seats and ruled in coalition with the Hungarian Democratic Forum (MDF) and the Independent Smallholders' Party. In the 2002 elections, the Hungarian Socialist Party (MSzP) won 42.8 percent (178 mandates), and formed a majority government with the Alliance of Free Democrats (SzDSz).

After an 84 percent "yes" vote in a 2003 referendum, Hungary entered the European Union (EU) on May 1, 2004. In August of that year, Prime Minister Peter Medgyessy resigned as a result of a dispute with the SzDSz. He was replaced by Ferenc Gyurcsany, whose biggest challenge was to bring Hungary's finances under control while keeping the support of the MSzP's left wing.

In April 2006, the ruling coalition won reelection with 210 seats in the National Assembly after a campaign in which the opposition leader, Fidesz's Viktor Orban, stressed populist themes. Both sides advanced economic promises that were patently unrealizable, including pledges to reduce taxes while increasing state subsidies. In September, comments Gyurcsany had made at a closed party meeting in May, in which he admitted that his government had repeatedly lied to the electorate about its budgetary and economic performance, were leaked to the press. The revelation sparked riots that amounted to the most extensive unrest in the country since the abortive 1956 revolution. The MSzP and SzDSz suffered badly in local elections held in early October, but Gyurcsany refused to resign, and his government survived a no-confidence vote the following week.

Gyurcsany introduced an austerity plan that year aimed to bring Hungary's budget deficit of 9 percent of gross domestic product (GDP) into line with requirements for the adoption of the euro currency by 2009. The plan combined higher taxes and extensive reforms of the public sector, which resulted in lowered real wages,

higher inflation, and minimal economic growth. Despite protests and calls for Gyurcsany's resignation, his government remained in office in 2007, although opinion polls showed politicians' popularity to be at their lowest levels since the Communist era.

Demonstrations and rioting on the 2007 anniversary of the October 23, 1956, uprising were not as large or violent as in 2006, and the police response was significantly less extreme. The 2007 protests were fueled in part by the creation in August of the Magyar Garda, or Hungarian Guard, an extreme-right nationalist group that called for the "protection" of Hungary for Hungarians and dressed in uniforms reminiscent of the country's fascist period. The swearing in of 500 new Hungarian Guard members in October raised alarms about the growing strength of the far right in Hungarian politics.

Despite public displeasure with the austerity program, the budget deficit is now on track to reach the goal of about 3.2 percent of GDP by 2009. Hungary in 2007 benefited from economic growth in Germany, its largest EU trading partner, but expansion in the Hungarian economy remained modest, reaching just 2.7 percent in the third quarter. The coalition government's longevity and ability to push through additional reforms remained in doubt at year's end.

**Political Rights and Civil Liberties:** Hungary is an electoral democracy. Voters elect representatives every four years to the 386-seat, unicameral National Assembly under a mixed system of proportional and direct representation. The National Assembly elects both the president, whose duties are mainly ceremonial, and the prime minister.

Post-Communist elections in Hungary have been generally free and fair, although some problems persist. After the heated 2006 parliamentary elections, Hungarian think tanks and Transparency International raised questions about illegal campaign funding methods. In the 2002 polls, the Organization for Security and Cooperation in Europe (OSCE) observed that state media coverage frequently favored the incumbent Fidesz party, and that government-sponsored "voter education" advertisements appeared to mirror Fidesz-sponsored campaign ads. By the 2006 elections, however, the OSCE no longer monitored Hungarian polls.

The main political parties are the MSzP and the conservative Fidesz, which has moved in an increasingly nationalist direction. The liberal SzDSz, which supports free-market policies, is the third-largest party but has much less support than the other two; it narrowly cleared the 5 percent vote threshold to enter parliament in 2002 and 2006. The Christian Democratic People's Party (KDNP) and the conservative MDF, both of which arose in the period after the end of the Cold War, have lost considerable popularity.

Hungary's constitution guarantees national and ethnic minorities the right to form self-governing bodies, and all 13 recognized minorities have exercised this right. Despite the large population of Roma, only a small number have been elected to the National Assembly in recent elections. In March 2007, local minority representatives for the first time elected county-level governing bodies. However, the entities are limited to cultural affairs, and lack jurisdiction over housing, education, and health matters.

Previous and current governments have introduced stronger penalties for bribery and implemented a long-term anticorruption strategy. In October 2007, Prime

Minister Ferenc Gyurcsany proposed new anticorruption legislation in the wake of reports that several senior MSzP politicians had mismanaged EU funds. Hungary was ranked 39 out of 180 countries surveyed in Transparency International's 2007 Corruption Perceptions Index.

Freedom of speech is respected, and independent media operate freely in Hungary, albeit within a highly polarized atmosphere. Political controversy continues to trouble state television and radio, with opposition parties accusing the government of improperly attempting to influence content. While attacks on journalists remain rare, investigative journalist Iren Karman was badly beaten in June 2007, in an apparent follow-up to threats she had received the previous winter over her research into corruption in the early 1990s. In November, a handful of reporters were arrested while covering an illegal demonstration. Foreign ownership of Hungarian media is extensive, but the successful introduction of private Hungarian television stations has challenged the argument that state-supported media are necessary for balanced coverage. Internet access is unrestricted.

The constitution guarantees religious freedom and provides for the separation of church and state. While adherents of all religions are generally free to worship in their own manner, the state provides financial support and tax breaks to four traditional groups, or "historical churches": the Roman Catholic Church, the Calvinist Church, the Lutheran Church, and the Alliance of Hungarian Jewish Communities. Some critics have charged that these practices effectively discriminate against smaller denominations. The state does not restrict academic freedom.

The constitution provides for freedom of assembly, and the government generally respects this right in practice. Despite protests against the Hungarian Guard, to date the group has complied with the law. In September 2007, Gyurcsany called for amendments to free assembly and free speech legislation that would allow closer monitoring of extremist activities. Nongovernmental organizations are active in Hungary and operate without restrictions. The government respects citizens' rights to form associations, strike, and petition public authorities. Trade unions account for less than 30 percent of the workforce. Korean tire company Hankook has been accused of ignoring international labor standards and intimidating local trade union leaders at its Hungarian factory, which became operational in June 2007.

Hungary has a three-tiered, independent judiciary in addition to the Supreme Court and a Constitutional Court. The constitution guarantees equality before the law, and courts are generally fair. Limited budget resources leave the system vulnerable to outside influence, but court funding is being improved, as required by EU membership. After the exposure of several criminal cases against police officers, including charges of rape, theft, and persistent corruption by traffic police, Gyurcsany in May 2007 fired the national police chief, Laszlo Bene, and the head of the Budapest police, Peter Gergenyi. This prompted the resignations of Justice Minister Jozsef Petretei; Jozsef Dobozi, head of the riot police; and the head of domestic security service, Lajos Galambos. The police have been criticized for racist attitudes and use of excessive force when dealing with the Romany minority, despite a government campaign against anti-Roma racism. The excessive force used by police during the October 2006 riots was not repeated in 2007. Prisons suffer from overcrowding but are generally approaching Western European standards.

Hungary established a legal rights protection network in 2001 to provide legal

aid to the Romany community, and later passed an antidiscrimination law as a requirement of EU membership. The government has also created a Romany Coordination Council, appointed special commissioners in the Ministry of Education and the Ministry of Employment and Labor to oversee Romany issues, and named a minister-without-portfolio in the prime minister's office to promote equal opportunity. However, the Romany population continues to face widespread discrimination in many respects, and Roma are five times more likely to live in poverty than the population as a whole. A large number of Romany children are diagnosed as mentally handicapped and directed by school authorities to special education classes, thus seriously hampering their ability to enter the workforce.

Property ownership and choice of residence are legally protected by law and generally enjoyed in practice. The time it takes to start a business in Hungary is below the world average of 48 days.

Since the parliament passed the controversial Status Law in 2001, granting special health and educational benefits to ethnic Hungarians residing outside the country, Hungary has repeatedly found itself in disputes with Romania, Serbia, and Slovakia, which have large Hungarian minorities. In December 2004, a referendum was held on extending citizenship to ethnic Hungarians abroad, but turnout was insufficient for the proposal to pass. In a confidence-building initiative, Hungary has convened a series of meetings with other countries in the region.

Women possess the same legal rights as men, but they face hiring and pay discrimination and tend to be underrepresented in high-level business and government positions. Despite the fact that the Hungarian penal code recognizes rape within marriage as a crime, an Amnesty International report in 2007 found that women are overwhelmingly reluctant to report rapes and face widespread prejudice when it comes to prosecuting such cases. Hungary is primarily a transit point, but also a source and destination country, for trafficked persons, including women trafficked for prostitution.

## Iceland

Population: 300,000

Capital: Reykjavik

Political Rights: 1

Civil Liberties: 1

Status: Free



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

1998	1999	2000	2001	2002	2003	2004	2005	2006	2007
1,1F	1,1F	1,1F	1,1F	1,1F	1,1F	1,1F	1,1F	1,1F	1,1F

Overview:

**The ruling Independence Party formed a new coalition with the Social Democratic Alliance after May 2007 parliamentary elections, and Geir Haarde retained the premiership.**



**In one of its first decisions, the new government postponed immigration access for citizens of Bulgaria and Romania, which had joined the European Union in January.**

Iceland gained independence from Denmark in 1944. It became a founding member of NATO in 1949, despite having no standing army. The country declared itself a nuclear-free zone in 1985.

David Oddsson of the center-right Independence Party (IP) stepped down as prime minister in 2004, having held the post since 1991. He was succeeded by Halldor Asgrimsson of the Progressive Party (PP), the coalition partner of the IP. After a poor government showing in local elections, Asgrimsson resigned the premiership in favor of the IP's Geir Haarde in June 2006.

The ruling coalition broke up following May 2007 parliamentary elections, in which the IP took 25 seats and the PP slipped to 7, leaving the pair with a razor-thin majority in the 63-seat legislature. The IP then formed a new coalition with the center-left Social Democratic Alliance, which held 18 seats, and Haarde returned as prime minister. Among other parties, the Left-Green Movement took 9 seats, and the Liberal Party won 4.

Soon after taking office, the new government decided to postpone open immigration for citizens of Bulgaria and Romania, which had joined the European Union (EU) at the beginning of 2007. The decision would be revisited in either 2009 or 2014. Iceland itself remained outside the EU, largely due to disagreements over fisheries policy, but it had close ties to the bloc as a member of the European Economic Area.

**Political Rights and Civil Liberties:** Iceland is an electoral democracy. The constitution, adopted in 1944, vests power in a president, a prime minister, the 63-seat unicameral legislature (the Althingi), and a judiciary. The president, whose duties are mostly ceremonial, is elected for a four-year term. The legislature is also elected for four years, but it can be dissolved for early elections in certain circumstances. The prime minister is appointed by the president but responsible to the legislature. Although the IP has dominated politics since the country's independence, elections are free, fair, and competitive. Five political parties are represented in the Althingi. The center-right IP formed a ruling coalition with the center-left Social Democratic Alliance after May 2007 elections, leaving the PP, the Left-Green Movement, and the Liberal Party in opposition.

Corruption is generally not a problem for Iceland, although it has experienced politically tinged business-fraud scandals in recent years. It was ranked 6 out of 180 countries surveyed in Transparency International's Corruption Perceptions Index.

The constitution guarantees freedom of speech and of the press. Iceland's wide range of print publications includes both independent and party-affiliated newspapers. The autonomous Icelandic National Broadcasting Service competes with private radio and television stations. Private media ownership is concentrated, with the Nordurljos (Northern Lights) Corporation controlling most of the private television and radio outlets and two out of the three national newspapers. In 2004, the president refused to sign a law that would have placed limits on media ownership, particularly for firms that owned nonmedia assets, marking the first presidential veto in the republic's history. Some reporters practice self-censorship to avoid publish-

ing libelous material. In June 2007, journalist Helgi Seljan was found to be in violation of ethical regulations for a story that falsely accused a member of parliament of pressuring the government to grant citizenship to her son's Guatemalan girlfriend.

The constitution provides for freedom of religion, though nearly 90 percent of Icelanders belong to the Evangelical Lutheran Church. The state supports the church through a special tax and religious instruction in schools. However, citizens may choose to give the tax to the University of Iceland and have their children exempted from religious instruction. In 2006, the courts rejected a lawsuit by the Icelandic Pagan Association in which it sought state funding proportional to its membership; the ruling was upheld by the Supreme Court in October 2007. Separately, a new curriculum implemented in 2006 took a more multicultural approach to religious education.

Academic freedom is respected, and the education system is free of excessive political involvement.

The freedoms of association and peaceful assembly are upheld. Many nongovernmental organizations (NGOs) operate freely and enjoy extensive government cooperation. In 2004, the government cut all direct funding to the Icelandic Human Rights Center to help ensure its independence. The labor movement is robust, with about 85 percent of all eligible workers belonging to unions. All unions have the right to strike.

The judiciary is independent. The law does not provide for trial by jury, but many trials and appeals use panels of several judges. The constitution states that all people shall be treated equally before the law, regardless of sex, religion, opinion, ethnic origin, race, property, or other status. However, the charter does not specifically prohibit racial discrimination in other contexts. In 2003, the UN Committee Against Torture (CAT) reported that Iceland's laws did not clearly define and prohibit torture or ban the use of evidence obtained through torture. The government disagreed with those findings. Prison conditions generally meet international standards.

The Act on Foreigners—which specifies the government's powers with regard to immigrants, including refugees and asylum seekers—was amended in 2004 to allow home searches without warrants in cases of suspected immigration fraud, among other changes. Foreigners can vote in municipal elections if they have been residents of the country for at least five years, or three years for citizens of Scandinavian countries.

Women enjoy equal rights, and more than 80 percent of women participate in the workforce. A pay gap exists between men and women in spite of laws designed to prevent disparities. A five-year plan to reduce violence against women and change public attitudes about domestic violence was launched in 2006. There has been some concern about women of immigrant origin, who may not have the opportunity to learn the Icelandic language and customs, and may be unaware of their rights under the law. The European Commission against Racism and Intolerance has urged Iceland to strengthen their racial tolerance in several areas including protections for immigrant women from domestic violence and with assistance integrating into Icelandic society. The government participates in the Nordic-Baltic Action Group against Human Trafficking.

## India

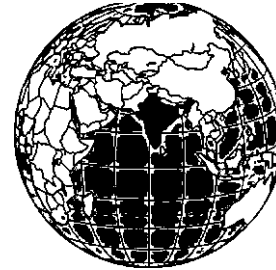
**Population:** 1,131,900,000

**Capital:** New Delhi

**Political Rights:** 2

**Civil Liberties:** 3

**Status:** Free



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

1998	1999	2000	2001	2002	2003	2004	2005	2006	2007
2.3PF	2.3F	2.3F	2.3F	2.3F	2.3F	2.3F	2.3F	2.3F	2.3F

**Overview:** The ruling Congress Party-led coalition in 2007 suffered defeats in several state elections and faced opposition from leftist parties on major policy issues, raising the prospect of early national elections. The peace dialogue with Pakistan continued during the year, despite bombings by suspected Islamist militants in February and August that killed dozens of civilians. Little progress was made on ensuring justice for the victims of the 2002 communal violence in Gujarat, despite the sustained efforts of local activists and lawyers, the Supreme Court, and the National Human Rights Commission. Also during the year, Maoist insurgent movements and separatist violence contributed to increased lawlessness and human rights violations in a number of states in India's tribal belt, particularly Chhattisgarh, as well as in the northeast.

India achieved independence in 1947 with the partition of British India into a predominantly Hindu India, under Prime Minister Jawaharlal Nehru, and a predominantly Muslim Pakistan. The centrist, secular Congress Party ruled at the federal level for much of the first five decades of independence. From the mid-1990s onward, however, the Hindu nationalist Bharatiya Janata Party (BJP) was a major factor in Parliament, leading governments on several occasions. In addition, the pattern shifted from single-party to coalition governments, typically involving large numbers of parties and an increasingly important role for parties based in a single state.

The period after 1990 was also a time of major economic reform, with the Congress government initiating a shift toward market-oriented policies following a balance-of-payments crisis in 1991. In December 1992, Hindu fundamentalists supported by major figures in the BJP destroyed a 16th-century mosque in the northern town of Ayodhya, and some 2,000 people, mainly Muslims, subsequently died in riots and police gunfire. This incident highlighted the clash between the BJP's traditional promotion of what it regarded as Hindu cultural interests and the need to moderate its program in order to win elections and govern.

BJP leader Atal Behari Vajpayee's formation of a government in 1998 marked the arrival of the party as a regular contender for national leadership. The government fell after a regional party defected, but it won reelection in 1999 as the lead partner in the 22-party National Democratic Alliance. In February 2002, 59 people were killed in Godhra, Gujarat, when a fire broke out on a train carrying members of a Hindu ex-

tremist group. A Muslim mob was initially blamed for the fire (an official commission later deemed it an accident), and in the anti-Muslim riots and pogroms that followed throughout Gujarat, an estimated 2,000 people were killed and 100,000 were left homeless and dispossessed. The violence was orchestrated by Hindu nationalist groups, but had the tacit support of the BJP-led state government. Despite calls for Gujarat chief minister Narendra Modi to be dismissed, he retained the support of the party leadership and won state elections held later that year.

The rehabilitation of those displaced by the violence, as well as the prosecution of those responsible for murder, rape, and destruction of property, made little headway after the riots. Witnesses in the few cases brought to trial faced threats and intimidation by local authorities and Hindu nationalist sympathizers, as did lawyers and activists working on witnesses' behalf. On several occasions, the Supreme Court attempted to correct the Gujarat government's abysmal prosecution record, requesting that trials be moved outside the state and that closed cases and acquittals be reexamined. Although there were eventually convictions in a few cases, including the notorious Best Bakery massacre, police refused to reopen most cases, citing a lack of available witnesses. As of 2007, the majority of the victims appeared unlikely to see justice.

Buoyed by victories in several state elections and high levels of economic growth, the BJP government called early national elections in the spring of 2004. However, it was unexpectedly defeated; final results gave the BJP only 137 out of 545 seats in the lower house of Parliament, and its allies also performed poorly. Consequently, the Congress Party was able to form a coalition government with a large collection of regional parties, though its majority depended on additional parliamentary support from the Left Front, a grouping of leftist parties. In a further surprise, Congress leader Sonia Gandhi declined the position of prime minister and instead appointed former finance minister Manmohan Singh to the post. However, she retained the party leadership and wielded considerable influence over official policy.

The new Congress-led United Progressive Alliance (UPA) government agreed to a Common Minimum Program that promised a renewed focus on effective governance, a social-democratic budget, and the reversal of several policies initiated by the previous government, including the repeal of controversial antiterrorism legislation and the removal from state-run schools of textbooks that had been imbued with Hindu nationalist ideology. However, the UPA found it difficult to implement some of its economic policies because of tensions among its disparate coalition partners and opposition from the Communist Party of India-Marxist (CPI-M), one of its leftist allies, on issues such as the privatization of public sector assets and labor law reform. The government also faced widespread protests in May 2006 over proposals to expand existing public sector affirmative-action programs to cover private sector jobs and educational institutions. In April 2007, the Supreme Court blocked the implementation of legislation requiring a 27 percent quota for so-called other backward classes (OBCs) in elite educational institutions, leading the prime minister to accuse judges of encroaching on the powers of the executive and legislature.

As an opposition force, the BJP remained weak and plagued by infighting over party leadership and ideology. Meanwhile, the growing popularity of regional and caste-based parties, coupled with the Left Front's renewed strength, continued to hinder Congress's efforts to reestablish itself as a national force and implement key

economic reforms. In February 2007 state elections, Congress lost the states of Punjab and Uttarakhand but held Manipur. Both Congress and the BJP performed poorly in the key Uttar Pradesh state elections several months later, while the regional pro-Dalit ("untouchable" caste) Bahujan Samaj Party won an outright majority. These losses weakened the Congress-led central government, stalling its reform agenda by year's end. A particular controversy erupted over the government's planned nuclear deal with the United States, which was vociferously opposed by various coalition members as well as the Left Front.

A peace dialogue between India and Pakistan continued in 2007 despite new violence linked to Pakistan-based militant groups. After the two countries came close to war in 2002, sustained diplomatic pressure from the United States and others led to an easing of tensions. A ceasefire was instituted in November 2003, and formal talks were initiated in January 2004 on eight baskets of issues, including the disputed territory of Kashmir. A number of confidence-building measures—such as improved nuclear safeguards, reopened transport links, and an increased diplomatic presence—were gradually implemented, with direct rail links recommencing in January 2006. The peace process has been threatened but not thrown off course by terrorist violence, most notably a series of coordinated blasts on commuter trains in Mumbai in July 2006 that killed over 200 people and injured more than 700 others. In February 2007, almost 70 civilians were killed in a bomb attack on the Samjhauta Express, the train service connecting India and Pakistan, and Islamist militants were also suspected of carrying out twin bombings in Hyderabad, India, that killed more than 40 people in August.

**Political Rights and Civil Liberties:** India is an electoral democracy. The 1950 constitution provides for a lower house of Parliament, the 545-seat Lok Sabha (House of the People), whose members are directly elected for five-year terms (except for two appointed seats for Indians of European descent). The Lok Sabha determines the leadership and composition of the government. Members of the 245-seat upper house, the Rajya Sabha (Council of States), are either elected by the state legislatures or nominated by the president, and serve staggered six-year terms. Executive power is vested in a prime minister and a cabinet. The president, who serves as head of state, is chosen for a five-year term by state and national lawmakers.

India is a mature democracy that has held regular and reasonably free elections since independence, and sitting governments are thrown out of office with increasing frequency. Under the supervision of the vigilant Election Commission of India (ECI), recent elections have generally been free and fair. The last national elections, held in spring 2004, featured a decline in election-related violence, but some vote fraud and other minor irregularities occurred in Bihar despite the introduction of electronic voting machines throughout the country. Violence has also declined during recent state-level elections. However, badly maintained voter lists and the intimidation of voters in some areas continue to be matters of concern.

A wide range of political parties operate freely, and there are no restrictions on peaceful political activism. However, due to the rising popularity of regional and caste-based parties, coalition governments have become the norm, and effective governance has suffered as a result.

Government effectiveness and accountability are also undermined by pervasive criminality in politics, decrepit state institutions, and widespread corruption. India was ranked 72 out of 180 countries surveyed in Transparency International's 2007 Corruption Perceptions Index. The electoral system depends on "black money" obtained through tax evasion and other means. Politicians and civil servants are regularly caught accepting bribes or engaging in other corrupt behavior. In one recent incident, 11 members of Parliament (MPs) were forced to resign after being filmed taking cash in return for asking specific questions in Lok Sabha sessions. Moreover, a number of candidates with criminal records have been elected, particularly in the state legislatures. Despite laws requiring candidates to declare their financial assets, criminal records, and educational backgrounds, those with links to organized crime or whose election victories were dependent on unreported money continue to serve as lawmakers, as do a number of MPs who face serious criminal charges. More positively, the 2005 Right to Information Act has reportedly improved bureaucratic transparency by giving citizens better access to records. However, whistleblowers and other activists who try to expose corruption within the bureaucracy often receive threats or are otherwise penalized in terms of career prospects.

The predominantly private media remain vigorous and are by far the freest in South Asia, although journalists face a number of constraints. The constitution protects freedom of speech and expression but does not explicitly mention media freedom. The government occasionally uses its power under the Official Secrets Act (OSA) to censor security-related articles. State and national authorities have also on occasion used other security laws, contempt-of-court charges, and criminal defamation legislation to curb the media and other critical voices. In 2006, Parliament passed an amendment to the Contempt of Courts Act that introduced truth as a defense. However, in a troubling test case that was condemned by local professional groups, a New Delhi court in September 2007 sentenced the publisher of the *Mid-Day* newspaper, as well as two editors and a cartoonist, to four-month prison terms for contempt of court after they ran an article accusing a former senior judge of issuing a ruling that benefited his son; the four were eventually freed pending an appeal.

Journalists remain subject to intimidation. On a number of occasions during 2007, reporters were attacked or detained by police or others while attempting to cover the news. Some were abducted or threatened by right-wing groups, insurgents, or local-level officials, and newspaper offices were attacked. Members of the press are particularly vulnerable in rural areas and insurgency-racked states such as Chhattisgarh, Kashmir, Assam, and Manipur. Conditions in Manipur worsened in 2007, according to the Committee to Protect Journalists, as journalists faced threats from competing militant groups as well as a new state government directive banning the publication of any statements made by "unlawful organizations." At least twice during the year, media outlets responded to pressure by temporarily ceasing operations. Internet access is largely unrestricted in India, although some states have proposed legislation that would require the registration of customers at internet cafes. Potentially inflammatory books and films are occasionally banned or censored by the national or state governments.

Freedom of religion is constitutionally guaranteed and generally respected in this officially secular but Hindu-majority country. However, violence against reli-

gious minorities, including attacks on clergy and the destruction of churches and mosques, remains a problem, and prosecution of the culprits has been inadequate. In December 2007, dozens of churches and Christian homes were destroyed in attacks by Hindu militants in the eastern state of Orissa, leading to tit-for-tat violence in which at least eight people were killed. Members of the Sangh Parivar, a group of Hindu nationalist organizations including the BJP, and some local media outlets promote antiminority propaganda. Legislation on the books in several states criminalizes religious conversions that take place as a result of "force" or "allurement." These laws have been opposed by human rights activists and religious groups, who argue that their vague provisions could be misused. Academic freedom is generally respected but occasionally threatened by intimidation of and attacks on professors and institutions.

There are some restrictions on freedoms of assembly and association. Section 144 of the criminal procedure code empowers state-level authorities to declare a state of emergency, restrict free assembly, and impose curfews; officials occasionally use Section 144 to prevent demonstrations. Police and hired thugs sometimes beat, arbitrarily detain, or otherwise harass villagers and members of nongovernmental organizations (NGOs) who protest forced relocation from the sites of development projects. Amnesty International has documented a number of instances in which police have used excessive force against demonstrators, particularly in the context of ongoing protests against the Narmada Dam project.

Human rights organizations generally operate freely. However, rights groups have expressed concern over the intimidation of human rights defenders through threats, legal harassment, the use of excessive force by police, and occasionally lethal violence. In Gujarat, individuals and organizations that have pushed for justice following the 2002 communal riots have faced harassment from state authorities, including police or tax investigations and threatening telephone calls, according to Human Rights Watch. Human rights defenders also met with heightened threats and harassment in Chhattisgarh during 2007. The work of rights activists may be hindered by a 2001 Home Ministry order that requires organizations to obtain clearance before holding international conferences or workshops if the subject matter is "political, semi-political, communal, or religious in nature or is related to human rights." Foreign monitors are occasionally denied visas to conduct research trips in India on human rights issues.

Workers in the formal economy regularly exercise their rights to bargain collectively and strike. However, the Essential Services Maintenance Act enables the government to ban strikes in certain industries and limits the right of public servants to strike. Estimates of the number of child laborers vary widely, from 12 million to 55 million. Many work in the informal sector in hazardous conditions, and some are bonded laborers. In October 2006, new legislation banned children younger than 14 from working as domestic servants or at hotels, restaurants, or roadside food stalls.

The judiciary is independent of the executive. Judges have displayed unprecedented activism in response to public interest litigation over official corruption, environmental issues, and other matters, and this expanded role has received considerable public support. In April 2007, the Supreme Court overturned the Ninth Schedule, a constitutional provision putting certain areas out of the purview of the judiciary, leading the prime minister to complain of judicial overreach. However, in

recent years, judges have initiated several contempt-of-court cases against activists and journalists, raising questions about their misuse of the law to intimidate those who expose the behavior of corrupt judges or question verdicts. Contempt-of-court laws were reformed in 2006 to make truth a defense with respect to allegations against judges, provided the information is in the public and national interest.

Weak performance on rule of law issues has been a long-standing concern. Although several positive legal reforms have been passed in recent years, particularly in the area of safeguarding the rights of minorities and underprivileged groups, implementation has been significantly lagging. The judiciary, particularly at the lower levels, is reportedly rife with corruption, and most citizens have great difficulty securing effective justice through the courts. The court system is severely backlogged and understaffed—there are currently more than 30 million civil and criminal cases pending—which results in lengthy pretrial detention for a large number of people. In general, the criminal justice system still fails to provide equal protection to minorities, lower castes, and tribal members. Muslims are underrepresented in the police force and army, with only 29,000 serving in the 1.1 million-strong army even though they comprise an estimated 14.5 percent of the population, according to the *Christian Science Monitor*.

Particularly in rural India, parallel justice is often dispensed by caste *panchayats* (informal councils) or Muslim religious leaders, who issue edicts concerning marriage, divorce, and other social customs. In the worst cases, such edicts result in violence or persecution aimed at those perceived to have transgressed social norms, particularly women and members of the lower castes.

Police often torture or otherwise ill-treat suspects to extract confessions or bribes. Custodial rape of female detainees continues to be a problem, as does routine abuse of ordinary prisoners, especially minorities and members of the lower castes. The National Human Rights Commission (NHRC), whose profile has grown since its creation in 1993, is headed by a retired Supreme Court judge and handles roughly 80,000 complaints each year. However, while it monitors abuses, initiates investigations, makes independent assessments, and conducts training sessions for the police and others, its recommendations are often not implemented and it has few enforcement powers. The commission also lacks jurisdiction over the armed forces, which severely hampers its effectiveness.

Reports by the NHRC, Human Rights Watch, and a number of other groups allege that the Gujarat state government instructed police not to intervene during the 2002 communal violence, and that police have since been reluctant to register complaints against or arrest those accused of murder, rape, or complicity in the rioting. After the state's justice system was deemed to be biased, the Supreme Court stepped in on several occasions to order retrials or reviews of previously closed cases. In 2006, a Mumbai special court sentenced nine people to life imprisonment for their role in the Best Bakery massacre, and almost 1,600 closed cases were reexamined on instructions from the Supreme Court. However, in 2007, Gujarat police stated that the majority of these cases could not be reopened due to a lack of witnesses, and the vast majority of tried cases have resulted in acquittals.

Police, army, and paramilitary forces continue to be implicated in disappearances, extrajudicial killings, rape, torture, arbitrary detention, and destruction of homes, especially in the context of ongoing insurgencies in Kashmir, the tribal belt, and



several northeastern states. The high level of custodial deaths is a particular concern, with hundreds of cases recorded each year. The Armed Forces Special Powers Act (AFSPA) and the Disturbed Areas Act remain in effect in a number of states, granting security forces broad powers of arrest and detention. In June 2005, a government-appointed review panel unanimously recommended that AFSPA be repealed, but the government has not yet complied. Security forces also continue to hold suspects under the broadly drawn National Security Act, which authorizes detention without charge for up to one year, as well as the Unlawful Activities Prevention Act. In response to spiraling Naxalite-related violence, the Chhattisgarh state government passed the Special Public Protection Act in March 2006. Its broad language—allowing detentions of up to three years for "unlawful activities" and criminalizing provision of support to the Naxalites, even if under duress—was criticized by Human Rights Watch. The criminal procedure code requires the central or relevant state government to approve prosecution of security force members, but such approval is rarely granted, leading to impunity for security forces implicated in human rights abuses.

In India's seven northeastern states, more than 40 insurgent factions, who seek either greater autonomy or complete independence for their ethnic or tribal groups, attack security forces and engage in intertribal violence. The rebels have been implicated in numerous bombings, killings, abductions, and rapes of civilians, and they also operate extensive extortion networks. More than 1,000 troops, militants, and civilians were killed in 2007, according to the South Asia Terrorism Portal (SATP), with the states of Manipur and Assam registering the highest levels of violence. In January 2007, some 80 mostly Hindi-speaking migrant workers were massacred in a remote area of Assam, probably by the United Liberation Front of Asom (ULFA) separatist group; smaller but similar attacks continued throughout the year. Meanwhile, tens of thousands of civilians have been displaced, and many live in squalid camps and are unable to return to their homes.

The recent spread and influence of the Naxalites is cause for serious concern. There are an estimated 10,000 armed fighters supported by a further 40,000 cadre members, organized into a number of groups that since late 2004 have been loosely allied as the Communist Party of India (Maoist). The *Economist* has reported that they operate in 170 of India's 602 districts, controlling some rural areas outright. Focusing on the tribal areas in states such as Andhra Pradesh, Orissa, Bihar, Chhattisgarh, and Jharkhand, their stated aim is to establish a Communist state on behalf of marginalized groups, including tribal peoples, lower castes, and the landless poor. According to Human Rights Watch, they have imposed illegal taxes; requisitioned food and shelter from villagers; engaged in forced recruitment, extortion, and abduction; and hampered the delivery of aid to the isolated rural areas whose inhabitants they claim to represent.

Naxalite-related violence, including bombings and assassinations, killed more than 450 security personnel and civilians during 2007, according to the SATP. Particularly after the June 2005 launch of the anti-Maoist Salwa Judum campaign in Chhattisgarh, local civilians who are perceived to be progovernment have been targeted. Around 60,000 civilians have been displaced by armed clashes between Naxalites and security forces, and live in temporary government-run camps.

The constitution bars discrimination based on caste, and laws set aside gener-

ous quotas in education and government jobs for the so-called scheduled tribes, scheduled castes (Dalits), and other backward classes (OBCs). In addition, women and religious and ethnic minorities are represented in national and local government; in 2004, Manmohan Singh, a Sikh, became India's first prime minister from a minority group, and in 2007, Pratibha Patil became India's first female president. However, members of the lower castes and minorities continue to face routine unofficial discrimination and violence. The worst abuse is experienced by the country's 160 million Dalits, who are often denied access to land and other public amenities, abused by landlords and police, punished by village councils or members of the upper castes for alleged social transgressions, and forced to work in miserable conditions. However, a government proposal to reserve an extra 27 percent of places in universities and technical institutes for OBCs—which when combined with existing reservations would take the total portion of reserved slots to 49.5 percent—triggered widespread protests in May 2006, with critics alleging that many reserved places would remain vacant and that official policy should concentrate on improving opportunities at lower levels of the educational system. In November 2006, the government-initiated Sachar Committee report—which found that Indian Muslims were disproportionately more likely to be poor and illiterate, and less likely to have access to government employment, medical care, or loans—spurred debate over the necessity of providing official assistance for Muslims.

Tension between different ethnic groups over land, jobs, or resources occasionally flares into violent confrontation, and sporadic Hindu-Muslim violence remains a concern. Other forms of discrimination against Muslims are sometimes excused in the context of ongoing tensions with Pakistan and the global campaign against terrorism. Tens of thousands of displaced people live in makeshift camps in various areas of the country, including Gujarat, due to past or ongoing violence. Although India hosts several hundred thousand refugees from neighboring countries (mostly Tibetans, minority groups from Burma and Bangladesh, and Sri Lankan Tamils), it has no federal refugee law, and the treatment of displaced persons varies widely, according to Refugees International.

Property rights are somewhat tenuous for tribal groups and other marginalized communities, and members of these groups are often denied adequate resettlement opportunities and compensation when their lands are seized for development projects. In 2007, there was increased violence associated with a planned special economic zone in Nandigram, West Bengal, that would lead to the acquisition of farmland. Over the course of the year, more than 30 people were killed, hundreds were injured, and more than 10,000 people lost their homes amid clashes between supporters of the state's ruling CPI-M party and farmers who were trying to block the land appropriations.

Each year, several thousand women are burned to death, driven to suicide, or otherwise killed, and countless others are harassed, beaten, or deserted by husbands, in the context of domestic disputes that sometimes include dowry-related issues. Despite the fact that making demands for dowry is illegal and hundreds of people are convicted each year for the crime, the practice continues. Rape and other violence against women are serious problems, and lower-caste and tribal women are particularly vulnerable. Muslim women and girls were subjected to horrific sexual violence during the 2002 communal riots in Gujarat, and there have been few official attempts to provide rehabilitation for surviving victims or to prosecute their attack-

ers, according to Amnesty International. The Protection of Women from Domestic Violence Act, which took effect in October 2006, banned dowry-related harassment, widened the definition of violence to include emotional or verbal abuse, and criminalized spousal rape. So-called honor killings, in which women are murdered by relatives for perceived sexual or moral indiscretions, remain a problem, especially in the northwestern states of Punjab and Haryana.

Muslim personal-status laws and traditional Hindu practices discriminate against women in terms of inheritance, adoption, and property rights. The malign neglect of female children after birth remains a concern. Sex-determination tests are increasingly used during pregnancy, after which female fetuses are more likely to be aborted, despite a prohibition on tests being conducted for this purpose. The trend, coupled with the practice of female infanticide by those who cannot afford the tests, has contributed to a significant imbalance in the male-female birth ratios in a number of states, particularly in the northwest. The criminalization of homosexual behavior has led to harassment of gay men and the NGOs who work with them, according to Human Rights Watch. A high-profile campaign is currently challenging this discriminatory, colonial-era legislative framework in the Indian court system. The trafficking of women and children to, from, and within India—primarily for the purposes of prostitution, domestic servitude, and forced labor—continues to be a significant problem.

## Indonesia

**Population:** 231,600,000

**Capital:** Jakarta

**Political Rights:** 2

**Civil Liberties:** 3

**Status:** Free



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

1998	1999	2000	2001	2002	2003	2004	2005	2006	2007
6,4PF	4,4PF	3,4PF	3,4PF	3,4PF	3,4PF	3,4PF	2,3F	2,3F	2,3F

### Overview:

**Indonesia's parliament in 2007 focused on political reform in advance of the 2009 legislative and presidential elections, with ample debate over amendments to four key political laws. The Constitutional Court issued two significant rulings during the year, overturning articles of the penal code that criminalized defamation and allowing independent candidates to contest local elections. Progress was also achieved in Indonesia's counterterrorism campaign, with major arrests in January and July.**

Indonesia won independence from its Dutch colonial rulers in 1949. After several parliamentary governments collapsed, the republic's first president, Sukarno, assumed authoritarian powers in 1957 and established a system he called "Guided

Democracy" by balancing the conservative Indonesian National Army (TNI) and the Communist Party of Indonesia (PKI) against his Indonesian Nationalist Party (PNI). In 1965, the army, led by General Suharto, crushed an apparent PKI-led coup attempt. The TNI and its conservative Muslim allies subsequently engaged in mass acts of violence against suspected PKI members that resulted in an estimated 500,000 deaths. With TNI backing, Suharto formally became president in 1968.

Suharto's "New Order" regime merged "old order" political parties into two easily controlled groups and created Golkar, a progovernment party based on bureaucratic and military interests whose victory was assured by heavily constrained and manipulated elections. Suharto created a political system that rewarded supporters and punished opponents, while embarking on a development program that helped the Indonesian economy grow by an annual average of 7 percent for three decades. By the 1990s, Suharto's children and cronies were the major beneficiaries of state privatization schemes and often ran large business monopolies with little oversight. The 1997 Asian financial crisis drastically devalued the currency, and in 1998 the country's economy shrank by 13.8 percent—the largest single-year contraction for any country since the Great Depression.

Soaring prices and rising unemployment prompted devastating urban riots in May 1998, and Suharto was forced to resign. Vice President B.J. Habibie, a long-time Suharto loyalist, succeeded him. Habibie removed legal constraints on the press, labor unions, and political parties in response to the *reformasi* (reformation) movement.

In June 1999, Indonesia held its first free legislative elections since 1955. The Indonesian Democratic Party-Struggle (PDI-P), led by Sukarno's daughter, Megawati Sukarnoputri, won the largest number of seats, followed by Golkar. Muslim leader Abdurrahman Wahid was selected as president and Megawati as vice president in October.

Indonesia's deep-seated political, economic, and social problems continued unabated along with violence in Aceh, the Moluccas, Sulawesi, and Kalimantan. Megawati became president in July 2001 after Wahid was impeached as a result of corruption allegations.

Megawati was credited with the stabilization of Indonesia's post-1997 economy as well as a simultaneous rise in corruption, in part because the decentralization process she oversaw expanded local government powers without extending effective oversight. Megawati's administration also faced a significant rise in internal security threats. Security forces arrested scores of suspected members of Jemaah Islamiyah (JI)—a transnational network of Southeast Asian Islamist militants loosely linked to al-Qaeda—after terrorist bombings on the resort island of Bali killed 202 people in 2002. Similar hard-line tactics were used against insurgencies in Aceh and Papua, but they failed to bring peace.

In the April 2004 parliamentary elections, voters shifted support from the PDI-P to the Democratic Party (PD), the electoral vehicle for Susilo Bambang Yudhoyono (SBY), formerly Megawati's coordinating minister for political and security affairs. Still, the PD won only 55 out of 550 seats in the House of Representatives (DPR). Golkar emerged as the largest but not the majority party, taking 128 seats, and the PDI-P followed close behind with 109 seats. Electoral advances for the Prosperous Justice Party (PKS) largely reflected reform-oriented voters' attraction to the party's

anticorruption platform. SBY won 61 percent of the vote and claimed a mandate for change in the September 2004 direct presidential election.

His administration was quickly challenged by the devastating December 2004 earthquake and tsunami in Aceh, an oil-rich province on the northern tip of Sumatra. An estimated 237,000 Indonesians were counted dead or missing, more than half a million were rendered homeless, and property damage was estimated at between \$4.5 billion and \$5 billion. Cooperation between government troops and separatist Free Aceh Movement (GAM) insurgents in the tsunami's aftermath helped to launch ceasefire negotiations, which led to a peace agreement in August 2005. The GAM formally disarmed in December 2005, and the military and police presence in the province was significantly reduced by January 2006.

Aceh in December 2006 held peaceful, landmark elections in which GAM's governor/deputy governor team—Irwandi Yusuf and Muhammad Nazar—secured an overwhelming victory. Peace held in 2007, but unresolved problems between Aceh and Jakarta continued to fester, and high unemployment contributed to the rise of violent robberies, extortion, and illegal mining. Allegations of inequitable divisions of reintegration funding deepened rifts within GAM's leadership and inhibited the effects of a new moratorium on logging. According to the International Crisis Group (ICG), GAM's armed wing, now called the Aceh Transition Committee (KPA), assumed the role of a shadow government and was believed to be heavily involved in illegal logging activity.

Jakarta continues to fear separatism in Papua, while Papuans generally resent the government's exploitation of the province's natural resources. The conflict has become increasingly localized and characterized by rivalry among tribal elites. The development of oil-palm plantations—part of the government's plan to reduce spending on petrol subsidies and supported by Papua's governor as an antipov-erty measure—has brought an influx of non-Papuan workers and firms, prompting land disputes. A July 2007 Human Rights Watch report noted serious human rights violations by police in the province.

The counterterrorism campaign against JI made major breakthroughs in 2007. Two police raids in Poso, Central Sulawesi, in January killed 17 Islamist radicals, and the authorities in July arrested Zarkasi, the head of JI since 2004, and Abu Dujana, the leader of the group's military wing. Meanwhile, although underlying grievances remained, incidents of Muslim-Christian violence and jihadism in Poso significantly declined in 2007. SBY's comprehensive deradicalization program, in which former terrorists are sent into prisons as advocates of reconciliation, also proved instrumental to recent counterterrorism successes. According to the ICG, however, JI retained more than 900 members nationwide as well as the goal of establishing an Islamic state.

National debate over an Islamic state—which had been paramount in 2006—significantly ebbed in 2007, with attention largely shifting to the amendment of political laws in advance of the 2009 parliamentary elections. A major Constitutional Court ruling made it legal for independent candidates to contest local elections without official party endorsement, but the July 23 decision came too late to apply to Jakarta's first direct local elections, held in early August. Incumbent deputy governor Fauzi Bowo and his "Jakarta coalition" of 19 parties defeated PKS candidate and retired police officer Adang Daradjatun by a 60-40 margin.

With roughly 40 million Indonesians living in poverty, job creation, economic

growth, and anticorruption efforts remained at the forefront of SBY's agenda in 2007 and were likely to be decisive factors in the 2009 elections. The DPR in March passed a long-awaited investment law designed to ease conditions for foreign investors, but its real benefits remained uncertain, and tax and labor law reforms continued to stall. Indonesia nevertheless experienced its greatest economic expansion in a decade in 2007. Many Indonesians expressed frustration with SBY's tendency to relent in the face of public pressure and saw his failure to deliver on a number of reforms as a lack of accountability. A series of public-transport disasters early in the year furthered this trend, plunging the president's popularity to an all-time low in April. In an effort to improve perceptions of government performance, SBY reshuffled his cabinet in May. The five ministers replaced included State Secretary Yusril Ihza Mahendra and Justice and Human Rights Minister Hamid Awaluddin, both implicated in a money-laundering scandal involving Tommy Suharto, the former president's son. Transport Minister Hatta Radjasa, chairman of the National Mandate Party (PAN), was also replaced but moved to the position of state secretary. A Golkar loyalist was appointed to head the state enterprises ministry, but that marked the party's only gain in the shuffle.

The fact that Vice President Yusuf Kalla is the chairman of Golkar has generally helped shore up the administration's support in the DPR, but reform has been hindered by the president's need to placate his coalition partners, especially as the DP aims to secure at least 15 percent of seats in the 2009 parliamentary vote. Decisions made at Golkar's national leadership meeting in November reduced the likelihood that Kalla would be selected as the party's presidential candidate. Former president Megawati announced her bid for the presidency in September, and remained SBY's primary rival at year's end. A series of meetings between Golkar and the PDI-P—the country's two largest secular, nationalist parties—raised suspicions that they were planning an electoral alliance, which would guarantee them a parliamentary majority. However, their clear differences suggested that cooperation would be limited to joint support for regional candidates and political law proposals.

Indonesia has assumed a more prominent role on the international stage under SBY and as a temporary member of the UN Security Council in 2007-08. In May, the parliament questioned SBY's decision to support a UN resolution to impose sanctions on Iran, reflecting the dilemma faced by the Indonesian government as it sought to improve relations with Western governments while maintaining the support of its own Muslim population. Relations with Singapore were strained by negotiations over a long-contested extradition treaty and a defense agreement concerning joint military training; neither was ratified due to Indonesia's concern that the defense agreement compromised national sovereignty. Increasingly strong ties with Russia resulted in the signing of an arms deal in September, intended to lessen dependence on the United States. In December, Indonesia hosted the Conference of Parties to the UN Framework Convention on Climate Change in Bali.

**Political Rights and Civil Liberties:** Indonesia is an electoral democracy. In 2004, for the first time, Indonesians directly elected their president and all 550 members of the House of Representative (DPR), as well as representatives to a new legislative body, the Regional Representatives Council (DPD). Before 2004, presidents were elected by the People's Consultative Assem-

bly (MPR), then made up of elected lawmakers and appointed officials. The MPR, currently comprised of elected DPR and DPD members, now performs tasks involving the swearing in and dismissal of presidents and the amendment of the constitution. The DPD is tasked with proposing, discussing, and monitoring laws related to regional autonomy. Presidents and vice presidents can serve up to two five-year terms. Legislators also serve five-year terms.

Currently, parties that fail to win 3 percent of the vote are not allowed to contest future elections, and 2009 presidential candidates must be nominated by at least 15 percent of the members of the DPR. In 2007, the DPR debated a package of amendments to four political laws on presidential elections, legislative elections, political parties, and the structure of legislative assemblies. At the heart of the debate was the nature of the party-list system, with democracy activists pushing for amendments that would allow Indonesians to vote for individual candidates rather than deliver legislative seats to party favorites. Another matter of contention was the PDI-P and Golkar's joint proposal to raise the threshold of support required for parties to run in subsequent elections to 5 percent of seats in the DPR, and to limit presidential nominations to parties with 15 percent of seats in parliament or 20 percent of the 2009 vote (or which comprise coalitions with equal degrees of support). Smaller parties naturally dissented, and resolution on the set of bills was not reached by year's end.

Staggered, direct elections for regional leaders across Indonesia began in June 2005 and are scheduled to continue through 2008. Polls have generally been considered to be free, fair, and relatively peaceful; roughly 40 percent of incumbent candidates had been voted out of office since the elections began. In a significant step for local democracy, the Constitutional Court in July 2007 ruled to allow independent candidates to contest local elections. Previously, candidates had to be nominated by political parties that, in turn, were required to have a nationwide network of members and offices. These requirements tended to perpetuate corrupt practices, with nominations often sold to the highest bidder. Independents are expected to be able to begin running in early 2008, after the 2004 Law on Regional Autonomy is amended. Aceh's July 2006 governance law already allowed independent candidates to run as part of an effort to integrate former GAM separatists into the political process.

While the military formally withdrew from politics when it lost its 38 appointed seats in the MPR in 2004, the army maintains a "territorial network" of soldiers in every district and village, which gives it influence at the local level.

Corruption remains endemic in Indonesia and pervades numerous sectors, including the judiciary, police force, civil service, and public school system. A World Bank report published in June 2007 found that Indonesia's rapid decentralization program, which began in 2001, may have exacerbated corruption by empowering local officials with the delivery of services and fostering incentives for "money politics." Recent Transparency International surveys found that Indonesians consider the DPR and political parties to be the country's most corrupt institutions. Indonesia was ranked 143 out of 180 countries surveyed in Transparency International's 2007 Corruption Perceptions Index.

The Corruption Eradication Commission (KPK), created by the government in 2003, is comprised of special prosecutors with the power to investigate any official misconduct believed to have cost the state more than one billion rupiah (approx-

mately US\$10,500). The KPK has successfully raised expectations that acts of corruption will be punished. Anticorruption watchdog groups expressed concern about its future trajectory, however, following the DPR's appointment of five new commissioners—with questionable track records on graft—in December 2007. The new head of the KPK, Antasari Azhar, had decided not to prosecute former president Suharto for corruption, or to detain his son on murder charges, while serving as director of prosecutions for the attorney general's office. Political biases and the vested interests of DPR members are believed to have factored into the new appointments. Moreover, the KPK is criticized for failing to convict law enforcement officers, specifically prosecutors and police, which falls within its mandate.

Since 2004, cases brought before the KPK have been tried at the corruption court, which has a much stronger record than the administrative court. In December 2006, however, the Constitutional Court, under the leadership of a Golkar loyalist, deemed the corruption court unconstitutional as it creates a "duality in the judicial system." A draft anticorruption law that would have firmly abolished the corruption court was rejected by parliament before the end of 2007.

Criminal charges against Suharto, for allegedly taking \$600 million from seven charitable foundations while in power, were dropped in May 2006 on account of his health, but a new civil lawsuit was brought against him in 2007 on the same charges. Golkar continued to face criticism for links to corruption. In September, Golkar lawmaker Nurdin Halid was sentenced to two years in prison for misuse of State Logistics Agency funds in 1998. Meanwhile, in an apparent conflict of interest, several high-level officials continue to own some of the country's largest businesses; Golkar's Aburizal Bakrie, the coordinating minister for the people's welfare, is also chairman of Bakrie and Brothers, a major Suharto-era conglomerate.

The state of press freedom in Indonesia remains mixed but continues to improve gradually. The Alliance of Independent Journalists, Indonesia's largest trade union for journalists, counted 58 cases of press freedom violations and violence against journalists from August 2006 to August 2007, compared with 61 cases in the previous year. The country has a large independent media presence, with roughly 60 radio stations in Jakarta and 10 independent television stations nationwide, in addition to the public Televisi Republik Indonesia. Yet, strict licensing rules mean that thousands of television and radio stations operate illegally. International press freedom groups have been sharply critical of a new set of private broadcasting regulations that went into effect in February 2006, and they continue to lobby the government to ensure that the draft right-to-information law under consideration in the parliament respects international standards. The foreign press has been banned from the restive province of Papua since 2003.

Libel laws influence how journalists frame their stories, and journalists continue to face defamation charges. Marking a major step forward for freedom of expression, however, the Constitutional Court ruled in July 2007 that Articles 154 and 155 of the penal code, which criminalize defamation of the government, are unconstitutional and void. A December 2006 Constitutional Court decision had struck down three articles of the criminal code that banned insulting the president and vice president. Article 311 of the criminal code still makes defamation punishable by four years in prison, and in effect, the government can still bring defamation charges against journalists. But a claim now needs to be filed, whereas previously the police could sim-



ply be ordered to arrest offenders, such as protesters carrying critical signs. In another positive development in April, the editor of *Playboy Indonesia* was acquitted of publishing indecent material; the ruling held that the case should have been handled under the 1999 Press Law, not the criminal code. September brought a significant setback, however, when the Supreme Court required *Time Asia* to pay an estimated \$100 million in damages for a 1999 story on the Suharto family's fortune and embezzlement. The decision overturned two lower-court rulings in favor of the magazine.

Meanwhile, various forms of cultural expression have flourished in recent years. There are an estimated 20 million internet users (8.5 percent of the population) in Indonesia, and no reported government restrictions on access.

Indonesia officially recognizes Islam, Protestantism, Catholicism, Hinduism, Buddhism, and—thanks to a February 2006 speech by President Susilo Bambang Yudhoyono (SBY)—Confucianism. Freedom of religion remains limited to the extent that social pressure requires adherence to one of these faiths. Atheism is not accepted. Animists, Baha'is, and other members of unrecognized religions have difficulty obtaining national identity cards, which are needed to register births, marriages, and divorces. While the number of religious attacks declined in 2007 as compared with 2006, concern remains regarding the national government's failure to respond to intolerance in recent years. After the state-funded Religious Scholars Council of Indonesia (MUI) issued a November *fatwa* (Islamic religious edict) condemning heresy by the Ahmadiyya sect, a heterodox Islamic group with 400,000 Indonesian followers, Ahmadis in West Java faced a number of violent attacks in December. No prosecutions followed.

The passage of a number of local ordinances based on Sharia (Islamic law) in 2006 has not developed into a national trend. No additional Sharia ordinances were introduced in 2007, although none of those passed in 2006 were revoked. The new minister of home affairs, appointed in August, was reportedly charged with rolling back these local bylaws. The national government and various parties are believed to hesitate in confronting this issue because of the sensitivity of morality and religious issues in Indonesian life. A draft pornography law that would have criminalized publications, performances, dress, and behavior deemed immoral was introduced by the PKS and debated by the DPR for much of 2006, but it was then withdrawn and significantly scaled back as result of widespread public criticism. Academic freedom in Indonesia is generally respected.

Indonesia has many effective, outspoken human rights groups, but some are subject to monitoring and interference by the government. Independence activists in Papua and in the Moluccas, and labor and political activists in Java and Sulawesi, all remain targets for human rights abuses. The case of Munir Said Thalib, a prominent rights activist who died of arsenic poisoning in 2004 while on a flight from Jakarta to Amsterdam, remains unresolved. However, following the Supreme Court's 2006 decision to overturn the previous year's conviction of pilot Pollycarpus Budihari Priyanto for the crime, a new motion was filed in July 2007 seeking to reinstate the conviction based on new evidence. Investigators had discovered recorded conversations between Priyanto and the airline owner that incriminated state intelligence officials and a Supreme Court justice at the time.

Freedom of assembly is generally respected by the government, and peaceful

protests are commonplace in the capital. Authorities have restricted this right in conflict areas, however. In February 2007, Human Rights Watch released a report calling attention to a series of criminal convictions in recent years involving political activists detained for participating in peaceful separatist activities in Papua. The report noted that at least 18 Papuan activists were in detention for taking part in flag-raising ceremonies.

Indonesian workers can join independent unions, bargain collectively, and, except for civil servants, stage strikes. The current labor code allows for workers to be extensively compensated upon resignation and makes it very expensive for employers to dismiss employees, thus discouraging long-term foreign investment in the country. A draft labor law designed to improve the country's competitiveness was opposed in 2006 by labor unions, and even some business leaders, for the extent to which it shifted the advantage to employers. Reform continued to stall in 2007. The labor community is extremely fragmented, and government enforcement of minimum-wage and other labor laws is weak. Moreover, unions allege that factory managers at times use youth gangs or plainclothes security forces to intimidate workers and break strikes. Roughly 10 to 15 percent of Indonesia's 80 million industrial workers are unionized. There are approximately 700,000 child domestic workers in Indonesia.

SB Y has made judicial reform a key objective and appointed well-known reformers to the positions of attorney general and chief justice of the Supreme Court. Yet, the Supreme Court remains the slowest of the country's judicial institutions to reform. The system remains so mired in corruption that justice typically is awarded to the highest bidder. Bribes often influence the outcomes of civil and criminal cases, and judgments are subject to influence by military personnel and government officials. Courts often limit defendants' access to counsel and allow forced confessions in criminal cases; the poor especially lack access to counsel and the practical means to navigate the legal system. Low salaries for judicial officials and the lack of punishment for illegal activity perpetuate these problems.

Indonesia has a separate Constitutional Court, which has established a record of independent rulings that take due consideration of legal principles, including landmark decisions in 2007 to allow independent candidates to contest local elections and overturning defamation-related articles of the penal code. Other Constitutional Court rulings, such as the 2006 decision to strip the Judicial Commission of its oversight powers, which will inevitably stall efforts to curb graft in the courts, are viewed more critically.

Members of the security forces regularly go unpunished for human rights violations. These include ongoing low-level abuses in conflict zones like Papua, but are largely related to land disputes and military involvement in illegal activities such as logging and mining—problems that were not addressed in the 2004 military reform laws. There were an estimated 280 land disputes involving the military and local communities in 2007. In an exception to the more general decline in abuse cases in recent years, marines opened fire on civilians protesting the military's seizure of land for a business venture in East Java in May; four people were killed and eight others were wounded. Thirteen marines were arrested but then released in September, and the military investigation has ended.

Senior military officers are not held accountable for human rights violations anywhere in the archipelago. Demands for investigations into past abuses are in-

creasing, however. The Constitutional Court's December 2006 ruling against the establishment of a Truth and Reconciliation Commission (TRC) that would have awarded amnesties to perpetrators of past crimes and prevented victims from taking future legal action against them marked an important strike against impunity. Control over military justice was transferred from the Ministry of Defense to Supreme Court in 2005. A military justice bill that would require TNI soldiers to be tried in civilian courts—especially because those convicted in military courts regularly "disappear"—remains under deliberation in parliament.

TNI compliance with 2004 provisions requiring it to devise a plan for divesting its extensive business interests by 2009 continued to stall. The lack of progress is largely attributed to the fact that the military retains the right to decide what qualifies as a business (as opposed to a foundation or cooperative) and the lack of government regulations regarding how divestment should be carried out. General Djoko Santoso, a close SBY ally who is not considered a reformer, was appointed as commander of the TNI in late December 2007, allegedly to ensure military support for SBY in the 2009 elections.

Corruption remains endemic in the police force. While there have been a number of investigations, none lead to convictions of police officers. However, effective police work has proven critical to Indonesia's recent successes in fighting terrorism. An elite counterterrorism force called Detachment 88 has been at the forefront of national efforts to combat JI and was responsible for major arrests of JI leaders in July 2007.

Detention laws are generally respected. However, individuals are sometimes arrested groundlessly and sentenced to several years in prison as part of the counterterrorism campaign. Prisons have proven a significant breeding ground for Indonesia's radical groups, not because of mistreatment so much as the prevalent corruption and lax control, which allows the circulation of radical materials.

Ethnic Chinese, who make up less than 3 percent of the population but are resented by some for reputedly holding the lion's share of private wealth, continue to face some harassment and violence, though far less than in the late 1990s. They must show a citizenship card to obtain a passport, credit card, or business license, or to enroll a child in school—a requirement that makes them vulnerable to extortion by bureaucrats.

Ethnic Dayaks in Kalimantan and members of Indonesia's other minority groups face considerable discrimination. The problem of mining and logging on communal land and state appropriation of land claimed by indigenous Indonesians is particularly acute in Kalimantan. Separately, a major September 2006 Human Rights Watch report documented the forced eviction of tens of thousands of urban poor in Jakarta, where local police and the military have used excessive force, including gunfire, at the behest of local government authorities.

Discrimination against women persists. They are often steered by factory employers into low-paying jobs, and female university graduates reportedly receive salaries that are an estimated 25 percent lower than those received by male counterparts. Female household servants at times are forced to work without pay, for extremely low wages, or in situations of debt bondage. Trafficking of women for prostitution, forced labor, and debt bondage reportedly continues unabated, despite the passage of a child-trafficking bill and stiffer provisions against trafficking of women.

Abortion is illegal, except to save a woman's life. Sharia-like ordinances in a number of districts, passed in 2006, continue to infringe upon women's constitutional rights. In an important push for women's rights, five of the country's main political factions agreed in September 2007 to include a 30 percent quota for women as party executives in the political parties bill being considered by parliament. Reformers in the DPR's Commission on Internal Affairs are also pushing for a 30 percent quota for female representation in parliament.

## Iran

**Population:** 71,200,000

**Capital:** Tehran

**Political Rights:** 6

**Civil Liberties:** 6

**Status:** Not Free



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

1998	1999	2000	2001	2002	2003	2004	2005	2006	2007
6,6NF	6,6NF	6,6NF	6,6NF	6,6NF	6,6NF	6,6NF	6,6NF	6,6NF	6,6NF

### Overview:

**In 2007, the Iranian authorities cracked down on reformists, particularly academics and human rights activists, and detained a number of scholars and other high-profile individuals with dual nationality. Amid rising military tensions between Iran and the United States, the conservative government asserted itself domestically, more strictly enforcing "morality codes" in public and even imposing itself in the private sphere.**

In 1979, a tumultuous revolution ousted Iran's hereditary monarchy, which had been marked by widespread corruption and misguided modernization efforts. The revolution mobilized much of the population and brought together diverse political interests—including Muslim clerics, Communists, democrats, and human rights activists—in their efforts to rid Iran of the Pahlavi dynasty's rule. Ultimately, it was the more organized clerical establishment, in a strategic alliance with Iran's merchant class, that came out on top. Under the charismatic leadership of the previously exiled Ayatollah Ruhollah Khomeini, democratic and republican interests were subsumed. The constitution drafted by Khomeini's disciples provided for a president and parliament elected through universal adult suffrage, but an unelected clerical body, the Council of Guardians, was empowered to approve electoral candidates and certify that the decisions of elected officials were in accord with Sharia (Islamic law). Khomeini was named supreme leader and invested with control over the security and intelligence services, armed forces, and judiciary. Soon after the establishment of the Islamic Republic, Iraqi leader Saddam Hussein launched an invasion to

settle a long-running border dispute. The conflict, which lasted from 1980 to 1988, cost over a million lives.

After Khomeini's death in 1989, the title of supreme leader passed to Ayatollah Ali Khamenei, a middle-ranking cleric who lacked the religious credentials and popularity of his predecessor. The constitution was changed to consolidate his power and give him final authority on all matters of foreign and domestic policy. Beneath its veneer of religious probity, the Islamic Republic gave rise to a new elite that accumulated wealth through opaque and unaccountable means. Basic freedoms were quickly revoked, and women in particular experienced severe regression in their status and rights. By the mid-1990s, dismal economic conditions and a demographic trend toward a younger population had created widespread hostility to clerical rule. A coalition of reformers began to emerge within the leadership, advocating a gradual process of political change, economic liberalization, and normalization of relations with the outside world that was designed to legitimize, but not radically alter, the existing political system.

Representing this coalition, former culture minister Mohammed Khatami was elected president in 1997 with nearly 70 percent of the vote. Under his administration, more than 200 independent newspapers and magazines representing a diverse array of viewpoints were established, and the authorities relaxed the enforcement of restrictions on social interaction between the sexes. Reformists won 80 percent of the seats in the country's first nationwide municipal elections in 1999 and took the vast majority of seats in parliamentary elections the following year.

The 2000 parliamentary elections prompted a backlash by hard-line clerics that continued through 2006. Over the four years after the polls, the conservative judiciary closed more than 100 reformist newspapers and jailed hundreds of liberal journalists and activists, while security forces cracked down on the ensuing student protests. Significant political and economic reforms were overwhelmingly approved by the parliament only to be vetoed by the Council of Guardians.

Despite being reelected with 78 percent of the vote in 2001, Khatami did not challenge the conservative clerics. He ignored recurrent pleas by reformist lawmakers to call a referendum to approve vetoed reform legislation, and repeatedly implored citizens to refrain from demonstrating in public. Within the broader reform movement, Khatami was accused of serving as a democratic facade for an oppressive regime. Many Iranians abandoned hopes for government-led reform, and record-low turnout for the 2003 municipal elections resulted in a landslide victory by hard-liners.

Popular dissatisfaction with the reformists' failures, coupled with the Council of Guardians' rejection of the candidacies of most reformist politicians, allowed hard-liners to triumph in the February 2004 parliamentary elections. Emboldened by the victory, the clerical establishment quickly moved to further restrict public freedom. Several major reformist newspapers were closed, dozens of journalists and civil society activists were arrested, and the authorities attacked the country's last refuge of free expression—the internet. In October, the head of the judiciary, Ayatollah Mahmoud Shahrudi, announced that "anyone who disseminates information aimed at disturbing the public mind through computer systems" would be jailed. The government also launched a crackdown on "social corruption," sending thousands of morality police and vigilantes into the streets to enforce Islamic dress codes and prevent public mingling of men and women.

The June 2005 presidential election swept away the last bastion of reformist political power. While the Council of Guardians ensured a reactionary outcome by rejecting the candidacies of popular reformers, the victory of Tehran mayor Mahmoud Ahmadinejad over other approved candidates in a two-round election reflected popular desires for change. The son of a blacksmith, Ahmadinejad dressed modestly and lived in a working-class neighborhood. As Iran's first nonclerical president in more than two decades, he campaigned on promises to fight elite corruption and redistribute Iran's oil wealth to the poor and middle class.

Ahmadinejad signaled his intent to further erode political and civil liberties by awarding the powerful ministries of Information and the Interior to hard-liners who have been implicated directly in the extrajudicial killings of dissidents and other egregious human rights abuses. He quickly began a wide-ranging purge of the administration, including the dismissal of 40 of Iran's most experienced diplomats and seven state-bank directors. The new president and many of the new appointees were veterans of the Iran-Iraq War.

His government tightened restrictions on media and announced plans to impose more stringent controls. Human rights suffered, with increasing reports of arrest, torture, and execution. Sharia was also more strictly enforced than under Khatami.

The most significant change associated with Ahmadinejad's ascension was in Iran's foreign policy. After two years of efforts by Britain, France, and Germany to convince Tehran to permanently halt its uranium-enrichment and plutonium-reprocessing programs, the new administration rejected a European Union (EU) package of economic incentives in August 2005 and resumed uranium-processing work. The following month, the International Atomic Energy Agency (IAEA) ruled that Iran was in noncompliance with the Nuclear Non-Proliferation Treaty. Rather than attempting to allay fears that Iran was seeking to develop nuclear weapons, Ahmadinejad seemed intent on enflaming them, declaring that Iran was "ready to transfer nuclear know-how to Islamic countries." He has also repeatedly called for the destruction of Israel and publicly questioned the reality of the Holocaust.

In January 2006, Iran announced that it was resuming other aspects of its nuclear fuel research, triggering condemnation from the international community. Iran's foreign minister also announced the end of Iran's voluntary cooperation with the IAEA. In April, an IAEA report faulted Iran for failing to suspend uranium enrichment and improve cooperation with inspectors. As a result of the IAEA reports and faltering negotiations, the UN Security Council in July adopted Resolution 1696, calling for Iran to suspend uranium enrichment by August 31 or face the possibility of economic sanctions. On November 14, 2006, the IAEA reported that traces of plutonium and enriched uranium were found at a nuclear-waste facility, after which the United Nations voted unanimously to impose sanctions and ban the sale to Iran of materials that could be used for nuclear or missile programs.

Despite renewed efforts by the United Nations, the EU, and Russia to reach a negotiated settlement with Iran, the nuclear issue remains at an impasse. The main sticking point is Iran's unwillingness to suspend uranium enrichment, which officials say must precede talks involving the United States. Iranians insist they seek only peaceful uses of nuclear energy and accuse the West of restraining their progress. In February 2007, the IAEA announced that Iran did not meet the deadline

to suspend uranium enrichment, strengthening the push for added sanctions. The IAEA also said that Iran was making nuclear fuel in an underground uranium-enrichment plant. This prompted the United States to announce new, tough sanctions against Iran in October. Iran's chief nuclear negotiator, Ali Larijani, resigned unexpectedly that month and was quickly replaced by Said Jalili, a conservative.

Iran remains accused of being a state sponsor of terrorism due to its open or suspected support of the Lebanese militant group Hezbollah, the Palestinian groups Hamas and Islamic Jihad, and Iraqi Shiite militias. In 2007, the United States considered declaring the Iranian Revolutionary Guard Corps (IRGC) a terrorist organization, and Interpol approved arrest warrants for a number of senior IRGC and Iranian government officials for their alleged roles in the 1994 bombing of a Jewish cultural center in Argentina. Iran also faced a diplomatic standoff with Britain after it detained 15 British sailors patrolling near the maritime boundary between Iran and Iraq in March. The sailors were released after two weeks in detention. Observers suggested the Iranian action was retaliation for the detention of Iranian officials by U.S. forces in northern Iraq months earlier.

Though fear of appearing unpatriotic has reinforced a trend toward self-censorship in the Iranian media and inhibited public criticism of the president, more reform-minded Iranians have criticized Ahmadinejad for isolating the country internationally and stifling civil liberties at home. In one recent consequence of this discontent, many candidates closely associated with Ahmadinejad lost out in the December 2006 municipal and Assembly of Experts elections as voters turned to more moderate voices.

However, the regime continued to crack down on reformists in 2007. The authorities particularly targeted scholars and others from the Iranian diaspora community, accusing them of being agents for foreign powers and seeking to destabilize the country. The most prominent case involved the detention of noted Iranian American scholar Haleh Esfandiari, who was released in August after more than three months in prison.

**Political Rights and Civil Liberties:** Iran is not an electoral democracy. The most powerful figure in the government is the supreme leader (*Vali-e-Faghih*), currently Ayatollah Ali Khamenei; he is chosen by the Assembly of Experts, a body of 86 clerics who are elected to eight-year terms by popular vote, from a government-screened list of candidates. The supreme leader is head of the armed forces and appoints the leaders of the judiciary, the chiefs of state broadcast media, the commander of the IRGC, the Expediency Council, and half of the Council of Guardians. Although the president and parliament, both with four-year terms, are responsible for designating cabinet ministers, the supreme leader exercises de facto control over appointments to the ministries of Defense, the Interior, and Intelligence.

All candidates for the presidency and the 290-seat, unicameral parliament (the Islamic Consultative Assembly) are vetted by the Council of Guardians, which consists of six clergymen appointed by the supreme leader and six civil law experts selected by the head of the judiciary, all for six-year terms (the latter are nominally subject to parliamentary approval). The Council of Guardians also has the power to reject legislation approved by parliament; disputes between the two are arbitrated

by the Expediency Council, another unelected, conservative-dominated body. It is currently headed by former president Ali Akbar Hashemi Rafsanjani, who has sided with the reformist camp to curb the influence of his rival, current president Mahmoud Ahmadinejad. Rafsanjani was also chosen to head the Assembly of Experts in September 2007, after the previous leader died in July.

The Ministry of the Interior submitted a bill in July 2006 that would involve the IRGC in the election vetting process, increase the voting age to 18, and impose new qualifications for presidential candidates. Parliament passed the bill in January 2007.

Corruption is pervasive. The hard-line clerical establishment has grown immensely wealthy through its control of tax-exempt foundations that monopolize many sectors of the economy, such as cement and sugar production. Iran was ranked 131 out of 180 countries surveyed in Transparency International's 2007 Corruption Perceptions Index.

Freedom of expression is severely limited. The government directly controls all television and radio broadcasting. Satellite dishes are illegal, though generally tolerated. However, there have been increasing reports of satellite dish confiscation and steep fines. The authorities have had some success in jamming broadcasts by dissident overseas satellite stations, and cooperation with Persian-language satellite channels is banned. The government also began cracking down on unauthorized telecommunications lines in 2007, cutting them to halt "illegal international contacts." Even the purchase of satellite images from abroad was deemed illegal.

The Ministry of Culture must approve publication of all books and inspects foreign books prior to domestic distribution. The Press Court has extensive procedural and jurisdictional power to prosecute journalists, editors, and publishers for such vaguely worded offenses as "insulting Islam" and "damaging the foundations of the Islamic Republic." The government has also recently clamped down on popular book clubs or book cafes, where scholars gather to discuss topics of the day.

The authorities frequently issue ad hoc gag orders banning media coverage of specific topics and events. Despite a period of greater press freedom between the initial election of former president Mohammed Khatami and a series of student protests in 1999, threats against and arrests of Iranian journalists have increased in recent years. Many journalists are barred from leaving Iran. Since the inauguration of Ahmadinejad, 570 publications have been shut down. A report issued by the Association of Iranian journalists in 2007 stated that the profession had suffered in quality and investment due to the government's crackdown on independent newspapers.

The Ahmadinejad government holds that the duty of the media is to report and support government actions, not comment on them. Sensitivity over the nuclear issue at home and abroad has led to greater government restraints on news reporting. Use of "suspicious sources," or sources that criticize the government, are forbidden. A number of journalists were arrested or detained in 2007. The Society for the Defense of Freedom of the Press, an Iranian journalist society, repeatedly called for information on journalists arbitrarily detained by authorities. Journalists Masoud Bastani, Farhad Gorbanpour, and Soheli Assefi were all arrested during the year for "publishing false statements." Two Iranian Kurdish journalists, Adnan Hassanpour and Abdolvahed Botimar, were sentenced to death for being "enemies of God" and endangering national security.



Also in 2007, French-Iranian filmmaker Mehrnoushe Solouki was arrested and jailed while working on a film that came to involve political killings in the aftermath of the Iran-Iraq War. Though she was released on bail, she was not allowed to leave the country and faced a secret trial for "attempting to spread propaganda."

The government systematically censors internet content by forcing internet service providers (ISPs) to block access to a growing list of "immoral" or politically sensitive sites. At least a dozen journalists and bloggers have been indicted or convicted of press offenses, and many more have been summoned for questioning about their writings. As of January 2007, Iranian bloggers were also required to register with the Guidance Ministry, a measure that will likely reduce the diverse and active blogging community in Iran. In 2006, the Communication and Information Technology Ministry announced the creation of a central filtering facility that would block access to unauthorized websites, identify internet users, and keep a record of sites visited. Iranian news websites such as Emruz, Ruydad, and Ruzonline have been blocked by internet filtering. In September 2007, the Baztab news website was shut down by authorities despite attempts to appeal the decision through the courts.

Religious freedom is limited in Iran, which is largely Shiite Muslim but includes Sunni Muslim, Baha'i, Christian, Jewish, and Zoroastrian minorities. Shiite clerics who dissent from the ruling establishment are frequently harassed. Sunnis enjoy equal rights under the law but face discrimination in practice; there is no Sunni mosque in Tehran, and few Sunnis hold senior government posts. Sufi Muslims have also suffered from discrimination by the authorities. The constitution recognizes Zoroastrians, Jews, and Christians as religious minorities, and they are generally allowed to worship without interference, so long as they do not proselytize. Conversion by Muslims to a non-Muslim religion is punishable by death. The non-Muslim minorities are barred from election to representative bodies (though a set number of parliamentary seats are reserved for them), cannot hold senior government or military positions, and face restrictions in employment, education, and property ownership. Some 300,000 Baha'is, Iran's largest non-Muslim minority, are not recognized in the constitution, enjoy virtually no rights under the law, and are banned from practicing their faith. Hundreds of Baha'is have been executed since the Islamic Revolution in 1979. Baha'i students are often barred from attending university and prevented from obtaining their educational records.

Academic freedom is limited. Scholars are frequently detained, threatened, and forced to retire for expressing political views, and students involved in organizing protests face suspension or expulsion by university disciplinary committees. Student organizations have been sidelined since the election of Ahmadinejad, and even peaceful protesters are attacked and arrested. In July 2007, a group of students at Amir Kabir University held a sit-in that was broken up by security forces. Students were beaten by police and detained without charge. Student publications and groups, even student Islamic Associations, were shut down during the year. The Alumni Association of Iran was also raided by security officials, who arrested 10 members, ransacked their homes, and confiscated their belongings. In September, three leaders of the Office for the Consolidation of Unity, Iran's leading student organization, and five other students were charged with endangering national security and insulting Islam.

The authorities in 2007 particularly targeted U.S.-based academics with dual citizenship who were conducting scholarship or traveling in Iran. In the most prominent case, Iranian American scholar Haleh Esfandiari was accused of working for a foreign government to destabilize the Iranian regime. She was jailed in May but released in August after international pressure was brought to bear. Three other Iranian Americans—Kian Tajbakhsh, a New York social scientist; Ali Shakeri, a California businessman; and Parnaz Azima of Radio Farda—were also detained and accused of using civil society organizations to overthrow the government. All were eventually released and allowed to leave the country.

The year's high-profile arrests were not limited to dual nationals. In April, Hussein Musavian, a former Iranian ambassador to Germany and member of Iran's nuclear negotiating team who currently headed Iran's Center for Strategic Research, was arrested on espionage charges. He later was released on bail, but the circumstances of his arrest and detention were unknown.

The 1979 constitution prohibits public demonstrations that "violate the principles of Islam," a vague provision used to justify the heavy-handed dispersal of assemblies and marches. Hard-line vigilante and paramilitary organizations that are officially or tacitly sanctioned by the conservative establishment—most notably the Basij militia and Ansar-i Hezbollah—play a major role in breaking up public demonstrations. In 2007, the government banned street protests during the anniversary of the July 9, 1999, student demonstrations at Tehran University.

Under the pretense of "countering immoral behavior," the Iranian government has also disrupted private gatherings. The Basij militia carried out thousands of home raids in 2007, arresting more than 150,000 people and forcing them to sign commitment letters promising to observe official dress codes and adhere to moral standards. Separately, six Basij members were acquitted after they admitted to killing five individuals who they accused of being morally corrupt.

The constitution permits the establishment of political parties, professional syndicates, and other civic organizations, provided they do not violate the principles of "freedom, sovereignty, and national unity" or question the Islamic basis of the republic. Human rights discourse and grassroots activism are integral parts of Iranian society. However, the security services routinely arrest and harass secular activists as part of a wider effort to control and regulate the activities of non-governmental organizations (NGOs). Although permits are not required by law, the Ministry of the Interior has been imposing them and shutting down organizations that do not seek or qualify for them. Emadeddin Baghi, a human rights advocate, was arrested in October, 2007 and charged with violating national security after he published *The Tragedy of Democracy in Iran*. He and his family were accused of participating in opposition meetings, spreading propaganda, and publishing secret government documents. Human rights lawyers have also been targeted, including Abdolfattah Soltani, who was arrested for espionage in August 2005 and spent seven months in prison before being acquitted by an appeals court in May 2007.

Iranian law does not allow independent labor unions, though workers' councils are represented in the government-sanctioned Workers' House, the only legal labor federation. The head of the bus driver association, who was arrested over a bus workers' strike in 2006, received a five-year prison sentence in 2007 for "acting against

national security" and "propaganda against the system." Union workers used the occasion of International Labor Day in May 2007 to protest and call for the resignation of Labor Minister Mohammed Jahromi. Protesting workers clashed with security services during their demonstration. Also during the year, educators from the Teacher's Guild Association staged six protests outside the parliament building to demand that teachers' salaries be equivalent to those of other civil servants. The government arrested the organizers and at least 50 other protesters, and the media were prohibited from covering the strikes.

The judicial system is not independent, as the supreme leader directly appoints the head of the judiciary, who in turn appoints senior judges. General Courts ostensibly safeguard the rights of defendants, but in practice, suspects are frequently tried in closed sessions without access to legal counsel. Political and other sensitive cases are tried before Revolutionary Courts, where due process protections are routinely disregarded and trials are often summary, lasting as little as five minutes. Dissident clerics are tried before the Special Court for the Clergy. The country's penal code is based on Sharia and provides for flogging, stoning, amputation, and hanging for a range of social and political offenses; these punishments are carried out in practice.

Iran is a world leader in juvenile executions. Even though it has ratified two treaties on children's rights, it has executed more juveniles in the last five years than any other country. In July 2007, Makwan Mouloudzadeh was sentenced to death for crimes he allegedly committed when he was 13, even though the accusers recanted their testimony and the trial was filled with irregularities. Executions of prisoners overall have increased since Ahmadinejad's election, and those convicted of adultery are again being sentenced to death by stoning. In 2007, a man was executed by stoning after being convicted of adultery some 11 years earlier.

Although the constitution prohibits arbitrary arrest and detention, such abuses are increasingly routine. Suspected dissidents are often held in unofficial, illegal detention centers run by a security apparatus consisting of the intelligence services, the IRGC, judicial officials, and the police. Allegations of torture are common in such centers and in the notorious Evin prison. Although legislation banning the use of torture in interrogations was promulgated in 2004, reports of torture persisted in 2007. Political prisoners are held under deplorable conditions, and supporters who protest their detention or defend their cause are also prosecuted. Prison conditions in general are notoriously poor, and there are regular allegations of abuse and death in custody.

The constitution and laws call for equal rights for all ethnic groups, allowing considerable cultural and linguistic freedom, but in practice these rights are restricted by the authorities. Ethnic Kurds, Arabs, Baluchis, and Azeris complain of political and economic discrimination. Kurdish opposition groups suspected of separatist aspirations, such as the Democratic Party of Iranian Kurdistan (KDPI), are brutally suppressed. The autonomy of Kurds in neighboring Iraq has inspired agitation for greater rights among Iran's roughly five million Kurds. The Party for a Free Life in Kurdistan (PJAK), a militant separatist group, conducted a number of guerrilla attacks in 2007.

The government restricts freedom of movement through travel bans on activists and journalists, particularly those seeking to attend international forums. Secu-

riety services have confiscated passports or interrogated travelers upon their return from conferences abroad.

Women are widely educated; 94 percent of secondary-school-aged girls attend school, compared to only 80 percent of boys, and a majority of university students are female. Although Iranian women currently hold seats in parliament, they do not enjoy the same political rights as men. They are barred from serving as judges and are routinely excluded from running for public office. Women also face systematic discrimination in legal and social matters. A woman cannot obtain a passport without the permission of her husband or a male relative, and women do not enjoy equal rights under Sharia statutes governing divorce, inheritance, and child custody. A woman's testimony in court is given only half the weight of a man's. Women must conform to strict dress codes and are segregated from men in most public places. Dozens of women's rights advocates were arrested in 2007 for endangering national security and sentenced to prison terms. They were all part of a campaign to collect one million signatures to protest discriminatory laws.

## Iraq

**Population:** 29,000,000

**Capital:** Baghdad

**Political Rights:** 6

**Civil Liberties:** 6

**Status:** Not Free



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

1998	1999	2000	2001	2002	2003	2004	2005	2006	2007
7,7NF	7,7NF	7,7NF	7,7NF	7,7NF	7,5NF	7,5NF	6,5NF	6,6NF	6,6NF

### Overview:

In an effort to stem sectarian killings in 2007, the U.S. military initiated a troop surge to augment the number of soldiers already in Iraq. While the effort did reduce civilian casualties, terrorist violence continued. Also during the year, Sunni Arab political participation increased, and tribal cooperation with U.S.-led coalition forces dealt significant blows to al-Qaeda. However, the Iraqi government remained unable to independently provide security and other essential services, and made little progress toward enacting long-delayed reform legislation. The Kurdish north further consolidated its status as an autonomous region in 2007. The Kurdistan National Assembly passed its own oil law in August even as national oil legislation stalled, allowing foreign companies to invest in the development of the northern region's oil resources.

The modern state of Iraq, consisting of three former Ottoman provinces, was established after World War I as a League of Nations mandate administered by Brit-

ain. The British installed a constitutional monarchy that privileged the Sunni Arab minority at the expense of Kurds and Shiite Arabs. Sunni Arab political dominance continued after independence in 1932 and even after the monarchy was overthrown by a military coup in 1958. The Arab nationalist Baath party seized power in 1968, and the new regime's de facto strongman, Saddam Hussein, formally assumed the presidency in 1979.

Hussein brutally suppressed all opposition to his rule and sought to establish Iraq as the dominant regional power by invading Iran in 1980. During the ensuing eight-year war, his regime used chemical weapons against both Iranian troops and rebellious Iraqi Kurds. Iraqi troops invaded Kuwait in 1990 but were ousted the following year by a U.S.-led coalition. After the war, the UN Security Council imposed economic sanctions on Iraq, pending the elimination of its weapons of mass destruction. Because Iraq refused to fully cooperate with UN weapons inspectors, however, the sanctions remained in place for over a decade.

Following the establishment of a U.S.-enforced no-fly zone north of the 36th parallel in 1991, most of the three northern provinces of Erbil, Duhok, and Sulimaniyah came under the control of Massoud Barzani's Kurdistan Democratic Party (KDP) and Jalal Talabani's Patriotic Union of Kurdistan (PUK), which together established an autonomous Kurdistan Regional Government (KRG).

In the aftermath of the 2001 terrorist attacks on the United States, a U.S.-led military coalition invaded Iraq in March 2003, captured Baghdad less than three weeks later, and established a Coalition Provisional Authority (CPA) to administer the country. After extensive negotiations with leading Iraqi political and religious figures, the CPA appointed a 25-member Iraqi Governing Council (IGC) and granted it limited lawmaking authority.

The CPA decided to disband Iraq's military and reconstitute the armed services. Unable to build up the new forces quickly enough, and with insufficient troops of its own, the U.S.-led coalition presided over a worsening security situation. The initial euphoria felt by many Iraqis after the Hussein regime's collapse was quickly tempered by the security vacuum, widespread looting, and acute electricity and water shortages that followed.

Sunni Arabs, who constitute roughly 20 percent of the population, viewed the prospect of majoritarian democracy with trepidation. Disproportionately affected by de-Baathification policies and upset about losing their standing within the Iraqi government to the Shiite majority, Sunni Arabs were not eager to participate in the coalition-led political transition. Exploiting these sentiments, loose networks of former regime officials, Sunni Arab tribe members, and al-Qaeda militants began organizing and funding an insurgency that rapidly gained strength in late 2003 and 2004.

In spite of the escalating insurgency, Iraq's political transition progressed substantially. In March 2004, the IGC adopted a Transitional Administrative Law (TAL) to serve as the country's interim constitution. In June, after weeks of UN-mediated negotiations among the main (noninsurgent) political groups, the CPA and the IGC transferred sovereignty to an Iraqi Interim Government (IIG), headed by Prime Minister Iyad Allawi.

Elections for a 275-seat Transitional National Assembly (TNA), along with simultaneous elections for provincial governments and the KRG, were held in January 2005. Insurgents' calls for a boycott and threats of violence on election day led the

vast majority of Sunni Arabs to stay away from the polls, handing a landslide victory to the Shiite-led United Iraqi Alliance (UIA) and a KDP-PUK Kurdish coalition. After three months of contentious negotiations, the TNA selected a new Iraqi Transitional Government (ITG), headed by Prime Minister Ibrahim al-Jaafari.

The meager representation of Sunni Arabs in the TNA (only 17 seats) gave them little voice in the process of drafting a permanent constitution. The final text that went to referendum clearly reflected the interests of the Shiite and Kurdish coalitions. It recognized the de facto autonomy of the Kurdish region and allowed other provinces to form similar autonomous regions. But the charter failed to unequivocally stipulate that revenue from oil and natural gas fields, located mostly in Kurdish and Shiite regions, be distributed equitably nationwide.

Many articles of the constitution pertaining to internationally recognized political rights and civil liberties depended on subsequent legislation for clarification and enforcement. The charter also stipulated that the Federal Supreme Court should include an unspecified number of "experts in Islamic jurisprudence" alongside civil judges. The draft constitution was approved by a popular referendum in October 2005, though two Sunni Arab provinces voted overwhelmingly against it. Under a compromise brokered as a concession to Sunni demands before the referendum, the first elected parliament would form a Constitutional Review Committee to determine whether the document should be amended. The committee was created by parliament in September 2006, but as of the end of 2007, it has been unable to produce any concrete recommendations. Meanwhile, the Sunni Arab community's self-exclusion from the political process paved the way for Shiite and Kurdish parties to extend their influence throughout government. Cabinet ministries were distributed according to ethnicity and sect, following a trend established early in the transitional phase, with powerful ministerial positions reserved for the main Shiite and Kurdish political parties. Shiite parties' control over the Interior Ministry allowed their associated militias to infiltrate the police and counterinsurgency forces. Extrajudicial detentions and killings by Shiite militias and militia-dominated police units proliferated during 2005 and 2006.

In sharp contrast to the January 2005 voting, many prominent Sunni Arab moderates ran in the December 2005 elections for a full-term parliament, and the minority increased its political representation. The Shiite UIA led the polls but failed to gain an absolute majority. After a four-month negotiating deadlock, Nouri Kamel al-Maliki of the Shiite Da'wa party was chosen as prime minister. Moqtada al-Sadr, leader of the Mahdi Army, a major Shiite militia, emerged as an important power broker as his armed followers continued to undermine security.

The February 2006 bombing of al-Askari shrine, an important Shiite pilgrimage site in the city of Samarra, set off a new cycle of intense sectarian conflict focused on areas where Sunni and Shiite Arabs lived in close proximity. As civilian deaths increased dramatically, the U.S. government in January 2007 announced a staggered influx of about 30,000 troops to augment the 130,000 already in Iraq. Civilian deaths from sectarian violence dropped sharply over the course of the year, and the Mahdi Army declared a six-month ceasefire in August, but ethnically cleansed or separated neighborhoods became a fixture in Baghdad and other ethnically diverse provinces. Coalition commanders state that overall attacks have fallen by 60 percent, yet a massive truck bomb killed 130 people in a Baghdad market in February 2007 and

four truck bombs killed over 500 people in Kurdish villages along the Syrian border in August.

Many Sunni Arab tribes and communities reportedly turned against the radical foreign fighters they once supported and increasingly participated in the political process in 2007. However, additional attacks in Diyala and other provinces revealed that many insurgent elements had moved out of their former strongholds—whether because of the increased U.S. troop presence or the new hostility from local Sunni populations—only to begin new operations in other areas.

- Meanwhile, coalition forces continued to transfer primary security responsibility to the Iraqi authorities in relatively stable provinces, especially in the Shiite-dominated south. Local Kurdish forces had long maintained security in the north, which remained mostly free of insurgent and sectarian violence in 2007. In December, however, the Turkish military launched airstrikes against remote bases in northern Iraq controlled by the Kurdish Workers' Party (PKK), a separatist group known for carrying out terrorist and guerrilla attacks in Turkey. The Turkish intervention threatened to destabilize Iraq's Kurdish region and the country as a whole.

Despite the year's security improvements and increased Sunni political participation at the local level, political progress at the national level remained elusive in 2007. The main Sunni Arab bloc in parliament, the Iraqi Accord Front, and the Shiite faction loyal to Moqtada al-Sadr both staged boycotts of the legislature over the course of the year. The parliament failed to enact key reform laws, including legislation governing oil revenues and contracts, even as the KRG passed its own oil measure in August and signed independent exploration and development deals with foreign oil companies, prompting strong protests from other Iraqi lawmakers.

Over 2 million Iraqis have fled to neighboring countries in recent years, and another 1.7 million have been internally displaced. This has strained the resources of the host countries, threatening to cause regional disruptions and instability. Many of the Iraqis who have fled are middle class and make up the core of civil society, thus jeopardizing Iraq's future development. A number of Iraqis have attempted to return in 2007, encouraged by security gains.

**Political Rights and Civil Liberties:** Iraq is not an electoral democracy. Although it has conducted meaningful elections, the country remains under the influence of a foreign military presence and impairments caused by sectarian and insurgent violence. Under the constitution, the president and two vice presidents are elected by parliament and must appoint the prime minister, who is nominated by the largest parliamentary bloc. Elections are to be held every four years. The prime minister is charged with forming a cabinet and running the executive functions of the state. The parliament consists of a 275-seat lower house, the Council of Representatives, and a still-unformed upper house, the Federal Council, which would represent provincial interests. Political parties representing a wide range of viewpoints are allowed to organize and campaign without legal restrictions, but the Baath party is officially banned.

With one-fifth of the country's population, the autonomous Kurdish region constitutes a distinct polity within Iraq, boasting its own flag, military, and language. However, its political leaders continue to profess their commitment to remaining part of a federal Iraqi state. The Kurdistan Alliance—a coalition of the two main Kurdish

parties, the KDP and PUK, and a number of smaller parties—holds 53 seats in the national Council of Representatives, with an additional 5 seats held by the opposition Kurdistan Islamic Union (KIU). Since the constitution was approved by referendum in October 2005, this pivotal Kurdish political bloc has sought support from leading Shiite parties to implement the charter's Article 140, which would open the door for a referendum on whether the oil-rich Kirkuk area should be incorporated into the Kurdish region. Most Sunni Arabs and advocates of a centralized state oppose that outcome. The referendum, which was scheduled to take place this year, has been postponed due to pressure from its opponents.

In the 111-seat Kurdistan National Assembly, the PUK and KDP each have 38 seats while the KIU has 9. The remainder are distributed among the smaller Alliance parties, which are fully or partially funded by the two main parties. Elections for the Kurdistan National Assembly are supposed to be held every four years.

The Independent Electoral Commission of Iraq (IECI), whose nine-member board was selected by a UN advisory committee, has sole responsibility for administering elections. Voting for the TNA in January 2005 and the constitutional referendum in October 2005 was certified as free and fair by international monitors. The December 2005 elections for a four-year government also went smoothly, though there was some insurgent violence. Sunni Arabs came out in greater numbers and increased their representation in parliament.

Iraq is plagued by pervasive corruption. The problem has seriously hampered reconstruction efforts, and it is estimated that 25 percent of donor funds are unaccounted for. A leaked U.S. State Department report in 2007 stated that anticorruption commissions had little enforcement capacity, the judiciary was extremely weak, and officials were subject to intimidation by Interior Ministry officers and extrajudicial militias. Iraq was ranked 178 out of 180 countries surveyed in Transparency International's 2007 Corruption Perceptions Index.

Freedom of expression is protected by the constitution and generally respected by the authorities. However, it has been seriously impeded by sectarian tensions and fear of violent reprisals. Over a dozen private television stations are in operation. Although most are affiliated with particular religious or political groups, the nonpartisan station Al-Sharqiya is the most widely watched. Major Arab satellite stations are easily accessible, as roughly one-third of Iraqi families own a satellite dish. More than 150 print publications have been established since 2003 and are allowed to operate without significant government interference. Internet access is not restricted by the authorities, but only about 0.1 percent of the population has access.

Although the Iraqi media are not subject to direct government censorship, violent retributions against journalists have hindered their ability to report widely and objectively. Many have persevered in spite of such threats. As many as 206 journalists and media workers, most of them Iraqis, have been killed in the country since 2003. Dozens have also been abducted by insurgents and militias or detained without charge or disclosure of supporting evidence by U.S. forces on suspicion of aiding and abetting insurgents.

Legislation passed in 2006 criminalized the ridicule of public officials, and a number of Iraqi journalists have been charged with the offense. The Qatar-based Al-Jazeera satellite television station has been banned from working in the country since



August 2004 for violating CPA Order 14, which prohibits media organizations from publishing or broadcasting material that incites violence or civil disorder. The government often threatened to shut down media outlets for "inciting violence" when reporting on sectarian killings in 2007. The Shiite-dominated Interior Ministry shut down a television station run by Sunnis for airing footage of protests against the December 2006 hanging of Saddam Hussein. The ministry also established a unit to monitor journalists and media outlets, to correct "false news." Journalists faced prosecution if they refused the official correction. In May 2007, Iraqi lawmakers approved taking legal action against Al-Jazeera for allegedly offending Grand Ayatollah Ali al-Sistani. They also banned Al-Jazeera reporters from the Iraqi parliament building.

Broadcast media in the Kurdish north are dominated by the two main political parties, but independent print outlets and internet sites have arisen in recent years. Independent journalists are able to criticize powerful interests with more freedom than in the rest of Iraq, but those who offend local officials and top party leaders or expose high-level corruption are increasingly subject to physical attacks, arbitrary detention, and legal harassment.

Freedom of religion is guaranteed by the constitution, and religious institutions are allowed to operate with little formal oversight. However, all religious communities in Iraq have been threatened by sectarian violence, particularly after the bombing of the al-Askari shrine in 2006. Thousands of Iraqis have been killed by death squads, insurgents, and militias, and members of both major sects and minority faiths have been driven from mixed or isolated neighborhoods.

Given the Shiite majority presence in government, state preference has been given to protecting and funding Shiite holy sites and religious leaders. However, in an effort to repair sectarian relations, Friday prayers from Sunni mosques in 2007 were allowed to air on television for the first time since the 2003 invasion. Iraq's Chaldean and Assyrian Christian minorities have suffered greatly from the sectarian violence, prompting Pope Benedict XVI and other religious leaders to make a special plea for their protection. Many Christians have fled Baghdad, often to the Kurdish north. Other minority sects, like the Yazidis and some Sufi orders, have also suffered attacks. In August 2007, al-Qaeda masterminded a terrorist bombing that killed over 400 Yazidis in northern Iraq, just outside the Kurdish autonomous region; it was the deadliest such attack in Iraq's history.

Academic institutions operate in a highly politicized and insecure environment. Hundreds of professors and intellectuals have been assassinated for voicing their opinions or encouraging dialogue, or for sectarian reasons. Large numbers of educated Iraqis have fled the country, although the more stable Kurdish region has benefited from an influx of skilled individuals seeking refuge there.

Rights to freedom of assembly and association are recognized by the constitution and generally respected in practice. The constitution guarantees these rights "in a way that does not violate public order and morality." Domestic and international nongovernmental organizations are able to operate without legal restrictions, though security constraints limit their activities in many regions. The lack of a legal framework and registration system for nongovernmental organizations also hinders their ability to function and attract donor funds. Peaceful demonstrations occurred frequently during 2007 without interference from coalition or Iraqi forces, except when

they were in violation of curfews. Gatherings or rallies that violated anti-Baath strictures were considered illegal.

The constitution provides for the right to form and join professional associations and unions, although Iraq's 1987 labor law remains in effect, technically prohibiting unionization in the public sector. Union activity has flourished in nearly all industries since 2003, and strikes have not been uncommon. In 2005, the interim Iraqi government promulgated Decree 8750, which gave authorities the power to seize all union funds and prevent their dispersal, with the promise of future laws to be passed under the permanent government. To date there have been no new labor laws passed, but a parliamentary committee (consisting of mostly pro-union lawmakers) was established to revise the decree and advance International Labor Organization-compliant labor laws drafted in 2004. Iraqi union leaders have vocally opposed the proposed national oil law.

Judicial independence is guaranteed in the new constitution. The Higher Judicial Council (HJC)—headed by the chief judge of the Federal Supreme Court and composed of Iraq's 17 chief appellate judges and several judges from the Federal Court of Cassation—has administrative authority over the court system. In practice, however, judges have come under immense political pressure and have largely been unable to pursue cases involving organized crime, corruption, and militia activity. Since 2003, some 30 judges have been killed. The constitution stipulates that trials must be conducted in public "unless the court decides to make it secret." The accused are "innocent until proven guilty in a fair legal trial." According to a recent UN report, the "growing perception of impunity for current and past crimes committed risks further eroding the rule of law."

Persons accused of committing war crimes, genocide, and crimes against humanity fall under the jurisdiction of the Iraqi High Tribunal (IHT), previously known as the Iraq Special Tribunal. The IHT statute does not explicitly require that guilt be proven beyond a reasonable doubt and lacks adequate safeguards against self-incrimination. Numerous irregularities were noted by international observers in the al-Dujail trial, which culminated in the execution by hanging of Saddam Hussein in December 2006.

The criminal procedure code and the constitution prohibit arbitrary arrest and detention, though both practices are common in security-related cases. There have been credible reports of illegal detention facilities run by the Interior Ministry and party-sponsored militias. The constitution prohibits all forms of torture and inhumane treatment and affords any victims the right to compensation, but neither coalition nor Iraqi authorities have established effective safeguards against the mistreatment of detainees, and allegations of torture by security services have been serious and widespread. KRG laws similarly prohibit inhumane treatment of detainees, but it is widely known that Kurdish security forces practice illegal detention and questionable interrogation tactics. Although the exact number fluctuated, over 24,500 Iraqis suspected of involvement in the insurgency were held by the U.S. military at any given time in 2007, before being released or handed over to the Iraqi authorities. Detainees in coalition custody have also experienced torture and mistreatment.

There is a critical lack of centralized control over the use of force in Iraq. Insurgents, militias, and criminal gangs, many with ties to government forces, were re-

sponsible for the mistreatment and killing of thousands of civilians in 2007. Human rights abuses by the security forces have taken on a sectarian dimension, fueling instability. Police recruits have themselves been a target of violence. The interior minister has attempted to stem abuses and militia ties among the police by firing thousands of employees, including an entire brigade, but the problem remains endemic. The frequent employment of martial law in attempts to stem growing insecurity grants sweeping powers of arrest and restricts basic freedoms.

Security improved somewhat in 2007 as the U.S. military boosted its presence and helped to establish "concerned local citizens" (CLC) forces—such as the Anbar Salvation Council—at the provincial, tribal, and local level. Coalition forces also began to arm former insurgents who turned against al Qaeda and sought to cooperate with the security forces. The CLC's still have not been incorporated into the national security structures, and it is unclear whether their gains can be sustained once coalition troops withdraw. Fighting between Shiite militias, criminal gangs, and partisan security services in Basra and other southern provinces was widespread in 2007, as British troops completed their handover of security responsibility there to Iraqi officials.

There have been credible allegations of employment discrimination against Sunni Arabs and non-Muslim minorities in some government institutions, and many former Baath party members have faced difficulty obtaining state employment due to the overzealous application of de-Baathification policies. However, Sunni Arabs joined the Shiite-dominated security services, particularly the local police, in greater numbers in 2007; this trend was encouraged by the Anbar Salvation Council and other elements of the so-called Sunni awakening movement, which opposed al-Qaeda and sought a greater role for Sunnis in government. Minorities in northern Iraq—Turkmen, Arabs, Christians, and Shabak—have reported instances of discrimination and harassment by Kurdish authorities.

The constitution promises women equal rights under the law, and they are guaranteed 25 percent of the seats in the legislature. While women comprised 32 percent of the TNA, the portion dropped to 25 percent after the December 2005 elections. Public security for women remained a major problem in 2007. Women who held jobs, attended university, or went out in public unveiled were frequently harassed, and in some cases killed, by radical Islamist groups of both major sects. In the Kurdish region, women do not suffer the same harassment and are not forced to abide by religious codes or cultural restrictions. They are free to travel and are very active in political and civic life, although their political power is limited.

## Ireland

**Population:** 4,400,000

**Capital:** Dublin

**Political Rights:** 1

**Civil Liberties:** 1

**Status:** Free



### Ten-Year Ratings Timeline For Year Under Review

(Political Rights, Civil Liberties, Status)

1998	1999	2000	2001	2002	2003	2004	2005	2006	2007
1,1F	1,1F	1,1F	1,1F	1,1F	1,1F	1,1F	1,1F	1,1F	1,1F

### Overview:

**The ruling Fianna Fail party came from behind in the polls to win parliamentary elections in May 2007, giving Bertie Ahern a third term as prime minister. The Green Party joined Fianna Fail in the government for the first time, along with a smaller coalition partner.**

The Irish Free State emerged from the United Kingdom under the Anglo-Irish Treaty of 1921 (six counties in the province of Ulster remained within the United Kingdom.) A brief civil war followed, ending in 1923. In 1937, the Irish Free State adopted a new constitution and a new name—Ireland, or Eire.

Ireland has been neutral in its foreign policy, staying out of World War II and NATO. It joined the European Community (now the European Union, or EU) along with Britain and Denmark in 1973. Thanks in part to large subsidies for poorer regions within the EU, Ireland has enjoyed high rates of economic growth and has gone from being one of the poorest countries in Europe to being one of the richest. It adopted the euro on its launch as an electronic currency in 1999 and introduced euro notes and coins in 2001.

Ireland has resisted any EU moves that would impinge on its neutrality, including the idea of setting up an EU military capability. Partly for this reason, Irish voters rejected the EU's Treaty of Nice in June 2001, temporarily blocking the enlargement of the bloc into Eastern Europe. In a second referendum, in October 2002, Irish voters approved the treaty.

Growth in the gross domestic product averaged an outstanding 8.6 percent from 1998 through 2002, which in turn led to inflation and wage increases, gradually eroding Ireland's competitiveness. The trend, compounded by a strong euro, slowed growth to still-impressive rates, including 5.7 percent in 2006.

With slower growth, budget tightening fueled voter disillusionment. This was amplified by a perception that the governing coalition—Fianna Fail and its smaller ally, the Progressive Democratic Party—had grown arrogant since coming to power in 1997; it increased taxes after having promised before the 2002 general elections not to do so. As a result, Fianna Fail did poorly in local elections in June 2004, despite the fact that they coincided with a popular government-sponsored referendum

on tightening Irish citizenship laws. The voters' verdict was confirmed with another poor showing by Fianna Fail in European Parliament elections later that month. Prime Minister Bertie Ahern reshuffled his cabinet in September 2004, hoping to shore up the coalition.

Most polls predicted that the chief opposition party, Fine Gael, would win the May 2007 general elections. However, a strong debate performance by Ahern, combined with voter comfort after 10 years of economic growth, helped Fianna Fail to come back and win the vote. Ahern was given a third consecutive term as prime minister in June. Fianna Fail captured 78 of 166 seats in the lower house of Parliament, compared with Fine Gael's 51. However, the poor performance by the Progressive Democrats, who lost six of their eight seats, forced Fianna Fail to take the Green Party, with its six seats, into the governing coalition for the first time in that party's history. The inclusion of both the center-left Greens and the center-right, free-market Progressive Democrats had the potential to increase internal coalition tensions. The rest of the lower-house seats were held by the Labour Party (20), Sinn Fein (4), and independents (5).

After a rocky and uncertain 2006, including unusual riots in Dublin, the Northern Ireland peace process yielded positive developments in 2007. Two parties that were formerly bitter enemies, the Democratic Unionist Party (DUP, Protestant and loyalist) and Sinn Fein (Catholic and republican), entered into a power-sharing agreement in Northern Ireland, with DUP leader Ian Paisley as first minister. Sinn Fein hoped that this result would help it double its seats in the Irish republic's elections, but it ultimately lost one seat in the 2007 balloting. All parties had promised that they would not take Sinn Fein into government.

In September 2007, Ahern narrowly won a vote of confidence over long-standing questions about his personal financial dealings in the 1990s, when he was finance minister. He denied granting favors in exchange for loans he received from businessmen friends, and his strong statement of his version of events, just before the elections, was seen as helping him win. However, opposition parties maintained pressure over the issue and forced the no-confidence vote, which he won 81 to 76. The issue continued to color the political atmosphere at the end of 2007.

**Political Rights and Civil Liberties:** Ireland is an electoral democracy. The Parliament (Oireachtas) consists of a lower house (the Dail), whose 166 members are elected by proportional representation for five-year terms, and an upper house (the Seanad, or Senate) with 60 members, 11 appointed and 49 elected by representatives of various interest groups. The Senate is mainly a consultative body. The president, whose functions are largely ceremonial, is directly elected for a seven-year term. The prime minister, or taoiseach, is chosen by Parliament.

The political party system is open to the rise and fall of competing groupings. The two largest parties—Fianna Fail and Fine Gael—do not differ widely in ideological orientation but represent the opposing sides of the 1920s civil war. The smaller parties are the Labour Party, the Progressive Democrats, Sinn Fein, and the Greens.

Corruption has been a recurring problem, with many scandals involving members of Fianna Fail. Charles Haughey, a former prime minister who headed several governments from 1979 to 1992, was discovered in 1997 to have received up to one million euros from the owner of a food and textile retailer. Unproven allegations of

corruption have also dogged Prime Minister Bertie Ahern, who was found to have signed blank checks as party leader, and accepted loans from businessmen friends while he was finance minister; an inquiry on that matter continued into 2007. In 2005, accusations of cronyism were aired relating to the appointment of allegedly unqualified individuals to government bodies. Despite such cases, Ireland was ranked 17 out of 180 countries surveyed in Transparency International's 2007 Corruption Perceptions Index.

The media are free and independent, and internet access is unrestricted. The print media present a variety of viewpoints. Television and radio are dominated by the state broadcaster, RTE, but the growth of cable and satellite television is weakening its influence. The state maintains the right to censor pornographic and violent material, which critics charge is an anachronistic practice and possibly a violation of the European Convention on Human Rights.

In 2006, the government moved away from its reliance on self-regulation by the press and introduced a privacy bill that press-freedom advocates worry will hamper journalism. The bill would make it easier for individuals and companies to use legal means to end press scrutiny. For example, the bill makes "watching, besetting or following" someone a violation of privacy, even if a journalist believes the subject of scrutiny is guilty of a crime. The bill did not pass in 2006, but was returned to the agenda in 2007.

Freedom of religion is provided in the constitution, and discrimination on the basis of religion is illegal. Although the country is overwhelmingly Roman Catholic, there is no state religion, and adherents of other faiths face few impediments to religious expression. Religious education is provided in most primary and secondary schools, whose boards include officials of the Catholic Church. However, parents may exempt their children from religious instruction, and the constitution requires equal funding for students wishing instruction in other faiths. Academic freedom is respected.

The freedom of association is upheld, and nongovernmental organizations can operate freely. The right of public assembly and demonstration is not legally infringed, though Ireland experienced an unusual outbreak of violence at an attempted march by Northern Irish unionists in Dublin in 2006. Collective bargaining is legal and unrestricted, and labor unions operate without hindrance.

The legal system is based on common law, and the judiciary is independent. Council of Europe inspectors in 2003 found evidence of some ill-treatment, including beatings, of detainees by police, mostly at the time of arrest, but stated that prisons are generally well run. Despite equal protection for all under the law, the Irish Travellers, a nomadic group of about 25,000 people, face social discrimination in housing, hiring, and other areas.

Inequality persists in pay rates for men and women, but discrimination in employment on the basis of sex or sexual orientation is forbidden under national and EU law. The past two presidents have been women: Mary McAleese (elected in 1997 and reelected in 2004) and Mary Robinson (1990-97). Abortion is legal only when the life of the mother is in danger, and women seeking abortions frequently travel to Britain to have them performed.

## Israel

**Population:** 7,300,000 [Note: There are an estimated 187,000 Israeli settlers in the West Bank, about 20,000 in Golan Heights, and fewer than 177,000 in East Jerusalem.]

**Capital:** Jerusalem

**Political Rights:** 1

**Civil Liberties:** 2

**Status:** Free



*Note:* The numerical rating and status reflect the state of political rights and civil liberties within Israel itself. Separate reports examine political rights and civil liberties in the Israeli-occupied territories and in the Palestinian-administered areas.

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

1998	1999	2000	2001	2002	2003	2004	2005	2006	2007
1,3F	1,2F	1,3F	1,3F	1,3F	1,3F	1,3F	1,2F	1,2F	1,2F

**Overview:** **In 2007, the Israeli government survived persistent domestic criticism over its management of the 2006 Lebanon war, though the controversy led to several high-profile resignations. The Knesset elected former prime minister Shimon Peres to the largely ceremonial presidency after former president Moshe Katsav pleaded guilty to sex crimes. Also during the year, the country was hit by a wave of corruption scandals involving high-ranking government officials, and Israeli-Palestinian peace negotiations accelerated.**

Israel was formed in 1948 from part of the British Mandate of Palestine, which had been created by the League of Nations following the defeat and breakup of the Ottoman Empire in World War I. The British relinquished control of Palestine to the United Nations in 1947; a UN partition plan dividing it into a Jewish and an Arab state was rejected by the Arab Higher Committee and the Arab League, and Israel's 1948 declaration of independence led to war with a coalition of Arab states. While Israel maintained its sovereignty and expanded its borders, Transjordan seized East Jerusalem and the West Bank, and Egypt took control of the Gaza Strip.

As a result of its 1967 war with Egypt, Jordan, and Syria, Israel occupied the Sinai Peninsula, the West Bank, the Gaza Strip, East Jerusalem, and the Golan Heights. Israel annexed East Jerusalem in 1967 and extended Israeli law to the Golan Heights in 1981. It returned the Sinai to Egypt in 1982 as part of a peace agreement between the two countries.

In 1993, Prime Minister Yitzhak Rabin's Labor Party-led coalition government secured a breakthrough agreement with the Palestine Liberation Organization (PLO). The Declaration of Principles provided for a phased Israeli withdrawal from the West Bank and Gaza Strip and limited Palestinian autonomy in those areas, in exchange

for Palestinian recognition of Israel and a renunciation of terrorism. In 1994, Israel and Jordan agreed to a U.S.-brokered peace agreement. The following year, a right-wing Jewish extremist assassinated Rabin in Tel Aviv.

Prime Minister Ehud Barak of Labor presided over the withdrawal of Israeli forces from southern Lebanon in 2000 and renewed Israeli-Palestinian negotiations over the contours of a future Palestinian state. However, an extended summit at Camp David with the U.S., Israeli, and Palestinian leadership failed to produce a final settlement. Following the breakdown of negotiations and a controversial visit by Ariel Sharon—then leader of the right-wing Likud Party—to the Temple Mount in September 2000, the Palestinians launched an armed uprising, effectively ending the peace process.

Sharon defeated Barak for the premiership in a 2001 election. In March 2002, after a series of particularly devastating attacks by Palestinian militants, the Israel Defense Forces (IDF) reoccupied many of the West Bank areas that had been ceded to the Palestinian Authority (PA). Israel also began the construction of a security barrier roughly along the West Bank side of the 1949 armistice line, or Green Line, a move that was criticized for, among other things, creating hardships for Arabs living or working in the barrier's vicinity.

After the death of Palestinian leader Yasser Arafat in November 2004, Mahmoud Abbas (also known as Abu Mazen), a moderate PLO leader, was elected president of the PA in January 2005. A verbal ceasefire agreement between Sharon and Abbas led to a general decline in violence on both sides, but did not halt it. In September 2005, Sharon's government completed a unilateral withdrawal of Jewish settlers from the Gaza Strip and four sites in the West Bank, overcoming fierce opposition from settler groups and many within Likud itself. Sharon subsequently left Likud and founded Kadima, a new centrist party. In January 2006, he suffered a massive stroke that left him in a coma. Then deputy prime minister Ehud Olmert became acting prime minister as well as acting Kadima chairman.

In the March 2006 elections, Kadima won 29 of the 120 seats in the Knesset (parliament), with 22 percent of the popular vote. Labor won 19 seats, while Shas (a religious party with strong support among Sephardic Jews) and Likud each took 12 seats, and the rightist Yisrael Beitenu, a party with strong support among Israel's Russian-speaking immigrants, won 11 seats. The remainder went to a wide range of smaller parties.

Israeli-Palestinian violence picked up in 2006 after the Islamist group Hamas won elections to the Palestinian Legislative Council (PLC) in January, displacing Abbas's Fatah party. Israel, the United States, and the European Union (EU) refused to recognize the resulting Hamas-led government, citing the group's refusal to recognize Israel or past Israel-PA agreements, as well as its involvement in terrorism. The year's violence included terrorist attacks in Israel, Qassam rocket fire from the Gaza Strip into Israel, destructive IDF incursions into the West Bank, and "targeted" attacks against militant leaders by the Israeli Air Force (IAF), mostly in Gaza. After the firing of an artillery shell that killed eight Palestinian civilians on a Gaza beach, Hamas declared an end to the 2005 truce. Israel denied firing the shell, and the event remains disputed.

In June 2006, Hamas and other militant groups carried out a raid on an IDF outpost near the Gaza Strip, killing two soldiers and capturing a third, Corporal Gilad



Shalit. Israel responded by invading Gaza. While the IDF forces destroyed a large number of Qassam launchers and ammunition sites, they were unable to locate Shalit. Israel drew condemnation from human rights groups for destroying a major Gaza power plant and causing many civilian deaths in the course of the fighting. Israeli troops detained several Hamas lawmakers in June, adding to accusations that the true aim of the incursion was to topple the Hamas-led PA government.

The Gaza operation was largely eclipsed by fighting that began on Israel's northern border in July, when the Lebanese Islamist militia Hezbollah launched a cross-border attack in which eight Israeli soldiers were killed and two—Ehud Goldwasser and Eldad Regev—were taken captive. The IDF's response was a naval blockade, aerial bombardment of both Hezbollah and civilian infrastructure, and ground operations aimed at destroying Hezbollah's military capabilities and forcing the return of the kidnapped soldiers. Meanwhile, Hezbollah kept up a barrage of Katyusha rocket fire into northern Israeli cities and towns; over 4,000 rockets were fired. Israel subsequently opened a wider ground offensive, and IDF forces by mid-August had pushed as far north as the Litani River. Following extensive diplomatic maneuvering by the United States, Britain, and other European governments, a UN-brokered ceasefire took effect on August 14. About 1,200 Lebanese were killed in the conflict, including many civilians; 116 IDF soldiers and 43 Israeli civilians were also killed. Israel was condemned for the disproportionate loss of civilian life on the Lebanese side, as well as its targeting of civilian infrastructure and the large-scale displacement of civilians from southern Lebanon. Israel insisted that Hezbollah's deliberate use of civilians and residential areas to shield their belligerent activities made civilian casualties inevitable. A July 2007 report by Israel's state comptroller described the government's efforts to protect civilians during the conflict as "a grave failure." In September 2007, Human Rights Watch condemned both Israel and Hezbollah for "indiscriminate" attacks on civilians.

The IDF's failure to destroy Hezbollah and rescue the kidnapped soldiers, as well as the fact that the ceasefire agreement did not ensure Hezbollah's disarmament, led to widespread domestic criticism of the government. IDF chief of staff Dan Halutz resigned in January 2007. In April, a government commission accused Olmert and his cabinet of engaging in the conflict without adequate preparation. Despite calls for his resignation, including by members of his own cabinet, Olmert and his government survived a confidence vote in May. In June, defense minister and Labor Party leader Amir Peretz was displaced from both of his positions by former prime minister Ehud Barak.

Separately, President Moshe Katsav resigned in June 2007 after pleading guilty to several sexual offenses. He had been under investigation for rape following a series of accusations by former female employees. That month, former prime minister Shimon Peres was elected president by the Knesset.

Israeli-Palestinian peace negotiations accelerated in 2007, particularly after the fracturing of the PA in June between the Hamas-controlled Gaza Strip and the Fatah-controlled West Bank. A series of confidence-building measures between Israel and Abbas's faction—including the release of hundreds of Palestinian prisoners held in Israel—preceded both sides' participation in a U.S.-brokered peace conference in late November; also attending were representatives nearly every Arab state and the Arab League. The conference culminated in a joint declaration by Olmert and Abbas

to begin final status negotiations over a future Palestinian state and to try to complete those negotiations by the end of 2008. The agreement was immediately rejected by Hamas. In December, Hamas proposed a ceasefire and talks with Israeli officials; despite the support of some government ministers, Olmert rejected the offer unless Hamas recognized Israel.

**Political Rights and Civil Liberties:** Israel is an electoral democracy. Although there is no formal constitution, a series of basic laws have the force of constitutional principles. A largely ceremonial president is elected by the Knesset for seven-year terms. The prime minister is usually the leader of the largest party or coalition in 120-seat Knesset, members of which are elected by party-list proportional representation for four-year terms. Parties or candidates that deny the existence of Israel as a Jewish state, oppose the democratic system, or incite racism are prohibited. In April 2007, Knesset member Azmi Bishara resigned from the Knesset and eventually left Israel for fear of prosecution; Bishara, who expressed support for Hezbollah during visits to Syria and Lebanon, was under investigation for espionage and aiding an enemy during war. In November, the Knesset passed preliminary legislation aimed preventing Israelis who make unauthorized visits to "enemy states" from serving as lawmakers; the bill would require three additional approvals to become law.

The three main parties are the center-left Labor Party, the centrist Kadima, and the right-wing Likud. New special-interest parties typically emerge with each election cycle, but many of them dissolve quickly or merge with a larger bloc. All citizens aged 18 and over can vote.

Twelve members of the current Knesset are Arab Israelis, most representing majority-Arab political parties; in January 2007, Labor's Raleb Majadele became the first Arab Muslim to serve as a cabinet minister. An Arab Israeli judge also sits on the Supreme Court. While the Arab population votes heavily for Arab-oriented parties, the left-leaning and centrist Zionist parties also count on strong support from the Arab community. Arab residents of East Jerusalem, while not granted automatic citizenship, were issued Israeli identity cards after the 1967 war. However, Israeli law strips such Arabs of their Jerusalem residency if they remain outside the city for more than three months. They have the same rights as Israeli citizens, except the right to vote in national elections. They can vote in municipal as well as PA elections and are eligible to apply for Israeli citizenship. The city's Arab population does not receive a share of municipal services proportionate to its numbers.

Under the 1948 Law of Return, all Jewish immigrants and their immediate family are granted Israeli citizenship and residence rights; other immigrants must apply for these rights. In October 2007, Interior Minister Meir Sheerit called for reform of the law and a five-year waiting period for new citizens.

Israel was ranked 30 out of 180 countries surveyed in Transparency International's 2007 Corruption Perceptions Index. A wave of corruption scandals broke in 2007, continuing a recent trend. Prime Minister Ehud Olmert remained the focus of the cases. Initially investigated for the purchase of a Jerusalem property at a below-market price, he has also been scrutinized for extending favors during the 2005 privatization of Bank Leumi, when he was finance minister, and during his stint as industry and trade minister between 2003 and 2005. However, due to a lack of evi-

dence, no charges have been filed. In February, Olmert aide Shula Zaken was suspended following allegations of tax-related bribe-taking. Tax authority chief Jackie Matza resigned over similar allegations that month, as did police chief Moshe Karadi. In July, Finance Minister Avraham Hirschon also resigned after police began investigating his role in the embezzlement of union funds.

Press freedom is respected in Israel, and the country enjoys a vibrant and independent media landscape. All Israeli newspapers are privately owned and freely criticize government policy. The Israel Broadcasting Authority operates public radio and television services, and commercial television networks and radio stations are widely available. Most Israelis subscribe to cable or satellite television; internet access is widespread and unrestricted. While newspaper and magazine articles on security matters are subject to a military censor, the scope of permissible reporting is wide. Reporting on an Israeli airstrike on a Syrian military facility in September 2007 was subject to a month-long media blackout. In addition, media access to details of the police investigation of Knesset member Azmi Bishara was similarly restricted until a court partially lifted the blackout in April. Nuclear whistle-blower Mordechai Vanunu was sent back to jail in July after speaking to international journalists about his case, violating the terms of his release. In December, three journalists faced prosecution for traveling to Syria and Lebanon without official authorization, a move condemned by the International Federation of Journalists.

While the basic laws and the Declaration of Independence designate Israel as a "Jewish and democratic state," freedom of religion is respected. Christian, Muslim, and Baha'i communities have jurisdiction over their own members in matters of marriage, burial, and divorce. In the Jewish community, the Orthodox establishment generally handles these matters. As a result, civil marriages as well as marriages between Jews and non-Jews are not recognized by the state unless conducted abroad; many Israelis choose to marry in civil ceremonies outside the country rather than submit to a religious ceremony. In addition, Orthodox definitions of Jewish identity are used to determine whether immigrants are eligible for the citizenship and residency rights awarded to Jews under the Law of Return. However, the Orthodox monopoly on Jewish religious affairs has eroded steadily in recent years after the 2003 disbandment of the Religious Affairs Ministry, which effectively put rabbinic courts under the control of the Justice Ministry and freed up state resources to be allocated to non-Orthodox religious institutions. In 2005, the Supreme Court ruled that the state must recognize as Jews people who undergo non-Orthodox conversions begun in Israel but formalized abroad. In addition, the courts in recent years have been supportive of property and child-custody claims by same-sex couples.

Muslim and Christian communities occasionally accuse the government of discrimination in resource allocation and upkeep of religious sites, though the official budget allocates funds according to need, regardless of faith or denomination. In 2007, controversy—including riots by Muslim residents—erupted over archaeological excavations and construction work near the Temple Mount, or Haram al-Sharif, in Jerusalem; the work was delayed to allow for public consultations. Israel, citing security concerns, occasionally restricts Muslim worshippers' access to the Haram al-Sharif.

Primary and secondary education are universal, with instruction for the Arab minority based on the common curriculum used by the Jewish majority, but conducted in Arabic. In July 2007, the government approved a textbook for use in Arab

schools that presents the founding of the state from the typical Palestinian—and thus highly critical—perspective. Israel's universities are open to all students based on merit. The government generally does not interfere in faculty appointments or curriculum development at universities, which have been centers for dissent since the earliest days of the state. In May 2007, the University and College Union of the United Kingdom approved a plan to boycott Israeli academic institutions, accusing them of complicity in the state's abuse of Palestinians' human rights; the move was condemned by a wide range of international and Israeli scholars. Periodic road closures and other security measures in recent years have made it difficult for residents of the West Bank and Gaza to reach universities in Israel, particularly West Bank Palestinians who are enrolled at Jerusalem's Hebrew University.

Freedoms of assembly and association are respected. Israel hosts an active civil society that includes an array of nongovernmental organizations (NGOs), and demonstrations are widely permitted. Workers may join unions of their choice and enjoy the right to strike and bargain collectively. Three-quarters of the workforce either belong to unions affiliated with Histadrut, the national labor federation, or are covered under its social programs and bargaining agreements. Histadrut called two general strikes in 2007; neither lasted longer than 24 hours.

Legal foreign workers enjoy wage protections, medical insurance, and guarantees against employer exploitation. However, foreign workers who leave their original employers are shorn of these rights, considered illegal, and subject to deportation. Illegal workers are often at the mercy of employers, and many are exploited. The government has come under increasing pressure from civil society to better regulate the status of foreign workers.

The judiciary is independent and regularly rules against the government. The Supreme Court hears direct petitions from Israeli citizens and non-Israeli Palestinian residents of the West Bank and Gaza Strip. Most notably in recent years, the Supreme Court has ordered on numerous occasions that the proposed route of the security barrier under construction between Israel and the West Bank be changed to decrease its negative effects on Palestinian residents. The Ministry of Defense continues to alter the route of the barrier in response to Supreme Court rulings.

The Emergency Powers (Detention) Law of 1979 provides for indefinite administrative detention without trial. Most administrative detainees are Palestinian; there are approximately 8,000 Palestinians in Israeli prisons, though hundreds of prisoners were released in 2007. In May, the human rights groups B'Tselem and HaMoked Center reported that Palestinian prisoners are held in terrible conditions and are subject to abusive interrogation techniques, including instances of torture. The government disputed the accuracy of the report. In October, hundreds of Palestinian prisoners in Ketziot Prison clashed with guards, resulting in injuries to 15 prisoners and 15 guards; guards used rubber bullets to quell the riot.

While they have full political rights, the roughly one million Arab citizens of Israel (about 19 percent of the population) receive inferior education, housing, and social services relative to the Jewish population. Arab Israelis, except for the Druze minority, are not subject to the military draft, though they may serve voluntarily. Those who do not join the military are not eligible for financial benefits, including scholarships and housing loans, that are available to Israelis who have served. The Orr Commission—established to investigate a brief outbreak of violence among the

Israeli Arab community in the initial days of the Palestinian uprising in 2000—cited the "neglectful and discriminatory" government handling of the Arab population, which over the course of decades led to "poverty, unemployment, a shortage of land, serious problems in the education system and substantially defective infrastructure." In 2004, then prime minister Ariel Sharon declared that every state-run company must have at least one Arab-Israeli on its board of directors.

Many Arab and mixed Arab-Jewish towns and villages were struck by Hezbollah rocket fire during the 2006 Lebanon conflict, and one-third of those killed by the rockets were Arab Israelis. A July 2007 report by the state comptroller heavily criticized the government for failure to adequately protect Arab Israeli villages—most of which do not have bomb shelters—during the conflict. In December, a polling study by the Association for Civil Rights in Israel found that anti-Arab sentiments among Israeli Jews had doubled in 2007, and that racist incidents were up 26 percent.

The state generally protects wide personal autonomy. However, the Law of Citizenship, passed in 2003, bars citizenship to Palestinians from the West Bank and Gaza who marry Arab Israelis. The law would ostensibly lead to the separation of families or to their relocation from Israel. As the law is not retroactive, it does not affect Palestinians previously granted citizenship. Some human rights groups characterized it as racist. Israel maintained that the law was necessary because some Palestinians have opportunistically married Arab citizens of Israel so that they could more easily carry out terrorist attacks or slowly shift Israeli demographics in their favor. A controversial 5-6 Supreme Court decision upheld the law as constitutional in 2006. The justices in the majority cited the unique security concerns currently prevailing, as well as the desire to maintain Israel's Jewish character in a democratic way.

Most Bedouin housing settlements are not recognized by the government and are not provided with basic infrastructure and essential services. Separately, in September 2007, the government granted asylum to about 500 refugees from Darfur, Sudan. About 2,800 Africans have crossed into Israel from Egypt in recent years, and many were expelled in 2007.

Freedom of movement is affected by security alerts and emergency measures that can subject Israelis to delays at roadblocks and in public places. Israeli security forces and police sometimes carry out random identity checks of civilians. By law, all citizens must carry national identification cards. The security barrier restricts freedom of movement for some East Jerusalem residents. While violence continued to decrease in Israel in 2007, freedom of movement was undermined by rocket attacks and bombings. In January, a suicide bombing in an Eilat bakery killed three people. Hundreds of Qassam rockets were launched into Israel, causing significant damage to border towns such as Sderot and killing one woman in May; rockets were also launched from Lebanon at the northern town of Kiryat Shmona. In September, a Qassam rocket attack injured nearly 70 soldiers stationed near Gaza.

Women have achieved substantial parity at almost all levels of Israeli society. However, Arab women and religious Jewish women face some societal pressures and traditions that negatively affect their professional, political, and social lives. The rise of so-called "modesty buses"—on which women are forced to sit at the back, separate from men—in very religious Jewish neighborhoods of Jerusalem in 2007 fueled heated opposition from women's groups, some of which filed a brief at the Supreme Court. The trafficking of women for prostitution has become a problem

in recent years. In 2005, a parliamentary report claimed that 3,000 to 5,000 women, mostly from the former Soviet Union, had been smuggled into the country as prostitutes over the previous four years. Both the United Nations and the U.S. State Department have named Israel as a top destination for trafficked women. The government has opened shelters for trafficked women and passed more stringent legislation; in 2006, the Knesset passed a law mandating prison terms of up to 20 years for human trafficking.

Sexual minorities have made significant strides in recent years. A 2005 Supreme Court decision granted guardianship rights to nonbiological parents in same-sex partnerships, and two lesbians were granted permission to legally adopt each other's biological children in 2006. Openly gay Israelis are permitted to serve in the armed forces.

## Italy

**Population:** 59,300,000

**Capital:** Rome

**Political Rights:** 1

**Civil Liberties:** 1

**Status:** Free



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

1998	1999	2000	2001	2002	2003	2004	2005	2006	2007
1,2F	1,2F	1,2F	1,2F	1,1F	1,1F	1,1F	1,1F	1,1F	1,1F

### Overview:

**Prime Minister Romano Prodi briefly stepped down in February 2007 after losing a key parliamentary vote on foreign policy. He soon returned and gained the support of the more radical members of his center-left coalition, eventually winning a second vote in March on the issue of keeping Italy's contingent of roughly 2,000 soldiers in Afghanistan. The first criminal trial involving extraordinary rendition by the CIA was adjourned in June to determine whether prosecutors had broken state security laws. In July, police in central Italy raided a mosque that they said was used as a "bomb school."**

Italy was unified under the constitutional monarchy of Piedmont and Sardinia in the 19th century. Its liberal period ended in 1922 with the rise Benito Mussolini and his Fascist Party, which eventually led the country to defeat in World War II. A referendum in 1946 replaced the monarchy with a republican form of government.

The "clean hands" corruption trials of the early 1990s prompted the collapse of the major political factions that had dominated postwar Italian politics—the Christian Democrats, the Communists, and the Socialists. Since that time, many new parties and coalitions have emerged.

In 1993, a new electoral law replaced the existing system of proportional repre-

sentation with single-member districts for most of the seats in Parliament. The move was designed to reduce the number of political parties that could obtain seats and ensure a more stable majority for the parties in power; Italians had seen more than 50 governments since 1945. However, in December 2005, proportional representation was restored, with a provision awarding at least 54 percent of the seats in the lower house to the winning party or coalition, no matter how small its margin of victory. A similar arrangement was made for the upper house. Other reforms have included efforts to reduce unnecessary legislation in Parliament and modernize the court system by streamlining the prosecution of cases.

Voters in a June 2006 referendum overwhelmingly rejected a reform package, initially offered by Prime Minister Silvio Berlusconi's center-right government in November 2005, that would have strengthened the role of the prime minister and the administrative and taxing powers of the country's 20 regions. Critics of the latter provision claimed that it would have widened the economic divide between the wealthy north and the poor south.

Parliamentary elections in April 2006 ushered in a new government led by Romano Prodi, a former prime minister and the former president of the European Commission. His center-left Union bloc, formed in 2004, narrowly won with 49.8 percent of the votes for the lower house. Berlusconi's House of Freedoms coalition garnered 49.7 percent. Voter turnout was 83.6 percent, well below the postwar average of over 90 percent.

Berlusconi's five-year premiership, Italy's longest since World War II, had been marred by his personal domination of the country's broadcast media through a formidable corporate empire. In March 2007, the trial of Berlusconi and his British lawyer, David Mills, on fraud and money laundering charges began in Milan. It had first started in November 2006 but was quickly halted. In a related case, Berlusconi was accused of false accounting and evading taxes while using offshore companies to purchase rights to U.S. films in the 1990s.

Edoardo Contini, one of the most powerful bosses of the Neapolitan Camorra, was arrested in December after being on the run since 2000. In November, police arrested Salvatore Lo Piccolo, the new boss of the Sicilian Mafia, who had been on the run for 20 years.

In February 2007, Prodi lost a Senate vote on foreign policy goals when the far-left members of his coalition balked at plans to keep troops in Afghanistan and expand a U.S. airbase in Italy. Prodi briefly resigned, but was then asked to resume his duties. In March, he narrowly won a second vote on the Afghanistan mission after most of the opposition abstained. In a shift from Berlusconi's foreign policy, the Prodi government had pulled Italian troops out of Iraq in November 2006.

The first criminal trial involving extraordinary rendition by the CIA was adjourned soon after it began in June 2007 to determine whether Italian prosecutors had broken state security laws. In February, a judge had acted on prosecutors' request to indict 25 alleged CIA agents and a U.S. military officer who were accused of helping to abduct a Muslim cleric in Milan with Italy's permission in 2003. The cleric, Hassan Mustafa Osama Nasr, was allegedly flown to Egypt for interrogation and tortured. Former Italian intelligence officials were also charged in the case. Despite the indictments, the Italian government has declined to seek the U.S. suspects' extradition to Italy.

In July, Italian police raided a mosque in the central city of Perugia which they described as a "bomb school" for Islamic militants.

**Political Rights and Civil Liberties:** Italy is an electoral democracy. Although the role of the president, who is elected for a seven-year term by Parliament and representatives of the regions, is largely ceremonial, Italian presidents have not shied away from taking sides on national political issues. Giorgio Napolitano, a former Communist, was selected for the post in May 2006. The president chooses the prime minister, who is often, but not always, a member of the largest party in the 630-seat lower house, the Chamber of Deputies. The upper house is the Senate, with 315 seats. Members of both chambers serve five-year terms. The constitution also divides the country into 20 administrative regions.

In an attempt to appease smaller parties, the right-of-center government of then prime minister Silvio Berlusconi in December 2005 reintroduced full proportional representation to Parliament. The reform gives the winning party or coalition a 54 percent majority in the lower house no matter how small its actual margin of victory. For the Senate, victory in a given region assures the winning party or coalition a 55 percent majority of that region's allotment of seats. Although the center-left opposition Union bloc had strongly opposed the changes, it reaped the benefits after a narrow election victory in 2006. Separately, a 2000 law granting voting rights to the estimated four million Italians living abroad took effect for the first time during the 2006 elections. Twelve deputies and six senators were elected to represent "overseas constituencies" in Europe, North and Central America, South America, and Africa-Asia-Oceania.

The center-left Union bloc (consisting of the Ulivo alliance, Communist Renewal, Federation of Greens, and others) and the center-right House of Freedoms coalition (comprising Berlusconi's Forza Italia party, the post-Fascist National Alliance, the regionalist Northern League, and others) are the main political forces in the country. During 2007, two parties from the Ulivo, the Democratic Party of the Left and the centrist Margherita (Daisy) Party, merged to form the Democratic Party. In October, the party held primaries and elected Walter Veltroni, the mayor of Rome, as its leader.

Corruption remains an issue in politics despite the changes in government over the past decade. Transparency International gave Italy a rank of 41 out of 180 countries surveyed in its 2007 Corruption Perceptions Index, one of the worst rankings in Western Europe. Berlusconi was acquitted in October 2007 of charges that he bribed judges to seal a privatization deal in the 1980s, but he continues to face charges for other corruption-related offenses. In June, all five defendants facing murder charges for the death of Roberto Calvi, the chairman of Banco Ambrosiano who was found hanging under a London bridge in 1982, were acquitted. Prosecutors claimed that Calvi had been killed by the Mafia, for whom he had allegedly been laundering money.

Freedom of speech and the press is constitutionally guaranteed. Berlusconi's defeat in the 2006 elections ended his political control over state television networks, though he continues to hold a dominant share of the private broadcast media through his business empire. A Council of Europe report released in February 2006 found that, despite the ownership concentration of private broadcast outlets, there is considerable diversity of content in the country's news and other media.

Although there are no current government restrictions on the internet, the government can and does block foreign websites if they violate national laws. In addition, the police monitor websites in an effort to catch child pornographers.

There are many Italian newspapers and news magazines, most of which are based regionally. Newspapers are primarily run by political parties or owned by large media groups.



The 2004 Gasparri law on broadcasting introduced a number of reforms, including preparations for the switch from analog to digital broadcasting. However, the law has been heavily criticized for provisions that served Berlusconi's interests and enabled him to maintain his control of the private media market. Regulators fined Mediaset, a Berlusconi company, in February 2006 for giving him extra airtime to promote his political campaign. He was also criticized for appearing alone for a debate on the show *Liberi Tutti*. Additional fines were levied on two Mediaset stations for similar offenses just a few days before the elections.

In April 2007, the Chamber of Deputies overwhelmingly passed a bill that regulates the publication of telephone intercept material in the news media. Among other provisions, the bill would allow the state to fine and imprison journalists who violate a ban on publishing a recording after the end of a given investigation. The legislation had not passed the Senate by year's end.

Freedom of religion is respected and guaranteed by the constitution. Although Roman Catholicism is the dominant faith and the state grants some privileges to the Catholic Church, there is no official religion. The state provides support, if requested, to other sects represented in the country. The government has signed agreements with a number of religious groups but has yet to pass an omnibus religious freedom law. In January 2007, the government said it planned to monitor the funding of mosques to control the influence of foreign governments on the country's 1.2 million Muslims. Academic freedom is respected and protected.

Italians are free to assemble and form social and political associations, and between 35 and 40 percent of the workforce is unionized. In May 2007, between 500,000 and 1.5 million people attended a "Family Day" rally in Rome to protest the government's proposal to give homosexual couples new rights in areas such as inheritance. The event, which was supported by the Vatican and Italy's Catholic bishops, was confronted by a counterdemonstration attended by International Trade and European Affairs Minister Emma Bonino.

The judicial system is undermined by long trial delays and the influence of organized crime. Trial delays are caused in part by effectively open-ended pretrial investigations, a lack of judicial personnel and other resources, vague or contradictory laws, and the host of minor offenses in the penal code. A 2006 law reduced sentences on many minor crimes, considerably lowering the country's prison population. The U.S. State Department's human rights report for 2006 stated that from June to November, the number of inmates dropped from 61,300 to 39,200.

Despite legal prohibitions against torture, there have been reports of excessive use of force by police, particularly against illegal immigrants. In January 2007, key evidence in the trial of 29 police officers, which began in October 2005 and continued through 2007, was lost. The evidence in question was two Molotov cocktails. The defendants are accused of orchestrating and participating in a campaign of brutality against protesters at the 2001 Group of 8 summit in Genoa.

Italy is a major port of entry for undocumented immigrants trying to reach Europe; large numbers of people from Africa, the Middle East, China, and South Asia continue to arrive on the country's shores. A 2005 report by Amnesty International alleged that illegal immigrants detained in Italy are kept in overcrowded and unhygienic holding centers and denied access to lawyers and other experts, making it impossible for them to challenge detention or deportation orders. Amnesty Interna-

tional has also reported that minors are routinely held in such detention centers, a violation of human rights laws and standards. In November, when a Romanian immigrant was arrested for the violent murder of an Italian woman, the government passed a decree that allows the police and judiciary to expel immigrants if they are considered a threat to public order. The decree passed a Senate vote by a slim majority in December.

Strict fertility laws, strongly supported by the Vatican and Catholic politicians, remain in effect after a 2005 referendum aimed at relaxing the statutes failed to muster the required 50 percent voter turnout. The laws prevent sperm and egg donations and ban the screening of embryos for disease. Italian bishops and the pope had encouraged voters to boycott the referendum on moral grounds.

Women benefit from liberal maternity-leave provisions and government efforts to ensure parity in the workforce. Women also have considerable educational opportunities. However, violence against women continues to be a problem. Female political representation has improved somewhat; about 17 percent of the 630 candidates elected to the Chamber of Deputies in 2006 were women, a six-point increase over the last elections in 2001.

Italy is a destination and transit country for the trafficking of women and children for sexual and labor exploitation. However, the government has made efforts to tackle the problem, particularly in the area of prosecution, according to the U.S. State Department's 2007 Trafficking in Persons Report. The government carried out a major antitrafficking operation in late 2006 and early 2007 that produced nearly 800 arrests and touched off ongoing investigations of about 1,300 people. The government also offers support to the victims of trafficking by financing nongovernmental organizations that work with immigrants.

## Jamaica

**Population:** 2,700,000

**Capital:** Kingston

**Political Rights:** 2

**Civil Liberties:** 3

**Status:** Free



### Ten-Year Ratings Timeline For Year Under Review

#### Political Rights, Civil Liberties, Status

1998	1999	2000	2001	2002	2003	2004	2005	2006	2007
2,2F	2,2F	2,2F	2,2F	2,3F	2,3F	2,3F	2,3F	2,3F	2,3F

**Overview:** In September 2007, Jamaica's voters elected opposition leader Bruce Golding of the Jamaican Labor Party as prime minister, ousting the island's first female prime minister, Portia Simpson Miller, and ending the 18-year rule of the People's National Party.

Jamaica achieved independence from Britain in 1962. Since then, power has alternated between the social democratic People's National Party (PNP) and the more conservative Jamaica Labor Party (JLP). In 1992, the PNP elected Percival James Patterson to replace Michael Manley as party leader and prime minister. In the 1993 parliamentary elections, which were marred by irregularities and violence, the PNP won 52 seats in the House of Representatives, and the JLP won 8 seats. The parties largely agreed on the need to continue Jamaica's structural adjustment, begun in the 1980s to bring economic stability and growth to the country, but the JLP's electoral chances had been hurt by long-standing internal rifts.

In 2002, Patterson became the only prime minister in Jamaican history to be elected to three consecutive terms. His PNP won 34 of 60 seats in the House of Representatives and retained control of the premiership for an unprecedented fourth term. The JLP remained in opposition with 26 seats. An observer delegation led by former U.S. president Jimmy Carter said that despite measures taken to restrain voter fraud, such activity remained common in areas controlled by politically linked gangs. In taking office, Patterson also became the first head of government to swear allegiance to the Jamaican people and constitution, rather than to the British monarch, who remained the head of state.

In March 2006, Patterson announced that he would step down after 14 years in power, setting off a hard-fought PNP leadership battle between Minister for Local Government Portia Simpson Miller, National Security Minister Peter Phillips, and Finance Minister Omar Davies. Simpson Miller handily fended off her competition by securing 46 percent of the vote among 3,800 party delegates. Her victory was heralded as a major advance for the role of women in Jamaican politics. In 2007, Simpson Miller remained a popular figure with approval ratings exceeding 55 percent, but her government foundered due to poor economic growth and the fallout from Hurricane Dean, which struck the island in August. In national parliamentary elections held on September 3, Jamaican voters gave the JLP 33 seats in the House of the Representatives, ending the 18-year rule of the PNP, which took 27 seats. Opposition leader Bruce Golding became the new prime minister. Simpson Miller survived her party's defeat, easily winning reelection to her parliamentary seat.

**Political Rights and Civil Liberties:** Jamaica is an electoral democracy. The British monarch is represented as head of state by a governor-general, who is appointed by the monarch on the recommendation of the Jamaican prime minister, the head of government. Following legislative elections, the governor-general appoints the leader of the majority party or coalition in the lower house, the House of Representatives, to be the prime minister. The bicameral Parliament consists of the 60-member House of Representatives, elected for five years, and the 21-member Senate, with 13 senators appointed on the advice of the prime minister and 8 on the advice of the opposition leader.

Jamaica's recent political history has been characterized by an ongoing rivalry between the left-of-center PNP and the more conservative JLP. In recent years, the ideological gulf between the two parties has narrowed considerably due to the retirement of their respective veteran leaders. The PNP's Michael Manley stepped down in 1992 and has since died, and the JLP's Edward Seaga resigned in 2005. Violence has often accompanied elections, but in the 2007 vote there were only two shootings.

In 2006, the Access to Information Act of 2002 was fully implemented. However, most of the state's 264 agencies were not ready to comply. Government whistleblowers who object to official acts of waste, fraud, or abuse of power are not well protected by Jamaican law, as is required under the Inter-American Convention against Corruption. Jamaica was ranked 84 out of 180 countries surveyed in Transparency International's 2007 Corruption Perceptions Index.

The constitutional right to free expression is generally respected. Broadcast media are largely state owned but are open to pluralistic points of view. There are an estimated 1.9 million radios in Jamaica—the highest per capita in the Caribbean—and an estimated 527,000 television sets. In 2006, about 39 percent of Jamaicans had access to the Internet, more than double the regional average of the Caribbean. While newspapers are independent and free of government control, readership is generally low. Journalists are occasionally intimidated in the run-up to elections. The government does not restrict access to the internet.

The constitution provides for freedom of religion, and the government generally respects this right in practice. The government does not hinder academic freedom.

Freedoms of association and assembly are generally respected. Jamaica has a robust civil society, though the most influential nongovernmental actors tend to emanate from business interests. Labor unions are politically influential and have the right to strike. The Industrial Disputes Tribunal mediates labor conflicts.

The judicial system is headed by the Supreme Court and includes several magistrates' courts and a court of appeals. The Privy Council in London was formerly the highest appellate court for Jamaica, but it was replaced with a Trinidad-based Caribbean Court of Justice, inaugurated in April 2005. Recent Privy Council rulings against the death penalty had angered many in Jamaica.

Despite government efforts to improve penal conditions, a mounting backlog of cases and a shortage of court staff at all levels continue to undermine the judicial system, which is slow and inefficient, particularly in addressing police abuses and violence in prisons. In May 2006, Amnesty International reported that 168 people had been killed by the police during the preceding year, but that the persisting culture of impunity had led to only one officer being convicted for unlawful killing during the preceding six years. Although there has been some willingness by authorities to charge police for extrajudicial killings, the system for investigating such abuse lacks personnel to pursue cases, protect crime-scene evidence, take statements from officers in a timely manner, and conduct adequate autopsies of victims.

Officially, police are allowed to use lethal force if an officer's life is threatened or a dangerous felon is escaping, but its use is more widespread in practice, and officials have promised to adopt a stricter policy. Other disputed criminal justice practices include death sentences following trials of questionable fairness, corporal punishment, alleged ill-treatment by police and prison wardens, and appalling conditions in detention centers and prisons. While in opposition, Prime Minister Golding had strongly criticized the 2005 antiterrorism law for its potential infringement on civil liberties, but once in office, he expressed little interest in repealing it.

In 2007, Jamaica remained trapped by a vicious circle in which violent crime helped to depress tourism and investment. The enigmatic death of South African-born cricket coach Bob Woolmer at the Cricket World Cup in May highlighted the weakness of Jamaica's law enforcement capabilities. The high murder rate remained

a source of major concern; the country suffered nearly 1,700 homicides in 2005, but by 2007, the annual murder total had declined to about 1,300, a change mainly attributed to better policing and a drop in drug-related violence.

Jamaica is a central transit point for cocaine shipped from Colombia to U.S. markets, and the drug trade is now largely controlled by Colombian crime syndicates. Much of the island's violence is the result of warfare between drug gangs known as posses. Contributing factors include the deportation of Jamaican-born criminals from the United States and a growing illegal weapons trade. Meanwhile, civilian mobs have been responsible for numerous vigilante killings of suspected criminals, and inmates frequently die as a result of prison riots. Jamaican officials have complained that the U.S. government presses them to stop the flow of drugs into the United States but does little to stem the flow of guns into Jamaica. Still, counternarcotics cooperation between the United States and Jamaica has improved.

Amnesty International has identified gays as a marginalized group that has been targeted for extreme harassment and violence. Same-sex intercourse is punishable by 10 years' imprisonment at hard labor. In recent years, several Jamaicans have been granted asylum in Britain on the grounds that they were in danger because of their homosexuality. The antigay lyrics of Jamaican entertainers, particularly reggae singers, remain a source of contention. In 2004, Brian Williamson, a spokesperson for the advocacy group Jamaica Forum for Lesbians, All-Sexuals, and Gays (J-FLAG), was brutally murdered in his New Kingston apartment. The perpetrator was sentenced to life in prison in 2006. Separately, Steve Harvey, a prominent activist on behalf of HIV/AIDS-related causes, was killed in 2005, and four people were later charged in the killing. The government remains resistant to decriminalizing homosexuality.

In 2007, Prime Minister Portia Simpson Miller's defeat at the polls cut short her pledges to help improve the status of women, and violence against women remains widespread. Although the constitution and the country's employment laws give women full legal equality, workplace discrimination, including lower pay, is common. Children are also vulnerable to violence.

## Japan

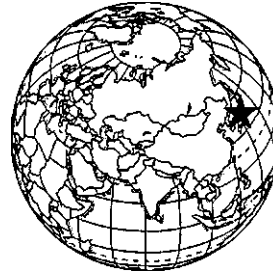
**Population:** 127,700,000

**Capital:** Tokyo

**Political Rights:** 1

**Civil Liberties:** 2

**Status:** Free



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

1998	1999	2000	2001	2002	2003	2004	2005	2006	2007
1,2F	1,2F	1,2F	1,2F	1,2F	1,2F	1,2F	1,2F	1,2F	1,2F

**Overview:** **Prime Minister Shinzo Abe resigned in September 2007 after just 10 months in office, having lost control of the upper house of parliament in July elections. The ruling Liberal Democratic Party-led coalition retained control of the lower house. Abe, who had sought to maintain an assertive military policy while repairing relations with China and South Korea, had been weakened by political and financial scandals. His successor as prime minister, Yasuo Fukuda, was considered to be more moderate and willing to build consensus.**

Japan has operated as a constitutional monarchy with a parliamentary democracy since its defeat in World War II. The Liberal Democratic Party (LDP) has ruled almost continuously since 1955, having been in opposition for only 10 months in the past 50 years. The LDP presided over Japan's economic ascent while maintaining close security ties with the United States during the Cold War. The so-called iron triangle—the close relationship between the LDP, banks, and big business representatives—was a key factor behind Japan's economic success. The LDP government mandated that corporations, specifically construction firms in charge of major public works projects, rely on banks for capital, and the banks in turn took large equity stakes in the companies. Over time, companies engaged in politically expedient but financially unviable projects in order to reap governmental rewards. The iron triangle came to be cited as a major source of corruption in the government.

The economy ran into trouble in the early 1990s, following a collapse in the stock and real-estate markets. While the fallout from this "burst bubble" was extensive, the economy began slowly returning to a healthy state in 2002. The profits of Japanese companies recovered, and the banking sector, which played a role in the economy's stagnation, emerged from more than a decade of difficulties. Full-time employment rose dramatically in 2005, and the gross domestic product continued to grow modestly but steadily.

In 2005, Prime Minister Junichiro Koizumi took a major political gamble. After the upper house of the Diet failed to pass his bill to privatize the postal system, which contained a massive, state-subsidized savings bank and life-insurance enterprise, he dissolved the lower house and called snap elections. Koizumi then barred

LDP members who voted against his reform bill from participating in the elections as party candidates. His political brinkmanship produced a landslide victory, widely seen as a popular mandate to implement privatization reforms.

The LDP, in coalition with minor parties, firmly controlled the Diet. When Koizumi's term as party leader expired in 2006, Shinzo Abe—whose grandfather had been commerce and industry minister during World War II and later served as prime minister—succeeded him. Abe had risen to prominence as a supporter of a popular movement to demand the return of Japanese citizens previously kidnapped by North Korea. His firm stance against North Korea was reinforced when the Communist state tested missiles capable of reaching Japanese cities and later tested a nuclear weapon for the first time in 2006. The new prime minister also traveled to China and South Korea to repair relations with those countries, which had opposed Japan's bid to become a permanent member of the UN Security Council and objected to Koizumi's annual pilgrimages to the Yasukuni shrine. The shrine honored both Japanese soldiers killed in World War II and senior figures who were convicted of war crimes.

Both Koizumi and Abe continued to expand Japan's role in peacekeeping and security, although the military remained restricted by Article 9 of the country's pacifist constitution. The debate over whether to amend Article 9 continued in 2007. Since 1992, Japanese troops have participated in several UN peacekeeping missions, and Japanese warships and aircraft have provided logistical support to U.S.-led forces in Iraq and Afghanistan. In 2006, Japan ended a two-year mission in Iraq in which 1,000 soldiers performed noncombat functions and supplied humanitarian aid.

On September 12, 2007, Abe resigned abruptly after losing control of the upper house in the July 2007 elections. The LDP won only 37 of the 121 contested seats, down from 64. The opposition Democratic Party of Japan (DPJ) won 60 seats, up from 32 prior to the elections. Abe's reign had been marred by repeated scandals and political gaffes. Five of his ministers resigned in disgrace, and his agriculture minister committed suicide following revelations about questionable office expenses. Abe himself got into trouble after claiming there was no evidence that the government had any role in the creation of Japan's system of sexual slavery during World War II. While he had entered office with 70 percent approval ratings, Abe departed with just 30 percent approval. Yasuo Fukuda, whose father had been prime minister in the 1970s, was elected to the premiership by an overwhelming majority in the lower house. The 71-year-old was considered a moderate and a builder of consensus.

**Political Rights and Civil Liberties:** Japan is an electoral democracy. The prime minister—the leader of the majority party or coalition in the Diet's lower chamber, the House of Representatives—is the head of government and appoints a cabinet of ministers. The House of Representatives (*Shugi-in*) serves four-year terms and is made up of 380 single-member constituency seats and 100 party-block seats. An upper chamber, the House of Councilors (*Sangi-in*), consists of 146 constituency seats and 96 party-block seats; members serve six-year terms, with half facing election every three years. Emperor Akihito serves as the ceremonial head of state.

Numerous political parties compete for power. Currently, the LDP leads a coalition government with New Komeito, a small party with close ties to a national Bud-

dhist organization. Yasuo Fukuda, representing the LDP-led coalition, was elected prime minister with 338 of 477 votes cast by the lower house. Ichiro Ozawa heads the opposition DPJ, which took control of the upper house in July 2007 elections. Other opposition parties include the Japanese Communist Party and the Social Democratic Party.

Until leaving office in 2006, former prime minister Junichiro Koizumi focused his reform efforts on breaking down the corruption that resulted from the iron triangle system, mostly by loosening ties between the government and big business. Japan was ranked 17 out of 180 countries surveyed in Transparency International's 2007 Corruption Perceptions Index.

Japan's press is private and independent, but the presence of press clubs, or *kisha kurabu*, is an obstacle to press freedom. Press clubs ensure homogeneity of news coverage by fostering close relationships between the major media and bureaucrats and politicians. Government officials often give club members exclusive access to political information, leading journalists to avoid writing critical stories about the government and reducing the media's ability to pressure politicians for greater transparency and accountability. Reporters outside the press club system conduct most of Japan's investigative journalism. Internet access is not restricted.

Japanese of all faiths can worship freely. Religious groups are not required to be licensed, but registering with government authorities as a "religious corporation" brings tax benefits and other advantages. There are no restrictions on academic freedom.

The constitution guarantees freedom of assembly and association. The political culture in Japan is strong, and there are active civic, human rights, social welfare, and environmentalist groups. Trade unions are independent, and with the exception of police and firefighters, all unionized workers have the right to strike.

Japan's judiciary is independent. There are several levels of courts, and suspects are generally given fair public trials by an impartial tribunal (there are no juries) within three months of being detained. Arbitrary arrest and imprisonment are not practiced. Prison conditions comply with international standards, although some human rights groups have criticized them for being overly disciplined. Prison officials have been known to use physical and psychological intimidation to enforce discipline or elicit confessions. The government sometimes restricts human rights groups' access to prisons. According to Amnesty International, a new Penal Facilities and Treatment of Prisoners Law was adopted in 2006, replacing the 1908 law. It provides for a monitoring body to inspect prisons, improved access to the outside world for prisoners, and human rights education for prison staff. The National Police Agency is under civilian control and is highly disciplined, though reports of human rights abuses committed by police persist.

Although the constitution prohibits discrimination based on race, creed, sex, or social status, certain groups continue to face unofficial discrimination. Japan's three million *burakumin*, who are descendants of feudal-era outcasts, and the indigenous Ainu minority suffer from entrenched societal discrimination that prevents them from having equal access to housing and employment opportunities. Foreigners generally, and Koreans in particular, suffer the same disadvantages.

Women in Japan have legal equality, but discrimination in employment is particularly widespread. In addition, sexual harassment on the job is common. Violence against women is a problem that often goes unreported because of concerns about



family reputation and other social mores. While prostitution remains illegal, it is widespread. According to the U.S. State Department's 2007 Trafficking in Persons Report, Japan is primarily a destination country for people trafficked for commercial sexual exploitation. The issue of World War II-era sex slaves, known as comfort women, continued to stir controversy in 2007. The U.S. House of Representatives passed a resolution in July calling on Japan to accept responsibility and provide compensation. The Japanese courts contend that compensation claims were settled by postwar treaties.

## Jordan

Population: 5,700,000

Capital: Amman

Political Rights: 5

Civil Liberties: 4

Status: Partly Free



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

1998	1999	2000	2001	2002	2003	2004	2005	2006	2007
4,5PF	4,4PF	4,4PF	5,5PF	6,5PF	5,5PF	5,4PF	5,4PF	5,4PF	5,4PF

### Overview:

**Jordan's parliament passed new legislation governing political parties in 2007, but key changes to the electoral law were not enacted, leaving reforms incomplete ahead of parliamentary elections in November. The Islamist opposition fared poorly in the balloting and accused the government of massive fraud, continuing an exchange of increasingly hostile rhetoric that had dominated the campaign period. Meanwhile, Jordan continued to face strains due to the influx of Iraqi refugees.**

The Hashemite Kingdom of Jordan, known as Transjordan until 1950, was established as a League of Nations mandate under British control in 1921 and won full independence in 1946. Following the assassination of King Abdullah in 1951, the crown passed briefly to his mentally unstable eldest son, Talal, and then to his grandson, Hussein. King Hussein's turbulent 46-year reign featured a massive influx of Palestinian refugees (who now comprise a majority of the population), the loss of all territory west of the Jordan River in 1967, and numerous assassinations and coup attempts by Palestinian and Arab nationalists. Although the 1952 constitution provided for a directly elected parliament, political parties were banned in 1956, and the parliament was either suspended entirely or emasculated by government intervention in the electoral process. While political and civil liberties remained tightly restricted, Hussein proved adept at co-opting—rather than killing, jailing, or exiling—his political opponents. After economic austerity measures in the late 1980s sparked rioting and internal pressure for greater freedom and representation, the govern-

ment launched a rapid process of political liberalization and progressively eased restrictions on civil liberties. However, the reform process ground to a halt in the mid-1990s and suffered some reversals.

By the time of Hussein's death in 1999 and the ascension of his son, Abdullah, the kingdom again faced severe economic problems. The expected "peace dividend" from Jordan's 1994 peace treaty with Israel had failed to improve conditions for most of the population. To deal with a crippling public debt and 27 percent unemployment, Abdullah began major economic reforms and signed one of the Arab world's first free-trade agreements with the United States. Meanwhile, additional restrictions on the media, public protests, and civil society activity were imposed after Islamists, leftists, and Jordanians of Palestinian descent mounted demonstrations in sympathy with the 2000 uprising in the West Bank and Gaza. The protesters demanded the annulment of Jordan's peace treaty with Israel.

In 2001, Abdullah dissolved the parliament, postponed elections scheduled for November, and replaced elected municipal councils with state-appointed local committees. For more than two years, he ruled by decree, issuing more than 200 "temporary laws" that weakened due process and restricted freedom of expression and assembly.

Although the U.S.-led invasion of Iraq in 2003 further inflamed popular opposition to the kingdom's foreign policy, Abdullah quickly moved to relax restrictions on freedom of expression and allowed reasonably free and transparent, though not fair, parliamentary and municipal elections that year. In an informal understanding with the palace, dissident leftist and Islamist groups gained limited freedom of expression and political participation, and agreed to curtail their agitation against Jordan's pro-U.S. alignment. This arrangement was contingent on continued economic progress, which was driven by a new infusion of "oil grants" from the Arab Gulf states and a dramatic increase in assistance from the United States.

Terrorist bombings struck Amman in November 2005, and Abdullah replaced his security advisers, dissolved the Senate, and appointed a new cabinet in 2006. In August of that year, the parliament approved a new antiterrorism law that criminalized financing, interacting with, and recruiting for any terrorist group. It also gave military courts jurisdiction over terrorism cases, and permitted surveillance of terrorism suspects and the detention of suspects for up to 30 days.

Also in 2006, the government released its National Agenda reform plan, which among other provisions called for the abolition of laws that discriminate against women and an update to association laws. The plan faced opposition from entrenched interests and a skeptical public that questioned the government's commitment to implement it. There was progress in 2007 on new legislation governing political parties, but essential electoral reforms continued to stall.

In the run-up to municipal and parliamentary elections in July and November 2007, respectively, there was an increase in hostile rhetoric between the government and the Islamic Action Front (IAF), the main opposition movement. Security forces arrested nine IAF members between May and June for "threatening national security." The IAF officially withdrew from the municipal polls on election day but won 2 out of the 965 contested seats. The party accused the government of using security personnel to manipulate the vote, while the government accused the Islamists of trying to undermine the elections.

The majority of parliament seats went to progovernment independents in the November 2007 parliamentary elections. Only 6 out of 22 IAF candidates won seats. The Amman-based al-Urdun al-Jadid Research Center reported significant electoral irregularities including vote buying and the use of improper identification by voters, though independent observers generally declared the elections free and fair. The authorities arrested two people for trying to buy votes. A new cabinet was sworn in on November 25, 2007, that included 13 first-time ministers and 4 women.

Jordan has been struggling to accommodate the huge influx of Iraqis fleeing violence in their home country. The authorities initially welcomed the mostly middle-class Iraqi refugees, who provided a boost to the Jordanian economy, but a massive increase in the number of Iraqis with lesser means has placed a strain on Jordanian resources and caused integration problems. Jordan has recently begun refusing Iraqi refugees at the border.

**Political Rights and Civil Liberties:** Jordan is not an electoral democracy. King Abdullah II holds broad executive powers, appoints the prime minister and cabinet, and may dissolve the National Assembly and dismiss the cabinet at his discretion. The 110-seat lower house of the National Assembly, elected through universal adult suffrage, may approve, reject, or amend legislation proposed by the cabinet, but is limited in its ability to initiate legislation. It cannot enact laws without the assent of the 55-seat upper house, or Senate, which is appointed by the king. Members of both houses serve four-year terms. Regional governors are appointed by the central government.

The electoral system is heavily skewed toward the monarchy's traditional support base. Voters are restricted to choosing a single candidate, as opposed to a party slate, in the 45 multiseat parliamentary districts. This favors tribal and family ties over political and ideological affiliations. In addition, rural districts with populations of Transjordanian origin are overrepresented relative to urban districts, where most Jordanians of Palestinian descent reside. Activists have repeatedly called for a new electoral law based on proportional representation, but the government did not act on its pledges to reform the law before the 2007 elections.

The parliament did pass a controversial political parties law in 2007, though it did not take effect until after the November parliamentary elections. It raised from 50 to 500 the number of members necessary for a party to register, and increased the number of districts from which those members must be drawn. Existing parties that failed to meet the new criteria would be banned. However, an independent judicial body, rather than the Interior Ministry, would grant party licenses. State funding would be distributed according to parliamentary representation, and parties would continue to be penalized for receiving foreign funding. The overall purpose of the law was to reduce fragmentation in politics, but reformists expressed concern that it could be used to limit legitimate opposition.

Parliament also passed a municipalities law in February 2007, stipulating that all mayors and local councils be elected, with the exception of Amman, where half of the council members would continue to be appointed by the central government. Under the existing system, half of all municipal council members had been appointed. The new measure also reserved a seat quota of 20 percent for women, and the age of eligible voters was reduced from 19 to 18.

Corruption persists in the executive and legislative branches of government, though the authorities have made progress in combating it in recent years. In September 2006, the parliament approved anticorruption legislation that would create a six-member commission, appointed by the prime minister, tasked with investigating graft. The government is sensitive to public charges of corruption. In July 2007, former lawmaker Ahmed al-Abadi was charged in the State Security Court (SSC) with belonging to an illegal organization after he sent an e-mail to a U.S. senator accusing the Jordanian government of corruption. In October, Abadi was convicted and sentenced to two years in prison for undermining the country's reputation, membership in an illegitimate organization, and distributing illegal pamphlets. Jordan was ranked 53 out of 180 countries surveyed in Transparency International's 2007 Corruption Perceptions Index.

Freedom of expression is sometimes restricted. Vaguely worded legislation criminalizes criticism of the royal family, slander of government officials, and speech that harms foreign relations, enflames religious sensitivities, or undermines the state's reputation. In March 2007, the parliament took long-awaited steps to amend the press and publications law, abolishing imprisonment as a penalty for press offenses. However, reporters still face fines of up to \$40,000. Other changes to the law eliminated previous censorship rules for books published in Jordan, but censors retained the power to ban imported volumes.

The government has issued several private broadcasting licenses, but most broadcast news media remain under state control. Satellite dishes are widespread, giving most Jordanians access to foreign media. Jordan's first private television station, ATV, was approved in late 2005 and was set to launch in early 2007, but was delayed because of financial troubles and wrangling over the station's administration. Plans for a new satellite station based in Amman were finalized in October 2007. There are dozens of private newspapers and magazines, but the government has broad powers to close print publications. In April 2007, authorities banned an edition of *Al-Majd* to suppress a story about a "secret plan" to oust the Hamas-led Palestinian government. Also in April, authorities seized a tape of an interview with Prince Hassan bin Talal—the king's uncle and a former heir to the throne—by Qatar-based Al-Jazeera television.

Authorities are routinely tipped off about potentially offensive articles by informers at printing presses, and editors frequently come under pressure to remove such material. Intelligence agents often telephone journalists with warnings about their writing. While the government denies restricting access to the internet, and in fact actively promotes it, websites airing critical views have been blocked in the past.

Islam is the state religion. Sunni Muslims constitute 92 percent of the population, but Christians and Jews are recognized as religious minorities and allowed to worship freely. Baha'is and Druze are allowed to practice their faiths, but are not officially recognized. The government appoints Islamic clergy, pays their salaries, and monitors sermons at mosques, where political activity is banned. A recent law regulating mosques requires mosques to require preachers to obtain written government permission to lead services or teach the Koran. Unauthorized preachers would face a month in prison and a fine. The parliament in 2006 approved a measure that allows only state-appointed councils to issue religious edicts, or fatwas, and makes it illegal to criticize these fatwas.

Academic freedom is generally respected. Jordanians are free to openly discuss political and societal developments, though there have reports of a heavy intelligence presence on some university campuses. In May 2007, 14 university professors affiliated with the opposition IAF party were dismissed from the University of Zarqa. The university president maintained that they were fired for academic reasons amid departmental restructuring.

Freedom of assembly is heavily restricted. The Law on General Assemblies bans public demonstrations lacking written authorization from the regional governor. The 2001 Law on Public Gatherings broadly defines public gatherings as any meeting between two persons, including those in a private home or office, and requires organizers to attain advance permission from governors who have the authority to prohibit them. Opposition groups have complained that most of their requests are denied. Freedom of association is limited. While dozens of licensed nongovernmental organizations (NGOs) operate freely, the Ministry of Social Development occasionally withholds licenses from NGOs deemed subversive. There is a prohibition on NGOs participating in political activity. Workers have the right to bargain collectively but must receive government permission to strike. More than 30 percent of the workforce is organized into 17 unions. The government has threatened to dissolve the Professional Associations Council (PAC), which has mounted protests in the past, and a draft law barring professional associations from engaging in politics is awaiting decision in parliament. In December 2007, the government removed the leadership of two large NGOs, the General Union of Voluntary Societies and the Islamic Center Society, accusing them of financial impropriety.

The judiciary is subject to executive influence through the Justice Ministry and the Higher Judiciary Council, whose members are appointed by the king. A number of judicial reforms were under discussion in 2007, though there has been no progress in efforts to establish a constitutional court. While most trials in civilian courts are open and procedurally sound, the State Security Court (SSC) may close its proceedings to the public. A temporary law promulgated in 2001 allows the prime minister to refer any case to the SSC and denies the right of appeal to people convicted by the SSC of misdemeanors, which can carry short prison sentences.

Jordanian citizens enjoy little protection from arbitrary arrest and detention. Under the constitution, suspects may be detained for up to 48 hours without a warrant and up to 10 days without formal charges being filed; courts routinely grant prosecutors 15-day extensions of this deadline. Even these protections are denied to suspects referred to the SSC, who are often held in lengthy pretrial detention and refused access to legal counsel until just before trial. The UN Special Rapporteur on torture found in 2006 that "torture is systematically practiced" by the General Intelligence Department (GID), which interrogates suspects to obtain confessions in SSC cases. Nearly every defendant tried by the SSC has claimed they were tortured.

Prison conditions are poor, and inmates are reportedly subject to severe beatings and other abuse by guards. A 2007 report by a coalition of Jordanian Islamists, professional syndicates, and Arab human rights organizations highlighted overcrowding and inadequate facilities. Capital punishment is legal, but the government announced in 2006 that it would no longer be imposed for a number of offenses, such as drug-related crimes. Death sentences continued to be issued for violent crimes and terrorism-related offenses.

Jordanians of Palestinian descent face discrimination in employment by the government and the military, and in admission to universities. Labor laws do not protect foreign workers. In July 2007, Jordan established new child-labor guidelines to abide by International Labor Organization conventions. Employment of children under 16 is illegal, but the rule is frequently violated. Freedom of movement and travel is generally respected, and there were no reports in 2006 of mothers being prevented from travelling alone with children.

Women enjoy equal political rights but face legal discrimination in matters involving inheritance and divorce—which fall under the jurisdiction of Sharia (Islamic law) courts—and child custody. Government pensions and social security benefits also favor men. However, new provisions within the National Agenda reform program aim to change this and abolish laws that are discriminatory toward women. Marital rape is not illegal, and there are no laws protecting women from domestic violence. A 2002 temporary law granting women the right to initiate divorce proceedings has been rejected repeatedly by the legislature, but remains in effect. Although women constitute only 14 percent of the workforce, the government has made efforts to increase the number of women in the civil service. Women are guaranteed a quota of six seats in the parliament and, under the 2007 municipalities law, 20 percent of the seats in municipal councils. Female participation in the latest elections was high. Though women have been judges since 1996, Ihsan Barakat was appointed as the first woman appeals court judge in May 2007. Article 98 of the penal code allows for lenient treatment of those who commit a crime in a "state of fit or fury" resulting from an unlawful or dangerous act on the part of the victim. In practice, this provision is often applied to benefit men who commit "honor crimes"—the murder or attempted murder of women by relatives for alleged sexual misconduct. In some cases, an administrative governor may incarcerate a woman for her "own protection" without benefit of due process; some women have spent years in prison because they have no safe alternative.

## Kazakhstan

Population: 15,500,000  
Capital: Astana

Political Rights: 6  
Civil Liberties: 5  
Status: Not Free



**Trend Arrow:** Kazakhstan received a downward trend arrow due to constitutional amendments that removed term limits for President Nursultan Nazarbayev and altered the election criteria and composition of the legislature, in effect reducing opposition representation from one deputy to none.

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

1998	1999	2000	2001	2002	2003	2004	2005	2006	2007
6,5NF	6,5NF	6,5NF	6,5NF	6,5NF	6,5NF	6,5NF	6,5NF	6,5NF	6,5NF

### Overview:

**In 2007, President Nursultan Nazarbayev eliminated the last vestiges of parliamentary independence and humbled potential rivals in his own family. Constitutional amendments passed in May removed term limits for Nazarbayev and ended single-man-district constituencies for lower-house lawmakers, leaving only party-slate seats. Parliamentary elections held under the new rules in August produced a single-party legislature, with deputies from the ruling pro-presidential Nur Otan party now constitutionally obligated to vote along party lines or face expulsion.**

Kazakhstan declared independence from the Soviet Union in 1991. Just two weeks after Kazakh Communist Party leader Nursultan Nazarbayev was reconfirmed as president in an election. The country's first national legislative polls, in 1994, were invalidated by the Constitutional Court a year later because of numerous irregularities. Nazarbayev subsequently dissolved the legislature and, in April 1995, called a referendum on extending his five-year term, due to expire in 1996, until December 2000. A reported 95 percent of voters endorsed the move. An August 1995 referendum that was boycotted by the main opposition parties approved a new constitution designed to strengthen the presidency. Nazarbayev supporters captured most of the seats in December 1995 elections for a new bicameral Parliament.

In October 1998, Parliament amended the constitution to increase the presidential term from five to seven years and moved the presidential election forward from December 2000 to January 1999. The main challenger was disqualified on a technicality, and Nazarbayev was reelected with a reported 80 percent of the vote.

Prominent business leaders, some of whom held positions in Nazarbayev's administration, founded the opposition Democratic Choice of Kazakhstan (DCK) party in late 2001, with the stated goal of pursuing democratization, rule of law, and anti-corruption efforts. However, some observers maintained that the group merely aimed

to safeguard its members' political and economic interests while countering those of the president's family and close associates. Two of the DCK's cofounders were imprisoned in a 2002 crackdown, and although both were eventually released, the DCK was disbanded by court order in January 2005.

Progovernment parties captured all but one seat in the September 2004 elections for the lower house of Parliament. The lone opposition deputy refused to take up his position until late 2006 in order to protest the conduct of the elections. International monitors from the Organization for Security and Cooperation in Europe (OSCE) found some improvements over previous polls, but criticized the lack of political balance on election commissions, media bias in favor of propresidential candidates, and the politically motivated exclusion of candidates.

Government harassment of the media and civil society intensified before the December 2005 presidential election, which followed successful popular movements against entrenched incumbents in nearby Georgia, Ukraine, and Kyrgyzstan. Nazarbayev secured reelection with a crushing 91 percent of the vote amid opposition allegations of fraud and an OSCE report that found intimidation and media bias in favor of the incumbent.

Political violence established a disturbing presence in Kazakhstan in 2005-06, with the suspicious suicide of opposition leader Zamanbek Nurkadilov in December 2005 and the murder of Altynbek Sarsenbayev, a leading member of the opposition coalition For a Just Kazakhstan, in February 2006. The investigation of Sarsenbayev's killing pointed to the involvement of state security officers but left many questions unanswered. The trial of Yerzhan Utembayev, former head of the Senate administration, and his sentencing to a 20-year prison term for organizing the murder were marred by reports of coerced confessions and suspicions that higher officials were involved in the crime.

Constitutional changes in May 2007 removed term limits for Nazarbayev as the country's founding president and eliminated individual district races for the lower house of Parliament, leaving only party-slate seats filled by nationwide proportional representation. Parliamentary elections held under the new rules in August produced a one-party legislature after the propresidential Nur Otan party garnered 88 percent of the vote. Opposition parties protested the results to no avail. OSCE election monitors found that "a number of OSCE commitments and Council of Europe standards were not met, in particular with regard to elements of the new legal framework and to the vote count."

Presidential son-in-law Rakhat Aliyev's fall from grace in 2007 underscored the personalized and precarious nature of politics in Kazakhstan. He was sent to Austria as Kazakhstan's ambassador in February after the disappearance of two managers at a bank he controlled (the two were still missing at year's end). When the authorities filed kidnapping charges against him in May, he began to make his case from Austria using media he controlled in Kazakhstan. Those outlets—KTK television and the *Karavan* newspaper—were soon shut down for three months, and later reopened under new management. Austria eventually denied a Kazakh extradition request, arguing that Aliyev was unlikely to receive a fair trial at home.

Aliyev, who had previously been deputy foreign minister, had a long-standing reputation for unsavory business practices. While he attempted to portray himself as a victim of political persecution, claiming that Nazarbayev was squelching his



presidential ambitions, the sudden move to prosecute him, the subsequent official campaign against his media outlets, and the decision by the president's daughter to divorce him were more indicative of an advanced family feud. In another apparent measure to keep his family in check, Nazarbayev removed a second powerful son-in-law, Timur Kulibayev, from a senior post at a state-asset management firm in August, while Darigha Nazarbayeva, Aliyev's ex-wife, gave up her seat in Parliament.

Kazakhstan continued to pursue a multivector foreign policy in 2007, aiming to maintain friendly relations with China, Russia, and the United States. At its ministerial meeting in November 2007, the OSCE reached consensus on Kazakhstan's bid to chair the organization, but not until 2010. Kazakhstan's foreign minister pledged that in 2008 his country would adopt amendments to the laws on elections, political parties, and the media in line with OSCE recommendations.

**Political Rights and Civil Liberties:** Kazakhstan is not an electoral democracy. The constitution grants the president considerable control over the legislature, the judiciary, and local governments. Amendments passed in May 2007 removed term limits for the country's "first president," paving the way for President Nursultan Nazarbayev to stay in office after the end of his current seven-year term in 2012.

The bicameral Parliament is composed of a 47-member upper house (Senate), with 32 members chosen by directly elected regional councils and 15 appointed by the president, and a lower house (Mazhilis). In accordance with the May 2007 constitutional amendments, the number of Mazhilis deputies was raised from 77 to 107, with 98 elected by proportional representation on party slates and 9 appointed by the Assembly of Peoples of Kazakhstan, which represents the country's various ethnic groups. Parties must clear a 7 percent vote threshold to enter the Mazhilis. Once elected, deputies must vote with their party. A June 2007 law also prohibited parties from forming electoral blocs. These rules prevented opposition parties from winning representation in the August 2007 elections, as none of them cleared the 7 percent threshold. The vote count and electoral framework drew criticism from international monitors.

The country's broader law on political parties prohibits parties based on ethnic origin, religion, or gender. A 2002 law raised from 3,000 to 50,000 the number of members that a party must have to register, and national security legislation signed by Nazarbayev in 2005 prohibits the financing of political parties or candidates by foreign nationals during the electoral process.

Corruption is widespread throughout all levels of government, and businesses are forced to pay bribes in order to deal with the government bureaucracy. The U.S. Justice Department is continuing to investigate the so-called Kazakhgate scandal, in which U.S. oil companies allegedly paid bribes to secure lucrative contracts. Kazakhstan was ranked 150 out of 180 countries surveyed in Transparency International's 2007 Corruption Perceptions Index.

While the constitution provides for freedom of the press, the government has repeatedly harassed or shut down independent media outlets through measures including politicized lawsuits and confiscations of newspapers. Libel is a criminal offense, and the criminal code prohibits insulting the honor and dignity of the president; self-censorship is widespread. Amendments to the media law in 2006 added

new regulatory and registration requirements. Most media outlets, including publishing houses, are controlled or otherwise influenced by members of the president's family or other powerful interest groups, as was evident in the role media played in the downfall of Rakhat Aliyev in 2007.

The content of websites has been subject to libel laws, and the government at times has moved to block access to websites that are critical of the regime. In January 2007, opposition journalist Kazis Toguzbayev received a two-year suspended prison sentence for libel after he published internet articles criticizing Nazarbayev.

The constitution guarantees freedom of worship, and many religious communities practice without state interference. However, local officials sometimes harass certain nontraditional groups, as appeared to be the case with the demolition of homes in a Hare Krishna community outside Almaty in late 2006. Amendments to national security legislation in 2005 made all activities by unregistered religious groups illegal. The 2005 extremism law gives the government great discretion in identifying and designating groups, including religious organizations, as extremist and in banning their activities.

The government reportedly permits academic freedom, except with respect to criticism of the president and his family. Corruption in the educational system is widespread, with students frequently paying bribes to professors for passing grades.

Despite constitutional guarantees, the government imposes restrictions on freedom of association and assembly. The authorities harass nongovernmental organizations (NGOs) that address sensitive issues through measures including tax investigations and surveillance by law enforcement and security agencies. In May 2007, opposition journalist Sergei Duvanov was fined for participation in an unauthorized demonstration, and in August, the prosecutor-general warned against unsanctioned protests that might follow parliamentary elections.

Workers have the legal right to form and join trade unions and participate in collective bargaining, and a number of unions operate throughout the country. Workers have engaged in strikes and scored occasional successes, primarily over the nonpayment of wages.

The constitution significantly constrains the independence of the judiciary, making it subservient to the executive branch. Judges are subject to bribery and political bias, and corruption is evident throughout the judicial system. Police at times abuse detainees during arrest and interrogation, often to obtain confessions, and arbitrary arrest and detention remain problems. Allegations of coerced confessions dogged the trial of Yerzhan Utembayev for the killing of opposition leader Altynbek Sarsenbayev in 2006. Conditions in pretrial facilities and prisons are harsh. A moratorium on the death penalty was imposed in December 2003, and Nazarbayev issued a decree in January 2004 introducing life imprisonment as an alternative.

Since Kazakhstan's independence, much of the large ethnic Russian population has emigrated. Many of the remaining Russians, most of whom do not speak Kazakh, have complained of discrimination in employment and education. However, in February 2007, the Constitutional Court affirmed the equality of the Russian and Kazakh languages.

While the rights of entrepreneurship and private property are formally protected, bureaucratic hurdles and the control of large segments of the economy by clan elites and government officials limit equality of opportunity and fair competition. A 2003

land code allows private ownership of the country's vast tracts of agricultural land. However, critics have charged that the law primarily benefits wealthy individuals with close ties to government officials. Residents of Astana whose homes have been confiscated and demolished to make way for large-scale construction projects, including housing for the elite, have complained of not receiving legally guaranteed financial compensation.

Traditional cultural practices and the country's economic imbalances limit professional opportunities for women. The current 107-member lower house of Parliament includes 17 female deputies; there are 2 female deputies in the 47-member upper chamber. Domestic violence often goes unpunished, as police are reluctant to intervene in what are regarded as internal family matters. Despite legal prohibitions, the trafficking of women for the purpose of prostitution remains a serious problem. According to the U.S. State Department's 2007 Trafficking in Persons Report, Kazakhstan "does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so." The country's relative economic prosperity has drawn migrant workers from neighboring countries, particularly Uzbekistan. They often encounter poor working conditions and a lack of legal protections.

## Kenya

**Population:** 36,900,000

**Capital:** Nairobi

**Political Rights:** 4\*

**Civil Liberties:** 3

**Status:** Partly Free



**Ratings Change:** Kenya's political rights rating declined from 3 to 4 due to significant irregularities in the December 2007 presidential election vote-counting process, which ultimately benefited the incumbent, Mwai Kibaki.

### Ten-Year Ratings Timeline For Year Under Review

**(Political Rights, Civil Liberties, Status)**

1998	1999	2000	2001	2002	2003	2004	2005	2006	2007
6,5NF	6,5NF	6,5NF	6,5NF	4,4PF	3,3PF	3,3PF	3,3PF	3,3PF	4,3PF

### Overview:

Kenya's democratic development suffered a sharp reversal as a result of apparent manipulation of the December 2007 presidential election. In contrast to the concurrent parliamentary polls, which showed major gains for the opposition, incumbent Mwai Kibaki was declared the winner of the presidential vote amid credible, multiple allegations of fraud. The violence and unrest that ensued in many parts of the country was also a product of existing dissatisfaction with Kibaki's administration, which had made limited progress in enacting vital reforms and fighting entrenched corruption.

Kenya achieved independence from Britain in 1963. Nationalist leader Jomo Kenyatta was president until his death in 1978, and Vice President Daniel arap Moi succeeded him. While the Kenyan African National Union (KANU) party remained in power, Moi diminished the influence of the previously dominant Kikuyu ethnic group, favoring his own Kalenjin group.

In 1992, after a lengthy period of single-party rule, domestic unrest and pressure from international aid donors forced Moi to hold multiparty elections. He was re-elected as president in controversial polling. In the next presidential and legislative elections in 1997, Moi again defeated a divided opposition.

KANU's election victories were achieved through political repression, massive use of state patronage, media control, and dubious electoral procedures. Meanwhile, physical violence, an often-docile judiciary, extensive police powers, and executive decrees were used against political opponents and in efforts to undermine the wider civil society. Moi's rule was associated with deteriorating governance. Limits on political and civil rights were common, as was corruption in the ruling party and government. In the 1990s, government-sponsored ethnic violence heightened political polarization. The violence was perpetrated, in most cases, by Kalenjin or Maasai KANU supporters against members of the Kikuyu and Luhya ethnic groups, believed to be supporters of opposition parties. Despite these problems, political space for opposition views continued to open, and many of the core elements necessary for the growth of a democratic political system developed.

In 2002, the opposition succeeded in uniting behind Mwai Kibaki in national elections. He was elected president, defeating Uhuru Kenyatta, the son of Kenya's first president. In addition, the National Rainbow Coalition (NARC), which supported Kibaki, won the majority of seats in the National Assembly. These elections raised the prospect of a major shift in Kenyan politics. An ambitious reform program set forth by the new leadership included tackling corruption, addressing economic and social problems, and undertaking institutional changes designed to promote democracy.

Despite some successes, reform efforts were blunted by a number of factors, including the fragility of the governing coalition, a complex and unsuccessful constitutional reform process, significant resource constraints, and the threat of terrorism. An independent anticorruption commission has been investigating more than 3,000 cases of alleged corruption since its inception in 2003, but its record of initiating successful prosecutions remains modest. One of Kibaki's early appointments was John Githongo, the widely respected leader of the Kenya chapter of Transparency International, as head of the Office of Governance and Ethics. Githongo resigned in early 2005, frustrated by continued corruption and the Kibaki administration's failure to enact meaningful reforms. Faced with repeated threats on his life, he subsequently fled the country and gained asylum in Britain.

A lively press and public investigative commissions have been increasingly critical of the substance and slow pace of the Kibaki administration's reforms. A number of commissions are still investigating incidents of corruption, such as the long-running Goldenberg foreign-exchange scandal and the Anglo-Leasing government contracting affair, which occurred during Kibaki's tenure.

After a lengthy drafting process, a revised constitution was submitted to voters in a referendum in November 2005. The final proposal offered by the National Assembly envisioned a relatively weak new post of prime minister—reinforcing the

powers of the president—and opted to maintain a single legislative chamber instead of creating a bicameral parliament. The draft charter also would have impeded the ability of the National Assembly to impeach the president, and gave the executive extensive powers over the redrawing of electoral districts. These changes sparked considerable popular unrest, and the draft was soundly rejected by referendum voters.

Despite general improvements in political rights and civil liberties under Kibaki, several worrisome trends emerged in 2006. Githongo in January issued an authoritative report indicating that corruption had reached the highest ranks of the government, prompting the resignation of several ministers and implicating the vice president. In March, security forces raided an independent television network that had been critical of the government. Meanwhile, international donors remained skeptical of the administration's willingness and ability to curb corruption.

Kenya's fledgling democracy plunged abruptly into crisis in the aftermath of the December 2007 general elections. While the opposition appeared to win the parliamentary polls, supporters of opposition presidential candidate Raila Odinga were outraged at apparent vote rigging that favored the incumbent, President Kibaki. The election commission nevertheless declared Kibaki the winner, and he was quickly sworn in. Ethnic partisans supporting the rival candidates battled in many of the country's most populous and economically important areas. As the year drew to a close, a rising death toll and unresolved disputes over the composition of the new administration cast doubt over the direction and stability of Kenya's political system.

**Political Rights and Civil Liberties:** Kenya is not an electoral democracy. The 2002 presidential and legislative elections, widely viewed as legitimate and reflective of the people's will, had resulted in a peaceful transfer of power from the long-ruling KANU party to the opposition NARC. However, the country is far from consolidating its fragile democracy and electoral processes, as clearly demonstrated by the flawed 2007 presidential election, in which the supposedly neutral election authorities were subjected to considerable political pressure. The ruinous aftermath of the polls raised fundamental concerns about the integrity and credibility of the electoral process.

The president is elected for a five-year term. The single-chamber National Assembly consists of 210 members elected for five years, with an additional 12 members appointed by the president and nominated by the parties on the basis of their shares of the popular vote. The National Assembly is the setting for much of the nation's political discourse, and a varied and energetic civil society plays an important role in policy debates.

Political parties representing a range of ideological, regional, and ethnic interests are active and vocal, and there are no significant impediments to party formation.

Corruption continues to be a very serious problem threatening Kenya's nascent democracy. Political parties, nongovernmental organizations (NGOs), and the press, as well as some official bodies, have unearthed examples of government corruption and malfeasance. The 2006 report by anticorruption campaigner John Githongo was merely the most serious of a number of credible reports of high-level corruption. Transparency International's 2007 Corruption Perceptions Index ranked Kenya 150 out of 180 countries surveyed. Respondents to the 2007 Kenya Bribery Index stated

that they encountered bribery in 54 percent of their interactions with public and private institutions. The report also suggested, however, that the average size of bribes has declined. The police continue to be viewed as the most corrupt governmental body.

The meager results to date from investigations such as the Goldenberg inquiry and the massive Anglo-Leasing scandal indicate the magnitude of the challenge of reducing corruption in Kenya and the failure of President Mwai Kibaki's administration to do so. The Kenya Anti-Corruption Commission has made slow progress at best. Since 2003, its efforts have resulted in only 32 successful convictions.

The constitution provides for freedom of speech and a free press. These rights have been generally respected in practice, and Kenya enjoys one of the liveliest media environments on the continent. However, the country's record was seriously marred in March 2006, when security forces sacked the independent KTN television station and stole documents and equipment. In 2007, legislation that could have restricted media freedoms was rejected by President Kibaki. According to the BBC, six private television stations exist, although their coverage is limited. Some 22 FM radio stations broadcast to many parts of Kenya. The government does not restrict access to the internet.

The authorities have largely respected freedom of religion, though there have been some reports of government hostility toward Muslims. Religious tension has risen in recent years following terrorist acts associated with Islamic fundamentalism that were committed on Kenyan soil in 1998 and 2002.

Academic freedom is the norm in Kenya, reflecting the country's broader respect for freedom of thought. However, Kibaki has been accused of appointing university heads, such as the vice chancellor of the University of Nairobi, based on favoritism. The 2007 Kenya Bribery Index determined that public colleges and universities rank high among entities engaged in corruption; bribes are frequently paid to ensure entry into the most prestigious institutions.

The constitution guarantees freedom of assembly. The Kibaki government, unlike its predecessor, has generally respected this right, although there have been cases of unnecessary use of force. One of the core strengths of Kenya's political culture in recent years has been its energetic and robust civil society. Public policy NGOs have had some advocacy successes, especially in comparison with many other formerly authoritarian countries. Signs of progress include the role of civil society in mobilizing public opinion on constitutional reform and the ability of NGOs to undertake voter education and election monitoring.

All workers other than the police are legally free to join unions. The Trade Union Act provides for a Registrar of Trade Unions, who is appointed by the minister of labor. The government may deregister a union, but the Registrar of Trade Unions must give it 60 days to challenge the move. While it does not have the force of law, the Industrial Relations Charter—executed by the government, the Central Organization of Trade Unions (COTU), and the Federation of Kenya Employers—gives workers the right to engage in legitimate trade union organizational activities. Both the Trade Disputes Act and the charter authorize collective bargaining between unions and employers. Historically, much of the trade union movement has been subservient to the governing authorities, but this dominance has lessened somewhat under the Kibaki administration.

Although Kenya's judicial system is based on the British model, its actions have reflected the primacy of the executive branch for much of the independence period. The Kibaki government came to power promising that the rule of law would be upheld, and judicial independence strengthened. In late 2003, Kibaki appointed new judges to replace those tainted by corruption. These actions, however, raised concerns about the appointment criteria and the lack of transparency in the selection process. A 2005 report by the International Commission of Jurists concluded that corruption in the administration of justice as well as in the judiciary remained a serious impediment to the rule of law in Kenya. Draft legislation designed to give the judiciary more control over its budget has languished in parliament; the courts are understaffed and underfinanced, and Kenyans awaiting trial face long delays that violate their right to due process. The country has officially recognized Kadhi courts, which administer Sharia (Islamic law) for such issues as marriage and inheritance disputes, in areas with a predominantly Muslim population. The government has not established a truth, justice, and reconciliation commission, but a high-level panel has called for such an institution.

While checks against arbitrary arrest exist in the legal system, they are not uniformly respected. In 2003, the Kibaki government introduced the Suppression of Terrorism Bill, which to date has not been passed due to widespread protests over the extent to which it would restrict civil liberties. Amnesty International, for example, critiqued the legislation's "vague and broad definition" of terrorism and terrorist acts as well as the wide-ranging powers it would give authorities to search and detain persons in connection with terrorism investigations.

The government announced plans in 2005 to double the number of police officers recruited annually and to increase the proportion of female recruits from 13 percent to 20 percent. While prisons are congested, the government has taken steps to try to reduce this problem. Police still use force to extract information from suspects and deny them access to legal representation.

Kenya's population is divided into more than 40 ethnic groups, among which there are frequent allegations of discrimination and periodic episodes of violence, some being quite substantial. In a 2005 report, the Minority Rights Group stated that inequitable government spending has deepened the problems of minority and indigenous peoples. The report identified the Endorois, Maasai, Nubian, and Turkana ethnic groups as the most marginalized in the country with respect to land, resources, job opportunities, and government services, notably health care. By contrast, the Kikuyu have longed been viewed as benefiting from the division of ethnic power.

Land disputes frequently form the basis of ethnic tension and violence, as seen in the clashes following the 2007 elections. Kikuyu, Luo, and Kalenjin groups in the Rift Valley harbor strong resentments about land distribution and rights. Members of the Nubian community, most of whom are Muslim, claim that the government discriminates against them by trying to eliminate their ethnic identity. The continued presence and, at times, criminal activities of Somali refugees have exacerbated the problems faced by that minority. Factors contributing to ethnic tension include widespread firearms possession, the commercialization of traditional cattle herding, poor economic conditions, drought, and ineffective security forces. Electoral disputes have sharply aggravated discord.

Women in Kenya continue to face serious obstacles in the exercise of their free-

dom. They are denied equal property rights, which puts them at greater risk of poverty, disease (including HIV/AIDS), violence, and homelessness. In 2002, a draft gender-equity bill created considerable public controversy, with some Muslims protesting that it was too sweeping in scope. Traditional attitudes limit the role of women in politics, although there are no legal restrictions and some change is occurring. The 2002 elections increased the number of women in the National Assembly to eight elected and seven appointed; three women were made cabinet ministers. Proposed legislation to establish 50 parliamentary seats reserved for women was defeated in the National Assembly in 2007. There is evidence of widespread violence against women; reported cases of rape, attempted rape, defilement, incest, and assault against women rose from 11,867 in 2004 to 12,036 in 2005, according to the 2006 Kenya National Human Development Report.

According to the 2006 UNAIDS Report on the Global AIDS Epidemic, the national HIV prevalence among adults was 6.1 percent, with 1.3 million Kenyans living with HIV at the end of 2005. Roughly 140,000 citizens died of AIDS in 2005, and there were a total of 1.1 million children orphaned by AIDS.

## Kiribati

**Population:** 100,000

**Capital:** Tarawa

**Political Rights:** 1

**Civil Liberties:** 1

**Status:** Free



### Ten-Year Ratings Timeline For Year Under Review

(Political Rights, Civil Liberties, Status)

1998	1999	2000	2001	2002	2003	2004	2005	2006	2007
1,1F	1,1F	1,1F	1,1F	1,1F	1,1F	1,1F	1,1F	1,1F	1,1F

### Overview:

**Independents took the majority of seats in the August 2007 parliamentary elections, but President Anote Tong and his Pillars of Truth party secured a second four-year term in the October general elections.**

Kiribati gained independence from Britain in 1979. The country consists of 33 atolls scattered across nearly 1.5 million square miles of the central Pacific Ocean, as well as Banaba Island in the western Pacific. Twenty of the atolls are inhabited, and most face possible inundation as sea levels rise.

Chinese military ambitions in the Pacific and competing offers of development assistance from China and Taiwan have been major issues in Kiribati politics in recent years. President Teburoro Tito's refusal to release details about a land lease to China for a satellite-tracking facility led to his removal by a no-confidence vote in 2003. Anote Tong, the opposition leader, was elected to replace him. Tong



immediately terminated the 15-year lease to China and restored ties with Taiwan in 2004.

A total of 146 candidates competed for 44 seats in August 2007 parliamentary elections, which were considered free and fair. The government increased voter education to reduce the number of invalid ballots. Expanding employment and improving management of government scholarships were the main issues in the campaign; the opposition had alleged in 2006 that some students who passed the test for these scholarships were denied assistance. Independents ultimately took 19 seats, followed by Tong's Pillars of Truth (Boutokaan Te Koaua, or BTK) party with 18 seats, and former president Tito's Protect the Maneaba (Maneaban Te Mauri, or MTM) party with 7 seats. Nevertheless, Tong and his party remained dominant, and Tong won a second four-year term in the October general elections.

**Political Rights and Civil Liberties:** Kiribati is an electoral democracy. The president is popularly elected in a two-step process, with Parliament nominating candidates from its own ranks and voters then choosing one to be president. In 2007, the number of popularly elected representatives in the unicameral House of Parliament (Maneaba Ni Maungatabu) increased from 40 to 44, all serving four-year terms. One additional member is nominated by the Rabi Island Council, and the attorney general holds a Parliament seat *ex officio*. (Although Rabi Island is a part of Fiji, many residents were originally from Kiribati's Banaba Island. Britain forced them to move to Rabi when phosphate mining made Banaba uninhabitable.) The president, vested with executive authority by the constitution, is limited to serving three four-year terms.

The major parties are the BTK and MTM. Political parties are loosely organized and generally lack fixed ideologies or formal platforms. Geographical, tribal, and personal loyalties are more important determinants of political affiliation.

Official corruption and abuse are serious problems, and the government has not shown a commitment to address them. Kiribati was ranked 84 out of 180 countries in Transparency International's 2007 Corruption Perceptions Index.

Freedom of speech is generally respected, but the government has a record of restricting opposition criticism. For example, the Newspaper Registration Act of 2005 gives the state power to censor articles that could incite or encourage crime or disorder and to shut down any publication against which a complaint has been filed. The law was passed after embarrassing accounts of government abuses were published in a monthly BTK political pamphlet. The pamphlet is owned by former president Ieremia Tabai, who is also publisher of the weekly *Kiribati Newstar* and owner of the radio station Newair FM 101, to which the government had denied a broadcast license until 2002. The state owns *Te Uekera*, the other of Kiribati's two newspapers, and a radio station. Churches publish several newsletters and other periodicals. Internet access is limited outside the capital due to cost and lack of infrastructure.

There have been no reports of religious oppression or restrictions on academic freedom. The expansion of access to and quality of education at all levels, however, is seriously restricted by a lack of resources. Secondary education is not available on all islands, and there is a shortage of qualified teachers. In 2006, the government and the University of the South Pacific signed a memorandum to create a new campus in Kiribati.

Freedoms of assembly and association and the right to organize unions and bargain collectively are generally respected. A number of nongovernmental groups are involved in development assistance, education, health, and advocacy for women and children. Only about 10 percent of the workforce belongs to unions, the largest of which is the Kiribati Trade Union Congress, with about 2,500 members. The law provides for the right to strike, though the last one was in 1980.

The judicial system is modeled on English common law and provides adequate due process rights. It consists of the high court, a court of appeal, and magistrates' courts; appeals may go to the Privy Council in London. The president makes all judicial appointments. A 260-person police force performs law enforcement and paramilitary functions. Kiribati has no military; defense assistance is provided by Australia and New Zealand under bilateral agreements. Traditional customs permit corporal punishment, and island councils on some outer islands occasionally order such punishment for petty theft and other minor offenses.

Citizens enjoy freedom of movement. The government does not use forced exile, but village councils have used this punishment.

The government is the main employer, and many residents practice subsistence agriculture. The economy also depends considerably on foreign assistance and worker remittances, and the state generates a small sum from selling fishing licenses to foreign fishing fleets. The main exports are dried coconut meat and fish. Interest from a well-managed trust fund built on royalties from phosphate mining has balanced the national budget and kept the country debt free.

Economic opportunities for women are limited. Discrimination against women is common in the traditional, male-dominated culture. Spousal abuse and other forms of violence against women and children are often associated with alcohol abuse. Prostitution and sexual harassment are illegal; neither is reported to be widespread. The number of HIV/AIDS cases grew from 46 at the end of 2004 to 61 at the end of 2006.

## Kuwait

**Population:** 2,800,000

**Capital:** Kuwait City

**Political Rights:** 4

**Civil Liberties:** 4

**Status:** Partly Free



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

1998	1999	2000	2001	2002	2003	2004	2005	2006	2007
5,5PF	4,5PF	4,5PF	4,5PF	4,5PF	4,5PF	4,5PF	4,5PF	4,4PF	4,4PF

### Overview:

**The Kuwaiti parliament leveled allegations of corruption against several cabinet ministers in 2007, forcing a change of government in March and the resignation of the oil and**

**transportation ministers in June. The political rights of women suffered a setback in August when the minister of health was forced from office under pressure from her Islamist critics in parliament. Kuwait granted citizenship to 2,000 members of its large *bidoon* (stateless) population in 2007, but as many as 130,000 continued to live in poor conditions.**

For more than 200 years, the al-Sabah family has played a role in ruling Kuwait. A year after the country gained its independence from Britain in 1961, a new constitution gave broad powers to the emir and created the National Assembly. In August 1990, Iraqi forces invaded Kuwait. A military coalition mandated by the United Nations and led by the United States liberated the country in February 1991.

Emirs have suspended the National Assembly two times, from 1976 to 1981 and from 1986 to 1992. After its restoration in 1992, the parliament played an active role in monitoring the emir and the government, often forcing cabinet ministers out of office and blocking legislation proposed by the ruling family. However, the legislature has also served as an impediment to progressive political change by rejecting measures on women's rights and economic reform.

After 28 years of rule, Sheikh Jaber al-Ahmad al-Sabah died in 2006. Despite fears of a contentious succession process, the cabinet and parliament removed his heir for health reasons and elevated Sheikh Sabah al-Ahmad al-Sabah as the new emir.

Parliamentary elections were held in 2006. They were originally scheduled for October 2007 but were brought forward to break a deadlock over the drawing of electoral districts. Of 249 candidates competing for the 50 seats, 27 were women. In 2005, women had won the right to vote and run for office, and the new national elections were the first in which women participated. A coalition of liberals, Islamists, and nationalists campaigning against corruption won 35 seats, with Islamists winning 21. Four Shiite Muslim candidates were voted in, but none of the women candidates were elected. The opposition in parliament continued to press for an end to corruption in 2007, forcing the resignation of two prominent ministers.

Kuwait, which has about 10 percent of the world's proven oil reserves, continued to enjoy strong economic growth as a result of high global oil prices. Oil dominates the economy, accounting for nearly 90 percent of public revenues.

**Political Rights and Civil Liberties:** Kuwait is not an electoral democracy. The ruling family largely sets the policy agenda and dominates political life.

The emir has overriding power in the government system and appoints the prime minister and cabinet.

Under the constitution, the emir shares legislative power with the 50-member National Assembly, which is elected to four-year terms by a limited popular vote involving only about 15 percent of the country's 900,000 citizens. The emir has the authority to dissolve the National Assembly at will but must call elections within 60 days. The parliament can overturn decrees issued by the emir while it was not in session, and it has exercised this power in a number of cases. It can veto the appointment of the country's prime minister, but then it must choose from three alternates put forward by the emir. It also has the power to remove government ministers with a majority vote of elected members.

Formal political parties are banned, but political groupings, such as parliamentary blocs, have been allowed to emerge. In 2005, a group of Kuwaiti Islamists announced the formation of the Umma Party, but like other political groupings, it was not granted a permit by the government. After the Umma Party announced its formation, the government imposed a travel ban on 15 of its top members and interrogated several of its leaders. On December 8, the National Action Bloc proposed a law legalizing political parties.

The parliament continued to pursue cases of alleged corruption by cabinet ministers in 2007. In March, fears that lawmakers would open a corruption investigation against Health Minister Sheikh Ahmed al-Abdullah al-Sabah led the government to resign. The emir reappointed the prime minister two days later. In June 2007, the oil and transportation ministers resigned over corruption allegations. Kuwait was ranked 60 out of 180 countries surveyed in Transparency International's 2007 Corruption Perceptions Index.

In spite of a 2006 press law, under which officials are no longer permitted to close down newspapers without a court order, the authorities continue to limit criticism and debate on politics in the press. In March 2007, the popular television show *Al-Diwaniya*, in which guests discuss sensitive issues, was temporarily taken off the air for broadcasting an episode about Arab blogs. In August, an editor of the daily *Al-Jareeda* was arrested for an anonymous comment insulting the emir on his blog. Kuwait has more than ten daily and weekly Arabic newspapers and two English-language dailies. The state maintains a significant presence in the broadcast media, with four television stations and nine radio stations. There are also a number of private outlets, including the satellite television station Al-Rai. Foreign media outlets work relatively freely in Kuwait. Kuwaitis have access to the internet, though the government has directed internet service providers to block certain sites for political or moral reasons.

Islam is the state religion, but religious minorities are generally permitted to practice their faiths freely in private. Shiite Muslims make up around a third of the population. They enjoy full political rights, although they are subject to some discrimination and harassment. In September 2007, the Ministry of Information banned a television series for criticizing Shiite beliefs and practices. Christian churches operate freely.

Academic freedom is generally respected. Kuwait has a tradition of allowing relatively open and free private discussion, often conducted in traditional gatherings and usually including only men, called *diwanias*.

The government imposes restrictions on freedoms of assembly and association, although those rights are provided by law. In 2006, a court ruling removed 27-year-old restrictions on freedom of assembly that had required government approval for public gatherings. Kuwaitis must notify authorities of a public meeting or protest but no longer need a permit. The change did not result in an increase in demonstrations in 2007. The government routinely restricts the registration and licensing of associations and nongovernmental organizations (NGOs), forcing dozens of groups to operate without legal standing or state assistance. In August 2004, the Ministry of Social Affairs and Labor officially recognized the existence of the Kuwait Human Rights Society, which had been founded 10 years earlier but operated without official status. Representatives of licensed NGOs must obtain government permission

in order to attend foreign conferences and gatherings on behalf of their organizations. Workers have the right to join labor unions, but the government mandates that there be only one union per occupational trade.

Kuwait lacks an independent judiciary. The emir appoints all judges, and the executive branch approves judicial promotions and renewals of appointments. Authorities may detain suspects for four days without charge. The Ministry of the Interior supervises the main internal security forces, including the national police, the Criminal Investigation Division, and Kuwait State Security. An Egyptian man who was released from prison in August 2007, having been accused of forging his work visa, claimed that he and a second Egyptian were tortured while in Kuwaiti custody. The government permits visits to prisons by human rights activists, who report adherence to international standards, though with some concern about overcrowding.

Stateless residents, known as *bidoon*, are estimated to number between 90,000 and 130,000. They are considered illegal residents, do not have full citizenship rights, and live in wretched conditions. In October 2007, the government extended citizenship to 2,000 *bidoon*. Kuwait is a destination country for human trafficking, with many people coming from Bangladesh, India, Pakistan, the Philippines, and Sri Lanka. From May 1 to June 30, 2007, the government granted amnesty to expatriate workers who were in violation of the residence law, allowing them either to leave the country and be permitted to return in the future or to extend their expired visas pending the payment of a fine. Both male and female citizens have the right to own property and establish businesses.

The 1962 constitution provides men and women with equal rights. Nevertheless, women face discrimination in several areas of law and society and remain underrepresented in the workforce. Regulations stemming from Sharia (Islamic law) discriminate against women in matters like divorce and inheritance. Kuwait is a destination country for the trafficking of women. Domestic abuse and sexual harassment are not specifically prohibited by law, and foreign domestic servants remain particularly vulnerable to abuse and sexual assault. In April 2007, lawmakers jeered Nuria al-Sbeih, the appointed minister of education, for appearing in parliament without wearing a hijab. In December 2007, Islamist MPs called for a no-confidence vote on al-Sbeih, charging her with mismanagement, compromising religious values, and undermining the country's educational system. In May, the prime minister appointed Masouma al-Mubarak, a member of the Shiite minority, as minister of health. She had become the country's first female cabinet minister in 2005, in spite of fierce opposition from Islamist members of parliament. Al-Mubarak resigned under pressure from her critics in August, after two patients were killed in a hospital fire. Women comprise more than 60 percent of the student body at several leading universities in Kuwait. Kuwaiti women have the right to vote and run as candidates in parliamentary and local elections.

## ↓ Kyrgyzstan

**Population:** 5,200,000  
**Capital:** Bishkek

**Political Rights:** 5  
**Civil Liberties:** 4  
**Status:** Partly Free



**Trend Arrow:** Kyrgyzstan received a downward trend arrow due to restrictions on the opposition in the December legislative elections, which resulted in an excessive strengthening of executive power and a reduction in political pluralism.

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

1998	1999	2000	2001	2002	2003	2004	2005	2006	2007
5,5PF	5,5PF	6,5NF	6,5NF	6,5NF	6,5NF	6,5NF	5,4PF	5,4PF	5,4PF

### Overview:

**After nearly two years of discussion and disputes, an October 2007 referendum approved constitutional amendments that would increase presidential power at the parliament's expense. Preterm parliamentary elections in December were a setback to a pluralistic political environment with equal chances for opposition parties. Media and civil society freedoms continued to decline in 2007, albeit at a slower pace than in 2006. Also during the year, Kyrgyzstan's foreign policy tilted away from Europe and the United States and toward the regional "authoritarian bloc" led by Russia.**

Kyrgyzstan declared independence from the Soviet Union in August 1991. Askar Akayev, a respected physicist, won the first direct presidential election two months later on a reform platform. He easily won another term in an early election in 1995, and constitutional amendments approved the following year substantially increased the powers of the presidency. International observers noted serious irregularities in the 2000 parliamentary and presidential elections. Opposition parties were disqualified on technicalities, as was Akayev's main presidential challenger, Feliks Kulov, who was jailed in 2000 on dubious charges.

Long-standing frustrations in the economically depressed and politically marginalized south culminated in public protests in 2002. The demonstrations were sparked by the January arrest of parliament member Azimbek Beknazarov on abuse-of-power charges that critics alleged were politically motivated. Six protesters were killed in March when police fired into a crowd in the village of Aksy. Beknazarov received a one-year suspended prison sentence, but an appeals court annulled the sentence in June, allowing him to reclaim his seat in parliament. Four former regional prosecutors and police officials were then sentenced to prison in December in connection with the Aksy shootings. However, critics charged that senior officials who authorized the use of force had not been brought to justice. It was not until 2007 that a renewed investigation resulted in a number of convictions.

In the February 2005 parliamentary elections, fewer than half of the 75 constituency contests resulted in outright majority victories, so the remaining races had to be decided in a second round of voting two weeks later. According to an assessment by the Organization for Security and Cooperation in Europe (OSCE), the first-round poll, "while more competitive than previous elections, fell short of OSCE commitments and other international standards in a number of important areas." During the following weeks, thousands of demonstrators took to the streets across the country to protest election irregularities and ultimately call for Akayev's resignation. On March 24, 2005, Akayev's 14-year rule ended when protesters and opposition supporters stormed the presidential headquarters in Bishkek. Akayev fled abroad and later agreed to formally resign. Protesters freed Feliks Kulov, whose conviction was later formally overturned.

In the July 2005 presidential poll, former prime minister and opposition leader Kurmanbek Bakiyev captured 89 percent of the vote. His victory was regarded as nearly inevitable after he and Kulov, his most serious potential rival, formed a political alliance in May: Kulov withdrew his presidential candidacy in exchange for the post of prime minister. In contrast to the earlier parliamentary vote, OSCE observers concluded that the presidential election "marked tangible progress ... towards meeting OSCE commitments."

The Bakiyev-Kulov "tandem" held until early 2007, when the parliament rejected Kulov's reappointment as prime minister. In February, Kulov joined the opposition and became leader of the newly created United Front for a Worthy Future for Kyrgyzstan. Together with the For Reforms opposition movement, the United Front organized demonstrations in Bishkek in April calling for constitutional reform and President Bakiyev's resignation. The violent dispersal of those protests after demonstrators allegedly attacked police dealt the opposition a significant blow and strengthened Bakiyev's hand. A number of protesters subsequently faced criminal charges and prison sentences. Kulov himself was charged in August with "public disorder" in connection with the April protest.

An October 2007 referendum approved a new constitution that expanded the parliament from 75 to 90 seats and introduced party-slate balloting. The vote on the charter capped nearly two years of wrangling over constitutional reforms. A constitution passed in November 2006 had limited presidential powers, but amendments pushed through the parliament by progovernment legislators in December of that year had restored and widened the executive's authority. The hastily called 2007 referendum drew criticism from civil-society groups, which pointed to the use of administrative resources to ensure a favorable outcome, and from the U.S. Embassy in Bishkek, which said the vote had failed to meet international standards.

President Bakiyev dissolved the parliament on the day after the referendum, and a progovernment party called Ak Zhol was quickly formed to contest new elections on December 16. Disputed elections, dubbed a "missed opportunity" by OSCE observers, under new legislation produced a parliament dominated by the propresidential party and devoid of opposition representation.

Kyrgyzstan continued to balance strategic and economic relations with Russia and the United States in 2007, but appeared to tilt toward the emerging "authoritarian bloc" headed by Russia and represented in Central Asia by the Shanghai Cooperation Organization (which consists of China, Kazakhstan, Kyrgyzstan, Russia,

Tajikistan, and Uzbekistan). The SCO held its annual summit in Bishkek in August, and the constitutional reforms pushed through by Bakiyev pointed toward the establishment of a superficially democratic, superpresidential system reminiscent of the political systems in Kazakhstan and Russia. Meanwhile, pro-Russian Kyrgyz lawmakers mounted a significant though ultimately unsuccessful effort to end the U.S. military presence at Manas Airport, and Kyrgyz citizens angered by a fatal December 2006 shooting at the base held demonstrations with a similar goal.

**Political Rights and Civil Liberties:** Kyrgyzstan is not an electoral democracy. International election observers described the 2000 parliamentary and presidential elections and 2005 parliamentary elections as neither free nor competitive. However, the 2005 presidential election, which followed the March popular uprising that toppled the government of President Askar Akayev, was praised for making substantial progress. International observers said, however, that December 2007 preterm parliamentary elections "fell short of public expectations for further consolidation of the electoral process."

Constitutional changes adopted in the hastily organized October 2007 referendum expanded the unicameral parliament from 75 to 90 deputies, to be elected on party slates instead of individual mandates. The new charter emerged from a confusing process involving multiple texts, and critics charged that it contained numerous inconsistencies and legal discrepancies. Informed sources in Bishkek reported that the text submitted to referendum was composed with Russian input and influence in order to facilitate the establishment of a superpresidential system. Both the president and parliament serve for five years, and the majority party in parliament (currently the pro-presidential Ak Jol) nominates the prime minister.

Most political parties continue to be weak, poorly organized, and centered on a specific leading figure, despite legislative attempts to encourage party-building. The newly formed, pro-presidential Ak Jol holds 71 seats in the 90-member legislature.

Corruption is common throughout Kyrgyz society, and bribes are frequently required to obtain lucrative government positions. Numerous anticorruption campaigns have brought meager results, and a 2005 drive appeared to be directed primarily against members and associates of former president Akayev's family. Meanwhile, the opposition leveled charges of nepotism and corruption against current president Kurmanbek Bakiyev and his family, particularly his son, Maksim. Kyrgyzstan was ranked 150 out of 180 countries surveyed in Transparency International's 2007 Corruption Perceptions Index.

The media became more open and tolerant of diverse points of view following the March 2005 popular uprising and subsequent change in regime. But signs of increasing government pressure on the media in late 2005 were reinforced in 2006; the editor of *Kyrgyz Tuusu* was fired in January after the state-run newspaper published articles critical of then prime minister Feliks Kulov, and masked men damaged \$200,000 worth of equipment at the independent television station Piramida in September 2006. During antigovernment protests in April 2007, officials from the prosecutor's office confiscated the print runs of opposition newspapers. In October, journalist Kayrat Birimkulov sought asylum in Switzerland after he received threats while investigating corruption in the railway sector. The brazen killing that month of Osh-based Alisher Saipov, an accomplished journalist who ran an Uzbek-



language newspaper that was critical of Uzbekistan's government, was a particularly disturbing development.

The government generally respects freedom of religion in this predominantly Muslim country. All religious organizations must register with the Ministry of Justice, a process that is often cumbersome. The government monitors and restricts Islamist groups that it regards as extremist and a threat to national security, particularly Hizb ut-Tahrir, an ostensibly nonviolent international movement calling for the creation of an Islamic caliphate spanning the Muslim world.

Teachers reportedly have been forced to subscribe to government newspapers, and municipal authorities in some cities require schoolchildren to perform during national holidays and visits by government officials. Corruption is widespread throughout the educational system, and bribes are often required to obtain admission to schools or universities.

Freedom of assembly was generally respected in 2007, although prosecutors secured convictions against a number of participants in April demonstrations that ended in clashes between protesters and police. In October, Bishkek's mayor banned all demonstrations in the city in the wake of protests over rising bread prices.

Freedom of association is typically upheld, but the harassment and intimidation of nongovernmental organizations (NGOs) increased in 2006 after a short reprieve in the period following Akayev's ouster. NGOs participated actively in social and political life in 2007, though they leveled plausible charges that the authorities were attempting to exclude them in a broad push against alternative political voices.

The law provides for the formation of trade unions, and unions generally are able to conduct their activities without obstruction. The right to strike is neither prohibited nor specifically codified in law. The Federation of Trade Unions is the only union umbrella organization in the country, but unions are not required to join it.

Despite the enactment of various reform measures, the judiciary is not independent and remains dominated by the executive branch. Corruption among judges, who are underpaid, is reportedly widespread. Defendants' rights, including the presumption of innocence, are not always respected. Police at times use violence against suspects during arrest and interrogation. In August 2007, the head of the Kylum Shami rights group stated that the country's law against torture remained ineffective.

Ethnic minority groups, including Uzbeks, Russians, and Uighurs, have complained of discrimination in employment and housing. Members of the country's sizable Uzbek minority, concentrated in the south, have been demanding more political and cultural rights, including greater representation in government, more Uzbek-language schools, and official status for the Uzbek language.

The government, which abolished the Soviet-era exit-visa system in 1999, generally respects the right of free travel to and from the country. However, certain policies complicate internal migration, including a requirement that citizens obtain permits to work and settle in particular areas of the country. Corruption and official incompetence marred efforts in 2006 to introduce new passports for Kyrgyz citizens.

Personal connections, corruption, organized crime, and widespread poverty limit business competition and equality of opportunity. Conscripted soldiers have reportedly been rented out to civilian employers under illegal arrangements, with some forced to work for no pay.

Cultural traditions and apathy by law enforcement officials discourage victims

of domestic violence and rape from contacting the authorities. The trafficking of women and girls into forced prostitution abroad is a serious problem, and some victims report that the authorities are involved in trafficking. The practice of bride kidnapping persists despite being illegal, and few perpetrators are prosecuted. Although women are well represented in the workforce and in institutions of higher learning, tough economic conditions have had a negative effect on women's professional and educational opportunities.

## Laos

**Population:** 5,900,000

**Capital:** Vientiane

**Political Rights:** 7

**Civil Liberties:** 6

**Status:** Not Free



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

1998	1999	2000	2001	2002	2003	2004	2005	2006	2007
7,6NF	7,6NF	7,6NF	7,6NF	7,6NF	7,6NF	7,6NF	7,6NF	7,6NF	7,6NF

### Overview:

**In 2007, the government continued to push ahead with plans to construct a new dam to generate and export electricity to neighboring countries. While the government maintains that the project will create new wealth for development, critics charge that it threatens wildlife and displaces communities.**

Laos, a landlocked and mountainous country, won independence in 1953 after six decades of French rule and Japanese occupation during World War II. The new constitutional monarchy soon entered into a civil war with Communist Pathet Lao (Land of Lao) guerrillas, who were backed by the Vietnamese Communist Party. As the civil conflict raged on, Laos was drawn into the Vietnam War in 1964, when the United States began bombing North Vietnamese forces operating inside Laos. The Pathet Lao seized power in 1975 and set up a one-party state under Prime Minister Kaysone Phomvihane's Lao People's Revolutionary Party (LPRP).

By the 1980s, the Laotian economy was in tatters after years of civil war and the inept economic policies of the LPRP. Seeing the success of China's economic opening, the party began to relax controls on prices, encouraged foreign investment, and privatized farms and some state-owned enterprises. These actions spurred much-needed economic growth, but the government has rejected deeper economic reform for fear of losing power.

General Khamtay Siphandone took over leadership of the LPRP in 1992 and the presidency in 1998. He stepped down in March 2006, leaving the party in the hands of Choummaly Sayasone, a 70-year-old former vice president and defense minister.

In April 2006 elections, LPRP candidates won 113 of the 115 National Assembly seats, while the remaining two went to independent candidates. The Assembly endorsed Choummaly as the new president in June of that year. He was expected to follow the policies set by Khamtay.

Poverty is widespread, and the economy remains dependent on subsistence agriculture. Many Laotians have become economic migrants, seeking work in nearby Thailand. Trade, tourism, and sales of hydroelectric power to neighboring Thailand are the key sources of foreign revenue for the government. An expansion of the Nam Theun hydroelectric dam in southern Laos—the 1,070-megawatt "Nam Theun 2 Project"—will produce more electricity for export. Thailand has committed to buying 95 percent of the 1,070 megawatts the dam will generate beginning in 2010. Cambodia and Malaysia will also be buyers. The government expects to collect \$2 billion in revenue in the first 25 years of operation. The World Bank has agreed to provide \$270 million in funding and risk guarantees for the project, which critics say will threaten wildlife and displace thousands of subsistence farmers and hill-tribe populations. These two groups—who rely heavily on the illegal growth and sale of opium poppies for their economic livelihood—have also suffered recently from the government's antidrug campaign, which has been conducted with rigor in order to secure aid from Europe and the United States. Pushed into extreme poverty, some are forced to leave their land to find legitimate work elsewhere or go deeper into the mountains to continue their illegal trade.

In March 2007, Laos registered its first official human fatality from avian influenza. A 6.1 magnitude earthquake hit western Laos in May; there were no reports of death or injury.

**Political Rights and Civil Liberties:** Laos is not an electoral democracy. The 1991 constitution makes the LPRP the sole legal political party and grants it a leading role at all levels of government. The LPRP vets all candidates for election to the rubber-stamp National Assembly, whose 115 members elect the president. Elections are held every five years. General Khamtay Siphandone succeeded Kaysone Phomvihane as head of the LPRP in 1992 and assumed the presidency from Nouhak Phoumsavanh in 1998. The National Assembly reelected Khamtay as president in March 2001. Choummaly Sayasone took over as head of LPRP in March 2006 and assumed the presidency in June of that year.

Corruption and abuses by government officials are widespread. Official announcements and new laws aimed at curbing corruption are rarely enforced. Government regulation of virtually every facet of life provides corrupt officials with many opportunities to demand bribes. High-level personnel in government and the military are also frequently involved in commercial logging, mining, and other enterprises aimed at exploiting Laotian natural resources. The country was ranked 168 out of 180 countries surveyed in Transparency International's 2007 Corruption Perceptions Index.

Freedom of the press is severely restricted. Any journalist who criticizes the government or discusses controversial political topics faces legal punishment. The state owns all media, including three newspapers with extremely low circulations, Lao National Television, Laos Television 3 (a joint venture with a Thai company), and the country's only radio station. Residents within frequency range of Radio

Free Asia and other foreign broadcasts from Thailand can access these alternative media sources. Internet access is heavily restricted, and content is censored.

Religious freedom is tightly restricted. Dozens of Christians have been detained on religious grounds, and several have been jailed for proselytizing or conducting other religious activities. The government forces Christians to renounce their faith, confiscates their property, and bars them from celebrating Christian holidays. The majority Buddhist population is restricted through LPRP control of clergy training and oversight of temples and other religious sites.

Academic freedom is not respected. University professors cannot teach or write about democracy, human rights, and other politically sensitive topics. A small number of young people have been allowed to travel overseas, including to the United States, for university and graduate-level training. However, they are carefully screened by the government and are generally children of officials and military leaders.

Government surveillance of the population has been scaled back in recent years, but searches without warrants still occur.

The government severely restricts freedom of assembly. Laws prohibit participation in organizations that engage in demonstrations or public protests, or that in any other way cause "turmoil or social stability." Those found guilty of violating these laws can receive sentences of up to five years in prison. Laos has some non-governmental welfare and professional groups, but they are prohibited from pursuing political agendas and are subject to strict state control. All unions must belong to the official Federation of Lao Trade Unions. Strikes are not expressly prohibited, but workers rarely stage walkouts, and they do not have the right to bargain collectively.

The courts are corrupt and controlled by the LPRP. Long delays in court hearings are common, particularly for cases dealing with public grievances and complaints against government abuses. Security forces often illegally detain suspects, and some Laotians have allegedly spent more than a decade in jail without trial. Hundreds of political activists have also been held for months or years without trial. Prisoners are often tortured and must bribe prison officials to obtain better food, medicine, visits from family, and more humane treatment.

Discrimination against members of minority tribes is common at many levels. In June 2005, four U.S. nationals were detained and three were deported by the government for "illegally liaising" with members of the Hmong ethnic minority, which allied with U.S. forces during the Vietnam War. All seven were members of the Fact Finding Commission, a U.S.-based nonprofit organization, and were ascertaining the safety of 170 relatives of Hmong rebels who were surrendering to the government. Thousands of Hmong refugees in Thailand were forced by the Thai government to return to Laos in 2005, despite international warnings that they could face political persecution. Laotian government actions to destroy the remnant Hmong guerrilla army and alleged rebel elements have created significant hardships for these mountain people, and thousands have been forced off their land to make way for the exploitation of timber and other natural resources. In December 2006, a group of more than 400 Hmong, mostly children, surrendered to government forces. It was the latest of several bands to do so, according to the Fact Finding Commission.

Although women are guaranteed many of the same rights as men under Laotian laws, gender-based discrimination and abuse are widespread. Tradition and religious practices have contributed to women's inferior position with respect to access to

education, equal employment opportunities, and worker benefits. Poverty exacerbates these hardships and puts many women at greater risk of exploitation and abuse by the state and society at large. Domestic violence is a major cause of divorce, and abortion is allowed only to save the life of the mother. An estimated 15,000 to 20,000 Laotian women and girls, including many lowland Laotians and an increasing number of highland ethnic minorities, are trafficked each year for prostitution. The United Nations has reported that Laos is a source, transit, and destination country for human-smuggling rings.

## Latvia

**Population:** 2,300,000

**Capital:** Riga

**Political Rights:** 2\*

**Civil Liberties:** 1

**Status:** Free



**Ratings Change:** Latvia's political rights rating declined from 1 to 2 due to a series of corruption-related scandals implicating high-level government officials.

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

1998	1999	2000	2001	2002	2003	2004	2005	2006	2007
1,2F	1,2F	1,2F	1,2F	1,2F	1,2F	1,2F	1,1F	1,1F	2,1F

### Overview:

**Prime Minister Aigars Kalvitis's September 2007 decision to suspend the head of the anticorruption agency sparked a political crisis, including two of Latvia's largest public protests since 1991. The action ultimately led to the resignation of Kalvitis and the formation of a new government in December. Earlier in the year, outgoing president Vaira Vike-Freiberga confronted the government over controversial amendments to the National Security Law. Meanwhile, a number of corruption scandals implicated high-level officials, including the powerful mayor of Ventspils.**

After centuries of foreign domination, Latvia gained its independence in 1918, only to be annexed by the Soviet Union during World War II. The long Soviet occupation featured a massive influx of Russians and the deportation, execution, and emigration of tens of thousands of ethnic Latvians. In 1991, Latvia regained its independence as the Soviet Union disintegrated.

Following parliamentary elections in 2002, former central bank chairman Einars Repse was chosen to lead a majority coalition government of his center-right New Era Party, Latvia's First Party (LPP), the Union of Greens and Farmers (ZZS), and For Fatherland and Freedom/Latvian National Independence Movement (TB/LNNK).

Running unopposed, President Vaira Vike-Freiberga was reelected for a second four-year term in 2003.

Repse's government collapsed in February 2004 after he dismissed LPP leader Ainars Slesers as deputy prime minister and the LPP withdrew its support. Slesers had backed the establishment of a parliamentary committee to probe Repse's allegedly corrupt real-estate purchases. A subsequent Green Party-led government survived for just seven months and was replaced in December by a coalition of the New Era Party, the People's Party, LPP, and ZZS; Aigars Kalvitis of the People's Party was named prime minister. However, New Era withdrew in April 2006 after an economic crimes probe was launched against one of its leaders, Economy Minister Krisjanis Karins. The unit investigating Karins was controlled by LPP.

In the October 2006 parliamentary polls, the People's Party led with 23 seats, followed by the ZZS and New Era with 18 each, the Harmony Center with 17, LPP/Latvia's Way with 10, TB/LNNK with 8, and For Human Rights in a United Latvia with 6. The People's Party, LPP/Latvia's Way, ZZS, and TB/LNNK agreed to form a new government, with Kalvitis remaining prime minister. The voter turnout of 62 percent was one of the lowest in years.

Vike-Freiberga in March 2007 suspended the promulgation of controversial amendments to the National Security Law, which would have given lawmakers greater access to information about the activities of the security and intelligence services. Critics charged that the amendments could lead to political interference in corruption investigations. A referendum on the changes in July was declared invalid due to low turnout, and Parliament ultimately withdrew them. Meanwhile, Valdis Zatlers, an orthopedic surgeon, was elected president by Parliament in May to replace Vike-Freiberga, who was unable to run again due to term limits.

Kalvitis sparked a political crisis in September by suspending the head of the Bureau for the Prevention and Combating of Corruption (KNAB), Aleksejs Loskutovs, over alleged irregularities in KNAB's accounting. Opponents of the decision said it was politically motivated and legally dubious, noting that KNAB had become increasingly active in pursuing political corruption cases, including against members of the ruling coalition. Critics also argued that the prosecutor-general, not the prime minister, had the power to suspend the head of KNAB, and only if he is arrested or charged with a crime, which Loskutovs was not; only Parliament had the authority to dismiss him outright.

In one of the country's largest demonstrations since independence, several thousand people gathered on October 18 outside Parliament, which was preparing to vote on the dismissal of Loskutovs, to show their support for him and demand Kalvitis's resignation. The vote was then postponed, and several cabinet ministers left the government. On November 3, a second major rally—which was organized by the Latvian branch of Transparency International and included prominent academics, journalists, and human rights activists—protested against corruption and called for the dissolution of Parliament. Kalvitis announced that his government would resign on December 5 and signed an order reinstating Loskutovs. On December 20, Parliament approved a new government, which—despite the public's call for political change—included the same four parties as its predecessor. Ivars Godmanis, a veteran politician from LPP/Latvia's Way who had served as prime minister in the early 1990s, was selected to replace Kalvitis.

**Political Rights and Civil Liberties:** Latvia is an electoral democracy. The constitution provides for a unicameral, 100-seat Parliament (Saeima), whose members are elected for four-year terms. Parliament elects the president, who serves up to two four-year terms. The prime minister is nominated by the president and must be approved by Parliament. The October 2006 legislative elections were free and fair. Twenty-two members of ethnic minorities are represented in Parliament. Resident noncitizens may not vote in either national or local elections.

The country's major parties include the People's Party, ZZS, New Era, LPP/Latvia's Way, TB/LNNK, and For Human Rights in a United Latvia. Noncitizen residents may join political parties, although at least half the members of a party must be citizens.

Although the government has adopted various anticorruption measures, Latvia continued to suffer high-profile corruption scandals during 2007. The powerful mayor of Ventspils, Aivars Lembergs, was arrested in March 2007 on charges including bribery, money laundering, and tax evasion; an official investigation continued at year's end. Also in March, a former Jurmala mayor was convicted of bribery in connection with the 2005 mayoral election and sentenced to five years in prison. The affair had led to the 2006 resignation of Transport Minister Ainars Slesers, who was implicated in the scandal. In October 2007, former speaker of Parliament Indulis Emsis was fined over 7,000 euros for providing false evidence in the Lembergs case. Latvia was ranked 51 out of 180 countries surveyed in Transparency International's 2007 Corruption Perceptions Index.

The government generally respects freedom of speech and of the press. Private television and radio stations broadcast programs in both Latvian and Russian, and newspapers publish a wide range of political viewpoints. The government does not restrict access to the internet. Latvian State Television (LTV) journalist Ilze Jaunalksne, who had written about official corruption, was awarded \$47,000 in damages after a court ruled in February 2007 that the financial police had invaded her privacy by tapping her mobile telephone conversations and leaking transcripts to the newspaper *Neatkarīga Rita Avize*. The paper is suspected of being controlled by Lembergs. In June, LTV management dismissed the director of the influential news program *De Facto*, which has run stories critical of the government. The dismissal came shortly before the referendum on national security amendments. LTV's general director resigned in December after a documentary critical of Russian president Vladimir Putin was abruptly postponed until after Russia's parliamentary elections, allegedly as a result of pressure from the government and the Russian embassy.

Freedom of religion is generally respected, although so-called traditional religious groups enjoy certain rights, such as conducting official marriages, that are unavailable to newer ones. Academic freedom is respected in law and in practice.

Freedoms of assembly and association are protected by law and in practice. In April 2007, the government removed a legal requirement that organizers seek permission to hold demonstrations; a 2006 constitutional court ruling had found that the rule violated the constitution and the European Convention on Human Rights. The year's numerous, unrestricted gatherings included a relatively peaceful gay-pride parade in Riga in June; past gay events had drawn protesters and local bans. The government does not restrict the activities of nongovernmental organizations

(NGOs). Workers enjoy the right to establish trade unions, strike, and engage in collective bargaining. About 20 percent of the workforce is unionized.

While the constitutional guarantee of judicial independence is generally respected, corruption in the judicial and law enforcement systems continues to be a problem. In August 2007, journalist Lato Lapsa published transcripts of alleged telephone conversations in the 1990s among a prominent lawyer, judges, and politicians, indicating possible corruption in judicial decisions. The prosecutor's office was investigating the matter at year's end. Legal prohibitions against arbitrary arrest and the right to a fair trial are largely observed in practice. However, lengthy pretrial detention remains an issue of concern. Security officials have been reported to use excessive force against detainees, and prisons continue to suffer from overcrowding and inadequate medical care.

Nearly one-fifth of Latvia's residents are noncitizens. Those who immigrated to Latvia during the Soviet period, the majority of whom are ethnic Russians, must apply for Latvian citizenship through a process including a Latvian language test; more than 120,000 have been granted citizenship through naturalization since 1995. Alleged discrimination suffered by the Russian-speaking community continues to be debated. As required under a 2006 law, Parliament in March 2007 appointed an ombudsman responsible for protecting the rights of individuals in relation to the government. Two men were sentenced to prison terms in January 2007 for attacking a Rwandan citizen; the case marked the first sentencing under a law prohibiting instigation of racial hatred. There are legal provisions for granting asylum or refugee status in accordance with the 1951 UN Convention Relating to the Status of Refugees and its 1967 protocol.

Women enjoy the same legal rights as men, but they often face employment discrimination. There are only 20 women in the 100-member Parliament and 4 women in the 18-member cabinet. Domestic violence and sexual harassment of women in the workplace are reportedly common. Latvia is a source and transit point for women trafficked for the purpose of prostitution. The government funds rehabilitation services for trafficking victims and, sometimes in cooperation with local NGOs and international organizations, training on trafficking issues for law enforcement officials, judges, teachers, and social workers.



## ↓ Lebanon

**Population:** 3,900,000

**Capital:** Beirut

**Political Rights:** 5

**Civil Liberties:** 4

**Status:** Partly Free



**Trend Arrow:** Lebanon received a downward trend arrow due to government paralysis stemming from the deadlock over the presidential nomination.

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

1998	1999	2000	2001	2002	2003	2004	2005	2006	2007
6,5NF	6,5NF	6,5NF	6,5NF	6,5NF	6,5NF	6,5NF	5,4PF	5,4PF	5,4PF

### Overview:

**A political impasse between pro- and anti-Syrian factions in the parliament hindered political progress in 2007 and threatened to return the country to civil conflict. The two sides failed to elect a new president, and the post became vacant in November. During the summer, the Lebanese army battled an al-Qaeda-affiliated militant group based in a Palestinian refugee camp. The group, Fatah al-Islam, was eventually routed, but government pledges to follow up with reconstruction and new security measures were stalled by the ongoing political deadlock. After rescheduling elections 11 times, a new Lebanese president still had not been elected at year's end.**

Lebanon was established as a League of Nations Mandate under France in 1920. After winning its independence in 1943, the new state maintained a precarious democratic system based on the division of parliamentary and government posts among the country's 17 officially recognized sectarian communities. As emigration transformed the slight Christian majority into a minority, Muslim leaders demanded amendments to the fixed 6-to-5 ratio of Christian-to-Muslim parliamentary seats and to exclusive Maronite Christian control of the presidency. In 1975, war erupted between a coalition of Lebanese Muslim and leftist militias aligned with Palestinian guerrilla groups on one side and an array of Christian militias bent on preserving the political status quo on the other.

After the first few years of fighting, a loose consensus emerged among Lebanese politicians regarding a new power-sharing arrangement. However, following the entry of Syrian and Israeli troops into Lebanon in 1976 and 1978, the various militias and their foreign backers had little interest in disarming. The civil war lost much of its sectarian character over the next decade, with the bloodiest outbreaks of fighting taking place mainly within the Shiite Muslim, Christian, and Palestinian communities, or between local and foreign forces.

In 1989, the surviving members of Lebanon's 1972 parliament convened in Taif, Saudi Arabia, and agreed to a plan put forward by the Arab League that weakened

the presidency, established equality in Christian and Muslim parliamentary representation, and mandated close security cooperation with occupying Syrian troops. After the ouster of General Michel Aoun from east Beirut by Syrian forces in October 1990, a new Syrian-backed government extended its writ to most of the country.

In the years that followed, Syria consolidated its control over Lebanese state institutions, though it permitted a degree of political and civil liberties that exceeded those in most other Arab countries. While Lebanese who openly condemned the occupation risked arbitrary arrest and imprisonment, criticism of the government was largely tolerated. By the end of the decade, Lebanon's economy was in deep recession, and growing public disaffection with the postwar establishment spurred demonstrations against the Syrian occupation.

In the wake of its invasion of Iraq in 2003, the United States began openly criticizing the Syrian occupation of Lebanon, and by 2004 it was joined by France and most other European governments. Damascus moved to consolidate its control by pressing the Lebanese parliament to approve a constitutional amendment extending the six-year tenure of President Emile Lahoud, a staunch Syrian ally and a rival of Prime Minister Rafiq Hariri. In September 2004, on the eve of the parliamentary vote, the UN Security Council passed Resolution 1559, calling for a presidential election, the withdrawal of all foreign forces, and the disarmament of militias. Syria's decision to push ahead with the amendment provoked an unprecedented international outcry.

Encouraged by the international climate, Hariri and many other politicians who had been loyal to Syria began defecting to the opposition. In February 2005, four months after resigning as prime minister, Hariri was killed, along with 22 others, in a massive car-bomb explosion. Widespread suspicions of Syrian involvement led to overwhelming international pressure for an immediate Syrian withdrawal and to extensive anti-Syrian demonstrations in Beirut. After a great deal of political turmoil, an interim government that included Hariri's allies and parliamentary opposition figures was formed to oversee legislative elections.

Although Syrian troops withdrew from Lebanon in April, the governing coalition left in place a key pillar of the occupation—a heavily gerrymandered electoral system that embedded most Christian regions in majority Muslim districts. This enabled allies of the late Hariri, calling themselves the "March 14 Coalition," to expand their parliamentary bloc to 72 out of 128 seats in the May and June 2005 elections and form Lebanon's first postoccupation government.

The March 14 Coalition aligned itself squarely with the West and expressed a commitment to major political and economic reforms. However, it lacked the two-thirds parliamentary majority needed to overturn Lahoud's term extension and elect a new president, which left the pro-Syrian Lahoud in office. This division paralyzed government decision making and impeded reform of the security establishment and judiciary. The Shi'ite Islamist movement Hezbollah, which was allied with Syria, continued to refuse to disarm in compliance with UN Security Council Resolution 1559. In October 2005, a UN panel charged with investigating Hariri's murder reported "converging evidence pointing at both Lebanese and Syrian involvement" in the crime. Meanwhile, a series of assassinations and bombings that began in the months after the Syrian withdrawal targeted key anti-Syrian politicians.

On July 12, 2006, Hezbollah's powerful militia kidnapped two Israeli soldiers from across the border and killed eight others. The raid sparked a six-week war with

Israel that severely damaged Lebanon's infrastructure and killed some 1,500 people, most of them Lebanese civilians. After the war ended with a UN-brokered ceasefire, Lebanese politicians struggled to stabilize the government. The main political factions were the ruling March 14 Coalition and the opposition March 8 group, led by Hezbollah and Aoun, the Christian former general. Hezbollah leader Hassan Nasrallah threatened street protests if Prime Minister Fouad Siniora did not accept his demands for a "unity" government in which the opposition would have a stronger presence. In November 2006, opposition ministers resigned from the cabinet. While Hezbollah backed down from strong rhetoric threatening to topple the government, it mounted a round-the-clock protest outside the cabinet offices, and street battles between supporters of the rival factions broke out with increased frequency.

The political deadlock continued throughout 2007, as the pro- and anti-Syrian coalitions in parliament repeatedly failed to elect a new president to replace Lahoud, whose term expired on November 23. The two sides appeared to agree on army commander Michel Suleiman as a compromise candidate toward the end of the year, but Hezbollah and its allies continued to block a vote, demanding a stronger role in government.

Meanwhile, political assassinations and other security problems plagued the country. In September, a car-bomb attack killed Antoine Ghanirn of the Phalange Party, making him the fourth anti-Syrian member of parliament to be assassinated since the Hariri murder in 2005. The UN Security Council had voted in May to establish a tribunal that would hold trials in the Hariri case.

In the most significant security crisis of the year, fighting broke out in May between the Lebanese army and Fatah al-Islam, an Islamist militant group affiliated with al-Qaeda. The fighting continued during the summer as the army laid siege to the group's base in the Nahr al-Bared Palestinian refugee camp; about 400 people were killed. By September, the army had taken full control of the camp, vowing to rebuild it and place it under exclusive Lebanese control. In December, a senior army general who had overseen the operation was assassinated in a car bombing.

UN peacekeepers stationed in southern Lebanon to enforce the 2006 ceasefire agreement between Israel and Hezbollah also came under attack in 2007. Six Palestinians were charged in September with detonating a bomb that killed six UN soldiers in June.

**Political Rights and Civil Liberties:** Lebanon is not an electoral democracy. Electoral districts are blatantly gerrymandered to ensure the reelection of incumbents; the 2005 parliamentary elections were judged to be generally free and fair, but vote buying was reported to be rampant. The National Commission on Parliamentary Electoral Law Reform in 2006 presented Prime Minister Fouad Siniora with draft electoral legislation that would overhaul the voting system and introduce proportional representation for parliamentary elections. However, the proposal has made little progress due to the ongoing political stalemate and the desire of existing political elites to safeguard their positions.

The president is selected every six years by the 128-member National Assembly (parliament), which in turn is elected for four-year terms. The president and parliament nominate the prime minister, who chooses the cabinet, subject to parliamentary approval. The unwritten National Pact of 1943 stipulates that the president be a

Maronite Christian, the prime minister a Sunni Muslim, and the speaker of the National Assembly a Shiite Muslim. Parliamentary seats are divided among major sects under a constitutional formula that does not reflect their current demographic weight. Shias comprise at least a third of the population, but are allotted only 21 percent of parliamentary seats.

Political and bureaucratic corruption are widespread; investors routinely pay bribes to win contracts, which are often awarded to companies with close ties to powerful politicians. Laws and regulations on corruption are loosely enforced. There have been numerous allegations of corruption surrounding the distribution of reconstruction aid and victim compensation in the aftermath of the 2006 Israeli-Hezbollah conflict. Lebanon was ranked 99 out of 180 countries surveyed in Transparency International's 2007 Corruption Perceptions Index.

Freedom of expression is limited but far more substantial than elsewhere in the Arab world. Lebanon has a long tradition of press freedom, though nearly all media outlets are owned by prominent political and commercial elites. Five independent television stations and more than 30 independent radio stations operate, as do dozens of independent print publications, reflecting a diverse range of views. Internet access is not restricted. Despite the relatively open media environment, the government makes use of some legal controls. A number of vaguely worded laws criminalize critical reporting on Syria, the military, the judiciary, and the presidency. The General Security Directorate has the authority to censor all foreign magazines and nonperiodical media. In February 2007, authorities fined Tawfiq Khattab, the editor in chief of *Al-Mustaqbal*, and a reporter, Fares Khasan, \$33,000 each for libel charges and damaging the reputation of President Lahoud. Assassinations of prominent journalists since 2005 have led some to practice self-censorship on matters pertaining to Syria.

In 2007, a number of journalists faced harassment and intimidation while reporting on the Nahr al-Bared fighting and other violence. Several photographers were confronted and allegedly beaten by Lebanese soldiers while attempting to cover the departure of Palestinian refugees from the besieged camp. Separately, three television crews were assaulted by unidentified civilians while covering a bomb attack in May. Crew members from New TV were questioned by young men—allegedly loyal to anti-Syrian leaders—who inquired as to their employer and then beat and insulted them.

Freedom of religion is guaranteed in the constitution and protected in practice. However, the constitution and current electoral law respectively weaken the political representation of Shias and Christians. Academic freedom is firmly entrenched. The country's universities are the Arab world's most open and vibrant.

Rights to freedom of association and assembly are relatively unrestricted. On several occasions in recent years, hundreds of thousands of Lebanese have rallied in favor of or in opposition to the government. A tent camp populated by opposition supporters sprang up in front of government buildings in Beirut in late 2006 as part of the opposition's demand to have a greater say in government. The encampment remained in place throughout 2007. During the conflict at the Nahr al-Bared refugee camp, security services allegedly attacked Palestinian demonstrators who were demanding an end to the fighting. The authorities claimed the protesters were trying to break through an army checkpoint, but other witnesses said the demonstrators were peaceful.

Nongovernmental organizations (NGOs), including human rights groups, are permitted to operate openly. In 2005, the government ended a requirement that NGOs be licensed, but still required notification of a group's formation. The Ministry of Interior has at times transformed the notification process into an approval process and has been known to conduct inquiries into an organization's founding members. NGOs must invite ministry representatives to general assemblies where votes are held on bylaws or boards of directors. All workers except those in government may establish unions, which have the right to strike and bargain collectively.

The judiciary—consisting of civilian courts, a military court, the Judicial Council, and a Constitutional Council—is ostensibly independent, but in practice it is subject to heavy political influence. Aside from the Judicial Council, the courts remain dominated by judges carefully vetted by Syria over the past 15 years, in part because divisions within the government have precluded replacing them. They have continued to issue indictments against journalists who criticize the president, though none have been brought to trial. Since the February 2005 assassination of former prime minister Rafiq Hariri, political and judicial accountability and independence have been hotly debated by civil society activists and lawmakers.

International standards of criminal procedure are generally observed in the regular judiciary, but not in the military court, which consists largely of military officers with no legal training and tries most cases in a matter of minutes.

Arbitrary arrest and detention by the security forces were commonplace before the Hariri assassination, but they have lessened since UN personnel were embedded with the security services to investigate his death. The use of torture to extract confessions is widespread in security-related cases. During the Syrian occupation, Lebanese security agencies routinely monitored the telephones of cabinet ministers and political dissidents alike, though the practice appeared to have ended after the Syrian withdrawal. Prison conditions are poor; overcrowding and pretrial detentions are major problems.

Nearly 350,000 Palestinian refugees living in Lebanon are denied citizenship rights and face restrictions on working, building homes, and purchasing property. The rules reflect Lebanese sensitivities about the potential effect of the mostly Muslim Palestinians' assimilation on the country's precarious sectarian balance. The 2007 conflict in the Nahr al-Bared camp highlighted the precarious situation of Palestinian refugees in Lebanon. Civilians attempting to flee the fighting reported being arbitrarily detained and assaulted by Lebanese soldiers. Palestinians were also allegedly arrested, detained, and in some cases abused by Lebanese soldiers at checkpoints elsewhere in the country.

Women enjoy many of the same rights as men, but they experience some social and legal discrimination. Since family and personal-status matters are adjudicated by the religious authorities of each sectarian community, women are subject to discriminatory laws governing marriage, divorce, inheritance, and child custody. Women are underrepresented in politics, holding only three parliamentary seats, and do not receive equal social-security provisions. Men convicted of so-called honor crimes against women usually receive lenient sentences. Female foreign domestic workers are routinely exploited and physically abused by employers.

## ↓ Lesotho

Population: 1,800,000  
Capital: Maseru

Political Rights: 2  
Civil Liberties: 3  
Status: Free



**Trend Arrow:** Lesotho received a downward trend arrow due to harassment of the media in the run-up to snap elections and security forces' suppression of demonstrations during a postelection curfew.

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

1998	1999	2000	2001	2002	2003	2004	2005	2006	2007
4,4PF	4,4PF	4,4PF	4,4PF	2,3F	2,3F	2,3F	2,3F	2,3F	2,3F

**Overview:** **The ruling Lesotho Congress for Democracy (LCD) party handily won February 2007 snap elections, which had been called after 18 LCD lawmakers defected to the newly formed All Basotho Convention (ABC) party. Opposition parties challenged the results and called a general strike in March; the dispute was being mediated by the Southern African Development Community at year's end. In June, a series of attacks on political figures led to the imposition of a week-long curfew.**

Lesotho gained independence from Britain in 1966, and the following 30 years featured a number of military coups, annulled elections, and suspensions of constitutional rule. Parliamentary elections in 1998, although judged free and fair by international observers, set off protests as the results gave the ruling Lesotho Congress for Democracy (LCD) party 79 out of 80 constituency seats with just 60.5 percent of the vote. Troops from South Africa and Botswana—under the mandate of the 14-country Southern African Development Community (SADC)—were summoned to restore order, and an agreement that year stipulated that future elections must be supervised by an independent commission and include 40 additional, proportionally determined seats in the National Assembly. In the 2002 elections, the LCD captured 57.7 percent of the vote, winning 77 of 80 constituency seats, while the opposition Basotho National Party (BNP) won 21 of the new proportional-representation seats.

Prime Minister Pakalitha Mosisili called snap elections in late 2006 after 18 members of the LCD—led by former cabinet minister Tom Thabane—crossed the floor to join a new opposition party, the All Basotho Congress (ABC); the defections threatened the LCD's majority. The polls had originally been scheduled for May 2007, and the shortened, 90-day timetable resulted in hasty preparations by the Independent Electoral Commission (IEC), an inadequate voter-information campaign, and the use of inaccurate voting rolls. Nevertheless, the February elections were

declared free and fair by domestic and international observers. According to the EEC, the LCD won 61 of the 80 constituency seats, with the ABC capturing 17. The commission allocated 21 of the 40 proportional-representation seats to the LCD-allied National Independent Party (NIP) and 10 to the Lesotho Workers Party (LWP), the ABC's ally. Six other parties were also awarded seats.

Opposition parties—including the ABC/LWP and the BNP, which lost 18 seats—disputed the allocations and called a general strike in March. The strike was halted after the SADC agreed to mediate the dispute, and talks were ongoing at year's end. In June, the homes of three cabinet ministers and ABC leader Thabane were attacked, prompting the government to impose a week-long curfew.

Drought has plagued the country since 2001. In 2007, drought conditions were severe; production of maize, the staple food source, dropped by over 50 percent, and prices have doubled since 2006. After Mosisili declared a state of emergency in July, the United Nations launched a \$19 million aid effort, stating that over 500,000 Lesotho residents would require food aid.

Lesotho is scarred by an adult HIV/AIDS prevalence rate of over 23 percent, one of the world's highest. In 2005, the government announced a plan to offer free HIV testing to all citizens, the first such program in the world. In April 2007, the government launched a four-year plan to reduce HIV infections among children.

**Political Rights and Civil Liberties:** Lesotho is an electoral democracy. King Letsie **in** serves as ceremonial head of state. Under a system introduced in 2002, 80 of the 120 seats in the lower house of Parliament, the National Assembly, are filled by first-past-the-post constituency votes, and 40 are filled by proportional representation. The leader of the majority party becomes prime minister. Snap elections held in February 2007 resulted in a landslide victory for the ruling LCD and its NIP allies, though opposition parties including the ABC, LWP, and BNP contested the results.

The Senate, the upper house of Parliament, consists of 11 royal appointees and Lesotho's 22 traditional principal chiefs, who wield considerable authority in rural areas.

The government has aggressively prosecuted corruption cases. In recent years, over a dozen officials and international construction firms have been investigated—and a number of both convicted—for practices associated with the Lesotho Highlands Water Project (LHWP), a multibillion-dollar dam and watershed project. The LHWP's former chief executive was sentenced in 2002 to 15 years in prison for bribery. In 2006, two officials were accused of taking LHWP-related bribes from the German engineering consultancy Lahmeyer International. Lesotho was ranked 84 out of 180 countries surveyed in Transparency International's 2007 Corruption Perceptions Index.

The government generally respects freedom of speech and the press, though press freedom declined in 2007. Independent newspapers and radio stations operate freely and routinely criticize the government, while state-owned print and broadcast media tend to reflect the views of the ruling party. Media criticism of the government can draw extremely high libel penalties, and reporters are occasionally harassed or attacked. Journalists at Harvest FM and People's Choice FM were threatened and accused of "causing confusion" in the run-up to the February 2007 elections. Harvest FM has reportedly been targeted by the government as the "headquarters" of

the opposition ABC. Host Adam Lekhoaba was deported to South Africa after the polls for political reasons, though he was allowed to return later in the year. In June, journalist Thabo Thakalekoala was arrested for treason after reading a letter attacking the prime minister on Harvest FM; the host claimed he was forced to read the letter after receiving death threats. The government does not restrict internet access.

Freedom of religion in this predominantly Christian country is widely observed. The government does not restrict academic freedom.

Freedoms of assembly and association are generally respected. Several non-governmental organizations (NGOs) operate openly. However, assembly rights were suspended during the June 2007 curfew, which lasted a week and featured military deployments and roadblocks in Maseru. While labor rights are constitutionally guaranteed, the union movement is weak and fragmented, and many employers in the textile sector do not allow union activity.

Courts are nominally independent, but higher courts are especially subject to outside influence. The large backlog of cases often leads to trial delays and lengthy pretrial detention. Mistreatment of civilians by security forces reportedly continues. Prisons are dilapidated and severely overcrowded, and lack essential health services; instances of torture and excessive force have been reported. Citizens are protected against government infringements on their rights by an independent ombudsman's office.

Tensions between Basotho and the small Chinese business community have led to minor instances of violence.

The constitution bars gender-based discrimination, but customary practice and law still restrict women's rights in areas including property and inheritance. While their husbands are alive, women married under customary law have the status of minors in civil courts and may not enter into binding contracts. Domestic violence is reportedly widespread, but is becoming less socially acceptable. In 2006, the government announced plans to improve medical care for victims of rape. A constitutional amendment reserves a third of the total seats in municipal councils elected in 2005 for women.



## Liberia

**Population:** 3,800,000

**Capital:** Monrovia

**Political Rights:** 3

**Civil Liberties:** 4

**Status:** Partly Free



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

1998	1999	2000	2001	2002	2003	2004	2005	2006	2007
4,5PF	4,5PF	5,6PF	6,6NF	6,6NF	6,6NF	5,4PF	4,4PF	3,4PF	3,4PF

### Overview:

**The administration of President Ellen Johnson-Sirleaf in 2007 continued its campaign to combat corruption and rebuild Liberia in the aftermath of a 14-year civil war, but improvements in many areas, especially the judicial system, proved elusive. Responding to a 2006 corruption audit by the Economic Community of West African States, the government arrested a number of leading figures from the 2003-05 transitional administration, including the interim president. However, Liberia's Truth and Reconciliation Commission, established in 2006, encountered funding shortages and delays in 2007, and has yet to produce any significant findings.**

Liberia was settled in 1821 by freed slaves from the United States and became an independent republic in 1847. Americo-Liberians, descendants of the freed slaves, dominated the political landscape until 1980, when army sergeant Samuel Doe led a bloody coup and murdered President William Tolbert. Doe's regime concentrated power among members of his Krahn ethnic group and suppressed other groups. In 1989, forces led by former government minister Charles Taylor and backed by the Gio and Mano ethnic groups launched a guerrilla insurgency from neighboring Cote d'Ivoire. A year later, Nigeria, under the aegis of the Economic Community of West African States (ECOWAS), led an armed intervention, preventing Taylor from seizing the capital but failing to protect Doe from being captured and tortured to death by a splinter rebel group led by Prince Johnson.

After seven years of endemic violence that forced hundreds of thousands of people to flee their homes, a peace accord was signed, leading to elections in 1997. Taylor won decidedly by arguing that a vote for him was the only way to ensure peace. Nevertheless, peace proved elusive and violence continued. Long-standing grievances were not resolved, and Taylor made little effort to seek genuine reconciliation. Some of his rivals eventually formed Liberians United for Reconciliation and Democracy (LURD), comprised primarily of the Mandingo ethnic group, and launched an uprising from neighboring Guinea. With rebels poised to overrun the capital and the United States calling for him to step down, Taylor resigned in August 2003 and accepted Nigeria's offer of asylum.

Taylor's departure quickly ended 14 years of intermittent civil war that had spilled

over into three neighboring countries and left 200,000 people dead in Liberia alone. ECOWAS helped negotiate an end to the fighting, and West African peacekeepers became part of a 15,000-strong UN-led force that oversaw disarmament and demobilization. Human rights abuses abated considerably following the ceasefire, but some violations continued, especially in the countryside. Delegates to the peace talks in 2003 chose businessman Charles Gyude Bryant as Liberia's interim president, and he ruled the country until the 2005 elections.

Congress for Democratic Change (CDC) candidate George Weah, who had risen from the slums of Monrovia to become an international soccer star, won the first round of the presidential election in October 2005 with 28.3 percent, followed by Harvard-educated economist and Unity Party (UP) candidate Ellen Johnson-Sirleaf with 19.8 percent. In the November runoff, Johnson-Sirleaf captured 59.4 percent of the vote, compared with Weah's 40.6 percent. Weah filed a challenge over the fairness of the vote, and there were fears that some of the former fighters who supported him would resort to violence. However, in late December—under pressure from Nigerian, Ghanaian, and other regional leaders—Weah officially conceded the election. During the concurrent legislative polls, 12 parties—including those of former warlords such as Prince Johnson—were voted into office, as were a handful of independents. The CDC led the voting, taking 18 seats, while the UP captured 11.

Taylor, who had been indicted by the UN-backed Special Court for Sierra Leone in March 2003 for his alleged role in arming Sierra Leonean rebels in exchange for diamonds, was finally turned over to the court by Nigeria at the behest of Johnson-Sirleaf in March 2006. His trial on 17 counts of war crimes, crimes against humanity, and other serious violations of international law began in June 2007 in The Hague, the Netherlands, but a motion by the defense to postpone the trial until January 2008 was accepted by the court.

Since her inauguration in January 2006, Johnson-Sirleaf has worked to fulfill her campaign promises to repair infrastructure and combat corruption, making some noteworthy progress on both fronts. Significant international investment in education has dramatically increased the number of children attending primary school, and recruitment for the Liberian National Police has exceeded expectations, with more than 3,500 new officers trained by September 2007. Also in 2007, the government made a number of corruption arrests, including that of interim president Bryant, though some have suggested that the cases have been pursued selectively.

The reconstruction effort is heavily dependent on international investment and the continued presence of 15,000 UN troops. Liberia currently has \$3.7 billion worth of debt to international lenders, and Johnson-Sirleaf spent much of her time abroad in 2007 to encourage investment and debt relief, particularly from the United States. The U.S. government consequently agreed to write off \$391 million in debt, and Germany similarly promised to cancel all of Liberia's bilateral debt.

**Political Rights and Civil Liberties:** Liberia is an electoral democracy. International observers determined that presidential and legislative elections held in 2005 were free and fair. The bicameral National Assembly consists of a 30-member Senate and a 64-member House of Representatives; senators are elected to nine-year terms, and representatives are elected to six-year terms. Presidents also serve six-year terms, and are eligible for a second term. Major politi-

cal parties include President Ellen Johnson-Sirleaf's UP, George Weah's CDC, the Liberty Party, and the National Patriotic Party, the party of former president Charles Taylor. The presence of so many parties in the Senate has yielded a fragmented and disorganized opposition, which has given Johnson-Sirleaf the opportunity to quickly push reforms through the House.

Johnson-Sirleaf has made fighting corruption a central goal of her administration. The transitional administration that preceded her is believed to have been responsible for the theft of some \$100 million in public funds. In 2006, ECOWAS published an audit that implicated a number of prominent transitional officials on corruption charges. In response, the Liberian government in early 2007 ordered the arrests of a number of those individuals, including the former finance minister and the interim president, Charles Gyude Bryant, who was charged with embezzling some \$1.3 million. Bryant argued that his status as former head of state gave him immunity to such prosecution and boycotted the proceedings in early December. The court disagreed and held him in prison until he agreed to appear in court a few days later. However, such cases are jeopardized by the inadequate functioning of the judiciary. A case against former employees of the National Social Security and Welfare Corporation had to be thrown out in 2007 due to lack of evidence. Earlier in the year, auditor general John Morlu accused the Johnson-Sirleaf administration of being "three times as corrupt" as the transitional administration. He expressed his concern that millions of dollars of the 2007-08 budget were unaccounted for. Nonetheless, domestic and international observers generally agreed that the government has made a credible effort to tackle such problems, and as a reward for its efforts, the United Nations in 2007 lifted sanctions on the export of Liberian diamonds. For its part, the government remains uncertain that it has the capacity to control the illegal diamond mines and smugglers still operating in many parts of the country. Liberia was ranked 150 out of 180 countries surveyed in Transparency International's 2007 Corruption Perception Index.

Since the expulsion of Charles Taylor, the media environment has become decidedly more open. There are more than 30 newspapers publishing primarily in Monrovia, and nearly 50 radio stations operate across the country, principally on a community basis. Journalists frequently report unfavorably on the current government's behavior, though a number have been harassed as a result. In May 2007, the *Independent*, a privately owned newspaper, was banned for a year in response to an article that included photographs of a senior minister in a compromising sexual situation. The minister, Willis Knuckles, was forced to resign, but the newspaper successfully challenged the ban in court.

Religious freedom is respected in practice. Muslims have been targeted in the past because many Mandingos, who were a key ethnic component of the LURD rebel group, follow Islam. In May 2007, the Senate rejected the formation of a Muslim caucus.

The government does not restrict academic freedom. During reconstruction, the government has actively encouraged more students to attend primary and secondary school. Those efforts, combined with significant international investment, have resulted in a 40 percent increase in attendees. However, the educational infrastructure is struggling to keep up with the influx, and many students are taught by unqualified teachers in ill-equipped classrooms.

Freedom of assembly is guaranteed and respected. Numerous civil society groups, including human rights organizations, operate in the country. The right to strike, organize, and bargain collectively is recognized. However, the current labor laws badly need reform, and labor conditions are often harsh because bargaining arrangements are poorly implemented. Although union activity is limited by the lack of economic activity, there were a number of protests throughout the year against the government's failure to pay salaries on time. Demonstrators behaved peacefully, and the government refrained from using force in response. In a repeat of 2006 protests, approximately 1,000 former soldiers rioted in Monrovia in February 2007 over unpaid demobilization packages and salaries. Police quickly dispersed the crowd and arrested five protesters, and only a handful of people were injured, none seriously.

Under previous administrations, the judiciary was subject to extensive executive influence, intimidation by security forces, and corruption stemming from low salaries. Though Johnson-Sirleaf has pledged to build a functioning justice system, the funding allocated for that purpose has so far been inadequate. This has caused significant problems for the successful resolution of corruption cases.

In October 2006, a Truth and Reconciliation Commission began functioning in Liberia. The commission ostensibly has the power to investigate crimes committed between January 1979 and October 2003, and to recommend for prosecution those individuals who it believes are responsible for the most serious human rights violations. Nonetheless, the government has yet to make any preparations for providing compensation to victims, and at year's end, the commission was at least six months behind schedule. Moreover, some of the commission's staff claim that they have not been paid since February 2007, and civil society groups complain that they have been excluded from the process.

Many of Liberia's prisons were destroyed during the war and have not yet been rebuilt, though some reconstruction efforts did begin in 2007. Many that remain are grossly overcrowded, including Monrovia Central Prison, which now houses four times its intended capacity. Inmates are forced to live in sometimes life-threatening conditions, and reports of abuse of female and juvenile inmates are common. Delays in the judicial process further aggravate the situation, causing many to be held in pretrial detention for more than 90 days, often in the same cells as convicted criminals.

The police force is being restructured under the 2003 peace accord. By September 2007, Liberia had exceeded its goal for the number of new recruits, and more than 3,500 had been trained, including 202 women. However, reports of police intimidation and abuse have continued. Crime is on the rise in Monrovia, and the security situation outside of the capital remains tenuous, but the current security forces are lack sufficient arms and funding.

Interethnic relations continue to be strained, since many groups fought one another during the civil war. Animosity exists primarily between the Krahn, Gio, Mano, and Mandingo ethnicities. Tensions between thousands of returning Mandingo refugees and members of the Mano and Gio tribes, who have since taken over their land in the northern county of Nimba, continue to threaten the peace in that region.

The treatment of women varies by ethnic group, religion, and social status. During the civil war, women and girls were often abducted as laborers or for sexual exploitation, while others joined rebel groups or militias to protect themselves. Even after the civil war, many women continue to suffer physical abuse, particularly in the

Monrovia area. The local media report at least two rapes of young girls every week, with many more going unreported. The former transitional government strengthened existing rape laws in December 2005; previously, only gang rape had been considered a crime. Nevertheless, the weakness of the judicial system has meant that few rape prosecutions come to fruition. As of 2007, only two convicted rapists have received the maximum life sentence.

Many orphanage owners exploit their charges to obtain international donations, particularly from faith-based organizations. In order to inflate their numbers, many take in children whose parents are still alive. Promises of education and income made to the parents often go unfulfilled, and the children are frequently kept in unsanitary conditions and forced into labor. A UN report in 2007 found that 11 out of every 15 Liberian orphanages represented a serious human rights violation. By August, the government had officially recognized the problem and began reuniting thousands of "orphans" with their parents.

## Libya

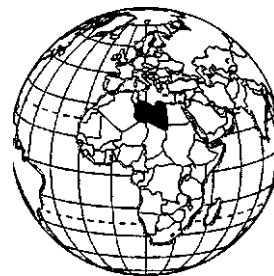
**Population:** 6,200,000

**Capital:** Tripoli

**Political Rights:** 7

**Civil Liberties:** 7

**Status:** Not Free



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

1998	1999	2000	2001	2002	2003	2004	2005	2006	2007
7,7NF	7,7NF	7,7NF	7,7NF	7,7NF	7,7NF	7,7NF	7,7NF	7,7NF	7,7NF

### Overview:

**Libya continued to improve its relations with the United States and Europe in 2007, in part by making major arms purchases and releasing a group of six foreign health workers who had been sentenced to death on dubious charges. In November, al-Qaeda announced an alliance with a Libyan Islamist militant group, highlighting the Libyan regime's interest in antiterrorism cooperation with the West. However, the oil-rich country's poor human rights performance showed no signs of improvement during the year, and the warmer diplomatic climate appeared to dim prospects for concerted international pressure on the issue.**

Libya was part of the Ottoman Empire until the Italian conquest of the country in 1911. It achieved independence in 1951 after a brief period of UN trusteeship in the wake of World War II. Until 1969, the sparsely populated country was ruled by a relatively pro-Western monarch, King Idris. A group of young army officers, led by 27-year-old captain Mu'ammarr al-Qadhafi, overthrew the king while he was traveling abroad.

Al-Qadhafi believed that foreign oil companies were profiting from the country's natural-resource wealth at the expense of the Libyan people, and he moved to nationalize oil assets, claiming that oil revenues would be shared among the population. In the early phase of his leadership, al-Qadhafi published a multivolume treatise, the *Green Book*, in which he expounded his political philosophy and ideology, a fusion of Arab nationalism, socialism, and Islam. Although he has been Libya's undisputed leader since 1969, making him one of the world's longest-serving rulers, he officially holds no title and is referred to as the Brotherly Leader and Guide of the Revolution.

Al-Qadhafi adopted decidedly anti-Western policies, and after the regime was implicated in several international terrorist attacks, the United States imposed sanctions on Libya in 1981. Relations between the two countries continued to worsen, and in 1986 the United States bombed several targets in Libya, including al-Qadhafi's home. The attack led to more provocations. In 1988, a Pan Am airliner exploded over Lockerbie, Scotland, killing all 259 people aboard as well as 11 residents of the town. After an exhaustive investigation, Scottish police issued arrest warrants for two Libyan men, including a Libyan intelligence agent. The UN Security Council then imposed trade sanctions on the country. For the next several years, Libya was economically and diplomatically isolated.

In 1999, al-Qadhafi moved to mend his international image and handed over the two Lockerbie bombing suspects for trial. He accepted responsibility for past acts of terrorism and offered compensation packages to the families of victims. The United Nations suspended its sanctions, and the European Union (EU) began reestablishing diplomatic and trade relations with Tripoli. In 2001, the International Court of Justice in The Hague, the Netherlands, found one of the Lockerbie suspects guilty of masterminding the attack. Libya agreed to pay a \$10 million compensation package to the families of each of the 270 victims in 2003. The following year, al-Qadhafi made his first trip to Europe in more than 15 years, and European leaders in turn traveled to Libya. The EU subsequently lifted its arms embargo and normalized diplomatic relations; Libya purchased hundreds of millions of dollars in European weapons systems in 2007. The regime has also improved its relations with the United States. In 2004, a year after al-Qadhafi's government announced that it had scrapped its nonconventional weapons programs, the United States established a liaison office in Tripoli. The United States eventually removed Libya from its list of state sponsors of terrorism, and established a full embassy in Tripoli in May 2006.

Many observers have speculated that Saif al-Islam al-Qadhafi, the leader's son, is behind some of the policy moves of the past few years. He runs a charitable organization, the Gaddafi International Foundation for Charity Associations, and has facilitated visits by foreign human rights activists. According to press reports, his foundation has made it possible for Libyan citizens to report abuses by the authorities. Saif al-Islam has also publicly criticized current conditions in Libya and advocated changes in the leadership. Nevertheless, the diplomatic and economic shifts to date have not been accompanied by noticeable improvements in political rights or civil liberties.

**Political Rights and Civil Liberties:** Libya is not an electoral democracy. Power theoretically lies with a system of people's committees and the General People's Congress, but those structures are manipulated in

practice to ensure the continued dominance of Mu'ammar al-Qadhafi, who holds no official title. It is illegal for any political group to oppose the principles of the 1969 revolution, which are laid out in al-Qadhafi's *Green Book*, although market-based economic changes in recent years have diverged from the regime's socialist ideals.

Political parties have been illegal for over 35 years. The government strictly monitors political activity, and those who appear to be attempting to establish anything akin to a political party face imprisonment. Many Libyan opposition movements and figures operate outside the country.

Corruption is pervasive in both the private sector and the government in Libya, which ranked 131 out of 180 countries surveyed in Transparency International's 2007 Corruption Perceptions Index.

There is no independent press in Libya. State-owned media largely operate as mouthpieces for the authorities, and journalists work in a climate of fear and self-censorship. Those who displease the regime face harassment or imprisonment on trumped-up charges. According to the New York-based Committee to Protect Journalists (CPJ), three suspects were sentenced to death in 2007 for the 2005 murder of journalist Dayf al-Ghazal al-Shuhaibi. He had worked for state-owned media but also contributed to London-based websites focused on Libya, and had criticized the authorities in the months leading up to his death. According to CPJ, little information was released on the trial of the three suspects, prompting concerns about the sincerity of the process.

Nearly all Libyans are Muslim. The government closely monitors mosque activity for Islamist activity, and there have been unconfirmed reports of Islamist militant groups allied to al-Qaeda operating against the government. In November 2007, al-Qaeda declared that the so-called Libyan Islamic Fighting Group had joined its international network. The few non-Muslims in Libya are permitted to practice their faiths with relative freedom. Academic freedom is tightly restricted.

The government does not uphold freedom of assembly. Those demonstrations that are allowed to take place are typically meant to support the aims of the regime. In February 2007, the authorities arrested 12 men for planning a peaceful demonstration in Tripoli to commemorate clashes between security forces and demonstrators the previous year. (The clashes had occurred after the demonstrators attacked the Italian embassy in connection with the publication in Denmark of cartoons that were critical of the prophet Muhammad.) The 12 arrested men face serious punishment, including possible death sentences. The law allows for the establishment of non-governmental organizations, but those that exist are directly or indirectly linked to the government. There are no independent labor unions.

The infamous People's Court, which had been used to punish dissidents, has been closed, but the judiciary as a whole remains subservient to the political leadership. In July 2007, a high-profile case involving five Bulgarian nurses and a Palestinian doctor came to an end when the six defendants were released. They had been arrested in 1999 after being accused of deliberately infecting 400 Libyan children with HIV, and had since faced death sentences as the case moved through the courts. Experts have cited ample evidence that the prosecution was politically motivated, and the defendants claimed to have been tortured in custody. Their release followed intense diplomatic efforts by European nations, and the EU agreed to provide life-long treatment for the infected children. In addition, Libya was able to improve its

commercial ties with Europe in the wake of the deal, and al-Qadhafi and French president Nicolas Sarkozy visited each other in their respective capitals.

A large number of migrants from sub-Saharan Africa work in Libya or pass through in attempts to reach Europe. Human rights organizations have documented and criticized the country's treatment of these migrants. The regime has been more aggressive in its crackdown on illegal laborers in recent years, increasingly the likelihood of abuses.

Women enjoy many of the same legal protections that men do, but certain laws and social norms perpetuate many forms of discrimination, particularly in areas such as marriage, divorce, and inheritance.

## Liechtenstein

Population: 40,000  
Capital: Vaduz

Political Rights: 1  
Civil Liberties: 1  
Status: Free



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

1998	1999	2000	2001	2002	2003	2004	2005	2006	2007
1,1F	1,1F	1,1F	1,1F	1,1F	1,1F	1,1F	1,1F	1,1F	1,1F

### Overview:

**In 2007, Liechtenstein was praised for making some progress on cooperation with international financial authorities, but it remained labeled as an uncooperative tax haven. The authorities also began a money laundering investigation aimed at Siemens, the German engineering giant.**

Liechtenstein was established as a principality in 1719 and gained its sovereignty in 1806. From 1938 to 1997, it was governed by a coalition of the Progressive Citizens' Party (FBP) and the Fatherland Union, now the Patriotic Union (VU). Otmar Hasler, the current FBP leader, became prime minister after his party won a majority of seats in Parliament in the February 2001 elections.

In 2000, the Organization for Economic Cooperation and Development (OECD) labeled the principality uncooperative on money laundering because of its traditional banking-secrecy laws. Liechtenstein then passed a law ending anonymity for account holders, and it was removed from the list of uncooperative states in June 2001. However, after the September 2001 terrorist attacks on the United States, concerns reemerged that Islamist terrorists could be laundering money in Liechtenstein. The International Monetary Fund (IMF) reported in September 2003 that the country had made progress in updating its banking regulations, but it expressed concern that understaffing in the government and banks could weaken enforcement.



In a March 2003 referendum, voters approved a constitutional amendment that granted significantly more power to the monarch, Prince Hans-Adam II. He had threatened to leave for Austria if the measure failed to pass. The amendment gives the prince the authority to dismiss the government, veto legislation, and appoint judges. However, it removes his right to rule by emergency decree. On August 15, 2004, Prince Hans-Adam handed his constitutional powers to his son, Hereditary Prince Alois, though Hans-Adam retained his title as head of state.

In two-stage elections in March 2005, the VU and the FBP won 10 and 12 of Parliament's 25 seats, respectively. However, since a small third party, the Free List, captured three seats, the two larger parties were forced to form a grand coalition. Hasler remained prime minister, and his FBP took three of the five cabinet seats.

Prince Alois reiterated in 2006 that Liechtenstein would not make further changes to its banking-secrecy laws. In 2007, the OECD restated that the principality was an uncooperative tax haven, one of only three countries (along with Andorra and Monaco) that were so designated. However, partly in an effort to burnish its reputation, Liechtenstein did cooperate with an investigation into Siemens, the German-based engineering giant, regarding the alleged laundering of 190 million euros (\$256 million) that may have been used for bribes. The broader investigation gained significant international attention, as it cost the chairman and chief executive of Siemens their jobs.

**Political Rights and Civil Liberties:** Liechtenstein is an electoral democracy. However, the unelected monarchy won greater authority in 2003, making it the most politically powerful in Europe. The unicameral Parliament (Landtag) consists of 25 deputies chosen by proportional representation every four years. These freely elected representatives determine the policies of the government, but the monarch, currently Hereditary Prince Alois, has the power to veto legislation, dismiss the government, and appoint judges.

Political parties are able to freely organize. Two parties—the VU and the FBP—have dominated politics over the last half-century; however, the small Free List won three seats in the 2005 elections. Switzerland and Austria, which surround Liechtenstein, have a substantial measure of influence on the tiny principality.

Liechtenstein's politics and society are largely free of corruption, and the country continues to work to build sufficient capacity to fight money laundering in its banking system. Although Liechtenstein has a reputation as a tax haven, it signed an agreement with the European Union (EU) in 2005 promising to impose withholding taxes on savings income earned by EU nationals. (The withholding would not apply to nationals of other countries, leading to further complaints from the OECD.) Liechtenstein was not ranked by Transparency International in its 2007 Corruption Perceptions Index.

The constitution guarantees freedom of expression and of the press. One private television station competes with the state broadcaster, and the only radio station is in private hands. The two daily newspapers are aligned roughly with the two major political parties. Broadcasts from Austria and Switzerland are available and popular in the country, as are foreign newspapers and magazines. Internet access is unfettered.

The constitution establishes Roman Catholicism as the state religion but pro-

pects freedom of belief. Catholic or Protestant religious education is mandatory, but exceptions are routinely granted. All religious groups are tax exempt. The government respects academic freedom.

The right to assemble freely is not infringed. The right of association is also protected, and the principality has one small trade union.

Judges are appointed by the prince. Due process is respected, and conditions in prisons are acceptable. Following controversy over the monarch's expanded powers, the Council of Europe's secretary-general gave assurances that "Liechtenstein's status as a law-based state is unarguable." The IMF has rated the financial-services regulators as capable but too understaffed to fully police all banks and account holders. Crime is rare in the country. Switzerland is responsible for its customs and defense.

A third of the population is foreign born. While most come from Germany, Austria, and Switzerland, a growing proportion are from more distant countries and do not speak German. Some native citizens have expressed concern over the number of immigrants. The government has responded by seeking to teach newcomers the language and culture of Liechtenstein in formal integration programs.

Liechtenstein has been a member since 1995 of the European Economic Area, a free-trade area that links non-EU members Norway, Iceland, and Liechtenstein with the EU. Liechtenstein's currency is the Swiss franc. Living standards are high, and the country has a large number of small businesses and a strong financial sector.

Under a 2005 reform, abortion is now legal in the first 12 weeks of pregnancy. A 2003 court decision upheld the principle of equal pay for equal work for women, but Liechtenstein society remains conservative—women did not receive full voting rights until 1986—and practice lags behind principle. Women are underrepresented in upper levels of business and government, but have equal rights in family law. The five-person cabinet includes one woman, responsible for foreign affairs, culture, and family affairs.

## Lithuania

**Population:** 3,400,000

**Capital:** Vilnius

**Political Rights:** 1

**Civil Liberties:** 1

**Status:** Free



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

1998	1999	2000	2001	2002	2003	2004	2005	2006	2007
1,2F	1,2F	1,2F	1,2F	1,2F	1,2F	2,2F	1,1F	1,1F	1,1F

#### Overview:

**The Social Democratic Party, a member of the ruling coalition, and the opposition Homeland Union captured the most seats in February 2007 local elections. Controversy sur-**

**rounding Lithuania's highest law enforcement agency resulted in the replacement of the agency's chief in June. Meanwhile, Parliament passed legislation that abolished private sector employment restrictions for former KGB officers.**

Lithuania became independent at the end of World War I, but it was annexed by the Soviet Union in 1940 under a secret protocol of the 1939 Hitler-Stalin pact. The country regained its independence with the collapse of the Soviet Union in 1991, and it joined NATO and the European Union (EU) in April and May 2004, respectively.

Also in April 2004, President Rolandas Paksas was impeached on charges of corruption and violation of his oath of office and the constitution. Arturas Paulauskas, the speaker of Parliament, took over as acting president until elections were held in June. Valdas Adamkus defeated Kazimiera Prunskiene, the leader of the Union of Farmers and New Democracy (VNDS), in a tight runoff contest and was sworn in as president in July.

In parliamentary elections held in two rounds in October 2004, a right-wing coalition of the Homeland Union/Lithuanian Conservatives (HU) and the Liberal and Center Union (LCU) captured 43 seats (25 for HU and 18 for the LCU). The Labor Party won 39 seats; the ruling leftist coalition of the Lithuanian Social Democratic Party (SDP) and New Union (Social Liberals) garnered 31 (20 and 11, respectively); the VNDS took 10; the Liberal Democratic Party (LDP) won 10; the Electoral Action of Lithuanian Poles secured 2 seats; and independent candidates collected the remaining 6 seats. After negotiations between left- and right-wing parties broke down, a ruling center-left coalition emerged in November, consisting of the Labor Party, VNDS, the SDP, and New Union (Social Liberals).

In April 2006, the right-wing opposition initiated a no-confidence vote to remove Paulauskas of the New Union (Social Liberals) as speaker of Parliament, citing revelations of abuse of authority in the parliamentary chancellery. The vote was supported by members of the Labor Party, who reportedly hoped to increase their overall influence in the government. The New Union (Social Liberals) responded by immediately pulling out of the ruling coalition, which survived for several weeks with the remaining three parties. However, on May 31, the Labor Party withdrew its ministers after prosecutors launched an investigation into misuse of the party's funds. Prime Minister Algirdas Brazauskas of the SDP resigned the next day, triggering the collapse of the government. A new ruling coalition was organized in July, consisting of the SDP, LCU, National Farmers' Union (formerly the VNDS), and the new Civic Democracy Party (PDP), which had formed following a split within the Labor Party. The four parties together held fewer than 60 seats in Parliament, marking the first time since independence that the country had a minority government. Defense Minister Gediminas Kirkilas of the SDP was chosen as the new prime minister.

The SDP and the opposition HU captured the largest overall number of seats in February 2007 local elections, while a member of former president Paksas's Order and Justice Party won the mayor's post in Vilnius. In March, the Central Election Commission took the unprecedented step of canceling the results in two districts because of reported electoral violations, including vote buying, which it found to have influenced the results. However, a court order two weeks later invalidated the decision due to lack of evidence.

In an ongoing controversy involving the State Security Department (SSD), the country's highest law enforcement agency, SSD chief Arvydas Pocius offered his resignation in December 2006 after Parliament's National Defense and Security Committee issued a highly critical report on the SSD's work. However, Parliament in March 2007 rejected Pocius's resignation after he made a series of dramatic claims, including an accusation that the chairman of the National Defense and Security Committee had a history of involvement with the Soviet-era KGB. When no evidence was found to substantiate the allegations, Parliament voted to dismiss Pocius in May and approved his successor the following month.

**Political Rights and Civil Liberties:** Lithuania is an electoral democracy. The 1992 constitution established a unicameral, 141-seat Parliament (Seimas), with 71 members elected in single-mandate constituencies and 70 chosen by proportional representation, all for four-year terms. The prime minister is selected by Parliament, and the president is directly elected for a five-year term. While the 2004 parliamentary and presidential elections were largely free and fair, there were reports of irregularities, including a lack of transparency in campaign financing. In 2005, three deputies were found guilty and fined for vote buying in the 2004 legislative poll. Six members of ethnic minorities hold seats in Parliament. Lithuania's many political parties operate freely, but the Communist Party is banned.

Corruption scandals involving senior government officials have made headlines during the last few years. In September 2007, former economy minister and Labor Party leader Viktor Uspaskich was arrested as he returned to Lithuania from his native Russia, where he had fled the previous year to escape charges of tax and electoral fraud; a trial date had not been set at year's end. Lithuania was ranked 51 out of 180 countries surveyed in Transparency International's 2007 Corruption Perceptions Index.

The government generally respects freedom of speech and the press. There is a wide variety of privately owned newspapers that publish in Lithuanian, Russian, and a few other languages. Several independent broadcast media outlets, as well as state-run television and radio stations, broadcast throughout the country. Libel is punishable with a fine or a prison sentence. The government does not restrict access to the internet.

Freedom of religion is guaranteed by law and largely enjoyed in practice in this predominantly Roman Catholic country. However, state-recognized religious communities enjoy certain government benefits, including subsidies, that are not granted to unrecognized groups. Academic freedom is respected.

Freedoms of assembly and association are generally upheld. There are no serious obstacles to the registration of nongovernmental organizations, and human rights groups operate in the country without restrictions. Workers have the right to form and join trade unions, to strike, and to engage in collective bargaining, and about 10 percent of the workforce is unionized.

The country's constitution guarantees an independent judiciary, which is respected in practice. Defendants generally enjoy due process rights, including the right to be informed of the charges against them and the presumption of innocence, though lengthy pretrial detention remains a problem. There have been reports of police abuse of suspects and corruption within the law enforcement system. Pris-

ons continue to suffer from overcrowding, poor sanitation, and inadequate access to health care.

The rights of the country's ethnic minorities, who constitute approximately 16 percent of the population, are legally protected. After regaining its independence, Lithuania extended citizenship to everyone born within its borders, and more than 90 percent of nonethnic Lithuanians, mostly Russians and Poles, became citizens. In May 2007, the Vilnius city government banned an EU-backed rally to promote tolerance toward minority groups, including homosexuals, due to supposed fears that the event could spark unrest. An international gay and lesbian conference in Vilnius in October was met with negative comments from local officials, an antigay demonstration, and a smoke bomb released in a club where many of the participants had gathered. The granting of asylum or refugee status in accordance with the 1951 UN Convention Relating to the Status of Refugees and its 1967 protocol is legally protected; in 2007, the government granted refugee status or asylum to 393 people.

Lithuania's 1999 lustration law placed a 10-year ban on former KGB officers holding public office and working in some private sector positions. In May 2007, Parliament adopted amendments to the law that abolished the private sector employment restrictions; the move came in response to European Court of Human Rights' rulings that the ban violated the right to employment under the European Convention on Human Rights. Meanwhile, Parliament failed to override a presidential veto of additional amendments that would have extended the ban on employment in the public sector to include former KGB reserve officers. The latter amendments appeared to have been aimed largely at Arvydas Pocius, the head of the SSD, and former foreign minister Antanas Valionis; two years earlier, the country's media had reported that the names of both men were on a list of KGB reserve officers.

Although men and women in Lithuania enjoy the same legal rights, women remain underrepresented in management positions and earn lower average wages than men for the same work. Of the 141 members of Parliament, 33 are women. Domestic violence remains a serious problem. Lithuania is a source, transit point, and destination for the trafficking of women and girls for the purpose of prostitution. To help address the problem, the government provides antitrafficking public service announcements and partially funds centers that assist victims.

## Luxembourg

**Population:** 500,000  
**Capital:** Luxembourg

**Political Rights:** 1  
**Civil Liberties:** 1  
**Status:** Free



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

1998	1999	2000	2001	2002	2003	2004	2005	2006	2007
1,1F	1,1F	1,1F	1,1F	1,1F	1,1F	1,1F	1,1F	1,1F	1,1F

**Overview:** Luxembourg's government came into conflict with trade unions in 2007 over its policy of limiting wage increases to combat inflation. However, economic growth was strong during the year, and the government remained popular.

The Grand Duchy of Luxembourg was established in 1815, after the Napoleonic wars. Following a brief merger with Belgium, it acquired its current borders in 1839. The country was occupied by Germany during both world wars, and it abandoned neutrality to join NATO in 1949. After forming an economic union with Belgium and the Netherlands in 1948, Luxembourg became one of the six founding members of the European Community—now the European Union (EU)—in 1957; it adopted the euro currency in 1999. A former Luxembourg prime minister, Jacques Santer, served as president of the European Commission, the EU's executive arm, from 1995 to 1999.

After falling in public opinion polls in 2003, the center-right Democratic Party (PD) did poorly in June 2004 general elections, losing 5 of its 15 seats in the parliament. The opposition Socialist Worker's Party of Luxembourg (POSL) gained 1, taking 14 seats and replacing the PD as the junior coalition partner of Prime Minister Jean-Claude Juncker's Christian Social Party (PCS), which captured 24 seats. The Green Party won 7 seats, and the Action Committee for Democracy and Pension Justice (ADR) took 5 seats.

For the first six months of 2005, Luxembourg held the EU's rotating presidency, which is responsible for guiding new policy initiatives. The term was extremely difficult for integrationist countries such as Luxembourg, however. A draft EU constitution failed decisively in referendums in both France and the Netherlands, two founding EU members. Juncker continued to push the referendum process, saying that other countries should ratify the charter while some way was found to seek French and Dutch approval in later referendums. However, the constitutional process stalled despite his entreaties.

Juncker's coalition government remained relatively popular in 2006, while the opposition PD chose a new parliamentary leader in an attempt to revive its fortunes. The government undertook economic measures including budget cuts and reforms

of the system of wage indexation, in which nationwide wages increased automatically with prices, in order to fight inflation.

In 2007, recalculated budget numbers, based on higher-than-expected economic growth in 2006, made some of the recent reforms seem unnecessary, prompting labor unions to say that they had agreed to the changes based on false pretenses. Despite unions' demand for renegotiation, however, the government stood by the deal, awarding one-time bonuses for 2007 and 2008, along with an extra day of vacation. The government nonetheless remained popular.

Juncker was again involved in high-profile diplomacy in 2007. The defeated EU constitutional treaty was reintroduced as a smaller "reform treaty" over his objections, and EU leaders signed the document in October. Juncker also took a public stand against new EU sanctions over Iran's nuclear program, and tried to calm tensions between the United States and Russia over U.S. plans to base missile interceptors in Central Europe.

**Political Rights and Civil Liberties:** Luxembourg is an electoral democracy. The head of state is the unelected Grand Duke Henri, whose powers are largely ceremonial. The unicameral legislature, the Chamber of Deputies, consists of 60 members elected by proportional representation to five-year terms. The legislature chooses the prime minister. Voting is compulsory for all who are registered. Citizens of EU countries may vote after six years' residency but are not obliged to do so; residents from non-EU countries may not vote. Foreigners constitute over a third of Luxembourg's population.

The political system is open to the rise of new parties, as demonstrated by the growth of the ADR; originally a one-issue party focusing on higher pensions, it first had deputies elected in 1989 and did well in the 2004 elections (though a deputy left in 2006, reducing the party from official "party" to "group" status). There are three traditionally strong parties: the PCS, historically aligned with the Catholic Church; the PD, which favors free-market economic policies and a smaller welfare state; and the POSL, a formerly radical but now center-left party representing the working class. The current government, elected in 2004, is a coalition of the PCS, which has taken part in almost all governments in Luxembourg's modern history, and the POSL.

The government is largely free from corruption. Luxembourg was ranked 12 out of 180 countries surveyed in Transparency International's 2007 Corruption Perceptions Index.

Freedom of expression is guaranteed by the constitution, and Luxembourg has a vibrant media environment. A single conglomerate, RTL, dominates the broadcast radio and television market, and its programming is popular in neighboring countries. Newspapers represent a broad range of opinion. Internet access is unrestricted.

Roman Catholicism is the dominant religion, but there is no state religion, and the state pays the salaries of clergy from a variety of sects. Students may choose to study either the Roman Catholic religion or ethics; most choose the former. Protestant education is available on demand. Academic freedom is respected.

Freedoms of assembly and association are protected. Civic groups and non-governmental organizations operate freely. Luxembourgers may organize in trade unions, and a large proportion of the workforce does so. The right to strike is constitutionally guaranteed.

The judiciary is independent, but judges are appointed by the grand duke. Detainees are treated humanely in police stations and prisons.

Luxembourg's Muslim minority, mainly of Bosnian origin, faces no official hostility but does experience some mild social discrimination. In 2007, the government agreed to give Muslim leaders the same recognition and financial support enjoyed by religious leaders of other faiths.

In part because of Luxembourg's conservative social mores, women comprise just under 40 percent of the labor force, and there remains a significant gap between men's and women's wages. Though abortion law does not technically provide for abortion on demand, a woman who has had an abortion while in "distress" is considered not to have violated the law, and "distress" is interpreted liberally. Women are underrepresented in the highest levels of government; 13 of 60 members of parliament, and three of 14 cabinet members, are women.

## Macedonia

**Population:** 2,000,000

**Capital:** Skopje

**Political Rights:** 3

**Civil Liberties:** 3

**Status:** Partly Free



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

1998	1999	2000	2001	2002	2003	2004	2005	2006	2007
3,3PF	3,3PF	4,3PF	4,4PF	3,3PF	3,3PF	3,3PF	3,3PF	3,3PF	3,3PF

### Overview:

**Macedonia faced criticism from the European Union in 2007 for its disappointing reform record, though the government received plaudits for economic reforms and efforts to combat corruption and organized crime. Meanwhile, relations among the main political parties deteriorated. The largest ethnic Albanian party boycotted the parliament for much of the year, and in September a brawl in the legislature spilled into the streets.**

Macedonia, a republic in the Communist-era Yugoslav federation, gained international recognition as an independent state in 1992 as the "Former Yugoslav Republic of Macedonia." Greece objected to the name "Macedonia," arguing that it implied a claim to northern Greece, while Bulgaria assailed the status of the Macedonian language and Serbia contested the country's northern border. However, the poor relations between the Macedonian Slav majority and the ethnic Albanian minority came to be the most serious threat to the new country's existence.

After the 1998 parliamentary elections, a center-left coalition led by the Social Democratic Party of Macedonia (SDSM), which had ruled since independence, yielded



to a center-right grouping led by the Internal Macedonian Revolutionary Organization-Democratic Party for Macedonian National Unity (VMRO-DPMNE). Since 1992, each government had included an ethnic Albanian party in the ruling coalition. However, in 2000-01, Albanians mounted an armed insurgency to demand greater use of the Albanian language in official institutions, an increase in the number of Albanians in the civil service, and a transfer of certain government powers to local municipalities. An August 2001 agreement reached in the town of Ohrid temporarily satisfied most of those demands, though violent incidents continue to erupt periodically.

Parliamentary elections in 2002 returned the SDSM to power, this time led by Branko Crvenkovski, who became prime minister. He allied his party with the Democratic Union for Integration (BDI), headed by the leader of the ethnic Albanian uprising, Ali Ahmeti. Crvenkovski rose to the presidency in a special April 2004 election after the VMRO-DPMNE incumbent died in a plane crash.

Although most of the Ohrid reforms have been or are being implemented, ethnic Albanian politicians claim that the government continues to stall on the remaining changes.

The VMRO-DPMNE won parliamentary elections in July 2006, but preelection violence was followed by significant irregularities on election day. BDI supporters then mounted weeks of demonstrations to protest the VMRO-DPMNE's decision to form a coalition with a rival Albanian group, the Democratic Party of Albanians (DPA). The BDI subsequently engaged in months of intermittent parliamentary boycotts, sometimes blocking key legislation related to the Ohrid Accords and European Union (EU) accession. The BDI's latest return to parliament occurred in May 2007, but at that point a conflict between VMRO-DPMNE and SDSM over corruption allegations led the SDSM to call for a vote of no confidence. Prime Minister Nikola Gruevski's government survived the vote in June, but relations between the country's two largest parties remained strained.

As partisan tensions continued, a September brawl in parliament between Albanian deputies spilled onto the streets. Four Albanians and five policemen were injured in the fighting, leading both the U.S. ambassador and EU representatives to appeal for calm.

In 2002, the EU had signed a Stabilization and Association Agreement with Skopje, and in December 2005 Macedonia was declared a candidate for joining the bloc. It remains unclear whether the government has the administrative capacity to implement reforms needed to meet a possible target accession date of 2014. In February 2007, the EU's enlargement commissioner expressed his disappointment with Macedonia's reform record so far, and similar criticisms were voiced in October. The country also faces a possible veto by Greece on both EU and NATO accession, due to the ongoing dispute over its official name. However, Macedonia was praised for fiscal reforms that allowed it to pay back some of its external public debts ahead of schedule in 2007.

**Political Rights and Civil Liberties:** Macedonia is an electoral democracy. Despite serious flaws in the electoral process, the 2006 elections for the 120-seat, unicameral Söbranie (Assembly) were deemed to be "largely in accordance with ... international standards." Legislators are elected to four-year terms. The president is elected to a five-year term through a direct popular vote.

The country's major parties include President Branko Crvenkovski's center-left SDSM; the right-leaning VMRO-DPMNE, led by Prime Minister Nikola Gruevski; and the primarily ethnic Albanian BDI, led by former guerrilla commander Ali Ahmeti.

Corruption continues to hamper economic growth and political transparency in Macedonia. The VMRO-DPMNE government in 2007 accused the former SDSM president and prime minister of involvement in state procurement irregularities while in office, straining interparty relations. Several prominent corruption cases were brought to a successful conclusion over the summer, enhancing the government's anticorruption credentials. In June, Gruevski appointed former Romanian justice minister Monica Macovei as his personal anticorruption adviser. She had been credited with helping Romania to combat corruption ahead of its EU accession in January. Macedonia was ranked 84 out of 180 countries surveyed in Transparency International's 2007 Corruption Perceptions Index.

The constitution provides for freedom of the press. However, political appointees are frequently named to senior positions in state-owned media, from which the majority of the population obtains its information. A 2006 law eliminated imprisonment as a penalty for libel, but it remains punishable by fines. Also in 2006, it was revealed that journalists at several leading outlets secretly worked for a public relations firm that shaped reports to favor the previous SDSM-led government. Media experts blame the poor quality of Macedonian journalism in part on the glut of outlets for such a small country: there are 48 television stations, 160 radio stations, and 9 daily and 8 weekly newspapers. Political parties either own or are closely linked to three of the five television stations licensed to broadcast nationwide. In June 2007, 17 journalists won a case against the Interior Ministry and Macedonian Telecommunications for the illegal tapping of their telephones in 2000. Each journalist was awarded roughly \$7,000. In September, a reporter covering the fighting around the parliament building was allegedly beaten by police.

Macedonian Radio Television (MRTV) provides programming in several minority languages. However, the country's outlets are strongly divided along ethnic lines. There were no reports of restrictions on access to the internet during 2007.

The constitution guarantees freedoms of religious belief and practice. However, the leader of an Orthodox Church faction loyal to the Serbian Orthodox Church, Bishop Jovan Vraniskovski, has been arrested for inciting "ethnic or religious intolerance" through actions such as performing a baptism and holding church services in his apartment. In August 2007, he was sentenced to a year in prison for embezzlement. Local Muslim officials claimed in March that extremists had taken control of two mosques in Skopje. Some Muslim clerics have reportedly become increasingly fundamentalist in recent years, and have allegedly received financial support from extremists in the Middle East. Academic freedom is not restricted.

Constitutional guarantees of freedom of assembly and association are generally respected by the authorities. Over 4,000 nongovernmental organizations (NGOs) operate without government interference. The constitution recognizes the right of workers to organize and bargain collectively. Workers have little leverage given the poor state of the economy, but strikes are common. More than 50 percent of the legal workforce (mostly in the public sector) is unionized, although some unions have reported obstacles in their efforts to register.

The judiciary is widely seen as corrupt and incompetent. The EU is demanding

a number of reforms as part of Macedonia's accession bid, including measures to strengthen the independence of judges and reduce the backlog of cases. In mid-2007, the BDI walked out of parliament to prevent a vote on measures that would have strengthened the government's power to appoint and dismiss judges. It was widely believed that the party was acting to protect some well-connected individuals from prosecution. International watchdog groups have on various occasions charged the police with ill-treatment and torture of prisoners. Prison conditions generally conform to international standards, but a spate of prison suicides in 2005-06 revealed strains linked to overcrowding, staff corruption, and drug trafficking within the system.

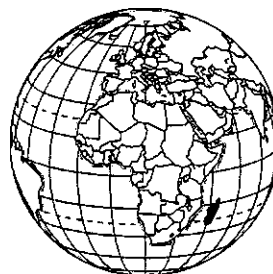
To satisfy the demands of the ethnic Albanian minority, constitutional references to Macedonia as the "land of the Macedonian people" have been eliminated, and the Albanian language has received official status in municipalities where Albanians constitute at least 20 percent of the population. Other reforms attached to the 2001 Ohrid Accords granted more self-government to municipalities and amnesty to ethnic Albanian insurgents. The Ohrid Accords also stipulated that certain legislation has to pass with majority support from two-thirds of the deputies representing ethnic minorities. The Albanian presence in the police force increased from 2 percent in 2001 to 16 percent in 2006; in the Defense Ministry from 2 percent to 14 percent; and in the Economics Ministry from 5 percent to 24 percent. Nevertheless, Albanian rebel groups remain active in the country, engaging in a shootout with police in late August 2007. Some have been accused of ties to foreign Islamist groups.

Women in Macedonia enjoy the same legal rights as men, although societal attitudes limit women's participation in nontraditional roles. Women currently hold 3 out of 21 cabinet positions and 36 out of 120 parliament seats. The law requires that every third candidate on a party's electoral list be female. Domestic violence and trafficking of women remain serious problems, although in 2006 it was reported that the number of trafficked women was on the decline. In Albanian Muslim areas, many women are subjected to proxy voting by male relatives and are frequently denied access to education.

## Madagascar

Population: 18,300,000  
Capital: Antananarivo

Political Rights: 4  
Civil Liberties: 3  
Status: Partly Free



Trend Arrow: Madagascar received a downward trend arrow due to the accretion of presidential powers, partly through an April 2007 referendum and the consolidation of an economic oligarchy linked to the current president.

### Ten-Year Ratings Timeline For Year Under Review

Political Rights, Civil Liberties, Status

1998	1999	2000	2001	2002	2003	2004	2005	2006	2007
2,4PF	2,4PF	2,4PF	2,4PF	3,4PF	3,3PF	3,3PF	3,3PF	4,3PF	4,3PF

### Overview:

**A constitutional referendum in April 2007 increased presidential powers and made English an official language. President Marc Ravalomanana's authority was bolstered further in September, when his I Love Madagascar party won 106 of the 127 seats in the National Assembly. Also during the year, a former opposition presidential candidate, Roland Ratsiraka, received an 18-month suspended prison sentence for embezzling public funds in a case many viewed as politically motivated.**

After 70 years of French colonial rule and episodes of severe repression, Madagascar gained independence in 1960. A leftist military junta seized power in 1972. A member of the junta, Admiral Didier Ratsiraka, emerged as leader in 1975 and maintained power until his increasingly authoritarian regime bowed to social unrest and nonviolent mass demonstrations in 1991.

Under a new constitution, opposition leader Albert Zafy won the 1992 presidential election with more than 65 percent of the vote, but he failed to win reelection after being impeached by the Supreme Court in 1996. Ratsiraka won a narrow victory in that year's December 1996 presidential runoff election, which was deemed generally legitimate by international and domestic observers.

A decentralization plan was narrowly approved in a 1998 referendum amid a boycott by the country's increasingly fractious opposition. In the December 2001 presidential election, opposition candidate Marc Ravalomanana claimed that he had been denied an outright victory by polling irregularities. He declared himself president in February 2002, having refused to take part in a postponed runoff vote. After considerable violence between supporters of the two rival candidates, the High Constitutional Court announced that Ravalomanana had indeed won the election in the first round. The incumbent, Ratsiraka, refused to acknowledge the result. Sporadic clashes continued until July 2002, when Ratsiraka left the country and the last of his forces surrendered. The extended crisis had a seriously negative effect on the Malagasy economy.

Parliamentary elections took place in December 2002, and Ravalomanana's I Love Madagascar (TIM) party won a large majority. Observers from the European Union said the conduct of the poll was "generally positive." Local elections held in 2003 further strengthened Ravalomanana's position.

Political tensions heightened in the run-up to the December 2006 presidential election, in which Ravalomanana secured a second term. While most observers agreed that the vote reflected the will of the Malagasy people, the campaign was marred by opposition claims of a biased administration and electoral irregularities, which, if not addressed, could jeopardize the legitimacy of future elections.

Ravalomanana's authority was reinforced in 2007. A constitutional referendum in April increased presidential powers—in part by allowing the president to legislate by decree during a state of emergency—and made English an official language. In September legislative elections, TIM won 106 of the 127 seats in the National Assembly. Separately, Roland Ratsiraka, a nephew of the former president and one of Ravalomanana's challengers in the 2006 presidential poll, was suspended from his post as mayor of Toamasina in February and arrested on embezzlement charges in a case that many viewed as politically motivated. He received a suspended 18-month prison sentence in October. Also during the year, tension mounted between the government and the Roman Catholic Church over the deportation of a Jesuit priest, and three cyclones struck the island causing major damage.

In recent years, Madagascar has experienced overall economic growth, though the World Bank estimates that per capita income is still only around \$300. Poverty and the competition for agricultural land have put pressure on the island's dwindling forests, which are home to much of Madagascar's unique wildlife and key to its nascent tourism industry.

**Political Rights and Civil Liberties:** Madagascar is an electoral democracy. However, the 2001 presidential election demonstrated that peaceful democratic succession is not yet fully enshrined in the country's political culture. Needed reforms include the establishment of an independent election commission, switching to a single-ballot system, and improving transparency in the voter registration process, especially in rural areas. Opposition parties, independent observers, and members of the diplomatic community criticized the government of President Marc Ravalomanana for failing to undertake these reforms prior to the 2006 presidential election.

The head of state is the president, who is directly elected to five-year terms. The 2007 constitutional referendum continued a trend of steadily growing presidential powers; among other provisions, it allowed the president to rule by decree during a state of emergency and abolished autonomous provinces. The National Assembly, the lower chamber of the bicameral legislature, has 150 members directly elected to five-year terms. The upper chamber, the Senate, has 90 members serving six-year terms. Two-thirds of the senators are chosen by provincial officials, and the rest are appointed by the president. The president has the power to appoint or dismiss the prime minister, who may come from a party that has a minority of seats in the National Assembly.

Approximately 150 parties are registered, although only a few have a national presence. Parties tend to suffer from internal divisions, shifting alliances, and a lack

of clear ideology and resources. The ruling TIM is overwhelmingly the largest party represented in the National Assembly.

Some observers have expressed concerns about the extent of and trends in corruption in Madagascar. According to the World Bank 2007 Governance Matters study, while corruption has increased somewhat in recent years, Madagascar remains one of the better performers in Africa. It was ranked 94 out of 180 countries surveyed in Transparency International's 2007 Corruption Perceptions Index.

The constitution provides for freedom of the press. A 1990 Law on Press Freedom was followed by the creation of privately owned FM radio stations and more critical political reporting by the print media. However, subsequent governments have at times curbed press freedom in practice. Some current officials, for example, reportedly have sought to limit critical media coverage of alleged government malfeasance. State radio and television came under the control of President Ravalomanana in March 2002. He also owns the private Malagasy Broadcasting System, which operates the MBS TV and Radio MBS networks. Many private radio stations in the capital are owned by Ravalomanana supporters.

According to government sources, in June 2007 there were 245 licensed radio stations, 12 registered daily newspapers and 37 licensed television stations. Because of the low literacy rate, the print media are mostly aimed at the French-speaking urban elite. Internet use, although not widespread, is becoming more popular.

While the Malagasy people have traditionally enjoyed religious freedom, in late 2005 the government shut down a popular Protestant charismatic church that was winning followers from the more traditional Protestant movement, to which Ravalomanana belongs. The law strongly encourages, but does not require, religious organizations to register with the Ministry of Interior. In 2007, relations between the state and the Roman Catholic Church deteriorated due to the deportation of a Jesuit priest who had long resided in Madagascar. The Church also critiqued the haste with which the April constitutional referendum was held, and the intimidation of opposition political figures. More than half of the population belong to traditional Malagasy religions and coexist with Christians and Muslims. There are no limitations on academic freedom.

The right to freedom of assembly and association is generally respected, and hundreds of nongovernmental organizations, including legal and human rights groups, are active. Interest groups have conducted advocacy efforts on a wide variety of issues, and political and civic organizations generally exercise their right to affect the public policy process without government interference.

Workers' rights to join unions and to strike are exercised freely. In 2005, for example, the judges' union went on strike. The Ravalomanana administration has endured a series of demonstrations and work stoppages, mainly over the high rate of inflation. Some of the country's labor organizations are affiliated with political groups. More than 80 percent of workers are employed in agriculture, fishing, and forestry at a subsistence level.

A lack of training, resources, and personnel hampers judicial effectiveness, and case backlogs are prodigious. The judiciary remains susceptible to corruption and executive influence. Most of the 20,000 people held in the country's prisons are pre-trial detainees, who suffer extremely harsh and sometimes life-threatening conditions. In many rural areas, customary-law courts that lack due process often issue

summary and severe punishments. The UN Commission for Social Development in 2007 determined that "Madagascar had in recent years enhanced human rights legislation, and reformed its legal and prison systems, but that problems remain with wrongful detentions and lack of an independent judiciary."

A political cleavage has traditionally existed between the coastal *cotier* and the highland *merina* peoples, of continental African and Southeast Asian origins, respectively. Due to past military conquest and long-standing political dominance, the status of the merina tends to be higher than that of the cotier. As a result of these disparities, ethnicity, caste, and regional solidarity often are factors that lead to discrimination.

Approximately 45 percent of the workforce is female. Malagasy women hold significantly more government and managerial positions than women in continental African countries. However, they still face societal discrimination and enjoy fewer opportunities than men for higher education and employment.

## Malawi

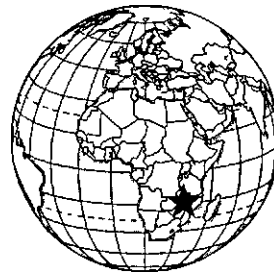
**Population:** 13,100,000

**Capital:** Lilongwe

**Political Rights:** 4

**Civil Liberties:** 4\*

**Status:** Partly Free



**Ratings Change:** Malawi's civil liberties rating declined from 3 to 4 due to government harassment of the judiciary.

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

1998	1999	2000	2001	2002	2003	2004	2005	2006	2007
2,3F	3,3PF	3,3PF	4,3PF	4,4PF	3,4PF	4,4PF	4,4PF	4,3PF	4,4PF

### Overview:

The rift between President Bingu wa Mutharika and former president Bakili Muluzi's opposition United Democratic Front led to increased political tension in 2007. A Supreme Court ruling in June left the majority of the president's supporters in the parliament vulnerable to losing their seats. The opposition then delayed passage of the budget for three months. Once it had passed, Mutharika closed the parliament without following the proper legal procedures. Meanwhile, both the media and the judiciary became targets for intimidation by the government.

Malawi gained independence from Britain in 1963. President Hastings Kamuzu Banda ruled the country for nearly three decades, exercising dictatorial power through the Malawi Congress Party (MCP) and its paramilitary youth wing. Facing an economic crisis and strong domestic and international pressure, Banda accepted a ref-

erendum approving multiparty rule in 1993. Bakili Muluzi of the United Democratic Front (UDF) won the presidency in a 1994 election that was generally perceived to be free and fair. He was reelected in 1999, and the Supreme Court rebuffed a court challenge by his main opponent.

Aborting a proposed move to amend the constitution and stand for a third term, Muluzi handpicked Bingu wa Mutharika, a relative political outsider, as his successor for the May 2004 presidential election. Mutharika, running on an anticorruption platform, won with 35 percent of the vote; his closest rival, John Tembo of the MCP, captured 27 percent. Contrary to expectations, the MCP won the most seats, 59 of 193, in concurrent parliamentary elections, followed by the UDF with 49. The UDF regained its majority status shortly thereafter, however, when it merged with the National Democratic Alliance (NDA) and recruited 23 independent legislators.

In early 2005, a dispute between Mutharika and former president Muluzi, who remained the UDF chairman, reached a crescendo. The main cause was the arrest of several powerful UDF figures as part of Mutharika's anticorruption campaign. Mutharika resigned from the UDF and formed a new political party, the Democratic Progressive Party (DPP), which many lawmakers then joined. However, impeachment charges launched that year alleged that public funds had been used to recruit legislators to the DPP, and the defections appeared to violate a constitutional clause stating that members who switch parties after elections would lose their seats. The impeachment bid dissipated in early 2006, but the parliament's Legal Affairs Committee took initial steps toward a renewed effort in February 2007. Meanwhile, the Supreme Court upheld the constitutional clause on party defections in June 2007, putting the seats of up to 60 lawmakers in jeopardy.

When the court ruling came down, the opposition insisted that the legislature drop its budget deliberations and consider petitions to have the seats of 41 progovernment members declared vacant. The ensuing three-month deadlock ended under pressure from aid donors and elements of civil society, with the opposition agreeing to deal with the budget before the party-defections issue. However, just after the budget passed in late September, Mutharika closed the parliament without consulting the speaker, apparently in violation of the constitution.

Separately, the government continued to pursue corruption investigations against Muluzi. Mutharika has also made unspecified threats against Muluzi on several occasions, and allegedly ordered an officer to "shake up" the former president. For his part, Muluzi has publicly ridiculed Mutharika and declared his intention to run in the 2009 presidential election. Vice President Cassim Chilumpha, who had refused to abandon the UDF along with Mutharika, went on trial for treason in February 2007. He had previously been charged with corruption, and in April 2006, he was arrested for an alleged assassination plot against the president. His trial was ongoing at year's end.

Relations with donors, who account for 80 percent of Malawi's development budget, have improved since Mutharika took power, and they openly criticized the opposition during the 2007 budget standoff. In 2006, the World Bank and International Monetary Fund (IMF) agreed that Malawi had made sufficient progress to reach the "completion point" under the Enhanced Heavily Indebted Poor Countries (HIPC) Initiative. As a result, Malawi is receiving \$3.1 billion in total nominal debt



relief. Dramatic improvements in agricultural output helped the country achieve substantial growth rates of an estimated 7.9 percent and 5.7 percent in 2006 and 2007.

**Political Rights and Civil Liberties:** Malawi is an electoral democracy. The president is directly elected to five-year terms and exercises considerable executive authority. The unicameral National Assembly is composed of 193 members elected by popular vote to serve five-year terms.

Elections are generally free from overt manipulation, but recent elections have been marked by irregularities. The electoral commission has displayed bias toward the UDF, though it is now headed by the well-regarded Justice Anastazia Msosa. Efforts by President Bingu wa Mutharika to appoint additional commissioners in February 2007 ran afoul of opposition parties, which claimed that he did not consult with them as required by law. One additional concern was a January 2007 government decision to postpone, until 2009, local elections that had originally been scheduled for 2005.

The major opposition party is now the UDF, which cooperates with the MCP. Political divisions are generally based on ethnoregional loyalties and personality rather than policy. Political violence by police or party thugs has occasionally flared during election periods. In January 2007, police arrested two UDF officials and charged them with sedition after the airing of a leaked recording in which the president purportedly called for unspecified action against former president Bakili Muluzi. In April, the government sent military forces to disrupt a UDF rally. A court injunction barring the police from halting the rally was apparently ignored.

Mutharika has made fighting corruption a top priority. The opposition has charged that the effort is directed primarily at his opponents, though some within government have also been targeted. In 2006, Education Minister Yusuf Mwawa was convicted of using ministry funds to pay for his wedding. In September 2007, Information Minister Patricia Kaliati was suspended and investigated for corrupt activities, while a month later the head of Malawi's power-generating company was arrested on graft charges. Also in September, the acting head of the Anti-Corruption Bureau (ACB), Tumalisye Ndovie, was suspended and accused of drawing two salaries. Mutharika had fired the head of the ACB in August 2006, and his replacement appointee was never approved by the relevant opposition-controlled parliamentary committee. The World Bank and IMF, while authorizing debt relief for Malawi in 2006 said it had failed to make significant progress on corruption. Malawi was ranked 118 out of 180 countries surveyed in Transparency International's 2007 Corruption Perceptions Index.

Freedom of the press is legally guaranteed. Despite occasional restrictions, Malawi's dozen or so newspapers present a diversity of opinion. The state controls the majority of broadcast media, and while their progovernment bias eased after Mutharika took office, other press freedom problems emerged in 2007. The broadcasting regulator threatened a private radio station with punitive action after it aired an unfavorable recording of the president in January. In April, the information minister directed the regulator to bar all private radio stations from airing live broadcasts without government permission. The targets of the action were three stations that had been covering pro-Muluzi rallies. Then, in October, the same regulator or-

dered off the air a private TV station owned by former president Muluzi. Meanwhile, charging that they were broadcasting propaganda, the opposition-controlled parliament denied funding for the state-owned outlets.

Journalists are still subject to harassment and detention, although there were no confirmed reports of specific actions against journalists in 2007. There are no restrictions on access to the internet, although it is not widely used.

Religious freedom is usually respected, and the government does not restrict academic freedom.

The government generally upholds freedoms of association and assembly, but the April 2007 breakup of an opposition rally by the military represented a serious setback. Many nongovernmental organizations—including the constitutionally mandated Malawi Human Rights Commission (MHRC)—operate without interference. The right to organize labor unions and to strike is legally protected, with notice and mediation requirements for workers in essential services. Unions are active but face harassment and occasional violence during strikes. As only a small percentage of the workforce is formally employed, union membership is low; however, collective bargaining is practiced.

The generally independent judiciary has become embroiled in political disputes and faces government hostility. The Muluzi administration sought to influence Supreme Court judges through patronage and private contacts. Mutharika has generally avoided such techniques, but he repeatedly criticized the judiciary after anti-government decisions in 2007. Far more troubling, police in August raided the home of a High Court judge on the basis of a corruption probe; only hours earlier, the judge had ruled in favor of opposition efforts to debate the party-defections issue in the legislature.

Due process is not always respected by the overburdened court system, which lacks resources, personnel, and training. Police brutality is reportedly common, as are arbitrary arrests and detentions. However, the government has enlisted civil society and foreign donors to help combat abuses and corruption among police. Appalling prison conditions lead to many deaths, mostly from HIV/AIDS.

The constitution prohibits discrimination based on language or culture, and it is not a major problem.

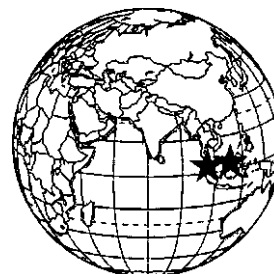
Since coming to power, Mutharika has targeted informal settlements and the informal economy, at times ordering residents and vendors to vacate illegally occupied land without compensation.

Despite constitutional guarantees of equal protection, customary practices perpetuate discrimination against women in education, employment, and business. Traditional rural structures deny women inheritance and property rights. Violence against women is common, though in recent years there have been greater media attention on and criminal penalties for abuse and rape. In 2003, the MHRC issued a report documenting the revival of the customary practice of *kupimbira*, in which young girls are sold by their parents or grandparents to pay off debts or secure loans. Trafficking in women and children is a problem, and penalties for the few successfully prosecuted traffickers have been criticized as too lenient.

## ↓ Malaysia

**Population:** 27,200,000  
**Capital:** Kuala Lumpur

**Political Rights:** 4  
**Civil Liberties:** 4  
**Status:** Partly Free



**Trend Arrow:** Malaysia received a downward trend arrow due to a Federal Court decision that eliminated Muslims' right to convert, along with an accelerating judicial crisis, a crackdown on online media, the suppression of opposition-led protests, and use of the Internal Security Act to arrest organizers of minority-rights demonstrations.

### Ten-Year Ratings Timeline For Year Under Review

(Political Rights, Civil Liberties, Status)

1998	1999	2000	2001	2002	2003	2004	2005	2006	2007
5,5PF	5,5PF	5,5PF	5,5PF	5,5PF	5,4PF	4,4PF	4,4PF	4,4PF	4,4PF

### Overview:

The ruling Barisan Nasional (BN) coalition secured victories in a number of by-elections in 2007, contributing to mounting speculation that Prime Minister Abdullah Ahmad Badawi would call early general elections. Meanwhile, public discontent was fueled by continuing signs of "Islamization," including a controversial ruling in the case of a Muslim convert to Christianity; rising crime and inflation rates; a government crackdown on online media; and a spiraling judicial crisis. In November, some 40,000 Malaysians rallied in the capital to demand political and judicial reform, and another 10,000 protested the marginalization of ethnic Indians. The government called the protests illegal, attempted to suppress them using excessive force, and arrested hundreds of people; five leaders of the Indian-rights demonstrations were detained under the Internal Security Act.

Malaysia gained independence from Britain in 1957 and merged with the British colonies of Sarawak and Sabah in 1963. The ruling Barisan Nasional (National Front, or BN, known as the Alliance before 1969) has won at least a two-thirds majority in all 11 general elections since 1957. The BN consists of mainly ethnic parties, dominated by the conservative, Malay-based United Malays National Organization (UMNO).

Racial tensions between the indigenous Malay majority and Chinese and Indian minorities have played a central role in Malaysian politics and economics since the country's founding. Independence was premised on a social contract, enshrined in the constitution, that granted citizenship to the non-Malay population in exchange for special rights and privileges, especially in education and economics, for all *bumiputera* (Malays and other indigenous peoples). After an outbreak of race riots in 1969, in which thousands of Chinese homes and businesses were destroyed and more than 180 people were killed, the government declared an 18-

month state of emergency and tightened restrictions on free speech, assembly, and political organizations.

Modern Malaysia has been shaped by Mahathir Mohamed, one of the key architects of efforts to shift economic power from the Chinese to the Malays, first as education minister and then as prime minister from 1981 to 2003. His development policies transformed Malaysia into a hub for multinational corporations and high-technology exports. At the same time, he stunted democratic institutions, weakened the rule of law by curtailing the press and political opponents, and drew allegations of cronyism with his state-led industrial development. Mahathir criticized conservative Muslim leaders for failing to promote a more modern brand of Islam and, at the same time, attempted to co-opt Islamist opposition forces by weaving their positions into UMNO's ideology. Mahathir's anti-Western and anti-Semitic views rankled outsiders as well.

In October 2003, Mahathir stepped down, paving the way for his deputy, Abdullah Ahmad Badawi. Many foreign governments and international organizations welcomed Abdullah's appointment as prime minister, hoping it would lead to reform.

The BN won 198 of the 219 seats in the lower house of Parliament (Parlimen) in the 2004 elections, which were generally regarded as transparent. However, the three main opposition parties—the Democratic Action Party (DAP), the Islamic Party of Malaysia (PAS), and the People's Justice Party (PKR)—challenged the results on the grounds that the BN had engaged in vote rigging and other irregularities. Most specific challenges were rejected in court or withdrawn, although allegations of vote buying and problems with the electoral roll were substantiated.

Despite his strong popular mandate, Abdullah achieved little in the way of concrete reform. In 2006, sharp divisions emerged within UNMO as Mahathir launched a series of harsh attacks on Abdullah. Meanwhile, Anwar Ibrahim, a former deputy prime minister who had been controversially removed by Mahathir, reemerged as a major opposition figure. Religious freedom declined significantly during the year with a series of court rulings that denied certain religious and legal rights for non-Muslims, sparking a national debate on constitutional guarantees of religious freedom and the role of Islam in Malaysia. The government took action to suppress press coverage, public discussion, and related civil society activism on ethnic issues, citing the need to prevent national unrest.

In 2007, by-election victories for the BN led to speculation that Abdullah would call early general elections to renew his mandate in the face of diminishing public confidence and prevent Anwar, who was legally prohibited from running for office until well into 2008, from contesting the polls. At year's end, elections were expected for early 2008.

Despite early signs of increased cooperation, significant divisions persisted among the opposition PAS, PKR, and DAP for much of the year. Meanwhile, Anwar's potential as a leader for a united opposition was diminished in part by the Court of Appeals' April ruling that his 1998 dismissal was in fact lawful, and an unsuccessful defamation suit against Mahathir. As 2007 drew to a close, however, momentum for the opposition increased amid criticism of the judiciary, a rise in corruption scandals, and a major November rally by the Coalition for Clean and Fair Elections (BERSIH), an alliance of opposition parties and other civil society groups.

Over the course of the year, Malaysia moved farther away from Abdullah's promises of an open and accountable government, and public frustration skyrocketed in response. Highway toll hikes of between 20 and 60 percent in January drew peaceful protests, which were brutally suppressed by police and neglected by mainstream media. Bloggers and online news sites exposed several high-level political corruption cases, but a major crackdown on online media was launched in June and July. In May, the long-awaited judgment in the case of Lina Joy, a Muslim convert to Christianity, added to frustration among the non-Muslim population. The final ruling effectively barred Muslims from converting to other faiths. Separately, a judicial crisis kicked off in August, focusing on allegations that political figures were using their influence to secure the promotion of compliant judges. Demands for electoral reform in advance of the general elections—coupled with perceptions of rising crime, corruption, and inflation—prompted over 40,000 Malaysians to defy a police ban and attend the BERSIH rally in November, part of what became the country's largest antigovernment protests in nearly a decade. The police attempted to suppress the demonstrations with tear gas and water cannons, and arrested demonstration leaders.

On the economic front, the government downplayed middle-class difficulties while pursuing a development program that maintained pro-Malay affirmative-action policies. Negotiations toward a free-trade agreement with the United States stalled in 2007 due to Malaysia's concerns that the pact would undermine the affirmative-action program. The United States had sought more transparency in the bidding process for state contracts, which favored Malays and other indigenous groups.

**Political Rights and Civil Liberties:** Malaysia is not an electoral democracy. The party that wins a plurality of seats in legislative elections names its leader prime minister. Executive power is vested in the prime minister and cabinet. The paramount ruler, the titular head of state, is elected for five-year terms by fellow hereditary rulers or sultans in 9 of Malaysia's 13 states. Mizan Zainal Abidin al-Marhum Sultan Mahmud al-Muktafi Billah Shah was elected to the post in December 2006. The upper house of the bicameral Parliament consists of 44 appointed members and 26 members elected by the state legislatures, serving three-year terms. The lower house, with 219 seats, is popularly elected at least every five years. While its oversight powers have increased under Prime Minister Abdullah Ahmad Badawi, Parliament's role as a deliberative body has deteriorated since the 1970s, and opinions expressed by opposition parties tend not to be given serious consideration.

The ruling BN is a coalition of roughly 15 parties, most with an ethnic or regional foundation, including the dominant UMNO as well as the Malaysian Chinese Association (MCA) and the Malaysian Indian Congress (MIC). Prominent opposition parties include the DAP, PAS, and PKR. Serious obstacles, such as unequal access to the media and restrictions on campaigning and freedom of assembly, leave them unable to compete on equal terms with the BN, and the country's first-past-the-post voting system increases the power of the largest grouping. Despite winning more than 40 percent of the vote in the 2004 elections, opposition parties collectively hold only 18 out of 219 seats in the lower house. Concerns about the growing role of Islam have prevented the socialist and ethnically Chinese DAP from reuniting with PAS, which still favors Islamic governance. Only one state government, in

Kelantan, is controlled by an opposition party, PAS, and it enjoys a majority of just one seat.

The Election Commission (EC) is frequently accused of manipulating electoral rolls and gerrymandering districts in favor of the ruling party, and the Registrar of Societies arbitrarily decides which parties can participate in politics. In January 2007, EC chairman Abdul Rashid declared that the electoral laws were no longer fair and called for the commission's restructuring and empowerment. In May, PAS accused the BN of removing its supporters from by-election voter rolls and suggested that higher turnout since Abdullah entered office could be attributed to voter-registry manipulation.

Abdullah has largely failed to follow through on his anticorruption campaign pledges. Corruption worsened among members of the ruling coalition in 2007, with a number of cases at the very highest levels. Zulkipli Mat Noor, the head of the Anti-Corruption Agency, was accused of corruption and sexual crimes by a former subordinate. His contract was not renewed in March, although his work was praised. Deputy Prime Minister Najib Razak was accused in April of deceiving the public about defense contracts.

In especially worrisome developments given the perceived increase in crime of late, the police inspector general and the deputy minister for internal security launched corruption allegations against each other in late spring, and the third-highest-ranking police officer was arrested on charges of concealing massive wealth in November. A royal commission tasked with investigating the police in 2005 recommended the creation of an independent complaints and misconduct board, but the move has been resisted by the police inspectorate general and the attorney general. A Special Complaints Commission (SCC) bill was introduced in late 2007, but it faced considerable criticism, and decisions on the issue were deferred until 2008. Malaysia was ranked 43 out of 180 countries surveyed in Transparency International's 2007 Corruption Perceptions Index.

Malaysia's Official Secrets Act (OSA) reduces transparency in governance and curbs freedom of information. The government invoked the OSA in 2007 to prevent the disclosure of potentially damaging information ahead of expected 2008 elections. In January, four opposition politicians were prosecuted under the law for revealing a controversial highway concession agreement following a series of protests against toll hikes.

Freedom of expression is constitutionally guaranteed but restricted in practice, particularly through the 1984 Printing Presses and Publications Act (PPPA), which gives the prime minister—as the minister of internal security—the authority to revoke licenses without judicial review. The PPPA also requires that publications and printers obtain annual operating permits, encouraging self-censorship and limiting investigative journalism. Privately owned television stations have close ties to the BN and generally censor programming according to government guidelines. Books and films are directly censored for profanity, violence, and political and religious material. The number of banned books has risen sharply under the Abdullah administration, and in February 2007, a film about former Malay Muslim members of the Communist Party of Malaya was banned for portraying Communists as noble.

With traditional media so heavily restricted, the internet has emerged as a primary outlet for free discussion and for exposing cases of political corruption. The

government responded in 2007 with an escalating crackdown, beginning in January with the first defamation charges against bloggers. The defendants had lodged accusations of plagiarism against the publisher and editor of the *New Straits Times*, which enjoys close ties with UMNO. A BN official brought defamation charges against the critical website Malaysiakini in April, and another blogger, Nathaniel Tan, assistant to the head of PKR, was arrested under the OSA in July for commentary on corruption in the internal security system. He was released after his four-day remand expired. Coverage warnings were issued in February, April, and July, with the July directive threatening bloggers with use of the Internal Security Act (ISA), the OSA, and the Sedition Act, all of which could draw several years in prison. Newspapers were warned against covering the "rumors" being reported online. In April, Abdullah rejected a proposal that would require bloggers to register with the government but in June he convened a task force of BN officials to find legislation that could be used to control online content without contradicting a law against internet censorship.

While Abdullah continues to promote *Islam Hadhari*, or "civilizational Islam," a tolerant and inclusive form of the faith, religious freedom is restricted in Malaysia and declined significantly in 2007. Practicing a version of Islam other than Sunni Islam is prohibited. Muslim children and civil servants are required to receive religious education using government-approved curriculums and instructors. Proselytizing by other religious groups to Muslims is prohibited, and non-Muslims are not able to build houses of worship as easily as Muslims. The state retains the right to demolish unregistered religious statues and houses of worship.

Non-Muslim minorities have been troubled by a series of court rulings, from late 2005 through 2007, that threaten their constitutional right to self-identify and practice freely. On May 30, 2007, the Federal Court, the country's highest court, issued the final ruling in the polarizing case of Lina Joy, a Muslim who converted to Christianity in 1998 and has since fought to have her conversion legally recognized. The Federal Court effectively upheld the Court of Appeals' prior ruling, mandating that Muslims must obtain an order from a Sharia (Islamic law) court stating that they have renounced Islam before they can change their national identity cards. Given that the constitution declares Malays to be Muslims and Sharia courts effectively prohibit Muslims from renouncing their faith, the decision rendered conversion impossible. In July, Deputy Prime Minister Najib Razak declared that Malaysia has always been an Islamic rather than a secular state, prompting a host of negative responses.

The government restricts academic freedom to the extent that teachers or students espousing antigovernment views may be subject to disciplinary action under the University and Colleges Act of 1971.

Freedoms of assembly and association are limited on the grounds of maintaining security and public order; both freedoms declined in 2007 as government sensitivities ramped up ahead of the general elections. A police permit is required for all public assemblies except picket lines, and the granting of permits is sometimes politically influenced. Police suppressed a number of peaceful protests during the year, including protests against road-toll hikes in January and a large BERSIH-led rally pushing for electoral reforms in the state of Terengganu in September, during which two people were shot and seriously wounded by police. In a subsequent BERSIH rally in November, tens of thousands of demonstrators defied a police ban to turn out. No one was hurt, but the police used tear gas and water cannons to disperse the

crowd. The police similarly suppressed demonstrations the same month by about 10,000 supporters of the Hindu Rights Action Force (HINDRAF), and violent clashes ensued. Hundreds of activists were arrested in the November protests, both of which were primarily organized through SMS text messaging.

The Societies Act of 1996 defines a society as any association of seven or more people, excluding schools, businesses, and trade unions. Societies must be approved and registered by the government, which has periodically refused or revoked registrations for political reasons. Numerous nongovernmental organizations (NGOs) operate in Malaysia, but some international human rights organizations are not allowed to form Malaysian branches.

Most Malaysian workers—excluding migrant workers—can join trade unions, but the law contravenes International Labor Organization (ILO) guidelines by restricting trade unions to representing workers in a single or similar trade. The Director General of Trade Unions can refuse or withdraw registration arbitrarily, and the union recognition process can take from 18 to 36 months. In practice, collective bargaining is limited. Unions in essential services must give advance notice of strikes, and various other legal conditions effectively render strikes impossible.

Judicial independence has been compromised by extensive executive influence since an infamous 1988 scandal in which then prime minister Mahathir Mohamed sacked six top judges in connection with a political falling-out. Arbitrary or politically motivated verdicts are not uncommon, with the most prominent case being the convictions of Anwar Ibrahim in 1999 and 2000 for corruption and sodomy. Anwar's sodomy conviction was overturned in 2004, and he was released from prison, although the corruption charge was upheld.

Public frustration with the lack of judicial integrity soared in 2007. Long delays and obfuscations in the ongoing murder case against Abdul Razak Baginda, a prominent political analyst close to the deputy prime minister, fed perceptions of judicial bias. The previously acquiescent Conference of Rulers (or COR, Malaysia's nine hereditary sultans) spearheaded calls for prompt reform. In August, it blocked Abdullah's appointment of longtime UNMO legal adviser Zaki Azmi to the position of chief judge of Malaya, the country's third-highest judicial slot. The appointment contradicted a general practice of not naming high-level party officials to the bench and marked the first time a political official was sent to the Federal Court without first rising through the trial and appellate courts.

In September, Anwar's release of a 2002 video clip of a politically connected lawyer discussing judicial appointments with the then chief judge of Malaya (later elevated to chief justice of the Federal Court) sparked a wider firestorm of debate. The government eventually agreed to create a commission of inquiry, but it was given a limited scope. Amid protests by lawyers and reform demands by the Malaysian Bar Council, Sultan Azlan Shah delivered a major October speech lambasting the judicial system. The COR in early November refused Abdullah's request to extend the tenure of the incumbent chief justice. On December 5, Abdullah announced his appointment of Zaki to fill the post in 2008.

Malaysia's secular legal system is based on English common law. However, Muslims are subject to Sharia, the interpretation of which varies regionally, and the constitution's Article 121 stipulates that all matters related to Islam should be dealt with in Sharia courts.



There is no constitutional provision specifically banning torture, and police have been known to torture prisoners and use excessive force or inhumane tactics such as "nude squats" in conducting searches. Police reform has been inhibited by resistance at the highest levels of the police force and, according to many, by the attorney general. In August 2007, a former chief of police and member of the 2005 commission on police reform, Hanif Omar, published a scathing statement on police practices and the government's failure to resolve the problems as crime soared.

Individuals may be arrested without a warrant for some offenses and held for 24 hours without being charged. The ISA, in force since 1960, gives the police sweeping powers to hold any person acting "in a manner prejudicial to the security of Malaysia" for up to 60 days, extendable to 2 years. It has been used to jail mainstream politicians, alleged Islamist militants, trade unionists, suspected Communist activists, ordinary criminal suspects, and members of "deviant" Muslim sects, among others. Five HINDRAF leaders were detained under the ISA during the November 2007 rallies. Hundreds of detainees currently held under the ISA at the Kamunting Detention Center are reportedly denied due process and systematically abused.

Although the constitution provides for equal treatment of all citizens, the government maintains an affirmative-action program intended to boost the economic status of ethnic Malays and other indigenous people, known collectively as bumiputera. Bumiputera receive preferential treatment in areas including property ownership, higher education, civil service jobs, and business affairs, and bumiputera-owned companies receive the lion's share of large government contracts.

Foreign domestic workers are not covered by the Workmen's Compensation Act and are thus subject to exploitation and abuse by employers. Malaysians officially employ about 240,000 domestic workers, 90 percent of whom are Indonesian, representing roughly 20 percent of the national workforce. There are an estimated two million illegal workers in Malaysia, and the government began an immigration crackdown in March 2006, though it slowed in 2007. If arrested and found guilty, workers can be caned and detained indefinitely pending deportation. An untrained volunteer reserve of hundreds of thousands of baton-wielding Malaysians, called Rela, has been pursuing illegal foreign workers and refugees since March 2005, raising serious concerns among human rights groups.

Despite government initiatives and continued gains, women are still under-represented in politics, the professions, and the civil service. Violence against women remains a serious problem. Muslim women are legally disadvantaged because their family grievances are heard in Sharia courts, where men are favored in matters such as inheritance and divorce, and women's testimony is not given equal weight. In its 2007 human trafficking report, the U.S. State Department placed Malaysia in Tier 3, among "governments that do not fully comply with minimum standards and are not making significant efforts to do so."

## Maldives

**Population:** 300,000

**Capital:** Male

**Political Rights:** 6

**Civil Liberties:** 5

**Status:** Not Free



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

1998	1999	2000	2001	2002	2003	2004	2005	2006	2007
6,5NF	6,5NF	6,5NF	6,5NF	6,5NF	6,5NF	6,5NF	6,5NF	6,5NF	6,5NF

**Overview:** Progress toward multiparty elections remained slow in 2007, with the Special Majlis failing to meet a November deadline for completing constitutional amendments. Although the year featured the launch of the country's first private radio stations, a more assertive stance by the Maldives Human Rights Commission, and freer private discussion, the government continued to restrict freedom of speech and assembly, detain opposition politicians, and commit various human rights violations.

The Maldives achieved independence in 1965 after 78 years as a British protectorate, and a 1968 referendum replaced the centuries-old ad-Din sultanate with a republican system. The Maldives' first president, Amir Ibrahim Nasir, held office for 10 years. He was succeeded by current president Maumoon Abdul Gayoom, who in 1978 won his first five-year term under the country's tightly controlled presidential referendum process.

In September 2003, riots broke out after prison guards beat an inmate to death. In response, Gayoom initiated a series of political reforms. Elections were held in May 2004 for a People's Special Majlis (PSM)—composed of the 50 members of the ordinary People's Majlis (parliament), 50 members elected or appointed specifically to the PSM, and the cabinet—that was tasked with amending the constitution. Over the subsequent years, positive changes to the legislative, judicial, and media frameworks occurred slowly, interspersed with bouts of unrest, crackdowns on the opposition Maldivian Democratic Party (MDP), and restrictions on freedom of expression.

In January 2005 parliamentary elections, candidates affiliated with the MDP won 18 of the 42 contested seats, while government-backed candidates won 22 and independents took 2. The balloting was relatively free of violence, but several MDP activists were arrested prior to and on election day.

The parliament in June 2005 passed legislation allowing political parties to register and contest elections for the first time. Nevertheless, MDP leaders continued to face arrests, beatings, and prosecutions. When the MDP planned nationwide demonstrations in November 2006, the government arrested more than 100 people in a preemptive crackdown, restricting media freedom and movement into the capital. Though most detainees were released, the attorney general announced in May 2007

that 17 men, including senior MDP members, would face trial for traveling by boat to join the protests.

The government and lawmakers in 2007 focused on completing constitutional amendments by a November deadline. Though the changes remained incomplete at year's end, the Special Majlis approved several chapters that appeared to improve on existing rights guarantees. Politics remained polarized, though members of the president's Maldivian People's Party (DRP) voted sporadically with the opposition in the Special Majlis. In a major shake-up over the summer, the justice minister, attorney general, and foreign minister resigned over what they said were government obstructions to reform.

The Maldives experienced its first terrorist attack in September 2007, when a bomb exploded in the capital, injuring 12 tourists. In the aftermath, three men were convicted for the attack, and security forces arrested 63 people in a showdown at an unofficial mosque on Himandhoo island.

**Political Rights and Civil Liberties:** The Republic of Maldives is not an electoral democracy. The People's Majlis (parliament) chooses a single presidential nominee, who is then approved by a national referendum for a five-year term. Forty-two members of the 50-seat Majlis are directly elected for five-year terms. The president appoints the other eight members, the Majlis speaker and deputy speaker, and the atoll chiefs, who are responsible for local governance. While the president controls most government decisions, the Majlis has in recent years held livelier debates and passed reform legislation.

As part of the ongoing reform process, voters in an August 2007 referendum chose a presidential system over a parliamentary one. Despite some irregularities and opposition accusations of vote rigging, observers deemed the poll to have been the country's fairest to date. In October, elections were held for local Island Development Committees (IDCs) for the first time, but their significance was mitigated by the administering committee's lack of independence and the IDCs' limited authority compared with the appointed atoll chiefs.

Until June 2005, political parties were discouraged, and Majlis candidates were required to run as individuals. Since then, five parties have registered: the ruling DRP, the opposition MDP, two Islamic-oriented parties, and the newer Maldives National Council (MNC). MDP supporters have been able to organize more rallies and discussions, but continue to face occasional arrest, detention, and beatings. MDP leader Mohamed Nasheed, who spent much of 2006 under house arrest on charges of terrorism and sedition, was temporarily detained and beaten by police several times in 2007.

Government accountability is limited by the executive branch's almost complete control over the legislature and judiciary. However, an anticorruption board investigates graft allegations and refers cases to the attorney general. The Maldives was ranked 84 out of 180 countries surveyed in Transparency International's 2007 Corruption Perceptions Index.

In recent years, a modest easing of restrictions on the media has been offset by crackdowns and harassment of journalists. Though regulatory changes in January 2007 dramatically reduced damages for defamation, the legal environment remains harsh, and two significant media reform bills were withdrawn during the year. Many

journalists practice self-censorship and do not scrutinize official policies. Since a 2005 law liberalized the registration process, 6 daily newspapers, 15 magazines, and 70 other publications have been registered. Most are owned by government allies, but some have adopted a critical, balanced tone, and the independent Dhivehi-language *Minivan Daily*, which started as an online publication, now circulates in print. In 2007, the country's first private broadcasters—Capital FM radio, DhiFM radio, and Atoll TV—were launched through individual agreements with the government as opposed to new broadcasting legislation, limiting their independence. The more overtly antigovernment Minivan Radio was unable to obtain a frequency due to prohibitive registration costs. Internet access was less restricted than in past years, but the pro-opposition Dhivehi Observer website remained blocked.

Journalists remain subject to arrest or harassment. In 2007, reporters and photographers from both pro-opposition and state-owned outlets were arrested while covering protests, illegal prayer meetings, and a taxi-driver strike. *Minivan* has been particularly targeted for official intimidation. In January 2007, a foreign reporter for the English-language online publication *Minivan News* was expelled and banned for two years. At year's end, *Minivan Daily* editor Aminath Najeeb faced potential jail time, and journalist Abdullah Saeed continued to serve a long prison sentence after being convicted in 2006 of apparently fabricated drug charges.

Freedom of religion is severely restricted. Islam is the state religion, and all citizens are required to be Sunni Muslims. Non-Muslim foreigners are allowed to practice their religions only privately. Ostensibly to prevent fundamentalist beliefs from spreading, imams must use government-approved sermons. Following a bombing in September 2007, President Gayoom issued decrees prohibiting speeches by foreign clerics, criminalizing "words or actions likely to encourage extremism," banning the full veil, and limiting any form of veil on television. There were no reported limitations on academic freedom, but many scholars self-censor. Maldivians were palpably freer in 2007 than in the past to discuss politically sensitive issues in public places.

The government limits freedoms of assembly and association. In recent years, police have used excessive force to break up demonstrations. According to the Maldives Human Rights Commission (MHRC), in a March 2007 incident in Kibidhoo, police suppressed protests against local officials using iron finger rings, including on children and the elderly. However, there were no reports in 2007 of harassment of NGOs. The NGO Maldivian Detainee Network has been allowed to register and receive funding from the Australian government, and the MHRC, which was reconstituted in 2006, was increasingly assertive in 2007. Though the president appoints its members, the body issued several highly critical reports on police violence against protesters and detainees.

Workers lack the legal right to form trade unions, stage strikes, or bargain collectively. In practice, no unions exist, but some workers have established informal associations to address labor issues. In June 2007, police arrested at least eight organizers of a three-day strike by taxi drivers to protest rising fuel prices.

Because the president can review high-court decisions and the judicial service commission's authority is very limited, the judiciary "lacks independence," according to a 2007 report by the UN Special Rapporteur on the Independence of Judges and Lawyers. Civil law is used in most cases, but it is subordinate to Sharia (Islamic law), which is applied in matters not covered by civil law and in cases involving

divorce or adultery. As a result, the testimony of two women is equal to that of one man, and punishments such as flogging and banishment to a remote island continue to be carried out.

Human rights groups allege that the National Security Service acts with virtual impunity. Incidents of torture or other forms of ill-treatment at police stations and prisons continue to be reported and, as in the case of the apparent death from police abuse of drug addict Hussein Salah in April 2007, to spark protests. Arbitrary arrest and prolonged detention without adequate judicial review remain a concern. The government has in recent years detained political prisoners for months at a time, and some have been sentenced to long prison terms.

The government exercises pervasive influence over access to health care, employment, and educational opportunities for most Maldivians, and it dominates both the public sector and many civil society groups, particularly in the outer atolls.

More women are entering the civil service and increasingly receiving pay equal to that of men, though traditional norms still limit opportunities for many women. Women enjoy a 98 percent literacy rate. In July 2007, the country's first two female judges were appointed, despite opposition from some Islamic groups.

## Mali

**Population:** 12,300,000

**Capital:** Bamako

**Political Rights:** 2

**Civil Liberties:** 3\*

**Status:** Free



**Ratings Change:** Mali's civil liberties rating declined from 2 to 3 due to the government's efforts to restrict media freedoms and rising levels of insecurity associated with the insurgency in the north.

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

1998	1999	2000	2001	2002	2003	2004	2005	2006	2007
3,3F	3,3F	2,3F	2,3F	2,3F	2,2F	2,2F	2,2F	2,2F	2,3F

### Overview:

**President Amadou Toumani Toure won a second term in an April 2007 presidential election, and the progovernment coalition, the Alliance for Democracy and Progress (ADP), secured 113 of 147 seats in July legislative elections. In contrast to previous years, the authorities in 2007 took action against several independent journalists for coverage deemed insulting to the government. Separately, between August and September, a T'liareg rebel group clashed with security forces in the north. Although rebels released some Malian soldiers held hostage since the outbreak of conflict in August, a number of hostages remained in rebel hands at year's end.**

Following independence from France in 1960, Mali was ruled by military and one-party regimes for more than 30 years. After soldiers killed more than 100 demonstrators demanding a multiparty system in 1991, President Moussa Traore was overthrown by the military. Traore was sentenced to death in 1993 for ordering troops to fire on the protesters, and in 1999, both he and his wife received death sentences for embezzlement; the sentences were later commuted to life imprisonment.

After the 1991 coup, Alpha Oumar Konare of the Alliance for Democracy in Mali (ADEMA) won the presidency in 1992 elections that were deemed credible by most observers. He won reelection in 1997, fending off a single weak challenger amid an opposition boycott. Several opposition parties also boycotted that year's National Assembly elections, with ADEMA securing 128 of 147 seats.

Konare pledged to leave office after his second term, despite efforts by his supporters to waive term limits. In the May 2002 presidential election, Amadou Toumani Toure, a popular former general who had led Mali during the post-Traore transition period, ran as an independent with the backing of civic organizations and smaller parties. He was elected with 64 percent of the second-round vote, leaving the ADEMA candidate with 36 percent. The coalition Hope 2002 gained 66 seats in the July National Assembly elections, while an ADEMA-led coalition won 51 seats. Smaller parties captured the remainder. Despite administrative irregularities, most observers considered the 2002 polls to be generally free and fair. Communal elections in 2004 were orderly and transparent, and ADEMA won nearly 30 percent of the seats in Mali's more than 700 communes.

Toure, running as a candidate of the Alliance for Democracy and Progress (ADP), secured a second term in the April 2007 presidential election with 71 percent of the vote. In the July National Assembly elections, the ADP secured 113 seats, with 51 going to its largest party, ADEMA. The main opposition coalition, the Front for Democracy and the Republic (FDR), won 15 seats, including 11 for the Rally for Mali (RPM) party. One smaller party and independents won the remaining 19 seats.

Rebel activity in the north of the country continued in 2007. Although a 1991 agreement had brought over a decade of peace between the government and the ethnic Tuareg rebels, violence broke out again in May 2006, when a rebel group attacked army barracks in the Kidal region. The insurgents demanded greater autonomy and development assistance for their area. A peace deal was concluded in July 2006, but a rebel force led by Ibrahim Bahanga launched renewed attacks in late August 2007. Between August and September, the guerrillas kidnapped as many as 60 soldiers and civilians, 8 people died in a rebel attack on a military base, and a land mine explosion killed 11. While a truce was reached in late September and rebels released some Malian soldiers who were captured since the fighting began in August, the rebels still held several hostages at year's end.

Although it is one of the world's least developed countries, Mali has undertaken significant political and economic reforms since the early 1990s, including a decentralization program that gave greater autonomy to local communities. Mali has benefited from international debt relief, and in October 2006, the U.S.-funded Millennium Challenge Corporation approved a compact to fund poverty-reduction projects. Approximately 65 percent of the country is desert or semidesert, and 80 percent of the labor force is engaged in farming or fishing. Hundreds of thousands of Malians live as economic migrants across Africa and Europe, and many have been disadvantaged by the conflict in Cote d'Ivoire.

**Political Rights and Civil Liberties:** Mali is an electoral democracy. Despite opposition allegations of fraud during the April 2007 presidential election, voting was peaceful, and international observers declared the results valid. The Constitutional Court invalidated results in three districts after the July legislative elections, causing ADEMA to lose four seats.

The president is elected by popular vote to serve a five-year term, and may be reelected once. He is the head of state and of the military, and appoints the prime minister. Members of the 147-seat unicameral National Assembly serve five-year terms, with 13 seats reserved to represent Malians living abroad. Fifteen women were elected to the legislature in 2007, and 7 of the 27 cabinet members are women. An ethnic Tuareg was selected to head the Ministry of Culture. Fifteen parties and 15 independents are represented in the new legislature, and additional parties are active in local government structures. The constitution prohibits parties based on ethnic, religious, regional, or gender affiliations.

The eradication of corruption is a priority for President Amadou Toumani Toure's government, which has launched initiatives including the creation of the Office of the General Auditor. Although several civic associations are engaged in raising the public's awareness of corruption, it continues to be a problem, particularly in public procurement and contracting. Mali was ranked 118 out of 180 countries surveyed in Transparency International's 2007 Corruption Perceptions Index.

Over a dozen newspapers are regularly published in Bamako. The government controls the only television station and 1 of the more than 125 radio stations in the country. State-controlled and private broadcast media present a wide range of views, including those critical of the government. Community radio outlets provide a critical link for isolated rural populations, particularly given Mali's adult illiteracy rate of over 80 percent. The government does not restrict internet access.

Although Mali's media have a reputation for being among the freest in Africa, recent actions against independent journalists have cast doubt on the authorities' commitment to media freedom. Libel is a criminal offense, and in March 2007, a Bamako court sentenced two editors of *Kabako*, a privately owned monthly, to suspended four-month prison sentences for defaming a government minister. Also in March, a privately owned radio station, Radio Jamakan, was evicted from its office in a state-owned building following critical coverage of the president. On June 14, authorities arrested Bassirou Kassim Minta, a tenth-grade teacher who assigned his students a fictitious essay about a presidential sex scandal, on charges of offending the president, along with Seydina Oumar Diarra, the editor of the private daily *Info-Matin*, who reported on the story. On June 20, authorities arrested four other editors who republished the story. Diarra was sentenced to 13 days in prison and fined approximately US\$400; the other editors' sentences were suspended although they were subject to similar fines. Minta was sentenced to two months in jail, fined approximately US \$1,200, and was banned from teaching. In another incident, a broadcaster with Radio Kafo-Kan was attacked by a local politician in July over coverage of his June electoral performance.

Mali's population is predominantly Muslim. However, the state is secular, and minority religious rights are protected by law. Religious associations must register with the government. Academic freedom and freedoms of assembly and association are respected. Many civic groups and nongovernmental organizations, including

human rights groups, operate without interference. The constitution guarantees workers the right to unionize, with the exception of the security forces; nearly all salaried employees are unionized.

The judiciary is not independent of the executive, though it has shown increased autonomy in rendering decisions that are unfavorable to the government, which has in turn respected the judgments. Local chiefs decide the majority of disputes in rural areas. Detainees are not always charged within the 48-hour period set by law, and there are lengthy delays in bringing defendants to trial.

Mali's human rights record is generally good. Although there are reports of police brutality, courts have convicted some of those guilty of abuses. The government permits human rights monitors to visit prisons, but at least one group has complained that cumbersome administrative procedures make investigations difficult. Prison conditions are harsh. The government recently passed strict antiterrorism legislation in the wake of the renewed rebel conflict in the north. At year's end, the legislature was considering a bill to abolish the death penalty.

No ethnic group predominates in the government or security forces. Longstanding tensions between the marginalized Moor and Tuareg pastoralist groups on the one hand, and the more populous nonpastoralist ethnic groups on the other, have fueled periodic political instability.

Domestic violence against women is tolerated and common. Women have limited access to legal services, and family law favors men. Despite legislation giving women equal property rights, traditional practice and ignorance of the law prevent women from benefiting. Female genital mutilation is common, despite being banned in publicly financed health centers. The government is pursuing measures, such as a countrywide educational campaign, to eliminate the practice by 2008. Abortion is prohibited except in cases of rape or incest. A number of women's rights groups are active in working to improve conditions for women in Mali.

Although the constitution prohibits forced labor, Mali is a source, transit point, and destination country for women and children trafficked for the purposes of sexual exploitation and forced labor. Mali now requires children under 18 to carry travel documents. A 2002 law criminalized child trafficking, but adult trafficking is not criminalized. While the government investigated at least four trafficking cases during the year ending in March 2007, no suspects were convicted.



## Malta

**Population:** 400,000

**Capital:** Valletta

**Political Rights:** 1

**Civil Liberties:** 1

**Status:** Free



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

1998	1999	2000	2001	2002	2003	2004	2005	2006	2007
1,1F	1,1F	1,1F	1,1F	1,1F	1,1F	1,1F	1,1F	1,1F	1,1F

### Overview:

**In several incidents reminiscent of the previous year, the Maltese government in 2007 refused to rescue migrants stranded between Maltese and Libyan waters, leaving dozens clinging to fishing nets for days. A new right-wing political party with an anti-immigration platform emerged in June. Separately, journalists were harassed and injured during a protest by hunters in March.**

After gaining independence from Britain in 1964, Malta joined the Commonwealth and became a republic in 1974. Power has alternated between the pro-Western Nationalist Party (PN) and the nonaligned, leftist Labor Party (MLP). In 1990, the PN government submitted Malta's application for full membership in the European Union (EU)—then the European Community. After a brief interlude of MLP rule from 1996 to 1998, Malta continued on a pro-EU path that culminated in a successful March 2003 referendum on accession. The country formally joined the EU in May 2004.

National elections in 2003 returned the incumbent PN to power with around 52 percent of the vote and 35 seats in the unicameral House of Representatives. The MLP placed second with about 48 percent of the vote and 30 seats. In March 2004, the House of Representatives elected Edward Fenech Adami, the outgoing prime minister and veteran PN leader, as president of the republic. Lawrence Gonzi, the deputy prime minister, took over the premiership.

In June 2007, the National Action party was formed as a right-wing alternative to the main two parties. It aimed to put pressure on other EU countries to absorb illegal immigrants so as to ease the burden on Malta, and called for a rule under which Malta would only hold detained immigrants for one month, allowing them to move on toward Europe on release. The party also sought to reform the electoral process and role of the president.

Malta had refused to rescue immigrants stranded in waters between Libya and Malta in 2006, and repeated its resistance in May and June 2007, leaving groups of migrants clutching for days to fishing boats in the Mediterranean. Malta claimed that the responsibility lay with Libya, and in one incident with Spain, since it was a Spanish boat that spotted the migrants in question. Malta has urged the EU to draft guidelines for handling such cases.

**Political Rights and Civil Liberties:** Malta is an electoral democracy. Members of the 65-seat unicameral legislature, the House of Representatives, are elected through proportional representation with a single-transferable-vote (STV) arrangement, allowing voters to rank-order competing candidates by preference. The parliament is elected for a five-year term, and lawmakers in turn elect the president, who also serves for five years. The president names the prime minister, usually the leader of the majority party or coalition. Elections are generally free and fair.

The ruling PN and opposition MLP dominate national politics. The smaller Democratic Alternative party also competes, but is not currently represented in the parliament.

The EU's 2003 monitoring report, which sought to determine whether candidate countries were adopting the union's body of law, criticized Malta for lacking a specific anticorruption program, which remained the case through 2007. Malta was ranked 33 out of 180 countries surveyed in Transparency International's 2007 Corruption Perceptions Index.

The constitution guarantees freedom of speech and of the press, though incitement to racial hatred is punishable by a jail term of six to eight months. There are several daily newspapers and weekly publications in Maltese and English, as well as radio and television stations. The islands also have access to Italian television. The government does not block internet access. In March 2007, hunters protesting EU restrictions attacked reporters attempting to cover the demonstration, damaging equipment and injuring several journalists.

The constitution establishes Roman Catholicism as the state religion, and the state grants subsidies only to Catholic schools. While the population is overwhelmingly Roman Catholic, small communities of Muslims, Jews, and Protestants are tolerated and respected. There is one Muslim private school. Academic freedom is respected, and there is generally free and open discussion in the country.

The constitution provides for freedoms of assembly and association, and the government generally respects these rights. Nongovernmental organizations investigating human rights issues are able to operate without state interference. The law recognizes the right to form and join trade unions, and limits on the right to strike were eased in 2002. However, a compulsory arbitration clause in the country's Employment and Industrial Relations Act allows the government to force a settlement on striking workers, contravening the International Labor Organization's Convention 87. The clause is reportedly used only when all other channels for arbitration have been exhausted. In 2005, the government froze the assets of the General Workers' Union (GWU) following a dispute between the GWU and a government-owned shipyard.

The judiciary is independent, and the rule of law prevails in civil and criminal matters. The Police Ordinance Act, which took effect in 2003, provided a number of reform measures, including the establishment of a witness protection program and a mechanism for handling complaints directed toward the police. Prison conditions generally meet international standards, although the Council of Europe's Commission for Human Rights has objected to detention conditions for irregular migrants and asylum seekers. An independent report on the military's violent January 2005 suppression of a protest by detained immigrants raised concerns about the use of excessive force, recommending an internal military inquiry and better training for soldiers.

According to the 2007 Migrant Integration Policy Index, migrants in Malta are

explicitly discriminated against, and the government provides very little protection for those who file complaints. An Equality Agency is being established to offer legal advice to migrants.

The government respects personal autonomy and freedom. However, divorce is illegal, and violence against women continues to be a problem. Malta prohibits all abortions, even if the pregnancy is the result of rape or incest; in November 2004, a UN committee urged Malta to reconsider this policy. Women occupy only 6 of the 65 seats in the parliament. However, women now hold two cabinet posts: minister of Gozo (the second-largest island in the group) and minister for family and solidarity. These women are the first to attain such senior government positions.

Malta, which is a destination for men and women trafficked for the purpose of sexual exploitation, remains on Tier 2 in the U.S. State Department's 2007 Trafficking in Persons Report. The placement indicates that Malta does not fully comply with minimum antitrafficking standards but is making significant efforts to do so.

## Marshall Islands

Population: 100,000

Capital: **Majuro**

Political Rights: 1

Civil Liberties: 1

Status: Free



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

1998	1999	2000	2001	2002	2003	2004	2005	2006	2007
1,1F	1,1F	1,1F	1,1F	1,1F	1,1F	1,1F	1,1F	1,1F	1,1F

**Overview:** **Public debates continued in 2007 over the terms of the amended Compact of Free Association with the United States, particularly regarding U.S. rent payments to landowners on Kwajalein atoll and compensation for nuclear-test victims and their families. General elections on November 19 suffered irregularities and vote-counting delays; no clear winner of the presidency was announced by year's end.**

The atolls and islands that make up the present-day Republic of the Marshall Islands (RMI) were claimed by Germany in 1885 and occupied by Japan during World War I. U.S. forces took control during World War II, and RMI was placed under U.S. trusteeship in 1947. In 1986, RMI became an independent republic. More than two-thirds of its people live on the Kwajalein and Majuro atolls; a fifth live overseas in the U.S. and U.S. territories. The economy is heavily dependent on U.S. rent and assistance. Rising sea levels threaten the entire country.

Kessai Note in 2000 became the first commoner to hold the presidency after his United Democratic Party (UDP) won the 1999 general elections. The UDP again won

a majority in the 2003 parliamentary elections, and Note secured a second term as president.

The RMI maintains close relations with the United States under a Compact of Free Association that came into force in 1986 to allow the U.S. to maintain military facilities in RMI in exchange for defense guarantees and development assistance. An amended compact that took effect in 2004 will last through 2023. In it, the U.S. promises \$57 million in transfers over the first 10 years and another \$62 million in the next 10 years. RMI citizens also retain visa-free access to the United States to live, work, study, and seek medical services. The amended compact contains funding and accountability requirements absent in the original. Representatives from both countries sit in an oversight body to ensure funds are effectively spent. A 2007 U.S. government study found that for two years the RMI had not invested its trust fund in anything other than low-interest savings accounts. The RMI government also allegedly violated compact terms by borrowing \$500,000 from the compact funds to pay for a shipment of fuel. The government maintained that the money was repaid to the account the next day.

The amended compact also extends use of the Kwajalein missile-testing range—the primary U.S. testing ground for long-range nuclear missiles and missile-defense systems since 1964—through 2066. Landowners on the atoll have yet to agree to the amended compact. They want \$19 million in annual rent, \$4 million more than the U.S. has offered. Until the landowners agree, the amended compact cannot be enforced. The two countries also have to agree on compensation for victims of nuclear weapons tests on the Bikini and Enewetak atolls some 50 years ago. Over the course of 12 years, the United States detonated 67 nuclear devices totaling 108 megatons. Bikini remains uninhabitable, and Enewetak is partly contaminated. A \$150 million Nuclear Trust Fund provides compensation for past, present, and future RMI claimants; to date, the Nuclear Claims Tribunal has awarded \$1.5 billion in personal injury and property damages.

In July 2007, the Organization for Economic Cooperation and Development (OECD) removed the RMI from its list of uncooperative tax havens.

Kessai Note, the first commoner to hold the presidency, was elected to office in the 1999 elections. He and his party, the United Democratic Party (UDP), won a majority again in the 2003 elections. He sought a third term in the November 2007 elections, facing stiff competition from the Our Islands Party. Voting was poorly managed: polling stations opened late in the capital, those in the outer island ran out of ballots, and overseas voters had a short window to request and return ballots. International monitors reported irregularities, including voters being told to put their names on ballot envelopes in clear violation of voting rules. Vote counting and recounts continued for weeks after the election. By year's end, it remained unclear which party had won the simple majority in the 33-seat parliament required to form a new government.

**Political Rights and Civil Liberties:** RMI is an electoral democracy. The president is chosen for a four-year term by the unicameral House of Representatives (Nitijela), from among its members. The 33 members of the Nitijela are directly elected to four-year terms. An advisory body, the Council of Chiefs (Iroij), consists of 12 traditional leaders who are consulted on customary law. The UDP is the ruling party, and the Ailin Kein Ad (Our Islands) is the main opposition.

The republic's constitution requires the Nitijela to review the constitution once every 10 years; the last review was in 1994. A second review has yet to be held because fewer than two-thirds of all voters in the 2003 parliamentary elections endorsed it.

Corruption is a considerable problem. International and domestic critics have reported little progress on reform and improving transparency, although the government noted that the latter is a priority in its Vision 2018 national development strategy. The country was not ranked in Transparency International's 2007 Corruption Perceptions Index.

The government generally respects freedom of speech and of the press, although journalists occasionally practice self-censorship on sensitive political issues. A privately owned newspaper, the *Marshall Islands Journal*, publishes articles in English and Marshallese. The government's *Marshall Islands Gazette* contains official news but avoids political coverage. Broadcast outlets include a government radio station, a church-owned radio station, and in some areas, U.S. armed forces radio and television. Cable television also offers foreign news, entertainment, and occasional reports on local events. The government does not restrict internet access; penetration rates are low due to cost and technical access difficulties.

Freedom of religion and academic freedom are respected in practice. Four-year college education is rare; the College of the Marshall Islands offers two-year professional training courses. Research reported that only 18 percent of all 900 teachers passed both the reading and writing sections of the high school English test. Most high school graduates have only elementary-level math proficiency, and less than half have elementary-level English proficiency.

Citizen groups operate freely in the country. Many are sponsored by or affiliated with Christian church organizations to provide social services. The government broadly interprets constitutional guarantees of freedom of assembly and association to cover trade unions. There is no formal right to strike or to engage in collective bargaining; there are no formal prohibitions against such activities. The civil service has expanded by 50 percent since 1999, reaching 2,415 employees in March 2007, despite a growing budget deficit and no apparent increase in productivity.

The constitution provides for an independent judiciary. The government raised judges' salaries in recent years to attract and retain more qualified jurists. Nearly all judges and attorneys are recruited from overseas. There were no reports of police abuse in 2007. Detention centers and prisons meet minimum international standards.

Social and economic discrimination against women is widespread despite RMI's tradition of matrilineal inheritance in tribal rank and personal property. Domestic violence against women is often alcohol related. Each year since 2000, nearly one-fifth of all babies were born to teenage mothers. Infection rates for sexually transmitted diseases are reportedly high among adolescents.

## Mauritania

**Population:** 3,100,000

**Capital:** Nouakchott

**Political Rights:** 4\*

**Civil Liberties:** 4

**Status:** Partly Free



**Ratings Change:** Mauritania's political rights rating improved from 5 to 4 due to the election of President Sidi Ould Cheikh Abdellahi in March 2007, which was deemed free and fair by observers.

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

1998	1999	2000	2001	2002	2003	2004	2005	2006	2007
6,5NF	6,5NF	6,5NF	5,5PF	5,5PF	6,5NF	6,5NF	6,4PF	5,4PF	4,4PF

**Overview:** Mauritania's two-year, military-led transition from authoritarian rule culminated in March 2007 with the victory of Sidi Ould Cheikh Abdellahi as the country's first democratically elected president, in polls that were judged to be free and fair by observers. In July 2007, Abdellahi invited tens of thousands of Mauritians expelled to Senegal and Mali nearly 20 years earlier to return, and at year's end, the government was finalizing plans for their repatriation expected to begin in early 2008. Although media freedoms have improved since 2005, independent journalists continued to face threats of detention, imprisonment, and physical harm for content that was considered libelous, and private broadcasting remained forbidden. Tens of thousands of black Mauritians remained effectively enslaved, and while legislation was passed in August 2007 to criminalize slavery, it had yet to be tested in practice.

Following independence from France in 1960, Mauritania was ruled by a series of civilian and military authoritarian regimes. In 1984, Colonel Maaouya Ould Sidi Ahmed Taya ousted President Mohamed Khouna Ould Haidallah. Although Taya introduced a multiparty system in 1991, the absence of an independent electoral commission and the abuse of state resources devalued his presidential electoral victories in 1992 and 1997. The main opposition parties boycotted the 1996 legislative and 1997 presidential elections.

In 2001 legislative elections, Taya's Democratic and Social Republican Party (PRDS) was the only party to field candidates for all of the National Assembly's 81 seats, and the electoral law was modified to ban independent candidates. The PRDS won 64 seats, while opposition parties won 17.

A failed coup attempt triggered two days of fighting in the capital in June 2003. Although a number of electoral reforms were implemented prior to the November 2003 presidential election, media coverage favored Taya, civil society groups were

barred from monitoring the polls, and most foreign observers declined to participate after the main challenger, former president Haidallah, was briefly detained on the eve of the vote. Taya was declared the winner with 67 percent of the ballots.

In September 2004, the government accused Burkina Faso and Libya of backing disgruntled soldiers in another foiled coup attempt. Three opposition leaders, including Haidallah, were detained in November and put on trial for coup plots, along with 170 military personnel. Although Haidallah and most of the others were acquitted in February 2005, four soldiers received life sentences.

Military officers led by Colonel Ely Ould Mohamed Vail overthrew Taya's government in August 2005. Although the international community initially condemned the ouster, domestic support for the coup was strong. Soon after taking power, the Military Council for Justice and Democracy (CMJD) pardoned and released approximately 100 political prisoners, including a number of Islamists, while dozens of political activists returned from exile. In October 2005, the CMJD set out a timeline for holding elections and established an Independent National Electoral Commission (INEC) to administer the process. It also convened a five-day public debate with representatives from political parties and civil society groups to discuss the transition. Voters in June 2006 approved a constitutional amendment that limited presidents to two five-year terms in office. Legislative and municipal elections were held in November and December 2006, with independent candidates—mostly former Taya supporters and PRDS members—securing a majority of the seats.

Senate elections were held in January and February 2007, and independents again secured a majority. Campaigning for three Senate seats reserved to represent Mauritians living abroad took place in May, and the posts were filled in June. Nineteen candidates contested the first round of the presidential election on March 11, which led to a March 25 runoff between Sidi Ould Cheikh Abdellahi, running as an independent, and Ahmed Ould Daddah, the candidate of the main opposition party, the Rally of Democratic Forces (RFD). Abdellahi secured the presidency with slightly over 52 percent of the final vote.

In July, Abdellahi announced his intention to allow the return of black Mauritians who had been expelled to Senegal and Mali following a 1989 border dispute that led to widespread ethnic violence and the killing of many black Mauritians. Around 65,000 black Mauritians had been expelled, and the Office of the United Nations High Commissioner for Refugees (UNHCR) estimated in late 2007 that approximately 24,000 were still living in Senegal and 6,000 were living in Mali. The governments of Mauritania and Senegal signed a repatriation agreement in November 2007, and in December, the government established an office to coordinate the repatriation of refugees expected to begin in early 2008. However, no mechanism providing reparations for state violence or compensation for expropriated property was established.

Mauritania is one of the world's poorest countries, and approximately three-quarters of the population depend on subsistence agriculture and livestock production. Flooding that began in late August 2007 displaced thousands of people and left some 500,000 at risk of food shortages. Mauritania is a source and transit point for economic migrants seeking access to Europe. In 2006, the government signed an agreement with Spain to improve border controls, leading to a drop in the number of migrants reaching Spain's Canary Islands in 2007.

Also in 2007, the African Union's Peace and Security Council and the Francophonie Parliament, in April and July respectively, lifted suspensions that had been imposed on Mauritania following the 2005 coup.

**Political Rights and Civil Liberties:** Mauritania is an electoral democracy. The presidential election in March 2007 was assessed as largely free and fair by independent observers. Elections during the 2005-07 transitional period in general were significantly more open than any held since independence, though there were problems including a lack of mechanisms regulating campaign spending. The 2007 Senate elections were compromised by vote buying and prone to manipulation because of the relatively small pool of electors. Although voting was generally peaceful, two soldiers guarding a polling station in the southwestern town of Kaedi were killed by unidentified gunmen in March 2007.

Under the 1991 constitution, the president is responsible for appointing and dismissing the prime minister and cabinet. In addition to imposing a limit of two five-year terms, the 2006 constitutional referendum banned the president from leading a political party. However, the government and opposition in August 2007 began discussions on the creation of a political movement backing the president.

Members of the 95-seat National Assembly, the lower house of the bicameral legislature, are elected by popular vote to five-year terms in single-member districts using a two-round runoff system. Fifty-three members of the Senate, the upper house, are elected by mayors and municipal council members, and three are chosen by other senators to represent Mauritians living abroad. All senators serve six-year terms, with one-third elected every two years.

Approximately 25 parties competed in the 2006 legislative and municipal elections, and 19 parties competed in the 2007 presidential election. However, Mauritania lacks a developed party system. Independents won over 40 percent of the National Assembly seats, and debate among parties and candidates in the presidential election was weak. Islamist parties remain banned.

The transitional government took a number of steps to reduce corruption, including the creation of an inspector general's office in 2005. Measures were also introduced to develop a transparent framework for managing oil revenues, which is critical given the start of oil production in February 2006. Mauritania joined the Extractive Industries Transparency Initiative (EITI) in 2005. President Sidi Ould Cheikh Abdellahi's government has been publicly committed to improving transparency, and in May 2007, it announced that the president, the prime minister, and cabinet members would be required to declare their assets. Mauritania was ranked 123 out of 180 countries surveyed in Transparency International's 2007 Corruption Perceptions Index.

The transitional government relaxed many of the former regime's censorship rules, although several restrictive laws remain in place. Journalists continue to practice self-censorship, and newspapers are subject to closure for publishing material seen to undermine Islam or threaten national security. There are no private radio or television stations licensed in the country, which is especially notable given the literacy rate of only about 50 percent and shallow newspaper penetration. Media coverage of the 2007 presidential election was relatively balanced, with free newspaper space and airtime allotted to each candidate. However, journalists still face the



threat of detention, imprisonment, and physical harm for content considered insulting to the government or libelous. In March, supporters of presidential candidates eliminated in the first round of the election threatened to kill staff in the local office of Qatar-based television station Al-Jazeera. The board chairman of the credit union Mutpeche in April threatened the editor of the independent weekly *Tahalil Hebdo* with physical harm following the newspaper's accusations of corruption. In May, the editor of the daily *Al-Aqsa*, Abdel Fettah Ould Abeidna, spent four days in prison following charges of defamation by a businessman he had accused of drug trafficking. Abeidna was sentenced in November to a year in prison, although he is appealing the conviction from outside the country. In August, a journalist with the state-owned Radio Mauritanie was assaulted by two of the prime minister's bodyguards, who were each later jailed for 30 days. A correspondent with the private daily *Nouakchott Info* was assaulted by two bodyguards working for the president's wife, who also accused the editor of the private daily *El Bedil Athalith* of libel. The government does not restrict internet access.

Mauritania is an Islamic republic, and distributing non-Islamic religious material and proselytizing Muslims is prohibited. However, in practice, non-Muslim communities observe their faiths without fear of social ostracism and are not targeted by the government. Muslim extremists are monitored by the government. In June 2007, more than 20 suspected Islamic radicals, many of whom had been imprisoned since 2005, were acquitted after a court dismissed confessions it said had been extracted by torture. In October, three suspected militants with alleged ties to al-Qaeda were imprisoned. Academic freedom is not restricted.

The constitution guarantees freedom of assembly, and conditions have improved since the transition. Although laws require groups to gain permission from local authorities to hold demonstrations, authorization was generally obtained. In October and November 2007, police used force to break up several unsanctioned rallies in protest of rising food prices, leaving one person dead and over a dozen injured. Laws also guarantee freedom of association, although organizations formed on a racial or religious basis are still banned, and political parties are required to register with the Interior Ministry. Nevertheless, the government allowed an Islamist party to register during 2007.

Workers have the constitutional right to unionize and bargain for wages, and all except members of the military, police, and judiciary are free to do so in practice. Although only about one-quarter of Mauritians are formally employed, the vast majority in the industrial and commercial sectors are unionized. The right to strike is limited by arbitration requirements.

The judicial system is heavily influenced by the government. Many decisions are shaped by Sharia (Islamic law), especially in family and civil matters. Prison conditions are harsh, and security forces suspected of human rights abuses operate with impunity. There are reports that prisoners, particularly terrorism suspects, are subject to torture by authorities.

Mauritania's citizens are divided into three main ethnic groups: the politically dominant, light-skinned Maurs of Arab and Berber descent; black descendents of slaves, also known as Haratines or black Maurs; and black Africans closer in cultural and linguistic heritage to the peoples of neighboring Senegal and Mali. Slavery has existed in Mauritania for centuries; despite the passage in 1981 of a law banning

the practice, as many as half a million black Mauritians are believed to live in conditions of servitude. In August 2007, both legislative houses passed a law making slavery a crime punishable by up to 10 years in prison. The legislation was welcomed by human rights advocates, although some groups like Anti-Slavery International argued that its scope was too narrow in not covering practices such as forced marriage or indentured labor. Racial and ethnic discrimination persists in all spheres of political and economic life, generally to the disadvantage of Haratines and black Africans. Much of the country's wealth is concentrated in the hands of the Maur elite, who control iron-ore exports and fishing.

Under rules established during the transitional period, parties are required to submit National Assembly candidate lists that include a certain number of women depending on the size of each district. At the municipal level, women are guaranteed 20 percent of all seats. In the most recent elections, women won 17 seats in the National Assembly and 30 percent of all municipal council seats. However, discrimination against women persists. Under Sharia, a woman's testimony is given only half the weight of a man's. Legal protections regarding property and pay equity are usually respected only in urban areas, among the educated elite. It is estimated that three-quarters of women have been subject to female genital mutilation, and although the government has initiated an awareness campaign against the procedure, it remains legal. Abortion is prohibited in all circumstances.

Mauritania is a source and destination country for children trafficked for forced labor and sex. Although a 2003 law prohibits trafficking, the government lacks resources to restrict the trade and has been slow to prosecute suspected traffickers.

## Mauritius

**Population:** 1,300,000

**Capital:** Port Louis

**Political Rights:** 1

**Civil Liberties:** 2

**Status:** Free



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

1998	1999	2000	2001	2002	2003	2004	2005	2006	2007
1,2F	1,2F	1,2F	1,2F	1,2F	1,2F	1,1F	1,1F	1,2F	1,2F

### Overview:

**Former inhabitants of the Chagos Islands, who had been evicted to Mauritius by Britain to make way for a military base in the 1960s, continued their legal battle with Britain in 2007. Separately, the Mauritius National Assembly moved toward establishing a Truth and Justice Commission to examine the country's history of slavery and indentured servitude and consider possible reparations.**

Mauritius's ethnically mixed population is primarily descended from immigrants who were brought as laborers from the Indian subcontinent during the island's 360 years of Dutch, French, and British colonial rule. Since gaining independence from Britain in 1968, Mauritius has maintained one of the developing world's most successful democracies.

In August 2000, President Cassam Uteem called early elections after a series of corruption scandals led to the resignation of several cabinet ministers. Outgoing prime minister Navinchandra Ramgoolam had served since 1995. The opposition alliance, led by the Mauritian Socialist Movement (MSM), won the vote, and its leader, Sir Anerood Jugnauth, returned to the premiership, having last held the post between 1982 and 1995. The MSM was allied with the Mauritian Militant Movement (MMM). In a planned power shift, MMM leader Paul Berenger became prime minister in September 2003, becoming the first person from outside the island's Indian-origin majority to hold the post.

Parliamentary elections in 2005 resulted in victory for the opposition Social Alliance, led by Ramgoolam. Frustration with rising unemployment and inflation, which had followed the loss of preferential trade deals with the United States and the European Union, apparently contributed to the outcome. The Social Alliance, which included the Labor Party and the Mauritian Party, drew most of its support from the ethnic Indian majority. Municipal elections in October 2005 further cemented the Social Alliance's hold on power. In 2006, however, rising prices for a wide range of products and concerns about increased criminal activity diminished the popularity of the new government, which adopted a number of policies designed to further liberalize the economy, including the sale of government assets and reforms of the labor market, the pension system, social security, taxation, and facilities for foreign investors. That year, the country achieved a growth rate of about 4.3 percent.

Mauritius continued to enjoy political and economic stability in 2007, and pursued a plan to promote itself as an economic gateway to Africa. The country has reportedly attracted more than 9,000 offshore entities, and the banking sector alone has drawn more than \$1 billion in investment. Also during the year, the Mauritius National Assembly moved toward establishing a Truth and Justice Commission to examine the country's history of slavery and indentured labor and to consider possible reparations; it named a director in June.

Mauritius claims sovereignty over the Chagos Islands, which are controlled by Britain. In 2007, former Chagos inhabitants, who had been evicted in the 1960s to make way for a joint U.S.-British military base, continued their legal battle with Britain. In 2007, the U.K. Court of Appeals upheld the islanders' claim of an unjust eviction, but the government was permitted to file an appeal and did.

**Political Rights and Civil Liberties:** Mauritius is an electoral democracy. The head of state is a largely ceremonial president elected by the unicameral National Assembly for a five-year term. Executive power resides with the prime minister, who is appointed by the president from the party or coalition with the most seats in the legislature. Of the National Assembly's 70 members, 62 are directly elected and 8 are appointed from among unsuccessful candidates who gained the largest number of votes. All members serve five-year terms.

Since independence, Mauritius has regularly chosen its representatives in free,

fair, and competitive elections. Decentralized structures govern the country's small island dependencies. The largest of these is Rodrigues Island, which has its own government, local councils, and two seats in the National Assembly. The main political groupings in Mauritius are the ruling Social Alliance coalition, which depends largely on the ethnic Indian majority, and the opposition alliance of the MMM and MSM. The two blocs have alternated in power for decades.

There have been a number of corruption cases in recent years, and efforts to market Mauritius as an international financial center have been impeded by domestic banking scandals. The Independent Council Against Corruption has investigated both government and opposition political figures. Mauritius was ranked 53 out of 180 countries surveyed in Transparency International's 2007 Corruption Perceptions Index.

The constitution guarantees freedom of expression, and several private daily and weekly publications are often highly critical of both government and opposition politicians and their policies. The state-owned Mauritius Broadcasting Corporation (MBC) operates radio and television services and generally reflects government viewpoints. A small number of private radio stations have been authorized, but the state-run media enjoy a monopoly in broadcasting local news.

Freedom of religion is respected, as is academic freedom, although recent reforms designed to make education more competitive have proven controversial. The rights to freedom of assembly and association are respected, but police occasionally refuse to issue permits for demonstrations. Numerous nongovernmental organizations operate freely, as do trade unions. The island's 9 labor federations include 300 unions.

The generally independent judiciary, headed by the Supreme Court, administers a legal system that is an amalgam of French and British traditions. Civil rights are for the most part well respected, although cases of police brutality have been reported. There are no known political prisoners or reports of political or extrajudicial killings. In 2006, the National Commission on Human Rights issued a report that criticized prison conditions.

Various ethnic cultures and traditions flourish in peace, and there is general respect for constitutional prohibitions against discrimination. However, Mauritian Creoles, descendants of African slaves who comprise about a third of the population, live in poverty and complain of unfair treatment. In addition, tensions between the Hindu majority and Muslim minority persist, constituting one of the country's few potential ethnic flashpoints.

Women make up approximately 20 percent of the paid labor force and generally occupy a subordinate role in society. Domestic violence against women has continued to be a major problem. In 1997, Mauritius became the first country in the region to pass a Protection from Domestic Violence Act. After the 2005 parliamentary elections, 17 percent of the seats in the National Assembly are held by women. However, women occupy only 5 percent of the senior positions in the 100 top companies.

## Mexico

Population: 106,500,000

Capital: Mexico City

Political Rights: 2

Civil Liberties: 3

Status: Free



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

1998	1999	2000	2001	2002	2003	2004	2005	2006	2007
3,4PF	3,4PF	2,3F	2,3F	2,2F	2,2F	2,2F	2,2F	2,3F	2,3F

**Overview:** **Violence associated with drug trafficking continued to rise in 2007, even as President Felipe Calderon deployed thousands of troops to states facing particularly grave threats from warring cartels. In the wake of the controversial 2006 presidential election, Mexico passed an electoral reform that aimed to limit the influence of outside interests in political campaigns.**

Mexico achieved independence from Spain in 1810 and established itself as a republic in 1822. Seven years after the Revolution of 1910, a new constitution established the United Mexican States as a federal republic. From its founding in 1929 until 2000, the Institutional Revolutionary Party (PRI) dominated the country through patronage, corruption, and repression. The formal business of government often took place in secret, and the rule of law was frequently compromised by arbitrary power.

In the landmark 2000 presidential election, Vicente Fox Quesada of the National Action Party (PAN) defeated the PRI nominee as well as the candidate of the leftist Party of the Democratic Revolution (PRD), capturing 42.5 percent of the vote. The new president assembled an eclectic cabinet that included businessmen and leftist intellectuals, announced plans to overhaul the notoriously corrupt and inefficient law enforcement agencies, and pledged to make Mexico an international leader in human rights.

By 2003, Fox's greatest achievements remained his defeat of the long-ruling PRI, providing for more open and accountable government, and arresting leaders of the country's vicious drug cartels. Solutions to the problems of poverty, corruption, crime, and unemployment, all of which he had promised to address, remained elusive. Elections held in July 2003 confirmed the PRI as the main opposition party both in Congress and in many statehouses.

In 2004, attention focused increasingly on the 2006 presidential election, with the PRD's Andres Manuel Lopez Obrador, the mayor of Mexico City, emerging as the apparent front-runner. In 2005, Fox had to fend off charges that he was behind efforts to impeach Lopez Obrador over an obscure land case. The spat energized Lopez Obrador's political base, and the prosecution was dropped. Fox's perceived

political weakness led the PAN to select Felipe Calderon, a candidate whom he did not favor, to succeed him in the July 2006 election. After a bitter internal struggle, PRI leader Roberto Madrazo secured his party's nomination.

The presidential contest quickly became a close-fought battle between Calderon and Lopez Obrador, as the Madrazo campaign never gained traction. Calderon's campaign sought—with Fox's help—to paint Lopez Obrador as a danger to Mexico, making thinly veiled references to him as a populist in the mode of Venezuela's president Hugo Chavez. As predicted, the election was extremely close, with Calderon prevailing by a mere 244,000 votes in the initial count.

Seizing on perceived irregularities, Lopez Obrador claimed that the result was fraudulent and declared himself the winner. Between July 2 and September 5, the nation remained on edge as Lopez Obrador sought the annulment of the election and a full recount, while simultaneously preparing to initiate an "alternative presidency." Many Mexicans—and most international observers—were not impressed with the PRD's evidence of fraud and resented Lopez Obrador's seeming lack of respect for Mexican institutions. On August 5, the Federal Electoral Tribunal announced that there would be only a partial recount, and one month later it formally declared Calderon the winner. Lopez Obrador, meanwhile, attempted to remain sympathetic to the concerns of the larger public while maintaining morale among his more militant backers. The confrontation peaked on September 1, when protests prevented Fox from giving his annual State of the Union address before Congress. Splits among the left also widened, as many PRD members preferred to focus on the party's new role as the second-largest force in Congress; though the PAN won the most seats, with 206 deputies and 52 senators, the PRD elected 127 deputies, thus overtaking the PRI, which elected 106 deputies, for the first time.

Several incidents of social unrest also occurred in 2006. In April, a large demonstration in the town of San Salvador Atenco led to clashes between police and protesters that left two people dead and over 200 arrested. In a controversial verdict in May 2007, three Atenco peasant leaders were sentenced to 67 years in prison each for allegedly kidnapping local police. Meanwhile, human rights groups decried the seemingly slow and ineffectual process of disciplining police officers accused of abuses during the clash.

An even more serious crisis in 2006 occurred in Oaxaca, where the annual teachers' strike spiraled out of control in mid-June after Governor Ulises Ruiz of the PRI attempted to forcefully disperse protesters in the central plaza and police killed several demonstrators. In the following months, radicals of varying stripes converged on Oaxaca to demand Ruiz's resignation. The protests crippled the state's tourism-based economy, and paramilitaries associated with the governor engaged in occasional shootouts with militants, resulting in over a dozen deaths. Fox avoided sending in federal police until late October, when the situation reached a boiling point with the death of a U.S. journalist. Though violence in Oaxaca declined significantly in 2007, a clash in July led to the arrests of 40 people amid further accusations of police brutality.

The problem of crime has only worsened in recent years. The number of drug-related killings topped 2,100 in 2006, and after taking office, Calderon began deploying the military in the states most affected. The decision to send in troops, though questioned by some rights groups, was politically popular and served to portray

Calderon as a take-charge leader. By late 2007, over 20,000 troops and federal police had been sent to 10 states. Nonetheless, the number of drug-linked killings increased to over 2,600 in 2007, and violence was pushed into areas where it had not been a significant problem before. In late October 2007, U.S. president George W. Bush asked Congress for \$1.4 billion in aid to help equip and train Mexico's security forces and improve its legal institutions.

Political confrontations subsided considerably in 2007. Calderon asserted himself as a clever politician, forging legislative coalitions with the PRI and occasionally even a faction of the PRD to pass pension, tax, electoral, and judicial reforms. State and local elections were held in 14 states throughout the year, with the PRI faring far better than the other two major parties.

Also during the year, a guerrilla group, the Popular Revolutionary Army (EPR), emerged from a long period of inactivity to protest the disappearance of two of its members in May. It staged a series of sophisticated attacks, including dramatic July 10 and September 10 strikes on oil and gas installations; the resulting shutdowns caused hundreds of millions of dollars in losses. The government insisted that it did not know the whereabouts of the missing guerrillas and was still investigating at year's end.

In late October and early November, severe flooding struck the southern state of Tabasco. At their peak, the floodwaters submerged 80 percent of the state, affected over a million people, and caused billions of dollars in damage. Many citizens expressed anger and frustration that money allocated for flood defenses in the wake of a 1999 inundation had apparently been wasted, diverted, or left unspent.

**Political Rights and Civil Liberties:** Mexico is an electoral democracy. The president is elected to a six-year term and cannot be reelected. The bicameral Congress consists of the 128-member Senate, elected for six years by a mix of direct and proportional representation, with at least one minority senator from each state, and the 500-member Chamber of Deputies, with 300 elected directly and 200 through proportional representation, all for three-year terms. Members of Congress are also barred from reelection, which decreases accountability to constituents and increases reliance on party functionaries for subsequent employment. Each state has an elected governor and legislature.

Mexico's Federal Electoral Institute (IFE), which supervises elections and enforces political party laws, has come to be viewed as a model for other countries. The 2006 elections were considered free and fair, despite claims to the contrary by presidential runner-up Andres Manuel Lopez Obrador of the PRD. However, a perceived lack of control during the hard-fought presidential campaign led to many complaints, especially by the PRD, concerning negative advertising and campaigning, often using state resources, on behalf of victorious PAN candidate Felipe Calderon by incumbent president Vicente Fox Quesada as well as business groups. In response, a major electoral reform was passed in 2007 to strictly regulate campaign financing and the content of political advertising. Supporters argued that the reform would sever the links between politics and Mexico's often oligarchic business interests. Critics, however, claimed that the new rules would weaken free speech, diminish the independence of the IFE, and further increase the power of the main three parties (PAN, PRI, and PRD) relative to smaller groups.

Official corruption remains a serious problem. In the 2007 Latinobarometro poll, 33 percent of Mexicans stated that they or a relative had been party to a corrupt act in the previous 12 months; notably, this represented a sharp decline from the 2002-05 average of 54 percent. The Mexican prosecutor's office estimates that \$10 billion in illegal drug money enters the country each year from the United States; the money is then laundered, with ineffective resistance by financial, political, security, and judicial institutions. There is the perception that drug money affects politics, particularly on the state and local levels. In October 2007, a congressional committee launched a corruption probe against Fox after assets he displayed in a magazine profile appeared inconsistent with his known earnings. Mexico was ranked 72 out of 180 countries surveyed in Transparency International's 2007 Corruption Perceptions Index.

Legal and constitutional guarantees of free speech have been gradually improving, but the security environment for journalists has declined markedly. No longer dependent on the government for advertising and subsidies, the competitive press has taken the lead in denouncing official corruption, although serious investigative reporting is scarce. Broadcast media are dominated by two corporations that control over 90 percent of the stations. In 2007, the so-called Televisa law, which had granted additional broadcast spectrum to the two giants, was struck down by the Supreme Court. In addition, defamation was decriminalized at the federal level, though it remains a crime in many states. The Supreme Court in November exonerated Puebla governor Mario Marin of the charge that he violated journalist Lydia Cacho's rights when he had her detained in Cancun, driven 900 miles to Puebla, and charged with defamation of a businessman. The decision was viewed as strengthening Mexico's notorious climate of impunity.

Following a sharp increase in violence in 2006, reporters probing police issues, narcotics trafficking, and public corruption remained at high risk in 2007. At least five journalists and newspaper distributors were killed during the year, and at least two others disappeared. Self-censorship has increased, and many newspapers in high-violence zones no longer publish bylines on stories involving organized crime. Press freedom groups welcomed the federalization of crimes against journalists, but noted that the special prosecutor's office devoted to investigating these acts had made only slow progress since opening in 2006. Mexico's widely respected 2002 freedom of information law strictly bars the government from withholding information about crimes against humanity or gross human rights violations. Despite some limitations, the law has generally been considered successful at strengthening transparency. A reform of Article 6 of the constitution was passed in 2007 to further define required transparency standards at the various levels of government. The government does not restrict internet access, which is widely available.

Religious freedom is constitutionally protected and generally respected in practice. However, it is limited in some areas, particularly in Chiapas state, and there are frequent reports of harassment of evangelicals and Jehovah's Witnesses. Religious discourse is becoming less taboo in the public square; in 2007, the Roman Catholic Church spoke out strongly against Mexico City's legalization of early-term abortions. PRD supporters disrupted services at one of Mexico's most prominent cathedrals in November to protest the Church's alleged political loyalties and its perceived lax treatment of the issue of pedophile priests. The government does not restrict academic freedom.



Constitutional guarantees regarding free assembly and association are generally respected, but political and civic expression is restricted in some rural districts, poor urban areas, and poor southern states. Nongovernmental organizations (NGOs), though increasingly active, sometimes face violent resistance. In 2007, several NGO workers were killed, including a human rights defender in Sinaloa, an antilogging activist in Mexico State, and a campaigner for migrant workers' rights in Monterrey. Mexican trade unions have long faced government and management interference, although their status as a pillar of the PRI has diminished significantly.

The justice system remains plagued by slowness and unpredictability. In rural areas, respect for laws by official agencies remains tenuous, and coordination between federal authorities and the state and local police forces is problematic. Lower courts and law enforcement in general are undermined by widespread bribery. Torture, arbitrary arrest, and abuse of prisoners persist in many areas, although to a somewhat lesser degree in recent years. Over a dozen women reported being raped by police after being arrested during the unrest in San Salvador Atenco in May 2006. Prisons are violent and overcrowded, and pretrial detainees account for up to 40 percent of inmates. A large proportion of crimes go unreported because the notoriously underpaid police are viewed as either inept or in league with criminals.

At the end of 2007, Congress moved toward passage of a major judicial reform that would replace the civil-inquisitorial trial system with an oral-adversarial one. Experts viewed this as a positive measure that would increase efficiency and fairness. Nonetheless, other elements of the law, including police powers to enter residences in an emergency without a warrant and the extension of preventive detention for certain crimes, were seen as invitations to future abuses. At year's end, it was unclear which, if any, controversial provisions would be stricken from the law before final passage.

Presidential authority over the armed forces is extensive, but the military has historically operated beyond public scrutiny, and human rights advocates have warned that its strengthened antinarcotics role will spread corruption and other abuses within its ranks. Several serious human rights violations occurred in 2007, including arbitrary detentions and physical abuse during operations in both Michoacan and Tamaulipas, and the killing of five people as their car approached a military checkpoint in Sinaloa. Notably, three soldiers were convicted in October of raping a group of women in Coahuila in 2006, marking the first conviction of members of the military in a civil court.

A 2003 law banned all forms of discrimination, including those based on ethnic origin, gender, age, and religion. Nevertheless, social and economic discrimination has marginalized Mexico's indigenous peoples. Their ability to participate in decisions affecting their lands and cultural traditions is usually negligible, and most are relegated to extreme poverty in rural villages that lack most essential services.

The *maquiladoras* (export-processing zones) have fostered substantial abuses of workers' rights. Maquiladora workers often are young, uneducated women who receive low pay, lack medical insurance and paid vacation, and are frequently the targets of sexual harassment and abuse.

Domestic violence and sexual abuse reportedly affect nearly 50 percent of all women. In February 2007, the government passed a comprehensive law to protect women from domestic abuse, though its efficacy has yet to be determined. Mexico

City in April legalized abortion during the first 12 weeks of pregnancy, provoking a fierce confrontation with conservatives led by the Catholic Church. Mexico is both a source and a transit country for trafficked persons. Internal trafficking is also a problem. The killings of hundreds of women in the U.S. border zone over the last 15 years remained a controversial subject as the 14-year statute of limitations began to affect unsolved cases. While acknowledging progress against impunity in more recent deaths, rights groups continue to pressure the authorities to speed investigations of older killings.

## Micronesia

**Population:** 100,000

**Capital:** Palikir

**Political Rights:** 1

**Civil Liberties:** 1

**Status:** Free



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

1998	1999	2000	2001	2002	2003	2004	2005	2006	2007
1,2F	1,2F	1,2F	1,2F	1,2F	1,1F	1,1F	1,1F	1,1F	1,1F

**Overview:** **Congressional elections were held in March 2007, and Emanuel Mori of Chuuk state and Aiik Alik of Kosrae state were chosen as president and vice president, respectively, in May. Also during the year, the United States suspended compact payments to Kosrae, citing poor internal controls and accountability.**

The United States administered Micronesia, which included the Marshall Islands and other Pacific island groups, between 1947 and 1979 as a UN Trust Territory. In 1970, the Northern Marianas, Marshall Islands, and Palau demanded separate status from Kosrae, Pohnpei, Chuuk, and Yap; these latter four territories, representing 607 islands, became the Federated States of Micronesia (FSM). The FSM adopted a constitution and became self-governing in 1979 as the trusteeship expired and status negotiations with the United States continued.

In 1986, the FSM signed its first Compact of Free Association with the United States, which provides the FSM with U.S. economic and defense assistance in exchange for U.S. military bases in the islands. An amended compact, which extends this core commitment for another 20 years, came into effect in 2003. In the first three years of the amended compact, the FSM received \$76 million in assistance for education, health, the environment, capacity building, infrastructure, and private sector development; another \$16 million goes to a trust fund that is overseen by a joint board of U.S. and FSM trustees. Beginning in the fourth year, an annual decrement of \$800,000 from sectoral grants will be reallocated to the trust fund until 2023. FSM

citizens will continue to enjoy visa-free entry to the United States for health services, education, or employment. The amended compact also demands accountability and transparency in how transferred funds are used and managed, something missing in the initial compact.

Compact funds represent one-third of the FSM's national income; the division of the funds has been a source of serious tension in federal-state relations. In 2003, the people of Faichuk island in Chuuk state threatened to leave the federation and seek a separate bilateral treaty with the United States unless Chuuk received a larger share of the compact funds. Faichuk is home to 30 percent of Chuuk's population. Other states followed with similar demands. In response, the federal government agreed to increase the share of compact funds transferred to the four states. In April 2007, the United States suspended all compact payments to the state of Kosrae on the grounds of poor internal controls and accountability, and funds remained suspended by the end of 2007.

Congressional elections were held in March 2007, and Congress in May chose Emanuel Mori of Chuuk and Alik Alik of Kosrae as president and vice president, respectively. Special elections were then held in July to fill the legislative seats the two men vacated to take office. In response to U.S. demands for greater transparency and accountability, Mori's government merged executive office funds to create three new offices: the Office of Statistics, Budget, Overseas Development Assistance and Compact Management; the Office of National Archives, Culture and Historical Preservation; and the Office of Environment and Emergency Management Agency. It also created a new Department of Education (separating it from the Department of Health and Social Affairs) and a new Department of Resources and Development.

**Political Rights and Civil Liberties:** The FSM is an electoral democracy. The unicameral, 14-member Congress has one directly elected representative, serving four-year terms, from each of the four constituent states, and 10 representatives directly elected for two-year terms from single-member districts. Chuuk state, home to nearly half of the FSM's population, holds the largest number of congressional seats. That has been a source of resentment among the three smaller states. The president and vice president are chosen by Congress from among the four state representatives to serve four-year terms. By informal agreement, the two posts are rotated among the representatives of the four states. Each state has its own constitution, elected legislature, and governor; the state governments have considerable power, particularly in budgetary matters. Traditional leaders and institutions exercise significant influence in society, especially at the village level. There are no formal political parties, but there are no restrictions on their formation.

Official corruption and abuses are widespread and a major source of voter discontent. In a prominent 2007 case, a former ambassador to the United States faced criminal charges for alleged involvement in a fake passport scam. The FSM was not ranked in Transparency International's 2007 Corruption Perceptions Index.

The news media operate freely. Print outlets include government-published newsletters and several small, privately owned weekly and monthly newspapers. Television stations operate in three of the four states. Each state government runs its own radio station, and the Baptist church runs a fifth station. Cable television is

available in Pohnpei and Chuuk, and satellite television is increasingly common. Use of the internet is also growing, but low incomes and small populations make it difficult for service providers to expand coverage.

Religious freedom is respected in this mainly Christian country. There are no reports of restrictions on academic freedom, but lack of funds negatively affects the quality of and access to education. Government and society concur on the urgent need to improve education and professional training. When members of the native population are unable or unqualified to fill jobs, foreign workers are hired, causing social tensions.

Freedom of assembly is respected, and citizens are free to organize civic groups. A small number of student and women's organizations are active. No labor unions exist, though there are no laws against their formation. The economy is dependent on fishing, tourism, subsistence agriculture, and U.S. assistance. No specific laws regulate work hours, recognize the right to strike and bargain collectively, or set workplace health and safety standards.

The judiciary is independent, but lacks funds to improve the functioning of the courts. There is also cultural resistance to using the courts, particularly for sex crimes. In 2006, the police received guidelines and a training workbook for dealing with juvenile offenders and victims as part of the implementation of the UN Convention on the Rights of the Child.

Women hold equal rights under the law, including those regarding property ownership and employment. Women generally receive equal pay for equal work and are well represented in the lower and middle ranks of the state and federal governments. Nevertheless, social and economic discrimination against women persists in the male-dominated culture. Domestic violence is common, and cases often go unreported because of family pressure, fear of reprisal, or an expectation of inaction by the authorities. Offenders rarely face trial, and those found guilty usually receive light sentences.

## Moldova

**Population:** 4,000,000

**Capital:** Chisinau

**Political Rights:** 3

**Civil Liberties:** 4

**Status:** Partly Free



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

1998	1999	2000	2001	2002	2003	2004	2005	2006	2007
2,4PF	2,4PF	2,4PF	2,4PF	3,4PF	3,4PF	3,4PF	3,4PF	3,4PF	3,4PF

### Overview:

**As Romania entered the European Union in early 2007, Moldovans rushed to apply for Romanian passports and visas, leading to tension between the two countries. Mean-**

**while, Moldovan president Vladimir Voronin held a series of bilateral meetings with Russian officials on the future of the breakaway Transnistria region. In June, the ruling Communist Party of Moldova lost ground in local elections.**

Moldova gained independence from the Soviet Union in 1991, and free and fair elections were held in 1994. The Communist Party of Moldova (PCRM) took power at the head of a majority coalition in 1998 and won a landslide victory in 2001 on the promise of a return to Soviet-era living standards. Vladimir Voronin was elected president by Parliament.

The only parties that captured seats in the 2005 parliamentary elections were the PCRM, the opposition Democratic Moldova Bloc (BMD), and the right-wing Christian Democratic Popular Party (PPCD). The PCRM took 56 of the 101 seats, and built a broad coalition to obtain the 61 votes needed to reelect Voronin. The only opposition group that did not back him was the Our Moldova Alliance, which had entered Parliament as part of the BMD. Election monitors highlighted a number of flaws during the campaign, including police harassment of the opposition, manipulation of the state media, and abuse of state funds by the PCRM.

The PCRM's victory was due in large part to high spending on social programs, but it had also gained support by shifting its policy alignments from Russia toward the European Union (EU). Voronin increasingly demanded the withdrawal of Russian troops from Moldova's separatist region of Transnistria. Tensions mounted in January 2006, when a pricing dispute led Russia to cut off natural gas supplies to Moldova for 16 days. A Russian ban on Moldovan wine and produce imports—a trade that brought in more than \$250 million annually for Moldova—further soured the relationship during 2006. In a sign of rapprochement, Russia agreed to lift the restrictions in November that year, but bureaucratic delays prevented the resumption of wine sales until late 2007. Since the bans were imposed, Russia has fallen behind Romania as Moldova's leading trade partner.

Multilateral talks on Transnistria, which had maintained de facto independence since 1992, broke off in February 2006. The U.S.-based Jamestown Foundation revealed in April 2007 that Voronin had been holding bilateral talks with Russia for more than a year, reportedly yielding a proposal that would reunify Moldova but leave Transnistria with substantial privileges and autonomy. Critics said the proposed deal would bolster Russian influence. The report prompted calls for the resumption of the multilateral talks, which had included Ukraine and the Organization for Security and Cooperation in Europe (OSCE), with the United States and the EU as observers. Ukraine and the EU in late 2005 had stepped up efforts to assist the Moldovan government and isolate Transnistria, launching joint patrols along the Ukraine-Moldova border and enforcing Moldovan customs authority.

As Voronin appeared to repair ties with Russia, his government's friction with Romania increased. Romania formally joined the EU in January 2007, prompting a surge in Moldovan applications for Romanian passports and visas. An opinion poll released in May found that 38 percent of respondents had applied or planned to apply for Romanian citizenship; many Moldovans had that option under Romanian law, since much of Moldova had been part of Romania prior to World War II. The Moldovan government agreed in January to allow Romania to open two new consulates to handle the load, but it reversed itself in March amid ongoing concerns that

Romania was seeking to undermine Moldovan nationhood. In December, Moldova expelled two Romanian diplomats for unclear reasons, and Parliament passed a law barring public servants from holding more than one passport.

Local elections were held in June 2007. The PCRM won with roughly a third of the overall vote, followed by Our Moldova, though both lost ground to smaller parties in comparison with the 2003 results. In Chisinau, the PCRM again lost the mayoral race, despite having the acting mayor as its candidate; the party had failed to capture the post in an election since independence. The winner was Liberal Party member Dorin Chirtoaca, a 28-year-old human rights activist.

Unemployment rates remain high, and the population is in decline due to large-scale emigration and other factors. According to a UN-sponsored report released in June 2007, just 47 percent of the population lives in towns and cities. Much of the country's economic growth in recent years has come from expatriate worker remittances, and up to a quarter of the population may be working abroad.

**Political Rights and Civil Liberties:** Moldova is an electoral democracy. Voters elect the 101-seat unicameral Parliament by proportional representation for four-year terms. Since a 2000 constitutional reform, Parliament rather than the public has elected the president, whose choice for prime minister must then be approved by Parliament. The presidency, also held for four-year terms, was traditionally an honorary post, but it has taken on significant power under President Vladimir Voronin's leadership.

The electoral code is generally considered sound, but some regulations favor incumbents. The electoral law in practice discourages the formation of ethnic or regional parties. Roma (Gypsies) are particularly underrepresented. In the 2007 local elections, international monitors reported media bias, intimidation, inconsistent procedures, and other flaws, but said the balloting was generally well administered and offered a genuine choice to voters.

Corruption is a major concern in Moldova, and officials have used anticorruption efforts against political opponents. Despite laws to promote governmental transparency, access to information remains limited. Former defense minister Valeriu Pasat, who was accused of defrauding the Moldovan government in 1997 arms sales, was released by an appeals court in July 2007 after receiving a prison sentence the year before. The prosecution was viewed as politically motivated due to Pasat's ties to the previous administration. In another case with political overtones, Ivan Burgudji, a politician from the autonomous ethnic Turkish region of Gagauzia, was sentenced in June 2007 to 12 years in prison for embezzling funds while representing his region in Transnistria in 2001-02. Moldova was ranked 111 out of 180 countries surveyed in Transparency International's 2007 Corruption Perceptions Index.

Print media present a range of opinions, but they are not widely available in rural areas. Only the public service broadcasters have national reach. A new Audio-visual Code, passed in 2006, was praised by press freedom advocates, although some provisions raised concerns, including a vague obligation to ensure "balanced" and "comprehensive" coverage. Prison sentences for libel were abolished in 2004, but journalists often practice self-censorship to avoid crippling fines. The criminal code prohibits the "profanation of national and state symbols" and the defamation of judges and criminal investigators. Despite their legal transformation into public

service stations, state-owned broadcasters favored the ruling party in the 2007 local elections. After the Audiovisual Coordinating Council (CCA) warned some outlets to curb electoral bias, four council members were detained by anticorruption investigators in June, creating the appearance of retaliation. In early October, the government faced accusations of political manipulation when the CCA withdrew the Moldovan frequency license of Romania's public broadcaster, which had been due to expire in 2010. An assortment of press freedom and journalists' organizations endorsed an appeal of the decision in November. The government does not restrict internet access.

Although the constitution guarantees religious freedom, the government has shown its preferences through the selective enforcement of registration rules. Unregistered groups are not allowed to buy property or obtain construction permits, and many smaller sects, including all Muslim groups, have been denied registration. A law passed in July 2007 banned "abusive proselytism" and denied legal status to groups with fewer than 100 members. It also acknowledged the "special significance and primary role" of the Orthodox Church, although no branch was specified. Earlier that month, President Voronin had indicated his loyalty to the Russian-backed Moldovan Orthodox Church, rather than the Romanian-backed Bessarabian Orthodox Church. Moldovan authorities do not restrict academic freedom, but bribery in the education system remains a problem.

Citizens may participate freely in nongovernmental organizations (NGOs). However, private organizations must register with the state, and some NGOs have complained of government interference. Demonstrations require permits from local authorities. The Supreme Court ruled in February 2007 that the previous year's ban on a gay rights march in Chisinau had violated freedom of assembly, but the city banned a similar march in April. Authorities exert pressure on unions and their members, and employers violate union rights.

The constitution provides for an independent judiciary. However, there is evidence of bribery and political influence among judicial and law enforcement officials. Some courts are inefficient and unprofessional, and many rulings are never carried out. Laws passed in 2005 on appointments to the Supreme Court and the Superior Court of Magistrates have had some success in strengthening judicial independence. Abuse and ill-treatment in police custody are still widespread and are often used to extract confessions. Prison conditions are exceptionally poor. The government has reportedly handed over suspects for trial in Transnistria, where human rights are not respected. The death penalty was abolished in July 2006.

Members of the Romany community suffer the harshest treatment of the minority groups in Moldova. They face discrimination in housing and employment and are targets of police violence.

Parliament in April 2007 passed a package of economic reforms, including tax cuts and amnesties for black-market assets, that were designed to stimulate investment. However, the International Monetary Fund's representative in the country warned that such measures would be ineffective without better private-property protection by the judicial system.

Women are underrepresented in public life, though the 21 women elected to Parliament in 2005 marked a substantial increase over previous polls. Moldova remains a major source for women and girls trafficked to other countries for the pur-

pose of forced prostitution. In February 2006, the government adopted the Law on Ensuring Equality for Women and Men, which addresses inequalities in education, employment, and health care.

## Monaco

Population: 30,000

Capital: Monaco

Political Rights: 2

Civil Liberties: 1

Status: Free



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

1998	1999	2000	2001	2002	2003	2004	2005	2006	2007
2,1F	2,1F	2,1F	2,1F	2,1F	2,1F	2,1F	2,1F	2,1F	2,1F

**Overview:** In 2007, Prince Albert II became the patron of the Year of the Dolphin, an effort by the United Nations and other organizations to protect the endangered mammals. The prince's participation was linked to his broader aim of raising awareness on global environmental issues. Separately during the year, organist Marc Giacone lost his job at a Monaco cathedral and was fined 2,000 euros after poking fun at the prince and other officials on his website.

The Grimaldi family has ruled the Principality of Monaco for the past 700 years, except for a period of French occupation from 1793 to 1814. Under a treaty ratified in 1919, France pledged to protect the territorial integrity, sovereignty, and independence of the country in return for a guarantee that Monegasque policy would conform to French political, military, and economic interests.

Prince Rainier III, who ruled from 1949 to until his death in 2005, is often credited with engineering Monaco's impressive economic growth. During his reign, the country ended its dependence on gambling and nurtured other sources of revenue—principally tourism and financial services. In February 2002, Monaco adopted the euro currency despite the fact that it is not a member of the European Union (EU).

Legislative elections in 2003 led to a major upset for the National and Democratic Union (UND), which had dominated Monegasque politics for several decades. The opposition Union for Monaco (UPM) received 58.5 percent of the vote and 21 of the 24 seats in the Conseil National.

Rainier's successor, Prince Albert II, served as patron of the Year of the Dolphin 2007, a campaign by the United Nations and allied organizations that focused on saving dolphins in the wild and raising awareness on their behalf. The prince has made global environmental awareness a priority of his reign.

In October 2007, well-known organist Marc Giacone narrowly escaped a sen-



tence of six months in prison after mocking the prince and other officials on his website. However, he was fined 2,000 euros for defamation and injury against the prince and other high-level officials.

**Political Rights and Civil Liberties:** Monaco is an electoral democracy. However, the prince, who serves as head of state, has the sole authority to initiate legislation and change the government. The 24 members of the unicameral Conseil National are elected for five-year terms; 16 are chosen through a majority electoral system and 8 by proportional representation.

The head of government, known as the minister of state, is traditionally appointed by the monarch from a list of three candidates, all French nationals, presented by the French government. The current minister of state, Jean-Paul Proust, has held the post since June 2005. The prince also appoints five other ministers (counselors), who make up the cabinet. All legislation and the budget require the assent of the Conseil National, which is currently dominated by the UPM party. The only other party represented is the Rally for Issues and Monaco (REM), which holds three seats.

Because of a lack of available financial information, the country's level of corruption is difficult to measure. Monaco was not ranked by Transparency International in its 2007 Corruption Perceptions Index. Monaco remains on the Organization for Economic Cooperation and Development's list of uncooperative tax havens, but since July 2005 it has applied a withholding tax to accounts held by citizens of EU member states. Most of the resulting revenue goes back to the country where the account holder resides.

The media in Monaco are free and independent. The constitution provides for freedom of speech and the press, although the penal code prohibits denunciations of the ruling family. In 2007, a libel and injury case against famed organist Marc Giaccone, who had poked fun at the prince and other officials on his website, resulted in a 2,000 euro fine. Internet access is not restricted.

The constitution guarantees freedom of religion. However, Roman Catholicism is the state religion. There are no laws against proselytizing by formally registered religious organizations, but it is strongly discouraged. Academic freedom is not restricted. The country's only institution of higher education, the private University of Monaco, offers degrees in business administration. Monegasque students are eligible to enter French and other postsecondary educational institutions on the basis of specific agreements. The government provides grants for higher education students to study foreign languages abroad.

The constitution provides for freedom of assembly, which is generally respected by the authorities. No restrictions are imposed on the formation of civic and human rights groups. While outdoor meetings require police authorization, there have been no reports that the government withheld authorization for political reasons. Workers have the legal right to organize and bargain collectively, although they rarely do so. Only 10 percent of the workforce is unionized. All workers except state employees have the right to strike.

The legal rights to a fair public trial and an independent judiciary are generally respected. The justice system is based on French legal code, and the constitution requires that the prince delegate his judicial powers to the courts. The prince names

the five full members and two judicial assistants to the Supreme Court on the basis of nominations by the Conseil National and other government bodies. Jail facilities generally meet international standards. Once criminal defendants receive definitive sentences, they are transferred to a French prison.

The constitution differentiates between the rights of Monegasque nationals and those of noncitizens. Of the estimated 32,000 residents in the principality, only about 7,000 are actual Monegasques, who alone may participate in the election of the Conseil National. Monegasques also benefit from free education, unemployment assistance, and the ability to hold elective office. As long as they secure a residence permit, noncitizens are free to purchase real estate and open businesses.

A woman can lodge criminal charges against her husband for domestic violence, and women generally receive equal pay for equal work. Although naturalized male citizens can transfer citizenship to their offspring, naturalized female citizens cannot. Women who become naturalized citizens by marriage cannot vote or run as candidates in elections until five years after the marriage. There were no reports of trafficking in persons into, from, or within Monaco during the year.

## Mongolia

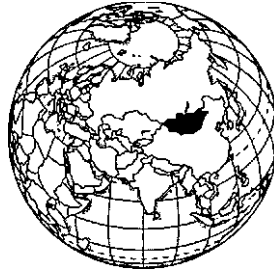
**Population:** 2,600,000

**Capital:** Ulaanbaatar

**Political Rights:** 2

**Civil Liberties:** 2

**Status:** Free



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

1998	1999	2000	2001	2002	2003	2004	2005	2006	2007
2,3F	2,3F	2,3F	2,3F	2,2F	2,2F	2,2F	2,2F	2,2F	2,2F

### Overview:

**Prime Minister Miyegombo Enkhbold of the Mongolian People's Revolutionary Party (MPRP) resigned in November 2007. The new leader of the MPRP, Sanjaa Bayar, assumed the post that same month.**

Once the center of Genghis Khan's sprawling empire, Mongolia was ruled by China for two centuries until Soviet-backed forces took control in the early 1920s. A people's republic was proclaimed in 1924, and the Mongolian People's Revolutionary Party (MPRP) established a one-party Communist state.

Beginning in 1990, however, Mongolia undertook a relatively rapid transition from Soviet satellite state to democratic republic. In response to persistent antigovernment protests, the ruling MPRP legalized opposition parties. Facing a poorly prepared and underfunded opposition, the MPRP easily won the first multiparty

parliamentary elections that year, and won again in 1992. A new constitution in 1992 provided for a president elected by popular vote and a unicameral legislature.

The MPRP was voted out in 1996 after 72 years in office, and power was transferred peacefully to the Democratic Union Coalition (DUC), which consisted of the Democratic Party (DP) and the Social Democratic Party. The DUC sought to implement political and economic reforms, but after an economic downturn the following year, the MPRP regained power with victories in both the 1997 election for the largely ceremonial presidency and the 2000 parliamentary vote.

In June 2004, a new parliament was chosen in elections that were marred by irregularities. A coalition government was formed in September 2004 after the voting gave neither side a majority. Under the compromise deal, former prime minister Tsakhilganiin Elbegdorj of the Motherland Democracy Coalition (MDC)—an alliance between the DP and the Motherland Party—returned to the premiership while Natsagiin Bagabandi of the MPRP carried on as president. The MPRP's Nambaryn Enkhbayar, the parliament speaker and a former prime minister, won the presidential election in May 2005, despite street demonstrations by protesters who accused him of corruption. In January 2006, the MDC-MPRP coalition government broke down, and the MPRP formed a new government with several small parties and defectors from the DP. Miyeegombo Enkhbold of the MPRP became prime minister.

Prime Minister Miyeegombo Enkhbold resigned on November 8, following an October 26 vote by the MPRP to remove him as its chairman. Opponents blamed Enkhbold for excessive political favoritism and corruption. On November 22, parliament chose Sanjaa Bayar as the next prime minister who pledged to eradicate corruption.

Mongolia's economy has been growing due to its extensive mineral deposits and a rapidly expanding tourism industry. Nevertheless, the country continues to struggle with high unemployment and rampant poverty stemming in part from ineffective market reforms in the 1990s. In October 2007, President Nambaryn Enkhbayar visited President George W. Bush in Washington and signed a Millennium Challenge Compact that committed \$285 million in aid. The real GDP growth was 9.9 percent, and inflation reached 15.1 percent, the highest in the decade.

**Political Rights and Civil Liberties:** Mongolia is an electoral democracy. However, election rules are not firmly established. While the 1992 constitution created a hybrid presidential-parliamentary system, parliamentary balloting has been conducted under different electoral arrangements, varying between multimember and single-member districts. There is concern that these frequent changes make it difficult to stabilize the expectations of political elites or enhance popular confidence in democratic government. The prime minister, who holds most executive powers, is nominated by the party or coalition with the most seats in the 76-member parliament (the State Great Hural), then approved by the parliament with the agreement of the president. There is no requirement that the prime minister be an elected member of parliament. The president can veto legislation, subject to a two-thirds parliamentary override. Both the president and the parliament are directly elected for four-year terms. The MPRP continues to be the most powerful party, but a number of smaller opposition groups, including the DP, are competitive.

Corruption is a problem in Mongolia. The U.S. State and Commerce departments both have identified "corruption in the bureaucracy" as one of the obstacles affect-

ing economic and political development. Transparency International ranked Mongolia 99 out of 180 countries surveyed in its 2007 Corruption Perceptions Index.

While the government generally respects freedom of speech and of the press, it monitors all media for compliance with content restrictions on violence, pornography, and alcohol, as well as with tax laws. Many journalists and independent publications practice a degree of self-censorship to avoid legal action for violations of the State Secrets Law or libel laws that place the burden of proof on the defendant. The government has at times filed libel suits or launched tax audits against publications in the wake of critical articles. In 2006, two journalists lost court cases brought by plaintiffs named in their articles, but they were spared fines due to an amnesty. Reporters sometimes face physical violence in the course of their work. In October 2006, two journalists and two photographers from newspapers were beaten and detained by the authorities while covering a protest demonstration in Ulaanbaatar. According to the 2007 U.S. State Department Human Rights report, the government failed to prosecute the perpetrators of violence against journalists over the year.

Mongolia has been slow to implement a 1999 law requiring the transformation of state broadcasters into public corporations. Independent print outlets are common and popular in cities, but the main source of news in the vast countryside is the state-owned Radio Mongolia. Currently, there are more than 30 newspapers, 20 FM radio stations, and 26 television stations. Content from foreign sources such as the British Broadcasting Corporation (BBC) and the Voice of America are available. In the capital, foreign television programming via cable and commercial satellite systems are also accessible. The government does not interfere with internet access.

Freedom of religion is guaranteed by the constitution. The fall of communism led to a growth in Mormonism, Russian Orthodoxy, and other Christian sects, as well as a revival of Mongolia's traditional religions—Buddhism and a native shamanism. The Kazakh Muslim minority, whose population of some 100,000 is concentrated in the western part of the country, generally enjoys freedom of religion. However, the government monitors the Kazakh community closely for potential political separatism and has not allowed it to construct a mosque in Ulaanbaatar.

Academic freedom is respected. Mongolian professors and other teachers generally can write and lecture without interference, and access to higher education is relatively free of discrimination.

Freedoms of assembly and association are observed both in law and in practice. A number of environmental, human rights, and social welfare groups, while largely reliant on foreign donors, operate without government restriction.

Trade unions are independent and active, though the government's downsizing or sale of many state factories has contributed to a sharp drop in union membership. Collective bargaining is legal, but in Mongolia's poor economy, employers enjoy considerable power and often set wages unilaterally. The government prohibits strikes in the utilities, transportation, and law enforcement sectors.

The judiciary is independent, but corruption among judges persists. Although the constitution prohibits unlawful arrest and detention, the police force has been known to make arbitrary arrests, hold detainees for long periods of time, and beat prisoners. Both Amnesty International and the U.S. State Department reported on the 2005 case of a prisoner who died eight days after being released from a detention center. The police claimed he was beaten by other prisoners. Prisons have in recent

years been outfitted with video-monitoring systems, decreasing the incidence of beatings by guards. Nevertheless, deaths in prisons continue to be reported; these are due largely to disease—often tuberculosis—exacerbated by poor conditions like insufficient food, heat, and medical care.

The country's National Commission on Human Rights (NCHR) consists of three senior civil servants nominated by the president, the Supreme Court, and the parliament for terms of six years. The NCHR has criticized the government for police abuses, poor prison conditions, lengthy detentions without trial, and other failures to implement laws related to human rights.

Mongolia has what the United Nations terms a "reverse gender gap," as women now make up 60 percent of all students at Mongolian universities. This trend, noted by the *Chronicle of Higher Education*, has been largely attributed to the fact that in "this predominantly agricultural country, parents often pull their sons out of school so that they can help with herding duty, long considered a male responsibility." Although the phenomenon has not carried over into politics—only five parliamentary seats are occupied by women—it does indicate "a large pool of highly educated and motivated women," according to the Alliance for International Women's Rights.

Domestic violence has been a serious concern in Mongolia. A 2005 law prohibited spousal abuse, which was broadly defined, and there have been dozens of convictions in recent years. However, social and cultural norms continue to discourage victims from reporting such crimes.

## Montenegro

**Population:** 600,000

**Capital:** Podgorica

**Political Rights:** 3

**Civil Liberties:** 3

**Status:** Partly Free



*Note:* The ratings through 2002 are for the Federal Republic of Yugoslavia, of which Montenegro was a part, and those from 2003 through 2005 are for the State Union of Serbia and Montenegro.

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

1998	1999	2000	2001	2002	2003	2004	2005	2006	2007
6,6NF	5,5PF	4,4PF	3,3PF	3,2F	3,2F	3,2F	3,2F	3,3PF	3,3PF

### Overview:

**Montenegro signed a Stability and Association Agreement with the European Union (EU), considered to be the first step toward EU membership, in October 2007. Also that month, the parliament approved a new constitution after heated debate over wording concerning the country's ethnic and religious identity. Meanwhile, Montenegro**

**continued to face a variety of other problems, including a relatively poor economy and concerns over the extent of official corruption.**

Montenegro was first recognized as an independent state in 1878. In 1918, it voted to join the newly formed Kingdom of Serbs, Croats, and Slovenes, which after World War II became the Socialist Federal Republic of Yugoslavia. As that state collapsed amid ethnic conflict in the early 1990s, Montenegro in 1992 voted to maintain its ties to Serbia as part of the truncated Federal Republic of Yugoslavia, dominated by Serbian leader Slobodan Milosevic. In 1997, however, a younger generation of Montenegrin politicians, led by then prime minister Milo Djukanovic, broke ranks with Milosevic and set Montenegro on a slow course toward independence.

Milosevic's ouster in 2000 did not significantly improve relations between Montenegro and its larger federal partner. In 2002, under pressure from the European Union (EU), the two republics signed an agreement that loosened their bond, and federal Yugoslavia was formally replaced by the State Union of Serbia and Montenegro in 2003. The new state suffered from numerous problems, due largely to the disparities between the two republics. Montenegro was only one-tenth the size of Serbia in population and accounted for a negligible part of the overall economy, but it enjoyed parity representation in most institutions of government. Furthermore, the state union's charter stipulated that each state could hold an independence referendum after three years.

Djukanovic, who had served as either president or prime minister of Montenegro since 1991, left the presidency to reclaim the premiership in 2002. Filip Vujanovic, a Djukanovic ally, was elected president in 2003 after low turnout invalidated two earlier ballots and the law was changed to remove the 50 percent turnout requirement; 48 percent of eligible voters participated in the successful 2003 election.

Voter turnout for Montenegro's independence referendum on May 21, 2006, was 86 percent. Religious and ethnic minorities tended back independence, along with the portion of the Orthodox Christian population that considered itself Montenegrin rather than Serb. The results were received without violence, and the country formally declared independence in June. Voters confirmed their choice by giving the pro-independence coalition a majority in September parliamentary elections. With many of his goals achieved, Djukanovic retired from the premiership in October. However, the independence campaign remained a divisive issue in 2007. In May, two police officers reported that they had been pressured by Djukanovic's Democratic Party of Socialists (DPS) to solicit votes in favor of independence and for the government in the parliamentary elections. An independent investigation turned up 16 other police officers who reported the same problems.

Montenegro enjoyed several successes at the international level after achieving independence. In December 2006, it joined NATO's Partnership for Peace program, and in October 2007 it signed a Stability and Association Agreement with the European Union (EU), considered the first step toward EU accession. In July 2007, World Bank officials hailed Montenegro's "amazing progress" in the year since independence. Economic growth in 2006 was over 6 percent, and foreign direct investment increased threefold. Nevertheless, the country still struggled with corruption and other economic weaknesses, such as high levels of foreign indebtedness, and large fiscal and current accounts deficits. Lingering ethnic divisions also threaten future stability.

**Political Rights and Civil Liberties:** Montenegro is an electoral democracy. International observers reported that both the independence referendum and parliamentary elections of 2006 were conducted freely and fairly, albeit with minor irregularities. Members of the unicameral, 81-seat Assembly (Skupstina) are elected for four-year terms. Seventy-six seats are allotted according to results in all of Montenegro, while four seats are allotted according to results in majority Albanian areas. Group voting, in which the head of a household votes on behalf of family members, was reported in 8 percent of polling places, generally those in majority Albanian areas. The president, directly elected for up to two five-year terms, nominates the prime minister, who must be approved by the legislature.

Numerous political parties compete for power. The main proindependence parties have been Milo Djukanovic's Democratic Party of Socialists (DPS) and the Social Democratic Party (SDP), led by parliamentary speaker Ranko Krivokapic. The pair took a combined 41 seats in the latest elections. Two alliances of pro-Serbian parties captured a combined 23 seats, and a handful of additional seats went to parties catering to the ethnic Albanian and Bosniak (Muslim Slav) minorities. Most minorities have traditionally voted for the major parties instead of the small ethnic parties, but there are indications that this may change in the coming years. A former nongovernmental organization (NGO) called the Group for Changes also plays a prominent role as a political party, having captured 11 seats in the latest vote.

Corruption is a serious problem, partly as a legacy of the struggle against the authoritarian Yugoslav regime in the 1990s, when the state turned to various forms of smuggling to finance government operations. Italian prosecutors have accused Djukanovic of involvement in cigarette smuggling, and they continued to press their case against him and other Montenegrin officials in 2007. Montenegro was ranked 84 out of 180 countries surveyed in Transparency International's 2007 Corruption Perceptions Index.

Freedom of the press is generally respected, but journalists who are critical of the government have been attacked on a number of occasions. In 2004, Dusko Jovanovic, the publisher of a major opposition daily, was assassinated, and his killers have never been found. In September 2007, Zeljko Ivanovic, editor of the leading daily *Vijesti*, was beaten on the street in Podgorica. He said he had been attacked because *Vijesti* had begun investigating links between Djukanovic and organized crime. In late 2005, the government moved to increase its control over public broadcaster Radio-Television Montenegro (RTVCG), and the Organization for Security and Cooperation in Europe (OSCE) found that broadcast media, particularly public television, favored the government during the 2006 election campaign. Criminal libel is not punishable by imprisonment, but the threat of fines forces journalists to engage in self-censorship. Access to the internet has not been restricted.

According to the current constitution, all citizens enjoy freedom of religious belief. In May 2007, the Venice Commission (a body of constitutional experts that advises the Council of Europe) recommended sweeping changes (199 in all) to the draft Montenegrin constitution proposed by the government, especially in the areas of minority rights and the judiciary. One of the major issues was whether Montenegro should be defined as a community of citizens or a community of constituent ethnic groups. Although the mainly Serb-led opposition favored the latter, the government-sponsored proposal that the constitution declare Montenegro to

be a community of citizens was eventually adopted. The canonically recognized Serbian Orthodox Church and a self-proclaimed Montenegrin Orthodox Church have repeatedly clashed over ownership of church property and other issues.

Montenegro's independence drive has had implications for academic freedom. A group of professors in the city of Niksic were dismissed in 2005 for refusing to teach language courses named "mother tongue" in place of what had been called Serbian.

Citizens enjoy freedom of association and assembly. Foreign and domestic NGOs are able to pursue their activities without state interference. A large number of Montenegro's workers—75,000, or 45 percent of all employees—belong to unions, and the ability of workers to engage in collective bargaining is relatively strong. The country has strict protections against employee dismissal and generous worker benefits, but these are thought to limit efficiency and encourage informality in the economy.

The judicial system lacks independence from political authorities, and judicial corruption remains a significant problem. In July 2006, the Constitutional Court struck down two provisions of a law guaranteeing ethnic minorities a fixed number of seats in parliament, which the government had promised in advance of the independence referendum. Leaders of Bosniak and Albanian minority parties accused Djukanovic of engineering the ruling after tricking them into supporting the referendum. Prison conditions meet some international standards, but facilities are antiquated, overcrowded, and often unhygienic. Montenegro's human rights ombudsman reported in June 2007 that the human rights situation was "unsatisfactory." He said the public had filed 495 complaints with his office in 2006.

Ethnic minorities have their own political parties and associations, and media in their own languages. Ethnic Albanians, however, claim that they are underrepresented in the civil service, particularly in the police and the judiciary. Albanians, who make up roughly 7 percent of the population, have also sought proportional representation in government and greater autonomy at the municipal level. In September 2006, over a dozen ethnic Albanians were arrested for alleged involvement in a terrorist plot. Several were tortured or severely beaten. In June 2007, a delegation of Montenegrin Croats met with lawmakers in Croatia to discuss their claims that their community—numbering about 7,000 people—had difficulty exercising their legal rights as an ethnic minority. The government had reportedly reneged on earlier promises to provide them with various government and diplomatic posts.

Although women are legally entitled to equal pay for equal work, traditional patriarchal attitudes often limit women's roles in the economy. In general, women are underrepresented in higher levels of government. Only 14.6 percent of the candidates in the 2006 parliamentary elections were women. Eleven women currently serve as deputies.



## Morocco

Population: 31,700,000

Capital: Rabat

Political Rights: 5

Civil Liberties: 4

Status: Partly Free



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

1998	1999	2000	2001	2002	2003	2004	2005	2006	2007
5,4PF	5,4PF	5,4PF	5,5PF	5,5PF	5,5PF	5,4PF	5,4PF	5,4PF	5,4PF

### Overview:

**Morocco in 2007 conducted its second parliamentary elections since King Mohamed VI ascended to the throne in 1999. Meanwhile, one of the deans of the independent press, Aboubakr Jemai, left the country after enduring sustained harassment from the authorities.**

Morocco gained independence in 1956 after more than four decades of French rule. The first ruler after independence, King Mohamed V, reigned until his death in 1961. His son, the autocratic Hassan II, then ruled the country until 1999. Thousands of his political opponents were killed, tortured, arrested, or disappeared. This repression was particularly acute in the years following two failed coup attempts in 1971 and 1972. Also during Hassan's reign, Moroccan forces marched into Western Sahara and annexed all of the former Spanish territory, prompting the Algerian-backed Polisario Front to launch a proindependence guerrilla campaign that has become one of Africa's longest-running conflicts. A planned referendum on Western Sahara's future—attached to a UN-monitored ceasefire agreement in 1991—never took place. In the last few years of his life, Hassan made moves aimed at opening up Morocco politically. Several political prisoners were released, independent newspapers began publishing, and a new bicameral parliament was established in 1997.

King Mohamed VI inherited the throne at age 35. Human rights and civil society activists, as well as opposition leaders, had high hopes that the young king would expand the small measure of political freedom that his father had offered. But for the first few years of his reign, little significant change transpired. Morocco was struggling economically, and the king feared the increased influence of Islamist-oriented political parties.

Mohamed did impress some critics by removing Interior Minister Driss Basri from his position, which he had held for two decades. Basri, a close confidante of King Hassan, had been identified as one of the leaders in repressing the king's opponents. He left Morocco after his dismissal, while exiled dissidents were permitted to return.

Parliamentary elections held in 2002 were recognized as generally open. Over a dozen political parties participated, though independent journalists and other critics of the king were harassed and detained.

In May 2003, local Islamist militants with links to al-Qaeda rocked Casablanca

with a series of suicide bombings that targeted symbols of Morocco's Jewish community. The victims were mostly civilians, and the government's response was immediate and harsh. An antiterrorism law was passed, but it has since been used to prosecute nonviolent opponents of the king. Local and international human rights groups charged that the authorities were using the opportunity of the attacks to pursue vocal government critics.

In January 2004, King Mohamed took a dramatic, unprecedented step when he inaugurated the Equity and Reconciliation Commission (IER). As the first truth commission in the Arab world, it was tasked with addressing the human rights abuses perpetrated against Moroccan citizens by the authorities from 1956 to 1999 and providing the victims with reparations. The commission held public hearings in which victims were given an opportunity to speak about the abuse they suffered. The IER was headed by Driss Benzekri, who had spent 17 years as a political prisoner. In January 2006, the commission submitted its final report to the king, which included a series of recommendations for legal and institutional reforms designed to prevent a repetition of past abuses. Some critics of the IER have complained that even though victims have been given a chance to publicize their suffering and receive compensation, the perpetrators are not being held to account for their actions. Critics also claim that in the two years since the IER's final report was published, few structural changes have been made and human rights abuses still occur on a regular basis, albeit on a lower scale.

In September 2007, Moroccans went to the polls to elect the Chamber of Representatives, the lower house of Parliament. The voting drew the lowest turnout in Moroccan history, at 37 percent. The Socialist Union of People's Forces (USFP), previously the lead party in the ruling coalition, lost nearly a quarter of its seats, leaving it with 38. Its chief ally, the conservative Independence Party (Istiqlal), won a plurality of 52 seats. Opposition parties, which had criticized the elections' fairness, gained fewer seats than expected; the largest, the Islamist Justice and Development Party (PJD), placed second with 46 seats. Istiqlal leader Abbas El-Fassi was appointed prime minister.

Also in 2007, Morocco and neighboring Algeria faced increased attacks from Islamist terrorist groups, raising fears of a more active North African terrorist network. A suicide bombing in March struck a Moroccan internet cafe, and the authorities' pursuit of the suspects led to a series of additional explosions. The government raised the terrorism threat levels later in the year based on information that a new attack was likely.

**Political Rights and Civil Liberties:** Morocco is not an electoral democracy. Most power is still held by the king and his close advisers. The monarch can dissolve Parliament, rule by decree, and dismiss or appoint cabinet members. He sets national and foreign policy, commands the armed forces, and presides over the judicial system. One of the king's constitutional titles is "commander of the faithful," giving his authority a religious dimension.

The 1996 constitution reintroduced a bicameral legislature, which had existed briefly after independence but was replaced by a single chamber for the next four decades. The lower house, the Chamber of Representatives, has 325 directly elected members who serve for five-year terms. Members of the 270-seat upper house, the Chamber of Counselors, are chosen by an electoral college to serve nine-year terms.

Given the concentration of power in the monarchy, opposition parties and even the cabinet are generally unable to assert themselves. The most vocal opposition

party that remains respectful of the monarchy is the PJD. Other, more overtly Islamist groups that criticize the monarchical system are harassed by authorities and not permitted to participate in the political process.

Corruption remains a serious problem. Morocco was ranked 72 out of 180 countries surveyed in Transparency International's 2007 Corruption Perceptions Index. People with close ties to the monarchy receive preferential treatment in business and other matters. Despite the government's promises to address corruption, the situation has not changed substantially in recent years.

Morocco's journalists have boldly reported on taboo subjects over the years, but the state has responded harshly to journalists who are too critical of the king, his family, or Islam, leading to self-censorship. In addition to a restrictive press law, the government employs an array of economic and other, more subtle mechanisms to punish independent and opposition journalists. After years of promises about a new, liberal press law, the king proposed a draft in 2007. Though it was not adopted in 2007, the draft contained many of the punitive provisions of the old press code.

The government harassed critical journalists throughout 2007. In January, a court sentenced two journalists from the independent weekly *Nichane* to fines and suspended prison terms. The following month, in a major blow to independent journalism, Aboubakr Jamaï, one of the deans of Morocco's independent press corps, left the country to avoid government seizure of his assets and closure of his weekly *Le Journal Hebdomadaire*. Jamaï's departure stemmed from a 2006 court decision in which he was ordered to pay over \$300,000 to the head of a Belgian think tank he was found guilty of defaming. The record-breaking award and the case itself were politically motivated, as Jamaï's publications had for years been unrelenting in their reporting on government corruption at all levels.

Prior to the parliamentary elections in the fall, authorities seized *Nichane* and its sister publication, *TelQuel*, after *TelQuel* published an editorial critical of the election process and the king's role in government. The editor of the publication also faced criminal charges. A number of other journalists also faced legal action and were sentenced to prison during the year. While no journalist was actually incarcerated at year's end, the government's actions cast doubt on its promises not to imprison journalists. The New York-based Committee to Protect Journalists met with Moroccan officials in April 2007 to raise concerns about the worsening state of press freedom. Top officials denied government involvement in legal proceedings against journalists, but Moroccan courts have long been known to lack independence from the political leadership.

Nearly all Moroccans are Muslims, but the small Jewish community is permitted to practice its faith without government interference. Some Moroccan Jews have achieved prominent positions in society.

While university campuses generally provide a space for open discussion, professors practice self-censorship when dealing with sensitive topics like Western Sahara, the monarchy, and Islam.

Civil society and independent nongovernmental organizations are quite active in Morocco, and the government rarely interferes in their day-to-day work. The authorities do monitor Islamist groups and arrest suspected extremists. Freedom of assembly is not well respected, and protests in Western Sahara especially have been controlled through violence and threats.

Moroccan workers are permitted to form and join independent trade unions.

According to the 2004 labor law, the government has only a limited ability to intervene in strikes. The law also prevents business owners from punishing workers who join and establish unions. However, child laborers, especially girls working as domestic helpers, are denied basic rights.

The judiciary is not independent. Courts rarely make decisions that violate official policy. The courts are also subject to government pressure and have been used as a weapon to punish government critics. Under the recommendations that accompanied the Equity and Reconciliation Commission's final report in 2006, the authorities were supposed to institute a series of legal and institutional reforms to prevent repetition of past human rights abuses. While the report and the overall work of the commission were bold, substantive changes have been slow in implementation, and some critics allege that the situation is unlikely to improve. Arbitrary arrest and torture still occur, but they are less common than under the previous king. The security forces are given greater leeway for abuse with detainees from Western Sahara.

The small Jewish community is well integrated into Moroccan society. Many Moroccans have a mixed Arab-Berber ancestry, and the government has officially recognized the language and culture of the Berbers.

Moroccan authorities have a more progressive view on the issue of gender equality than leaders in many Arab countries. Numerous laws assert women's rights. The 2004 family code has been lauded for granting women increased rights in the areas of marriage and child custody. However, women still face a great deal of discrimination at the societal level.

## Mozambique

**Population:** 20,400,000

**Capital:** Maputo

**Political Rights:** 3

**Civil Liberties:** 3\*

**Status:** Partly Free



**Ratings Change:** Mozambique's civil liberties rating improved from 4 to 3 due to an opening of the media environment, primarily as a result of the successful prosecution of the murderers of investigative journalist Carlos Cardoso and a subsequent decline in self-censorship by members of the press.

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

1998	1999	2000	2001	2002	2003	2004	2005	2006	2007
3,4PF	3,4PF	3,4PF	3,4PF	3,4PF	3,4PF	3,4PF	3,4PF	3,4PF	3,3PF

#### Overview:

**Mozambique's political factions and electoral institutions struggled in 2007 to prepare for the country's first provincial elections. A constitutional provision had required**

**the vote to be held by January 2008, but as delays mounted, it became clear that such a date—in the middle of the rainy season—would not be feasible. In November, both major parties agreed to amend the constitution and postpone the elections, though no specific date was agreed on by the end of the year. Also during the year, severe flooding devastated the northern part of the country, explosions at an arsenal near the capital killed more than 100 people, and the Supreme Court upheld the convictions of six men for the 2000 murder of journalist Carlos Cardoso.**

Mozambique achieved independence in 1975, after a coup in Portugal led to the release of that country's colonies. The Front for the Liberation of Mozambique (FRELIMO), a guerrilla group that had long fought to oust the Portuguese, was subsequently installed as the sole legal political party; its leader, Samora Machel, became president. Independence was followed by a 16-year civil war that pitted the Soviet-allied FRELIMO against the Mozambique National Resistance (RENAMO)—supported first by Rhodesia (Zimbabwe) and later by South Africa. In 1986, Machel died in a plane crash, and Joachim Chissano, a political moderate, succeeded him as leader of FRELIMO and president of Mozambique. A peace accord was signed in 1992, with RENAMO agreeing to lay down arms and operate as a political party in a multiparty democratic system.

The first elections, in 1994, were deemed a resounding success by the international community, despite fraud allegations and a brief boycott by RENAMO. Chissano won reelection as president, and FRELIMO secured a narrow majority in concurrent legislative polls.

Chissano and FRELIMO were reelected in the 1999 elections, despite a strong showing by the opposition, logistical and administrative difficulties, and fraud allegations from RENAMO. In protest, RENAMO deputies repeatedly walked out of the Assembly or interrupted proceedings in 2000 and 2001. At one point, RENAMO threatened to form its own government in six northern and central provinces. However, many Mozambicans and the international community concluded that the elections had expressed the people's will.

Voter turnout declined to just 36 percent in the December 2004 elections, which resulted in an overwhelming victory for Armando Guebuza, the new head of FRELIMO and a political hard-liner. Pledging to tackle corruption, crime, and poverty, Guebuza captured 63.7 percent of the presidential vote. Independent monitors cited an array of serious flaws in the voting process, but agreed that none of the irregularities would have significantly altered the results.

RENAMO once again claimed massive fraud and filed a formal complaint with the National Electoral Commission (CNE). While the commission rejected the complaint on technical grounds, it did admit that 1,400 vote summary sheets favoring RENAMO had been stolen, accounting for 5 percent of the total. As a result, the CNE shifted an Assembly seat from FRELIMO to RENAMO. Unsatisfied, RENAMO announced a boycott of the incoming Assembly and appealed to the Constitutional Court to further correct the election irregularities. The court rejected RENAMO's appeal but called for observer access to the final stage of the vote count in future elections; RENAMO eventually ended its legislative boycott.

In 2007, the country struggled to schedule and plan for its first provincial assembly elections, which were intended to devolve power to the provincial governments.

The constitution mandated that the elections take place no later than January 2008, but as delays pushed the polls closer to that date, observers noted that seasonal rains would likely drive down voter turnout. Early in the year, Guebuza announced that the vote would take place in December. However, the new members of the CNE were not appointed until June, further shortening the time available to prepare. In November, both major parties agreed to amend the constitution to permit a postponement beyond January. While the two parties were unable to agree on a specific date for the rescheduled elections, it is generally expected that they will not be held until 2009. The amendment also allowed for an additional period to register voters from January 15-March 15, 2008, whereas, initially, registration was intended to be completed on November 22, 2007. Electoral registration was far below numbers for the previous election at year's end.

Separately, in March 2007, the military came under scrutiny when explosions at an arsenal near Maputo killed more than 100 people. A similar explosion at the same site in January had seriously injured three people. The military promised to relocate all of its arsenals to remote locations, though it was not evident that this had taken place by year's end. A presidential inquiry in April attributed the explosion to a number of factors, including aging munitions stockpiles and human negligence.

Mozambique boasts one of Africa's best-performing economies, with an estimated economic growth rate in 2007 of 8.8 percent. This is thanks in part to extensive foreign aid comprising some 49 percent of the state's overall budget. For example, in December the Swiss government agreed to give \$21 million in direct budget support to Mozambique between 2007 and 2009. The lack of progress on Guebuza's promises to combat government corruption has caused many donors to reassess their financial support. The portion of the budget set aside for poverty alleviation is one of the largest in Africa. This was particularly important in 2007, when severe floods devastated the country, killing 45 people and forcing 163,000 to flee their homes.

**Political Rights and Civil Liberties:** Mozambique is an electoral democracy. The most recent presidential and legislative elections, despite some serious irregularities, generally reflected the will of the people. The president, who is elected to a five-year term, appoints the prime minister. The unicameral Assembly of the Republic, whose 250 members are also elected to five-year terms, is overshadowed by the executive branch. Officials in the provincial assemblies have traditionally been appointed by the central government, but in 2006 the national legislature approved a constitutional amendment calling for provincial assembly elections no later than January 2008. That deadline was extended by another amendment in November 2007, though no specific date was decided upon.

In May 2007, in an effort to reduce political bias in the CNE, the legislature appointed five new commissioners—three from the ruling FRELIMO party and two from the opposition RENAMO. Eight more commissioners were appointed in June, coming entirely from the civil service.

Relations between the two parties have become increasingly acrimonious since 2004, when President Armando Guebuza was elected. A FRELIMO stalwart, Guebuza has sought to revive the traditional hegemony of his party. RENAMO's chances have been further diminished by the efforts of its leader, Alphonse Dhlakama, to suppress talented young politicians who could threaten his authority.

Changes to the electoral law in 2006 abolished the requirement for a party to win

5 percent of the national vote in order to gain representation in parliament. The reform could allow smaller parties to increase their role in politics; to date, only the two main parties have passed the 5 percent threshold.

Corruption in government is pervasive. Guebuza has ostensibly made tackling the problem a top priority, and journalists and civic groups have reported a noticeable increase in government attention to the daily activities of civil servants. In April 2006, the Assembly unanimously passed the anticorruption conventions of the African Union and the United Nations; later that year, the interior minister released the results of an internal audit of his ministry, which exposed unexplained financial losses of \$356,000 and the presence of over 70 "ghost workers." Nonetheless, the progress made in combating corruption has been limited, and graft continues to be a problem. Mozambique was ranked 111 out of 180 countries surveyed in Transparency International's 2007 Corruption Perceptions Index.

The constitution provides for press freedom, but the state controls nearly all broadcast media and owns or influences the largest newspapers. Criminal libel laws promote self-censorship, and only a fraction of the population has access to the internet because of a scarcity of electricity and computers. The government press office in 2006 conducted a review of the 1991 press law and suggested possible "improvements." The amendments, which remained solely in draft form at the end of the year, include provisions for mandatory licenses for working journalists and omit much-needed freedom of information legislation. The existing press law has long been considered one of the more progressive of its kind in Africa.

Investigative reporting suffered greatly in the years following the 2000 murder of eminent investigative journalist Carlos Cardoso, and the government was accused of complicity in Cardoso's murder after it refused to investigate former president Joachim Chissano's son, Nyimpine Chissano, who had been implicated in court testimony. In 2006, the authorities finally put Nyimpine Chissano under investigation, but he died in November 2007, before the case against him was resolved. Also in 2007, the Supreme Court rejected the appeal of the six men who had been hired to kill Cardoso and upheld their convictions and lengthy prison sentences.

The constitution provides for freedom of religion, and even during the civil war, Mozambique maintained its tradition of religious tolerance. In 2007, three mosques were burned in a matter of weeks in northern Mozambique, where the Muslim population is concentrated. The incidents were believed to be the work of a vandal and not symptomatic of religious tensions. The leaders of both the Christian and Muslim communities in the region worked successfully to prevent any subsequent violence.

Academic freedom is generally respected, and the government invested extensively in the country's school network during the year. As a result, the government announced that 722 new schools were opened in 2007, resulting in an estimated increase of 10.4 percent in the number of students attending school in the last year. UNICEF estimated that 94 percent of children were enrolled in school, though there is still concern about some children being abused in this environment.

Freedom of assembly, though broadly guaranteed, is limited by notification and timing restrictions. In 2001, the law on public demonstrations was amended to reduce some of these restrictions and make it harder for police to legitimately use force to break up a demonstration. Nongovernmental organizations (NGOs) operate openly but must register with the government.

The Organization of Mozambican Workers, the major trade confederation, is now nominally independent and has been critical of the government's market-based reforms. In May 2007, extensive negotiations between the government and the trade unions preceded the passing of a new labor law by the Assembly. Among other things, the measure outlawed discrimination in the workplace on the grounds of HIV/AIDS status or sexual orientation and made it easier for employers to hire foreign workers. The unions continued to object to a provision for short-term contracts that they believe will reduce job security.

The judicial system has improved since the end of one-party rule in 1994, but judicial independence is still elusive. A survey released in 2007 by the international NGO Global Integrity found corruption to be endemic in the judicial system, with a large proportion of judges accepting bribes to fix cases. A separate study, conducted by the president of the Supreme Court, found a dire shortage of qualified judges. But the report also concluded that the backlog of cases had been substantially reduced in the preceding year. In 2007, the government announced that it would appoint a new body to serve as the watchdog of the judiciary. Separately, in December, the Justice Minister announced his intention to establish a functioning law court in all of the country's 128 districts. Currently only 40 districts have such a court.

Detainees often wait months or years before appearing in court, where they frequently lack any formal defense. They are tried only in Portuguese, which many Mozambicans speak poorly. Prisoners generally receive one meal per day and are subject to beatings, extortion, and fatal disease. In June 2006, a court ruled in favor of 15 inmates who brought a case against the government demanding access to antiretroviral drugs in prison; the government appealed the decision in 2007. No decision was made on this appeal before the end of the year.

Human rights abuses by security forces—including extrajudicial killings, torture, and arbitrary detention—remain serious problems despite pay increases and human rights training. In Maputo in particular, the security situation is tenuous and the police allegedly engage in contract killing. In 2006, the government reintroduced compulsory military service registration. The number of people registering in 2007 dramatically increased as the government began to enforce the policy more vigorously.

Like many other countries in the region, police set up checkpoints throughout the country where bribes were often extorted from travelers. Nonetheless, there were no reports of excessive force being used at these checkpoints, and many said it did not significantly inhibit their ability to travel where they needed to.

Only 20 percent of all teachers and 9 percent of all education civil servants are women. In August 2004, a revised Family Law advanced women's rights in the legal system, partly by ending a husband's formal status as head of household. Rape is illegal, but spousal rape is not covered. Due to a high rate of maternal fatality from illegal abortion procedures, the government in 2007 began considering the legalization of all forms of abortion. Abortion is criminal unless the mother's life is in danger or she does not have the physical or mental capacity to care for the child.

While the government has made children's welfare a priority, child prostitution continues to be legal except when parents are instrumental in the practice. In addition, although human trafficking is not as serious a problem in southern Africa as it is in other parts of the continent, there is no law outlawing human trafficking in Mozambique.



## Namibia

**Population:** 2,100,000

**Capital:** Windhoek

**Political Rights:** 2

**Civil Liberties:** 2

**Status:** Free



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

1998	1999	2000	2001	2002	2003	2004	2005	2006	2007
2,3F	2,3F	2,3F	2,3F	2,3F	2,3F	2,3F	2,2F	2,2F	2,2F

### Overview:

**Divisions within the ruling SWAPO party continued to shake the political landscape in 2007 as factions remained at odds over party leadership and governance. In the lead-up to the November party congress, former state president Sam Nujoma agreed to pass the party presidency to his successor as state president, Hifikepunye Pohamba. By the close of the year, SWAPO itself had split as a faction headed by several key figures broke away to form a new opposition party, the Rally for Democracy and Progress (RDP). Meanwhile, accusations of human rights abuses against Nujoma generated hostile reactions from ruling party stalwarts, who threatened nongovernmental organizations and the independent media in the country.**

Namibia, formerly known as South West Africa, was claimed by German imperial forces in the late 19th century, and became a South African protectorate after World War I. In 1966, South Africa's mandate was revoked by the United Nations, and the South West Africa People's Organization (SWAPO) began a guerrilla campaign for independence. After years of war, a UN-supervised transition led to independence for Namibia in 1990, and SWAPO leader Sam Nujoma was chosen as president. The previous year, SWAPO had won 57 percent of the ballots in a free and fair vote for the Constituent Assembly, which became the National Assembly after independence.

Secessionist fighting in Namibia's Caprivi region flared in October 1998 and continued into 1999. The violence led some 2,400 refugees to flee to neighboring Botswana. A mass trial of 120 defendants involved in the rebellion opened in 2003 and was ongoing as of the end of 2007. Another 12 alleged Caprivi secessionists were tried independently; in 2007, two were acquitted, and 10 were sentenced to 32 years in prison for treason.

Nujoma and SWAPO easily retained control of the presidency and legislature in the 1994 and 1999 elections, and in 2004, Nujoma's imminent departure after three terms in office set off a bitter succession contest within the ruling party. Nujoma successfully backed his longtime ally, Hifikepunye Pohamba, and began an effort to remove opponents from key positions. Pohamba captured the presidency with 76 percent of the vote in November, and SWAPO maintained its legislative majority, taking 55 of the 72 National Assembly seats. Despite criticizing the vote tabulation

system and the opposition's unequal access to media and campaign resources, observer missions deemed the elections free and fair.

As president, Pohamba's central political challenge has been divisions within SWAPO. Many of these have been rooted in the 2004 succession struggle, which pitted Nujoma and his chosen successor, Pohamba, against those opposed to Nujoma's leadership and domineering role in the party. These patterns persisted in 2007. Nujoma's opponents openly decried intraparty "witch-hunting," in which they were expelled from positions in government, party branches, unions, and state enterprises. In the lead-up to the 2007 party congress, which was delayed by a number of months amidst rumors of splits in the party, Nujoma and other members of the SWAPO politburo allegedly contemplated a mass expulsion of suspected opponents, but resisted the move. In turn, just prior to the congress, several senior SWAPO figures broke from the party to form a new opposition group, the RDP. At the congress itself, Nujoma relinquished the presidency of the party to state president Pohamba, but was granted the authority to attend all meetings of the party leadership structures. As Nujoma retains considerable influence with party members and within key party ancillary structures, his future role remains unclear.

Separately in 2007, Pohamba and other Nujoma supporters rallied to the former president's defense after Phil ya Nangoloh, head of the National Society for Human Rights (NSHR), submitted a dossier to the International Criminal Court in July that called for investigations of Nujoma's role in the killing and disappearance of over 4,000 Namibians from the 1970s to 1999. Nujoma's defenders issued severe condemnations of Nangoloh, and the SWAPO-dominated National Council, the legislature's upper house, demanded a review of the NSHR's place in Namibia and called for legislation to regulate the activities of nongovernmental organizations (NGOs).

The small white minority owns just under half of Namibia's arable land, and after redistribution stalled under the government's initial "willing-buyer, willing-seller" policy, legislation was passed in 2003 to speed up the process. In 2004, the government declared that all landholders were susceptible to expropriation. According to available information, 26 farms have been targeted for expropriation, and as of mid-2007, the government had expropriated five. (A total of 209 farms had been acquired by government as of 2007.) Several farmers have used the courts to contest the expropriation of their land or the prices offered by the government.

Although extractive industries including diamond and uranium mining have drawn significant foreign investment, most Namibians live as subsistence farmers, and many lack basic services.

**Political Rights and Civil Liberties:** Namibia is an electoral democracy. Despite a court-mandated recount, the 2004 presidential and legislative elections were judged to be free and fair. The bicameral legislature consists of the 26-seat National Council, whose members are appointed by regional councils for six-year terms, and the 72-seat National Assembly, whose members are popularly elected for five-year terms using party-list proportional representation. The president, who is directly elected for five-year terms, appoints the prime minister and cabinet.

The ruling SWAPO party has dominated both the legislative and executive branches since independence. Significant opposition parties include the Congress of Democrats, the Democratic Turnhalle Alliance, and the United Democratic Front.

President Hifikepunye Pohamba has made anticorruption efforts a major theme of his presidency. However, official corruption remains a significant problem, and investigations of major cases proceed slowly. The president in February 2006 installed the officers of the Anti-Corruption Commission (ACC), which is answerable only to the National Assembly and can recommend cases to the prosecutor-general. Bolstered by increased staffing, the ACC in 2007 was involved in the arrests of a number of regional and local officials, as well as two officers of the National Assembly. Namibia was ranked 57 out of 180 countries surveyed in Transparency International's 2007 Corruption Perceptions Index.

The constitution guarantees the right to a free press, and Namibia's media are among the freest on the continent. Private broadcasters and independent newspapers usually operate without official interference. However, government and party leaders at times issue harsh criticism or threats against the independent press. These reached concerning levels in the wake of Phil ya Nangoloh's 2007 accusations against former president Sam Nujoma. In August, the National Council introduced a motion calling for stricter media laws. Then, in December, the SWAPO congress passed a resolution calling for the establishment of a media council to regulate the activities and operations of the media.

While many insist that the state-run Namibia Broadcasting Corporation (NBC) enjoys freedom to criticize the government, others believe that favors the ruling party. In 2007, its directors altered a popular radio call-in program to prevent callers from diverging from the assigned discussion topic; some said the move was designed to prevent criticism of Nujoma. There are no government restrictions on the internet, and several publications have popular websites.

Freedom of religion is guaranteed and respected in practice. The government does not restrict academic freedom.

Freedoms of assembly and association are guaranteed by law and permitted in practice, except in situations of national emergency. Although human rights groups have operated without interference, officials have verbally attacked critical NGOs. In 2007, government ministers threatened Nangoloh and the NSHR, and the National Council called for a review of the NSHR's activities and status. Both the majority whip in the Council and Nujoma's son, a deputy minister, claimed that the NSHR was a threat to peace and stability.

Constitutionally guaranteed union rights are respected. Although collective bargaining is not practiced widely outside the mining and construction industries, informal collective bargaining is increasingly common. Essential public sector workers do not have the right to strike. Domestic and farm laborers are heavily exploited, in part because many are illiterate and do not know their rights.

The constitution provides for an independent judiciary, and the separation of powers is observed in practice. Access to justice, however, is obstructed by economic and geographic barriers, a shortage of public defenders, and delays caused by a lack of capacity in the court system. In February 2007, the prosecutor-general dispatched two teams to help the lower courts deal with the case backlog. In rural areas, traditional courts often ignore constitutional procedures.

Allegations of police brutality persist. Human rights groups have called for independent investigations into the 1999 arrest and detention of suspected Caprivi separatists and the deaths of 13 suspects in custody. In January 2006, the NSHR

alleged that torture and ill-treatment had been used against suspects and witnesses in the Caprivi treason trial. Conditions in prisons and military detention facilities are quite harsh. An investigation by a National Council committee in 2007 decried the situation in police holding cells, pointing to overcrowding, disease, and sexual abuse of minors. Months later, a High Court judge declared conditions in police holding cells to be "plainly unconstitutional."

Human rights are for the most part well respected in Namibia. Nevertheless, homosexuals are discriminated against; in 2001, then president Nujoma called on police to arrest, deport, and imprison homosexuals. Moreover, minority ethnic groups have claimed that the government favors the majority Ovambo in allocating funding and services. In 2005, a group representing the Khoisan people became the latest to demand reparations from Germany for colonial-era atrocities; Herero leaders had already filed a US\$2 billion reparations lawsuit against Germany in the United States. In 2004, the German government had apologized for anti-Herero atrocities but ruled out reparations, promising increased development aid instead.

Despite constitutional guarantees, women continue to face discrimination in customary law and other traditional societal practices. Widows and orphans are often stripped of their land and livestock in rural areas, and proposed legislation to address the problem has stalled. Violence against women is reportedly widespread; rights groups have criticized the government for failing to enforce the country's progressive domestic violence laws. Women are increasingly involved in the political process but remain underrepresented in government and politics.

The government has been praised for providing antiretroviral drugs to Namibians infected with HIV/AIDS. A national AIDS policy passed in 2007 outlaws societal and workplace discrimination against those living with the virus, which has infected some 230,000 Namibians. The policy also guarantees full HIV-related services for prisoners and pretrial detainees.

## Nauru

**Population:** 10,000

**Capital:** Yaren

**Political Rights:** 1

**Civil Liberties:** 1

**Status:** Free



### Ten-Year Ratings Timeline For Year Under Review

(Political Rights, Civil Liberties, Status)

1998	1999	2000	2001	2002	2003	2004	2005	2006	2007
1,3F	1,3F	1,3F	1,3F	1,2F	1,1F	1,1F	1,1F	1,1F	1,1F

### Overview:

A vote of no confidence on December 18 ousted President Ludwig Scotty only months after his re-election to a second term. Marcus Stephen, a former weightlifting cham-

**pion, became the new president. The Australian government's decision to close its detention centers for asylum seekers in Nauru will cause the impoverished island state to lose 100 jobs and 20 percent of its GDP.**

Nauru, located 1,600 miles northeast of New Zealand, is the world's smallest republic. It was a German protectorate from 1888 until Australian troops seized it during World War I. The League of Nations granted a joint mandate to Australia, Britain, and New Zealand to govern the island in 1919. Japan occupied Nauru during World War II, and in 1947, the United Nations designated it as a trust territory under Australia. Nauru gained independence in 1968, became an associate Commonwealth member in 1969, and joined the United Nations in 1999.

Once-plentiful supplies of phosphate, mined by Australia for use as fertilizer, had made Nauru one of the world's richest countries in per capita income. However, the phosphate is now almost entirely exhausted, mining has made more than 80 percent of the eight-square-mile island uninhabitable, and the government has squandered much of its accumulated wealth through financial mismanagement. Nauru currently carries a large foreign debt, and rising sea levels threaten its survival.

Recent governments have tried different ways to generate income, with limited success. Nauru's remote location reduces its attraction to travelers. An immigration and passport-sales scheme ended amid corruption scandals. Money laundering tied to Nauru's offshore banking operations put the country on international blacklists and restricted its access to international loans. With few viable economic alternatives, foreign development assistance has become a major source of government income. Nauru receives aid from the United States for hosting an intelligence listening post. Switching diplomatic recognition between China and Taiwan has also enabled Nauru to extract considerable aid from the two rivals. Since 2001, Nauru has served as a refugee-processing and detention center for Australia in exchange for rent and aid. International groups have claimed that some detainees, including children, remained in the detention center for years while waiting for processing, adjudication, and settlement. As of mid-2007, 7 Burmese who came to Nauru in 2006 and 30 Sri Lankans intercepted by the Australian Navy in 2007 remained in the detention center. The decision by the new Australian Labour government of Kevin Rudd to close these centers will eliminate 100 jobs and millions of dollars from the impoverished island state.

Intense political rivalry and the use of no-confidence votes have toppled several governments in recent years. The 2004 elections produced a clear parliamentary majority for Ludwig Scotty and gave his government a strong mandate for economic reforms. The government also began to trace \$1.3 million in missing public funds. In 2005, the government launched a constitutional review to assess whether amendments might improve political stability and government accountability. A series of 40 public meetings were held in 2006, and an Independent Constitutional Review Commission recommended that a 36-member Constitution Convention (Con-Con) debate changes for six weeks and then submit its proposals to the government. Amendments would require passage by a two-thirds majority in Parliament, followed by a referendum. The Con-Con began in April 2007, with 18 delegates chosen by the people and 18 selected by the government. However, the Con-Con has not come to an end as delegates are deeply divided over proposals that include a directly elected

president, making the state auditor an independent officer of Parliament, and requiring strict accounting for all public revenue and expenditures.

General elections in August gave Scotty a second term. Scotty attributed his victory to strong public approval of the president's reform program, which emphasized a 20-year sustainable development strategy and better management of the phosphate trust fund. However, his apparent refusal to investigate allegations of corruption against Finance and Foreign Minister David Adeang led to his ouster by a vote of no confidence in December and his replacement by Marcus Stephen, a former weightlifter, who promised good governance and transparency.

**Political Rights and Civil Liberties:** Nauru is an electoral democracy. The 2007 elections were deemed free and fair by international observers. The 18-member unicameral legislature is popularly elected from 14 constituencies for three-year terms. The Parliament chooses the president and vice president from among its members. Political parties include the Nauru First Party and the Democratic Party, but many politicians are independents.

There were no reports of serious or widespread corruption in 2007. Nauru was not rated in Transparency International's 2007 Corruption Perceptions Index.

The government does not restrict or censor the news media. Local journalists produce a number of weekly and monthly publications; foreign dailies, most in English, are freely admitted and widely available. The government publishes occasional bulletins, and the opposition publishes its own newsletters. Radio Nauru and Nauru TV, which the government owns and operates, broadcast content from Australia, New Zealand, and other international sources. Internet service began in 1998, but cost and lack of infrastructure limits access.

The constitution provides for freedom of religion, which the government generally respects in practice. There have been no reports of government suppression of academic freedom. The school system, like other public services, is starved for funds.

The government respects freedoms of assembly and association. There are several advocacy groups for women, development-focused groups, and religious organizations. The country lacks trade unions and labor protection laws, partly because there is little large-scale, private employment.

The judiciary is independent, and defendants generally receive fair trials and representation. The Supreme Court is the highest authority on constitutional issues, and the Parliament cannot overturn court decisions. Appeals in civil and criminal cases can be lodged with the high court of Australia. Traditional reconciliation mechanisms, rather than the formal legal process, are frequently used, usually by choice but sometimes under communal pressure. A civilian official controls the 100-person police force. Police abuse is rare, although foreign workers have complained that the police are slow to act on cases filed against native employers. Nauru has no armed forces; Australia provides national defense under an informal agreement.

The law provides equal freedom and protection for men and women, but societal pressures limit the ability of women to exercise their legal rights. Sexual harassment is a crime, but spousal rape is not. Domestic violence is frequently associated with alcohol abuse.

## Nepal

Population: 27,800,000

Capital: Kathmandu

Political Rights: 5

Civil Liberties: 4

Status: Partly Free



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

1998	1999	2000	2001	2002	2003	2004	2005	2006	2007
3,4PF	3,4PF	3,4PF	3,4PF	4,4PF	5,4PF	5,5PF	6,5NF	5,4PF	5,4PF

#### Overview:

**In keeping with a November 2006 peace agreement that ended their guerrilla insurgency, Nepal's Maoists joined an interim legislature in January 2007 and completed weapons decommissioning shortly thereafter. An interim constitution was promulgated on January 15. However, unrest among the Madhesi minority and tense relations between the Maoists and mainstream political parties led to the postponement of elections for a Constituent Assembly to April 2008. While significant improvements in law and order were made following the 2006 ceasefire, Maoist violence and extortion continued, and attacks on the press by both Maoist and Madhesi groups were commonplace in 2007.**

King Prithvi Narayan Shah unified the Himalayan state of Nepal in 1769. Following two centuries of palace rule, the left-leaning Nepali Congress (NC) party won Nepal's first elections in 1959. King Mahendra abruptly dissolved Parliament and banned political parties in 1960, and in 1962 he began ruling through a repressive *panchayat* (village council) system. Many parties went underground until early 1990, when the NC and a coalition of Communist parties organized prodemocracy rallies that led King Birendra to lift the ban on political parties. An interim government introduced a constitution that vested executive power in a prime minister and cabinet responsible to Parliament but retained the monarch as head of state.

In Nepal's first multiparty elections in 32 years, Girija Prasad Koirala, a veteran dissident, led the NC to victory and formed a government in 1991. Torn by intraparty conflicts, the NC was forced in 1994 to call early elections, which it lost to the Communist Party of Nepal/United Marxist-Leninist, or CPN-UML. The Communists, however, failed to win a majority in Parliament. Separately, the more militant Communist Party of Nepal (Maoist) launched a guerrilla insurgency in 1996 that eventually engulfed much of the countryside. Hopes for a more stable government rose after the NC won a majority in 1999 elections.

In June 2001, King Birendra's brother Gyanendra ascended the throne after a bizarre palace incident in which the crown prince apparently shot and killed Birendra and nine other members of the royal family before killing himself. In November, Gyanendra declared a state of emergency. The government's subsequent decision

to use the army to fight the Maoists marked a sharp escalation in the conflict; an estimated 5,000 people were killed in 2002, and Nepal's infrastructure and economy were severely damaged.

Political instability increased in May 2002. Gyanendra assumed executive powers, postponed elections indefinitely, and installed a right-wing, royalist administration. In June 2004, former prime minister Sher Bahadur Deuba, who enjoyed somewhat more support than his predecessors, was reappointed with a mandate to hold elections and reestablish peace. However, the NC and three other parties refused to join the government, and Parliament remained dissolved. Meanwhile, fighting between the Maoists and security forces mounted, and periodic strikes and blockades crippled the economy.

In February 2005, Gyanendra once again dismissed the government, assumed executive powers, and imposed a state of emergency. His officials detained politicians, arrested thousands of party activists, outlawed demonstrations, and shut down numerous media outlets and other means of communication, such as telephone and internet services. Realizing that their attempts to engage the king were unlikely to bear fruit, the seven-party alliance (SPA) of mainstream political factions entered into talks with the Maoists in October 2005, yielding a 12-point agreement in November that called for an end to absolute monarchy and the restoration of democracy.

In March 2006, the SPA and Maoists began planning a series of strikes and rallies scheduled for April. Thousands took part in demonstrations across the country on a daily basis, with the general public—led by professionals, civil society and human rights activists, and the civil service—forming the core of most marches. The crowds surged in size after the king on April 21 offered to appoint a prime minister recommended by the SPA. The SPA and Maoists dismissed the offer as insufficient, demanding the restoration of Parliament and the election of a Constituent Assembly (CA) to write a new constitution. Gyanendra relented on April 24, agreeing to reinstate Parliament and follow the provisions of the November 2005 SPA-Maoist pact. Parliament quickly removed most of the king's powers, and the SPA announced plans for CA elections.

After months of Maoist-SPA tension over Maoist disarmament and the fate of the monarchy, the groups concluded a Comprehensive Peace Agreement (CPA) in November 2006, stipulating that the Maoists place their weapons under UN monitoring and confine their fighters to camps across the country. The national army would lock up a similar number of weapons. The Maoists further agreed to disband their parallel government and join a new interim government alongside current members of Parliament. Maoists joined the new Parliament on January 12, 2007, and weapons decommissioning was finished later in the month. An interim constitution was promulgated on January 15.

Optimism following the peace agreement proved short lived, however, as violence broke out in mid-January in the Terai plains region along the border with India. Following the promulgation of the interim constitution, the region's ethnic Madhesi population organized weeks of strikes and demonstrations, objecting to the lack of emphasis on federalism and minority rights in the charter. A violent police crackdown led to 30 deaths, and although the movement slowed in early February, tension continued throughout the year.

The combination of violence in the south and a lack of finalized election laws



led to the postponement in May of CA elections, originally scheduled for June, to November. Meanwhile, the Maoists became concerned about their chances at the polls. Some 2007 opinion surveys placed them behind both the NC and the CPN-UML. In August, the Maoists issued 22 preconditions for their participation in the CA elections, including the immediate declaration of a republic and a shift to a fully proportional electoral system. The Maoists withdrew their ministers from the cabinet in September, saying their demands had been ignored. Following several rounds of talks to reconcile the groups, the government agreed to abolish the monarchy following CA elections, which had again been postponed to April 2008. The absent Maoist ministers returned to the government in late December following a parliamentary vote confirming the decision.

**Political Rights and Civil Liberties:** Nepal is not an electoral democracy. The government is operating under an interim constitution promulgated on January 15, 2007. The interim legislature is a unicameral, 330-seat body comprised of members of the House of Representatives—the lower house of the former bicameral Parliament—elected in 1999 and unelected Maoists who joined the government in January 2007. The upper house provided for under the 1990 constitution is defunct. The legislature elected former prime minister Girija Prasad Koirala as the interim premier on April 1, 2007. Executive power is vested in the council of ministers, led by Koirala. The monarchy was pushed into the background after the April 2006 protests; King Gyanendra has no political power.

The interim constitution calls for a CA with 425 members, half elected through a first-past-the-post system and half through proportional representation. The CA will be tasked with writing a new constitution and paving the way for parliamentary elections. CA elections are currently scheduled for April 2008.

A wide range of political parties are currently in Parliament," although parties that opposed the April 2006 uprising are barred. Unlike the 1990 constitution, the interim constitution has no limitation on parties formed along ethnic lines. The Maoists registered as a political party in July 2007. While minorities and women are both poorly represented, the Maoists included 28 women and 11 Dalits ("untouchable" caste members) in their contingent of 73 lawmakers in the interim legislature. Representation in state institutions of ethnic minorities, lower castes, and women remains inadequate, although in August 2007, Parliament passed a civil service bill reserving 45 percent of posts for women, minorities, and Dalits.

Corruption is perceived to be endemic in politics and government, and enforcement of anticorruption regulations remains weak. Graft is particularly prevalent in the judiciary, with frequent payoffs to judges for rulings. Central bank governor Bijaya Nath Bhattarai was suspended in June 2007 on corruption charges, but his trial had not produced a verdict by year's end. Nepal was ranked 131 out of 180 countries surveyed in Transparency International's 2007 Corruption Perceptions Index.

The legal environment for the press has improved significantly since the April 2006 uprising. Several restrictive media controls were repealed shortly after Parliament returned to power. The interim constitution promulgated in January 2007 provides for press freedom and specifically prohibits censorship, although these rights can be suspended during an emergency. Authorities are forbidden to close or cancel registrations for media outlets due to content. A freedom of information bill passed

in July 2007 guarantees all citizens information from any sector, and entitles individuals to compensation if requests are not met within 15 days. In an effort to promote professionalism, the government passed legislation in September 2007 stipulating that media outlets can keep only 15 percent of their journalists on temporary contracts, and ensuring health benefits and social security for contract workers. The government maintains control of both the influential Radio Nepal, whose political coverage is supportive of official policies, and Nepal's main television station.

Violence and intimidation toward journalists increased significantly in 2007. At least 72 journalists were attacked or threatened in the first half of the year. While mainstream Maoist intimidation has decreased, the Young Communist League (YCL), an organization linked to the Maoists, attacked and intimidated journalists throughout the year. Among other incidents, YCL members in August attempted to abduct a journalist for *Dristi Weekly* and threatened him with death. Maoist-affiliated unions have also threatened newspapers and forcibly shut down production of the *Himalayan Times* and *Annapurna Post* in August. Violence related to the Madhesi movement has also affected journalists. Nine newspapers in western Nepal were forced to stop publishing in early January due to threats from Madhesi groups. In late January, demonstrators set fire to a radio station and attacked journalists in Birgunj. Cadres of the Madhesi Janatantrik Forum (MJF) political party in February attacked five journalists covering a protest in eastern Nepal. In November, Maoist leaders acknowledged their involvement in the murder of Birendra Sah, a reporter for Nepal FM radio. Although cases involving government forces were less common, police and soldiers have mistreated journalists in some instances.

The interim constitution identifies Nepal as a secular state, signaling a break with the Hindu monarchy. Although religious tolerance is broadly practiced, proselytizing is prohibited, and members of some religious minorities occasionally complain of official harassment, according to the U.S. State Department's 2007 Report on International Religious Freedom. Christian groups have considerable difficulty registering as religious organizations and thus are unable to own land. Tibetan groups have faced restrictions in organizing public events. There were occasional reports of Maoist threats and violence toward Hindu temples in 2007.

The government does not restrict academic freedom. More than 100 teachers were killed by security forces and Maoists during the civil conflict, and Maoists regularly targeted private schools in rural areas, often abducting and forcibly conscripting school children. Since April 2006, the number of attacks on schools has dropped.

Freedom of assembly is guaranteed under the interim constitution. Security forces had reportedly fired into unarmed crowds during the April 2006 demonstrations, but shoot-to-kill curfews and other restrictions on assembly were lifted following Parliament's return to power. Generally peaceful protests and strikes were commonplace throughout Nepal in 2007, but Madhesi protesters in Terai clashed with the police in January and February, and at least 30 protesters were killed. The police were authorized to shoot at violent protesters amid a curfew in the area, and officers arrested Madhesi leaders. In the aftermath of the violence, Madhesis called for the resignation of the home minister and the formation of a commission of inquiry, but the government had not met either demand by year's end.

Nongovernmental organizations (NGOs) played an active role in the April 2006

protests, and conditions for the groups improved somewhat following the transfer of power. In May 2006, the government repealed a November 2005 code of conduct that had barred NGOs from work that would disturb social harmony. However, commentators criticized the government for not including NGO recommendations when drafting the interim constitution. Several NGOs reported threats and extortion by the YCL in western Nepal in 2007. At least one group was ordered under threat to appear before a local people's court. Developmental NGOs also faced threats and general unrest in the Terai region during the year.

The labor act provides for the freedom to collectively bargain, and unions generally operate without state interference. A draconian labor ordinance put in place by Gyanendra's government was repealed in 2006, and restrictions on civil service members forming unions were lifted. By law, workers in a broad range of "essential" industries cannot stage strikes, and 60 percent of a union's membership must vote in favor of a strike for it to be legal. Although bonded labor was outlawed in 2000, it persists in rural areas, and the incidence of child labor has increased due to conditions created by the insurgency. A June 2006 report indicated there were more than a million child workers in Nepal.

The Supreme Court is a generally conservative institution, and is largely independent of the new government. The court filed several petitions in 2006 appealing Parliament's decision to revoke the monarchy's powers. Lower courts remain subject to political pressure and endemic corruption, and many Nepalese have only limited access to justice. Because of heavy case backlogs and a slow appeals process, suspects are often kept in pretrial detention for periods longer than their prospective prison sentences. Prison conditions are poor, with overcrowding common and detainees sometimes remaining handcuffed or otherwise fettered.

In ordinary criminal cases, police at times commit extrajudicial killings and cause the disappearance of suspects in custody. They also occasionally torture and beat suspects to punish them or to extract confessions. In June 2007, eight men were arrested and tortured in Bnake district. The government generally has refused to conduct thorough investigations or take serious disciplinary measures against officers accused of brutality.

Both the government and the Maoists have been accused of an array of human rights violations in the context of the insurgency, which claimed nearly 13,000 lives between 1996 and 2006. Prior to April 2006, the army and the poorly equipped police force were regularly implicated in extrajudicial killings, disappearances, arbitrary detentions, rapes, and the torture of suspected Maoists. In turn, Maoists killed, tortured, or kidnapped civilians, including suspected informers, landowners, local officials, teachers, and members of mainstream political parties. The rebels also set up "people's courts" that handed down summary justice and "people's governments" that levied taxes on local inhabitants. While the formation of a truth and reconciliation commission was called for in the November 2006 CPA, a bill to create the commission had yet to be enacted at the end of 2007.

The Maoists impounded their weapons under UN supervision in January 2007, and people's governments and courts were officially abandoned in February. Some 31,000 Maoist fighters are currently living in 28 camps throughout the country. However, Maoists have faced criticism for continued human rights abuses. The YCL, established by the Maoists following the CPA, has frequently kidnapped and beaten

alleged criminals before handing them over to police. The group was responsible for over 23 kidnappings in June 2007 alone. YCL members have also attacked journalists and demanded protection payments from businesses across the country. In March, all commercial activities in Kathmandu were halted for several days as business owners protested threats, violence, and extortion by Maoist groups. Continued abuses have meant that few of the estimated 200,000 people displaced by the conflict have returned to their homes. In May, the United Nations reported that many of the displaced who did return were forced to stand trial in still-functioning Maoist courts.

Members of the Hindu upper castes dominate government and business, and low-caste Hindus, ethnic minorities, and Christians face discrimination in the civil service and courts. Despite constitutional provisions that ban caste-based discrimination, Dalits continue to be subjected to particularly severe exploitation, violence, and social exclusion. Nepal also provides asylum to more than 100,000 Bhutanese refugees.

Madhesis, plains-dwelling people with close connections to groups across the border in India, are often described in contrast to Pahades, or hill-dwelling people. Madhesis are underrepresented in politics, receive comparatively little economic support from the government, and until an amendment to the citizenship law in 2006 had difficulty acquiring formal citizenship due to Nepali language requirements. In December 2006, a strike called by the Nepal Sadbhavana Party, a Madhesi political party, turned violent and led to several injuries as Madhesis clashed with Pahades and local officials. Tensions flared again in January and February 2007, as Madhesis objected to the lack of emphasis on federalism and minority rights in the interim constitution. An uneasy peace was reached after the government promised increased inclusion of minority groups in political life. Madhesis have also clashed with Maoists; in March 2007 a dispute over a contested protest venue led to violence in which 27 Maoists were killed.

Women rarely receive the same educational and employment opportunities as men, and there are relatively few women in government and the civil service. However, the interim constitution reserves a third of all seats in the forthcoming CA for women. The government has taken few steps to curb violence against women or to assist victims, and authorities generally do not prosecute domestic violence cases. Amnesty International and others have documented a number of cases of custodial rape of women and girls by security forces and state-sponsored village militias. Thousands of women and girls are trafficked annually, many to Indian brothels. Because most prostitutes who return to Nepal are HIV-positive, nearly all returnees are shunned. In December 2005, the Supreme Court ruled that women under 35 would no longer need their parents' or husbands' permission to apply for a passport. Parliament in May 2006 unanimously backed a resolution under which children born to Nepalese women would be given full citizenship. While homosexuality is not outlawed, an "unnatural sex act" carrying a one-year jail sentence is used against gay men and transgender people. In December, the Supreme Court ordered the government to abolish all laws that discriminate against homosexuals.

## Netherlands

**Population:** 16,400,000

**Capital:** Amsterdam

**Political Rights:** 1

**Civil Liberties:** 1

**Status:** Free



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

1998	1999	2000	2001	2002	2003	2004	2005	2006	2007
1,1F	1,1F	1,1F	1,1F	1,1F	1,1F	1,1F	1,1F	1,1F	1,1F

#### Overview:

**A centrist coalition government was formed in February 2007 after elections in November 2006. It included the country's first Muslim cabinet ministers as well as a morally conservative Christian party. Political debate over immigration and cultural integration continued in 2007. While the government sought to curb both Islamic and nationalist extremism, right-wing politicians urged harsher restrictions on immigrants and Muslims. Social policies took a conservative turn during the year; the government in October said it would ban the sale of hallucinogenic mushrooms, and local officials in Amsterdam reached a deal in September that would eventually close a third of the city's famous shop-window brothels.**

After the Dutch won their independence from Spain in the 16th century, the princely House of Orange assumed the leadership of the United Provinces of the Netherlands. A constitutional monarchy with a representative government emerged in the 19th century. The Netherlands remained neutral in both world wars but was invaded by Nazi Germany in 1940. In the wake of the war, the country joined NATO in 1949. It then became, in 1952, one of the founding members of the European Coal and Steel Community, a precursor to the European Union (EU).

Following the murder of right-wing politician Pim Fortuyn in May 2002, his newly formed party, the Pim Fortuyn List (LPF), placed second in that month's elections, running on an anti-immigrant platform. However, party infighting led to the collapse of the new government in October, and fresh elections were called for 2003. In November 2004, Dutch television viewers voted Fortuyn the greatest Dutchman of all time.

In the January 2003 elections, the center-right Christian Democratic Appeal (CDA) won 44 seats, followed by the Labor Party (PvdA) with 42 seats and the People's Party for Freedom and Democracy (VD) with 28 seats. The LPF dropped to fifth place, taking just 8 seats. After four months of talks, the CDA brought the VD and the smaller Democrats-66 (D66) into a center-right coalition with a majority of just 6 seats. Jan Peter Balkenende of the CDA secured a second term as prime minister.

Nearly 62 percent of Dutch voters rejected a proposed EU constitution in a June

2005 national referendum, following a similar response by voters in France in May. The two votes effectively scuttled the EU charter for the foreseeable future.

The coalition government resigned in June 2006 over an internal dispute about the immigration and integration minister, Rita Verdonk. In May, she had moved to annul the citizenship of a fellow WD member of parliament, the Somali-born Ayaan Hirsi Ali, after it was discovered that she had lied in her 1992 asylum application. Ali had received death threats for being an outspoken critic of Islam and for the film *Submission*, which she had made in collaboration with controversial filmmaker Theo Van Gogh, who was killed by a radical Islamist in 2004. D66 quit the government over the handling of the incident, causing the coalition to collapse. Although the government said in July that Ali could keep her Dutch citizenship, she had already announced plans to relocate to the United States and join a conservative think tank. In 2007, the Dutch government announced that it would no longer pay for her protection overseas.

In November 2006, the country held early elections in the wake of the coalition's collapse. The CDA led the voting with 41 seats, followed by the PvdA with 32, the Socialist Party with 26, and the WD with 22. A new centrist coalition government took office in February 2007, consisting of the CDA, the PvdA, and the Christian Union party. The government included the country's first Muslim cabinet ministers—Ahmed Aboutaleb, deputy minister for social affairs, and Nebahat Albayrak, deputy minister of justice. The new coalition also marked the morally conservative Christian Union's debut in government.

Immigration issues continued to dominate the political debate in 2007. Geert Wilders, leader of the right-wing Freedom Party, introduced a bill in July that would make the wearing of a burqa in the Netherlands punishable by several days in jail. The new government announced plans in August to spend \$38 million over the next four years to help curb the growth of both Islamic fundamentalism and right-wing nationalism. The same month, Integration Minister Ella Vogelaar unveiled a program that would offer free Dutch language lessons to immigrants. In November, *De Telegraf* reported that the Dutch Equal Treatment Commission ruled that there was no reason to bar Muslim policewomen from wearing headscarves under their police caps. Wilders created a short film lambasting the Koran and planned to have it shown on television in January 2008. The government, while supporting his right to free speech, cautioned against the broadcast and initiated plans to deal with the expected backlash if the film was aired.

**Political Rights and Civil Liberties:** The Netherlands is an electoral democracy. The 150-member lower house of parliament, or Second Chamber, is elected every four years by proportional representation. The 75-member upper house, or First Chamber, is elected for four-year terms by the country's provincial councils. Foreigners resident in the country for five years or more are eligible to vote in local elections.

The leader of the majority party or coalition is usually appointed prime minister by the monarch, currently Queen Beatrix. Mayors are appointed from a list of candidates submitted by the municipal councils. The monarch appoints the Council of Ministers (cabinet) and the governor of each province on the recommendation of the majority in parliament.

The country has few problems with political corruption. The Netherlands was ranked 7 out of 180 countries surveyed in Transparency International's 2007 Corruption Perceptions Index.

The news media are free and independent. The rarely used 1881 lese majesty law restricting defamation of the monarch was invoked twice in 2007: a Surinamese-born man was arrested and fined 400 euros for calling the queen a whore, and a young journalist wearing a T-shirt with the same phrase was arrested but not prosecuted. In May, the government admitted that civil servants had repeatedly hacked into a press agency's computers. Despite a high concentration of newspaper ownership, a wide variety of opinion is expressed in the print media. Internet access is not restricted.

The constitution guarantees freedom of religion, and religious organizations that provide educational facilities can receive subsidies from the government. Members of the country's Muslim population have encountered an increase in racist incidents in the recent past, including vandalism, arson, defacement of mosques or other Islamic institutions, harassment, and verbal abuse.

In order to curb undesired foreign influence in the affairs of Dutch Muslim groups, the government requires all imams and other spiritual leaders recruited from Muslim countries to take a one-year integration course before practicing in the Netherlands. An all-party parliamentary report issued in 2004 had suggested a reversal of the country's 30-year-old policy of multiculturalism, arguing that Muslims resident in the Netherlands should "become Dutch." The government does not restrict academic freedom.

People have the right to assemble, demonstrate, and generally express their opinions. National and international human rights organizations operate freely without government intervention. In November 2006, the parliament enacted legislation banning organizations that are considered to be terrorist groups by the European Union (EU) and the United Nations. Workers have the right to organize, bargain collectively, and strike. Two of the largest trade unions opened their ranks to self-employed workers in 2007.

The judiciary is independent, and the rule of law prevails in civil and criminal matters. The police are under civilian control, and prison conditions meet international standards.

The population is generally treated equally under the law, although human rights groups have criticized the country's recent asylum policies for being unduly harsh and violating international standards. In September 2006, amid growing criticism by nongovernmental organizations (NGOs) and refugee groups for its failure to expedite the asylum requests of 32,000 people, the government finally granted residency permits to about half and ordered the rest to leave the country. In December of that year, the country instituted a general moratorium on expulsions of the asylum seekers. Separately, the government in October 2006 halted repatriations of failed Iranian asylum seekers who were lesbian, gay, bisexual, or transgender, as they could face persecution at home.

The Dutch are known for their liberal values and laws, including tolerant attitudes toward so-called soft drugs, such as marijuana. However, the government in October 2007 announced that it would ban the sale of hallucinogenic mushrooms after several people died while under the influence of the drug.

The country is a destination and transit point for trafficking in persons, particularly women and girls for sexual exploitation. A law that took effect in 2005 expanded the legal definition of trafficking to include forced labor and increased the maximum penalty for traffickers to 12 years in cases of serious physical injury and 15 years in cases of death. The government has also supported NGOs that assist trafficking victims. In 2007, the city of Amsterdam brought in national police investigators to continue the crackdown on organized crime in districts linked to trafficking and the prostitution industry. In September, a public-housing corporation bought several buildings in the city as part of a redevelopment plan that would eventually close around a third of the street-level windows used by legal prostitutes.

## New Zealand

**Population:** 4,100,000

**Capital:** Wellington

**Political Rights:** 1

**Civil Liberties:** 1

**Status:** Free



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

1998	1999	2000	2001	2002	2003	2004	2005	2006	2007
1,1F	1,1F	1,1F	1,1F	1,1F	1,1F	1,1F	1,1F	1,1F	1,1F

### Overview:

**The Labour-led ruling coalition lost its absolute majority of 61 seats in the 121-seat Parliament after a backbencher resigned from the party in February, but the coalition remained in power with the cooperation of smaller opposition parties. In May, Parliament passed a controversial bill banning the spanking of children by their parents. In October, the government raided camps across the country, arresting 17 persons alleged to be plotting violent action against whites. The arrests were the first under the country's antiterror laws.**

British sovereignty in New Zealand was established in 1840 under the Treaty of Waitangi, a pact between the British government and Maori chiefs that also guaranteed Maori land rights. New Zealand became a self-governing parliamentary democracy in 1907 and gained full independence from Britain in 1947, though the British monarch remained head of state.

General elections in 2005 gave the Labour Party—which had been in office since 1999—a plurality of 50 parliamentary seats, compared with the National Party's 48. Labour reached agreements with a number of smaller parties to secure a governing majority in the 121-seat Parliament. In February 2007, the government's hold on Parliament was threatened when former associate cabinet minister Taito Phillip Field left the Labour Party amid allegations that he attempted to improperly influence immi-



gration applications. Field remained in Parliament as an independent, and his continued support in key votes helped to preserve the government's 61-seat working majority.

Concerns about how immigration is changing the country's demographics have led the government to tighten immigration requirements in recent years. Residents must live in New Zealand for five years before they can apply for citizenship, and automatic citizenship is restricted to those born in Samoa between 1924 and 1948, when Samoa was under New Zealand's rule. The Maori Party has accused the Labour-led government of deliberately discriminating against Pacific Islanders in its immigration policy.

There is also increasing concern about immigrants as national security threats. In 2006, the government expelled a Saudi national who had entered on a student visa and was suspected of ties to the perpetrators of the September 11, 2001, terrorist attacks on the United States. He was deported under a rarely invoked section of the Immigration Act that requires consent from the governor-general and provides no avenue for appeal. Separately, in retaliation for the expulsion of the New Zealand high commissioner from Fiji in June 2007, New Zealand decided in July to bar all Fijians involved in that country's December 2006 coup, all senior officials in the Fijian interim government and their families, and Fijian national sports-team members from entering or transiting through New Zealand.

In May 2007, Parliament passed a controversial bill banning the spanking of children, which would grant police the authority to determine whether a parent should be charged with abuse. Proponents said it closed a loophole that had allowed abusive parents to claim the use of "reasonable force" against their children. Opponents said the new law intruded on private life. More controversial were the raids and arrests by police across the country on October 16. The police seized guns and ammunition and arrested 17 persons for plotting violent attacks on the white population. These raids and arrests were the first under the country's Terrorism Suppression Act (TSA) passed in 2002. The day after, several hundred people, including Maori activists and labor union officials, publicly protested against the raids and arrests. The Maori Party condemned the legislation, stating that it infringes on political freedom and unfairly targets Maori activists fighting for justice. On November 8, the solicitor general decided against pressing charges under the TSA because the legislation is "complex and incoherent," and chose instead to charge the suspects for illegal possession and use of arms and ammunition under the Arms Act. The accused were released on bail, but final adjudication is still pending.

**Political Rights and Civil Liberties:** New Zealand is an electoral democracy. A mixed-member electoral system combines voting in geographic districts with proportional-representation balloting. New Zealand is a member of the Commonwealth, and Britain's Queen Elizabeth II is the head of state, represented by a governor-general. The prime minister, the head of government, is the leader of the majority party or coalition and is appointed by the governor-general. Current prime minister Helen Clark of the Labour Party has been in office since 1999. The unicameral Parliament, or House of Representatives, currently has 121 members, of whom 69 were elected in single-member constituencies and 52 were chosen by party list. All Parliament members serve three-year terms.

The two main political parties are the center-left Labour Party and the moderate

conservative National Party. Six smaller parties also won representation in the 2005 parliamentary elections.

Seven of the Parliament's constituency seats are reserved for the native Maori population. Maori constitute 11 percent of the voting population and around 10 percent of the country's four million people. The Maori Party, the country's first ethnic party, was formed in 2004 in reaction to a government bill declaring all foreshore and seabed areas as state property held in perpetuity for all peoples of New Zealand, a possible infringement on Maori land rights. By 2006, the Maori electoral roll had risen to a total of 385,977 persons. The appointment of Major General Jerry Mateparae as defense minister in 2006 was another milestone in Maori history; he was the first Maori to hold the post. Tuheitia Pahi, a former university manager and cultural adviser, was chosen by the tribes to succeed his mother as the Maori monarch after she died in 2006.

New Zealand is one of the least corrupt countries in the world. It was ranked first out of 180 countries surveyed in Transparency International's 2007 Corruption Perceptions Index.

The media are free and competitive. Newspapers are published nationally and locally in English, and in several non-English languages for the growing immigrant population. Television outlets include state-run Television New Zealand, three private channels, and a Maori-language public network. A Maori-language radio station has been broadcasting since 1996. A stronger movement among the Maori population to celebrate their language, arts, and history has increased demand for Maori-language media products. The government does not control or censor internet access, and competitive pricing promotes large-scale diffusion.

Freedom of religion is provided by law and respected in practice. Only religious organizations that intend to collect donations need to register with the government. Although New Zealand is a secular state, the government has fined businesses for operating on the official holidays of Christmas Day, Good Friday, and Easter Sunday. A 2001 law granted exemptions to several categories of stores in response to demands from non-Christian populations. Academic freedom is enjoyed at all levels of instruction. The Education Act of 1964 bans religious education and observations during normal hours in primary schools. Some parents have complained about prayers and religious blessings at a number of primary and intermediate schools, but bishops, opposition members of Parliament, and school principals argue that strict enforcement would be difficult and unworkable. Government attempts to remove references to key principles in the Treaty of Waitangi in a new draft national curriculum in 2006 sparked criticism from the Maori Party and other Maori groups.

The government respects freedoms of assembly and association. Nongovernmental and civil society groups are active throughout the country in promoting community health, minority rights, education, children's welfare, and other causes. Many receive considerable financial support from the government.

The New Zealand Council of Trade Unions is the main labor federation. Fewer than 20 percent of the country's wage earners are union members. Membership has been declining since the 1991 adoption of the Employment Contracts Act (ECA), which ended compulsory union membership and prohibited certain types of strikes. The Labour-led government replaced the ECA with the Employment Relations Act (ERA) in 2001. The ERA promotes collective bargaining and allows unions to charge bargaining fees to nonunion workers who enjoy union-negotiated wages and con-

ditions; amendments in 2004 gave additional protections to workers during company ownership changes.

The judiciary is independent, and defendants can appeal to the Privy Council in London. Police discrimination against the Maori, who comprise more than half of the prison population, has been reported.

Although no laws explicitly discriminate against the Maori, and their living standards have generally improved, most Maori and Pacific Islanders continue to lag behind the European-descended majority in social and economic status. The Maori population has become more assertive in its claims for land, resources, and compensation from the government. A special tribunal hears Maori tribal claims tied to the Treaty of Waitangi. Recent Maori claims for rights to gas and oil fields in the Marlborough Sounds off the South Island became a major issue in national politics and caused tensions with the non-Maori population. The assertions of ancestral rights were prompted by the government's plans to nationalize all beaches and territorial seabed.

Violence against women and children is a major problem, particularly among the Maori and Pacific Islander populations. Many governmental and nongovernmental programs work to prevent domestic violence and support victims, with special programs for the Maori community. However, improvement is limited. For example, New Zealand has a high child murder rate; Maori children suffer most, dying at the rate of 1.5 per 100,000 children under 15 years old, versus 0.7 in Australia, 0.6 in Japan, 0.4 in Britain, and 0.1 in Spain. The legislature passed the Civil Union Bill by a 65-55 vote in 2004, granting same-sex partnerships recognition and legal rights similar to those of married couples; the law took effect in April 2005.

## ↓ Nicaragua

**Population:** 5,600,000

**Capital:** Managua

**Political Rights:** 3

**Civil Liberties:** 3

**Status:** Partly Free



**Trend Arrow:** Nicaragua received a downward trend arrow due to excessive concentration of power in the executive branch and the adoption of a law criminalizing abortion under all circumstances.

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

1998	1999	2000	2001	2002	2003	2004	2005	2006	2007
2,3F	3,3PF	3,3PF	3,3PF	3,3PF	3,3PF	3,3PF	3,3PF	3,3PF	3,3PF

### Overview:

The line between state institutions and President Daniel Ortega's Sandinista National Liberation Front (FSLN) became increasingly blurred in 2007, as the party consoli-

**dated power and moved to create parallel institutions and funds. Nicaragua also joined a leftist regional grouping that included Cuba, Venezuela, and Bolivia, and began to receive oil and other aid from Venezuela. However, Ortega's government continued to participate in a regional free-trade pact with the United States. Labor rights, the trafficking of women and children, and a new, total ban on abortions were important human rights concerns in 2007.**

The independent Republic of Nicaragua was established in 1838, 17 years after the end of Spanish rule. Its subsequent history has been marked by internal strife and dictatorship. The Sandinista National Liberation Front (FSLN), a leftist rebel group, overthrew the authoritarian regime of the Somoza family in 1979. The FSLN then moved to establish a Marxist government, leading to a civil war. The United States intervened indirectly, supporting irregular rebel forces known as the *contras*. The FSLN wrote a new constitution in 1987.

In 1990, National Opposition Union presidential candidate Violeta Chamorro defeated the FSLN's Daniel Ortega in free and open elections. Before leaving power, the Sandinistas revised laws and sold off state property to party leaders, guaranteeing that they would retain political and economic clout. Chamorro oversaw the amendment of the 1987 constitution to provide for a more even distribution of power among the three branches of government.

Former Managua mayor Arnoldo Aleman of the Liberal Constitutional Party (PLC) soundly defeated Ortega in the 1996 presidential election, but he was accused of corruption throughout his presidency. In 1999, the PLC agreed to a governing pact with the FSLN opposition. The pact guaranteed Aleman a seat in both the Nicaraguan and the Central American parliaments, assuring him immunity from prosecution. It also included constitutional and electoral reforms that lowered the percentage of votes required to win an election without a runoff from 45 to 40 percent (or 35 percent if the winner has a lead of 5 percentage points), and required that aspiring political parties garner support from 3 percent of registered voters.

In the 2001 elections, PLC presidential candidate Enrique Bolanos, a respected conservative businessman, defeated Ortega. He vowed to prosecute Aleman and corrupt members of his administration, causing a break with the PLC; Bolanos later formed his own party, the Alliance for the Republic (APRE). The protracted effort to convict Aleman eventually yielded a 20-year prison sentence for money laundering in 2003. However, the former leader subsequently used his alliance with Ortega to win concessions from the FSLN-controlled courts, and he was released from parole conditions in March 2007, so long as he did not leave the country.

Meanwhile, the PLC- and FSLN-dominated National Assembly blocked virtually all of Bolanos's proposed legislation, with support from the FSLN-controlled courts. In 2005, the National Assembly passed legislation to strip Bolanos of several presidential powers and replace his appointees to autonomous state bodies. Bolanos appealed the matter to the Central American Court of Justice, which ordered the National Assembly to repeal the legislation. After a long standoff, the two sides agreed to postpone implementation of the reforms until after Bolanos left office.

Regional elections in the two Atlantic Coast autonomous areas in March 2006 highlighted concerns about the PLC- and FSLN-controlled Supreme Electoral Council (CSE). The Atlantic Coast, populated primarily by indigenous and Afro-Caribbean

communities, is the poorest region in the country and is often neglected by the central government. Under the 1987 Autonomy Law, Atlantic Coast voters elect regional authorities tasked with responding directly to local needs. Although the 2006 polls were declared free and fair, CSE rules limited voter participation and many voters abstained, undermining confidence in the results. The PLC obtained 41 percent, the FSLN took 27 percent, and the FSLN-allied Yatama regional party won 16 percent.

Ortega won the presidency in the first round of voting in November 2006, taking 38 percent of the popular vote. His closest challenger was Eduardo Montealegre of the Nicaraguan Liberal Alliance (ALN), a former finance minister under Bolanos, who took 29 percent. Ortega gave assurances that he would not radically change economic policy and would support national reconciliation. In the concurrent legislative elections, the FSLN obtained 38 out of 92 seats in the National Assembly, while PLC took 25, the ALN secured 22, and the Sandinista Renewal Movement (MRS) won 5. Bolanos also received a seat as outgoing president, and Montealegre took one as the presidential runner-up. The new National Assembly voted in January 2007 to postpone implementation of the 2005 constitutional reforms until January 2008. Later in the year, Ortega further consolidated presidential power through reforms that gave the executive branch more control over the central bank, the police, and the military.

Also in 2007, the Ortega administration proposed the formation of "citizen power councils," from the neighborhood to federal levels, to help promote direct democracy and participate in the government's Zero Hunger food-production project. Critics compared the councils to Cuba's Committees for the Defense of the Revolution, which play a role in surveillance and political persecution. There were concerns that the new bodies would serve the FSLN and blur the lines between state and party institutions. Opponents of the proposal included members of the FSLN and municipal leaders who feared that the councils would infringe on their authority.

Nicaragua's energy crisis continued in 2007. In June, Union Fenosa, the Spanish utility company responsible for power distribution, announced plans to raise prices and increase electricity rationing to periods of between four and eight hours at a time. The move sparked demonstrations and calls for the nationalization of the energy sector.

In January 2007, Nicaragua joined the Bolivarian Alternative for the Americas (ALBA), a regional association that included Venezuela, Cuba, and Bolivia, and in April the Venezuelan government ratified a commitment to provide Nicaragua with 10 million barrels of oil annually. Nicaragua would pay 50 percent of the cost immediately and the rest over a 25-year period, with a 2 percent interest rate. The sale of Venezuelan oil would then generate a fund of between \$300 and \$380 million for the Nicaraguan government, which it pledged to use for social projects. Critics of the deal noted that it should have been reviewed by the National Assembly, since it involved the acquisition of public debt, and warned that the resulting funds must be incorporated into the national budget rather than being administered separately as a "parallel budget."

Ortega's administration also maintained Nicaragua's participation in the Dominican Republic-Central American Free Trade Agreement (DR-CAFTA) with the United States, which took effect in 2006. Since the United States is Nicaragua's primary trading partner, proponents of the trade agreement predicted that it would spur

further investment, which it has, in several sectors of Nicaragua's relatively slow-growing economy. To date, DR-CAFTA has led to a 20 percent increase in exports from Nicaragua. However, complaints that small businesses and national production would suffer under the export-oriented model of DR-CAFTA have recently arisen. The country's trade surplus with the United States widened from \$550 million in 2005 to \$770 million in 2006, and reached \$720 million in 2007.

**Political Rights and Civil Liberties:** Nicaragua is an electoral democracy. The constitution provides for a directly elected president and a 92-member, unicameral National Assembly. Two seats in the legislature are reserved for the previous president and the runner-up in the last presidential election. Both presidential and legislative elections are held every five years, and presidents cannot serve consecutive terms. The 2006 presidential and legislative elections were both regarded as free and fair by the Supreme Electoral Council and the international community. The dominant FSLN and PLC parties currently hold 38 and 25 seats, respectively. The ALN holds 23, MRS holds 5, and former president Enrique Bolanos of APRE holds 1.

The political and civic climate is often affected by corruption, political pacts, violence, and drug-related crime. In 2007, protesters took to the streets to demand greater transparency in the government. The National Assembly in May approved a new Law of Access to Public Information, which required public entities and private companies doing business with the state to disclose certain information. However, the law preserved the right to protect information related to state security. Nicaragua was ranked 123 out of 180 countries surveyed in Transparency International's 2007 Corruption Perceptions Index.

The constitution calls for a free press but allows some censorship. Although the government has not invoked these powers of late, there has been no movement to change the constitutional provisions. Journalists have received death threats and some have been killed in recent years, with a number of attacks attributed to FSLN sympathizers. Various judges aligned with the FSLN have ordered restrictions on coverage of particular legal stories. Radio remains the main source of information. Before leaving office in 1990, the Sandinistas privatized some radio stations, which were handed to party loyalists. There are six television networks based in the capital, including a state-owned network. Many of the stations favor various partisan factions. Three national newspapers based in the capital cover the news from a variety of political viewpoints. Investigative journalism plays a major role in exposing corruption and political misconduct. There is unrestricted access to the internet.

Freedom of religion is respected, and academic freedom is generally honored.

Freedoms of assembly and association are recognized by law and largely upheld in practice. Although nongovernmental organizations are active and operate freely, the emergence of the councils and the political environment have weakened the influential capacity of these institutions. Generally, public demonstrations are allowed. The Sandinistas control many of the country's labor unions and, while in opposition, used them to stage rallies and protest government policies. However, the legal rights of non-Sandinista unions are not fully guaranteed, and there are reports of employers firing employees who attempt to form bargaining units. Although the law recognizes the right to strike, unions must receive approval from the Minis-

try of Labor, which has declared only one strike legal since 1996. Citizens have no effective recourse when labor laws are violated by the government or the Sandinistas. Child labor and labor abuses in export-processing zones continue to be problems.

The judiciary remains dominated by Sandinista appointees. Many judges are susceptible to political influence and corruption. The concessions granted to former president Arnoldo Aleman after his money-laundering sentence was handed down are the most recent example of this problem. The courts are also subject to long delays and a large backlog of cases, but no reforms have been enacted of late. The FSLN and the PLC have used their influence over the judicial system to uphold laws that make it difficult for minor parties or splinter factions to emerge.

The conduct of security forces continues to improve, reflecting enhanced civilian control, although abuses of human rights still occur. Forced confessions to the police remain a problem, as do arbitrary arrests. Insufficient funding of the police affects performance and has led to a shortage of officers. Prison conditions continue to be poor, and the facilities remain underfunded.

Although gang violence is increasing, it has not threatened national security as in other countries in the region, and the government has not felt the need to call out troops to quell the gangs. Nicaragua remains an important transshipment point for drugs making their way by road from South America, and smuggling by air is increasing. The Nicaraguan police force has been very proactive in preventing narcotrafficking operations, particularly on the Atlantic Coast, and is recognized for its commitment to fighting organized crime.

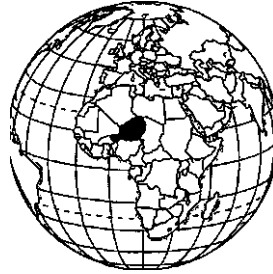
Nicaragua nominally recognizes the rights of indigenous communities in its constitution and laws, but those rights have not been respected in practice. Approximately 5 percent of the population is indigenous and lives mostly in the Northern Autonomous Atlantic Region (RAAN) and Southern Autonomous Atlantic Region (RAAS). The government has taken no known steps to comply with a 2005 ruling by the Inter-American Court of Human Rights, which ordered it to pay damages to the Miskito and Sumo indigenous groups after the electoral commission prevented the majority-indigenous Yatama party from competing in 2000 municipal elections. During the 2006 regional elections, Yatama, the only regional party, won 16 percent of the vote.

Violence against women and children, including sexual and domestic abuse, remains a widespread and underreported problem. Nicaragua's total ban on abortions, enacted in November 2006, has spurred outrage both within Nicaragua and in the international community, including the United Nations. The law makes abortion illegal and punishable by imprisonment, even when it is performed to save the mother's life or in cases of rape or incest. In September 2007, the legislature voted to reaffirm the ban. Nicaragua is a source and transshipment point for the trafficking of women and children for purpose of prostitution. Government ministries and civil society groups have been working to raise awareness of the problem, improve the repatriation of victims, and compile reliable statistics on the extent of trafficking in the country.

## Niger

**Population:** 14,200,000  
**Capital:** Niamey

**Political Rights:** 3  
**Civil Liberties:** 4\*  
**Status:** Partly Free



**Ratings Change:** Niger's civil liberties rating declined from 3 to 4 due to the government's efforts to restrict media coverage of the insurgency in the north, limitations on open debate, and the general climate of instability and violence associated with the insurgency.

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

1998	1999	2000	2001	2002	2003	2004	2005	2006	2007
7,5NF	5,5PF	4,4PF	4,4PF	4,4PF	4,4PF	3,3PF	3,3PF	3,3PF	3,4PF

### Overview:

**After more than a decade of peace, fighting between the government and ethnic Tuareg rebels broke out in 2007. Freedom of expression deteriorated considerably as the government attempted to suppress coverage of the conflict, suspending a privately owned newspaper and arresting several journalists.**

After gaining independence from France in 1960, Niger was governed by one-party and military regimes dominated by leaders of the Hausa and Djerma ethnic groups. General Ali Seibou took power in 1987, but his one-party regime yielded to international pressure and prodemocracy demonstrations, and a new constitution was adopted by popular referendum in 1992. Mahamane Ousmane of the Alliance of Forces for Change (AFC) won a five-year term as the country's first democratically elected president in 1993, but he was overthrown in January 1996 by Colonel Ibrahim Bare Mainassara, who became president in a sham election six months later.

After members of the presidential guard assassinated Mainassara in April 1999, the guard commander led a transitional government that organized a constitutional referendum in July and competitive elections in November. Retired Lieutenant Colonel Mamadou Tandja, supported by the National Movement for a Developing Society (MNSD) and the Democratic and Social Convention (CDS), was elected president in the polls, which international observers deemed free and fair. The MNSD and the CDS won a majority of seats in the National Assembly.

In Niger's first-ever municipal elections in July 2004, the MNSD won the majority of seats, but opposition parties made significant gains. Tandja, the MNSD's candidate, won a second term as president in December. In that month's legislative elections, four parties joined the MNSD and CDS to win 88 of the National Assembly's 113 seats.

Tandja was credited with returning Niger to relative economic and political sta-



bility after years of turbulence. In October 2005, the government began implementing an economic assistance program for former Tuareg rebels, the final phase of a 1995 peace accord that ended fighting between ethnic Tuareg and government forces. The agreement promised increased development assistance in the north, which is mainly Tuareg in population.

In 2007, fighting broke out between the government and the Movement of Nigeriens for Justice (MNJ), a Tuareg rebel group calling for more equitable resource distribution. The authorities refused to negotiate with the rebels. Between February and September 2007, as many as 45 soldiers were killed in confrontations with MNJ forces, 2 civilians died in cross fire, and as many as 80 soldiers were abducted. A Chinese employee of a Chinese-owned mining company was abducted by rebels in July, although he was later released, as were many of the captured soldiers. Tandja in August imposed a state of emergency in Niger's northern region, and it remained in force at year's end.

Nigerien authorities in 2007 accused the French mining company AREVA, which owns Niger's two main uranium-production companies, of supporting the MNJ. In July, the government negotiated an increased price for uranium, although it still received only 5.5 percent of the revenues generated by foreign companies. Niger continues to work closely with the U.S. government on counterterrorism and security programs.

In May 2007, Prime Minister Hama Amadou of the MNSD lost a legislative vote of confidence after seven years in office. The vote followed a corruption scandal involving the embezzlement of education funds by government ministers. The new prime minister, the MNSD's Seyni Oumarou, took office in June.

Niger remains one of the world's poorest countries, and recurrent droughts, floods, and locust invasions increase the fragility of poor rural households. In July 2007, the European Union granted Niger \$111.5 million to fund a five-year rural development program, and in November, the governments of Niger and China signed an assistance agreement worth approximately \$5.3 million. Over half of Niger's 2008 budget, approved in November, was dedicated to poverty alleviation.

**Political Rights and Civil Liberties:** Niger is an electoral democracy. Observers considered the national polls held in 1999 and 2004 to be largely free and fair. The president chooses the prime minister from a list of three candidates presented by the majority party or coalition in the unicameral National Assembly. Of the legislature's 113 members, 105 are elected by proportional representation in eight geographical districts, and 8 are elected by plurality vote in single-member constituencies. All members serve five-year terms.

There are 24 registered political parties in Niger, and 10 are currently represented in the National Assembly. Leaders have made efforts to include minorities, especially members of the northern Tuareg ethnicity, in positions of authority.

Corruption is a continuing problem, although the first appointments to an anti-corruption commission established in 2003 were made in 2005. The ministers for health and education were fired in June 2006 after auditors accused them of embezzling \$8 million from an education fund, provoking the May 2007 no-confidence vote against Prime Minister Amadou, which signaled the opposition's dissatisfaction with the manner in which the prime minister had responded to the scandal. Nearly a dozen

members of the ruling MNSD were arrested in November 2007 for engaging in allegedly corrupt business practices. Niger was ranked 123 out of 180 countries surveyed in Transparency International's 2007 Corruption Perceptions Index.

Constitutional guarantees of freedom of expression are often not respected in practice. Conditions for the independent media deteriorated considerably in 2007 due to the government's attempts to control coverage of the conflict in the north. In June, *Air Info*, a private newspaper based in Agadez, was suspended for three months by the Supreme Council for Communications (CSC) over coverage of the MNJ's activities. Ibrahim Manzo Diallo, the paper's managing editor, was briefly arrested in July for operating under the name *Info Air*, and he was held again in October on charges of criminal conspiracy. *Air Info* correspondent Daouda Yacouba was arrested in October but released in early November. Separately, Moussa Kaka, director of the private Radio Saraouniya and a correspondent for Radio France International (RFI) and Reporters Without Borders, was threatened in July by an army general for coverage of the rebels. He was then arrested in September and later charged with undermining state authority. The government imposed a one-month ban on the retransmission of RFI in July, and in August, it banned the broadcast of live debates about the MNJ. In October, the CSC warned media outlets that criticism of its actions could endanger their licenses. The government does not restrict internet use, although only a small percentage of the population has access to this medium.

Freedom of religion is mostly respected, but Muslims are not uniformly tolerant of minority religions. Islam is practiced by over 90 percent of the population. Academic freedom is guaranteed in principle but not always observed in practice.

Constitutional guarantees of freedom of assembly and association are generally respected, and most nongovernmental organizations operate openly and publish reports that are often critical of the government. Nongovernmental organizations (NGOs) faced restrictions on their operations, however, following the outbreak of conflict between government and rebel forces. Since September, MNJ forces have blocked access by humanitarian relief convoys in the north, inhibiting the delivery of supplies, and in October, Nigerian authorities forced Medecins Sans Frontieres to cease operations in the north following hijackings of the group's vehicles by MNJ forces. However, security forces have been used to break up demonstrations, and in May 2007, some 15 students were severely injured in clashes with security forces during demonstrations against campus living conditions at Niamey University. Nonetheless, groups critical of the government have been allowed to demonstrate peacefully. An October 2007 march by hundreds of journalists protested the recent arrests of their colleagues.

The constitution and other laws guarantee workers the right to join unions and bargain for wages, although over 95 percent of the workforce is employed in subsistence agriculture and small trading. Intermittent strikes by schoolteachers calling for higher salaries began in October 2006 and continued through April 2007.

The constitution provides for an independent judiciary, and courts have shown some autonomy. However, the system is overburdened and subject to executive and other interference. Public prosecutors are supervised by the Ministry of Justice, and the president has the power to appoint judges. Judicial corruption is fueled partly by low salaries and inadequate training. Although respect for human rights has generally improved under President Mamadou Tandja, prolonged pretrial detention

is common, and police forces are underfunded and poorly trained. As many as 100 civilians in the north were arrested without charge in 2007, although most were released after the required 48-hour period. Prisons are characterized by overcrowding and poor health and sanitary conditions.

Discrimination against ethnic minorities persists, despite constitutional protections. The Hausa and Djerma ethnic groups dominate government and business, although other major groups are represented at all levels of government. Instances of "hate speech" against specific ethnic groups have been investigated and prosecuted by the government.

Nomadic peoples continue to have poor access to government services. Under pressure from human rights groups, in 2003 the National Assembly banned the keeping or trading of slaves, punishable by up to 30 years in prison, but a system of caste-based servitude is believed to continue.

A 2002 quota system requiring political parties to allocate 10 percent of their elected positions to women has increased their representation. Women continue to suffer societal discrimination, however, especially in rural areas. Family law gives women inferior status in property disputes, inheritance rights, and divorce. In the east, some women among the Hausa and Peul ethnic groups are rarely allowed to leave their homes without a male escort. Domestic violence is reportedly widespread. Since the government's 2001 penal code reform, sexual harassment and female genital mutilation have been considered criminal offenses. Abortion is prohibited under all circumstances.

Niger is a source, transit, and destination country for children and women trafficked for forced labor and sex. The legislature is currently considering legislation to criminalize all forms of human trafficking, which was still pending at year's end. The government has made efforts to raise public awareness of trafficking, and has increased cooperation with its neighbors to limit the practice.

## ↓ Nigeria

**Population:** 144,400,000  
**Capital:** Abuja

**Political Rights:** 4  
**Civil Liberties:** 4  
**Status:** Partly Free



**Trend Arrow:** Nigeria received a downward trend arrow due to national elections that international and domestic observers judged to be extremely flawed.

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

1998	1999	2000	2001	2002	2003	2004	2005	2006	2007
6,4PF	4,3PF	4,4PF	4,5PF	4,5PF	4,4PF	4,4PF	4,4PF	4,4PF	4,4PF

**Overview:** **Hopes that Nigeria's first transition between elected civilian leaders would enhance the country's nascent democracy were dashed in 2007 when presidential, state, and legislative elections were marred by massive fraud, vote rigging, and violence. Umaru Yar' Adua, a northerner and Muslim who was seen as the personal choice of outgoing president Olusegun Obasanjo, won with 70 percent of the official tally. He adopted a conciliatory stance toward his defeated opponents and made conflict resolution in the volatile, oil-rich Niger Delta region a focus of his domestic policy.**

The military has ruled Nigeria for much of its history since independence from Britain in 1960. Beginning with the first military coup in 1966, generals and their backers argued that they were the only ones who could keep a lid on simmering tensions among the country's 250 ethnic groups, as well as between religious communities; the north is largely Muslim, while the south is mainly Christian. Ethnic and regional tensions led to the attempted secession of Nigeria's oil-rich southeast as the Republic of Biafra in 1967, which touched off a bloody three-year civil war and devastating famine.

Nigeria appeared to be emerging from several years of military rule under General Ibrahim Babangida in 1993, when a presidential election was held. Moshood Abiola, a Muslim Yoruba from the south, was widely considered the winner, but the military annulled the results. A puppet civilian administration governed briefly until General Sani Abacha, a principal architect of previous coups, took power in November 1993. Abacha dissolved all democratic structures and banned political parties, governing through a predominantly military Provisional Ruling Council (PRC). Abiola was arrested in June 1994 after declaring himself Nigeria's rightful president. He died in detention, having suffered from a lack of proper medical care, just five weeks after Abacha himself died suddenly in June 1998.

The departure of the two most significant figures on Nigeria's political landscape opened possibilities for democratic change. General Abdulsalami Abubakar,

the army chief of staff, emerged as the PRC's consensus choice to be the country's next leader, and he promised to oversee a transition to civilian rule in 1999. Olusegun Obasanjo—a former general who had led a military regime from 1976 to 1979 and spent three years in prison under Abacha—won the February 1999 presidential poll on the ticket of the People's Democratic Party (PDP). The PDP also won the most seats in both the Senate and the House of Representatives in legislative elections.

Nigeria made its first transition from one elected government to another when Obasanjo won a second term in April 2003 elections. The elections were preceded by violence, and widespread irregularities and fraud were documented by observers. Obasanjo faced 19 opposition candidates, but the race was ultimately between the southern, Christian Obasanjo and former general Muhammadu Buhari, a northern Muslim and member of the All Nigeria Peoples Party (ANPP). Obasanjo won with 62 percent of the vote, compared with 32 percent for Buhari, who filed a petition on behalf of some 20 opposition parties to nullify the election results. The Supreme Court in 2005 unanimously rejected the challenge, saying the fraud discovered was not enough to have changed the poll results.

The ruling PDP also dominated the 2003 legislative elections, winning 76 of 109 Senate seats and 223 of 360 House seats. The ANPP captured 27 seats in the Senate and 96 in the House, while the Alliance for Democracy won 6 Senate seats and 34 House seats. Smaller parties secured the remainder.

Obasanjo sponsored a political reform conference in 2005, which made little headway on key national questions. About 400 delegates met for five months and failed to agree on fundamental issues such as how to divide the country's oil wealth and how to effectively deal with religious and ethnic tensions. Calls for the extension of presidential term limits also met with opposition.

Preparations for presidential, gubernatorial, and legislative elections scheduled for April 2007 were tumultuous and occasionally violent. In May 2006, the legislature defeated a proposed constitutional amendment that would have allowed Obasanjo to run for a third term. Vice President Atiku Abubakar, who had publicly opposed the amendment, announced his intentions to run for president, but his candidacy was threatened by a corruption indictment that he claimed was politically motivated. The opposition Action Congress (AC) party nominated him as its presidential candidate in December 2006, and the Supreme Court cleared him to run five days before the election. Umaru Yar'Adua, the Muslim governor of northern Katsina State who was widely perceived as Obasanjo's pick, overcame 21 opponents to win the PDP nomination, while the ANPP again chose Buhari as its candidate.

The PDP swept state elections held on April 14, 2007, amid eyewitness reports of massive vote rigging and fraud, winning 28 out of 36 governorships. Presidential and legislative elections on April 21 were marred by chaos in voting centers, deadly violence in the Niger Delta region, and an attempted truck bombing aimed at the electoral commission headquarters. At least 200 people were killed in election-related violence during the two polls, with victims including police and several candidates. International and local election monitors were scathingly critical of the vote, and opposition parties refused to accept the results, which gave Yar'Adua 70 percent of the presidential ballots, Buhari 18.7 percent, Abubakar 7.5 percent, and the Progressive People's Alliance candidate, Orji Uzor Kalu, 1.7 percent. The head of a

European Union delegation said the elections fell "far short" of international standards of credibility.

The PDP swept the legislative vote, taking 87 out of 109 Senate seats and 263 out of 360 House seats. The ANPP took 14 Senate seats and 63 House seats, while the AC took 6 Senate seats and 30 House seats; the remaining seats went to three smaller parties, the Progressive People's Alliance (one seat in the Senate, three in the House), the Accord Party (one Senate seat), and the Labour Party (one House seat). However, several of these seats were overturned by the courts in the months following the elections. In October 2007 the Speaker of the House of Representatives, Patricia Etteh, resigned over allegations of corruption, after intense legislative and public pressure.

Election tribunals were set up across the country to hear challenges to the poll results, with both Abubakar and Buhari challenging Yar'Adua's victory. The new president was conciliatory following his inauguration in May, inviting opposition leaders to join a government of national unity and making peace in the Niger Delta a cornerstone of his domestic policy. (Yar'Adua's vice president, Goodluck Jonathan, is a former governor of Bayelsa State, in the Niger Delta.) The ANPP eventually acceded, receiving two cabinet positions, while the AC split over participation. An Abuja court released Mujahid Dokubo-Asari, leader of the rebel Niger Delta People's Volunteer Force (NDPVF), on health grounds in June, after 18 months of detention, in a move seen as supporting Yar'Adua's agenda for peace talks with Niger Delta militant groups. Asari engaged in talks with the government, but violence and kidnappings continued in the Delta during the year, and militant leaders questioned Yar'Adua's commitment to addressing their demands for self-determination and control over resources.

Nigeria's economy is dominated by oil, which accounts for more than 98 percent of export revenues and almost all foreign investment. Wealth is highly concentrated, and political control is held by a narrow elite. The majority of Nigerians are engaged in small-scale agriculture and other informal activities, and lack access to political power.

**Political Rights  
and Civil Liberties:**

Nigeria is not an electoral democracy. According to the constitution, the president is elected by popular vote for no more than two four-year terms. Members of the bicameral National Assembly, consisting of the 109-seat Senate and the 360-seat House of Representatives, are elected for four-year terms. During the April 2007 presidential election, Human Rights Watch reported that voting "was marred by the late opening of polls, a severe shortage of ballot papers, the widespread intimidation of voters, the seizure of ballot boxes by gangs of thugs, vote buying and other irregularities." The Brussels-based International Crisis Group found that the gubernatorial, presidential, and legislative elections of 2007, "in the view of Nigerians and the many international observers alike, were the most poorly organized and massively rigged in the country's history." Observers said fraud and intimidation were particularly prevalent in the southeast and in the Niger Delta.

More than 35 parties participated in the 2007 elections. The three major political parties are the ruling PDP, which supports a neoliberal economic program; the conservative ANPP, which is the largest opposition party and draws its strongest support from Nigeria's Muslim northern region; the AC, an opposition party formed in

the lead-up to the 2007 elections via the merger of several smaller groups. Three smaller parties are represented in the federal legislature: the Progressive People's Alliance, the Labour Party, and the Accord Party. Political parties represent a wide array of policy positions, and openly engaged in debate and electoral campaigning in the lead-up to presidential and legislative elections in 2007.

Corruption remains a serious problem, having bled Nigeria of many billions of dollars in oil revenue. The government has taken steps to improve transparency and reduce corruption, including the reform of procedures for contract procurements and bidding. In September 2006, a top official announced that authorities had convicted more than 1,000 people of economic crimes and recovered around \$5 billion over the past two years. Seven former governors were charged with corruption in 2007 on orders from the Economic and Financial Crimes Commission. Nigeria was ranked 147 out of 180 countries surveyed in Transparency International's 2007 Corruption Perceptions Index.

Freedom of speech and expression is constitutionally guaranteed and generally respected in practice. More than 200 private radio and television stations broadcast throughout the country, and scores of print publications operate largely unhindered. However, criminal prosecution continues to be used against journalists covering sensitive issues such as official corruption, separatist movements, and communal violence, and local authorities occasionally target journalists who criticize them. In addition, Sharia (Islamic law) statutes in 12 northern states impose severe penalties for alleged press offenses. The New York-based Committee to Protect Journalists has documented a pattern of media repression by the State Security Service (SSS), which answers directly to the president. SSS agents have on occasion arrested journalists, confiscated newspapers, and harassed news vendors. Security forces also have impeded journalistic coverage of the restive Niger Delta region; in October 2007, two German journalists, an American activist, and a Nigerian man were arrested in the Delta and accused of threatening national security after they took photographs and video footage of oil facilities. All charges against them were later dropped. The government does not restrict internet access, and academic freedom is guaranteed and honored in practice.

Religious freedom is guaranteed by the constitution, but many Nigerians, including government officials, discriminate against adherents of religions other than their own. Religious violence, frequently reflecting regional and ethnic differences and accompanying competition for resources, is common. In April 2007, security forces in northern Nigeria killed at least 25 suspected Islamic militants after a deadly attack on a police station, according to the military. Also in 2007, sectarian fighting between Shiite and Sunni Muslims in northern Sokoto State occurred after a prominent Sunni cleric was assassinated.

Freedoms of assembly and association are generally respected in practice. However, Amnesty International reported in 2005 that repression of protests remained a routine tactic of Nigerian security forces in the Niger Delta, and that communities protesting in the region often suffered collective punishment. In 2006, security forces clashed with demonstrators in southeastern Anambra State who supported the banned separatist Movement for the Actualization of the Sovereign State of Biafra (MASSOB). The organization claims that ethnic Igbos suffer discrimination by the government and seeks a separate Igbo state in the southeast. Human rights groups

report that dozens of pro-Biafran activists have been killed in the past seven years and hundreds have been detained.

With the exception of members of the armed forces and those employed in essential services, workers may join trade unions and have the right to bargain collectively. About 10 percent of the workforce is unionized. Legislation passed in 2005 eliminated rules requiring a single labor federation for workers, but mandated that all trade union federations be registered with the government, the U.S. State Department reported. A minimum of 50 workers per enterprise is required to form a trade union. The new law allowed existing recognized unions and federations to retain their status. A 2005 report by the International Confederation of Free Trade Unions noted that "serious restrictions exist in Nigeria with regard to freedom of association, collective bargaining and the right to strike." In June 2007, a three-day general strike called by two umbrella unions was held to protest increases in fuel prices and value-added tax, the controversial sale of two oil refineries by outgoing president Olusegun Obasanjo in the last days of his administration, and other economic policies. The sale of the two refineries was later revoked, and in November 2007, the government agreed to review all privatization deals made under Obasanjo, in a victory for unions and civil society groups.

There is considerable competence and independence among Nigeria's higher courts. The judiciary, however, is often subject to political influence and is hampered by corruption and inefficiency, especially at lower levels. Defendants do not always have legal representation and are often ill-informed about procedures and their rights. Lengthy pretrial detention remains a problem. In the 12 northern states where Sharia is in effect, human rights groups say Islamic courts fail to respect due process rights, which leads to harsh and discriminatory sentences. Nigeria's prisons are overcrowded, unhealthy, and life threatening.

Nigeria continues to suffer from abuses by security forces and a climate of impunity. In 2005, Human Rights Watch said police still routinely torture detainees. A UN Special Rapporteur on extrajudicial, summary, or arbitrary executions said in 2005 that Nigerian police use armed robbery as a blanket charge to jail people when they refuse to pay bribes and to justify the unlawful killing of civilians. In November 2007, Human Rights Watch pointed out that police "killed half as many 'armed robbery suspects' as they managed to arrest" during a three-month period. In December 2007, Amnesty International reported that "secret executions" had taken place in Nigeria's prisons despite assurances that Nigeria had not executed anyone in years.

The constitution requires government offices to reflect the country's ethnic diversity. The Hausa-Fulani from northern Nigeria generally dominated the military and government from independence until Obasanjo was elected in 1999. Although the constitution prohibits ethnic discrimination, societal discrimination is widely practiced, and clashes frequently erupt among the country's many ethnic groups. A national census was completed in March 2006, for the first time since 1991. However, in a bid to prevent ethnic unrest, it did not contain questions on religion or tribe. The census results, which are supposed to determine the regional distribution of public revenues, showed that the northern state of Kano was the country's most populous, and that the north as a whole accounted for over half of Nigeria's population. The results were denounced by southerners, who believe the north has for many years maintained an inaccurate population majority in the census.



Ethnic minorities in the Niger Delta feel particularly discriminated against, primarily with regard to distribution of the country's oil wealth. Several militia groups, some based on ethnicity, operate in the Delta region and frequently target oil workers for kidnapping and extortion. Militants loyal to Niger Delta militia leader Mujahid Dokubo-Asari claim to be fighting for political autonomy and a bigger slice of oil revenues for the Ijaw ethnic group, the largest in the Delta region. Clashes between the Ijaws and their rivals, the Itsekiris, have claimed hundreds of lives. The Associated Press reported in 2007 that kidnappings in the Delta were fueled by ransom payments, of which government officials were said to receive a cut.

Nigerian women face societal discrimination, although educational opportunities have eroded a number of barriers over the years. In some ethnic groups, women are denied equal rights to inherit property, and marital rape is not considered a crime. According to a 1997 World Health Organization study, many Nigerian women are subjected to female genital mutilation (FGM), though the precise incidence is unknown. Although the federal government publicly opposes FGM, it has taken no legal action to ban the practice. Women's rights have suffered serious setbacks in the northern states governed under Sharia. Human trafficking to, from, and within the country for purposes of labor and prostitution is a problem. The government in 2004 outlawed human trafficking and set up an agency to deal with offenders, but provisions are insufficient; UNICEF reported in December 2007 that thousands of children from Benin were being forced into hard labor in Nigeria after being sold and trafficked.

## North Korea

**Population:** 23,300,000

**Capital:** Pyongyang

**Political Rights:** 7

**Civil Liberties:** 7

**Status:** Not Free



### Ten-Year Ratings Timeline For Year Under Review

#### Political Rights, Civil Liberties, Status

1998	1999	2000	2001	2002	2003	2004	2005	2006	2007
7,7NF	7,7NF	7,7NF	7,7NF	7,7NF	7,7NF	7,7NF	7,7NF	7,7NF	7,7NF

### Overview:

After testing ballistic missiles and a nuclear device in 2006, North Korea was more cooperative with its neighbors in 2007. In February, the regime agreed to denuclearize in three phases, and in October it pledged to disable its nuclear facilities by the end of the year in return for fuel aid and other concessions. However, the disablement was not completed on schedule and continued at a slow pace. The regime cited "technical reasons" for the delay. Also in October, North Korea hosted South Korea's president for a three-day summit; the two sides agreed in principle to work

**toward a formal peace treaty and approved several joint development projects. The human rights problem was not seriously addressed at any of the year's international meetings, and North Korea made no progress on its own. The December election of a conservative opposition candidate, Lee Myung-bak, to the South Korean presidency increased the likelihood of a greater emphasis on human rights in inter-Korean relations. Meanwhile, severe floods hit North Korea during the summer, raising expectations of additional food shortages in the country.**

The Democratic People's Republic of Korea (DPRK, or North Korea) was established in 1948 after three years of post-World War II Soviet occupation. The Soviet Union installed Kim Il-sung, an anti-Japanese resistance fighter, as the new country's leader. In 1950, North Korea invaded South Korea in an attempt to reunify the peninsula under Communist rule. Drawing in the United States and then China, the ensuing three-year conflict killed at least 2.5 million people and ended with a ceasefire rather than a full peace treaty. Since then, the two Koreas have been on a continuous war footing, and the border remains one of the most heavily militarized places in the world.

Kim Il-sung solidified his control after the war, purging rivals, throwing thousands of political prisoners into labor camps, and fostering an extreme personality cult that promoted him as North Korea's messianic, superhuman "Great Leader." For over four decades, Kim Il-sung perfected his totalitarian state by reviving old social and political institutions as well as inventing modern ones. These included self-isolation, a hereditary class structure, extensive slave-labor, metaphysical Neo-Confucianism, emperor worship, and collective punishment for political dissent. Marxism was eventually replaced by the DPRK's "Juche ideology" (translated as self-reliance), which combined extreme nationalism, xenophobia, and the use of state terror. After Kim Il-sung died in 1994, he was proclaimed "Eternal President," but power passed to his son, "Dear Leader" Kim Jong-il.

The end of the Cold War and its associated Soviet and Chinese subsidies led to the collapse of North Korea's command economy. Although the severe floods of 1995 and 1996 compounded the problem, the famine of the 1990s, which killed at least a million people, was caused by decades of severe economic mismanagement. As many as 300,000 North Koreans fled to China in search of food, despite a legal ban on leaving the DPRK. In 1995, North Korea allowed the United Nations and private humanitarian aid organizations from Europe, North America, and South Korea to undertake one of the world's largest famine-relief operations. Despite continuing food shortages over the next decade, the DPRK in 2005 instructed the UN World Food Programme (WFP) to either switch from humanitarian relief to development assistance or leave North Korea. The DPRK continues to force the international community to bear the burden of feeding its citizens while it devotes its resources to its military-first policy.

The economic breakdown prompted the emergence of black markets to deal with the extreme shortages. The degraded state turned a blind eye, allowing illicit trade to flourish. Meanwhile, the regime instituted halting economic reforms in 2002, which included easing price controls, raising wages, devaluing the currency, and giving factory managers more autonomy. More extensive changes, which could ultimately undermine the dictatorship's grip on power, were rejected.

Kim Jong-il's regime was kept afloat by Chinese and South Korean aid, as both neighbors feared that a state collapse could lead to massive refugee outflows, military disorder, the emergence of criminal gangs and regional warlords, and a loss of state control over nuclear weapons.

The DPRK had withdrawn from the Nuclear Non-Proliferation Treaty in 2003, and it raised alarm in the region by testing ballistic missiles and a nuclear device in 2006. However, the country was more cooperative in 2007. In February, it reentered the Six-Party Talks with its neighbors and the United States, having boycotted the nuclear negotiations since September 2005. The resulting "February 13 Agreement" sought to denuclearize North Korea in three phases, with a reward for the DPRK at the completion of each phase. In one early concession that spring, the U.S. Treasury Department allowed Macao's Banco Delta Asia to return \$25 million in North Korean assets to the DPRK; the funds had been frozen because of North Korea's currency-counterfeiting and other illicit activities. In October, North Korea announced that it would disable its nuclear facilities and disclose all of its nuclear programs by the end of 2007. In return, it would receive one million tons of fuel oil or its equivalent in aid. At year's end, however, the DPRK stalled the completion of the disabling and disclosure process, citing delays in the delivery of economic aid and other concessions by the other five countries. Also in October, Kim Jong-il hosted South Korean president Roh Moo-hyun for a three-day summit. The two Koreas concluded plans for a number of joint development projects, and agreed in principle to work toward a formal peace treaty. Whether the agreements would be sustained by Lee Myung-bak, a conservative leader who was elected as South Korea's new president in December, remained to be seen. Lee had been critical of North Korea's lack of reciprocity. Separately, severe floods hit North Korea again in the summer of 2007, raising expectations of more acute food shortages.

**Political Rights and Civil Liberties:** North Korea is not an electoral democracy. Kim Jong-il has led the DPRK since the 1994 death of his father, founding leader Kim U-sung. He has many titles but rules as the chairman of the National Defense Commission, the "highest office of state" since the office of president was permanently dedicated to Kim Il-sung in a 1998 constitutional revision. North Korea's parliament, the Supreme People's Assembly, is a rubber-stamp institution elected to five-year terms; the latest elections were held in August 2003. The body meets irregularly for only a few days each year. It last elected Kim Jong-il as National Defense Commission chairman in September 2003. All candidates for office, who run unopposed, are preselected by the ruling Korean Workers' Party and two subordinate minor parties.

North Korea was not ranked in Transparency International's 2007 Corruption Perceptions Index, though corruption is believed to be endemic at every level of the state and economy.

The constitution provides for freedom of speech and the press, but in practice these rights are nonexistent. All media outlets are run by the state. Televisions and radios are permanently fixed to state channels, and all publications are subject to strict supervision and censorship. Internet access is restricted to a few thousand people with state approval, and foreign websites are blocked. Still, the emergence of black markets has provided alternative information sources. Some entrepreneurs carry

cellular telephones, and a significant portion of North Koreans have access to pirated videotapes and DVDs from China.

Although freedom of religion is guaranteed by the constitution, it does not exist in practice. State-sanctioned churches maintain a token presence in Pyongyang, and some North Koreans living near the Chinese border are known to practice their faiths furtively. However, intense state indoctrination and repression preclude free exercise of religion as well as academic freedom. Nearly all forms of private communication are monitored by a huge network of informers. Freedom of assembly is not recognized, and there are no known associations or organizations other than those created by the state. Strikes, collective bargaining, and other organized-labor activities are illegal.

North Korea does not have an independent judiciary. The UN General Assembly has recognized and condemned severe DPRK human rights violations including the use of torture, public executions, extrajudicial and arbitrary detention, and forced labor; the absence of due process and the rule of law; death sentences for political offenses; and a large number of prison camps.

The regime subjects thousands of political prisoners to brutal conditions, and collective or familial punishment for suspected dissent by an individual is also a common practice. The government operates a semihereditary system of social discrimination whereby all citizens are classified into 53 subgroups under overall security ratings—"core," "wavering," and "hostile"—based on their family's perceived loyalty to the regime. This rating determines virtually every facet of a person's life, including employment and educational opportunities, place of residence, access to medical facilities, and even access to stores.

Freedom of movement does not exist, and forced internal resettlement is routine. Access to Pyongyang, where the availability of food, housing, and health care is somewhat better than in the rest of the country, is tightly restricted. Emigration is illegal, but many North Koreans, especially women, have escaped to China or engaged in cross-border trade. Among them, there have been widespread reports of trafficked women and girls. Ignoring international objections, the Chinese government continues to return defectors to North Korea, where they are subject to torture, harsh imprisonment, or execution. The UN Commission on Human Rights and the UN General Assembly have also noted the use of forced abortions and infanticide against pregnant women who are forcibly repatriated.

The economy remains both centrally planned and grossly mismanaged. Corruption is rampant, and the military garners over a third of the state budget. Development is also hobbled by a lack of infrastructure, a scarcity of energy and raw materials, and an inability to borrow on world markets or from multilateral banks because of sanctions, lingering foreign debt, and ideological isolationism. Ironically, the degradation of the state has provided a very narrow opening for North Korean citizens to participate in the underground economy. This proliferation of black-market trade has given many North Korean citizens a field of activity that is largely free from government control.

## Norway

Population: 4,700,000  
Capital: Oslo

Political Rights: 1  
Civil Liberties: 1  
Status: Free



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

1998	1999	2000	2001	2002	2003	2004	2005	2006	2007
1,1F	1,1F	1,1F	1,1F	1,1F	1,1F	1,1F	1,1F	1,1F	1,1F

**Overview:** Prime Minister Jens Stoltenberg shuffled the coalition government in October 2007, resulting in a historic female-majority cabinet. Separately, the independent research group SINTEF Petroleum Research in February paid a fine of NOK 2 million for an illegal contract with an Iranian company in 2002, although the organization's former director was cleared of corruption charges in May. Also in February, the Ministry of Education and Research urged schools to bar Muslim women from wearing the niqab, or facial veil.

Norway's constitution, the Eidsvoll Convention, was first adopted in 1814 during a brief period of independence after nearly four centuries of Danish rule. Subsequently, Norway became part of a Swedish-headed monarchy. The country gained independence in 1905 and has since functioned as a constitutional monarchy with a multiparty parliamentary structure. Norway became a founding member of NATO in 1949.

Norwegian citizens narrowly rejected membership in the European Union (EU) in 1972 and 1994, despite government support for joining. Norwegians wanted to preserve their sovereignty and feared that membership would threaten the country's energy, agriculture, and fishing industries. As part of the European Economic Area, Norway has nearly full access to EU markets, and 75 percent of Norwegian exports go to EU countries. However, while Norway has adopted almost all EU directives, it has little power to influence EU decisions.

During September 2005 legislative elections, the center-left Red-Green coalition—led by the Labor Party and including the Socialist Left Party and the "green" Center Party—won 47.9 percent of the vote and 87 of 169 seats. The elections marked the first time that Labor had entered into a coalition since the end of World War II. The previous governing bloc—a center-right coalition consisting of the Conservative Party, the Christian People's Party, and the Liberal Party—captured only 26.8 percent of the vote and 44 seats. The other major winner in the elections was the anti-immigration Progress Party, which took 22.1 percent of the vote and 38 seats, making it the single largest opposition party in Parliament.

In April 2007, Norway and Iceland signed a defense pact under which Norway

would provide surveillance and military defense of Icelandic airspace. Iceland, also a founding NATO member, had no military of its own, and a decades-old U.S. military presence on the island had ended in 2006.

Prime Minister Jens Stoltenberg reshuffled members of his coalition government in October 2007. The result was a historic female-majority cabinet, with 10 female and 9 male ministers.

Minister of International Development Erik Solheim in September announced Norway's full participation in the Extractive Industries Transparency Initiative, aimed at discouraging corruption through the complete disclosure of financial exchanges in the oil, gas, and mining industries. It is the first Western country to do so. Norway is currently the world's third-largest oil exporter. In February, the independent Norwegian research group SINTEF Petroleum Research had agreed to pay a NOK 2 million fine for an illegal contract with an Iranian company in 2002. The organization's former director was cleared of corruption charges in May, however. Statoil, Norway's state-owned oil company, had agreed in 2006 to pay \$21 million in U.S. penalties for bribing an Iranian official in 2002 and 2003.

The Ministry of Education and Research in February 2007 encouraged schools to bar Muslim women from wearing the niqab, or facial veil, according to a U.S. State Department report. In 2006, the city of Oslo had implemented a similar ban on the burqa (full body covering) and niqab and urged the new recommendation by the ministry.

**Political Rights and Civil Liberties:** Norway is an electoral democracy. The national Parliament, called the Storting, currently has 169 members, an increase of 4 over the number elected in 2001. The lawmakers are directly elected for 4-year terms through a system of proportional representation. A quarter of the members are then selected to serve as the upper chamber, or Lagting, while the remaining members make up the lower chamber, or Odelsting. Neither body is subject to dissolution. The leader of the majority party or coalition in the Storting is appointed prime minister by the constitutional monarch, currently King Harald V. Although officially the head of state and commander in chief of the armed forces, the monarch performs largely ceremonial duties.

The indigenous Sami population, in addition to participating in the national political process, has its own Consultative Constituent Assembly, or Sameting, which has worked to protect the group's language and cultural rights and to influence the national government's decisions about Sami land and its resources. The government supports Sami-language instruction, broadcast programs, and subsidized newspapers in Sami regions. A deputy minister in the national government deals specifically with Sami issues.

Norway remains one of the least corrupt countries in the world. However, isolated incidents of bribery have occurred, and Norway's role in the international energy and mining industries has received particular scrutiny. Norway was ranked 9 out of 180 countries surveyed in Transparency International's 2007 Corruption Perceptions Index.

Freedom of the press is constitutionally guaranteed. The state subsidizes many newspapers, the majority of which are privately owned and openly partisan, in order to promote political pluralism. A government ban on political advertisements, de-

signed to ensure equal access to the media for all candidates regardless of varying resources, violates the European Convention on Human Rights, which Norway has signed. Internet access is not impeded by the government. In 2007, state television company NRK allowed the free broadcasting of entire programs over the internet through a private website.

The monarch is the constitutional head of the official Evangelical Lutheran Church of Norway, and at least half of the cabinet must belong to the church. Other denominations must register with the state to receive support, which is determined by size of membership. A course on religion and ethics focusing on Christianity is mandatory for students. In November 2004, the UN Human Rights Committee determined that the course requirement contravened the International Covenant on Civil and Political Rights (ICCPR). Curriculum revisions implemented in 2005 still favored Christianity, and only limited student exemptions were permitted. The European Court of Human Rights found in June 2007 that the course violated the European Human Rights Convention, and the Norwegian government began weighing further reforms. Separately, in March 2006, the UN Human Rights Committee warned that the section of Norway's constitution requiring Evangelical Lutherans to raise their children in the faith could be a breach of the ICCPR. In January 2006, a State-Church Commission had recommended abolishing the current relationship between the church and state and establishing separate systems. A final decision about the relationship was expected in 2008.

The constitution guarantees freedoms of peaceful assembly and association. Norwegians are very active in different nongovernmental and volunteer organizations. Labor unions play an important role in consulting with the government on social and economic issues, and about 60 percent of the workforce is unionized.

The judiciary is independent, and the court system, headed by the Supreme Court, operates fairly at the local and national levels. The king appoints judges on the advice of the Ministry of Justice. The police are under civilian control, and there were no reports of human rights abuses committed by any domestic law enforcement authorities in 2007. According to the U.S. State Department's human rights report for 2007, prison conditions generally meet international standards.

In December 2003, the government announced that asylum seekers denied residence in Norway would no longer be able to remain at immigration reception centers; an earlier report had found that a record number of asylum seekers had registered at these centers. Polls suggest that discrimination in housing and employment against ethnic minorities is widespread. In 2006, an ombudsman for equality and antidiscrimination was established to counter ethnic and sexual bias; the new post replaced the Center against Ethnic Discrimination, which had previously dealt with these issues.

The Gender Equality Act provides equal rights for men and women. In 2005, 37 percent of the seats in the Storting were won by women, a slight increase over the previous elections. The government reshuffling in 2007 resulted in a historic female-majority cabinet. A law that took effect in 2006 requires that at least 40 percent of board members at about 500 large companies traded on Norway's stock exchange be women. According to the U.S. State Department, by the end of the year, 83 percent of corporations had complied. Existing companies will have through January 2008 to comply or they will be compulsorily dissolved. Corporations established

after 2005 must meet the requirement before they can be registered as a company. Domestic violence against women continues to be an area of concern.

Norway is a destination point for the trafficking of women for the purpose of sexual exploitation. The country, however, remains a leader in antitrafficking efforts, according to the U.S. State Department's 2007 Trafficking in Persons Report.

## Oman

Population: 2,700,000  
Capital: Muscat

Political Rights: 6  
Civil Liberties: 5  
Status: Not Free



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

1998	1999	2000	2001	2002	2003	2004	2005	2006	2007
6,6NF	6,6NF	6,5NF	6,5NF	6,5NF	6,5NF	6,5NF	6,5NF	6,5NF	6,5NF

**Overview:** **Oman held elections for the Consultative Council in October 2007, the second poll in the country's history to feature universal suffrage for adult citizens. The sultan appointed a new chairman to the Council in September, only the second person to hold the post since the body was created in 1991.**

Except for a brief period of Persian rule, Oman has been an independent state since a native dynasty expelled the Portuguese from Muscat in 1650. After the expulsion, which ended more than a century of Portuguese involvement in the area, the sultan conquered neighboring territories and built a small empire that included parts of the eastern coast of Africa and the southern Arabian Peninsula. The overseas possessions were gradually lost beginning in the mid-19th century.

During the 1950s and 1960s, Oman experienced a period of civil unrest centered mostly in the interior regions of the country. In 1964, a group of separatists supported by Marxist governments, including that of the neighboring People's Democratic Republic of Yemen (South Yemen), started a revolt in Oman's Dhofar province. The insurgency was not completely quelled until the mid-1970s.

Sultan Qaboos bin Said al-Said seized power in 1970 by overthrowing his father, Sultan Said bin Taimur, who had ruled for nearly four decades. The new sultan launched a program to modernize Oman's infrastructure, educational system, government, and economy.

In 1991, Qaboos established the Consultative Council, or Majlis al-Shura, an appointed body aimed at providing the sultan with a wider range of opinions on ruling the country. The 1996 basic law, promulgated by royal decree, transformed the Consultative Council into an elected body, but only a limited number of citizens



selected by tribal leaders were allowed to vote in the first elections. The basic law granted certain civil liberties; banned discrimination on the basis of sex, religion, ethnicity, and social class; and clarified the process for royal succession.

This limited political reform in the 1990s was overshadowed by a stronger effort, spearheaded by Qaboos in 1995, to liberalize and diversify Oman's oil-dependent economy. In preparation for Oman's accession to the World Trade Organization in 2000, the government lifted restrictions on foreign investment and ownership of enterprises in the country.

In January 2006, Oman and the United States signed a bilateral free-trade agreement. Trade between the two countries in 2005 amounted to \$1 billion, and the treaty was designed in part to accelerate economic diversification. To ensure U.S. congressional approval for the treaty, Oman amended its labor laws in 2003 and 2006, bringing them into accordance with International Labor Organization standards.

Political reform has continued to lag behind economic reform, with Qaboos maintaining a strong grip on the state. However, in October 2007, Oman held elections for the Consultative Council, the second poll in the country's history that featured universal suffrage for adult citizens.

**Political Rights and Civil Liberties:** Oman is not an electoral democracy. Citizens elect the 84-member Consultative Council for four-year terms, but the chamber has no legislative powers and can only recommend changes to new laws. In September 2007, the sultan appointed a new chairman to the Council, the first change in leadership since the body was founded in 1991. The chairman answers to the sultan rather than the members of the Council.

The Consultative Council is part of a bicameral body known as the Council of Oman. The other part, the 59-member State Council, or *Majlis al-Dawla*, is appointed by the sultan, who has absolute power and issues laws by decree. The sultan serves as the country's prime minister, heads the ministries of Defense, Foreign Affairs, and Finance, and is the governor of Oman's central bank.

In October 2007, Oman held elections for the Consultative Council. Over 600 candidates ran for seats, including 21 women. To counter complaints that it did not do enough to promote voter participation in 2003, the Omani government encouraged public campaigning. Almost 390,000 Omanis signed up to vote. Voter turnout was estimated at 63 percent. Unlike the 2003 vote, in which 2 women won seats, none of the 21 female candidates were elected in 2007.

Article 34 of the basic law, the country's constitution, states that citizens have the right to address public authorities on personal matters or on matters related to public affairs in a manner consistent with Omani law. Mechanisms exist for citizens to petition the government through local officials, and certain citizens are afforded limited opportunities to petition the sultan in direct meetings. Political parties are banned, and no meaningful organized political opposition exists.

Corruption is not perceived to be a serious problem in Oman, although a number of officials were sentenced for graft in 2005. The legal code does not include freedom of information provisions. Oman was ranked 53 out of 180 countries surveyed in Transparency International's 2007 Corruption Perceptions Index.

Freedom of expression and democratic debate are limited, and criticism of the sultan is prohibited. Article 61 of the Press Law states that "every person who sends

a message via a means of communication that is contrary to the government system and public morals or that is knowingly untrue ... shall be punished by a prison sentence of not more than one year and a fine of not more than 1,000 riyals," or about \$2,600.

In 2004, Oman promulgated the Private Radio and Television Companies Law, which established regulations for setting up private broadcast media outlets, a first for the country. The government permits private print publications, but many of these accept government subsidies and practice self-censorship. Omanis have access to the internet through the national telecommunications company, and the government censors politically sensitive and pornographic content.

Islam is the state religion, according to the basic law. Non-Muslims have the right to worship, although they are banned from proselytizing. Non-Muslim religious organizations must register with the government. The Ministry of Awqaf (Religious Charitable Bequests) and Religious Affairs distributes standardized texts for mosque sermons and expects imams to stay within the outlines of these texts. The government restricts academic freedom by preventing the publication of material on politically sensitive topics.

Article 32 of the basic law provides for the right to peaceful assembly within the limits. All public gatherings require official permission, and the government has the authority to prevent organized public meetings without any appeal process. The basic law allows the formation of nongovernmental organizations (NGOs), but civic and associational life remain limited. The government has not permitted the establishment of independent human rights organizations and generally uses the registration and licensing process to block the formation of groups that are seen as a threat to stability.

Oman's 2003 labor law, enacted during negotiations on the U.S. free-trade agreement, allowed workers to select a committee to voice their demands and represent their interests but prevented them from organizing unions. Employers using child labor face increased penalties, including prison terms, under the law. Additional labor reforms enacted in 2006 brought a number of improvements, including protections for union activity, collective bargaining, and strikes. However, legal provisions covering migrant workers remain inadequate, and domestic servants are particularly vulnerable to abuse. Complaints related to labor and working conditions are managed by the Ministry of Social Affairs and Labor and mediated by the Labor Welfare Board.

The judiciary is not independent. It remains subordinate to the sultan and the Ministry of Justice. Sharia (Islamic law) is the source of all legislation, and Sharia courts are responsible for family law matters such as divorce and inheritance. In less populated areas, tribal laws and customs are frequently used to adjudicate disputes. Many of the civil liberties guarantees expressed in the basic law have not been implemented.

According to the law, arbitrary arrest and detention are prohibited. In practice, the police are not required to obtain an arrest warrant in advance. Government authorities must obtain court orders to hold suspects in pretrial detention, but the police and security services do not regularly follow these procedures. Prisons are not accessible to independent monitors, and former prisoners report overcrowding. The penal code contains broad and vague provisions for offenses against national security. These charges are prosecuted before the State Security Court, which usually holds proceedings that are closed to the public.

Omani law does not protect noncitizens from discrimination. Foreign workers

risk deportation if they abandon their contracts without documentation releasing them from their previous employment, meaning employers could effectively keep workers from switching jobs and hold them in a relationship that is open to exploitation.

Although the basic law prohibits discrimination on the basis of sex, women suffer from legal and social discrimination. Oman's personal status law, based on Sharia, favors the rights of men over those of women in marriage, divorce, inheritance, and child custody. Oman ratified the UN Protocol to Prevent, Suppress, and Punish Trafficking in Persons, Especially Women and Children, in July 2005. According to official statistics, women constitute only 10 percent of the total labor force in Oman. The sultan appointed three women as government ministers in 2004.

## ↓ Pakistan

Population: 169,300,000

Capital: Islamabad

Political Rights: 6

Civil Liberties: 5

Status: Not Free



**Trend Arrow:** Pakistan received a downward trend arrow to reflect the imposition of martial law, under which restrictions were placed on freedom of assembly and the media, politicians and human rights activists were held under house arrest, the constitution was suspended, and the Supreme Court was disbanded.

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

1998	1999	2000	2001	2002	2003	2004	2005	2006	2007
4,5PF	7,5NF	6,5NF	6,5NF	6,5NF	6,5NF	6,5NF	6,5NF	6,5NF	6,5NF

### Overview:

A political crisis brought on by President and Army Chief Pervez Musharraf's suspension of the chief justice of the Supreme Court in March 2007 escalated throughout the year, culminating in his reelection as president in October and the imposition of martial law and a state of emergency in November. As part of the crackdown, political leaders and activists, lawyers, and the media were all targeted for arrest and detention, while the constitution was suspended and a majority of the higher judiciary was replaced. The state of emergency was lifted in mid-December, following sustained local pressure, but some rights of expression and assembly remained suspended. Following the assassination of opposition leader Benazir Bhutto in late December, parliamentary elections planned for early January 2008 were postponed. Also during the year, the media expanded its watchdog capacity in the absence of an independent legislature and judiciary, resulting in a range of official reprisals, including the shutdown of many outlets in November. Other human rights violations, including arbitrary arrest and "enforced disappearances," continued to be

**reported in 2007. Sectarian, separatist, and terrorist violence escalated dramatically as militants extended their influence throughout the country.**

Pakistan was created as a Muslim homeland during the partition of British India in 1947. Following a nine-month civil war, East Pakistan achieved independence in 1971 as the new state of Bangladesh. The army has directly or indirectly ruled Pakistan for much of its independent history. As part of his efforts to consolidate power, military dictator Mohammad Zia ul-Haq amended the constitution in 1985 to allow the president to dismiss elected governments. After Zia's death in 1988, successive presidents cited corruption and abuse of power in sacking elected governments headed by Benazir Bhutto of the Pakistan People's Party (PPP) in 1990 and 1996, and Nawaz Sharif of the Pakistan Muslim League (PML) in 1993.

After the PML decisively won the 1997 elections, Sharif, as prime minister, largely ignored Pakistan's pressing economic and social problems while attempting to undermine every institution capable of challenging him, including the judiciary and the press. When he attempted to fire the army chief, General Pervez Musharraf, in 1999, he was deposed in a bloodless coup. Musharraf then appointed himself "chief executive," declared a state of emergency, and suspended Parliament, the provincial assemblies, and the constitution. He was able to neutralize Sharif and Bhutto through a combination of court convictions and exile.

Musharraf's primary aim after gaining power was to ensure a dominant role for the military in governing Pakistan. The 2002 Legal Framework Order (LFO) gave him effective control over Parliament and changed the electoral rules to the detriment of opposition parties. The regime also openly promoted progovernment parties, such as the newly formed Pakistan Muslim League Quaid-i-Azam (PML-Q). In the 2002 parliamentary elections, the PML-Q led with 126 National Assembly seats, while the PPP captured 81, and the PML took 19. A coalition of six religious parties, the Muttahida Majlis-i-Amal (MMA), performed unexpectedly well in this tilted playing-field, winning 63 seats in the National Assembly and a majority in two provinces. With support from independents and deserters from the other main parties, the PML-Q was able to form a government; it consolidated its position by winning a majority of seats in the 2003 Senate elections.

Parliament was deadlocked for most of 2003, with the opposition insisting that Musharraf rescind the LFO, introduce legal and constitutional changes through the normal parliamentary process, and relinquish his position as army chief if he wished to continue as president. A deal brokered with the MMA enabled the government to pass a 2004 constitutional amendment legitimizing the coup; the government was also able to pass legislation establishing a powerful National Security Council (NSC) headed by the president, which further solidified the military's role in government. Musharraf then reversed his pledge to step down as army chief, drawing protests by the MMA. Local elections in 2005 further marginalized the moderate opposition and placed local government structures more firmly under the control of Musharraf's allies.

While managing to contain the secular opposition, Musharraf was less willing to rein in the Islamist groups with which the military traditionally had a close relationship. Although several groups were banned in September 2001, as Musharraf pledged to support the United States in its antiterrorism efforts, more than 40 groups

continued to function under new names, and their leaders were generally not prosecuted. Attempts by the general to strengthen relations with one of the main religious parties, the pro-Taliban Jamiat-e-Ulema Islam (JUI), led to a September 2006 peace accord between the government and a Taliban tribal council in North Waziristan, under which authorities released a number of local fighters in exchange for a cessation of attacks on the army. While Musharraf said the deal would lead to greater stability along the Pakistan-Afghanistan border, critics predicted, correctly, that it would allow the Taliban to gain control on the ground in the Federally Administered Tribal Areas (FATA), and that it would not stop Taliban incursions into Afghanistan. Analysts subsequently remained concerned that the influence of the Taliban was continuing to spread, particularly in the FATA, North-West Frontier Province (NWFP), and Baluchistan.

During 2007, extremists extended their reach to the capital. Periodic confrontations between militants affiliated with Islamabad's *Lai Masjid* (Red Mosque), local neighbors, and the police ended in July when a skirmish escalated into a full-fledged military siege of the mosque compound, during which at least 100 militants and 11 security force personnel were killed. Following the assault, Islamists throughout Pakistan stepped up their bombing campaigns, leading to higher levels of violence during the latter half of the year, particularly in the tribal areas. In November, the entire Swat valley in NWFP was taken over by Mullah Fazlullah, a radical Muslim cleric; the government only managed to reassert its control after sending hundreds of troops to the area and imposing a blockade and curfew. Overall, the level of violence almost doubled in 2007, with more than 3,500 people killed in terrorist or insurgent attacks.

In addition to violence stemming from the Islamist movement, Pakistan suffers from clashes between government forces and tribal groups in Baluchistan, which have escalated since early 2005. A separatist group, the Baluchistan Liberation Army (BLA), regularly attacks infrastructure and development projects and staff, while local tribal leaders demand greater political autonomy and control over the province's natural resources. The government has responded with counterinsurgency operations, leading to increased human rights violations and a looming humanitarian crisis. The government declared the BLA a terrorist group in April 2006, and the army killed the 79-year-old Baluchi separatist leader Nawab Akbar Khan Bugti in August of that year, prompting increased political instability and rioting. Violence surged in early 2007 and remained high throughout the year, with frequent bomb attacks and shooting incidents. The head of the BLA, Mir Balach Marri, was killed in November by government forces.

Concerned about his declining popularity, Musharraf in June 2006 brought forward the date of the indirect presidential election—conducted by an electoral college consisting of the national and provincial legislatures—so it would be held in 2007 while the current assemblies were still sitting. However, as the activism and independence of the Supreme Court (which since the 1999 coup had been generally pliant and supportive of the executive) increased during late 2006 and early 2007, particularly over the issue of "disappearances," Musharraf worried that the judiciary could also threaten his reelection. He suspended Chief Justice Iftikhar Chaudhry in March 2007 on the grounds of misconduct and abuse of office, but the maneuver backfired when Chaudhry refused to resign, sparking large and widespread pro-

tests by lawyers who supported his cause throughout the country, harassment of media outlets covering the demonstrations, and politically charged clashes that killed at least 40 people in Karachi in May.

The political crisis deepened in July, when the court ruled against Musharraf's suspension of Chaudhry, who was reinstated. The following month, the court issued rulings allowing former prime minister Sharif to return from exile and releasing prominent government critic Javed Hashmi from prison. As opposition to Musharraf's actions spread across the political spectrum, he threatened to impose a state of emergency in August but then backed down, although security forces arrested Sharif and deported him when he attempted to return to Pakistan in September. A PML-Q majority in Parliament ensured Musharraf's victory in the presidential election on October 6, which proceeded despite the resignation of many opposition lawmakers prior to the vote. Musharraf had promised to step down as army chief if reelected, but when the Supreme Court announced that it would issue a ruling on the validity of the presidential election, Musharraf again took preemptive action and imposed martial law on November 3, suspending the constitution and replacing much of the higher judiciary. Under a state of emergency (SOE) declaration that lasted for 42 days, a range of basic civil liberties, including freedoms of the press, speech, and assembly, were suspended. More than 6,000 civil society activists, political leaders, and lawyers and judges were arrested soon after the declaration, although the vast majority were released after short periods of detention. Sharif successfully returned from exile in late November.

Musharraf was sworn in for a new five-year term as president on November 29, just after resigning as army chief and appointing General Ashfaq Kayani in his stead. In mid-December, possibly bowing to a combination of sustained local and some international pressure, the SOE was lifted and an amended version of the constitution was restored, but some restrictions on the press and the right to assembly remained in place at year's end, as did the emasculation of the judiciary, in preparation for parliamentary elections scheduled for early January 2008. Following the December 27 assassination of former prime minister Benazir Bhutto, who had returned from exile in October, the country plunged deeper into crisis and uncertainty, with the elections postponed and the political landscape in disarray.

**Political Rights and Civil Liberties:** Pakistan is not an electoral democracy. Despite the presence of a civilian legislature that was elected in 2002, the military, headed by General Pervez Musharraf, wielded effective control over the structures of government. The 1973 constitution provides for a National Assembly, which currently has 272 directly elected members and 70 seats reserved for women and non-Muslim minorities, all serving five-year terms; and a Senate, the majority of whose 100 members are elected by the four provincial assemblies for six-year terms. The president is elected for a five-year term by an electoral college consisting of the national and provincial legislatures. In a decision of questionable legality, Musharraf chose to hold the latest presidential election in October 2007, prior to legislative elections planned for January 2008, meaning he was reelected by the same lawmakers who had confirmed him as president in 2004. At year's end, the National Assembly had been dissolved following the completion of its term, and a caretaker cabinet headed by Senate chairman Mohammedmian

Soomro comprised the civilian part of the government. Meanwhile, Musharraf retired as army chief in late November and retook the presidential oath as a civilian.

The ability of political parties to operate freely was restricted after the 1999 coup. In preparation for the 2002 national elections, Musharraf strengthened the powers of the presidency and formalized the military's role in governance. That year's LFO gave him the right to unilaterally dismiss the national and provincial legislatures, and it provided for a military-dominated National Security Council that would supervise the work of the civilian cabinet. The LFO also barred certain individuals from running for office and restricted political parties in their choice of leadership. Some of these measures were explicitly aimed at preventing former prime ministers Benazir Bhutto and Nawaz Sharif from contesting the elections. Local and international institutions raised serious doubts about the fairness of the 2002 electoral process. Furthermore, women often have difficulty voting and running for office in some parts of the country due to opposition from social and religious conservatives. The government continued to constrain opposition party activity through mass arrests and preventative detention in 2007. Late in the year, both Sharif and Bhutto were allowed to return from exile to contest the planned January 2008 elections. The campaign period was tense, marked by violence and the imposition of a state of emergency that restricted the movements of a number of political leaders. After Bhutto was assassinated at a December 27 campaign rally, in a bombing that also killed more than 20 others, the elections were postponed.

Pakistan's government operates with limited transparency and accountability. Since the 1999 coup, military officers have assumed an increasing role in governance through "army monitoring teams" that oversee the functioning of many civilian administrative departments. The army now has a stake in continuing to influence both commercial and political decision-making processes, in addition to its traditional dominance over foreign policy and security issues. Serving and retired officers receive top public sector jobs in ministries, state-run corporations, and universities, and are given a range of other privileges. The effective functioning of Parliament has been hampered by ongoing opposition boycotts, and many pieces of legislation, as well as the crucial October 2007 presidential vote, have been pushed through with limited debate. Most important policies have been introduced by presidential decree rather than being initiated by Parliament.

Corruption is pervasive at almost all levels of politics and government. Transparency International's 2007 Corruption Perceptions Index ranked Pakistan 138 out of 180 countries surveyed. Although Musharraf publicly stated after the 1999 coup that eliminating official corruption was a priority, the National Anti-Corruption Strategy approved in 2002 focused on politicians, civil servants, and businesspeople while virtually ignoring military and security personnel. Corruption charges are frequently used as a tool to punish opposition politicians or induce them to join the ruling PML-Q. However, after facing the threat of charges for many years, Bhutto reached a deal with the government in late 2007 that involved the dropping of corruption charges against her prior to her return to the country. A National Reconciliation Ordinance, passed just ahead of the October presidential election, provided for an automatic withdrawal of all corruption cases filed against public officials prior to 1999.

Press freedom was severely tested in 2007 as media outlets took a leading role

in reporting on the ongoing political turmoil and were consequently targeted in crackdowns by authorities. Pakistan has some of the most outspoken newspapers in South Asia, and the broadcast sector has become considerably more diverse with the opening of a number of new private television stations. Some of those outlets focus on live news, commentary, and call-in talk shows, which serve to inform viewers and shape public opinion regarding current events. In general, the constitution and other laws authorize the government to curb freedom of speech on subjects including the constitution, the armed forces, the judiciary, and religion; blasphemy laws are also occasionally used to suppress the media. Authorities employ advertising boycotts to pressure publications that fail to heed unofficial directives on coverage. In 2007, the government cut nearly two-thirds of its advertisements with the Dawn Group, which had defied an official request for a news blackout on Baluchistan and the tribal areas. The authorities also withheld a television broadcast license from the group. Access to certain websites is periodically blocked, particularly those involving Baluchi nationalist issues or other sensitive subjects. The physical safety of journalists continues to be a matter of concern. On numerous occasions, security forces have subjected journalists to physical attacks, intimidation, or arbitrary arrest and incommunicado detention. In addition, Islamic fundamentalists and thugs hired by feudal landlords or local politicians harass journalists and attack newspaper offices. Conditions for reporters covering the ongoing unrest in the tribal areas are particularly difficult. A number of journalists were killed during the year, and family members of journalists continued to be targeted.

Restrictions on media coverage dramatically increased as part of the November 2007 imposition of martial law. A Provisional Constitutional Order (PCO), which replaced the constitution, suspended protections relating to freedom of the press, and two additional ordinances imposed severe curbs on print and electronic media, barring them from publishing or broadcasting "anything which defames or brings into ridicule the head of state, or members of the armed forces, or executive, legislative or judicial organ of the state," as well as any broadcasts deemed to be "false or baseless." Journalists found to have breached the ordinances faced jail terms of up to three years, fines of up to 10 million rupees (US\$165,000), and cancellation of their licenses. A special bureau within the Information Ministry was tasked with monitoring the 21 national dailies and 13 leading regional newspapers to ensure that they obeyed the print media ordinance. Transmissions of many foreign and domestic networks were suspended until they signed a new 14-page code of conduct in which they agreed to discontinue specific types of programming, such as election-related content, talk shows, and live call-in segments. Channels that refused, including Geo TV, the country's largest private television network, remained off the air at year's end.

Pakistan is an Islamic republic, and there are numerous legal restrictions on religious freedom. Blasphemy laws provide steep sentences, including the death penalty, and injuring the "religious feelings" of individual citizens is prohibited. Instances of low-ranking police officials taking bribes to file false blasphemy charges against Ahmadis, Christians, Hindus, and occasionally other Muslims continue to take place. Ahmadis consider themselves Muslims, but the constitution classifies them as a non-Muslim minority, and the penal code severely restricts their religious practice. Authorities occasionally confiscate or close Ahmadiyya publications and harass journalists or printers involved in their production. To date, appeals courts have



overturned all blasphemy convictions, but suspects are generally forced to spend lengthy periods in prison, where they are subject to ill-treatment, and they continue to be targeted by religious extremists after they are released. In an attempt to limit abuse of these laws, an amendment was enacted in 2005 requiring that a senior police officer investigate such charges. This has led to a significant reduction in new blasphemy cases, according to the U.S. State Department's Report on International Religious Freedom, with several dozen cases being reported each year.

Religious minorities also face unofficial economic, social, and cultural discrimination, and are occasionally subjected to violence and harassment. Attacks by terrorists and others on places of worship and religious gatherings occur frequently, leading to the deaths of dozens of people every year. The government often fails to protect religious minorities from sectarian violence, and discriminatory legislation contributes to a climate of religious intolerance.

The government generally does not restrict academic freedom. However, student groups at a number of universities, typically those with ties to political parties or radical Islamist organizations, violently attack or otherwise intimidate students, teachers, and administrators, and try to influence university policies. According to the International Crisis Group (ICG), college students are required to sign affidavits declaring that they will not participate in any political activity, and this ban is selectively enforced against supporters of opposition parties. Girls' schools, particularly in NWFP, face threats from religious extremists, leading some parents to withdraw their children. Following the November 2007 declaration of martial law, students and teachers at some universities became heavily involved in the opposition protest movement, attempting to organize demonstrations and setting up blogs. Several teachers were arrested and charged for engaging in political activities, while many students were harassed, intimidated, or treated roughly during demonstrations. In addition, internet services were temporarily suspended, while phone lines were monitored to keep track of those suspected of antigovernment activities.

Broad legal provisions for freedoms of assembly and association are not upheld by the government, which routinely restricts public gatherings of more than four people. Authorities regularly disperse protests using force and arrest political activists to prevent planned demonstrations. Laws governing sedition, public order, and terrorism have been used to raid party offices and detain political activists and leaders. Some Islamist leaders have been held under house arrest or in preventive detention under the Maintenance of Public Order ordinance, which allows three months' detention without trial. Restrictions on assembly and harassment of those who attempted to demonstrate were particularly stringent during the spring 2007 protests by lawyers and the November state of emergency, when thousands of people were arrested.

Authorities generally tolerate the work of nongovernmental organizations (NGOs) and allow them to publish critical material. However, NGOs that work on issues of female education and empowerment, and female NGO staff in general, have faced threats and attacks from Islamic fundamentalists, particularly in the north. Citing security concerns, the government has at times prevented aid groups from operating in Baluchistan, exacerbating the humanitarian situation there. Conditions for the NGO community worsened in November 2007, when Asma Jahangir and at least 50 other activists and members of the Human Rights Commission of Pakistan (HRCP)

were detained and kept in prison. While many were released after several days, some, including Jahangir, were subject to more stringent controls and prolonged periods of house arrest.

Trade unions are independent. The law restricts the right to strike, and workers in certain essential industries face limits on collective bargaining. Despite legislation outlawing bonded labor and canceling enslaving debts, illegal bonded labor is widespread, particularly in Sindh province. According to news reports, there is a growing trend involving bonded laborers who sell organs, particularly kidneys, in order to escape their servitude. The enforcement of child labor laws remains inadequate; recent surveys have indicated that there are at least eight million child workers in Pakistan, and those found to be employing children often avoid punishment. During the year, protests by journalists' unions against numerous violations of press freedom were cracked down upon harshly by police and security forces.

The judiciary consists of civil and criminal courts and a special Sharia (Islamic law) court for certain offenses. Lower courts remain plagued by corruption; intimidation by local officials, powerful individuals, and Islamic extremists; and heavy backlogs that lead to lengthy pretrial detentions. The military regime undermined the Supreme Court's reputation for independence in January 2000, when it ordered all high-ranking judges to swear to uphold the PCO issued by Musharraf. When the chief justice and a number of other judges refused, they were replaced by jurists willing to support the executive, particularly in cases on the legality of military rule or other politically charged topics. In addition, as noted by the ICG, the executive used the appointments system to remove independent judges, fill key positions with political allies, and reward those who issued favorable judgments. However, the Supreme Court has occasionally shown sparks of independence, and increasing activism by the court, particularly by Chief Justice Iftikhar Chaudhry, prompted the standoff in 2007. Musharraf attempted to remove Chaudhry in March, leading to large-scale protests by lawyers and Chaudhry's reinstatement in July. Following the November 3 imposition of martial law and suspension of the constitution, the Supreme Court attempted to rule Musharraf's actions illegal. He responded with the dismissal of a majority of superior court justices and the arrest and detention of Chaudhry, other judges who refused to swear an oath of allegiance to the new PCO, and various lawyers and legal activists. At year's end, Chaudhry and his family remained under strict house arrest.

Other parts of the judicial system, such as the antiterrorism courts, operate with limited due process rights. A 1999 ordinance vested broad powers of arrest, investigation, and prosecution in a National Accountability Bureau and established special courts to try corruption cases. Musharraf has used these organs to prosecute rival politicians and officials from previous governments. The Sharia court enforces the 1979 Hudood Ordinances, which criminalize nonmarital rape, extramarital sex, and several alcohol, gambling, and property offenses. They also provide for Koranic punishments, including death by stoning for adultery, as well as jail terms and fines. In part because of strict evidentiary standards, authorities have never carried out the Koranic punishments. Pressure to amend or do away with the ordinances, which are highly discriminatory toward women, has grown in recent years, and the Musharraf government has made limited progress toward reversing some of the worst provisions.

The FATA are governed under a separate legal system, the Frontier Crimes Regulation, which allows collective punishment for individual crimes and authorizes tribal leaders to administer justice according to Sharia and tribal custom. Feudal landlords and tribal elders throughout Pakistan adjudicate some disputes and impose punishments, including the death penalty or the forced exchange of brides between tribes, in unsanctioned parallel courts called jirgas. In April 2004, responding to growing concern over the potential for abuse inherent in this practice, the Sindh High Court banned all trials conducted under the jirga system in the province. However, such proceedings continue to take place. Tensions between national and constitutional laws and the efforts of provincial assemblies to pass restrictive Islamist legislation remain a problem.

Police routinely engage in crime, excessive force, torture, and arbitrary detention; extort money from prisoners and their families; accept bribes to file or withdraw charges; rape female detainees; and commit extrajudicial killings. Prison conditions are extremely poor, with overcrowding a particular problem. Case backlogs mean that the majority of prisoners are awaiting trial. Feudal landlords, tribal groups, and some militant groups operate private jails where detainees are routinely maltreated. Critics of the regime are particularly at risk of arbitrary arrest, torture, "disappearance," or denial of basic due process rights at the hands of military authorities. Progress on creating an official human rights commission empowered to investigate cases of abuse and redress grievances has been slow, and a general atmosphere of impunity remains the norm.

The HRCP has noted a marked increase in the number of people being illegally detained by state agencies, citing reports that more than 1,600 are missing or "disappeared." Initially, most of those detained were suspected of links to radical Islamist groups, but more recently Baluchi and Sindhi nationalists, government critics, and some journalists, researchers, and social workers have also been targeted. Although intelligence services operate largely outside the purview of the judicial system, in October 2006 the Supreme Court took up several disappearance cases and ordered the government to accelerate the process of producing the missing men. As a result of the court decision, approximately 20 men were freed that year. Additional cases brought in 2007 by the HRCP and others on behalf of almost 200 detainees yielded similar orders to either release or lawfully detain prisoners who were being held incommunicado. However, the government did not fully comply with these rulings.

Press reports estimate that there are tens of thousands of active armed militants in Pakistan. These extremists—members of the Taliban and a number of other Islamist groups—carry out terrorist attacks within Pakistan and in neighboring countries against foreign, Shia, and Christian targets, killing at least several hundred civilians each year. Sunni and Shia fundamentalist groups continue to engage in tit-for-tat sectarian violence, mostly bomb attacks against places of worship and religious gatherings. The New Delhi-based South Asia Terrorism Portal (SATP) reported that 441 people were killed and 630 were injured in sectarian violence in 2007, nearly double the total for the previous year. A dramatic increase occurred after the declaration of the state of emergency, which was ostensibly aimed at cracking down on terrorist violence.

The army and security forces (with support from the United States) have conducted intermittent campaigns against foreign militants in the tribal areas since 2002, and human rights abuses associated with these operations—including arbitrary

detention, property destruction, killing or displacement of civilians, and extrajudicial executions—continue to be reported. The focus during 2006 was on North Waziristan, where the army deployed additional troops before signing a truce with Islamist militants in September of that year. Meanwhile, local Taliban militants have strengthened their hold over South Waziristan since a similar truce in 2004, imposing strict behavioral codes and killing progovernment political and religious leaders, including 150 tribal elders in the past three years. Overall, the SATP reported that 3,599 people were killed in terrorist- or insurgent-related violence in 2007, including 1,523 civilians, 597 security force personnel, and 1,479 militants, more than double the figures from 2006. Major incidents included the bombing of a political rally marking Bhutto's return to Karachi on October 18, which killed 143 people and wounded hundreds, as well as the assassination of Bhutto herself in another bombing in late December.

Beginning in early 2005, Baluchi nationalist groups increased their attacks on gas pipelines and other infrastructure, and the army has stepped up military reprisals in response, leading to human rights violations and the displacement of thousands of civilians. The killing of the elderly rebel tribal leader Nawab Akbar Khan Bugti by the army in August 2006 triggered riots and strikes, and the chief of the rebel BLA was killed by government forces in November 2007. Thousands of activists and other locals perceived to be sympathetic to the cause have been detained, according to an October 2007 ICG report. Separately, violence between the country's various political factions, particularly in Karachi, emerged as a concern during the year, with several dozen people killed in May alone.

Land rights are endangered by the weak rule of law and the military's expanded control over economic resources. According to a Human Rights Watch report, tenant farmers in the Okara district of Punjab province who have refused to cede their land rights to the army have faced besiegement, arbitrary detention, torture, "forced divorce," dismissal from employment, and murder. The military's growing role in the economy has raised broader concerns, since it gives the armed forces an added incentive to retain political power and protect their gains.

A combination of traditional norms, discriminatory laws, and weak enforcement contributes to a high incidence of rape, domestic abuse, acid attacks, and other forms of violence against women; according to the HRCP, up to 80 percent of women are victims of such abuse during their lifetimes. Female victims of rape and other sexual crimes are often pressured by police not to file charges, and they are sometimes urged by their families to commit suicide. Gang rapes sanctioned by village councils as a form of punishment for crimes committed by the targeted woman's relatives continue to be reported, despite the fact that harsh sentences have been handed down against the perpetrators in some cases. Under the discriminatory Hudood Ordinances, women can be charged with adultery or other sexual misconduct arising from rape cases or on suspicion of having an affair; thousands of women (an estimated 80 percent of the female prison population) have been incarcerated in recent years as a result of being wrongfully charged with adultery, and the threat of being charged with adultery may prevent some women from reporting rape. In 2006, Musharraf ordered the release on bail of all women held under the ordinances, and in July 2007 he promulgated the Law Reforms Ordinance, which allowed women held under Hudood laws to be eligible for bail. By year's end, hundreds of women had been released. Religious parties opposed extensive reform of the ordinances them-

selves, but after watering down initial drafts, the government was able to pass the Women's Protection Bill in November 2006. Under the measure, a woman is no longer required to produce four Muslim male witnesses to prove rape, and judges can try rape cases under criminal law rather than Sharia. However, extramarital sex is still criminalized, and marital rape is not recognized as a crime.

According to the HRCP, at least 636 women were killed by family members in so-called honor killings in 2007, although other local rights groups suspect that the actual number may be much higher, and many more are otherwise humiliated or mutilated. Government-backed legislation enacted in 2005 introduced stiffer sentences and the possibility of the death penalty for honor killings. However, given a prevailing environment in which authorities do not aggressively prosecute the perpetrators of violence against women, activists questioned the effectiveness of the bill. The tribal practice of *vani*, in which women are offered in marriage to settle blood feuds between rival families, continues to take place in certain parts of rural Pakistan, although there is growing opposition to the practice by the women themselves as well as social activists and religious scholars. It was declared illegal by the Supreme Court in 2004, and in a landmark December 2005 judgment, the court ordered local police to offer women protection. Despite legal bans, other forms of child and forced marriage continue to be a problem.

Pakistani inheritance law discriminates against women. Women also face unofficial discrimination in educational and employment opportunities, and the trafficking of women and children remains a serious concern, with females being trafficked or sold for the purposes of forced labor, sexual exploitation, or marriage to significantly older men. Children's access to education and health care continues to be inadequate, with low numbers for both school attendance and literacy, despite the presence of a number of local and international NGOs that work to address such problems.

## Palau

**Population:** 20,000

**Capital:** Melekeok

**Political Rights:** 1

**Civil Liberties:** 1

**Status:** Free



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

1998	1999	2000	2001	2002	2003	2004	2005	2006	2007
1,2F	1,2F	1,2F	1,2F	1,2F	1,1F	1, 1F	1,1F	1,1F	1,1F

### Overview:

**In April 2007, the government protested Palau's inclusion on a U.S. State Department international narcotics watchlist. The legislature passed a bill to tighten controls on**

**official corruption and abuses in May. In December, the president named the chief negotiator for talks with the United States on the future of the compact agreement and signed into law new anti-money laundering measures and a new class of elite investment-based visas to bolster government revenue.**

The United States administered Palau, consisting of eight main islands and more than 250 smaller islands, as a UN Trust Territory from 1947 until 1981, when it became a self-governing territory. Palau gained full independence in 1994 under a Compact of Free Association with the United States. The compact stipulates that the United States will grant Palau a total of \$442 million in economic aid for 15 years between 1994 and 2009; allow Palauan citizens to reside, work, and study in the United States and its territories as well as have access to a variety of federal government programs; and defend Palau in exchange for U.S. military access to the archipelago until 2044.

Tommy Esang Remengesau was first elected president in 2000 and won a second term in the 2004 general election.

In a referendum held concurrently with the 2004 polls, voters endorsed the initiation of a constitutional convention in 2005 to consider amendments to the constitution. Proposals included restricting parliamentary terms to three years, making legislative posts part-time positions and switching to a unicameral legislature to save money, and allowing presidential and vice presidential candidates to run as a team. Another proposed amendment would allow Palauans living in the United States (about 25 percent of all Palauan citizens) and elsewhere to acquire citizenship in their countries of residence without losing their right to vote and own land in Palau. The review, completed in 2005, approved 25 proposed amendments for citizens to vote in the next general election in 2008.

In April, the U.S. State Department listed Palau as a country of concern in its International Narcotics Control Strategy Report for 2007. The report advised Palau to criminalize the financing of terrorism and to begin implementation of legal reforms that were already in place. The Palauan government rejected the report's designation of the country.

For this island state, maintaining U.S. economic assistance and access to the U.S. for its citizens is central to its economic survival. Thus, in December, President Remengesau said that, in the national interest, he will not select politicians or would-be candidates in the 2008 elections as members of a negotiation panel regarding extension of the compact with the United States. Further, the president signed into law new anti-money laundering measures in anticipation of reviews by the International Monetary Fund and other organizations in 2008. This would improve Palau's credit rating and give its overseas banking industry a second chance. The government also created a new special 10-year visa for those who will invest in a second residence and businesses in Palau to raise revenue for the government.

**Political Rights and Civil Liberties:** Palau is an electoral democracy. The bicameral legislature, the Olbiil Era Kelulau, consists of the nine-member Senate and the 16-member House of Delegates. Legislators are elected to four-year terms by popular vote, as are the president and vice president. The president may serve only two terms consecutively. The country is organized

into 16 states, each of which is headed by a governor. The capital, previously located in Koror, was moved to a new complex in Melekeok in 2006.

There are no political parties, but there are no laws against their formation. The prevalent system of loose political alliances, quickly formed and dismantled, have had a destabilizing effect on governance in recent years.

Official corruption and abuses are serious problems. Three state governors were convicted of bribery, theft, and misconduct, and removed from office in 2005, and the House speaker was charged with misuse of public funds in 2007. To further improve accountability and curb corruption, the legislature in 2007 removed the six-year statute of limitations on filing charges against public officials to allow more time to investigate and prosecute suspects. Palau was not rated in Transparency International's 2007 Corruption Perceptions Index.

Freedom of speech and the press is respected. There are three major print publications: *Tia Belau* and *Palau Horizon* are English-language weeklies, and *Roureur Belau* is a Palauan weekly. There are five privately owned radio stations and one privately owned television station. Most households receive cable television, which rebroadcasts U.S. and other foreign programs. The internet is accessible without government interference, but diffusion is limited by cost and a lack of access outside the main islands.

Citizens of Palau enjoy freedom of religion. Although the government requires religious organizations to register with the Office of the Attorney General, no application has ever been denied. There have been no reports of restrictions on academic freedom, and the government provides well-funded basic education for all.

Freedom of assembly and association are respected. Many nongovernmental groups focus on youth, health, and women's issues. No laws or policies bar formation of trade unions. The economy, based largely on subsistence agriculture, is heavily dependent on U.S. aid and rent payments, as well as remittances from citizens working overseas. The government and the tourist industry are the main employers.

The judiciary is independent, and trials are generally fair. A 300-member police and first-response force maintains internal order. Palau has no military. There have been no reports of prisoner abuse or extreme hardship for inmates.

Foreign workers account for about one-third of the population and 73 percent of the workforce. There have been reports of discrimination against and abuse of foreign workers, and the law bars them from changing employers once inside Palau. Foreigners are said to use fake marriages to exploit privileges regarding access to the United States under the compact. There have been reports of human trafficking from China, the Philippines, and Taiwan into Palau as a conduit to the United States. In May 2007, two Chinese nationals and one Philippine national were convicted of multiple counts of human trafficking, which carries a maximum 25-year prison sentence.

There is high regard for women in this matrilineal society, in which land rights and familial descent are traced through women. This has allowed many women to be active in both traditional and modern sectors of the economy, as well as in politics. A small number of domestic violence cases, many linked to alcohol and drug abuse, have been reported. Prostitution and sexual harassment are illegal; the law prohibits rape, including spousal rape.

## Panama

**Population:** 3,300,000

**Capital:** Panama City

**Political Rights:** 1

**Civil Liberties:** 2

**Status:** Free



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

1998	1999	2000	2001	2002	2003	2004	2005	2006	2007
2,3F	1,2F	1,2F	1,2F	1,2F	1,2F	1,2F	1,2F	1,2F	1,2F

### Overview:

**President Martin Torrijos in 2007 accepted the resignations of four cabinet ministers in the wake of a scandal over tainted medicine and other consumer products that may have caused the deaths of up to 200 people. Also during the year, the country began a major expansion of the Panama Canal and signed a free-trade agreement with the United States.**

Panama was part of Colombia until 1903, when a U.S.-supported revolt resulted in the proclamation of an independent republic. A period of weak civilian rule ended with a 1968 military coup that brought General Omar Torrijos to power. After the signing of the 1977 Panama Canal Treaty with the United States, under which the canal was gradually transferred to Panamanian control by 1999, Torrijos promised democratization. However, a real transition to democracy would not come for another dozen years.

After Torrijos's death in 1981, General Manuel Noriega emerged as Panamanian Defense Force (PDF) chief. He rigged the 1984 elections to bring the Democratic Revolutionary Party (PRD), then the PDF's political arm, to power. The Democratic Alliance of Civic Opposition (ADOC) won the 1989 elections, but Noriega annulled the vote and declared himself head of state. He was removed during a U.S. military invasion late that year, and ADOC's Guillermo Endara became president.

Both the PRD and the Arnulfista Party (PA)—named after the late former president Arnulfo Arias—won elections in the 1990s. Presidential and legislative elections in 2004 returned the PRD to power, with Martin Torrijos, the son of the former strongman, defeating former president Endara of the Solidarity Party (PS) and a number of other candidates. The PRD also won 42 of 78 National Assembly seats, followed by the PA with 17 seats. Several other parties each captured fewer than 10 seats.

Between October 2006 and the end of 2007, as many as 200 people were killed by toxic compounds found in consumer products that were imported from China to Panama, revealing the Ministry of Health's inability to effectively monitor the quality of medications and other products, such as toothpaste and cold medicine. In August 2007, all 14 Panamanian cabinet ministers offered their resignations to Torrijos, giving him the opportunity to shuffle his cabinet. He accepted the resigna-



tion of the ministers of health, education, the interior, and labor. The removal of Labor Minister Reynaldo Rivera was prompted by allegations from the construction workers' union that several workers had died due to Rivera's failure to enforce safety rules.

In May 2007, Torrijos and the National Assembly approved criminal code reforms that lengthened sentences for a number of crimes, including libel. The changes drew criticism from journalists and threatened to overwhelm the already beleaguered prison system.

Noriega completed his U.S. prison sentence for drug trafficking in September 2007, but a U.S. judge determined that he could be extradited to France, where he faced money laundering charges. His lawyers appealed the ruling, and he remained in U.S. custody at year's end. Noriega was seeking to return to Panama, although he faced up to 60 years in prison there for embezzlement and corruption convictions.

Panama signed a free-trade agreement with the United States in June 2007, and the Panamanian legislature ratified it the following month. Critics argued that the agreement would benefit the United States more than Panama, allowing transnational corporations to overwhelm certain Panamanian industries. However, ratification by the U.S. Congress was jeopardized by the August 2007 election of Pedro Miguel Gonzalez as the head of Panama's legislature. Gonzalez was wanted in the United States for the fatal shooting of a U.S. soldier in June 1992. The lawmaker was tried and acquitted in Panama in 1997, but still faced a U.S. extradition request.

Construction began in September 2007 on a major expansion of the Panama Canal, which would double its current size. Voters had approved the project in a 2006 referendum, but the low turnout of 42 percent raised concerns about public support. Critics maintained that the projected cost of \$5.3 billion may have been underestimated and that the funds should instead be used to reduce poverty and improve education and health care. The Panama Canal Authority, however, asserted that the expansion would boost gross domestic product by 2 percent annually.

Despite mounting external debt, Panama's economy had achieved an 8.1 percent growth rate in 2006. However, nearly 37 percent of Panamanians live in poverty, and the wealthiest 20 percent of the population makes 32 times the average income of the poorest 20 percent. The government raised electricity rates by 30 percent in 2006, but it later emerged that the electricity company's profits were higher than legally permitted. Officials pledged to build new hydroelectric plants to increase supply and reduce rates.

**Political Rights** Panama is an electoral democracy. The 2004 national elections were considered free and fair by international observers. The president and deputies to the 78-seat unicameral National Assembly are elected by popular vote for five-year terms. The constitution guarantees freedom for political parties and organizations. The PRD recaptured the presidency and a legislative majority in the 2004 elections, causing a shakeup of the various opposition parties in 2005. All of the existing parties were seen as ideologically similar, and two new leftist parties formed in early 2007 as an alternative.

**anti Civil Liberties:** In early 1999, Panama's largest political parties agreed to ban anonymous campaign contributions in an effort to stem the infiltration of drug money into the political process. Nevertheless, corruption remains widespread. President Martin Torrijos, who took power in 2004, established a commission to deal with corruption under his

predecessor, Mireya Moscoso, and to uncover new abuses. He also implemented a transparency law that had been suspended by Moscoso, but has since worked to limit its scope, preventing the release of minutes from cabinet meetings and asset disclosures by public officials. The government's 2007 budget was negotiated in closed-door sessions, and electoral reforms approved in December 2006 have been criticized as lacking key elements to improve transparency, especially regarding campaign financing. Panama was ranked 94 out of 180 countries surveyed in Transparency International's 2007 Corruption Perceptions Index.

All of the country's media outlets are privately owned with the exception of the state-owned television network and a network operated by the Roman Catholic Church. However, there is a considerable concentration of media ownership by relatives and associates of former president Ernesto Perez Balladares of the PRD. There are five national daily newspapers, and internet access is unrestricted. Panama is notable for its harsh legal environment for journalists. In 2005, the country's restrictive gag rules were repealed and the censorship board was disbanded, but Torrijos in 2007 enacted criminal code reforms that would lengthen sentences for offenses including libel.

Freedom of religion is respected, and academic freedom is generally honored.

Freedom of assembly is recognized, and nongovernmental organizations are free to operate. Although only about 10 percent of the labor force is organized, unions are cohesive and powerful. However, there are limitations on their ability to strike.

The judicial system remains overburdened, inefficient, politicized, and prone to corruption. The Torrijos administration's 2007 criminal code reforms emphasized longer sentences, leading to questions about the potential repercussions for the penal system and human rights. The State Department's 2007 human rights report found that pretrial detention sometimes exceeds the maximum sentence for the alleged crime, and that 60 percent of inmates are awaiting trial. The penal system is marked by violent disturbances in decrepit, overcrowded facilities. Panama has a high prisoner-to-public ratio, with 354 inmates for every 100,000 residents.

The military was formally abolished in 1994. The police and other security forces that remain, while accountable to civilian authorities through a publicly disclosed budget, are poorly disciplined and corrupt. Like the country's prison guards, police officers frequently use excessive force, and in 2005, several high-ranking officers were accused of sexually abusing minors.

Drug trafficking and related violence continued to plague Panama in 2007. The overall success of the government's counternarcotics campaign has been limited by a lack of resources, weak border enforcement, and corruption. In addition, money laundering, human trafficking, and the presence of Colombian guerrilla and paramilitary forces along the southern border remain causes for concern. Refugees from Colombia have faced difficulty obtaining work permits and other forms of legal recognition.

Discrimination against darker-skinned Panamanians is widespread. The country's Asian, Middle Eastern, and indigenous populations are similarly singled out. Indigenous communities enjoy a degree of autonomy and self-government, but some 90 percent of the indigenous population lives in extreme poverty. Since 1993, indigenous groups have protested the encroachment of illegal settlers on their lands and government delays in formally demarcating them. Legislation proposed in 2006

to recognize indigenous territorial rights has been postponed indefinitely. The government in 2007 authorized the exploration of gold and copper reserves by Petaquilla Minerals, prompting public protests, particularly from indigenous activists who claimed that mining would have adverse effects on their land and the environment.

Violence against women and children is widespread and common. An increase in juvenile crime in 2007 led to a proposal to increase jail sentences for juvenile offenders. Panama is a source, destination, and transit country for human trafficking. The government has worked with the International Labor Organization on information campaigns addressing the issue, and it has created a special unit to investigate cases of trafficking for the purpose of prostitution. However, the resources dedicated to this unit and other efforts to combat trafficking remain insufficient. The U.S. State Department's 2007 Trafficking in Persons Report lists Panama as a Tier 2 country and claims that it does not fully comply with minimum international standards to combat human trafficking. While Panamanian law does not prohibit all forms of trafficking, it does criminalize trafficking for commercial sexual exploitation. Prosecutors obtained the first conviction under that provision in 2007.

## ↓ Papua New Guinea

**Population:** 6,300,000  
**Capital:** Port Moresby

**Political Rights:** 3  
**Civil Liberties:** 3  
**Status:** Partly Free



**Trend Arrow:** Papua New Guinea received a downward trend arrow due to Prime Minister Michael Somare's suppression of public criticism and opposition queries regarding his alleged involvement in the escape of an Australian citizen charged with sex crimes against minors.

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

1998	1999	2000	2001	2002	2003	2004	2005	2006	2007
2,3F	2,3F	2,3F	2,3F	2,3F	3,3PF	3,3PF	3,3PF	3,3PF	3,3PF

**Overview:** The ruling National Alliance won 27 of 109 seats in the July 2007 general elections, which secured for Prime Minister Michael Somare a second term. In addition to complaints of corruption and inefficiency, critics of the government, including the defense minister, clashed with Somare over his alleged role in helping an Australian sex-crimes suspect to escape to the Solomon Islands.

Papua New Guinea (PNG), comprising the eastern part of New Guinea and some 600 smaller islands, gained independence from Australia in 1975. In 1988, miners and

landowners on Bougainville Island began guerrilla attacks on a major Australian-owned copper mine, and by 1990, the islanders' demands for compensation and profit-sharing became a low-grade secessionist war. Australia and New Zealand brokered a ceasefire in 1998 and a peace treaty in 2001. The treaty called for elections for a semiautonomous Bougainville government and a referendum on independence in 10 to 15 years. Parliament approved a new constitution for Bougainville in 2004, and voters chose John Kabui, an independence advocate, as their first president in 2005. Australia remained deeply involved in recovery efforts, sending observers, peacekeepers, police officers and trainers, and material assistance.

Parliament in May 2007 approved a gaming law to legalize casinos and internet gambling. Civil society groups charged it would worsen social problems including poverty and crime; the government said it would create jobs and generate tax revenue.

In the July general elections, the new preferential voting system was fully implemented. Voters can choose up to three preferred candidates on their ballots. Prime Minister Michael Somare's National Alliance won 27 of the 109 Parliament seats. In August, with support from minor parties and independents, the new Parliament elected 71-year-old Somare to a second five-year term. Elections were marred by many reports of fraud, lost ballots, attacks on journalists and candidates, and deaths. Transparency International and the PNG Institute of National Affairs said the Electoral Commission's list of nearly 4 million registered voters in a nation of 6 million people was too high to be credible, especially when 1.4 million names belonging to deceased persons, minors, and other invalid names were supposedly purged from the old registry.

More controversial for Somare was his alleged involvement in enabling Julian Moti, an Australian citizen of Fijian origin, to escape to the Solomon Islands. Moti was wanted in Australia for alleged sex crimes with a minor in Vanuatu in 1997 and was arrested in PNG in September 2006. While waiting for extradition to Australia, Moti landed in the Solomon Islands in a PNG military plane in October 2006, and assumed his appointment as the attorney general. Widespread public criticism pressured the PNG defense minister to create a special inquiry board in December 2006. Throughout 2007, Somare tried to end the investigation by declaring the Moti affair a "dead issue," dismissed his defense minister, and accused the media of spreading misinformation. Somare made himself the acting defense minister, which entitled him to receive the board's formal report, which he barred from public release. A leaked copy indicates one of the report's recommendations is prosecution of Somare for allegedly assisting in Moti's escape. As a result, the civil service union and other groups called for Somare's resignation. Somare asked a court to nullify the report without submitting a copy for review. The court rejected this request and Somare appealed the ruling. His new defense minister also dismissed the board's report in October. By the end of 2007, an Ombudsman Commission's investigation into the Moti affair still had to complete its work.

Logging and other forms of natural-resource exploitation have spurred economic growth in recent years, but poverty remains widespread. After securing his reelection with a broad coalition, Somare announced plans to expand his cabinet to 35 positions to accommodate all interests in the new coalition. Elected representatives of the coalition voted to purchase new television sets and computers for all lawmakers, and Somare rejected calls by the people and experts to provide free education when half of all PNG children and their families cannot afford to pay for school.

The government tightened controls on illegal migrants from Indonesia's Papua Province to avoid aggravating already strained relations with Jakarta. Many Papuans come to PNG to escape the Indonesian military and police or to trade. Crackdowns on illegal Chinese migrants have also increased as ethnic tensions worsen. In 2007, several were sentenced to prison and hard labor for living and working in PNG without permits.

Serious crimes, including firearms smuggling, rape, murder, and drug trafficking, continue to increase. Weak governance and law enforcement are said to have made PNG a base for many Asian organized crime groups. Tribal feuds over lands, titles, religious beliefs, and perceived insults frequently lead to violence and deaths.

**Political Rights and Civil Liberties:** Papua New Guinea is an electoral democracy. Voters elect a unicameral, 109-member Parliament to serve five-year terms.

The prime minister, the leader of the majority party or coalition, is formally appointed by the governor-general, who represents Britain's Queen Elizabeth II as head of state. A limited preferential voting system that allows voters to rank three candidates by preference recently replaced the first-past-the-post system, which critics claimed was open to bribery.

The major parties are the National Alliance, the United Resources Party, the Papua New Guinea Party, and the People's Progressive Party. Parties do not generally spell out policy platforms because voting is largely determined by tribal, linguistic, geographic, and personal ties. Many candidates run as independents, aligning with parties after they are elected.

Corruption and abuse of office are severe problems. In November 2007, the Public Accounts Committee chair issued a report that said \$376 million is missing from a public trust account managed by the Finance Department and that all government departments lack internal management controls. PNG ranked 162 out of 180 countries surveyed in Transparency International's 2007 Corruption Perceptions Index. Other than pursuing a few high-profile cases each year, the government has yet to implement real reforms to increase transparency and strengthen the rule of law.

Freedom of speech is generally respected. The media provide independent coverage and report on controversial issues such as alleged abuses by police, official corruption, and the views of the political opposition. Foreign newspapers are available. There are two major daily newspapers and several local weekly and monthly publications. The state operates three radio stations and a television station; there are several private radio stations and two private television stations. Access to the internet is not restricted by the government; cost and lack of infrastructure are the main barriers.

The government upholds freedom of religion. Academic freedom is generally respected, but the government does not always tolerate strong criticism. The country suffers from a shortage of trained teachers and widespread illiteracy. The government will assume direct administration of universities following violence on several campuses in 2007.

The constitution provides for freedom of association, and the government generally observes this right in practice. Many civil society groups provide social services and advocate for women's rights, environmental conservation, and other causes. The government recognizes workers' rights to strike, organize, and engage

in collective bargaining. Marches and demonstrations require 14 days' notice and police approval. In 2007, doctors, telecommunications workers, teachers, and power-station workers held strikes for higher wages.

The judiciary is independent, and the legal system is based on English common law. The Supreme Court is the final court of appeal and has original jurisdiction on constitutional matters. The National Court hears most cases and appeals from the lower district courts. Laypeople sit on village courts to adjudicate minor offenses under both customary and statutory law. Suspects often suffer long detentions and trial delays because of a lack of trained judicial personnel.

Law enforcement officials have been accused of unlawful killings, extortion, raping women arrested for prostitution and young men in detention, stealing, selling firearms, using excessive force in arresting and interrogating suspects, and conducting excessively punitive and violent raids. In March 2007, the Ombudsman's Commission named the police department PNG's most corrupt government agency, and the new chief of police, appointed in May, said the force lacked discipline and public trust. The correctional service is short of staff, and prison conditions are poor. Prison breaks are not uncommon: more than 200 inmates, including violent criminals, escaped from prisons in 2006 and 2007.

The country maintains ground, naval, air, and special operations forces. Military control and effectiveness are hampered by a lack of training and equipment, low morale, low pay, corruption, and disciplinary problems. An Australian-led multinational force reduced the army from 3,300 to 2,000 personnel, and 30 Australian advisers are training the police.

Violence between native tribes is rooted in a cultural tradition of revenge for perceived wrongs. Every year scores of people die or are injured in such clashes. Inadequate law enforcement and the increased availability of guns have exacerbated this problem. Attacks on ethnic Chinese and their businesses have become more frequent.

Discrimination and violence against women and children are common. Domestic violence is punishable by law, but prosecutions are rare. Police commonly treat it as a private matter, and family pressure and fear of reprisal discourage victims from pressing charges. Women are frequently barred from voting by their husbands. Only one woman sits in the Parliament, and none were elected in the 2007 elections. HIV/AIDS is a serious problem, often spread by rape and polygamy. An estimated 100,000 people, or 2 percent of the population, are infected, and up to 12 percent of all university students are HIV-positive. Illiteracy and absence of government leadership and resources remain major obstacles to intervention.

## Paraguay

Population: 6,100,000

Capital: Asuncion

Political Rights: 3

Civil Liberties: 3

Status: Partly Free



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

1998	1999	2000	2001	2002	2003	2004	2005	2006	2007
4,3PF	4,3PF	4,3PF	4,3PF	4,3PF	3,3PF	3,3PF	3,3PF	3,3PF	3,3PF

### Overview:

**President Nicanor Duarte Frutos of the Colorado Party continued to pursue a fiscal reform program as well as closer ties with the International Monetary Fund in 2007.**

**He abandoned his unsuccessful push for a constitutional change to allow him to seek reelection in April 2008, which had the unintended effect of energizing an increasingly uncooperative opposition. With Duarte considered a lame duck, the political dialogue was dominated by squabbles among all parties regarding the selection of presidential candidates for 2008.**

Paraguay, which achieved independence from Spain in 1811, has been racked by a series of crises since authoritarian president Alfredo Stroessner of the right-wing Colorado Party was ousted in 1989 after 35 years in power. The fragility of the country's emerging democratic institutions resulted in nearly 15 years of popular uprisings, military mutinies, antigovernment demonstrations, bitter political rivalries, and unbroken rule by the Colorados.

Senate leader Luis Gonzalez Macchi assumed the presidency in 1999 after the incumbent fled the country amid murder charges. In December 2002, Gonzalez Macchi offered to leave office three months early, just a week after lawmakers voted to begin impeachment hearings against him for embezzlement. Gonzalez Macchi and many other members of the Colorado Party were also discredited by their failed efforts to reverse the country's downward economic spiral.

Favoring populist, antiglobalization rhetoric during his presidential campaign, former education minister Nicanor Duarte Frutos of the Colorado Party emerged victorious in the national elections of 2003. He had promised to purge the public sector and the judiciary of corruption and inefficiency, create jobs, and return fiscal stability to the country.

After taking office, Duarte moved to take control of the tax, port, and customs authorities to combat tax evasion and smuggling. Paraguay has a highly dollarized banking system, which facilitates the illegal transfer of funds to offshore accounts. This tax evasion as well as corruption deprived the state of about two-thirds of its legitimate revenues. In October 2003, Duarte's law enforcement minister, the commandant of the national police, and the head of customs were all forced to resign following revelations about a smuggling and corruption scandal.

Paraguay's problems of low public security, slow economic growth, endemic public corruption, and a poverty rate of more than 30 percent have proven intractable. Furthermore, in the legislative session that began in July 2007, Duarte's party controlled neither the upper nor the lower house of Congress. This exacerbated an already combative environment in the legislature. Little progress on the government's structural reform agenda was expected before the 2008 election as party leaders focused on their presidential nominations. Former Roman Catholic bishop Fernando Lugo, who won the endorsement of Paraguay's largest six opposition parties, appeared in 2007 to be the strongest alternative to Colorado rule.

A 2006 standby agreement with the International Monetary Fund (IMF) boosted investor confidence in Paraguay. And despite the difficult political environment, Duarte has been able to make some progress on his fiscal and tax-reform agenda. In addition to a major tax-reform bill passed in 2004, a personal income tax was enacted by Congress in January 2007.

**Political Rights and Civil Liberties:**

Paraguay is an electoral democracy. The 2003 national elections were considered to be free and fair. The 1992 constitution provides for a president, a vice president, and a bicameral Congress, consisting of a 45-member Senate and an 80-member Chamber of Deputies, all elected for five-year terms. The president is elected by a simple majority vote, and reelection is prohibited. The constitution bans the active-duty military from engaging in politics.

The Colorado Party has ruled Paraguay for over 60 years. The other major political groupings include the Authentic Liberal Radical Party (PLRA), the Beloved Fatherland Party, the National Union of Ethical Citizens, and the National Agreement Party.

Corruption cases languish for years in the courts without resolution. New corruption scandals involving the gross misallocation of subsidies to the cotton industry were exposed in May 2007. The agriculture minister admitted that only 20 percent of the alleged cotton producers who received the subsidy were actually eligible. However, President Nicanor Duarte Frutos's administration has worked to curb corruption through tax reforms, enacted in 2007, that encourage the formalization of previously "informal" economic activity. A personal income tax was introduced, and taxes on businesses were lowered to discourage evasion. Still, Transparency International ranked Paraguay 138 out of 180 countries surveyed in its 2007 Corruption Perceptions Index, below all other countries in the Americas save Ecuador, Venezuela, and Haiti.

The constitution provides for freedom of expression and the press, and the government generally respects these rights in practice. There are a number of private television and radio stations and independent newspapers but only one state-owned media outlet, Radio Nacional, which has a limited audience. Journalists investigating corruption or drug trafficking are often the victims of threats and violent attacks. This climate of insecurity showed no improvement in 2007. For example, in August a radio reporter was shot and killed after receiving several death threats for his bold coverage of local corruption and organized crime. Vague, potentially restrictive laws that mandate "responsible" behavior by the media also threaten free expression. The government does not restrict use of the internet, nor does it censor internet content.

The government generally respects freedom of religion. All religious groups



are required to register with the Ministry of Education and Culture, but no controls are imposed on these groups and many informal churches exist. The government generally does not restrict academic freedom.

Freedoms of association and assembly were undermined by the government of former president Luis Gonzalez Macchi, which tolerated threats and the use of force against the opposition. However, the constitution does guarantee these rights, and abuses have subsided under Duarte. There are numerous trade unions, although they are weak and riddled with corruption. A revised labor code, designed to protect workers' rights, was adopted in October 1993. It provides for the right to strike and prohibits retribution against strikers; however, employers often illegally dismiss and harass strikers and union leaders.

The judiciary, under the influence of the ruling party and the military, is highly corrupt. Courts are inefficient and political interference in the judiciary is a serious problem, with politicians routinely pressuring judges and blocking investigations. While the judiciary is nominally independent, 62 percent of judges are members of the Colorado party. In 2007, the Supreme Court absolved two prior presidents of corruption charges despite clear evidence of their guilt. The constitution permits detention without trial until the accused has completed the minimum sentence for the alleged crime. Illegal detention by police and torture during incarceration still occur, particularly in rural areas. Poorly paid and corrupt police officials remain in key posts. Furthermore, overcrowding, unsanitary conditions, and mistreatment of inmates are serious problems in the country's prisons; the prison population is currently at 179 percent of capacity.

The lack of security in border areas, particularly in the tri-border region adjacent to Brazil and Argentina, has allowed organized crime groups to engage in money laundering and the smuggling of weapons and narcotics. In the aftermath of the September 11, 2001, terrorist attacks on the United States, attention focused on the serious lack of government control over Paraguay's lengthy and undeveloped land borders and extensive river network. While there are no known terrorist cells in the tri-border area, it is suspected that Lebanese residents living there send money to terrorist-linked groups in the Middle East.

The constitution provides Paraguay's estimated 90,000 indigenous people with the right to participate in the economic, social, and political life of the country. In practice, however, the indigenous population is unassimilated and neglected. Low wages, nonpayment of wages, and lack of access to social security benefits are common. Peasant organizations sometimes occupy land illegally, and landowners often respond with death threats and forced evictions by hired vigilante groups. Impoverished indigenous groups in the Chaco region are among the most neglected in the Americas, with the vast majority of homes lacking proper sanitation and drinking water.

An estimated 6 out of every 10 children born in Paraguay are not registered at birth and consequently lack access to public health and educational services. Sexual and domestic abuse of women continues to be a serious problem, with thousands of women treated each year for injuries inflicted in the home. Although the government generally prosecutes rape allegations and often obtains convictions, many rapes go unreported because victims fear their attackers or are concerned that the law will not respect their privacy. Employment discrimination against women is pervasive, and spousal abuse is common. Trafficking in persons is proscribed by the constitution and criminalized in the penal code, but there have been occasional reports of trafficking for sexual purposes.

## Peru

**Population:** 27,900,000

**Capital:** Lima

**Political Rights:** 2

**Civil Liberties:** 3

**Status:** Free



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

1998	1999	2000	2001	2002	2003	2004	2005	2006	2007
5,4PF	5,4PF	3,3PF	1,3F	2,3F	2,3F	2,3F	2,3F	2,3F	2,3F

**Overview:** Restrictive elements of a new law regulating nongovernmental organizations were struck down by the Constitutional Court in September 2007. Also that month, former president Alberto Fujimori was extradited from Chile and put on trial for a litany of abuses committed during his authoritarian rule. A major earthquake in August caused hundreds of deaths and billions of dollars of damage.

Since independence in 1821, Peru has experienced alternating periods of civilian and military rule. Civilians have held office since a 12-year dictatorship ended in 1980. However, that year, a Maoist guerrilla group known as the Shining Path launched a vicious two-decade insurgency. Alberto Fujimori, a university rector and engineer, defeated the novelist Mario Vargas Llosa in the 1990 presidential election.

In 1992, Fujimori, backed by the military, suspended the constitution and dissolved the Congress. The opposition boycotted November elections for a Constituent Assembly, and the resulting body drafted a new constitution featuring a stronger president and a unicameral Congress. The charter was approved in a state-controlled 1993 referendum following the capture of Shining Path leader Abimael Guzman. Congress passed a law in 1996 allowing Fujimori to run for a third term, despite a constitutional provision limiting the president to two terms.

Fujimori outpolled Alejandro Toledo—a U.S.-educated economist who had been raised in one of Peru's urban squatter settlements—in the April 2000 presidential election, 49.9 percent to 40.2 percent. Toledo refused to participate in a second-round runoff, saying he had been cheated by voting irregularities and repeatedly smeared, threatened, and assaulted by Fujimori supporters.

Beginning in September 2000, a series of videotapes emerged showing intelligence chief Vladimiro Montesinos bribing opposition congressmen and other figures. The scandal raised suspicions that Fujimori had secured a congressional majority through bribery. As a result, in late November, Fujimori was driven from office, opposition forces assumed control of Congress, and respected opposition leader Valentin Paniagua was chosen as interim president.

In the April 2001 congressional elections, Toledo's Peru Posible party won 25 percent of the votes, followed by the Peruvian Aprista Party (APRA) with 19 per-

cent. Toledo bested former president Alan Garcia (1985-90) of APRA in a runoff presidential election held in June. A 2002 decentralization process gave new regional governments almost a quarter of the national budget and a range of powers that had long been concentrated in the capital. However, Toledo suffered from a host of personal scandals, and Peru Posible met with a serious setback in elections for the regional governments.

In August 2003, Peru's Truth and Reconciliation Commission reported that the Shining Path was the "principal perpetrator of the human rights violations" during the 1980-2000 civil conflict, but it also accused security forces of serious and repeated atrocities. The report more than doubled the estimated death toll; of the 69,000 killed, nearly three-fourths were residents of poor highland villages.

In mid-2004, Peru Posible lost control of Congress after two of its founding members quit the party. Meanwhile, despite macroeconomic growth, polling data showed Toledo to be the least popular president in Latin America. In June, a special anticorruption court convicted Montesinos, sentencing him to 15 years in prison. Fujimori declared in September that he would run for president in 2006, despite being banned from holding office until 2011. He had been living in Japan, where he had dual citizenship, and was wanted in Peru on charges including murder and kidnapping. In November 2005, Fujimori appeared in Chile, where he was detained as Peru requested his extradition.

Much of the 2006 presidential campaign focused on the rise of Ollanta Humala of the Peruvian Nationalist Party (PNP), whose platform appealed to poor, rural, and indigenous groups by calling for state control of "strategic" sectors such as energy and mining and advocating a constitutional overhaul. Humala won the April 9 first round, with Garcia narrowly edging out Lourdes Flores Nano of the right-wing National Unity Party (UN) for second place. The PNP, allied with the Union for Peru (UPP) party, led the congressional elections with 45 seats, followed by APRA with 36 and UN with 17. The pro-Fujimori Alliance for the Future party won 13 seats, giving it influence in a divided Congress.

Humala's chances in the June 4 runoff were hurt by concerns over his perceived authoritarian bent and his human rights record during the internal conflict. In addition, Garcia adroitly used Venezuelan president Hugo Chavez's endorsement of Humala to frighten centrist voters. Although 15 of Peru's 24 regions voted for Humala, Garcia garnered overwhelming support in Lima and won with 52.5 percent of the vote. In November regional elections, locally based independent candidates won in the vast majority of regions, with APRA and Humala-linked candidates performing poorly.

Once in office, Garcia quickly turned to populist measures such as salary cuts for public officials and the proposed introduction of the death penalty for child rapists and terrorists. In December 2006 he signed a controversial law, originally proposed by the Fujimori bloc, requiring nongovernmental organizations (NGOs) to register with a state agency and detail their funding sources or face fines or suspension. Relations between civil society and the ruling party were inflamed further that month, when the Inter-American Court of Human Rights called for reparations to be paid to the families of inmates killed in a prison battle in 1992. Most of the victims were accused members of the Shining Path, and politicians reacted with outrage. In a victory for NGOs, the Constitutional Court in September 2007 struck down key provisions of the 2006 registration law.

In August 2007, a massive earthquake leveled the Pisco area south of Lima, leaving over 500 people dead and billions of dollars in economic losses. Local citizens soon exhibited frustration with the government as delays and inefficiencies in aid delivery became apparent. Several public health officials were later charged with corruption related to overpriced food purchases.

Fujimori was extradited from Chile in September, and by the end of the year he had already been sentenced to seven years' imprisonment for his role in ordering an illegal search of Montesinos's home. His trial on more serious charges of having overseen a death squad began in December amid disruptions by his supporters.

Remnants of the Shining Path, in league with drug traffickers, carried out a series of well-organized attacks against police that left over a dozen officers dead or wounded in 2007. The attacks, which increased toward the end of the year, caused consternation regarding the lack of progress in controlling cocaine production and distribution. Despite the capture of several important Shining Path figures, many analysts perceived increasing pressure from drug trafficking on Peruvian institutions.

Economic expansion continued in 2007, with gross domestic product (GDP) growth approaching 8 percent. Also during the year, the U.S. Congress completed ratification of a bilateral free-trade agreement, viewed as a triumph by the business class and government supporters. These achievements did little to halt the government's steady fall in opinion polls, which showed more disapproval than approval during the second half of the year.

### **Political Rights and Civil Liberties:**

Peru is an electoral democracy. Elections in 2006 were conducted in a generally free and fair atmosphere, according to international observers. Complaints focused on poor logistics and information distribution in rural areas, as well as the disenfranchisement of the roughly one million Peruvians lacking official identification papers.

The president and the 120-member, unicameral Congress are elected for five-year terms. Congressional balloting employs an open-list, region-based system of proportional representation. A measure introduced in 2006 required parties to garner at least 4 percent of the total vote to win seats. Checks on campaign financing were weak, however, and allegations surfaced that drug money played a role in multiple campaigns, particularly during local elections.

A lack of programmatic coherence and occasional party-switching by politicians have discredited political parties in the eyes of Peruvians, which reinforces a broader trend toward political fragmentation.

Indigenous groups, which account for nearly half of the Peruvian population by some measures, have generally sought political expression through nationalism or class-based ideologies rather than ethnic solidarity. However, several political parties have attempted to capture the support of both jungle- and mountain-dwelling indigenous groups.

Corruption is a serious problem. According to a November 2007 survey, over 90 percent of Peruvians characterized the public sector as "corrupt" or "very corrupt." A number of corruption scandals made headlines in 2007, particularly the attempted purchase of overpriced police cars, which cost Interior Minister Pilar Mazzetti her job. A new National Anticorruption Office was established in October, although

some analysts questioned its autonomy. Peru was ranked 72 out of 180 countries surveyed in Transparency International's 2007 Corruption Perceptions Index.

The press is for the most part privately owned and lively, but journalists face significant limitations. They are frequently intimidated and even attacked by local officials and private interests. In March 2007, journalist Miguel Perez was assassinated in Cajamarca region after reporting on local corruption. In a controversial decision, a court in November found the mayor of Pucallpa not guilty of planning the 2004 killing of journalist Alberto Rivera. Low pay leaves journalists susceptible to bribery, while media outlets remain dependent on advertising by large retailers. The government does not limit access to the internet.

The constitution provides for freedom of religion, and the government generally respects it in practice. However, the Roman Catholic Church receives preferential treatment from the state. The government does not restrict academic freedom.

The constitution provides for the right of peaceful assembly, and the authorities uphold this right for the most part. However, in the wake of protests that convulsed the country and left three people dead in July 2007, the executive branch issued several decrees that were viewed as impinging on the right to protest, particularly by threatening to strip government officials of their posts if they participated in protests. Freedom of association is also generally respected. The government of former president Alejandro Toledo permitted the unhindered operation of human rights NGOs. However, shortly after entering office, President Alan Garcia and other APRA leaders criticized NGOs for hindering economic development and for a perceived lack of transparency. Congress in November 2006 passed restrictive legislation, but in September 2007, the Constitutional Court struck down a number of the law's more contentious clauses, pleasing local and international NGOs.

Peruvian law recognizes the right of workers to organize and bargain collectively. Although workers exercise the right to strike, strikers are required to notify the Ministry of Labor in advance, with the result that nearly all strikes are categorized as illegal. Less than 5 percent of the formal-sector workforce is unionized, reflecting a legacy of hostility by the Alberto Fujimori regime, cuts to public sector jobs, more flexible labor policies, and other free-market reforms.

The judiciary is the single most distrusted Peruvian institution. After Toledo took office in 2001, the Ministry of Justice worked to undo some of the damage wrought by Fujimori, implementing a broad anticorruption campaign and reducing the number of provisional judges. Current Supreme Court president Francisco Tavera has demonstrated considerable will to confront entrenched interests, and investigations of judicial misdeeds have soared, but resources for an overhaul remain scarce. Popular perceptions of the justice system—that it is an inefficient, overloaded bureaucracy riddled with political influence and greed—have changed little. In addition, the election by Congress of four new Constitutional Court members in June 2007 generated controversy due to a lack of transparency in the process.

Although crime is not high by regional standards, it continues to increase in much of the country. An estimated 70 percent of inmates are in pretrial detention, and many prisons are severely overcrowded. In July 2006, an adversarial justice system was introduced in the district of Huaura with the hope that it would speed up and ensure greater fairness in judicial proceedings. Torture and ill-treatment by the security forces remain concerns.

Toledo's government retained control of the military but did not address the serious professional deformations promoted during Fujimori's rule. Under Allan Wagner, who served as defense minister until December 2007, the military attempted to clarify its rules of engagement when acting in a law enforcement capacity. In 2007, Congress passed a law recommended by the Truth and Reconciliation Commission that obliges military members to disobey orders that are contrary to human rights standards. However, Congress continues to ignore an April 2006 Constitutional Court ruling that active military officers cannot serve as military justices.

The election of Toledo, who boasted of his indigenous heritage, was considered a watershed given the prevalent racism among the middle and upper classes. However, the government's failure to strengthen community justice mechanisms has been accompanied by recent incidents of vigilante violence, including lynchings, in the predominantly indigenous highlands. In addition, Garcia's calls to increase exploitation of natural resources have increased tensions with indigenous groups concerned about the environmental effects of mining, logging, and hydrocarbons exploration.

In recent years, women have advanced into leadership roles in various companies and government agencies. In March 2007, Garcia signed the Law of Opportunities, which is intended to combat employment discrimination. Domestic violence is epidemic, with over half of Peruvian women reporting instances of physical or emotional violence. Penalties for abuse of domestic workers, who are often exploited, were increased in 2007. Forced labor, including child labor, exists in the gold-mining region of the Amazon.

## Philippines

**Population:** 88,700,000

**Capital:** Manila

**Political Rights:** 4\*

**Civil Liberties:** 3

**Status:** Partly Free



**Ratings Change:** The Philippines' political rights rating declined from 3 to 4 as a result of serious, high-level corruption allegations; the pardon of former president Joseph Estrada; and a spike in political killings in the run-up to legislative elections.

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

1998	1999	2000	2001	2002	2003	2004	2005	2006	2007
2,3F	2,3F	2,3F	2,3F	2,3F	2,3F	2,3F	3,3PF	3,3PF	4,3PF

### Overview:

**The May 2007 legislative elections yielded increased support for President Gloria Macapagal-Arroyo in the House of Representatives and a stronger opposition hold on the**

**Senate. Meanwhile, the findings of the Melo Commission and a UN investigation added to mounting evidence of military involvement in extrajudicial killings and abductions of leftist activists in recent years. A full-scale offensive was launched in August against Islamist militants in the south following the beheading of 10 marines on the island of Basilan. Macapagal-Arroyo's pardon of former president Joseph Estrada and the scandal surrounding a national broadband contract with a Chinese company brought notable setbacks for anticorruption and transparency efforts during the year. In November, yet another coup attempt spearheaded by elements of the military was thwarted.**

The Philippines came under U.S. control in 1898, after centuries of Spanish rule, and won independence in 1946. Once one of Southeast Asia's wealthiest nations, the Philippines has been plagued by insurgencies, economic mismanagement, and widespread corruption since the 1960s. In 1986, a popular protest movement ended the 14-year dictatorship of President Ferdinand Marcos and replaced him with Corazon Aquino, whom the regime had cheated out of an electoral victory weeks earlier.

Aquino's administration ultimately failed to implement substantial reforms and was unable to dislodge entrenched social and economic elites. Fidel Ramos—a key figure in the 1986 protests—won the 1992 presidential election. The country was relatively stable and experienced significant if uneven economic growth under his administration.

Ramos's vice president, Joseph Estrada, won the 1998 presidential election by promising concrete socioeconomic reform, but his administration was dogged by allegations of corruption almost from the outset. Massive street protests forced him from office in 2001 after a formal impeachment process failed.

Gloria Macapagal-Arroyo (GMA), Estrada's vice president, assumed the presidency upon his departure, and her political coalition soon won 8 of 13 contested Senate seats and a majority in the House of Representatives in the May 2001 legislative elections. She nevertheless faced questions about the legitimacy of her unelected administration. In the 2004 presidential election, GMA initially seemed to have defeated her challenger by some 1.1 million votes. However, claims of massive electoral fraud quickly circulated. Demonstrations followed, and some members of the administration verified the accusations.

In June 2005, an audiotape of a conversation between the president and election officials surfaced, supporting the previous year's vote-rigging allegations. Many cabinet officials resigned to join a new opposition movement, an ultimately unsuccessful impeachment bid was launched, and frequent protests called for the president's resignation.

The administration mounted several efforts to undercut the opposition movement in 2005, using gag orders, punitive prosecutions, and the announcement of Executive Order 464, which prevented high-level public officials and military officers from testifying before Congress without presidential approval. An alleged coup attempt by a supposed right-left alliance prompted GMA to declare a week-long state of emergency in February 2006. Security forces raided antigovernment press offices, arrested opposition officials without warrants, and brutally suppressed public protests. The congressional opposition responded with a second unsuccessful impeachment bid that June.

In the May 2007 legislative elections, the propresidential Team Unity (TU) coalition increased its majority in the lower house, ensuring that future impeachment bids would be unlikely to succeed. Meanwhile, the Genuine Opposition (GO) coalition increased its majority in the Senate. Of the 12 Senate seats contested, the GO took 7, TU won 3, and the remaining 2 were captured by independents. The number of political killings, which have dramatically increased under GMA, spiked in the run-up to the elections.

The Commission to Address Media and Activist Killings, also known as the Melo Commission, was established in August 2006 in response to a spate of assassinations earlier that year. The panel released a report in February 2007 that acknowledged military involvement, but it lacked any enforcement capacity. UN Special Rapporteur on Extrajudicial Executions Philip Alston conducted a 10-day investigation at the invitation of the government in February. His report, issued in November, found that a significant number of recent extrajudicial executions of leftist activists were "the result of deliberate targeting by the military as part of counterinsurgency operations against the communist rebels." The August 2007 escape of two farmworkers abducted in Central Luzon in May 2006 added further evidence that the Armed Forces of the Philippines (AFP) were behind recent kidnappings and practiced torture. The abuses are believed to be encouraged by a government mandate to eradicate the prolonged Communist insurgency by 2010, blurred lines between legitimate leftist parties and illegal groups affiliated with the rebel New People's Army (NPA), the president's dependence on high-level military support to retain power, and a persistent culture of impunity.

Violence associated with the separate Muslim insurgency in the south escalated during 2007. A group of 14 marines were killed, and 10 of them beheaded, amid violent clashes in July on Basilan Island—a stronghold of the Moro Islamic Liberation Front (MILF). The marines entered the area to search for an Italian priest kidnapped in June. The AFP initially blamed the attacks on the Abu Sayyaf Group (ASG), Islamist militants known for terrorist bombings, kidnappings, and beheadings, but the MILF claimed responsibility, maintaining that the troops had entered the territory without prior coordination, in violation of ceasefire terms. After an international monitoring team failed to draw firm conclusions, the AFP launched a full-scale offensive against Muslim militants on the islands of Basilan and Jolo, where clashes with the ASG have recurred in recent years. Talks in Malaysia between government and MILF negotiators reportedly yielded agreement on the borders of a Muslim homeland in Mindanao in November, though no formal accord was signed. In December, the MILF and the Moro National Liberation Front (MNLF)—a rival separatist group from which the MILF split in 1976—pledged to resolve their differences, which continue to impede peace in the south, by September 2008.

Also during the year, the Sandiganbayan, the country's antigraft court, found former president Estrada guilty of plunder in September and sentenced him to life imprisonment. The verdict marked the first time a Philippine president had been convicted of a crime. However, GMA pardoned Estrada one month later. The move came as GMA was herself implicated in a major corruption scandal involving a national broadband contract approved by the Philippine and Chinese governments in April, spurring claims that GMA was using the pardon to block any precedent for incar-



cerating former presidents. Amid allegations of high-level bribery, the Supreme Court put a restraining order on the Chinese contract in September. Pro-GMA forces subsequently launched a disingenuous impeachment campaign, apparently as a preventative measure linked to a constitutional provision that bars more than one impeachment bid per year.

Two explosions in the fall seemed to signal further instability. A blast attributed to methane-gas buildup at a mall in Manila's business district killed 11 people and wounded more than 100 in October. In November, a bombing at the House of Representatives killed 4, including Basilan representative Wahab Akbar, and injured 20 others. Akbar was believed to be the target of the attack, either because of clan warfare in Basilan or his defection from the ASG in the late 1990s.

Also in November, the military thwarted a coup attempt in which former navy lieutenant and current senator Antonio Trillanes and Brigadier General Danilo Lim led roughly 20 soldiers out of a courtroom, where they were being tried for previous coup attempts, to seize a conference room at the Peninsula Hotel in Manila. Additional supporters, a former vice president, and a Roman Catholic bishop joined the men in a live television broadcast to call for GMA's removal from office on the grounds of electoral fraud and corruption. The AFP stormed the hotel and forced their surrender. Several military rebels and at least 30 journalists covering the event were detained, and a curfew was imposed in metro Manila and two neighboring regions.

**Political Rights  
and Civil Liberties:**

The Republic of the Philippines is not an electoral democracy. The country's democratic status has been degraded by the high level of violence ahead of the 2007 legislative elections; reports of cheating and intimidation during that voting as well as electoral fraud in the 2004 polls; the thoroughly discredited nature of the country's elections commission; and persistent concerns about coup attempts in 2005, 2006, and 2007. The Philippine National Police reported 121 incidents of electoral violence in the run-up to the 2007 legislative elections. This marked a decline from the 192 reported incidents during the 2004 presidential poll, but political violence in the country, while also tied to local rivalries, has increasingly targeted leaders of legitimate left-wing parties that are perceived to be associated with leftist guerrillas. One far-left party, Bayan Muna, has endured the murders of 125 members since President Gloria Macapagal-Arroyo (GMA) took office in 2001. In March 2007, Bayan Muna leader Satur Ocampo was detained for allegedly murdering 15 Communist rebels in the mid-1980s, and the press was banned from interviewing him. Election violence and intimidation are especially prevalent in the Autonomous Region in Muslim Mindanao (ARMM), although the problem is due more to local rivalries than to ongoing guerrilla conflict with the MILF.

The Philippines has a presidential system of government, with the directly elected president limited to a single six-year term. The current president initially took office in 2001 after military pressure and street protests drove President Joseph Estrada from power. She completed Estrada's first term and then—despite some legal challenges—won her own full term in 2004. Her opponents have repeatedly called for her to step down, partly due to the constitutionally anomalous length of her time in office.

The national legislature, the Congress, is bicameral. The 24 members of the Senate are elected on a nationwide ballot and serve six-year terms, with half of the seats up for election every three years. The 250 members of the House of Representatives serve three-year terms, with 212 elected by district and the remainder elected by party list. Legislative coalitions are exceptionally fluid, and members of Congress often change affiliation, effectively rendering political parties meaningless. In 2007, GMA's party, the National Union of Christian Democrats (Lakas), retained control of the ruling People's Power Coalition. The main opposition party is the Struggle for a Democratic Philippines (Laban or LDP).

The Philippines' Commission on Elections (Comelec) is one of the most powerful election commissions in the world: with the president's approval, it has the authority to unseat military, police, and government officials. It is entirely appointed by the president and has traditionally been stacked with cronies serving fixed terms. Comelec has been thoroughly discredited since the 2005 "Hello Garci" audiotape scandal regarding cheating in the 2004 elections. No internal investigation was conducted, and the 2007 legislative elections were overseen by the same tainted officials. Comelec chairman Benjamin Abalos resigned in October 2007 after being accused of bribing a government official to approve the national broadband deal with China's ZTE Corporation.

Corruption, cronyism, and influence peddling are rife in business and government. Despite recent economic reforms, a few dozen powerful families continue to play an overarching role in politics and hold an outsized share of land and corporate wealth. Local "bosses" often control their respective areas, limiting accountability and encouraging abuses of power. High-level corruption abounds as well, however. In 2007, the Fraport airport affair—a mix of complex legal disputes, corruption allegations, and international arbitration cases that continues to prevent the opening of the Ninoy Aquino International Airport's Terminal 3 and has now spanned three administrations—shared the headlines with the ZTE contract scandal. The latter ultimately yielded allegations involving the president, her husband, the economic planning secretary, the speaker of the House, and the chairman of Comelec. When pro-GMA forces launched a weak preemptive impeachment campaign on the grounds that the president had "betrayed the public trust" by not blocking the bribery-laden deal—an attempt to forestall a more serious impeachment bid based on complicity in the deal—congressional members were allegedly offered significant sums to vote against impeachment.

GMA's October 2007 pardon of Estrada reversed what could have been a major step forward for anticorruption efforts in the Philippines. Her decision was widely perceived to be motivated by a desire to avoid setting a harsh precedent for her own treatment on leaving office, and to prevent Estrada from becoming a martyr around whom opposition forces might rally. The guilty verdict itself was important for her legitimacy, however, as she had first entered office as a result of Estrada's ouster.

A culture of impunity, stemming in part from a case backlog in the judicial system, hampers anticorruption efforts. Cases take an average of six to seven years to be resolved in the Sandiganbayan anticorruption court. However, a greater number of cases have been filed in recent years against high-profile suspects who were previously seen as untouchable, and a growing number of umbrella organizations have

emerged to combat corruption. The Office of the Ombudsman and the Presidential Anti-Graft Commission (PAGC) have mixed records. Many maintain that the former has been compromised under the current administration, as convictions have declined, while PAGC lacks enforcement capabilities. Of the 90 cases reviewed by PAGC from January to August 2007, 40 were recommended for prosecution, and only 10 were taken up by the office of the president. All but two of those were then dismissed. The Philippines ranked 131 out of 180 countries surveyed in Transparency International's 2007 Corruption Perceptions Index.

Government accountability and transparency have deteriorated since the 2005 implementation of Executive Order 464, which prohibits government, military, and police officials from attending congressional inquiries without presidential permission. The Supreme Court ruled against key provisions of the order in April 2006, but the administration filed an appeal for reconsideration, which left the order in effect throughout 2007. This has prevented the Senate defense committee from proceeding with its hearings on electoral fraud, which had been launched in November 2005.

The constitution provides for freedom of expression and the press, and the media express a wide range of opinion, but journalists face extreme danger in the course of their work. The private media are vibrant and outspoken, although newspaper reports often consist more of innuendo and sensationalism than substantive investigative reporting. The country's many state-owned television and radio stations cover controversial topics and are willing to criticize the government, but they too lack strict journalistic ethics. While the censorship board has broad powers to edit or ban content, government censorship is generally not a serious obstacle. The internet is widely available and uncensored.

National security legislation that may limit journalists' rights and access to sources was introduced in 2007. In April, GMA issued Executive Order 608, which established a National Security Clearance System to protect classified information. Watchdog groups also expressed concerns that the new Human Security Act (HSA), enacted in July, would allow journalists to be wiretapped based on mere suspicion of involvement in terrorism. A study by the Manila-based Center for Media Freedom and Responsibility noted an improved performance by major news organizations in covering the 2007 elections relative to 2004, but it also found "unabashed bias" on the part of government-run television networks. In a few instances, the media were prevented from conducting interviews with opposition leaders. Coverage of an important national event was obstructed when 30 media workers were arrested at the scene of the failed coup attempt in November. Libel is a criminal offense, and libel suits have been used frequently in recent years to quiet criticism of public officials. The president's husband, who was notorious for filing defamation charges, dropped 11 suits against 46 journalists in May 2007.

The Philippines remains one of the most dangerous places in the world for journalists to work. Two journalists were killed in connection with their work in 2007, as opposed to three in 2006, but the Committee to Protect Journalists has counted a total of 32 journalists killed since 1992 (with a 90 percent impunity rate). Several cases have involved journalists known for exposing corruption scandals or being critical of the government, army, or police. Both murder victims in 2007 were radio broadcasters. Radio broadcasters outside major urban centers—known for sensational

political reporting intended to attract high ratings—are the most common targets; at least four other radio journalists were killed or wounded during the year under unclear circumstances. The government in 2006 established a police task force to deal with attacks on journalists, but police are believed to be complicit in many such crimes.

Freedom of religion is guaranteed under the constitution and generally respected in practice. While church and state are separate, the country is mainly Christian, with a Roman Catholic majority. The minority Muslim population is concentrated on the southern island of Mindanao and, according to the most recent census, represents roughly 5 to 9 percent of the total population. Muslim provinces are among the most impoverished. Perceptions of relative socioeconomic deprivation and political disenfranchisement, and resentment toward Christian settlement in traditionally Muslim areas, have played a central role in the Muslim separatist movement.

Academic freedom is generally respected in the Philippines, and professors and other teachers can lecture and publish freely.

Citizen activism is robust, and demonstrations are common. Permits are legally required for rallies, but this rule was often ignored until the government adopted a stricter policy called "preemptive calibrated response" in September 2005. The new approach was implemented after the July 2005 protest-backed attempt to impeach the president. The Supreme Court ruled against the harsher policy in April 2006, and called for the designation of certain areas where permits would not be required. Most antigovernment rallies continue to be dispersed. Demonstrations against the HSA by left-wing groups in 2007 were forcibly broken up by police.

The Philippines has many active human rights, social welfare, and other non-governmental groups, as well as lawyers' and business associations. Various solidarity, labor, and farmers' organizations that are dedicated to ending extrajudicial killings and helping families of the disappeared face significant threats in their work, and their offices are occasionally raided. Trade unions are independent, and they may align with international groups. However, in order to register, a union must represent at least 20 percent of a given bargaining unit. Moreover, large firms are stepping up the use of contract workers, who are prohibited from joining unions. Only about 5 percent of the national labor force is unionized, including some 20 percent of public sector employees. Collective bargaining is widespread, and strikes may be called, though unions must provide notice and obtain majority approval from their membership. Violence against labor leaders has increased as part of the spike in extrajudicial killings in recent years.

Judicial independence is strong, particularly with respect to the Supreme Court, which issued a series of rulings against the administration in 2006. The court also spearheaded efforts to resolve the issue of extrajudicial killings in 2007, holding a special summit in July and promulgating the writ of *amparo* (protection) to prevent the AFP from delaying a case by denying that it has a person in custody. This new judicial tool went into effect in October. Rule of law in the country more generally remains weak. A backlog of more than 800,000 cases in the court system significantly contributes to impunity, while salaries are low and corruption is rampant. The judiciary receives less than 1 percent of the national budget, and judges and lawyers are often dependent on local powers for basic resources and salaries, leading

to compromised verdicts. At least 12 judges have been killed since 1999, including two high-profile murders in the controversial Fraport airport case, but there have been no convictions for the attacks.

The HSA gives security forces the authority to detain suspects without a warrant or charges for up to three days and sets penalties of up to 40 years in prison for terrorism offenses. Critics have argued that its broad definition of terrorism would allow the president to use it against her political adversaries. Other opponents said the law's "compromise" provisions would limit its effectiveness, objecting in particular to provisions that would grant 500,000 pesos (US\$10,870) in damages for each day of wrongful detention or asset seizure, and similarly significant fines for police officers who wrongfully detain suspects.

Reports of arbitrary and unlawful detention under harsh conditions, disappearances, kidnappings, and abuse of suspects continued in 2007. Mounting evidence has confirmed the AFP's responsibility for many of the numerous killings of leftist journalists, labor leaders, and senior members of legal left-wing parties in recent years. The killings have been most prevalent in areas where the NPA is perceived to be strong. Jonas Burgos, a well-known trainer of the Peasant Movement of the Philippines, was forcibly abducted in April 2007 in a shopping mall in metro Manila. The car used in the incident was later traced to a military compound, but the case remained unresolved at year's end. The lack of witness protection has been a key obstacle to investigations, including that of the Melo Commission. About 90 percent of extrajudicial killing and abduction cases have no willing witnesses. Especially problematic is the fact that the Department of Justice oversees both the witness-protection program and the entity that serves as counsel to the military. Similarly, the Philippine National Police, tasked with investigating journalist murders, falls under the jurisdiction of the AFP.

The Muslim separatist conflict has caused severe hardship for many of the 15 million inhabitants of Mindanao and nearby islands, and has resulted in more than 120,000 deaths since it erupted in 1972. Both government and rebel forces have committed summary killings and other human rights abuses. MILF guerrillas have attacked many Christian villages, and the smaller ASG has kidnapped, tortured, and beheaded some civilians. Islamist militants are suspected in a string of bombings on Mindanao in recent years. According to the Internal Displacement Monitoring Centre, up to 145,000 people were newly displaced in 2007 as a result of armed conflict or human rights violations, with roughly 100,000 people forced to flee their homes in Sulu and Basilan following large-scale military operations from April to August. Meanwhile, the Communist NPA continues to engage in some executions, torture, and kidnappings in the countryside, especially central and southern Luzon. Members of the AFP maintain that the extrajudicial killings in these areas are the result of purges within the Communist movement.

Citizens may travel freely, and there are no restrictions on employment or place of residence. The government generally respects the privacy of its citizens, but the poor security situation inhibits individuals' ability to operate private businesses. Ten percent of the population works abroad because of the lack of jobs at home, and the economy is heavily dependent on remittances from Filipinos working abroad.

Filipino women have made many social and economic gains in recent years. The UN Development Programme notes that the Philippines is one of the few countries

in Asia to significantly close the gender gap in the areas of health and education. More women than men now enter high school and university, and many women control household finances. Women face some discrimination in private sector employment, however, and women in Mindanao enjoy considerably fewer rights.

The trafficking of Filipino women and girls abroad and internally for forced labor and prostitution remains a major problem, despite antitrafficking efforts by the government and civil society. The fact that many women trafficked for illicit labor are heavily indebted by the time they begin working exacerbates the problem. There are reports of bonded labor, especially of children, in black-market trades such as prostitution and drug trafficking. The NPA, MILF, and ASG have been accused of using child soldiers.

## Poland

**Population:** 38,100,000

**Capital:** Warsaw

**Political Rights:** 1

**Civil Liberties:** 1

**Status:** Free



**Trend Arrow:** Poland received an upward trend arrow due to improvements in freedom of expression and association following the October electoral victory of the Civic Platform party and leader Donald Tusk's appointment as prime minister.

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

1998	1999	2000	2001	2002	2003	2004	2005	2006	2007
1,2F	1,2F	1,2F	1,2F	1,2F	1,2F	1,1F	1,1F	1,1F	1,1F

**Overview:** Political turmoil surrounding the ruling Law and Justice (PiS) party continued in 2007 until the Parliament voted to dissolve, prompting elections in October. The center-right opposition party Civic Platform won the polls, and its leader, Donald Tusk, became the new prime minister. Tusk is considered more modern and EU-oriented, and was widely welcomed by the media. A loosening of restrictions was immediately apparent, including an undisturbed gay rights demonstration and a more relaxed press atmosphere.

After being destroyed by its powerful neighbors in a series of 18th-century partitions, Poland enjoyed a window of independence from 1918 to 1939, only to be invaded by Germany and the Soviet Union at the opening of World War II. The country then endured decades as a Soviet satellite state until 1989, when the Solidarity trade union movement forced the government to accept democratic elections.

Fundamental democratic and free-market reforms were introduced during the 1989-91 period. Later changes came as Poland prepared its bid for membership in the European Union (EU). Political parties with a background in Solidarity held power from 1989 to 1993 and from 1997 to 2001. In 1995, former Communist Alexander Kwasniewski replaced Solidarity's Lech Walesa as president and was subsequently reelected by a large margin in 2000.

In September 2001, voters handed the Solidarity government of Prime Minister Jerzy Buzek a decisive defeat in parliamentary elections, and Democratic Left Alliance (SLD) leader Leszek Miller became the new prime minister. The Solidarity movement and the right-leaning Freedom Union (UW) failed to secure a single seat.

On May 1, 2004, Poland joined the EU, along with nine other mostly former communist Central and Eastern Europe countries. Poland has since been a somewhat awkward EU member, fighting aggressively over its share of the EU's budget and voting privileges.

Law and Justice (PiS), a conservative party with strong anti-Communist roots headed by identical twin brothers Lech and Jaroslaw Kaczynski, won a stunning victory in the September 2005 elections. Although Jaroslaw was the formal party leader, Kazimierz Marcinkiewicz was named prime minister-designate to avoid damaging Lech Kaczynski's presidential bid. He duly won the presidential contest in October, and PiS eventually formed a fragile majority coalition with the leftist-populist, agrarian Self-Defense Party (Samoobrona) and the socially conservative, Catholic-oriented League of Polish Families (LPR). Marcinkiewicz gained popularity for running a capable, modest government, but in July 2006, he was replaced by Jaroslaw Kaczynski. The ruling coalition broke apart in September 2006, only to re-form in a weakened state the following month.

The Kaczynskis pressed ahead with their increasingly unpopular policies in 2007, including "lustration" legislation that took effect in March. The law required as many as 700,000 citizens in positions of authority—such as civil servants, journalists, and academics—to declare in writing whether they had cooperated with the Communist-era secret service. Refusal to comply would result in a 10-year ban from public office. However, the Constitutional Tribunal struck down many of the law's provisions in May. The paranoid political atmosphere was worsened by the initial publication in September by the Institute of National Remembrance (IPN) of the names of public figures who had spied for or were spied upon by the former regime.

Political instability continued over the summer as the prime minister fired a number of senior officials, including the deputy prime minister and agriculture minister, Self-Defense Party leader Andrzej Lepper. The dismissals led to the collapse of the governing coalition, and on September 7, the Sejm (lower house of parliament) voted to dissolve itself, triggering national elections on October 21. Some 55 percent of eligible voters turned out for the polls, the highest rate since the fall of communism, and handed victory to the center-right Civic Platform (PO) party. The PO, advocating business-friendly and pro-EU policies, won 209 seats in the Sejm, followed by PiS with 166, the Left and Democrats (LiD) coalition with 53, and the Polish People's Party (PSL) with 31. The PO and PSL formed a coalition government in November, with PO leader Donald Tusk as prime minister. Given the

outgoing PiS government's acrimonious relations with the EU, most EU leaders applauded Tusk's election.

**Political Rights and Civil Liberties:** Poland is an electoral democracy. Voters elect the president for five-year terms and members of the bicameral National Assembly for four-year terms. The president's appointment of the prime minister is subject to confirmation by the 460-seat Sejm, the National Assembly's lower house. The prime minister is responsible for most government policy, but the president also has an important role, especially in foreign relations. The 100-member Senate, the upper house, can delay and amend legislation but has few other powers.

The conservative PiS and the center-right PO have become the two most important political parties, while smaller left-leaning parties, including the SLD, have joined forces in the LiD coalition. PiS's former coalition partners, Self-Defense and the LPR, failed to win representation in the October 2007 legislative elections.

The PiS government elected in 2005 made anticorruption efforts a priority, and PiS itself has generally been seen as less graft-prone than its predecessors in government. However, that reputation was tainted by accusations that it used job offers to convince other parties' members to defect to PiS. Those in power have also been criticized for using Communist-era intelligence files to discredit political enemies. Poland was ranked 61 out of 180 countries surveyed in Transparency International's 2007 Corruption Perceptions Index.

The 1997 constitution guarantees freedom of expression and forbids censorship. However, the country's libel law treats slander as a criminal offense. Infringements on media freedom include gag orders and arbitrary judicial decisions concerning investigations of individuals affiliated with parties in power. LPR officials in June 2007 filed a lawsuit against former Spanish lawmaker Pilar Rahola, accusing her of criminal defamation of the Polish nation in an article for the Spanish daily *El Pais*. Separately, in August, the recently fired interior minister reported that intelligence services had tapped the telephones of journalists who were critical of the government. Tusk's election, however, resulted in the perception that the media will be freer than under the previous government. Poland's print media are diverse and for the most part privately owned. The state-owned television and radio broadcaster is dominant but faces growing competition from private Polish and foreign outlets. The government does not restrict internet access.

The state respects freedom of religion. Religious groups are not required to register but receive tax benefits if they do. Roman Catholic priest Tadeusz Rydzyk, a PiS supporter and head of a media group that includes the ultraconservative Radio Maryja, was criticized in 2007 for making anti-Semitic remarks. Radio Maryja, although owned by a private Catholic group, enjoys fee exemptions and public-broadcaster status. Academic freedom is generally respected, though one rarely invoked law threatens anyone who "publicly insults or humiliates a constitutional institution" with a fine or up to two years' imprisonment.

Polish citizens can petition the government, assemble legally, organize professional and other associations, and engage in collective bargaining. Public demonstrations require permits from local authorities. A demonstration by gay rights activists took place in November without incident, in contrast to previous years. Poland has a



robust labor movement, but groups including the self-employed and those working under individual contracts are barred from joining a union. Union pluralism is recognized with the exception of law enforcement personnel, who mounted a successful informal strike in 2007. Labor leaders have complained of harassment by employers.

Poland has an independent judiciary, but courts are notorious for delays in administering cases. State prosecutors have proceeded slowly on corruption investigations, contributing to concerns that they are subject to considerable political pressure. A November 2007 report by the International Bar Association Human Rights Institute on the status of rule of law in Poland found that several recently passed and proposed legislative amendments introduced by the PiS during the year would threaten the judiciary, the legal profession, and prosecutors. They included fee-capping measures for advocates and legal advisers, requirements for cases to be considered in the order in which they are received, and a provision giving the justice minister the ability to reassign judges to different courts or locations against their will. The new government has promised its own judicial reforms and nothing else was enacted by year's end. Prison conditions are fairly poor by European standards, and pretrial detention periods can be lengthy.

Ethnic minorities generally enjoy generous protections and rights under Polish law, including funding for bilingual education and publications and privileged representation in parliament; their political parties are not subject to a minimum vote threshold of 5 percent to achieve representation. Some groups, particularly the Roma, suffer discrimination in employment and housing, racially motivated insults, and occasional attacks. Poland's homosexual community is active, but faces discrimination. A March 2007 proposal by the Ministry of Education would have prohibited the promotion of homosexuality in schools, with those found guilty facing fines or imprisonment. The measure was not enacted.

Women have made inroads in the professional sphere and are employed in a wide variety of occupations. A number of women hold high positions in government and the private sector. However, domestic violence against women is a problem. Abortion is illegal unless the health of the mother is at risk, the pregnancy results from rape or incest, or the fetus is irreparably damaged, and the law is strictly enforced. As in several other formerly Communist countries in the region, trafficking in women and girls for the purpose of prostitution remains a problem.

# Portugal

**Population:** 10,700,000

**Capital:** Lisbon

**Political Rights:** 1

**Civil Liberties:** 1

**Status:** Free



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

1998	1999	2000	2001	2002	2003	2004	2005	2006	2007
1,1F	1,1F	1,1F	1,1F	1,1F	1,1F	1,1F	1,1F	1,1F	1,1F

### Overview:

Portugal held the rotating European Union (EU) presidency for the latter half of 2007, focusing on economic reform and the drafting of the Treaty of Lisbon, which would replace the defeated EU constitution. In April, the president signed a law legalizing voluntary termination of pregnancies for the first time in Portugal. Separately, the parliament in September overrode a presidential veto to enact the Journalist Statute, which endangered journalists' protection of confidential sources, fair pay, and control over their work.

Portugal was proclaimed a republic in 1910, after King Manuel II abdicated during a bloodless revolution. Antonio de Oliveira Salazar became prime minister in 1932 and ruled the country as a fascist dictatorship until 1968, when his lieutenant, Marcello Caetano, replaced him. During the "Marcello Spring," repression and censorship were relaxed somewhat, and a liberal wing developed inside the one-party National Assembly. In 1974, a bloodless coup by the Armed Forces Movement, which opposed the ongoing colonial wars in Mozambique and Angola, overthrew Caetano.

A transition to democracy began with the election of a Constitutional Assembly that adopted a democratic constitution in 1976. A civilian government was formally established in 1982 after a revision of the constitution brought the military under civilian control, curbed the president's powers, and abolished the unelected Revolutionary Council. Portugal became a member of the European Economic Community (later the European Union, or EU) in 1986, and in early 2002, the EU's euro replaced Portugal's currency, the escudo. In 1999, Portugal handed over its last colonial territory, Macao, to the People's Republic of China.

In February 2005 elections, the Socialist Party took 120 of the 230 seats in parliament, while the governing Social Democrats captured only 72. They were followed by the Communist Party with 14 seats, the Popular Party with 12, and the Left Bloc with 8. The elections, which had been called more than a year early, ushered in Portugal's fourth government in three years. Socialist leader and former environment minister Jose Socrates became prime minister, replacing Pedro Santana Lopes, who was in power for only seven months. Lopes had gained the office after his predecessor, Jose Manuel Barroso, left in July 2004 to head the European Commission.

Anibal Cavaco Silva, a center-right candidate who had served as prime minister from 1985 to 1995, won the 2006 presidential election, marking the first time in Portugal's recent history that the president and prime minister hailed from opposite sides of the political spectrum.

Portugal held the rotating EU presidency beginning in July 2007. Many countries looked to Portugal to push for uniform immigration laws for the EU member states, which were not drafted by year's end. Portugal also oversaw the drafting of a new treaty, known as the Treaty of Lisbon, that replaced the proposed EU constitution, which had been rejected in 2005. The bulk of the new document was the same as the failed constitution, with mostly symbolic changes.

As part of a government effort to liberalize the country's laws on social and personal matters, the parliament in March passed a law removing restrictions on abortion in the first 10 weeks of pregnancy, and the president approved the measure in April. A majority of referendum voters had endorsed the proposal in February, but voter turnout fell below 50 percent, rendering the poll legally invalid; the government argued that it nevertheless gave an indication of the people's wishes. The previous law, which was interpreted narrowly, had allowed a woman to have an abortion only if her life was in danger, or if it was necessary for her mental or physical health, or in cases of rape, incest, or fetal impairment. The new law allowed voluntary termination of pregnancy, but it was met with resistance by a majority of doctors, and hospitals and medical centers remained ill-equipped for abortion procedures.

In September, the parliament overrode a presidential veto to enact a law known as the Journalist Statute. According to the European Federation of Journalists, the new law would require journalists to hand over confidential information and disclose sources in criminal cases "on the grounds that it would be difficult to obtain information by other means." The law also allowed employers to use or alter material provided by staff journalists in any manner for 30 days after initial publication, without providing additional compensation.

**Political Rights and Civil Liberties:** Portugal is an electoral democracy. The 230 members of the unicameral legislature, the Assembly of the Republic, are elected every four years using a system of proportional representation. The president, elected for up to two five-year terms, receives advice from the Council of State, which includes six senior civilian officials, former presidents elected under the 1976 constitution, five members chosen by the Assembly, and five members selected by the president. While the president holds no executive powers, he can delay legislation with a veto and dissolve the Assembly to call early elections. The prime minister is nominated by the Assembly, and the choice is confirmed by the president. The constitution was amended in 1997 to allow resident noncitizens to vote in presidential elections.

The Portuguese have the right to organize and join political parties and other political groupings of their choice, except for fascist organizations. The autonomous regions of Azores and Madeira—two island groups in the Atlantic—have their own political structures with legislative and executive powers.

Portugal was ranked 28 out of 180 countries surveyed in Transparency International's 2007 Corruption Perceptions Index. In April 2007, the Organization for Economic Cooperation and Development (OECD) released a report urging Por-

tugal to crack down on bribery of foreign officials in international business transactions. Soon after the release of the report, two Portuguese civil servants were arrested on bribery charges, and three foreign businesses remained under investigation for offering bribes to other civil servants at year's end.

Freedom of the press is guaranteed by the constitution, and laws against insulting the government or the armed forces are rarely enforced. The inadequately funded public broadcasting channels now face serious competition from commercial television outlets. In September 2007, the parliament overrode a presidential veto to enact the Journalist Statute, which threatens source confidentiality and fair pay for the reuse of journalists' work. Internet access in Portugal is not restricted.

Although the country is overwhelmingly Roman Catholic, the constitution guarantees freedom of religion and forbids religious discrimination. The Religious Freedom Act, which was adopted in 2001, provides religions that have been established in the country for at least 30 years (or recognized internationally for at least 60 years) with a number of benefits formerly reserved for the Catholic Church, such as tax exemptions, legal recognition of marriage and other rites, chaplain visits to prisons and hospitals, and respect for traditional holidays. Academic freedom is respected.

There is freedom of assembly and association, and citizens can participate in demonstrations and open public discussion. National and international nongovernmental organizations, including human rights groups, operate in the country without government interference. Workers have the right to organize, bargain collectively, and strike for any reason, including political ones. Despite a large-scale strike on May 30 that froze much of the country's public sector, the government in 2007 passed new labor laws that reduced the number of leave days from 25 to 23 and made it easier for employers to fire workers under the concept of "failure to adapt."

The constitution provides for an independent court system. However, staff shortages and inefficiency have contributed to a considerable backlog of pending trials. Human rights groups have expressed concern about unlawful police shootings, deaths in police custody, and poor prison conditions. A Justice Ministry report released in 2005 cited a number of problems in the country's prison system, including overcrowding, poor sanitary conditions, and high rates of HIV/AIDS among inmates. The prison population—as a percentage of the total population—is larger than the EU average.

The constitution guarantees equal treatment under the law and nondiscrimination. The government has taken a number of steps to combat racism, including passing antidiscrimination laws and launching initiatives to promote the integration of immigrants and Roma (Gypsies). In June 2007, the government launched its first official website aimed at combating prejudice against the Roma. Lawmakers passed a new immigration law in May that will facilitate family reunification and legalization for immigrants in specific circumstances, such as those who applied under "immigration amnesty."

The country is a destination and transit point for trafficked persons, particularly women from Eastern Europe and former Portuguese colonies in South America and Africa. Approximately 5,000 Brazilian women are trafficked into Portugal for sexual exploitation each year. Penal reforms in September 2007 criminalized sex trafficking for the first time and allow for up to 12 years in prison if convicted. The Casa Pia pedophilia case, which involved extensive sexual abuse at state-run orphanages, has also heightened awareness of child sex trafficking in the country.

Domestic violence against women remains a problem, and few cases are brought to trial. Over 8,000 cases were reported in the first half of 2007. In 2005, the government launched a nationwide awareness campaign on domestic violence. Most restrictions on abortion were lifted in April 2007, though many hospitals remained ill-equipped to deal with requests for the procedure. In parliamentary elections in February 2005, 19.5 percent of the seats were won by women, about the same as in the previous elections in 2002.

## Qatar

**Population:** 900,000

**Capital:** Doha

**Political Rights:** 6

**Civil Liberties:** 5

**Status:** Not Free



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

1998	1999	2000	2001	2002	2003	2004	2005	2006	2007
7,6NF	6,6NF	6,6NF	6,6NF	6,6NF	6,6NF	6,5NF	6,5NF	6,5NF	6,5NF

### Overview:

**Qatar held elections for the 29-member Central Municipal Council in April 2007. In May, political activists in Doha established the Arab Foundation for Democracy, a group committed to monitoring reform in the region. Elections for the national parliament did not take place in 2007, marking the third time they have been postponed since 2004.**

Qatar gained independence from Britain in 1971. The following year, Khalifa bin Hamad al-Thani deposed his cousin, Emir Ahmad bin Ali al-Thani, and ruled until 1995 as an absolute monarch, with few government institutions checking his authority. In 1995, the emir was deposed by his son, Hamad bin Khalifa al-Thani, who began a program of gradual political, social, and economic reforms. Hamad dissolved the Ministry of Information shortly after taking power, an action designed to demonstrate his commitment to expanding press freedom.

In 1996, Hamad permitted the creation of Al-Jazeera, which has become one of the most popular Arabic-language satellite television channels in the Middle East. However, Al-Jazeera generally does not cover Qatari politics and focuses instead on regional issues. Elections were held in 1999 for a 29-member Central Municipal Council, a body designed to advise the minister of municipal affairs and agriculture. The poll made Qatar the first state of the Gulf Cooperation Council to introduce universal suffrage for men and women over 18 years of age. Hamad also accelerated a program to build Qatar's educational institutions, inviting foreign universities to establish branches in the country; Cornell University of the United States established a separate campus of its Weill Cornell Medical College in Doha in 2002.

Fresh elections for the municipal council were held in 2003. Also that year, Qatari voters overwhelmingly approved a constitution that slightly broadened the scope of political participation without eliminating the monopoly on power enjoyed by the al-Thani family. Most rights in the new constitution do not apply to the majority of people living in Qatar—noncitizen residents.

After previous cooperation during the 1991 Persian Gulf War, Qatar began allowing the United States to use its Al-Udeid air base in 2001, and the U.S. presence has grown since then. The U.S. military's Central Command, which oversees operations from East Africa to Central Asia, has established a headquarters facility in Qatar, and the country served as a major military hub during and after the U.S. invasion of Iraq in March 2003.

In January 2006, Qatar began a two-year term on the 15-member UN Security Council. The position has become a central element in the country's long-term strategy to raise its international profile. Qatar has faced severe criticism among Muslim countries for its close alliance with the United States and its tentative links with Israel.

In April 2007, citizens again voted for the Central Municipal Council, choosing 29 members from 125 candidates. One woman was elected. Turnout reached 51 percent, a considerable improvement over 2003, when just 30 percent of the eligible electorate voted.

**Political Rights and Civil Liberties:**

Qatar is not an electoral democracy. The head of state is the emir, currently Hamad bin Khalifa al-Thani, and the al-Thani family has a monopoly on political power in Qatar. The emir appoints a prime minister and cabinet. The constitution states that the emir appoints an heir after consulting with the ruling family and other notables. Voters elect local government representatives with limited powers over municipal services; these representatives report to the appointed minister of municipal affairs and agriculture. A constitution, ratified by public referendum in 2003 and promulgated by the emir in 2004, provides for elections to 30 of the 45 seats in a new Consultative Council. The emir has the power to appoint the other 15 members. Elections for the parliament, delayed twice since 2004, were postponed again in 2007.

Only a small percentage of the country's population—about 200,000 people out of 900,000 residents—is permitted to vote or hold office. The government does not permit the existence of political parties.

Although critics have complained of a lack of transparency in government procurement, Qatar was ranked 32 out of 180 countries surveyed in Transparency International's 2007 Corruption Perceptions Index, making it the best performer in the Arab Middle East.

The constitution guarantees freedom of expression. However, content in the print and broadcast media is influenced by leading families, and journalists practice a high degree of self-censorship. Reporters face possible jail sentences for slander. The top five daily newspapers are privately owned, but their owners and boards include members of the ruling family. Although the satellite television channel Al-Jazeera is privately owned, the Qatari government has reportedly paid operating costs for the channel since its inception. As a result, Al-Jazeera rarely criticizes the al-Thani family. In October 2007, the government banned journalists from covering

court proceedings. Journalists are forbidden from even entering the country's courtrooms without first obtaining permission, restricting the media's ability to monitor judicial corruption. Qataris have access to the internet, but the government censors content and blocks access to sites that are deemed pornographic or politically sensitive.

Islam is Qatar's official religion. However, the new constitution explicitly provides for freedom of worship. The Ministry of Islamic Affairs regulates clerical matters and the construction of mosques. In December 2005, the government permitted the Christian community of Qatar to build six churches, the first of their kind. The new constitution guarantees freedom of opinion and research, but scholars often practice self-censorship on politically sensitive topics.

The constitution grants freedom of assembly and the right to form organizations, but these rights are limited in practice. Protests are rare, with the government restricting the public's ability to organize demonstrations. All nongovernmental organizations (NGOs) need state permission to operate, and the government closely monitors the activities of these groups. In April 2005, the Ministry of Civil Service Affairs and Housing promulgated new regulations for NGOs and professional associations, streamlining their operating requirements and restricting membership and activities. In May 2007, the Ministry of Foreign Affairs hosted the Conference on Democracy and Reform in Doha. Over 300 activists and participants called for Arab governments to eliminate restrictions on free speech and the press. They established the Arab Foundation for Democracy, which will monitor progress on reform in the region. Sheikh Hamad contributed \$10 million to the fund.

There are no independent human rights organizations, but a National Human Rights Committee (NHRC), consisting of members of civil society and government ministries, has done some work on investigating alleged abuses. In May 2007, Qatar was controversially elected to the UN Human Rights Council. Doha in 2008 will become home to the UN Human Rights Center for Southwest Asia and the Arab Region. The goal of the center will be to provide training, documentation, collaboration, and empowerment to organizations and national institutions.

A new labor law came into effect in 2005, expanding some protections for citizens. However, the law prohibits noncitizen workers from forming labor unions. Foreign nationals, who make up most of the workforce in Qatar, face severe disadvantages. Although foreign laborers have limited legal rights and can appear before the same courts as Qatari citizens, fear of job loss and deportation prevents many workers from exercising even these rights.

Many foreign workers face economic abuses like the withholding of salaries or contract manipulation, while others endure poor living conditions and excessive work hours. Worker complaints have included charges as serious as torture, imprisonment, and forced labor. Foreign construction workers have repeatedly demonstrated against poor living and working conditions. Female domestic servants are particularly vulnerable to abuse and are often lured or forced into prostitution.

Despite constitutional guarantees, the judiciary is not independent in practice. The majority of Qatar's judges are foreign nationals who are appointed and removed by the emir. The judicial system consists of Sharia (Islamic law) courts, which have jurisdiction over a narrow range of issues, such as family law; and civil law courts, which have jurisdiction over criminal cases as well as commercial and civil suits. There are also Sharia and Civil appeals courts. The Supreme Judiciary Council regu-

lates the judiciary. The constitution protects individuals from arbitrary arrest and detention and bans torture. However, Law 17, issued in 2002, allows the suspension of these guarantees for the "protection of society." The law empowers the minister of the interior to detain a defendant for crimes related to national security on the recommendation of the director-general of public security.

The government discriminates against noncitizens in education, housing, health care, and other services that are offered free of charge to citizens. In spite of government efforts aimed at reining in human trafficking, in 2007 Qatar dropped to Tier 3, the worst rating, in the U.S. State Department's annual Trafficking in Persons Report for its failure to meet basic standards in combating the practice. The constitution treats women as full and equal persons. Article 35 of the charter bans discrimination based on sex, country of origin, language, or religion. Nevertheless, women continue to face societal gender discrimination, and few legal mechanisms are available for them to contest incidents of bias.

## Romania

**Population:** 21,600,000

**Capital:** Bucharest

**Political Rights:** 2

**Civil Liberties:** 2

**Status:** Free



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

1998	1999	2000	2001	2002	2003	2004	2005	2006	2007
2,2F	2,2F	2,2F	2,2F	2,2F	2,2F	3,2F	2,2F	2,2F	2,2F

**Overview:** **After joining the European Union (EU) in January 2007, Romania was thrown into political turmoil in April when the prime minister fired cabinet ministers backed by President Traian Basescu and narrowed the ruling minority coalition. Parliament suspended Basescu that month, but he was reinstated after easily winning a May referendum on his removal. Meanwhile, the EU warned in June that Romania could face sanctions in 2008 if it failed to make progress on judicial reforms and anti-corruption efforts.**

In late 1989, longtime dictator Nicolae Ceaucescu was overthrown and executed by disgruntled Communists. A provisional government was formed under Ion Iliescu, a high-ranking Communist, and elections soon followed. Iliescu lost power in 1996 elections but reclaimed the presidency in 2000; the former Communist Party, renamed the Party of Social Democracy (PSD), took power in that year's parliamentary elections, with Adrian Nastase as prime minister.

In 2004, Traian Basescu of the Alliance for Truth and Justice (comprising the



National Liberal Party and the Democratic Party) defeated Nastase in a presidential runoff. The PSD secured a plurality of seats in Parliament, but Basescu's presidential victory led to a majority coalition between the Alliance for Truth and Justice, the Humanist Party (which subsequently changed its name to the Conservative Party, or PC), and the Democratic Union of Hungarians in Romania (UDMR). Calin Popescu Tariceanu of the National Liberal Party (PNL) became prime minister.

The ruling coalition proved rather unstable. The PNL and the Democratic Party (PD)—which Basescu formally left to become president—clashed over the presence of Romanian troops in Iraq, constitutional reform, control of the security forces, and the holding of early elections. In December 2006, the PC withdrew from the coalition, and a rebel PNL faction led by Theodor Stolojan reorganized as the Liberal Democratic Party (PLD), which sided more often with the PD.

In order to fulfill European Union (EU) accession requirements in 2006, the government made a notable effort to speed up judiciary reform and eradicate corruption. The country joined the EU as scheduled on January 1, 2007. After accession, however, the friction between the president and prime minister quickly flared into direct confrontation, with the PSD exploiting the rift and lending tactical support to Tariceanu. Much of the disagreement appeared to stem from the president's aggressive pursuit of the EU-backed reforms, which his opponents accused him of politicizing.

On April 1, Tariceanu fired eight ministers supported by the president and PD, ousting the latter from the ruling coalition. The remaining two coalition members, the PNL and UDMR, held just 109 seats in the 469-seat bicameral Parliament. At the PSD's urging, Parliament on April 19 voted, 322 to 108, to suspend Basescu and organize a referendum on his removal. The lawmakers, including the PNL, accused him of exceeding his constitutional authority by meddling in the cabinet, influencing anticorruption prosecutors, and using the intelligence services against his political enemies. They proceeded with the referendum despite a nonbinding Constitutional Court finding that Basescu had not broken the law. In the May 19 poll, 74 percent of participating voters rejected impeachment, with a turnout of 44 percent.

The European Commission welcomed the result, urging the Romanian leadership to work together and continue with its stalled reform agenda. In a June report, the commission warned that Romania would face sanctions if it failed to make progress on corruption and judicial reforms within a year. Another EU warning in October, threatening to withhold a quarter of the country's 2008 agricultural aid, was rescinded in December after the government improved its oversight of how the money was distributed to farmers.

Notwithstanding the EU warnings, the two sides seemed locked in a political stalemate for much of the year. The president lacked the authority to call elections or fire ministers, and his opponents appeared unwilling to face voters given their low popularity. Tariceanu's minority government narrowly survived a no-confidence vote in early October, and his PNL won just 13 percent of the vote—behind the PD's 29 percent and the PSD's 23 percent—in European Parliament elections in November, though voter turnout was less than 30 percent. The PLD, which captured 8 percent, announced plans to merge with the PD the following month.

**Political Rights and Civil Liberties:** Romania is an electoral democracy. Elections since 1991 have been considered generally free and fair. The directly elected

president does not have substantial powers beyond foreign policy. He appoints the prime minister, who remains the most powerful politician, with the approval of Parliament. The members of the bicameral Parliament, consisting of the 137-seat Senate and 332-seat Chamber of Deputies, are elected for four-year terms, and a 2004 constitutional amendment stipulates that the president is now elected for a five-year term. A 5 percent electoral threshold for representation in Parliament favors larger parties; six parties won representation in the last elections. The president is not permitted to be a member of a political party.

The constitution allots a seat to each national minority that passes a special threshold lower than the 5 percent otherwise needed to enter Parliament. In the 2004 elections, 18 such seats were allotted. While the ethnic Hungarian minority is represented in the ruling coalition, political participation and representation of Roma is very weak.

Romania significantly stepped up its anticorruption efforts ahead of EU accession. In 2006, anticorruption agencies were reorganized and granted greater authority to investigate corruption at the highest levels, including in Parliament. The quantity and quality of high-level corruption probes increased significantly, and a number of officials, judges, and police officers were arrested and convicted. However, the June 2007 EU progress report noted a pattern of weak or suspended sentences in high-level corruption cases, blunting the effects of the stepped-up prosecutions. In July 2006, the government approved legislation to establish a National Agency for Integrity, tasked with vetting public officials' assets. It began operations in December 2007, but its future was uncertain after one of its chief proponents, Justice Minister Monica Macovei, was dismissed by the prime minister in April. In October, Agriculture Minister Decebal Traian Remes resigned after being caught on video arranging a bribe, and Macovei's replacement as justice minister, Tudor Chiuariu, resigned in December after allegedly abusing his position in a real estate deal. Romania was ranked 69 out of 180 countries surveyed in Transparency International's 2007 Corruption Perceptions Index, the worst ranking in the EU.

The constitution enshrines freedom of expression and the press, and the media are characterized by considerable pluralism. Government respect for media freedoms had been increasing in recent years. However, in January 2007, the Constitutional Court struck down reforms that had decriminalized libel and defamation, effectively reinstating them in the penal code. President Traian Basescu drew criticism in May for seizing the mobile telephone of a reporter who tried to interview him while he was grocery shopping on the day of the impeachment referendum. In September, Parliament appointed a former PSD official to head the public television station, raising concerns about political bias. The government does not restrict access to the internet.

Religious freedom is generally respected, although "nontraditional" religious organizations encounter difficulties in registering with the state. The government formally recognizes 18 religious groups, each of which is eligible for some state support. The Romanian Orthodox Church remains dominant. In December 2006, Parliament passed a law requiring all religions to have a membership equal to at least 0.1 percent of the population in order to be officially acknowledged. Moreover, nontraditional religions must undergo a 12-year "waiting period" prior to recognition. The government does not restrict academic freedom.

The constitution guarantees freedom of assembly and association, and the government respects these rights in practice. The Romanian civil society sector is vibrant and able to influence public policy, increasingly by working through EU officials and mechanisms. Workers have the right to form unions and strike, but in practice many employers work against unions, and illegal antiunion activity is rarely punished.

The judiciary is one of the most problematic institutions in Romania, though a number of important reforms were passed in 2006, ahead of EU accession. The justice budget was increased, and the court infrastructure was renovated. Improvements were made to the recruitment, training, promotion, and disciplinary systems for judges and clerks, but the June 2007 EU report said further efforts were needed in this area. The government and Parliament's ongoing review of the civil and criminal codes was hampered by political clashes in 2007.

A June 2007 Council of Europe report, citing anonymous sources, reiterated earlier allegations that Romania had hosted a secret CIA facility where terrorism suspects were abused and interrogated between 2003 and 2005. Romanian leaders restated their denial of the claims. Conditions in ordinary prisons remain poor.

Romania's 18 recognized ethnic minorities have the right to use their native tongue with authorities in areas where they represent at least a fifth of the population, but the rule is not always enforced. Discrimination against Roma continues, especially in housing, access to social services, and employment. Basescu was criticized for at least two well-publicized ethnic slurs in 2007, but in October he became the first Romanian government official to formally apologize for the Holocaust-related deportation of Roma during World War II. People with disabilities face discrimination in employment and other areas.

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The constitution guarantees women equal rights, but gender discrimination is a problem. Only about 10 percent of the seats in Parliament are held by women. Trafficking of women and girls for forced prostitution has become a major problem. However, some law enforcement progress has become evident, and in 2006, the government created a new agency to evaluate antitrafficking efforts and assist victims.

## ↓ Russia

Population: 141,700,000  
Capital: Moscow

Political Rights: 6  
Civil Liberties: 5  
Status: Not Free



Trend Arrow: Russia received a downward trend arrow for the Kremlin's stage-managed parliamentary election campaign, which left very little room for opposition parties to criticize the authorities or take their message to the people.

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

1998	1999	2000	2001	2002	2003	2004	2005	2006	2007
4,4PF	4,5PF	5,5PF	5,5PF	5,5PF	5,5PF	6,5NF	6,5NF	6,5NF	6,5NF

**Overview:**                    **The 2007 State Duma elections marked a new low in the Kremlin's manipulations of the political process. The authorities sharply restricted outside election observers and ensured that the campaign environment favored Kremlin-backed parties, which won the vast majority of seats. More ominously for Russian democracy, President Vladimir Putin announced that he intended to remain on the political stage after his second term ended in 2008. Putin's continued tenure would benefit the circle of security-agency veterans he has appointed to top positions in the government and state-owned enterprises and set Russia on a firmly authoritarian course. During the year, the authorities continued to place strict limits on opposition political parties, public demonstrations, the media, and nongovernmental organizations, and failed to launch any serious initiatives to address Russia's extensive corruption.**

With the collapse of the Soviet Union in December 1991, the Russian Federation emerged as an independent state under the leadership of President Boris Yeltsin. In 1993, Yeltsin used tanks to thwart an attempted coup by opponents of radical reform in parliament, after which voters approved a new constitution establishing a powerful presidency and a bicameral national legislature, the Federal Assembly. The December 1995 parliamentary elections, in which 43 parties competed, saw strong support for Communists and ultranationalist forces. Nevertheless, in the 1996 presidential poll, Yeltsin easily defeated Communist leader Gennady Zyuganov with the backing of powerful business magnates, commonly known as oligarchs. The August 1998 collapse of the ruble and Russia's financial markets provided a traumatic but useful corrective to the Russian economy, ushering in years of rapid growth. In 1999, Yeltsin appointed Vladimir Putin, then the head of the Federal Security Service (FSB), as prime minister.

Conflict with the separatist republic of Chechnya, which had included a brutal two-year war from 1994 to 1996, resumed in 1999. After a Chechen rebel attack on the

neighboring Russian republic of Dagestan in August 1999 and a series of deadly apartment bombings in Russian cities that the Kremlin blamed on Chechen militants the same year, the central government responded with an invasion of the breakaway region. The second Chechen war dramatically increased Putin's popularity, and after the December 1999 elections to the State Duma, the lower house of the Federal Assembly, progovernment forces were able to form a majority coalition.

An ailing Yeltsin—who was constitutionally barred from a third presidential term—resigned on December 31, 1999, transferring power to his handpicked successor, Putin. The new acting president subsequently secured a 53 percent-29 percent first-round victory over Zyuganov in the March 2000 presidential election. After taking office, Putin moved to consolidate his power, reducing the influence of the legislature, regional leaders, the business community, and the news media, while strengthening the FSB. He considerably altered the composition of the ruling elite through an influx of personnel from the security and military services; they now represent approximately 25 percent of the country's ministers, deputy ministers, legislators, regional governors, and heads of multiregional federal districts. Overall, Putin garnered enormous personal popularity by stabilizing the Russian political system after years of uncertainty under Yeltsin and overseeing a gradual increase in the standard of living for most of the population.

The December 2003 Duma elections were marred by extensive bias in media coverage. The Kremlin-controlled United Russia party captured 306 of the Duma's 450 seats. With the national broadcast media and most print outlets favorable to the incumbent, no opponent was able to mount a respectable challenge in the March 2004 presidential election. Putin, who refused to debate the other candidates, received 71.4 percent of the vote in a first-round victory, compared with 13.7 percent for his closest rival, Communist Nikolai Kharitonov. Voter turnout was 64.3 percent.

Putin's second term featured an increase in state power over civil society, with little progress on overall administrative and military reform. In September 2004, Putin introduced legislative changes that eliminated direct gubernatorial elections in favor of presidential appointments. Russia faced mass protests in early 2005 after the government attempted to replace long-standing in-kind social benefits for certain vulnerable groups with inadequate cash payments. The events sparked concerns in the Kremlin that a future protest movement could topple the current leadership, as had recently occurred in Georgia and Ukraine. To prevent such an outcome, Russian officials and state-controlled media supported loyalist groups, such as the youth movement Nashi, to counter potential opposition protesters. The government also began a crackdown on democracy-promotion groups and other nongovernmental organizations (NGOs) inside Russia, especially those receiving foreign funding.

The authorities removed another possible threat in 2005, when a court sentenced billionaire energy magnate Mikhail Khodorkovsky, founder of the oil firm OAO Yukos, to eight years in prison for fraud and tax evasion. A parallel tax case against Yukos itself led to the transfer of most of its assets to the state-owned OAO Rosneft. Although an oligarch with a checkered past, Khodorkovsky had transformed his company into one of the most transparent in Russia and was using his wealth to bankroll opposition political activities.

Putin in early 2006 signed a new law that handed bureaucrats wide discretion in registering NGOs and imposed extensive reporting requirements on the groups. The

legislation made it easier for the authorities to shut down NGOs that were critical of official policy. In another sign that safe avenues for dissent were disappearing, an assassin murdered investigative journalist Anna Politkovskaya in October of that year. She had frequently criticized the Kremlin's brutal military campaign in Chechnya and the excesses of Russian troops in the region. At least 13 journalists have been killed since Putin came to power, and there have been no convictions in any of the cases. The authorities have further limited free expression by passing vague laws on extremism that make it possible to crack down on any organization that lacks official support.

In the run-up to the December 2007 Duma elections, Russia passed a variety of measures that increased the authorities' ability to control the outcome of the voting. New electoral provisions meant that all Duma members were elected via party list and that a party had to win at least 7 percent of the vote for its members to enter the legislature. The electoral process was slanted in favor of United Russia, which received most of the media attention. Moreover, Russia signaled that the campaign and voting would be neither free nor fair by creating obstacles to the arrival of international observers until late in the campaign. Ultimately, the Organization for Security and Cooperation in Europe (OSCE) decided not to observe the elections because it felt that its monitors did not have the freedom to work professionally.

United Russia captured 315 of the 450 Duma seats. Two parties that generally support the Kremlin, Just Russia and the nationalist Liberal Democratic Party, took 38 and 40 seats, respectively. The opposition Communists won 57 seats, and were not expected to wield much influence. There were obvious falsifications in the Kremlin's victory. Turnout in the republics of Chechnya, Ingushetia, Kabardino-Balkaria, Mordovia, Karachaevo-Cherkessia, Dagestan, Bashkortostan, and Tatarstan was between 80 and 90 percent, well above the 64 percent average, and support for United Russia ranged from 81 to 99 percent.

On October 1, Putin had announced that he would personally lead the United Russia party list and made it clear that he would not step down from power after the end of his second presidential term. The constitution forbids election to more than two consecutive terms as president, but after the Duma elections, Putin informed the Russian people that he would remain in power as prime minister, working in tandem with his handpicked successor, whose election in 2008 was considered a certainty.

**Political Rights and Civil Liberties:** Russia is not an electoral democracy. The December 2007 State Duma elections were carefully engineered by the administration, handing pro-Kremlin parties a supermajority in the lower house. In the presidential election of March 2004, state dominance of the media was on full display, debate was absent, and incumbent Vladimir Putin won a first-round victory with 71.4 percent of the vote, more than five times that of his closest rival.

The 1993 constitution established a strong presidency with the power to dismiss and appoint, pending parliamentary confirmation, the prime minister. How Putin's planned shift from president to prime minister would affect these institutions remained unclear at the end of 2007. The Federal Assembly consists of a lower chamber, the 450-seat State Duma, and an upper chamber, the 176-seat Federation Council. Beginning with the December 2007 elections, all Duma seats, rather than just half, were

ected on the basis of party-list proportional representation. Parties must gain at least 7 percent of the vote, rather than the previous 5 percent, to enter the Duma. Parties cannot form electoral coalitions, and would-be parties must have at least 50,000 members and organizations in half of the federation's 85 administrative units to register. In practice, these changes make it extremely difficult for opposition parties to win representation in the Duma. The upper chamber is made up of members appointed by governors and regional legislatures. Although the governors were previously elected, a 2004 reform gave the president the power to appoint them, meaning he heavily influences the appointment of half of the members of the upper house. The president and members of parliament serve four-year terms, and the president is limited to two consecutive terms.

Corruption in the government and business world is pervasive, and Putin has identified his lack of progress on this issue as one of his greatest failures. In fact, Putin's anticorruption efforts are selectively applied and have often targeted critics and potential political adversaries. The size of the bureaucracy has grown rapidly during the last few years, adding to the difficulty of doing business and creating opportunities for graft and bribery. Russia was ranked 143 out of 180 countries surveyed in Transparency International's 2007 Corruption Perceptions Index.

Although the constitution provides for freedom of speech, the government continues to put pressure on the dwindling number of media outlets that are still critical of the Kremlin. Since 2003, the government has controlled, directly or through state-owned companies, all of the national television networks. While the independent Ekho Moskvyy radio station airs a wide range of viewpoints, it is vulnerable because it is owned by the state-controlled natural gas conglomerate OAO Gazprom. The gas monopoly has an extensive media empire that includes the newspapers *Kommersant* and *Izvestiya*, and the gazeta.ru website. Some independent outlets remain in the regional media markets. Discussion on the internet is free, though there are frequent calls for the government to rein it in. The October 2006 murder of well-known investigative reporter Anna Politkovskaya, who had covered Chechnya extensively, highlighted the physical danger and intimidation faced by many Russian journalists, in addition to threats of libel suits and other pressures.

Freedom of religion is respected unevenly. A 1997 law on religion gives the state extensive control and requires churches to prove that they have existed for at least 15 years before they are permitted to register. As registration is necessary for a religious group to conduct many of its activities, the operations of new and independent congregations are restricted. Orthodox Christianity has a privileged position in Russian society, and the Church leadership has introduced Christian instruction into many of the country's schools. Regional authorities continue to harass nontraditional groups, such as the Jehovah's Witnesses and Mormons.

Academic freedom is generally respected, although the academic system is marred by corruption at the higher levels and by very low salaries for educators. The arrest and prosecution of scientists and researchers on charges of treason, usually for discussing sensitive technology with foreigners, has engendered a climate in some research institutes that is restrictive of international contacts. In October 2007, Putin signed a law replacing Russia's traditional five-year university system with Western-style four-year bachelor's degree and two-year master's degree programs, to be implemented by 2009. The move is part of an effort to join the Bologna Decla-

ration on Higher Education. The Russian Academy of Sciences is planning to nearly double the salaries of its scientists, but at the cost of numerous jobs.

The government has consistently reduced the space for freedom of assembly and association. The NGO Legal Team claims that the authorities banned or dispersed almost every public protest held across Russia during 2007. At the beginning of 2006, Putin signed a new law on NGOs that gave government bureaucrats extensive discretion in deciding which organizations could register. The law imposes onerous reporting requirements on the organizations that hampers their ability to operate effectively. The Moscow Federal Registration Service directorate announced in November 2007 that it had denied registration to 1,380 NGOs because of violations of the legislation, 11 percent of the 13,014 that had sought to register. Anecdotal evidence suggests that the problem is much greater, and the Duma was considering amendments to the legislation at the end of the year. The diverse NGO sector is composed of thousands of groups, many of them dependent on funding from foreign sources. The new law places extensive controls on the use of these foreign funds. The Russian state has sought to provide alternative sources of funding, but such support naturally limits what recipient groups can do.

While trade union rights are legally protected, they are limited in practice. Strikes and worker protests occur, but antiunion discrimination and reprisals for strikes are not uncommon, and employers often ignore collective bargaining rights. With the economy continuing to change rapidly after emerging from Soviet-era state controls, unions have been unable to establish a significant presence in much of the private sector. The largest labor federation works in close cooperation with the Kremlin.

The judiciary suffers from corruption, inadequate funding, and a lack of qualified personnel. After judicial reforms in 2002, the government has made progress in implementing due process and holding timely trials. The legislation also authorizes courts rather than prosecutors to issue arrest and search warrants. Although the 2002 law abolished trials in absentia, the practice was revived in 2006 for suspected terrorists. Since January 2003, Russia's reformed criminal procedure code has allowed jury trials in most of the country. While juries are more likely than judges to find defendants not guilty, these verdicts are frequently overturned by a higher court, which can send a case back for retrial as many times as necessary to achieve the desired outcome. Russian citizens often believe that domestic courts do not provide a fair hearing and have increasingly turned to the European Court of Human Rights.

Critics charge that Russia has failed to address ongoing criminal justice problems, such as poor prison conditions and the widespread use of torture and ill-treatment by law enforcement officials to extract confessions. Many of the reported abuses originate in the turbulent North Caucasus region. Although suppressed in Chechnya in recent years, rebels have moved into surrounding Russian republics, including Ingushetia, Dagestan, and Kabardino-Balkaria. During the second half of 2007, they focused their activities on Ingushetia, targeting local security forces, federal troops, and civilians. The Kremlin in turn sent 2,500 reinforcements to carry out counterterrorist operations, which have been marred by numerous cases of illegal detention, torture, extrajudicial killing, and other acts of violence.

The government cracked down on Georgians in 2006 as Russia's relations with Georgia deteriorated, but immigrants and ethnic minorities—particularly those who appear to be from the Caucasus or Central Asia—were already subject to govern-



mental and societal discrimination and harassment. Local observers fear that racially motivated attacks by skinheads and other extremist groups are increasing. Crimes inspired by ethnic hatred led to 48 murders and 388 injuries during the first nine months of 2007, according to Sova, a group that tracks ultranationalist activity in the country. During the same period in 2006, 44 people were murdered in such attacks.

The government places some restrictions on freedom of movement and residence. All adults are legally required to carry internal passports while traveling, documents that they also need to obtain many government services. Some regional authorities impose residential registration rules that limit the right of citizens to choose their place of residence.

Property rights remain precarious. State takeovers of key industries, coupled with large tax liens on select companies, have reinforced perceptions that property rights are being eroded and that the rule of law is subordinated to political considerations.

Women in Russia have particular difficulty achieving political representation; they won 14 percent of the seats in the carefully controlled 2007 parliamentary elections, up slightly from 10 percent in 2003. Women have had more success in the economic sphere, according to a 2007 report by the World Economic Forum. Domestic violence continues to be a serious problem, and police are often reluctant to intervene in what they regard as internal family matters. Economic hardships contribute to widespread trafficking of women abroad for prostitution.

## Rwanda

**Population:** 9,300,000

**Capital:** Kigali

**Political Rights:** 6

**Civil Liberties:** 5

**Status:** Not Free



**Trend Arrow:** Rwanda received an upward trend arrow due to reforms that permitted political parties to organize at the local level.

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

1998	1999	2000	2001	2002	2003	2004	2005	2006	2007
7,6NF	7,6NF	7,6NF	7,6NF	7,5NF	6,5NF	6,5NF	6,5NF	6,5NF	6,5NF

#### Overview:

While the ruling Rwandan Patriotic Front (RPF) maintained its careful control over political life, there were some improvements in political rights during 2007. The government lifted a ban on political party offices at the local level, and former president Pasteur Bizimungu was released from prison after serving 5 years of a 15-year sentence. Rwanda's postgenocide reconciliation effort continued, with increased adjudication of cases through the traditional *gacaca* dispute-resolution mechanism and

**progress in major genocide trials at the International Criminal Tribunal for Rwanda. Also during the year, however, the press faced restrictions including the closure of an independent magazine and a number of incidents of harassment and persecution.**

Belgian colonial rule in Rwanda, which began after World War I, exacerbated and magnified tensions between the minority Tutsi ethnic group and the majority Hutus. A Hutu rebellion in 1959 overthrew the Tutsi monarchy, and independence from Belgium followed in 1962. Hundreds of thousands of Tutsis were killed or fled the country in recurring violence over the subsequent decades. In 1990, the Tutsi-dominated Rwandan Patriotic Front (RPF) launched a guerrilla war from Uganda to force the Hutu regime, led by President Juvenal Habyarimana, to accept power sharing and the return of Tutsi refugees.

Habyarimana was killed when his plane was shot down near Kigali in April 1994. The perpetrators have never been identified, but Hutu extremists immediately pursued the complete elimination of the Tutsi people. This genocide was well planned, but by July, the RPF had succeeded in taking control of Kigali and establishing an interim government of national unity.

The Hutu-dominated army and militia, along with as many as two million Hutu refugees, fled into neighboring countries, especially Zaire, now the Democratic Republic of Congo (DRC). International relief efforts that eased the suffering of these refugees also had the effect of allowing the retraining and rearming of the former army and militia forces. The United Nations, which had ignored specific warnings of the impending 1994 genocide, failed to prevent the new activity, and the RPF took direct action, attacking the refugee camps in the DRC.

Nearly three million refugees returned to Rwanda between 1996 and 1998 and were peacefully reintegrated into society. Security improved considerably after 1997, although isolated killings and "disappearances" continued. The government, led by the RPF, closely directed the country's political life. In 2000, President Pasteur Bizimungu, a moderate Hutu installed by the RPF, resigned and was replaced by Vice President Paul Kagame, who had already been the *de facto* leader of the country.

Rwanda's extended postgenocide political transition officially ended in 2003, with a new constitution and national elections. The RPF's preeminent position—combined with a short campaign period, the advantages of incumbency, and a pliant political culture traumatized by the effects of the genocide—ensured victory for Kagame in the presidential vote and for the RPF and its allies in subsequent parliamentary elections. The largest opposition party, the Hutu-based Democratic Republican Movement (MDR), was declared illegal by the authorities before the elections for allegedly sowing "divisionism," or promoting ethnic hatred. In a sign of the extent of the RPF's influence, even the MDR parliamentary delegation voted to ban itself.

A parliamentary commission issued a report in early 2004 that criticized a number of nongovernmental organizations (NGOs) for propagating "genocide ideology." Subsequently, the organizations significantly limited activities that were potentially critical of the government and its policies. Also that year, Bizimungu was sentenced to 15 years in prison after being convicted of antistate activities, although Amnesty International and other independent observers questioned the fairness of the trial. The Supreme Court in February 2006 upheld Bizimungu's prison sentence, but overturned the convictions of six of his codefendants.

While the RPF maintained its careful control in 2007, several improvements in Rwanda's political rights occurred during the year. A ban on political party offices at the local level, which had resulted in a de facto limitation on party activities, was lifted in June, and several parties began organizing efforts. In April, Bizimungu was pardoned and released. Meanwhile, the UN International Criminal Tribunal for Rwanda (ICTR) moved ahead with its genocide cases, as did the traditional justice system of gacaca, used to adjudicate other genocide-related atrocities.

The government, however, continued to heavily restrict the press in 2007. The independent *Weekly Press* magazine, established by journalists who had left the progovernment press, was shut down after one edition, and there were a number of cases of harassment and persecution of journalists.

Rwanda's relations with the DRC and Uganda remained tense during the year, due to continued political instability and violence in eastern Congo and Rwandan backing of a guerrilla army there.

**Political Rights and Civil Liberties:** Rwanda is not an electoral democracy. Presidential and parliamentary elections in 2003 presented Rwandans with only a limited degree of political choice. The 2003 constitution grants broad powers to the president, who can serve up to two seven-year terms and has the authority to appoint the prime minister and dissolve the bicameral Parliament. The 26-seat upper house, the Senate, consists of 12 members elected by local councils, 8 appointed by the president, 4 chosen by a forum of political parties, and 2 representatives of universities, all serving eight-year terms. The 80-seat Chamber of Deputies, or lower house, consists of 53 directly elected members, 24 women chosen by local councils, 2 deputies named by a youth council, and 1 representative of a federation for the disabled. All serve five-year terms.

The constitution officially permits political parties to exist, but only under certain conditions. Parties closely identified with the 1994 genocide are banned, as are parties based on ethnicity or religion. The cabinet must consist of representatives from several different parties, and the largest party is not allowed to occupy more than half of the cabinet seats. The constitution also stipulates that the president, prime minister, and president of the lower house cannot all belong to the same party. Hutus have some representatives in the government, including Prime Minister Bernard Makuza, who belonged to the MDR before it was banned in 2003.

The constitution's emphasis on "national unity" as a priority has the effect of limiting political pluralism. The RPF dominates the political arena, and eight other parties associate themselves with the government rather than adopting fundamentally independent positions on issues. The constitutionally mandated Political Party Forum vets proposed policies and draft legislation before they are introduced in Parliament. All parties must belong to the Forum, which operates on the principle of consensus. In practice, the RPF guides its deliberations. Parliamentary committees have begun to question ministers and other executive branch officers more energetically, and some of these deliberations are reported in the local press.

The government has undertaken a number of anticorruption measures, but graft represents a significant problem. A number of senior government officials in recent years have been fired and faced prosecution for alleged corruption, embezzlement, and abuse of power, including several generals, the minister of agriculture, and the

ambassadors to France, Ethiopia, and the African Union. Government institutions focused on combating corruption include the Office of the Ombudsman, the auditor general, and the National Tender Board. Rwanda was ranked 111 out of 180 countries in Transparency International's 2007 Corruption Perceptions Index.

The RPF has imposed a number of legal restrictions and informal controls on the media, and press freedom groups have accused the government of intimidating independent journalists. Publications such as the independent national weekly *Umuseso* have been closely watched, harassed, and repeatedly prosecuted. Journalists censor their own writing and say the authorities have made it clear that certain topics cannot be discussed. In June 2007, the *Weekly Post* magazine was shut down after its first issue. The editor of a local-language newspaper was brutally attacked by three men in February after a series of antigovernment articles. The Sunday editor of the progovernment *New Times* was fired in October for printing a picture of President Paul Kagame that was deemed unflattering. In October, the Rwanda Independent Media Group, publisher of several newspapers, announced that it would suspend its publications for an unspecified time due to government criticism.

The broadcast media are government controlled, although private radio and television stations can be licensed. There is limited but increasing internet access. The government has recently shown greater willingness to engage with independent media in organized events like presidential press conferences, where critical questions are entertained, and radio call-in shows, where the president and his ministers respond to comments and questions from average citizens. Government officials in 2007 also used these platforms to warn against abuse of press freedoms.

Religious freedom is generally respected. Clerics were among both the victims and the perpetrators of the 1994 genocide. The implication of several Catholic clergymen in the genocide has complicated relations between the government and the Roman Catholic Church. Academic freedom is generally respected.

Although the constitution codifies freedoms of association and assembly, in reality these rights are limited. NGOs have complained that registration and reporting procedures are excessively time-consuming and onerous, and activities that the government defines as "divisive" are prohibited. In 2004, Parliament advised the government to ban five NGOs and several religious groups and also called for action against several international NGOs operating in the country. International human rights organizations expressed concern that these decisions were based on overly broad interpretations of the law, vague allegations, and insubstantial research. Responding to the ban threat, several organizations muted their independent and sometimes critical attitudes toward the RPF. Nevertheless, most civil society organizations function without direct government interference.

The constitution provides for the rights to form trade unions, engage in collective bargaining, and strike. According to the 2007 Annual Survey of Trade Union Violations compiled by the International Confederation of Free Trade Unions, while the government appears to be trying to improve relations with trade unions, its overall record of trade union rights has been poor, with pressure being exerted upon the unions often in subtle and indirect fashion. The list of "essential services," in which strikes are not allowed, is excessively long. The largest union umbrella group, the Central Union of Rwandan Workers, was closely controlled by the previous regime but now has greater independence.

The judiciary has yet to secure its independence from the executive. However, new courts staffed with trained officials have been established, and much of the old legal code has been revised to better respect human rights. Planned reforms aim to streamline the judicial process, train a competent corps of judges, and assert enhanced oversight over the prosecutorial function. While their behavior does not appear to reflect official policy, individual police officers sometimes use excessive force, and local officials periodically ignore due process protections.

While those bearing the greatest responsibility for the genocide face trial in the regular courts, those facing lesser charges are being tried by *gacaca* courts, which are in the process of adjudicating some 700,000 cases. Amnesty International in 2007 expressed concerns about this process, reporting that "poorly qualified, ill-trained and corrupt *gacaca* judges in certain districts fuelled widespread distrust of the system." Government officials have claimed that the *gacaca* trials should be over by the end of 2008. The Tanzanian-based ICTR, established in 1997, has moved ahead with its work in a deliberate fashion and will begin to phase out its operations in 2008. By the end of 2007, trials for almost all of the defendants in custody were either under way or had been completed.

Equal treatment under the law is guaranteed, and legal protections against discrimination have increased in recent years. A national identity card is required when Rwandans wish to move within the country, but these are issued regularly. In previous years, there were cases of government officials forcing citizens to return to the districts listed on their identity cards, although this no longer appears to be a problem.

The 2003 constitution requires women to occupy at least 30 percent of the seats in each chamber of Parliament. Rwanda has the highest percentage of women in national parliament in the world, with 48.8 percent representation in the lower house. In December 2003, the Senate elected Aloysia Cyanzire as the first female chief justice of the Supreme Court. Women's rights to inherit land have been strengthened through legislation. An international report found in 2006 that Rwanda had made significant strides toward achieving an equal balance of girls and boys in primary school education and that special incentives exist to promote the advancement of girls in science-related study topics. Despite these improvements, ongoing *de facto* discrimination against women continues. Economic and social dislocation has forced women to take on many new roles, especially in the countryside.

## Saint Kitts and Nevis

Population: 50,000  
Capital: Basseterre

Political Rights: 1  
Civil Liberties: 1  
Status: Free



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

1998	1999	2000	2001	2002	2003	2004	2005	2006	2007
1,2F	1,2F	1,2F	1,2F	1,2F	1,2F	1,2F	1,1F	1,1F	1,1F

**Overview:** In 2007, Prime Minister Denzil Douglas marked his 12th year in power amid a slight economic rebound and growing fears about crime. Nevis held a special election to replace an opposition lawmaker who died from a sudden illness, but the balance of power in parliament remained unchanged.

Saint Kitts and Nevis gained independence from Britain in 1983 but remains a member of the Commonwealth. Denzil Douglas of the ruling Saint Kitts and Nevis Labour Party (SKNLP) has been prime minister since July 1995. In 2002 elections, the SKNLP won a stronger parliamentary majority, taking all eight Saint Kitts seats in the National Assembly and shutting out the opposition People's Action Movement (PAM).

Momentum began to gather in mid-2003 for Nevis to secede from Saint Kitts. The constitution allowed the move if two-thirds of the elected legislators in Nevis's local assembly and two-thirds of Nevisian referendum voters approved. Though a 1998 referendum on independence had failed to reach the required two-thirds majority, Nevisians continued to feel neglected by the central government. The cabinet has no Nevisian members, and the island is entitled to only 3 of the 11 elected seats in the national legislature. There is little support for Nevisian independence among other countries in the region.

Douglas called early elections for October 2004, and his SKNLP won seven Saint Kitts seats, while the opposition PAM took the eighth. The Concerned Citizens Movement (CCM), a pro-independence party led by the premier of the Nevis local assembly, Vance Amory, kept two seats, while the Nevis Reformation Party (NRP) held on to one. The NRP has historically favored secession from Saint Kitts.

In March 2005, Douglas announced that Saint Kitts and Nevis would cease to produce sugar for export. The islands' 300-year-old sugar industry had been unprofitable for a number of years and faced even steeper losses due to changes to Europe's sugar-import regime. Sizable severance payments to former sugar laborers succeeded in mollifying many reform opponents. In 2007, the economy grew by 6 percent, marking one of the stronger performances in recent years.

In July 2006, the NRP won three of the five seats in the Nevis Island Assembly

after 15 years in opposition, breaking the 4-1 majority that had been held by the CCM. The NRP's Joseph Parry was subsequently named the island's third premier. In 2007, CCM lawmaker Malcolm Guishard died from a sudden illness, but a member of his party, Mark Brantley, won the special election to replace him in the National Assembly.

**Political Rights and Civil Liberties:** Saint Kitts and Nevis is an electoral democracy. The 2004 elections were free and fair. The federal government consists of the prime minister, the cabinet, and the unicameral National Assembly. A governor-general represents Britain's Queen Elizabeth II as ceremonial head of state. Elected National Assembly members—eight from Saint Kitts and three from Nevis—serve five-year terms. Senators are appointed to the body, and their number may not exceed two-thirds of the elected members, with one chosen by the leader of the parliamentary opposition for every two chosen by the prime minister. Saint Kitts's main political parties are the SKNLP and the PAM. On Nevis, the two main parties are the CCM, which had long been the majority party there, and the NRP, which won a majority of seats in the Nevis Island Assembly in July 2006. Nevis's assembly is composed of five elected and three appointed members, and the local government pays for all of its own services except for those involving police and foreign relations. Saint Kitts has no similar body.

In an effort to create greater transparency in political party financing, a constitutional amendment was approved in 2005, requiring the disclosure of all campaign donors whose gifts exceeded a certain threshold. While concerns persisted that drug trafficking and money laundering may undermine the effectiveness of the police force and taint the judicial process, St. Kitts and Nevis generally implemented its anticorruption laws effectively and several top parliamentary figures publicly released their finances and called on the prime minister to do the same. Saint Kitts and Nevis was not surveyed in Transparency International's 2007 Corruption Perceptions Index.

Constitutional guarantees of free expression are generally respected. The sole local television station is government owned, although it is managed by a Trinidadian company, and there are some restrictions on opposition access to the medium. The government radio station was privatized in 1997. There are eight radio stations and two daily newspapers, and each major political party publishes a weekly or fortnightly newspaper. Foreign media are available, and internet access is not restricted.

The free exercise of religion is constitutionally protected, and academic freedom is generally honored.

The right to organize civic organizations and labor unions is generally respected, as is freedom of assembly. The main labor union, the Saint Kitts Trades and Labour Union, is associated with the ruling SKNLP. The right to strike, while not specified by law, is recognized and generally respected in practice.

The judiciary is for the most part independent, and legal provisions for a fair and speedy trial are generally observed. The highest court is the Eastern Caribbean Supreme Court on Saint Lucia, but under certain circumstances, there is a right of appeal to the Caribbean Court of Justice in Trinidad. The islands' traditionally strong rule of law has been tested by an increase in drug-related crime and corruption, and the intimidation of witnesses and jurors is a problem. The national prison is over-

crowded, and conditions are poor. The repatriation of felons from the United States has contributed to law enforcement agencies' sense that they are being overwhelmed.

Reports suggest that the country's economic citizenship program, which allows the purchase of passports through real-estate investments worth a minimum of \$250,000 and a registration fee of \$35,000, has facilitated illegal immigration from China and other countries into the United States and Canada. In January 2005, the government enacted new work-permit rules for foreign nationals, requiring that the jobs in question be advertised to current citizens.

Violence against women is a problem on the islands. The Domestic Violence Act of 2000 criminalizes domestic violence and provides penalties for abusers. The Department of Gender Affairs has offered counseling for abuse victims and conducted training on domestic and gender-based violence. There are no laws against sexual harassment. More girls than boys are enrolled in primary and secondary education.

## Saint Lucia

Population: 200,000  
Capital: Castries

Political Rights: 1  
Civil Liberties: 1  
Status: Free



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

1998	1999	2000	2001	2002	2003	2004	2005	2006	2007
1,2F	1,2F	1,2F	1,2F	1,2F	1,2F	1,2F	1,1F	1,1F	1,1F

**Overview:** In September 2007, Prime Minister John Compton of the United Workers Party died at the age of 82. He was succeeded by Stephenson King, a cabinet member who had served as acting prime minister for several months during Compton's illness. In May, Saint Lucia had broken diplomatic ties with China to recognize Taiwan, defying the regional trend.

Saint Lucia, a member of the Commonwealth, achieved independence from Britain in 1979. In May 1997, Kenny Anthony led the Saint Lucia Labour Party (SLP) to victory in legislative elections. On taking office as prime minister, he began to address the concerns of an electorate that was weary of economic distress and reports of official corruption. In 2000, Anthony and the SLP gave their approval for regulated casino gambling in an apparent effort to revitalize the country's tourism trade, brushing aside objections from religious groups and the opposition United Workers Party (UWP).

The SLP again swept to victory in the December 2001 general elections, winning 14 of 17 seats in the House of Assembly, just short of the 16-1 majority it had achieved in 1997. Constituencies dominated by banana farmers registered their discontent



with Anthony's party, reflecting popular dissatisfaction with his efforts to keep the island's ailing banana industry afloat. Nevertheless, Anthony was the only party leader to survive the elections, which were called six months ahead of schedule. The leaders of the UWP and the National Alliance both lost their seats.

In March 2006, the SLP lost a by-election held in the Central Castries district following persistent allegations of corruption in the National Conservation Authority. In June, the attorney general accused political parties of padding voter lists in certain districts with names of people who were not properly registered.

John Compton, Saint Lucia's first prime minister after independence, came out of retirement to lead the UWP to an unexpected victory in the December 2006 elections. He was sworn in again as prime minister at the age of 81. Though his party won 11 seats in the House of Assembly, he pledged to "govern in a spirit of cooperation" with the SLP. In May 2007, Saint Lucia broke off diplomatic relations with China in favor of Taiwan, a move that contrasted with the regional trend. Compton was soon sidelined by illness and died in September. He was replaced by Stephenson King, a cabinet member from the UWP who had served as acting prime minister for several months before Compton's death. King promptly reshuffled the cabinet, and several new ministers were sworn into office.

**Political Rights and Civil Liberties:** Saint Lucia is an electoral democracy. A governor-general represents the British monarch as head of state. Under the 1979 constitution, the bicameral Parliament consists of the 17-member House of Assembly, elected for five years, and an 11-member Senate. The prime minister is chosen by the majority party in the House of Assembly. Six members of the Senate are chosen by the prime minister, three by the leader of the parliamentary opposition, and two in consultation with civic and religious organizations. The island is divided into 11 regions, each with its own elected council and administrative services. Political parties are free to organize, but two parties—the UWP, in power since 2006, and the SLP, the official opposition—dominate politics. The December 2006 elections were deemed free and fair, marking the first time that observers from the Caribbean Community (CARICOM) and the Organization of American States (OAS) were invited to observe.

Government officials have been accused of corrupt activities, but the country scores well in international surveys. Saint Lucia ranked 24 out of 180 countries assessed in Transparency International's 2007 Corruption Perceptions Index, the third-best performance in Latin America and the Caribbean.

The constitution guarantees freedom of speech, which is respected in practice. Libel offenses were removed from the criminal code in 2006. The media carry a wide spectrum of views and are largely independent of the government. There are five privately owned newspapers, two privately held radio stations, one partially government-funded radio station, and two privately owned television stations. Internet access is not restricted.

The constitution guarantees free exercise of religion, and that right is respected. Academic freedom is generally honored.

Constitutional guarantees regarding the right to organize civic groups and labor unions and to assemble freely are largely upheld. Civic groups are well organized and politically active, as are labor unions, which represent the majority of wage earners.

The judicial system is independent and includes a high court under the Eastern Caribbean Supreme Court (based in Saint Lucia). In recent years, the record of Saint Lucia's police and judicial system has been blemished by a series of high-profile incidents, including severe beatings of inmates by police and cases of police assault. In April 2007, Saint Lucia proposed a measure to increase security and judicial cooperation within the Organization of Eastern Caribbean States (OECS).

Although citizens traditionally have enjoyed a high degree of personal security, rising crime—including drug-related offenses, violent clashes during banana farmers' strikes, and increased violence in schools—has created concern. A \$17 million prison facility with a capacity to hold 500 inmates was completed in 2002. Still, prison overcrowding reemerged as a concern in 2007, when a major backlog in the judicial system led to prolonged pretrial detentions.

Women are underrepresented in politics and other professions. Female enrollment in primary and secondary education is slightly higher than male enrollment. Domestic violence is a serious concern, especially among women from low-income groups. Homosexuals are occasionally targeted in hate crimes.

## Saint Vincent and the Grenadines

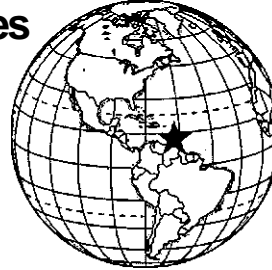
**Population:** 100,000

**Capital:** Kingstown

**Political Rights:** 2

**Civil Liberties:** 1

**Status:** Free



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

1998	1999	2000	2001	2002	2003	2004	2005	2006	2007
2,1F	2,1F	2,1F	2,1F	2,1F	2,1F	2,1F	2,1F	2,1F	2,1F

### Overview:

**In 2007, politics in Saint Vincent and the Grenadines became increasingly contentious as Prime Minister Ralph Gonsalves of the Unity Labour Party and the opposition New Democratic Party sparred over issues including new taxes, regional integration, and foreign policy.**

Saint Vincent and the Grenadines achieved independence from Britain in 1979, with jurisdiction over the northern Grenadine islets of Bequia, Canouan, Mayreau, Mustique, Prune Island, Petit Saint Vincent, and Union Island.

In the 2001 elections, the social-democratic Unity Labour Party (ULP) captured 12 of the 15 contested legislative seats, and Ralph Gonsalves became prime minister. The incumbent, conservative New Democratic Party (NDP) was reduced to three seats. International observers monitored the elections, which had been preceded by large antigovernment protests and the first serious political unrest in the country's

history. Prime Minister Gonsalves led a successful initiative that year to save the financially ailing Organization of Eastern Caribbean States (OECS) by shifting some of its administrative requirements to the member states.

In 2003, the Paris-based Financial Action Task Force removed Saint Vincent and the Grenadines from its list of jurisdictions deemed "noncooperative" in the fight against money laundering. The move was regarded as a major victory for Gonsalves's government. In the same month, the U.S. Coast Guard detained eight ships when it discovered that several officers had licenses that were improperly issued by Saint Vincent and the Grenadines. In June 2005, Barbados prime minister Owen Arthur charged that authorities in Saint Vincent and the Grenadines were not doing enough to stop the flow of illegal drugs or stifle international criminal networks operating out of Saint Vincent.

In December 2005, Gonsalves led the ULP to reelection, again taking 12 of the 15 contested seats, while the opposition NDP won the remaining 3. The NDP later vowed to take legal action over alleged electoral irregularities, but the party's effort stalled after the Organization of American States gave the elections its stamp of approval.

Gonsalves, a one-time radical opposition figure, generated controversy in 2007 by pursuing closer relations with Venezuela and Cuba. The political opposition called for his resignation, but most citizens approved of his strategy of seeking energy and medical assistance from the two countries. His plan to introduce a value-added tax also sparked heated political debate.

### **Political Rights and Civil Liberties:**

Saint Vincent and the Grenadines is an electoral democracy. The constitution provides for the election of 15 representatives to the unicameral House of Assembly to serve five-year terms. The prime minister is the leader of the majority party in the House. Six senators are appointed to the chamber—four chosen by the government and two by the opposition. A governor-general represents the British monarch as head of state. The December 2005 elections were considered free and fair by international observers. The two main political parties are the ruling, left-leaning ULP and the conservative NDP.

There have been allegations of drug-related corruption within the government and the police force and of money laundering through Saint Vincent banks. In 1995, the U.S. government alleged that Saint Vincent was becoming a drug-trafficking center and that high-level government officials were involved in narcotics-related corruption. Since then, the country has taken steps to cooperate with U.S. counternarcotics efforts and signed an extradition treaty with the United States in 1996. Saint Vincent and the Grenadines was ranked 30 out of 180 countries surveyed in Transparency International's 2007 Corruption Perceptions Index, which placed it for the first time in the top five countries in Latin America and the Caribbean.

The press is independent, with two privately owned, independent weeklies and several smaller, partisan papers. Some journalists allege that government advertising is used as a political tool. The only television station is privately owned and free from government interference. Satellite dishes and cable television are available to those who can afford them. The radio station is government owned, and call-in programs are prohibited. Equal access to radio is mandated during electoral campaigns,

but the ruling party takes advantage of state control over programming. Internet access is not restricted.

Freedom of religion is constitutionally protected and reflected in practice, and academic freedom is generally honored. In September 2005, universal secondary education was introduced. Access to higher education is limited but improving as the University of the West Indies initiates degree programs with community colleges in Saint Vincent and other OECS members.

There is constitutional protection for freedom of assembly and association. Civic groups and nongovernmental organizations are free from government interference. Labor unions are active and permitted to strike.

The judicial system is independent. The highest court is the Eastern Caribbean Supreme Court (based in Saint Lucia), which includes a court of appeals and a high court. Litigants have a right of ultimate appeal, under certain circumstances, to the Caribbean Court of Justice. The independent Saint Vincent Human Rights Association has criticized long judicial delays and a large backlog of cases caused by personnel shortages in the local judiciary. It has also charged that the executive branch at times exerts inordinate influence over the courts.

Murder convictions carry a mandatory death sentence. In 2006, rising crime and violence remained an important public concern following several high-profile murders, including the killing in early March of the prime minister's press secretary, Glen Jackson. In May 2006, the ruling ULP sought to make it more difficult for foreigners to achieve citizenship, citing crime concerns. Prison conditions have improved but remain poor—a prison in Kingstown was renovated to accommodate 150 inmates, but holds over 350—and inmates have alleged mistreatment. In 2007, Prime Minister Ralph Gonsalves reaffirmed his support for the death penalty.

Violence against women, particularly domestic violence, is a major problem. The Domestic Violence Summary Proceedings Act, which provides for protective orders, offers some tools that benefit victims. The punishment for rape is generally 10 years in prison, while those convicted of sexual assaults against minors receive 20 years. In June 2006, four men were accused of raping two teenagers from Florida and beating their mother, sparking public outrage against the perpetrators. In 2007, both Gonsalves and the NDP declared strong opposition to decriminalizing homosexuality.

## Samoa

**Population:** 200,000

**Capital:** Apia

**Political Rights:** 2

**Civil Liberties:** 2

**Status:** Free



### Ten-Year Ratings Timeline For Year Under Review

(Political Rights, Civil Liberties, Status)

1998	1999	2000	2001	2002	2003	2004	2005	2006	2007
2,3F	2,2F	2,2F	2,2F	2,2F	2,2F	2,2F	2,2F	2,2F	2,2F

### Overview:

Samoa's head of state, Malietoa Tanumafili II, died in 2007 after serving in the position for 45 years. The legislature elected former prime minister Tuiatua Tupua Tamasese Efi to replace him. The government's proposed work-release scheme for "talented" prisoners met with considerable public skepticism, and debates continued about the role of traditional village chiefs in adjudicating criminal cases.

Germany controlled what is now Samoa between 1899 and World War I. New Zealand then administered the islands under a League of Nations mandate; after World War II, a UN mandate. The country became independent in 1962 and changed its name from Western Samoa to Samoa in 1988.

The centrist Human Rights Protection Party (HRPP) has dominated politics since independence. Tuila'epa Aiono Sailele Malielegaoi secured a second term as prime minister in the 2006 general elections, with the HRPP winning 35 of the 49 legislative seats. The main opposition party, the Samoa Democratic United Party (SDUP), took 10 seats, and independents won the remainder. Minor disturbances occurred in some areas where local populations were unhappy with the results. The elections were considered open and fair.

In 2007, political and public debates continued over the role and powers of village chiefs. *Matai*, or chiefs of extended families, control local government and churches through the village *fono*, or legislature, which is open only to them. Many provide leadership and help their communities to solve conflicts, but abuse of power and excessive punishment also occur. For example, in July, a village fono banished a man for sexual assault of an Australian tourist. The decision also applied to his family, who said the penalty was unfair with formal court proceedings still under way.

The government in February proposed a work-release program for "talented" prisoners. The convicts would stay with senior police officers, pastors, and other prominent community members. Critics said the scheme would allow convicted politicians and other influential figures to avoid prison time.

In May, Samoa's head of state, Malietoa Tanumafili II, died at age 94, after serving 45 years. He was appointed for life at independence. The legislature elected in

June former prime minister Tuiatua Tupua Tamasese Efi to serve a five-year term as the new head of state.

**Political Rights and Civil Liberties:**

Samoa is an electoral democracy. The 2006 legislative elections were deemed free and fair. Before universal suffrage was implemented in 1990, only the matai could vote. Executive authority is vested in the head of state, who is elected for five-year terms by the Legislative Assembly. The head of state appoints the prime minister, who leads the government and names his own cabinet. All laws passed by the 49-member, unicameral Legislative Assembly must receive approval from the head of state to take effect. Although candidates are free to propose themselves for electoral office, the approval of the matai is essential. Two legislative seats are reserved for at-large voters, mostly citizens of mixed or non-Samoan heritage who have no ties to the 47 village-based constituencies. All lawmakers serve five-year terms. The main political parties are the HRPP and the SDUP.

Official corruption and abuses do not appear as widespread or serious as in some other states in the region. Nevertheless, there have been allegations of corruption over the years. Samoa was ranked 57 out of 180 countries in Transparency International's 2007 Corruption Perceptions Index.

Freedom of speech and the press is generally respected. The government operates one of Samoa's three television stations. There are three English-language and several Samoan newspapers. Journalists are legally required to reveal their sources in defamation suits against them, but this law has not been tested in court. In 2004, publishers, journalists, and civil society groups called on the government to abolish the Printers and Publishers Act of 1982 and the Law of Criminal Libel, claiming that the statutes made it easier for government officials to sue them. There are several internet service providers, and internet use is growing rapidly.

The government respects freedom of religion in practice, and relations among religious groups are generally amicable. In 2000, the Supreme Court ruled that the 1990 Village Fono Act, which gives legal recognition to village fono decisions, could not be used to infringe on villagers' freedom of religion, speech, assembly, and association. Similar Supreme Court rulings followed in 2003 and 2004. There have been no reports of restrictions on academic freedom.

Freedom of assembly and association are respected in practice, and human rights groups operate freely. More than 60 percent of adults work in subsistence agriculture, and about 20 percent of wage earners belong to trade unions. Workers have the legal right to bargain collectively, and government workers can strike. The country depends heavily on remittances from more than 100,000 Samoans working overseas.

The judiciary is independent and upholds the right to a fair trial. The Supreme Court is the highest court, with full jurisdiction over civil, criminal, and constitutional matters. The head of state, on the recommendation of the prime minister, appoints the chief justice. Prisons meet basic international standards. There have been no recent reports of prisoner abuse or corruption in adjudication.

Samoa has no military, and the small police force has little impact in the villages, where the fono settles most disputes. The councils vary considerably in their decision-making styles and in the number of matai involved. Abuses by some fono officials have spurred public debate on the legitimacy of their actions. Light offenses

are usually punished with fines in cash or kind; serious offenses result in banishment from the village.

Freedom of movement is generally respected. A new permanent-resident permit was introduced in 2004. The cabinet is required to determine annually the eligibility and residency requirements for permanent-resident permits.

Domestic violence against women and children is common. Spousal rape is not illegal. Social pressure and fear of reprisal inhibit reporting of domestic abuse. Sexual abuse of young girls and illegal drug use are both increasing. A domestic nongovernmental group says more children are leaving school early. Current laws only require children to stay in school until the age of 12.

## San Marino

**Population:** 30,000  
**Capital:** San Marino

**Political Rights:** 1  
**Civil Liberties:** 1  
**Status:** Free



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

1998	1999	2000	2001	2002	2003	2004	2005	2006	2007
1,1F	1,1F	1,1F	1,1F	1,1F	1,1F	1,1F	1,1F	1,1F	1,1F

**Overview:** In October 2007, the United Left Party pulled its members from the government after it failed to pass a due process law, breaking up the ruling coalition. A new four-party majority was agreed upon in November.

Founded in the year 301, according to tradition, San Marino is considered the world's oldest existing republic and is one of the world's smallest states. The papacy recognized San Marino's independence in 1631, as did the Congress of Vienna in 1815. In 1862, Italy and San Marino signed a treaty of friendship and cooperation. Despite its dependence on Italy, from which it currently receives budget subsidies, San Marino maintains its own political institutions. It became a member of the Council of Europe in 1988 and a member of the United Nations in 1992. Tourism and banking dominate the country's economy.

In February 2005, the Council of Europe's Committee for the Prevention of Torture carried out its third visit to the country. The delegation followed up concerns that were raised in previous visits about detentions at San Marino's prison and safeguards offered to people detained by law enforcement agencies.

The European Union (EU) Savings Taxation Directive, which provided a way to tax revenue from savings accounts held by EU citizens in a member state other than their country of residence or in certain non-EU countries, took effect in July 2005.

San Marino, which was not an EU member, had agreed to participate in the directive, which was intended to prevent harmful tax practices.

Elections for the Grand and General Council, San Marino's parliament, were held in June 2006. The San Marino Christian Democratic Party (PDCS) won 21 of the 60 seats, followed by the Party of Socialists and Democrats (PSD) with 20, the Popular Alliance of Democrats (AP) with 7, the United Left (SU) with 5, and the New Socialist Party (NPS) with 3. Smaller parties took the remainder. The PSD formed a coalition government with the AP and SU, replacing a government led by the PDCS.

In October 2007, after the government failed to pass the second article of a proposed due process law, the SU pulled its members from the coalition government in protest. The move threw the government into a crisis, but the coalition re-formed in late November with the addition of four lawmakers from the new Democrats of the Center party, which had split off from the PDCS. The present leading government coalition is composed of the PSD, AP, SU, and Democrats of the Center.

**Political Rights and Civil Liberties:**

San Marino is an electoral democracy. The 60 members of the Great and General Council, the unicameral legislature, are elected every five years by proportional representation. Executive power rests with the 10-member Congress of State (cabinet), which is headed by two captains-regent selected every spring and fall by the Great and General Council from among its own members to serve as joint heads of state for a six-month period. Although there is no official prime minister, the secretary of state for foreign and political affairs is regarded as the head of government. Fiorenzo Stolfi was elected to the post in July 2006.

The PDCS, the PSD, and the AP are the three dominant political groups in the country. There are several smaller groups, however, and majority governments are usually formed by a coalition of parties.

There are few problems with government corruption in the country. San Marino was not ranked in Transparency International's 2007 Corruption Perceptions Index.

Freedom of speech and the press are guaranteed. There are daily newspapers, a state-run broadcast system for radio and television called RTV, and a private FM station, Radio Titiano. The Sammarinese have access to all Italian print media and certain Italian broadcast stations. Access to the internet is unrestricted.

The country prohibits religious discrimination by law. Roman Catholicism is the dominant, but not the state, religion. Citizens can voluntarily donate 0.3 percent of their income through their taxes to the Catholic Church or other groups, such as the Waldesian Church or the Jehovah's Witnesses. Academic freedom is respected in the country.

Residents are free to assemble, demonstrate, and conduct open public discussions. Civic organizations are active. Workers are free to organize into trade unions and bargain collectively with employers. They are also free to strike, if they do not work in military occupations. Approximately half of the country's workforce is unionized.

The judiciary is independent. Lower court judges are required to be noncitizens—generally Italians—to assure impartiality. The final court of review is the Council of Twelve, a group of judges chosen for six-year terms from among the members of the Grand and General Council. The country's prison system generally meets international standards, and civilian authorities maintain effective control over the police and security forces.



The population is generally treated equally under the law, although the European Commission against Racism and Intolerance has raised some concerns in the past about the status of foreigners in the country. San Marino has no formal asylum policy, and a foreigner must live in the country for 30 years to be eligible for citizenship. The European Convention on Nationality recommends that such residence requirements should not exceed 10 years.

Women are given legal protections from violence and spousal abuse, and gender equality exists in the workplace and elsewhere. There are, however, slight differences in the way men and women can transmit citizenship to their children. The country has restrictive laws regarding abortion, which is permitted only to save the life of the mother.

## Sao Tome and Principe

**Population:** 200,000

**Capital:** Sao Tome

**Political Rights:** 2

**Civil Liberties:** 2

**Status:** Free



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

1998	1999	2000	2001	2002	2003	2004	2005	2006	2007
1,2F	1,2F	1,2F	1,2F	1,2F	2,2F	2,2F	2,2F	2,2F	2,2F

### Overview:

**Members of an elite police unit known as the Ninjas attacked police headquarters in October and November 2007, taking hostages and demanding bonuses that they said the government had promised. The army quashed the unrest, killing 1 Ninja and arresting 10, and the mutinous unit was disbanded. Also during the year, international lenders canceled most of the country's debt.**

The small Gulf of Guinea islands of Sao Tome and Principe gained independence from Portugal in 1975. President Manuel Pinto da Costa's Movement for the Liberation of Sao Tome and Principe (MLSTP) was the country's only legal political party until a 1990 referendum established multiparty democracy. Miguel dos Anjos Trovoada, a former prime minister, returned from exile and won the first democratic presidential election in 1991. He was reelected for a second and final term in 1996.

Fradique de Menezes, backed by Trovoada's Independent Democratic Action (ADI) party, won the 2001 presidential election with 56 percent of the vote, compared with 38 percent for Pinto da Costa. A coalition government was formed after no party won a majority in the March 2002 parliamentary elections. International observers declared both polls free and fair.

In July 2003, a group of disgruntled military officers briefly ousted Menezes. He

was returned to power one week later with broad regional and international support. Controversial foreign investment deals in 2004 led to a cabinet shuffle that left the president's party, the Force for Change Democratic Movement (MDFM), in the opposition. Menezes later replaced the prime minister with Damiao Vaz de Almeida of the MLSTP-Social Democratic Party (PSD). Vaz de Almeida resigned in 2005, following public discontent and allegations of corruption in the award of oil exploration licenses in the Joint Development Zone (JDZ) with Nigeria. The MLSTP-PSD and its coalition partners, which held the largest block of seats in parliament, threatened to resign from the government and force early elections. To avoid that outcome, Menezes reached agreement with the MLSTP-PSD on the formation of a new government in which Maria Silveira, the well-respected head of the central bank, would serve concurrently as prime minister and finance minister.

The MDFM, in coalition with the Democratic Convergence Party (PCD), took 23 of 55 seats in the March 2006 legislative elections. The MLSTP-PSD won 20 seats, while ADI came in third with 11 seats. The newly formed New Way Movement (NR) secured one seat. Though peaceful, protesters prevented approximately 9,600 people from voting in 18 electoral districts, but a rerun was held in April without incident. Negotiations on the formation of a new coalition government led to the appointment of MDFM leader Tome Soares da Vera Cruz as prime minister in April. Menezes won a second term in the July 2006 presidential election with 60 percent of the vote, defeating Patrice Trovoada, son of the former president.

In October and November 2007, an elite police unit known as the Ninjas repeatedly attacked police headquarters and took hostages, demanding that the government pay them bonuses linked to their training in Angola. The army intervened to end the mutiny, killing 1 Ninja and detaining 10, and the unit was disbanded.

Large oil and natural gas deposits are thought to lie off the country's coast, though production is not expected to begin before 2010. A 2001 territorial agreement with Nigeria resulted in the creation of the JDZ, with Sao Tome and Principe set to receive 40 percent of all JDZ oil and gas revenue. Corruption allegations have surrounded the process by which exploration blocks in the JDZ are awarded, particularly those granted to Nigerian-controlled companies. After a December 2005 report by the attorney general found serious irregularities, the contracts in question were renegotiated. Britain's Royal Institute of International Affairs has suggested that Menezes benefited from the renegotiations.

The oil fields are likely to be a continuing source of political conflict, though Sao Tome and Principe has committed itself to transparency in the oil sector. The development of a revenue management law and broad public consultations to determine national development priorities are seen as important steps toward that goal. Despite the promise of future wealth, however, the country continues to face serious poverty and an unemployment rate of roughly 45 percent. Sao Tome ranked 123 out of 177 countries on the UN Development Programme's 2007 Human Development Index.

Sao Tome has benefited from debt relief under the Highly Indebted Poor Countries (HIPC) initiative since 2000, having acquired large debts linked to its overreliance on cocoa exports. In February 2007, the International Monetary Fund and World Bank agreed to forgive \$327 million in debt, or about 91 percent of the country's external debt. In May, the Paris Club cancelled all of Sao Tome and Principe's debt to it—\$23.9 million in nominal terms—and the group's members committed to

additional bilateral relief that would lead to a full cancellation of the remainder owed to them.

**Political Rights and Civil Liberties:** Sao Tome and Principe is an electoral democracy. Presidential and legislative elections held in 2006 were deemed credible, though there were reruns in a number of districts where balloting was disrupted by protesters. The president is elected for a five-year term and can serve up to two consecutive terms. Members of the unicameral, 55-seat National Assembly are elected by popular vote to four-year terms. Four party blocs currently hold seats in the legislature, and a number of other parties exist and compete for elected office. Smaller parties often join forces with larger parties to form coalitions. All parties operate freely.

The country's potential oil wealth has fueled growing corruption among members of the ruling elite. In 2005, the legislatures of Nigeria and Sao Tome and Principe agreed to form a joint parliamentary oversight committee to monitor the JDZ, and Sao Tome's attorney general requested cooperation from Nigeria in his investigation of exploration licenses that year. The foreign minister resigned in 2006 amid allegations that he had misappropriated approximately \$500,000 in aid from Morocco. The country ranked 118 out of 180 countries surveyed in Transparency International's 2007 Corruption Perceptions Index.

Freedom of expression is protected by the constitution and respected in practice. While the state controls a local press agency and the only radio and television stations, no law forbids independent broadcasting. Opposition parties receive free airtime, and newsletters and pamphlets criticizing the government circulate freely. Residents have access to foreign broadcasters including Voice of America. Internet access is not restricted by the government, but lack of infrastructure limits penetration.

Freedom of religion is respected within this predominantly Roman Catholic country. The government does not restrict academic freedom. Education is compulsory through the sixth grade, and tuition is free to the age of 15 or sixth grade, though rural students often stop attending school after fourth grade. Primary school enrollment stands at approximately 74 percent.

Freedoms of assembly and association are respected. Citizens have the constitutional right to demonstrate with two days' advance notice to the government. Workers' rights to organize, strike, and bargain collectively are guaranteed and respected.

The judiciary is independent, though occasionally subject to manipulation. The Supreme Court has ruled in the past against both the government and the president. The court system is understaffed, inadequately funded, and plagued by long delays. Prison conditions are harsh.

There is societal discrimination against homosexuals. Although testing is free and antiretroviral drugs are available, persons with HIV/AIDS have been shunned by their communities and families. The constitution provides equal rights for men and women, but women encounter significant discrimination in all sectors, including education and employment. Several women have been appointed to cabinet positions, including the premiership. Domestic violence against women is reportedly common and rarely prosecuted. Women are often disadvantaged because of their reluctance to take disputes outside their families or a lack of knowledge about their rights. Abortion is prohibited.

# Saudi Arabia

**Population:** 27,600,000

**Capital:** Riyadh

**Political Rights:** 7

**Civil Liberties:** 6

**Status:** Not Free



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

1998	1999	2000	2001	2002	2003	2004	2005	2006	2007
7,7NF	7,7NF	7,7NF	7,7NF	7,7NF	7,7NF	7,7NF	7,6NF	7,6NF	7,6NF

### Overview:

**King Abdullah's government moved forward with institutional reforms in 2007, formalizing the organization of a royal succession committee and preparing for the creation of national appellate courts. However, the government continued to crack down on activists who called for expanded human rights and comprehensive political reform, while the country's Shiites experienced increased discrimination and harassment during the year. Meanwhile, women's rights activists intensified their public efforts to obtain greater personal and political freedoms.**

Since its unification in 1932 by King Abdul Aziz Ibn Saud, Saudi Arabia has been controlled by the al-Saud family, and the current king, Abdullah bin Abdul Aziz al-Saud, is the sixth in the ruling dynasty. The Saudi monarchy rules in accordance with a conservative school of Sunni Islam. In the early 1990s, Saudi Arabia embarked on a limited program of political reform, introducing an appointed Consultative Council, or Majlis al-Shura. However, this step did not lead to any substantial shift in political power. In 1995, King Fahd bin Abdul Aziz al-Saud suffered a stroke, and in 1997, Abdullah, then the crown prince, took control of most decision making.

After experiencing a series of terrorist attacks in 2003 and 2004, the Saudi government intensified its efforts to crush terrorism at home and abroad. The authorities killed dozens of suspects over the subsequent years and detained thousands of others. While officials also took steps to stem the flow of financial support to terrorist groups, implementing new rules against money laundering and scrutinizing the work of charitable organizations, they were not successful in preventing Saudi citizens from committing acts of terrorism abroad. Thousands of Saudis went to Iraq in the years following the U.S.-led invasion in 2003, to participate in what they believed to be an anti-American and anti-Shiite jihad.

The formal transition of power from King Fahd, who died in August 2005, to King Abdullah led to increased expectations of political reform. Prince Talal bin Abdul Aziz, a former finance minister and a half-brother of Abdullah's, repeated his earlier calls for political reform and a constitution in Saudi Arabia. Such comments by Prince Talal, who had been an outspoken advocate for political reform since the 1960s,

were generally supported in Saudi society but were not widely embraced within the royal family, which was reticent to part with any political power.

Saudi Arabia organized elections for municipal councils in 2005, giving Saudi men a limited opportunity to select some of their leaders at the local level. Women were completely excluded from the process. The eligible electorate consisted of less than 20 percent of the population: male citizens who were at least 21 years old, not serving in the military, and resident in their electoral district for at least 12 months. Half of the council seats were open for election, and the other half were appointed by the monarchy. Officials in the Municipal and Rural Affairs Ministry and the Interior Ministry screened candidates, and all results were subject to final approval by the government. Candidates supported by conservative Muslim scholars triumphed in the large cities of Riyadh and Jeddah, and minority Shiite Muslim voters participated in large numbers, seizing the opportunity to voice their opinion. In December 2005, the final composition of the 178 municipal councils was announced. By 2007, it was clear that the elections had not resulted in greater citizen participation in governance. In August, Saudi authorities determined that the councils would serve only as a source of advice for local governors and would possess no authority to act on the grievances of the electorate. Also during the year, Prince Talal called for the creation and legalization of political parties.

In October 2007, King Abdullah followed up on the previous year's pledge to create a formal royal succession process. He announced bylaws for the composition and operation of the Allegiance Institution, composed of the sons (or grandsons in the event of their deaths) of the founding king, Abdul Aziz. The committee, chaired by the oldest surviving son, would make decisions on the succession by majority vote using secret ballots and would require a quorum of two-thirds of the members. The arrangement would be added to the Basic Law but would not apply until after the current crown prince, Sultan bin Abdul Aziz al-Saud, became king. The new committee would also have the authority to deem a king or crown prince medically unfit to rule, based on the advice of an expert panel.

The government's claims to have destroyed the major terrorist networks operating in the kingdom suffered a setback in April 2007, when authorities arrested 172 militants suspected of plotting attacks on major oil facilities. The arrest of another 208 suspected militants was announced in November. Militant Saudi dissidents were also active in the Fatah al-Islam terrorist group, which established a presence in the Nahr al-Bared Palestinian refugee camp in Lebanon and battled government forces there from May until September. Fearful that Saudis would continue to foment violence abroad, several of the country's leading religious figures issued statements declaring terrorism in Iraq and elsewhere to be un-Islamic.

Saudi Arabia has the largest proven oil reserves in the world. The country's oil resources and importance to the global economy are key factors affecting its external relations, and the al-Saud dynasty uses its unmatched wealth to shape and control internal politics. However, the government's dominance of the economy, endemic corruption, and financial mismanagement have led to mounting economic problems, including a decline in real gross domestic product (GDP) per capita over the last decade. Unemployment is estimated at about 25 percent, and a growing youth population is adding to pressure on the government to create new jobs. Recent estimates suggest that over half of the Saudi population is between the ages of 15 and

64, and 38.2 percent is under the age of 15. Saudi Arabia joined the World Trade Organization (WTO) in December 2005.

**Political Rights and Civil Liberties:** Saudi Arabia is not an electoral democracy. The country's 1992 Basic Law declares that the Koran and the Sunna (the guidance set by the deeds and sayings of the prophet Muhammad) are the country's constitution. The king appoints a 150-member Majlis al-Shura (Consultative Council) every four years. This council has limited powers, serving only in an advisory capacity. The Council of Ministers, an executive body appointed by the king, passes legislation that becomes law once ratified by royal decree. The monarchy has a tradition of consulting with select members of Saudi society, but this process is not equally open to all citizens.

The al-Saud dynasty dominates and controls political life in the kingdom. The royal family forbids the formation of political parties, and the only semblance of organized political opposition exists outside of the country, with many activists based in London. The government has consistently cracked down on Saudi citizens who press for greater political freedoms. Then crown prince Abdullah appeared to support domestic calls for political reform in 2003 by holding several high-profile meetings with leading activists, but tolerance of the nascent reform lobby proved short-lived. In early 2004, the authorities splintered the movement by arresting several key figures who had attempted to create an independent human rights organization, including Abdullah al-Hamed. The government continued to imprison reformers in 2007; al-Hamed was arrested again in July. In November, he and his brother Issa al-Hamed were sentenced to six months and four months in jail, respectively, on charges of inciting women's protests, although both remained free on appeal at year's end. State authorities have attempted to undermine the credibility of the reform movement and justify their crackdown by falsely linking activists to religious militants.

Corruption is a significant problem, with foreign companies reporting that they often pay bribes to middlemen and government officials to secure business deals. Saudi Arabia was ranked 79 out of 180 countries surveyed in Transparency International's 2007 Corruption Perceptions Index.

The government tightly controls content in domestic media and dominates regional print and satellite television coverage. Members of the royal family own major shares in news outlets across the region. Government officials have banned journalists and editors who publish articles deemed offensive to the country's powerful religious establishment or the ruling authorities. The regime has also taken steps to limit the influence of new media, blocking access to some websites that are deemed immoral or politically sensitive. In December 2007, police arrested Fouad al-Farhan, a prominent blogger, who criticized corruption and persistently called for political reform. He remained in detention without charges at the end of the year.

Religious freedom does not exist in Saudi Arabia, the birthplace of Islam and home to the faith's two holiest cities—Mecca and Medina. Islam is Saudi Arabia's official religion, and all Saudis are required by law to be Muslims. The government prohibits the public practice of any religions other than Islam and restricts the religious practices of both the Shiite and Sufi Muslim minority sects. Although the government recognizes the right of non-Muslims to worship in private, it does not always respect this right in practice.

Academic freedom is restricted in Saudi Arabia, and informers monitor classrooms for compliance with limits on curriculums, such as a ban on teaching Western philosophy and religions other than Islam. In 2004, the government began efforts to reform school curriculums by deleting disparaging references to non-Muslims in textbooks. However, in February 2005, Abdullah bin Saleh al-Obaid, a religious conservative, was appointed to the prestigious post of education minister, replacing a reformer who had been accused of secularism. Al-Obaid announced the formation of a committee of experts to make fresh curriculum revisions in January 2006. Despite the changes to textbooks, intolerance in the classroom remains an important problem, as some teachers continue to espouse discriminatory and hateful views of non-Muslims and Muslim minorities such as Shiites.

Saudis do not enjoy freedoms of association and assembly. The government frequently arrests and detains political activists who stage demonstrations or engage in other civic advocacy. In 2003, the government approved the establishment of the National Human Rights Association (NHRA), a semiofficial organization charged with reviewing allegations of human rights violations and monitoring the country's compliance with international human rights agreements. Although the NHRA reported in June 2005 that it had received about 2,000 human rights complaints, it has reportedly taken little action.

In 2005, the government approved new labor legislation aimed at bringing Saudi law into line with international standards as the country prepared to join the WTO. The law extended protections to previously unregulated categories of workers, set end-of-service benefits, established clear terms for terminating employment, and required large companies to provide nurseries to help working mothers. It also banned child labor and set provisions for resolving labor disputes. In addition, the new law sought to advance the goal of the "Saudization" of the country's workforce by stipulating that Saudis must make up at least 75 percent of a company's employees. Finally, the law stated that women are permitted to work in "all sectors compatible with their nature." There continues to be virtually no protection for the more than six million foreign workers in Saudi Arabia. Many of these laborers, falsely lured to the kingdom with promises of great wealth, are forced to endure dangerous working and living conditions. There continue to be public reports of female domestic workers suffering regular physical, sexual, and emotional abuse.

The Saudi judiciary is set to undergo a significant overhaul. Two years after indicating that judicial reform was imminent, King Abdullah in October 2007 formally announced the establishment of a new Supreme Court and an Appeals Court, whose members will be appointed by the king. The new higher courts will replace the old judiciary council, which was widely considered reactionary and inconsistent. The government has allocated \$2 billion for new training programs and facilities for the reformed judiciary. It is unclear when the new system will go into effect. Although the reforms are intended to modernize and standardize the judicial system, there are no plans to codify the country's laws, which leaves judges considerable room for abuse. In 2001, the Council of Ministers approved a penal code that bans torture. However, allegations of torture by police and prison officials are frequent, and access to prisoners by independent human rights and legal organizations is strictly limited.

Substantial prejudice against ethnic, religious, and national minorities prevails.

Roughly two million Shiites live in Saudi Arabia, representing 10 to 15 percent of the population. Shiites are underrepresented in major government positions; no Shiite has served as a minister or member of the royal cabinet. Shiites reported a rise in incidents of prejudice and discrimination in 2007, including a series of physical assaults throughout the kingdom. The war in Iraq has increased sectarian anxiety in Saudi Arabia.

Saudis have the right to own property and establish private businesses. While much business activity is connected with members of the government, the ruling family, or other elite families, officials took important steps to promote private business in 2007, including the creation of new industrial and commercial zones that are free from royal-family interference. Unlike in previous years, the government is also spending rather than saving its oil revenues, servicing the debt, and encouraging private investment. The result has been several years of sustained growth and increasing confidence in the long-term viability of the nonpetroleum sector. The kingdom's new economic initiatives are partly the result of its gaining membership in the WTO in 2005.

Women are not treated as equal members of society, and many laws discriminate against them. They may not legally drive cars, and their use of public facilities is restricted when men are present. By law and custom, women cannot travel within or outside of the country without a male relative. In November 2007, a court sentenced a Shiite woman from Qatif, who had been gang raped by seven men, to 200 lashes and six months in jail for being alone with a man who was not her relative at the time of the attack; the man was also raped by the attackers and punished by the court. The rapists were sentenced to flogging and jail terms ranging from two to nine years. After an international outcry, the king pardoned the two victims in December. According to interpretations of Sharia (Islamic law) in Saudi Arabia, daughters receive half the inheritance awarded to their brothers. The testimony of one man is equal to that of two women in Sharia courts. Unlike Saudi men, Saudi women who marry non-Saudis are not permitted to pass their nationality on to their children, and their spouses cannot receive Saudi nationality. Saudi women are not permitted to serve as lawyers, and women seeking access to the courts must work with a male. The Committee to Prevent Vice and Promote Virtue, a semiautonomous religious police force commonly known as the *mutawa'een*, enforces a strict policy of segregation between men and women and often uses physical punishment to ensure that women meet conservative standards of dress in public.

The government did not allow women to participate in the municipal elections that took place in early 2005. State authorities have not determined whether they will grant women the right to vote in the next such elections, scheduled for 2009.

Education and economic rights for Saudi women have improved. Girls were not permitted to attend school until 1964, but now more than half of the country's university students are female. In May 2004, women won the right to hold commercial licenses, which opened the door for greater economic participation. In addition, women have generally become more visible in society. In 2005, Saudi state television began using women as newscasters, and two women became the first females elected to Jeddah's chamber of commerce, a small step forward for women's leadership in business. In September 2007, women activists presented King Abdullah with a petition containing over 1,100 signatures from women demanding the right to drive.



## Senegal

**Population:** 12,400,000

**Capital:** Dakar

**Political Rights:** 2

**Civil Liberties:** 3

**Status:** Free



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

1998	1999	2000	2001	2002	2003	2004	2005	2006	2007
4,4PF	4,4PF	3,4PF	3,4PF	2,3F	2,3F	2,3F	2,3F	2,3F	2,3F

### Overview:

**Relations between President Abdoulaye Wade and the opposition deteriorated in 2007 when Wade secured a second term in the first round of the presidential election. Most of the major opposition parties boycotted the subsequent legislative polls, leading to a landslide victory for Wade's Senegalese Democratic Party and the lowest voter turnout in the country's history. Also in 2007, the government's 2006 decision to create an upper house of Parliament—with close to half the members appointed by the president—was implemented, and indirect elections for the new chamber were held in August.**

Since independence from France in 1960, Senegal has avoided military or harsh authoritarian rule and has never suffered a successful coup d'etat. President Leopold Senghor, an acclaimed poet and noted academic in France, exercised de facto one-party rule through the Socialist Party (PS) for nearly two decades after independence. Most political restrictions were lifted after 1981, when Abdou Diouf of the PS succeeded Senghor. He went on to win large victories in unfair elections in 1988 and 1993.

Abdoulaye Wade's victory in the 2000 presidential poll—his fifth attempt—ended four decades of rule by the PS. Wade, the leader of the Senegalese Democratic Party (PDS), defeated Diouf in a runoff with 59.5 percent of the vote, and the election was judged free and fair by international observers.

Voters approved a new constitution by an overwhelming majority in January 2001, reducing presidential terms from seven to five years, setting the maximum number of terms at two, and giving women the right to own land for the first time. National Assembly elections were held in April. A coalition led by Wade won 89 of the 120 seats, followed by the PS with 10; smaller parties captured the remainder.

In 2004, Wade dismissed Prime Minister Idrissa Seek on the suspicion that he was challenging the president's leadership of the PDS. The National Assembly voted in August 2005 to support the dismissal and charged Seek with embezzlement and threatening national security, sending him to jail to await his trial. Opposition leaders criticized the National Assembly's ruling and attempted—unsuccessfully—to have the vote rescinded. Only in January 2006 did the High Court order Seek's re-

lease, after the charges of threatening national security were dropped. The prosecution of Seek was widely considered to be politically motivated, since many viewed him as Wade's most formidable rival.

Wade has been criticized—particularly by the press—for his overbearing leadership style, a penchant for making ad hoc decisions, and pushing controversial policies through the National Assembly to solidify his rule. Early in 2006, the National Assembly approved Wade's proposal to postpone legislative elections to 2007, ostensibly to cut costs by holding the presidential and legislative polls at the same time. In March 2006, the government also adopted a bill proposed by Wade to amend the constitution and add an upper house to the unicameral legislature.

Despite such political maneuvering and the intensity of the criticism from the national press, Wade confirmed his popularity and secured a second term as president in the February 2007 election, capturing 56 percent of the vote in the first round. Voter turnout was 70.5 percent, one of the highest in the country's history. Wade's success was primarily a result of the opposition's inability to unite behind a single candidate and the support he received from a number of the country's influential Muslim brotherhoods.

The presidential poll also confirmed the hostility between Wade and the opposition. He has threatened to reopen legal cases against a number of prominent opposition officials, including the embezzlement case against Seek, and has continually refused to engage in dialogue with opposition leaders. As a result, and in protest of the 2006 decision to postpone the legislative polls, the PS and 11 other parties officially boycotted the National Assembly elections in June. This led to a resounding victory for Wade's PDS, which secured 131 of the 150 seats, and the lowest voter turnout in the country's history—just 35 percent.

In August, indirect elections were held for the new 100-seat Senate. Only national legislators and municipal and regional councilors were allowed to cast ballots for 35 of the 100 available seats. The PDS won 34 of the 35 seats up for election with the African Party for Democracy and Socialism taking the remaining seat. The other 65 senators are appointed directly by the president.

The struggle for peace in the Casamance region was potentially complicated by the January 2007 death of Augustine Diamacoune Senghor, the 78-year-old leader of the separatist Movement of the Democratic Forces of Casamance (MFDC), who had denounced violence as a means of achieving independence. The geographic isolation of Casamance, which is largely separated from the rest of Senegal by The Gambia, had contributed to a feeling of marginalization that sparked the conflict in 1982. More recently, Senghor had led the signing of a peace accord with the government in December 2004. A breakaway faction of the MFDC, headed by Salif Sadio, rejected the peace agreement, and clashes between the factions, which came to a head in 2006 displacing thousands of people, continued in 2007 but on a much diminished scale allowing some refugees to return to their homes. For the most part, these confrontations have not resulted in civilian casualties.

Also in 2007, Senegal made noteworthy progress in the struggle to curb emigrants traveling illegally to Spain's Canary Islands in unstable fishing boats. In 2006, Senegal had signed an agreement with Spain allowing both countries to patrol coastal waters and deter the migrant traffic. This policy has produced tangible improvements, with 901 illegal boats arriving in Spain in 2006 and only 101 completing the

journey in 2007, according to the Economist Intelligence Unit. However, the patrols did not solve the underlying economic problems that drive many Senegalese to attempt the dangerous voyage.

Senegal's economy has enjoyed modest growth since the mid-1990s and benefits from trade with France. Senegal is also likely to reap future increases in trade with China. However, the country continues to suffer from infrastructural inefficiency and mismanagement in many of the state-controlled industries.

**Political Rights and Civil Liberties:** Senegal is an electoral democracy. The National Observatory of Elections has performed credibly in overseeing legislative and presidential polls since its creation in 1997. The president is elected by popular vote every five years, and Abdoulaye Wade is now serving his second and last term in the office. The president appoints the prime minister. In June 2007, Wade appointed Cheikh Hadjibou Soumare, a bureaucrat, to the position. Given former prime minister Idrissa Seek's high-profile confrontations with Wade, it is believed that the new appointment was intended to reduce the importance of the premiership. It also appeased international donors, who have disapproved of the politicized nature of the post.

Elections for the 120-seat National Assembly, now the lower house of a bicameral legislature, are held every five years. After being postponed from their original April 2006 date, the polls were held in June 2007. The newly created upper house, the Senate, consists of 35 members elected by public officials and 65 members appointed by the president.

There are more than 75 legally registered political parties in Senegal. Major parties include the ruling PDS, the PS, the Alliance of Progressive Forces (AFP), and the Union for Democratic Renewal (URD). The PDS currently dominates most political offices, and the opposition was significantly weakened by the events of 2007.

Although the government has initiated reforms to strengthen the rule of law and improve transparency, corruption remains a problem. Nevertheless, Senegal has a reputation for good governance and limited economic corruption when compared with other countries in the region. It was ranked 71 out of 180 countries surveyed in Transparency International's 2007 Corruption Perceptions Index.

Freedom of expression is generally respected. Members of the independent media are often highly critical of the government and were particularly so ahead of the 2007 presidential poll. There are about 20 independent radio stations, some of which broadcast in rural areas. The government owns the only national television station, which noticeably favored the ruling party in its election coverage. Access to the internet is not restricted.

Violations of press freedom increased in 2007, particularly harassment and imprisonment for libel, which remains a criminal offense despite Wade's promises to amend the law. In March, the director and a reporter for the respected daily newspaper *Waif Grand-Place* were sentenced to six months in prison and a \$21,000 fine for defaming a car dealership in a 2006 story. Separately, only a few days before the presidential election in February, progovernment demonstrators attacked a group of 15 journalists who were covering an opposition convoy.

Religious freedom in Senegal is respected, and the government has even provided hundreds of free airline tickets to Senegalese Muslims and Christians under-

taking pilgrimages to holy sites overseas. The country's Sufi Muslim brotherhoods are very influential, both politically and socially. Leading up to the 2007 presidential poll, Wade, himself a member of the Mouride brotherhood, worked carefully to ensure the support of the leaders of these communities. In June, following complaints about the lack of Christian representation in the cabinet, Wade added a second Roman Catholic member.

Academic freedom is guaranteed and respected. The government allows four hours of religious education per week in public schools, and the Ministry of Education often distributes funds to high-quality private religious institutions. The government has recently sought to increase technology in the classroom, acquiring and distributing tens of thousands of computers nationwide.

Freedoms of association and assembly are guaranteed, but authorities have sometimes limited these rights in practice. In late December 2005, a student protest in Dakar criticizing police violence against high school students in the Casamance region turned violent when demonstrators clashed with security personnel. Political demonstrations were particularly tense in the months leading up to the 2007 presidential vote, but no violence erupted.

Human rights groups and nongovernmental organizations (NGOs) operate freely in Senegal. Although workers' rights to organize, bargain collectively, and strike are legally protected for all except security employees, the Labor Code requires the president's approval for the initial formation of a trade union. Civil-service employees intending to strike are required to notify the government at least a month in advance, and private sector strikes require at least three days' notice. In March 2007, workers at Air Senegal International engaged in a peaceful two-day strike to protest inadequate salaries.

The judiciary is independent by law, but poor pay and lack of tenure protections create conditions for external influence of judicial proceedings. Uncharged detainees are incarcerated without legal counsel far beyond the lengthy periods already permitted by law. Prison conditions are poor.

In 2000, a Senegalese court charged former Chadian president Hissene Habre, who has been living in exile in Senegal since 1990, with torture and crimes against humanity. The Senegalese courts attempted to turn the case over to the African Union (AU) in early 2006, but the AU mandated that the trial be held in Senegal, which agreed to revise its laws to allow the proceedings. However, more than a year after the initial agreement, there was no progress in setting up the trial. The government insisted that this was due to a lack of funds from international donors to support the exceptional hearing.

Women's constitutional rights are often not honored, especially in rural areas, and women enjoy fewer opportunities than men for education and formal employment. Only two sexual harassment cases have been brought in the courts since 1995, and men remain the legal heads of households. Many elements of Sharia (Islamic law) and local customary law, particularly those regarding inheritance and marital relations, discriminate against women.

Despite government efforts to combat it, domestic violence against women is reportedly common, and laws prohibiting rape do not include spousal rape. Senegal banned female genital mutilation in 1999 and has worked with local NGOs to educate women about the dangers of the practice, but it continues in many rural areas. In

March 2007, the legislature overwhelmingly approved a bill that would increase the number of female representatives in the National Assembly in future elections by requiring all parties to introduce gender parity to their national candidate lists. However, due to an appeal filed by the Socialist Party, the law did not take effect in time to be applicable in the 2007 legislative elections. Separately, at the end of the year, the National Assembly passed a law rectifying preexisting fiscal discrimination against women where women earning the same salary as men were previously charged higher taxes than men.

## Serbia

**Population:** 9,500,000

**Capital:** Belgrade

**Political Rights:** 3

**Civil Liberties:** 2

**Status:** Free



*Note:* The ratings through 2002 are for the Federal Republic of Yugoslavia, of which Serbia was a part, and those from 2003 through 2005 are for the State Union of Serbia and Montenegro.

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

1998	1999	2000	2001	2002	2003	2004	2005	2006	2007
6,6NF	5,5PF	4,4PF	3,3PF	3,2F	3,2F	3,2F	3,2F	3,2F	3,2F

### Overview:

**Parliamentary elections in January 2007 were followed by three months of bitter negotiations among pro-Western parties over the formation of a new government. Throughout the year, the political atmosphere was dominated by diplomatic talks on the status of Kosovo. Despite these problems, however, Serbia registered enough progress in fighting corruption and improving its cooperation with the International Criminal Tribunal for the former Yugoslavia to initial a Stabilization and Association Agreement (SAA) with the European Union in November.**

Serbia was recognized as an independent state in 1878 after several centuries under Ottoman rule. It formed the core of the Kingdom of Serbs, Croats, and Slovenes proclaimed in 1918, and after World War II it became a constituent republic of the Socialist Federal Republic of Yugoslavia, under the Communist rule of Josip Broz Tito. Within the boundaries of the Serbian republic as drawn at that time were two autonomous provinces: the largely Albanian-populated Kosovo in the south, and Vojvodina, with a significant Hungarian minority, in the north.

After Tito's death in 1980, a party functionary named Slobodan Milosevic rose to power in the League of Communists of Serbia (renamed the Socialist Party of Serbia,

or SPS, in 1990). Following the disintegration of Yugoslavia in 1991, the former Yugoslav republics of Serbia and Montenegro in April 1992 formed the Federal Republic of Yugoslavia (FRY). Serbia under Milosevic was extensively involved in the 1991-95 ethnic wars that accompanied the old federation's breakup, both in Bosnia and Herzegovina and in Croatia. Milosevic and the SPS succeeded in ruling Serbia throughout the 1990s by controlling the country's security forces, financial and monetary institutions, and state-owned media.

In 1998-99, an ethnic Albanian insurgency in Kosovo provoked increasingly violent reprisals by FRY forces against the guerrillas and segments of the civilian population. In March 1999, NATO launched a 78-day bombing campaign against the FRY to force the withdrawal of Yugoslav and Serbian forces from the province. Since June 1999, a NATO-led force has occupied Kosovo, and the United Nations has overseen its government.

The end for Milosevic's regime came on October 5, 2000, when his attempt to steal the September Yugoslav presidential election from opposition candidate Vojislav Kostunica drew hundreds of thousands of people to Belgrade in protest and he was forced from office. An anti-Milosevic coalition, the Democratic Opposition of Serbia (DOS), took power following Serbian parliamentary elections in December 2000. Zoran Djindjic of the Democratic Party (DS), part of the DOS, became Serbia's prime minister. Djindjic, considered a strong pro-European reformer, was assassinated in Belgrade on March 12, 2003, by organized crime groups allied with Milosevic-era security structures. Meanwhile, the FRY proved largely dysfunctional, and a looser State Union of Serbia and Montenegro was formed in 2003, with each state guaranteed the option of an independence referendum after three years. In May 2006, Montenegro voted for independence, and Serbia involuntarily became an independent state in June.

Elections to the Serbian parliament in December 2003 resulted in a plurality for the ultranationalist Serbian Radical Party (SRS), which had been a bulwark of Milosevic's regime. However, the parties considered to be reformist and democratic were able to form a coalition government and keep the SRS from coming to power. Former FRY president Kostunica, leader of the Democratic Party of Serbia (DSS), became Serbia's new prime minister.

Three presidential elections in 2002-03 were annulled after failing to meet a 50 percent turnout requirement, but Serbia finally elected a president in June 2004, when Djindjic's successor as head of the DS, Boris Tadic, defeated Tomislav Nikolic of the SRS. In November 2005, the European Union (EU) approved the beginning of negotiations for a Stabilization and Association Agreement (SAA) with Serbia and Montenegro, but the talks were broken off in May 2006 due to Belgrade's failure to apprehend and extradite former Bosnian Serb military leader Ratko Mladic, who was wanted by the UN International Criminal Tribunal for the former Yugoslavia (ICTY) for alleged war crimes in the 1990s.

The January 2007 parliamentary elections again confirmed the basic division of Serbian politics and society between the 55-60 percent majority that supports the parties that overthrew Milosevic in 2000 and the 35-45 percent segment that supports either the SRS or the SPS. Three months of postelectoral wrangling finally produced a government in May, less than half an hour before a constitutional deadline that would have triggered new elections. The new government consisted of all

the main democratic parties—including Tadic's DS, Kostunica's DSS, and the G17 Plus—as well as smaller parties representing ethnic minorities. In November, Serbia received a vote of confidence when the EU agreed to initial an SAA.

Apart from the effort to keep Milosevic-era political forces from coming back to power, the dominant theme in Serbian politics in recent years has been the fate of Kosovo, where the 90 percent ethnic Albanian majority is intent on gaining independence. UN-led negotiations on the issue began in Vienna in February 2006 and lasted through March 2007, at which point the UN mediator, former Finnish president Martti Ahtisaari, proposed that Kosovo be granted "conditional independence." Russia then blocked several attempts to have Ahtisaari's proposal endorsed by the UN Security Council. Another effort to reach a compromise began in September 2007, when a troika of diplomats representing the EU, the United States, and Russia were given a three-month mission to conduct further negotiations. On December 10, the troika submitted its final support to the Security Council, noting that the negotiation process was deadlocked, and that it had been unable to bridge the differences between Belgrade and Pristina.

**Political Rights and Civil Liberties:** Serbia is an electoral democracy. The president, elected to a five-year term, plays a largely ceremonial role. The National Assembly is a unicameral, 250-seat legislature, with deputies elected to four-year terms. The prime minister is elected by the Assembly.

The latest parliamentary elections, held in January 2007, were conducted freely and fairly, but independent watchdog groups harshly criticized the organization and conduct of an October 2006 referendum on a new constitution. The charter, which included a provision that reasserted Serbia's claim to Kosovo, was endorsed by ethnic minority leaders and representatives of the main religious communities. It was barely passed in two days of voting, with just over 50 percent of the electorate turning out. Kosovo's ethnic Albanian majority did not participate. Although critics found several flaws in the new charter, most observers considered it an improvement over the previous document, which dated to the era of late Yugoslav president Slobodan Milosevic.

Numerous political parties compete for power. The main parties are Prime Minister Vojislav Kostunica's DSS; the SRS, officially headed by ICTY defendant Vojislav Seselj but led on a day-to-day basis by Tomislav Nikolic; President Boris Tadic's DS; the G17 Plus; and Milosevic's SPS. A host of smaller parties also exist, but their influence is minimal.

Serbia has made significant strides in the battle against corruption in recent years. In 2006, the World Bank's Doing Business report named Serbia the world's leading economic reformer. Despite such progress, however, corruption remains a serious concern. Serbia was ranked 79 out of 180 countries surveyed in Transparency International's 2007 Corruption Perceptions Index.

The press is generally free and operates with little government interference, although most media outlets are considered to be aligned with specific political parties. In April 2007, a prominent journalist for the weekly *Vreme*, Dejan Anastasijevic, was the target of a failed assassination attempt, and in May, the Organization for Security and Cooperation in Europe (OSCE) warned that freedom of expression in Serbia was being threatened by a rise in attempts to intimidate journalists. Libel re-

mains a criminal offense punishable by fines, but not imprisonment. In September 2007, a court fined the weekly *Kurir* one million dinars (US\$17,250) for libeling the head of the G17 Plus party. There were no reports of the government restricting access to the internet, although in the past there have been allegations that the government was selectively monitoring e-mail correspondence.

According to the 2006 constitution, all citizens are guaranteed freedom of religion, which is generally respected in practice. However, increases in interethnic tension often take the form of religious intolerance. The April 2006 Law on Churches and Religious Communities was intended to improve the independence and legal standing of religious communities in the aftermath of Communist rule, but critics have claimed that it privileges seven "traditional" religious communities by giving them tax-exempt status or by forcing other groups to go through cumbersome registration procedures. In May 2006, the parliament approved legislation on returning property that had been confiscated from religious communities during the Communist period. There were no reports that the government attempted to restrict academic freedom during 2007.

Citizens enjoy freedom of association and assembly. Foreign and domestic non-governmental organizations (NGOs) have the freedom to pursue their activities, although laws governing NGOs have not been updated since the Milosevic era, and many NGO leaders feel that state officials and political elites do not adequately understand the role of NGOs in a democracy. The laws and constitution allow workers to form or join unions, engage in collective bargaining, and strike. In November 2007, members of the Judicial Employees Syndicate initiated a work slowdown to protest low wages, opting to deal only with cases involving arrest warrants and appeals to be released from prison.

Legal and judicial reform has been slow in recent years because of the complicated political situation. In May 2006, the parliament overwhelmingly approved a new "National Strategy for Reform of the Judiciary," intended to bring Serbian criminal legislation in line with EU standards, rationalize the court system, and improve the training of judges and prosecutors. Corruption in the courts is a serious problem. The judicial system suffers from a large backlog of cases, underpaid judges and prosecutors, an excess of judges left over from the Milosevic era, long delays in filing formal charges against suspects, and the failure of legislative institutions to heed judicial rulings. While prisons are generally considered to meet international standards, there were riots and protests in various facilities in 2006, with inmates demanding better conditions.

Serbian cooperation with the ICTY improved significantly in 2007, especially after the new government was formed in May. ICTY chief prosecutor Carla Del Ponte issued two favorable reports on the matter during the year. At year's end, 42 out of 46 Serb indictees were in custody, although the 2 most important—former Bosnian Serb leaders Radovan Karadzic and Ratko Mladic—remained at large.

Cultural and ethnic minorities have their own political parties, access to media in their mother tongues, and other types of associations. Nevertheless, they are underrepresented in government. The country's main ethnic minorities are the Bosniaks (Muslim Slavs), concentrated in the Sandzak region adjacent to Montenegro; an Albanian population in the Presevo Valley, adjacent to Kosovo; and the Hungarian community in Vojvodina. There are concerns that tensions in



Kosovo could spill into Presevo, and that the spread of fundamentalist Wahhabi Islam in the Sandzak could lead to other problems. There are frequent complaints of police harassment and unfair treatment of the Romany (Gypsy) community.

Conditions in mental institutions are exceptionally bad. A report released in November 2007 by Mental Disability Rights International claimed that some of the worst cases of abuse and neglect of individuals with mental disabilities had been found in Serbia.

Although women are legally entitled to equal pay for equal work, traditional attitudes often limit women's roles in the economy. Figures for 2007 show that women account for 54 percent of the unemployed in Serbia and 80 percent of the illiterate population. According to electoral regulations, at least 30 percent of a party's candidate list has to be made up of women. In the parliament elected in January 2007, only 51 out of the 250 members were women, though that was an increase of 24 over the previous parliament. Domestic violence remains a serious problem. The 2005 Law on the Family criminalized "behavior by one of the family members that endangers the bodily integrity, mental health or peace of another family member," although its implementation remains difficult. Some towns in southern Serbia have become an important part of the network trafficking women from the former Soviet Union to Western Europe for the purpose of forced prostitution.

## Seychelles

**Population:** 100,000  
**Capital:** Victoria

**Political Rights:** 3  
**Civil Liberties:** 3  
**Status:** Partly Free



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

1998	1999	2000	2001	2002	2003	2004	2005	2006	2007
3,3PF	3,3PF	3,3PF	3,3PF	3,3PF	3,3PF	3,3PF	3,3PF	3,3PF	3,3PF

**Overview:** **The ruling Seychelles People's Progressive Front (SPPF) won a renewed mandate in May 2007 parliamentary elections. Its majority remained the same at 23 seats, with the opposition Seychelles National Party (SNP) capturing the remaining 11.**

The Seychelles gained independence from Britain in 1976 but remained a member of the Commonwealth. The country functioned as a multiparty democracy until 1977, when Prime Minister France-Albert Rene seized power and ousted President James Mancham. Rene then made his SPPF the sole legal party, exerting control over government jobs, contracts, and resources, and winning one-party "show"

elections in 1979, 1984, and 1989. By 1992, however, the SPPF had passed a constitutional amendment legalizing opposition parties, and many exiled leaders returned.

Rene won the first multiparty elections in 1993. In the 1998 polls, the Seychelles National Party (SNP), led by Wavel Ramkalawan, emerged as the strongest opposition group by espousing economic liberalization, which Rene had resisted.

Rene won a narrow victory in the 2001 presidential election, engendering opposition complaints of fraud. A Commonwealth monitoring delegation concluded that the election was peaceful but not entirely free and fair. In October 2002, Rene dissolved the parliament and called for early legislative elections. The SPPF won the balloting, but the SNP made significant gains, taking 43 percent of the vote.

Rene stepped down as president in 2004, at age 69. He was replaced by Vice President James Michel. The Indian Ocean tsunami struck later that year, causing about \$30 million in damage to public infrastructure and facilities. Tourism and fisheries, both vital to the economy, also suffered.

Michel defeated Ramkalawan in the July 2006 presidential election, 54 percent to 46 percent. In early October, protesters and security forces clashed outside the parliament building after lawmakers passed a bill that restricted private radio-station ownership, effectively ending the opposition's hopes of establishing its own radio station. Ramkalawan was among several people who were injured during the protests.

The SPPF's majority of 23 seats was left unchanged by the May 2007 legislative elections, with the SNP taking the remaining 11. Michel subsequently restructured his government, placing an emphasis on environmental issues that could affect the country's reputation as a tourist destination.

**Political Rights and Civil Liberties:**

Seychelles is an electoral democracy. The July 2006 presidential election and the 2007 parliamentary polls were generally viewed as having met basic international norms of legitimacy. However, the ruling SPPF's control over state resources and most media gives its candidates a significant advantage at the polls.

The president and the unicameral National Assembly are elected by universal adult suffrage for five-year terms. The head of government is the president, who appoints the cabinet. Of the National Assembly's 34 members, 25 are elected directly and 9 are allocated on a proportional basis to parties gaining at least 10 percent of the vote. The SPPF remains the dominant party, and the opposition SNP has claimed that its sympathizers are harassed by police and victimized by job-related security investigations in the public sector.

Concerns about the extent of government corruption have focused on the lack of transparency in privatization and the allocation of government-owned land. Credible allegations have been made that government officials have sold passports illegally. Seychelles was ranked 57 out of 180 countries surveyed in Transparency International's 2007 Corruption Perceptions Index.

According to the BBC, the government controls much of the islands' media, and operates radio and TV stations as well as the sole daily newspaper. The government owns one daily newspaper, the *Nation*, and at least two other newspapers support or are published by the SPPF. The opposition weekly *Regar* has been sued repeatedly for libel under broad constitutional restrictions on free expression, and it suspended publication in October 2006. *Regar's* editor, who is also the secretary

general of the SNP, had been briefly detained following that month's protest against parliament's decision not to permit the establishment of an opposition radio station. Regar remained out of print at the end of 2007, and the sole remaining major independent newspaper, *Le Nouveau Seychelles Weekly*, was denied printing facilities in the Seychelles in late 2007.

The board of directors of the officially multipartisan Seychelles Broadcasting Corporation includes only one opposition representative, though it does have several non-SPPF members. In January 2006, a leading journalist with known opposition sympathies was fired from the state-owned television station. High licensing fees have discouraged the development of privately owned broadcast media. There are no restrictions on internet usage.

The right of religious freedom is mandated in the constitution and exists in practice. Churches in this predominantly Roman Catholic country have been strong voices for human rights and democratization, and they generally function without government interference.

The constitution endorses freedoms of assembly and association. Private human rights groups and other nongovernmental organizations operate in the country. Public demonstrations are generally tolerated, although on occasion the government has impeded opposition gatherings. The right to strike is protected by the 1993 Industrial Relations Act but is limited by several regulations. The SPPF-associated National Workers' Union no longer monopolizes union activity; two independent unions are now active.

Judges generally decide cases fairly but still face interference in cases involving major economic or political interests. There are no Seychellois judges, and the impartiality of the non-Seychellois magistrates can be compromised by the fact that they are subject to contract renewal. Security forces have been accused of using excessive force, including torture and arbitrary detention, especially in attempting to curb crime.

Islanders of Creole extraction face de facto discrimination. Nearly all of the country's political and economic life is dominated by people of European and South Asian origin. Discrimination against foreign workers has been reported. The government does not restrict domestic travel but may deny passports for reasons of "national interest."

The Seychelles in recent years has boasted one of the highest percentages of women in parliament in Africa at 24 percent, despite the lack of a quota system. In general, however, women are less likely than men to be literate, and they have fewer educational opportunities. While nearly all adult females are classified as "economically active," most are engaged in subsistence agriculture. Domestic violence against women is reportedly widespread but is rarely prosecuted and only lightly punished. Inheritance laws do not discriminate against women.

## Sierra Leone

**Population:** 5,300,000

**Capital:** Freetown

**Political Rights:** 3\*

**Civil Liberties:** 3

**Status:** Partly Free



**Ratings Change:** Sierra Leone's political rights rating improved from 4 to 3 due to the relatively peaceful conduct of free and fair general elections in the absence of international troops, the orderly transfer of power to the opposition, and the commendable performance of the National Electoral Commission.

### Ten-Year Ratings Timeline For Year Under Review

(Political Rights, Civil Liberties, Status)

1998	1999	2000	2001	2002	2003	2004	2005	2006	2007
3,5PF	3,5PF	4,5PF	4,5PF	4,4PF	4,3PF	4,3PF	4,3PF	4,3PF	3,3PF

**Overview:** The opposition All People's Congress party won both the presidential and legislative elections in 2007, defying initial expectations. The party's presidential candidate, Ernest Koroma, took office after garnering 54 percent of the second-round vote. The elections, the first held in Sierra Leone after the withdrawal of UN peacekeeping troops, were widely considered to be free and fair, thanks in part to the independent and thorough work of the National Electoral Commission.

Founded by Britain in 1787 as a haven for liberated slaves, Sierra Leone became independent in 1961. After a military intervention in 1967, civilian rule was restored in 1968 under Siaka Stevens of the All Peoples Congress (APC) party. Stevens built up a personalized single-party government and handed power to his designated successor, Joseph Momoh, in 1985. The Revolutionary United Front (RUF) launched a guerrilla campaign from neighboring Liberia in 1991 to end Momoh's rule. However, he was instead ousted in 1992 by military officer Valentine Strasser. In January 1996, Brigadier General Julius Maada-Bio quietly deposed Strasser, and elections were held despite military and rebel intimidation. Voters elected former UN diplomat Ahmad Tejan Kabbah of the Sierra Leone People's Party (SLPP) as president.

In 1997, Major Johnny Paul Koroma toppled the Kabbah government, established the Armed Forces Revolutionary Council (AFRC), and invited the RUF to join the junta. Nigerian-led West African troops restored Kabbah to power in February 1998, but the country continued to be wracked by war. A peace agreement in July 1999 led to the beginning of disarmament, and the UN deployed several thousand peacekeeping troops to the country that year, but the process was halted in May 2000 by a return to hostilities. When 500 peacekeepers were taken hostage, British troops flew in to help, and disarmament resumed in May 2001. By 2002, the UN force numbered more than 17,000.

In the May 2002 presidential poll, Kabbah was reelected with 70 percent of the

vote, compared with 22 percent for the APC's Ernest Koroma. The RUF candidate won barely 2 percent of the vote. The SLPP dominated parliamentary elections the same month, winning 83 of 112 available seats.

By the end of 2005, nearly all UN peacekeeping troops had withdrawn. Only a small contingent remained to guard the Special Court for Sierra Leone, tasked with holding war crimes trials, and a UN Integrated Office for Sierra Leone, set up to address issues of long-term stability.

In 2007, Sierra Leone held its first democratic elections in the absence of peacekeeping troops. Despite fears that political confrontations could turn violent and that domestic troops would be insufficient to ensure peace, legislative and presidential polls were conducted with few incidents of violence. The National Electoral Commission (NEC) functioned with remarkable independence and helped to ensure the success of the balloting, despite postponements and other difficulties. The elections were ultimately considered both free and fair by the international community.

The principal presidential candidates were Solomon Berewa of the ruling SLPP, Koroma of the opposition APC, and former SLPP member Charles Margai of the new People's Movement for Democratic Change (PMDC). In the first round of elections, which drew a voter turnout of 75 percent, Koroma received 44.3 percent, followed by Berewa with 38.3 percent and Margai with 13.9 percent. There were a number of subsequent episodes of violence between supporters of the two leading candidates, but firearms were rarely used, and the police were able to quell the disturbances with few serious injuries. Nonetheless, President Kabbah threatened to impose a state of emergency if peace was not maintained, and both candidates called on their supporters to respect the law.

Koroma defeated Berewa in the peaceful second round, 54.6 percent to 45.4 percent, and power was peacefully transferred to the winner. The SLPP had lost voter support due to the country's entrenched poverty, inadequate infrastructure, and pervasive corruption. The APC also won the legislative elections, capturing 59 of the 112 contested seats. The SLPP took 43, and the PMDC won 10.

The Special Court for Sierra Leone began holding trials in 2004, and by 2006, 13 people from all sides in the conflict had been indicted, including former warlord and Liberian president Charles Taylor. In 2006, Taylor was finally turned over to the court by the government of Nigeria, where he had been living in exile. He was transferred for trial in The Hague, the Netherlands, in June 2006, but delays have since plagued the proceedings. Five defendants were convicted in 2007, and three of the others had died by year's end.

Sierra Leone has vast diamond resources, but smuggling and war have turned it into one of the world's poorest countries. In 2007, the Paris Club of bilateral lenders decided to cancel all of Sierra Leone's debt. However, the country's economy continues to struggle with more than 65 percent unemployment. Jobless youth—particularly former combatants—make up a significant proportion of the total.

**Political Rights and Civil Liberties:** Sierra Leone is an electoral democracy. The 2007 presidential and parliamentary elections were judged to be free and fair by international observers, and for the first time since the civil war, power was transferred peacefully to the opposition. Of the unicameral Parliament's 124 members, 112 are chosen by popular vote and 12 are paramount

chiefs chosen in separate elections. Parliamentary elections are held every five years. The president is elected by popular vote every five years and serves as both chief of state and head of government.

The major political parties are the SLPP, the APC, and the PMDC, which was formed in 2006 by former SLPP member Charles Margai.

Corruption is a major problem. The Parliament established an anticorruption commission in 2000, and several cases have been brought before the courts. However, investigations have generally avoided top politicians, and the commission is beleaguered by political interference. In 2006, the well-respected head of the commission was replaced by Henry Joko-Smart, a close friend of the president's who tended to pursue junior officials rather than ministry heads. Perceived corruption in the SLPP government was one of the deciding factors in 2007 elections. Sierra Leone was ranked 150 out of 180 countries surveyed in Transparency International's 2007 Corruption Perceptions Index.

Freedom of speech and the press is guaranteed, but the government at times restricts these rights. Dozens of newspapers are printed in Freetown, but most are of poor quality and often carry sensational or unsubstantiated stories. In addition, all newspapers are published in English, while only 30 percent of the population is fluent in the language, and close to 70 percent is illiterate.

While the environment for the press has improved significantly since the end of the war, journalists faced a number of incidents of harassment in 2007. In June, Philip Neville, editor of the independent *Standard Times*, was arrested and detained for a week for the alleged publication of "subversive material." The case was dropped after Neville agreed to publish retractions. In September, supporters of the APC and SLPP harassed reporters trying to cover the opposing party's campaign.

Freedom of religion is guaranteed and respected in practice, and there were no reports of harassment or intimidation based on religious affiliation during the year. Academic freedom is similarly guaranteed by law.

Freedom of assembly and association are guaranteed and generally respected in practice. During the 2007 electoral campaign, all parties were for the most part able to hold rallies without incident. Nongovernmental organizations and civic groups operate freely. Workers have the right to join independent trade unions of their choice, but serious violations of core labor standards occur regularly. The minimum working age of 18 is rarely respected.

The judiciary has demonstrated a degree of independence, and a number of trials have been free and fair. However, corruption, poor salaries, and a lack of resources threaten to impede the courts' future effectiveness. Arbitrary arrest is common, as are lengthy pretrial detentions under harsh conditions.

Eight international judges sit on the Special Court for Sierra Leone. The body was the first international war crimes tribunal to seat UN-appointed judges alongside local judges in the country where the atrocities in question took place. Aside from former Liberian president Charles Taylor, the highest-profile defendant before the court was the former leader of the progovernment Civil Defense Force (CDF), Sam Hinga Norman. However, Norman died in 2007, while receiving medical treatment in Senegal, before his trial could be completed. Also in 2007, the court convicted three leaders of the AFRC and the two remaining leaders of the CDF on a number of charges. The AFRC defendants were sentenced to between

45 and 50 years in prison, and sentences for the CDF leaders were pending at year's end.

Ethnic loyalty is an important factor in the government, armed forces, and business, and it has traditionally been a deciding factor in elections. However, SLPP leader Solomon Berewa and the PMDC's Margai are both from the Mende ethnic group, complicating traditional ethnic allegiances in the 2007 polls.

Despite constitutionally guaranteed equal rights, women face extensive legal and de facto discrimination, as well as limited access to education and formal employment. Women's status under customary law is equal to that of minors. However, in 2007 Parliament passed laws to prohibit domestic violence, grant women the right to inherit property, and outlaw forced marriage. It remained to be seen whether the measures would be adequately enforced and widely promulgated.

## Singapore

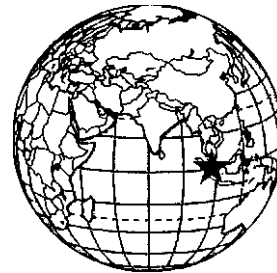
**Population:** 4,600,000

**Capital:** Singapore

**Political Rights:** 5

**Civil Liberties:** 4

**Status:** Partly Free



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

1998	1999	2000	2001	2002	2003	2004	2005	2006	2007
5,5PF	5,5PF	5,5PF	5,5PF	5,4PF	5,4PF	5,4PF	5,4PF	5,4PF	5,4PF

### Overview:

**Thousands of Singaporeans signed an online petition against a proposed salary hike for government ministers in 2007. The government prevented six members of the European Parliament from attending an opposition-hosted public forum on the issue in February. Meanwhile, planned revisions to the media code of conduct threatened to impose restrictions on Singapore's traditionally open internet media.**

Singapore was established as a British trading center in 1819 and became a separate British colony. It obtained home rule in 1959, entered the Malaysian Federation in 1963, and gained full independence in 1965. Prime Minister Lee Kuan Yew and the ruling People's Action Party (PAP) transformed the port city into a regional financial center and exporter of high-technology goods, but restricted individual freedoms and stunted political development in the process.

Lee transferred the premiership to Goh Chok Tong in 1990 but stayed on as "senior minister," and the PAP retained its dominance. The party captured 82 of Parliament's 84 seats in the 2001 elections, with opposition parties contesting only 29 seats.

Lee's son, Lee Hsien Loong, became prime minister in August 2004; the elder

Lee assumed the title of "minister mentor." In September 2005, President Sellapan Ramanathan began a second term as the largely ceremonial head of state.

Despite his expressed desire for a "more open society," Lee Hsien Loong has done little to change the authoritarian political climate. He called elections in May 2006, a year early, to secure a mandate for his economic reform agenda. With a nine-day campaign period and defamation lawsuits hampering opposition candidates, the polls resembled past elections in serving more as a referendum on the prime minister's popularity than as an actual contest for power. The PAP retained its 82 seats with 66 percent of the vote, although the opposition contested a greater number of seats and secured a larger percentage of the vote than in previous years.

In 2007, Lee continued to pursue his economic agenda while keeping the opposition in check. The government also maintained that racial sensitivities and the threat of Islamist terrorism justified draconian restrictions on freedom of speech and assembly. In March, Lee recommended that all cabinet ministers receive an 83 percent pay increase. The move was in keeping with the PAP's decision a decade earlier to match top government salaries with the upper echelons of the private sector, but it contradicted the prime minister's stated priority of easing the country's widening income gap. Considerable public debate, spearheaded by the opposition, erupted in response. The opposition Singapore Democratic Party (SDP) had attempted to host six European Parliament members at a public forum on the issue in February, but the government barred the guests from attending. However, SDP leader Chee Soon Juan was permitted to march in protest of the hike, and more than 3,000 Singaporeans signed an online petition against the increases by year's end.

The government also prompted public and opposition concerns in October by enacting a series of major changes—including a raised retirement age—to the Central Provident Fund, a social security savings plan. Despite international and SDP objections, the International Bar Association (IBA) held its annual conference in Singapore the same month. Critics of the decision noted the country's lack of judicial independence and opposition politicians' inability to obtain legal defense.

In a sign of improving relations, Singapore and Malaysia cooperated in 2007 on the Johor project, a plan to use Singaporean investment and labor to develop the adjacent Malaysian state. In April, Singapore and Indonesia signed a long-contested extradition treaty and a defense agreement allowing the resumption of joint military training, but neither was ratified due to Indonesian officials' subsequent claims that the defense pact compromised Indonesian sovereignty. Tensions developed with the Thai government after the ousted Thai prime minister, Thaksin Shinawatra, visited Singapore in January. Lee issued a statement against the Burmese authorities' brutal crackdown on demonstrations in the fall on behalf of the Association of Southeast Asian Nations, but Singapore refused to impose economic sanctions.

**Political Rights and Civil Liberties:** Singapore is not an electoral democracy. The country is governed through a parliamentary system and holds regular elections, but the ruling PAP dominates the political process, using a variety of methods to handicap opposition parties. The prime minister retains control over the Elections Department, and the country lacks a structurally independent election authority.

The largely ceremonial president is elected by popular vote for six-year terms,



and a special committee is empowered to vet candidates. The prime minister and cabinet are appointed by the president. Singapore has had only three prime ministers since it gained independence in 1965. Lee Hsien Loong assumed the post in August 2004.

Of the unicameral legislature's 84 members, 9 are elected from single-member constituencies, while 75 are elected in Group Representation Constituencies (GRCs), a mechanism intended to foster minority representation. The winner-take-all nature of the system, however, limits the extent to which GRCs actually facilitate minority representation and, in effect, helps perpetuate the return of incumbents. Up to nine additional, nonpartisan members can be appointed by the president, and up to three members can be appointed to ensure a minimum of opposition representation. The PAP won 82 seats with 66 percent of the vote in the 2006 elections. The opposition Worker's Party and Singapore Democratic Alliance (SDA) each won a single seat despite receiving 16.3 percent and 13 percent of the vote, respectively.

Although elections are free from irregularities and vote rigging, the opposition is hamstrung by a ban on political films and television programs, the threat of libel suits, strict regulations on political associations, and the PAP's influence on the media and the courts. In June 2007, opposition politician J. B. Jeyaretnam finally paid libel damages for criticizing PAP officials; the unpaid award had disqualified him from Parliament in 2001. He subsequently initiated plans to form a new Democratic Reform Party. Also during the year, SDP leader Chee Soon Juan was convicted for trying to travel to a 2006 World Movement for Democracy conference without a permit. He spent two weeks in jail after losing an appeal in September. Chee was arrested again in early October for attempting to deliver a petition to the Presidential Palace regarding the authorities' relationship with the Burmese government, following the suppression of protests in that country.

Singapore has traditionally been lauded for its relative lack of corruption. Transparency International's 2007 Corruption Perceptions Index ranked Singapore fourth out of 180 countries surveyed. There is no special legislation facilitating access to information, however, and management of state funds came under question for the first time in 2007. Critics lamented the state's secret investment of national reserves, and investigations into the state investment arm, Temasek Holdings, were launched by Indonesian and Thai watchdog agencies.

Singapore's media market remains tightly constrained. All newspapers, radio stations, and television channels are owned by government-linked companies. Although editorials and news coverage generally support state policies, newspapers occasionally publish critical pieces. Self-censorship is common among journalists as a result of PAP pressure. The Sedition Act, in effect since British colonial rule, outlaws seditious speech, the distribution of seditious materials, and acts with "seditious tendency." Media including videos, music, and books are sometimes censored, typically for sex, violence, or drug references. In April 2007, the government banned Martyn See's documentary film about a political activist's 17-year detention under the Internal Security Act (ISA).

Foreign broadcasters and periodicals can be restricted for engaging in domestic politics, and new regulations in 2006 required all foreign publications to appoint legal representatives and provide significant financial deposits. Still facing civil defamation claims for the July 2006 article that presumably prompted the new regula-

tions, the *Far Eastern Economic Review* lost an appeal in February 2007. In June, the Singapore High Court rejected the magazine's application for a Queen's Counsel from Britain to represent it. Distribution of the *Review* remained banned, but it was available online. PAP members regularly use defamation suits and the revoking of licenses to silence critical (especially foreign) media. In October 2007, the *Financial Times* published an apology and agreed to pay damages to the Lee family for a September article suggesting that the family had engaged in nepotism.

Despite government efforts to impose licensing restrictions on the internet, Singapore's blogosphere is a primary outlet for dissent. The online petition against the proposed salary hike for government ministers in 2007 collected thousands of signatures as well as statements criticizing the increase and the government's lack of accountability. In March, the Media Development Authority announced plans to revise the media code of conduct and extend its scope beyond the broadcasting and print sectors, raising concerns that the changes would be used to limit expression on the internet.

The constitution guarantees freedom of religion as long as its practice does not violate any other regulations, and most groups worship freely. However, religious actions perceived as threats to racial or religious harmony are not tolerated, and unconventional groups like the Jehovah's Witnesses and the Unification Church are banned. All religious groups are required to register with the government under the 1966 Societies Act.

All public universities and political research institutions have direct government links that bear at least some influence. Academics engage in political debate, but their publications rarely deviate from the government line.

The Societies Act restricts freedom of association by requiring most organizations of more than 10 people to register with the government, and only registered parties and associations may engage in organized political activity. Public assemblies of more than five people and all political speeches must be approved by police. Permits are no longer needed for private, indoor gatherings as long as the topic of discussion is not race or religion.

The government foiled the SDP's plans to host a public forum on the government salary hike in February 2007 by barring six European Parliament members from attending, arguing that foreigners lacked the right to protest Singapore's internal affairs from within its borders. In a rare occurrence, however, Chee was permitted to march 150 kilometers and distribute leaflets in protest.

Unions are granted fairly broad rights under the Trade Unions Act, though restrictions include a ban on government employees joining unions. A 2004 amendment to the law prohibits union members from voting on collective agreements negotiated by union representatives and employers. Strikes are legal for all except utility workers, but they must be approved by a majority of a union's members as opposed to the internationally accepted standard of at least 50 percent of the members who vote. In practice, many restrictions are not applied. All but 5 of the country's 64 unions are affiliated with the National Trade Union Congress, which is openly allied with the PAP. Singapore's 160,000 domestic workers are excluded from the Employment Act and regularly exploited. A 2006 standard contract for migrant domestic workers addresses food deprivation and entitles replaced workers to seek other employment in Singapore, but it fails to provide other basic protections, such as rest days.

The government's overwhelming success in court cases suggests some lack of judicial independence. Many judges have ties to PAP leaders, but it is unclear whether the government pressures judges or simply appoints those who share its conservative philosophy. The judiciary is efficient, however, and defendants in criminal cases enjoy most due process rights. In 2007, PAP critic and lawyer M. Ravi protested the London-based IBA's decision to hold its annual conference in Singapore, noting opposition politicians' difficulty in finding legal representation for politically sensitive cases.

The government generally respects citizens' right to privacy, but the ISA and the Criminal Law Act (CLA) permit the authorities to conduct warrantless searches and arrests to preserve national security, order, and the public interest. The ISA, previously aimed at Communist threats, is now used against suspected Islamist terrorists. Suspects can be detained without charge or trial for an unlimited number of two-year periods. A 1989 constitutional amendment prohibits judicial review of the substantive grounds for detention under the ISA and of the constitutionality of the law itself. At year's end, 34 suspected terrorists were held in detention. The Religious Rehabilitation Group was launched in 2003 to instill moderate interpretations of Islam in detainees. In August 2007, the group launched a website to counter online terrorist recruitment.

The CLA is mainly used to detain organized crime suspects; it allows preventive detention for an extendable one-year period. The Misuse of Drugs Act empowers authorities to commit suspected drug users, without trial, to rehabilitation centers for up to three years.

Security forces are not known to commit serious abuses. The government has in recent years jailed police officers convicted of mistreating detainees. The penal code mandates caning, in addition to imprisonment, for about 30 offenses; it is discretionary for certain other crimes involving the use of force. Caning is reportedly common in practice.

There is no legal discrimination, and the government actively promotes racial harmony and equity. Despite government efforts, ethnic Malays have not on average reached the schooling and income levels of ethnic Chinese or ethnic Indians, and they reportedly face discrimination in private sector employment. All citizens enjoy freedom of movement, although the government occasionally enforces its policy of ethnic balance in public housing, in which most Singaporeans live, and opposition politicians have been denied the right to travel.

Women enjoy the same legal rights as men in most areas, and many are well-educated professionals. Yet, relatively few women hold top positions in government and the private sector. There are currently 19 female members of Parliament, including 17 of the 84 elected members (all from the PAP) and 2 of the appointed members. In October, the government decided to uphold a ban on sex between men and Parliament voted to uphold provisions of the Penal Code that make acts of "gross indecency" between men punishable by up to two years in prison.

## Slovakia

**Population:** 5,400,000  
**Capital:** Bratislava

**Political Rights:** 1  
**Civil Liberties:** 1  
**Status:** Free



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

1998	1999	2000	2001	2002	2003	2004	2005	2006	2007
2,2F	1,2F	1,2F	1,2F	1,2F	1,2F	1,1F	1,1F	1,1F	1,1F

**Overview:** The unusual coalition of Prime Minister Robert Fico's leftist and populist Smer party, the far-right Slovak National Party (SNS), and the People's Party-Movement for a Democratic Slovakia (LS-HZDS) managed to remain not only stable but popular for much of 2007, thanks in part to a healthy economy. However, the dismissal of the LS-HZDS agriculture minister in November spurred acrimony within the coalition and almost collapsed the government. Meanwhile, tensions between Hungary and Slovakia continued.

Anti-Communist opposition forces brought about the collapse of the Czechoslovak government in 1989, and the country held its first free elections the following year. After elections in June 1992, negotiations began on increased Slovak autonomy within the Czech and Slovak Federative Republic. These discussions led to a peaceful dissolution of the federation and the establishment of an independent Slovak Republic in January 1993.

From 1993 to 1998, Vladimir Meciar—who served twice as prime minister during this period—and his Movement for a Democratic Slovakia (HZDS) dominated politics, opposed direct presidential elections, flouted the rule of law, and intimidated independent media. Meciar's policies resulted in Slovakia's failure to meet the criteria necessary to open European Union (EU) accession talks and join NATO.

In the 1998 parliamentary elections, voters rejected Meciar's rule and empowered a broad right-left coalition. The new parliament selected Mikulas Dzurinda as prime minister and worked to enhance judicial independence, combat corruption, undertake economic reforms, and actively seek membership in the EU and NATO.

Of the 25 parties that competed in the September 2002 parliamentary elections, only 7 exceeded the 5 percent representation threshold. Meciar's HZDS led with 19.5 percent of the vote, but Dzurinda's Slovak Democratic and Christian Union (SDKU) formed a center-right government in partnership with the Party of the Hungarian Coalition (SMK), the Christian Democratic Movement (KDH), and the Alliance of the New Citizen (ANO).

In April 2003, the legislature ratified Slovakia's accession to NATO. In a binding national referendum that was held the following month, Slovaks voted overwhelm-

ingly in favor of joining the EU, with 92 percent supporting membership. Slovakia duly joined NATO and the EU in April and May 2004, respectively.

Meciar led the first round of the April 2004 presidential election, but he lost a runoff against a former ally, Ivan Gasparovic. In 2005, the government's economic reforms caused it to lose popular support. Opposition legislators boycotted the opening of parliament, leading to a lack of quorum that delayed the new session.

In February 2006, the KDH left the coalition, prompting the government to schedule early elections in June. In the balloting, the leftist, populist Smer (Direction) party took the largest share of the votes, winning 50 of 150 seats. Dzurinda's party came second, but several of his potential coalition partners failed to make the 5 percent threshold. To some surprise, Smer's leader, Robert Fico, formed a coalition with the far-right Slovak National Party (SNS) and Meciar's party, now called the People's Party-Movement for a Democratic Slovakia (LS-HZDS). International and domestic concern immediately arose about the unusual new coalition's stability and responsibility. The Party of European Socialists (PES), the EU-level grouping of center-left parties, suspended Smer in October for its coalition with the SNS, which the PES leadership considered racist and extremist. When a scandal involving the Slovak Land Fund emerged, Fico ordered the dismissal of the deputy director of the fund, Branislav Briza, and the LS-HZDS-appointed agricultural minister Miroslav Jurena. Bitter accusations between coalition members escalated into conflict between Fico and Merciar, and almost broke the coalition in late November 2007.

Despite initial predictions, Fico's government remained stable in 2007, thanks in part to robust economic growth and falling unemployment. Plans to join the euro currency system in 2009 remained on track, and Slovakia became a candidate for a place on the UN Human Rights Council of 2008-11. The inflammatory behavior of SNS leader Jan Slota, who continued to make insulting comments about the Hungarian and Romany minorities, did little to dampen popular approval of the government. The tense relationship between Hungary and Slovakia was strained further when the Slovak parliament approved a resolution in September that reaffirmed Czechoslovakia's World War II-era Benes Decrees, which effectively stripped ethnic Germans and Hungarians of their citizenship and led to their deportation to Germany, Austria, and Hungary after the war.

### **Political Rights and Civil Liberties:**

Slovakia is an electoral democracy. Voters elect the president for five-year terms and members of the 150-seat, unicameral National Council (parliament) for four-year terms.

A 2001 law granted voting privileges to noncitizens, allowing permanent residents to vote in elections for municipal and regional governments. The prime minister is appointed by the president but must have majority support in the parliament in order to govern. Parliamentary elections in 2006 were considered free and fair.

Slovakia's political party system is fragmented. In 2007, the governing parties were Direction-Social Democracy (known as Smer), the LS-HZDS, and the SNS. The SDKU, the SMK, and the KDH form the opposition. All other parties failed to reach the 5 percent electoral threshold required for representation in parliament.

Corruption remains a problem in Slovakia, especially in health care, education, law enforcement, and the judiciary, according to the European Commission, the EU's executive arm. The government began a program of reforms in 1999 that have cen-

tralized and increased staffing for anticorruption efforts. Moreover, the Law on Free Access to Information has contributed to improved transparency. Slovakia was ranked 49 out of 180 countries surveyed in Transparency International's 2007 Corruption Perceptions Index.

Freedom of speech and freedom of expression are guaranteed by the constitution; any restriction must be designed "to protect the rights and liberties of others, state security, public order, or public health and morality." Slovakia's media are largely free but remain vulnerable to political interference. Media watchdogs have cautioned the government on increasing verbal attacks on journalists by politicians. The government does not limit access to the internet.

The government respects religious freedom. Registered churches and religious organizations are eligible for tax exemptions and government subsidies. The Roman Catholic Church is the largest denomination in the country and consequently receives the largest share of subsidies. Although Slovakia has not banned or impeded any groups from practicing their faith, the U.S. State Department has noted the persistence of anti-Semitism among some parts of the population. In April 2007, the 200-member Baha'i community registered as an official religious community shortly before the laws changed to make registration more difficult, while the Slovak Muslim community decided against registering. Academic freedom is respected in Slovakia.

The authorities uphold the rights to assemble peacefully, petition state bodies, and associate in clubs, political parties, and trade unions. However, civil society is not as active as in other countries in Central Europe. Judges, prosecutors, firefighters, and members of the armed forces may not strike, but in February 2007, air traffic controllers went on strike for six days to protest unsafe working conditions.

The constitution provides for an independent judiciary and a Constitutional Court. An independent Judicial Council oversees the assignment and transfer of judges. The European Commission has noted the perception of a high level of corruption in the Slovak courts and expressed concern over the judiciary's perceived lack of impartiality. Corruption and a significant backlog of cases have raised questions about the judicial system's capacity to function at EU levels.

There are more than 10 recognized ethnic minorities in Slovakia. While minorities have a constitutional right to contribute to the resolution of issues that concern them, Roma continue to experience widespread discrimination and inequality in education, housing, employment, public services, and the criminal justice system. In 2003, there were reports of coerced or forced sterilization of Romany women the year before, on the orders of local health officials. Roma also face the persistent threat of racially motivated violence. Even though the law criminalizes such acts, reports indicate that law enforcement officials do not always investigate crimes against Roma. In response to these problems, the government began a program to improve education and housing for Roma in 2002. The government has also established an informal advisory board to widen dialogue with the Romany community.

In December 2003, Slovakia reached an agreement with Hungary on the application of Hungary's Status Law, which grants special health and educational benefits to ethnic Hungarians residing outside of Hungary. A foundation in Slovakia will administer the support for Hungarians living there. Hungarians are represented by the SMK in the Slovak parliament, currently in opposition.

Slovakia has a market economy in which the private sector accounts for approximately 80 percent of gross domestic product. Official unemployment remains high—approximately 10.8 percent in mid-2007—but has fallen steadily in recent years. The government contends that many of those who collect unemployment benefits may simultaneously be working on the black market.

Although women enjoy the same legal rights as men, they continue to be underrepresented in senior-level business positions and in the government. Domestic violence is punishable by imprisonment, but remains widespread. Human trafficking from and through Slovakia, mainly for the purpose of sexual exploitation, remains a problem. In 2007, Slovakia was one of two initial signatories to the Council of Europe's Convention on Action against Trafficking in Human Beings.

## Slovenia

**Population:** 2,000,000

**Capital:** Ljubljana

**Political Rights:** 1

**Civil Liberties:** 1

**Status:** Free



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

1998	1999	2000	2001	2002	2003	2004	2005	2006	2007
1,2F	1,2F	1,2F	1,2F	1,1F	1,1F	1,1F	1,1F	1,1F	1,1F

### Overview:

**Former diplomat Danilo Turk, backed by the Social Democrats, narrowly defeated right-of-center candidate Alojz Peterle in the November 2007 presidential runoff election.**

**Also during the year, reports suggested that the government was continuing its efforts to control the media.**

Slovenia passed from the defunct Austro-Hungarian Empire to the new Kingdom of Serbs, Croats, and Slovenes (renamed the Kingdom of Yugoslavia in 1929) after World War I, and it became a constituent republic of the Socialist Federal Republic of Yugoslavia following World War II. In 1990, the Democratic United Opposition (DEMOS) defeated the ruling League of Communists in democratic elections, although former Communist leader Milan Kucan was elected president. The country declared independence in June 1991 and secured its status after a 10-day conflict with Yugoslav troops, escaping the war and destruction suffered by much of the rest of Yugoslavia as it disintegrated.

After 1990, Slovenia was generally ruled by center-left governments, the most important element of which was Janez Drnovsek's Liberal Democratic Party (LDS). Drnovsek served as prime minister almost continuously from 1992 to 2002, when he was elected president. In the October 2004 parliamentary elections, Janez Jansa's

center-right Slovenian Democratic Party (SDS) finally unseated the LDS-led government, and Jansa became prime minister.

Independent candidates won a number of mayoral seats in the municipal elections of October and November 2006, suggesting voter dissatisfaction with the political establishment. In an unusual development, an ethnic Serb, Zoran Jankovic, won the prominent position of mayor of Ljubljana.

In the 2007 presidential election, held in two rounds in October and November, law professor and former diplomat Danilo Turk ran as an independent candidate and received the backing of several parties, most importantly the Social Democrats. He won the runoff with 68 percent of the vote, defeating the government's candidate, Alojz Peterle. In a worrisome sign, the far-right politician Zmago Jelincic captured almost one in five votes in the first round.

Jelincic's strong showing reflected the persistence of ethnocentrism and intolerance toward those from other former Yugoslav republics. Some 18,000 non-Slovene citizens of the former federation who remained in Slovenia after independence had been removed from official records after they failed to apply for citizenship or permanent resident status during a brief window of opportunity in 1992, and their status remains largely unresolved to date, despite considerable international criticism and a Constitutional Court ruling in their favor. These "erased" residents have been systematically denied driver's licenses, access to state health care, and pensions. Some 95 percent of referendum voters in 2004 rejected a government-backed bill to grant residency rights to the erased, although only 31 percent of the electorate turned out.

Social intolerance toward the small Romany (Gypsy) population also remains at very high levels. In October 2006, about 30 Roma were moved from their residences in the village of Ambrus after authorities began to fear that demonstrations against them could turn violent. Slovenia's human rights ombudsman, Matjaz Hanzek, claimed that the decision to relocate the Roma meant the end of the rule of law and suggested that the government had given in to an angry mob.

Having joined both the European Union (EU) and NATO in 2004, Slovenia has achieved its primary foreign policy goals. Its success was aided by its historical ties to Western Europe, a strong economy, and the advantages of ethnic homogeneity. In June 2006, the EU gave its formal approval for Slovenia to become the first of the new 2004 member states to adopt the euro currency.

**Political Rights and Civil Liberties:** Slovenia is an electoral democracy. The country has a bicameral Parliament: members of the 90-seat National Assembly, which chooses the prime minister, are elected to four-year terms, and the 40-seat National Council, a largely advisory body, represents professional groups and local interests. The president is directly elected for up to two five-year terms. Elections since independence have been considered free and fair. Slovenia's main political parties are the center-left LDS and the center-right SDS, currently led by Prime Minister Janez Jansa, but they typically govern in coalition with smaller parties.

Corruption, while less extensive than in some other Central and Eastern European countries, remains a problem in Slovenia, usually taking the form of conflicts of interest and contracting links between government officials and private businesses. Slovenia was ranked 27 out of 180 countries surveyed in Transparency International's 2007 Corruption Perceptions Index.



The government respects the constitutional rights of freedom of speech and of the press, although insulting public officials is prohibited by law. A new broadcasting law approved in 2005 stipulated that 21 out of 29 members of the state-owned television and radio network's program council had to be approved by Parliament. Critics said the measure was an attempt by the Jansa government to obtain more control over the network, which it claimed was biased against the center-right. A major complaint against the various media is that they do not represent a wide range of political or ethnic interests. There are also reports of self-censorship and increasing government pressure on both media outlets and advertisers. For instance, in 2007, two journalists at one of Slovenia's most prestigious dailies, *Delo*, were allegedly dismissed because government officials were unhappy with their critical reporting of a range of government policies. In 2006, the European Federation of Journalists had declared itself "deeply concerned" with the involvement of politicians in Slovenia's media. The largest stakeholder in one of Slovenia's main newspapers, *Delo*, is the Lasko brewery, which is partly owned by the state. There were no reports of government attempts to restrict access to the internet during the year.

The constitution guarantees freedom of conscience and religion. Most Slovenians are Roman Catholics, although the number of practicing Catholics has dropped sharply in recent years. Societal discrimination against the small Muslim community remains a problem. In 2004, the Constitutional Court blocked a proposed referendum challenging zoning laws that would allow construction of a mosque in Ljubljana, ruling that fundamental human rights can override the democratically expressed will of the population. Several Ljubljana city council members who supported the mosque's construction received death threats in 2006. By the end of 2007, a new site had been selected for the building after a previous location was contested by the Catholic Church. There were no reports of government restrictions on academic freedom during the year.

The government respects the right of individuals to assemble peacefully and form associations. Numerous nongovernmental organizations (NGOs) operate freely, and the government on the whole supports the role they play in the policy-making process. Workers enjoy the right to establish and join trade unions, to strike, and to bargain collectively. In November 2007, labor unions launched the largest demonstrations in the country's postindependence history to protest what they called an unfair economic development strategy that favors employers over workers.

According to the EU, the Slovenian judiciary enjoys a high degree of independence. The constitution guarantees citizens due process, equality before the law, and a presumption of innocence. However, the system faces a growing backlog of cases, with some criminal cases taking two to five years to complete. In 2006, the European Court of Human Rights issued over 100 judgments against the Slovenian government for excessive delays in court proceedings. Prison conditions are in line with international standards, although overcrowding has been reported.

Incitement to racial hatred is a criminal offense. The constitution entitles the "autochthonous" Italian and Hungarian ethnic communities to one deputy each in the National Assembly, and Roma are automatically given seats on 20 municipal councils. However, Slovenia has had persistent problems in dealing with various minorities—Italians, Muslim residents and guest workers, and citizens of the former Yugoslavia.

Police harassment of Roma and residents from other former Yugoslav republics, the so-called new minorities, remains a problem. A 2004 referendum overwhelmingly rejected restoring a variety of rights to individuals who had been "erased" from official registries after independence. The results increased both domestic and international concern about the civil rights of non-Slovenes living in the country.

In February 2006, Parliament passed a law that human rights groups claim will reduce the ability of asylum seekers to obtain residence in Slovenia. While government officials said the new law was completely in line with EU standards, activists warned that it made police officials the ultimate arbiters of asylum requests. UN refugee officials expressed similar concerns.

According to the constitution, citizens enjoy all recognized personal rights and freedoms—including the freedom to travel and choose one's place of residence, and the right to own private property—and these rights are generally respected in practice.

Women hold the same legal rights as men. On average, Slovenian women receive 90 percent of the pay of their male counterparts, which compares favorably with rates in Western European countries. At the same time, women remain underrepresented in political life. Currently, there are 11 women serving in the 90-seat National Assembly, 3 women in the 40-seat National Council, and 1 woman in the 17-member cabinet. In 2005, Parliament adopted a measure requiring that 40 percent of the electoral lists for the European parliamentary elections be reserved for women. Some 60 percent of Slovenia's women are in the workforce, the largest proportion of any of the 10 countries that joined the EU in 2004.

Domestic violence remains a concern. There are no laws prohibiting sexual harassment in the workplace. Slovenia is primarily a transit country, and secondarily a country of destination, for women and girls trafficked from Eastern Europe for the purpose of prostitution. In 2005, the National Assembly passed a witness-protection law designed to improve prosecution of forced-prostitution and trafficking cases.

## 📌 Solomon Islands

**Population:** 500,000

**Capital:** Honiara

**Political Rights:** 4

**Civil Liberties:** 3

**Status:** Partly Free



**Trend Arrow:** The Solomon Islands received a downward trend arrow due to former prime minister Manasseh Sogavare's persistent suppression of all challenges and queries surrounding his appointment of Julian Moti, an Australian citizen charged with sex crimes against a minor, as attorney general.

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

1998	1999	2000	2001	2002	2003	2004	2005	2006	2007
1,2F	1,2F	4,4PF	4,4PF	3,3PF	3,3PF	3,3PF	3,3PF	4,3PF	4,3PF

**Overview:** Prime Minister Manasseh Sogavare in 2007 continued to grapple with political opponents and Australia, the Solomon Islands' main donor and leader of a multinational peacekeeping force in the country, over his 2006 appointment of an attorney general who was wanted in Australia for alleged sex crimes against a minor. In defending his decision, Sogavare threatened the media, penalized peacekeeping officials, and deepened public distrust in the government. Parliament removed the prime minister with a no-confidence vote in December, and the new government quickly deported the controversial attorney general, Julian Moti, to Australia.

The Solomon Islands gained independence from Britain in 1978. Tensions between the two largest ethnic groups—the Guadalcanalese of the main island of Guadalcanal and the Malaitans of the province of Malaita—over jobs and land rights erupted into open warfare in 1998. Scores were injured or killed before peace was restored with the Townsville Peace Agreement of 2000, brokered by Australia and New Zealand. Order was maintained initially by a UN mission and after 2003 by the Australian-led Regional Assistance Mission to the Solomon Islands (RAMSI).

No single party secured a majority in the April 2006 parliamentary elections, with independents winning 30 of the 50 seats. The new chamber chose Deputy Prime Minister Snyder Rini to replace Prime Minister Allan Kemakeza, who had taken office after the 2001 elections. Allegations that Rini had used money from Chinese business allies to bribe lawmakers into supporting him sparked two days of riots in the capital. Australia and New Zealand sent in hundreds of troops to restore order, and Rini resigned after just eight days as prime minister. In May, Parliament elected Manasseh Sogavare in his place; Sogavare had previously held the post between 2000 and 2001. Given the ongoing insecurity in the country, Sogavare in August asked RAMSI to stay on for another year.

In his first months in office, the prime minister showed little commitment to improving government accountability, security, or economic development. He attempted to assign cabinet posts to two lawmakers accused of inciting the April 2006 riots, but relented in the face of threats from Australia and other international donors. Lawmakers also raised salaries for themselves and senior civil servants even as essential public services faltered.

The most glaring source of friction between Sogavare and his foreign and domestic critics was the September 2006 appointment of his close friend Julian Moti, a Fijian-born Australian citizen, as attorney general. Moti was wanted in Australia for alleged sex crimes against a minor in Vanuatu, but Sogavare refused to extradite him. Moti fled to Papua New Guinea (PNG) and was arrested there, but he jumped bail and reentered the Solomon Islands without a passport on a PNG military flight in October 2006. The police arrested him for improper reentry, but a local court cleared him of these charges. RAMSI then raided Sogavare's office for evidence of involvement in Moti's unlawful return. In retaliation, Sogavare declared the Australian-born police chief an "undesirable" immigrant, forcing him and his family to leave the country, and also expelled the Australian high commissioner after he spoke out against the police chiefs' termination. In addition, the government rejected visas for spouses and dependents of RAMSI officials, demanded a time frame for RAMSI's withdrawal, and threatened to repeal the law that allows RAMSI to operate in the country.

Subsequent to the threat to eject RAMSI from the Solomon Islands, Sogavare proposed in January to rearm the police. The police matter alarmed the public and Australia, since the force had a history of corruption and incompetence and could present a threat to the country's fragile security if rearmed. Sogavare dropped the proposal in the face of strong opposition, including a failed no-confidence vote against him in Parliament. Meanwhile, the government appointed Jahir Khan of Fiji as the new police commissioner, and he assumed his post in May. Opponents argued that only the Public Service Commission could appoint a new police commissioner and that there was no formal job advertisement.

Also during the year, Sogavare blocked a PNG inquiry team from visiting to investigate Moti's 2006 military flight and threatened to file criminal defamation charges against anyone who criticized the attorney general. Moti assumed his post in July, pledging to pursue all those involved in delaying his appointment. The opposition, labor unions, and civil society groups continued to call for Moti's resignation and extradition to Australia. The opposition tried to remove Sogavare from office with another no-confidence vote in August, but failed again.

Separately, Sogavare had drawn additional criticism by creating a Peace and Integrity Council (PIC) to replace the National Peace Council (NPC) in January 2007. The Australian-funded NPC had a mandate to foster peace and reconciliation, encourage the surrender of weapons, and facilitate consultation between the national and provincial governments and with civil society groups. The PIC would have a different mandate and responsibilities. Strong public outcry against this change forced the government to retain the NPC.

The prime minister's troubles came to a head in November, when nine ministers withdrew from the government. The parliamentary opposition forced a no-confidence vote in December, and Sogavare was successfully removed from office. Lawmakers then chose Derek Sikua to replace him. By year's end, the new government had extradited Moti to Australia.

**Political Rights and Civil Liberties:**

The Solomon Islands are not an electoral democracy. Recent elections have been marred by fraud allegations. A governor-general, appointed on the advice of Parliament for a five-year term, represents the British monarch as head of state. Members of the 50-seat, unicameral National Parliament are elected for four-year terms. A parliamentary majority elects the prime minister, and the cabinet is appointed by the governor-general on the advice of the prime minister.

There are several political parties, but independents heavily outnumber their representatives in Parliament, and political activity is driven more by personalities and clan identities than party affiliation. In an effort to promote political stability, Parliament in 2006 passed a law to prevent legislators from easily switching parties.

Rampant corruption at all levels of government is a major source of public discontent and a hindrance to economic development. The country was ranked 111 out of 180 countries in Transparency International's 2007 Corruption Perceptions Index.

Freedom of expression and the press are generally respected. Reports on corruption and abuses by police and politicians appear in the local media, including Prime Minister Manasseh Sogavare's threats against journalists over the Moti affair in 2007. Those accused of wrongdoing sometimes use legal and extralegal means to intimidate journalists; the government generally pursues such matters in the courts. The print media include a daily, a weekly, and two monthly publications. The government operates the only radio station. There is no local television station, but foreign broadcasts can be received via satellite. Internet penetration is low, mainly due to technical and cost barriers.

Freedom of religion is generally respected. Academic freedom is observed, but lack of public funds severely undermines the quality of education.

The constitution guarantees freedom of assembly, and the government generally recognizes this right. Organizers of demonstrations must obtain permits, which are typically granted. Civil society groups operate without interference. Workers are free to organize, and strikes are permitted. Wage earners make up 10 to 15 percent of the workforce; the rest engage in subsistence farming and fishing. In January 2007, teachers nationwide went on strike for one week for higher wages.

Threats against judges and prosecutors have weakened the independence and rigor of the judicial system. Judges and prosecutors have also been implicated in corruption and abuse scandals. A lack of resources limits the government's ability to provide legal counsel and timely trials. In March 2007, pretrial detainees went on a hunger strike to protest being held for years amid case backlogs. Traditional chiefs have sought more funds for traditional courts in rural areas to ease the strain on the formal court system.

The constitution provides for an ombudsman tasked with investigating complaints of official abuse or unfair treatment. The ombudsman's office has potentially far-reaching powers, including the use of subpoenas, but lacks funds to do its work.

There is no military. Domestic security and law enforcement are provided by a civilian-controlled police force of about 1,000 people, but poor training, the widespread abuse of power, and factional and ethnic rivalries have undermined public trust in the service. Prison conditions meet minimum international standards. A new prison facility completed in 2004 has improved living conditions for prisoners.

Growing anti-Chinese sentiment was a central factor in the April 2006 riots.

Chinese businesspeople's increasing dominance of the domestic economy, in a broader atmosphere of rampant corruption, stokes public suspicions that they use their wealth to influence politicians.

Discrimination limits the economic and political roles of women. The first female cabinet minister and the first female principal magistrate were appointed in October 2007. No law prohibits domestic violence, but rape and common assault are illegal. Lack of funds for public education and health programs in the face of traditional attitudes hinders efforts to stop the spread of HIV/AIDS. An estimated 16 percent of the population now carries the virus. The Church of Melanesia has reported that the expansion of the logging industry has contributed to a rise in prostitution, abuse, and exploitation of children.

## ↓ Somalia

**Population:** 9,100,000

**Capital:** Mogadishu

**Political Rights:** 7

**Civil Liberties:** 7

**Status:** Not Free



**Ratings Change:** Somalia received a downward trend arrow as a result of increased restrictions on media freedom, an upsurge in corruption, and the return of widespread chaos and violence following the ouster of the Islamic Courts Union in early 2007.

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

1998	1999	2000	2001	2002	2003	2004	2005	2006	2007
7,7NF	7,7NF	6,7NF	6,7NF	6,7NF	6,7NF	6,7NF	6,7NF	7,7NF	7,7NF

**Overview:** War continued to ravage Somalia in 2007, as insurgents—some of them supported by Eritrea—battled Ethiopian and Ethiopian-backed transitional government forces in the streets of Mogadishu. Thousands of civilians were killed, hundreds of thousands fled their homes, and all sides in the conflict were accused of committing war crimes. Meanwhile, corruption increased, and media outlets suffered amid the total breakdown of law and order.

Somalia gained independence in 1960 as an amalgam of former British and Italian colonies populated largely by ethnic Somalis. A 1969 coup by an army general, Siad Barre, led to two decades of instability, brutal civil strife, and the manipulation of clan loyalties for political purposes. Somalia was also plagued by natural disasters including floods, drought, and famine. When Barre's government was toppled in 1991, the clan-based militias began fighting one another, and Somalia has lacked an effective central government ever since.

Extensive television coverage of famine and civil strife that took some 300,000 lives in 1991 and 1992 prompted a UN humanitarian mission led by U.S. forces. The intervention soon deteriorated into urban guerrilla warfare with the Somali militias, and over 100 UN peacekeepers, including 18 U.S. soldiers, were killed. The \$4 billion operation was eventually terminated, and international forces had departed by March 1995. Civil conflict continued over the subsequent decade with varying degrees of intensity.

In 2000, many of the faction leaders agreed to participate in a Transitional National Government established at the Conference for National Peace and Reconciliation, hosted by neighboring Djibouti. The conference charter called for a three-year transitional government with a 245-seat Transitional National Assembly. In August, the Assembly elected Abdiqassim Salad Hassan as transitional president. The government and more than 20 rival factions signed a ceasefire in Kenya in October 2002, an initial step toward establishing a lasting federal system. Serious fissures in the process developed over the next year, as some factions launched their own power-sharing negotiations in Mogadishu.

The political process was revitalized in 2004 at another conference in Kenya, which resulted in the establishment of a 275-seat parliament, the Transitional Federal Assembly (TFA), and a new Transitional Federal Government (TFG). The country's four largest clans were each given 61 TFA seats, and an alliance of minor clans took the remaining 31. The members in October elected controversial Ethiopian-backed warlord Abdullahi Yusuf Ahmed to serve a five-year term as the first transitional president. Yusuf had previously been the leader of the breakaway region of Puntland. A month later, he appointed Ali Muhammad Gedi as his prime minister.

Despite the political process, clashes between rival factions continued, and hundreds of civilians were killed. The TFG moved from its base in Nairobi, Kenya, in 2005 and established itself by early 2006 in Baidoa, a town about 155 miles north of Mogadishu.

In 2006, a fierce battle for control of Mogadishu broke out between an alliance of warlords and the Islamic Courts Union (ICU), a local Islamist group. Critics of the ICU, including Ethiopia and the United States, accused it of links to the terrorist network al-Qaeda. The ICU alleged that the United States was violating a UN weapons embargo by supplying arms to the anti-ICU warlords. By June 2006, the ICU had taken control of Mogadishu and much of southern Somalia, gaining a popular following for its promise to deliver law and order. The TFG in Baidoa feared that it would lose any claims on control of the country and called for the intervention of East African peacekeeping troops, a move bitterly opposed by the ICU.

Meanwhile, the ICU had taken control of the southern city of Kismayo in September 2006 and appeared poised to move on the small territory left to the TFG. By November, peace talks between the TFG and ICU had broken down. Ethiopia said it was obliged to repel the ICU threat, and in December Ethiopian troops were openly deployed in Somalia. A major Ethiopian and TFG offensive ensued late that month, and by year's end the ICU had been driven from Mogadishu and forced to retreat to the extreme south of the country.

While some international observers hailed the expulsion of the ICU as a new beginning, the following year proved much bloodier for Somalia, as insurgent groups backed by Eritrea—Ethiopia's bitter rival in the region—began fighting the TFG and

Ethiopian troops. In March and April 2007, combat intensified in Mogadishu, and about 400,000 people fled from their homes. According to human rights groups, all sides in the conflict were guilty of war crimes, including attacks on civilian populations. Fighting flared again in November, as UN officials declared that the situation was currently Africa's worst humanitarian crisis. Also that month, the TFA approved Nur Adde Hassan Hussein as the new prime minister; the increasingly unpopular Gedi had resigned weeks earlier.

**Political Rights and Civil Liberties:** Somalia is not an electoral democracy. The Somali state has in many respects ceased to exist. Technically, the country is governed by an internationally recognized Transitional Federal Government (TFG), led by President Abdullahi Yusuf Ahmed and Prime Minister Nur Adde Hassan Hussein. A 275-member Transitional Federal Assembly convened in 2004 and elected Yusuf to a five-year term as president. However, the TFG's actual control over the country, including the capital—is minimal. Over the course of 2007, Mogadishu was the scene of intense fighting between various groups of Islamist and clan-based insurgents, some of them supported by Eritrea, and the Ethiopian-backed TFG. The country has no effective political parties, and the political process is driven largely by clan loyalty.

Since May 1991, the northwestern region of Somaliland, roughly comprising the territory of the former British colony, has functioned with considerable stability as a de facto independent state, though it has not received international recognition. The region of Puntland, in the northeastern corner of the country, has also been relatively autonomous since 1998. However, unlike Somaliland, it has not sought full independence, declaring only a temporary secession until Somalia is stabilized.

Because of mounting civil unrest and the breakdown of the state, corruption in Somalia is rampant. The situation grew worse in 2007 as the modicum of law and order established by the ICU in 2006 broke down after its ouster. Somalia was ranked 179 in Transparency International's 2007 Corruption Perceptions Index, tying with Burma at the bottom of the list of 180 countries.

Somalia's charter provides for press freedom, but in practice the media operate under highly dangerous conditions, and the year 2007 proved particularly deadly for Somali journalists. Photocopied dailies and low-grade radio stations have proliferated in Mogadishu and elsewhere since 1991. However, a number of independent outlets ceased operations in 2007, and many of those that remain operate largely as public information sources for the factions they support in the fighting. According to the National Union of Somali Journalists (NUSOJ), which represents journalists in southern Somalia, the TFG shut down five private radio stations in Mogadishu as well as one in Baidoa in 2007. In December, the TFA approved a media code that was criticized by press freedom groups for vague and severe restrictions, and it had yet to be signed into law at year's end. However, given the TFG's tenuous control over the country, the implementation of any such law would be uncertain. Also in 2007, the mayor of Mogadishu, former warlord Mohamed Omar Habeb, sought to restrict the media with a decree forbidding journalists from reporting on any TFG or Ethiopian military operations.

The NUSOJ reported that 8 journalists were assassinated, 53 were arrested, and more than 55 fled the country during the year. Among those killed was Mahad Ahmed



Elmi, head of the popular Mogadishu radio station Capital Voice, and two journalists from Horn Afrik radio, including the station's founder. Foreign journalists rarely venture into central and southern Somalia, and when they do it is at great risk. In December 2007, a French journalist was kidnapped in Puntland but later released. The Mogadishu bureau of Qatar-based Al-Jazeera television was closed by the TFG in March.

Somalia has a rich internet presence, maintained predominantly by the Somali diaspora in Europe, North America, and the Gulf states. Internet and mobile telephone services are widely available in large cities, and users enjoy a fast and inexpensive connection. Nevertheless, owing to pervasive poverty, and the internal displacement of Somalis from Mogadishu and elsewhere, the domestic population has limited access to these resources.

Nearly all Somalis are Sunni Muslims, but there is a very small Christian community. It is difficult to claim that the religious freedom has improved markedly since the ICU's ouster in late 2006 and early 2007, but the TFG is not as overtly Islamist as the ICU.

The educational system is severely degraded due to the breakdown of the state. As a result, the TFG has had little reason to restrict academic freedom to date.

Freedom of assembly is not respected amid the ongoing violence, and the largely informal economy is inhospitable to organized labor. According to New York-based Human Rights Watch (HRW), the conflict has also had implications for local non-governmental organizations (NGOs) and other international agencies. The group found that aid workers have been targeted by the warring parties, and that a local human rights group was shuttered during 2007. HRW also reported that the TFG has prevented humanitarian organizations, including the UN World Food Program, from doing their work, affecting the food supply for tens of thousands of people.

There is no judicial system functioning effectively at the national level. In many regions, local authorities administer a mix of Sharia (Islamic law) and traditional Somali forms of justice and reconciliation. The courts of the ICU interpreted Sharia with varying degrees of severity, but some judges have been accused of supporting a radical Islamist style of leadership akin to al-Qaeda or Afghanistan's Taliban.

Over the course of 2007, the human rights situation in Somalia—which was dismal before the current phase of hostilities—grew even worse. Several international watchdog organizations reported on mass violations of human rights by the Ethiopian military, the TFG, and insurgent groups. According to HRW, thousands of people were killed in indiscriminate attacks on civilian population centers, and hundreds of thousands of people fled their homes.

Most Somalis share the same ethnicity and religion, but clan divisions have long fueled violence in the country. The larger, more powerful clans continue to dominate political life and are able to use their strength to harass the weaker clans.

Women in Somalia face a great deal of discrimination. Female genital mutilation is still practiced in some form on nearly all Somali girls. In its recent report on the conflict in Somalia, HRW recounted cases of women who had been subjected to sexual violence in the course of the war.

## South Africa

**Population:** 47,900,000

**Capital:** Pretoria

**Political Rights:** 2

**Civil Liberties:** 2

**Status:** Free



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

1998	1999	2000	2001	2002	2003	2004	2005	2006	2007
1,2F	1,2F	1,2F	1,2F	1,2F	1,2F	1,2F	1,2F	2,2F	2,2F

**Overview:** The race for the presidency of the ruling African National Congress (ANC) party dominated South African politics in 2007. In December, the ANC selected former deputy president Jacob Zuma as president of the party, making him the likely successor to President Thabo Mbeki as head of state. Also during the year, hundreds of thousands of public sector workers began a four-week strike for better pay in May. Separately, violent protests over the provision of public services continued, and relations between the government and independent media deteriorated.

In 1910, the Union of South Africa was created as a self-governing dominion of the British Empire. The Afrikaner-dominated National Party (NP) came to power in 1948 on a platform of institutionalized racial separation, or "apartheid," designed to maintain white minority rule. Partly as a result, South Africa declared formal independence in 1961 and withdrew from the Commonwealth. The NP went on to govern South Africa under the apartheid system for decades. Mounting domestic and international pressure prompted President F. W. de Klerk to legalize the anti-apartheid African National Congress (ANC) and release ANC leader Nelson Mandela from prison in 1990. Between then and 1994, when the first multiracial elections were held, almost all apartheid-related legislation was abolished, and an interim constitution was negotiated and enacted.

The ANC won the April 1994 elections in a landslide, and Mandela was elected president. As required by the interim constitution, a national unity government was formed, including the ANC, the NP, and the Zulu-nationalist Inkatha Freedom Party (IFP). A Constitutional Assembly produced a permanent constitution, which was signed into law in December 1996. The ANC claimed almost two-thirds of the vote in 1999 elections, and Thabo Mbeki, Mandela's successor as head of the ANC, won the presidency.

The ANC confirmed its dominance in the 2004 elections, winning nearly 70 percent of the vote and 279 of the 400 seats in the National Assembly. Mbeki was sworn in for a second five-year term. The ANC also secured majorities in seven of nine provincial legislatures. The liberal (and primarily white-based) Democratic Alliance (DA) won 12.4 percent of the vote and 50 seats in the National Assembly,

while the IFP won almost 7 percent and 28 seats. Smaller opposition parties captured the remainder.

The ANC's growing power was accompanied by increasing tensions with its governing allies, the Congress of South African Trade Unions (COSATU) and the South African Communist Party (SACP). COSATU and the SACP vocally criticized the ANC governments' liberal macroeconomic policies, gradualist approach to land reform, delivery of public services, and HIV/AIDS treatment policies, among other issues. In May 2007, COSATU led a four-week strike by some 500,000 public sector workers demanding higher pay. The strike—the largest in the democratic period—saw the closure of many hospitals and schools, as well several violent confrontations involving strikers, security forces, and replacement workers. In late June, the strike was called off after the government agreed to a 7.5 percent pay increase.

Ongoing controversies surrounding former deputy president Jacob Zuma also exposed rifts, both in the governing alliance and within the ANC itself. Mbeki had sacked Zuma in 2005 after he was implicated in the corruption trial of his financial adviser, Schabir Shaik. Zuma's supporters—including COSATU, SACP, the ANC Youth League, and many ethnic Zulus—claimed that the scandal was engineered by Mbeki's allies in the ANC and the media; these accusations were redoubled after Zuma was accused of raping a family friend. While Zuma was acquitted of the rape charge and his corruption trial was dismissed on procedural grounds in 2006, he still faced the possibility of renewed corruption proceedings, including charges of racketeering, money laundering, and fraud. Nevertheless, COSATU and the SACP endorsed Zuma in his accelerating bid for the ANC presidency.

The contest for that position was the primary focus of political attention in 2007. Due to the ANC's electoral dominance, whoever led the party was a heavy favorite to win the state presidency in 2009. Despite wide discussion of so-called "compromise" candidates, the contest boiled down to Mbeki versus Zuma. While Mbeki is constitutionally barred from serving a third-term as head of state, he and his allies in the ANC fought to hold onto the party presidency, an effort resisted by Zuma loyalists as creating two centers of power in the party. Delegates to an ANC policy conference in July declared that while they preferred the same person to hold both presidencies, this was not a matter of principle. Nevertheless, Zuma soundly defeated Mbeki at the party's December national conference. Meanwhile, Zuma allies were elected to the majority of the other ANC executive positions.

Also in 2007, a recent trend of protests over the pace and extent of public service delivery continued. While the government has made significant progress in providing potable water and electricity to most of the country's households, since 2004 there have been thousands of service-related protests in over 90 percent of municipalities. In many cases both protesters and police have employed violent tactics. Police used rubber bullets, water cannons, and stun grenades to disperse protests near Johannesburg and Pretoria in September and November 2007, respectively.

Some 5.5 million South Africans, about 12 percent of the population, are infected with HIV/AIDS. Both Mbeki and Health Minister Manto Tshabalala-Msimang have voiced skepticism about the link between HIV and AIDS, and the government has resisted making antiretroviral drugs (ARVs) available to the public health system. In

2003, however, substantial international and domestic pressure spurred the government to begin providing universal ARV treatment. In March 2007, the government announced a new five-year plan intended to cut the rate of new infections by half and extend the ARV program to 80 percent of the HIV-positive population. By October, about 300,000 South Africans were being treated with ARV drugs.

The politics surrounding HIV/AIDS became increasingly heated in 2007. In August, Mbeki sacked Deputy Health Minister Nozizwe Madlala-Routledge for taking an unauthorized trip to a Spanish AIDS conference. Many observers, however, attributed the firing to the growing rivalry between Madlala-Routledge and Tshabalala-Msimang. While the former vocally supports the extension of ARV treatment, the latter has recommended traditional remedies such as garlic, lemon, olive oil, and beetroot.

**Political Rights and Civil Liberties:** South Africa is an electoral democracy. Three successful elections have taken place since 1994, most recently in 2004.

The Parliament is bicameral; elections for the 400-seat National Assembly are determined by party-list proportional representation, and the 90 members of the National Council of Provinces are selected by the provincial legislatures. The National Assembly elects the president to serve concurrently with its five-year term. In general, the electoral process has been free and fair. Still, the state-owned South African Broadcasting Corporation (SABC) has been accused of pro-ANC bias. While political violence has decreased substantially with each election cycle, several ANC and IFP candidates were killed in KwaZulu-Natal province in the run-up to municipal elections in 2006.

The ANC, which has won supermajorities in every democratic election, dominates the political landscape. The DA is the main opposition party, followed by the IFP. While opposition parties generally operate and criticize the government freely, there have been a few impingements on such freedoms in recent years. In 2006, the ANC-controlled Western Cape provincial government attempted to alter Cape Town's governance system and replace Mayor Helen Zille of the DA with a 10-member committee. In September 2007, Zille, who had recently been elected leader of the DA, was arrested while leading a protest against drug-dealing in Cape Town. Police officials had deemed the protest illegal. In November, Zille declared her intention to sue the government for wrongful arrest.

Several agencies and special bodies claim a legal mandate to combat corruption among public officials, but enforcement is inadequate. In 2006, Auditor General Shauket Fakie reported that at least 14 cabinet ministers and deputies, along with 50,000 other public servants, had failed to publicly declare their business interests as required by law. Former lawmaker and ANC stalwart Tony Yengeni was released from prison in January 2007 after serving only five months of a four-year prison sentence for a 2003 corruption conviction. The ANC has been criticized for charging fees to business leaders for access to top government officials; in December 2007, a "networking lounge" for business was set up outside the ANC national conference in Polokwane. South Africa was ranked 43 out of 180 countries surveyed in Transparency International's 2007 Corruption Perceptions Index.

Freedom of expression and the press are protected in the constitution and generally respected in practice. A number of private newspapers and magazines are

sharply critical of the government, political parties, and other powerful figures and institutions. For primarily socioeconomic reasons, most South Africans receive the news via radio outlets, a majority of which are controlled by the SABC. The SABC also dominates the television market, but two commercial stations are reaching growing proportions of the population.

The government is increasingly sensitive to media criticism and has encroached on the editorial independence of the SABC. A 2006 internal SABC report found that government critics had been barred from the airwaves, and in March 2007, groups including COSATU and the Freedom of Expression Institute accused the government of conducting political purges at the broadcaster. In July, the SABC dropped legal action to prevent the screening of a documentary about President Thabo Mbeki; the SABC-commissioned film had twice been canceled from airing on state television. In August, the *Sunday Times* faced government scrutiny after publishing articles claiming that Health Minister Manto Tshabalala-Msimang's recent liver transplant was necessitated by alcoholism, that she had jumped transplant queues, and that she had stolen from a patient while a medical superintendent in Botswana. The minister took legal action, and a court forced the newspaper to return copies of the minister's records to a Cape Town clinic and pay legal fees, but it was allowed to continue reporting on the story. Subsequently, police investigated the editor and deputy editor of the paper for stealing medical records, and Mbeki criticized the behavior and ownership structure of the media. In November, the president's political allies participated in the purchase of the newspaper's parent company.

Freedom of religion and academic freedom are constitutionally guaranteed and actively protected by the government. Freedoms of association and peaceful assembly are also secured by the constitution, and South Africa hosts a vibrant civil society and an embedded protest culture. Nongovernmental organizations (NGOs) operate freely, and citizens are able to easily form and register NGOs. Parliament regularly accepts input from NGOs on pending legislation.

South Africans are free to form, join, and participate in independent trade unions. Labor rights under the 1995 Labor Relations Act are respected, and more than 250 trade unions exist. COSATU—which claims over two million affiliate members—is part of a tripartite governing alliance with the ANC and the SACP. Strike activity is common. In addition to the four-week strike by public sector workers, large-scale strikes were mounted in the metals, energy, and diamond-mining industries in 2007.

Judicial independence is guaranteed by the constitution, and the courts—particularly the Constitutional Court and the Supreme Court—operate with substantial autonomy. In 2006, the government agreed to seek broad consultation and judicial-branch approval before proceeding with a package of judicial reform legislation it had introduced in 2005. Legal professionals and civic organizations had opposed provisions in the bills that would have extended executive control over judicial administration. In October 2007, the Ministry of Health paid for a widely distributed newspaper advertisement criticizing the Johannesburg High Court's decision in the case between Tshabalala-Msimang and the *Sunday Times*.

Also in 2007, Justice Minister Brigitte Mabandla suspended Vusi Pikoli as head of the National Prosecuting Authority (NPA). While the suspension was initially attributed to disagreements over the NPA's investigation of Jacob Zuma, it later

emerged that Pikoli had authorized an arrest warrant for police chief Jackie Selebi. In October, the government announced the formation of an inquiry into Pikoli's "fitness to hold office" led by the former Speaker of Parliament Frene Ginwala.

Although defendants are granted a range of procedural rights, staff and resource shortages undermine the rights to a timely trial and state-funded legal counsel, particularly for poorer citizens. While pretrial detainees wait an average of three months before trial, some wait up to two years. The lower courts have proven more susceptible to corruption than the higher panels, and there have been reports of violent intimidation of judges and magistrates.

Despite constitutional prohibitions and government countermeasures, there have been reports of police using torture and excessive force during arrest, interrogation, and detention. Deaths in custody continue to be a problem. Prisons often do not meet international standards and feature overcrowding, inadequate health care, and abuse of inmates by staff or other prisoners. In 2006, a commission of inquiry found corruption, maladministration, and sexual violence to be rife in the penal system.

South Africa has one of the highest violent-crime rates in the world. Such crime, along with concerns about police capabilities, has fueled regular incidents of vigilantism and a burgeoning private-security industry. Breaking with previous government understatements, Mbeki acknowledged in February 2007 that crime is a major national problem and pledged to increase the police force by 20 percent. In July, a report by the Ministry of Safety and Security found that while the overall crime rate was decreasing, murder and aggravated-robbery rates were on the rise.

The constitution prohibits discrimination based on a range of categories, including race, sexual orientation, and culture. State bodies such as the South African Human Rights Commission (SAHRC) and the Office of the Public Prosecutor (OPP) are empowered to investigate and prosecute cases of discrimination. Affirmative-action legislation has benefited previously disadvantaged groups (defined as "Africans," "Coloureds," and "Asians") in public and private employment as well as in education. However, racial imbalances in the workforce persist, and a majority of the country's business assets remain white-owned. The government's Black Economic Empowerment program aims to increase the black stake in the economy, mostly by establishing race-based ownership thresholds for government tenders and licenses.

The state generally protects citizens from arbitrary deprivation of their property. However, some 80 percent of farmland is owned by white South Africans, who make up 14 percent of the population. As a result, thousands of black and colored farmworkers suffer from insecure tenure rights. Illegal squatting on white-owned farms is a serious problem, as are attacks on white owners. The government has vowed to transfer 30 percent of land to black owners by 2014. In 2005, the government agreed to reconsider its "willing buyer, willing seller" policy in favor of a more expedient approach. In January 2007, the government expropriated a farm owned by the Evangelical Lutheran Church, compensating the owners with \$4.9 million. Separately, a state-sponsored effort to revamp downtown Johannesburg ahead of soccer's 2010 World Cup has evicted hundreds—and potentially thousands—of squatters from inner-city buildings.

Increased illegal immigration, particularly from Zimbabwe and Mozambique, has led to a rise in xenophobia and occasional attacks by police and vigilantes. Immigration and police forces have been accused of abusing illegal immigrants and detain-

ing them longer than allowed under the Immigration Act. There are an estimated two to three million Zimbabweans in South Africa. The nomadic Khoikhoi and Khomani San peoples, indigenous to South Africa, suffer from social and legal discrimination.

South Africa has one of the world's most liberal legal environments for homosexuals. The 2006 Civil Unions Act legalized same-sex marriage, and a 2002 Constitutional Court ruling held that homosexual couples should be allowed to adopt children. Nevertheless, a report issued by the Human Sciences Research Council in 2006 documented a recent increase in hate crimes against homosexuals, a finding confirmed in a 2007 Human Rights Watch report on the recent murders of South African lesbians.

Equal rights for women are guaranteed by the constitution and promoted by the constitutionally mandated Commission on Gender Equality. While the constitution allows the option and practice of customary law, it does not allow such law to supersede the rights assured to women as South African citizens. Nevertheless, women suffer de facto discrimination with regard to marriage, divorce, inheritance, and property rights. Domestic violence and rape, both criminal offenses, are serious problems: South Africa has one of the world's highest rates of sexual abuse. A long-awaited sexual offenses bill tabled in Parliament in 2006 was still pending at the end of 2007. Women are also subject to sexual harassment and wage discrimination in the workplace and are not well represented in top management positions. However, women hold 131 seats in the National Assembly and head 12 of 28 ministries and 4 of 9 provincial governments. In 2005, Mbeki appointed a woman, Phumzile Mlambo-Ngcuka, as deputy president.

## South Korea

**Population:** 48,500,000

**Capital:** Seoul

**Political Rights:** 1

**Civil Liberties:** 2

**Status:** Free



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

1998	1999	2000	2001	2002	2003	2004	2005	2006	2007
2,2F	2,2F	2,2F	2,2F	2,2F	2,2F	1,2F	1,2F	1,2F	1,2F

**Overview:** South Korea held a presidential election on December 19, 2007. Lee Myung Bak of the opposition Grand National Party won the election over the ruling party candidate, Chung Dong-young. The outgoing president, Roh Moo-hyun, held an October summit with North Korean leader Kim Jong-il. The two pledged to work toward a formal peace treaty, cooperate on economic development projects, and resolve the North's nuclear disarmament through the ongoing Six-Party Talks. However, the summit failed to address the human rights tragedy in North Korea. South Korea

**successfully negotiated a free-trade agreement with the United States in April, though it had yet to be ratified by the countries' respective legislatures.**

The Republic of Korea (ROK) was established on the southern portion of the Korean Peninsula in 1948, three years after the Allied victory in World War II ended Japan's 35-year occupation. U.S. and Soviet forces had divided the peninsula between them, initially to accept the surrender of the Japanese army. The subsequent Korean War (1950-53) pitted the U.S.- and UN-backed ROK, or South Korea, against the Soviet- and Chinese-backed Democratic People's Republic of Korea (DPRK), or North Korea, and left some three million Koreans dead or wounded. In the decades that followed the 1953 armistice, South Korea's mainly military rulers crushed dissent and maintained a tightly controlled society in response to the continuing threat from the North. During this period, South Korea implemented an export-led industrialization drive that transformed the poor, agrarian land into the 11th largest economy in the world.

South Korea began its democratic transition in 1987, when military strongman Chun Doo-hwan acceded to widespread protests by students and the middle class, allowing his successor to be chosen in a direct presidential election. In the December balloting, Roh Tai-woo, Chun's protege and fellow general, defeated the country's two best-known dissidents, Kim Young-sam and Kim Dae-jung, as the opposition failed to unite behind a single candidate.

After joining the ruling party in 1990, Kim Young-sam defeated Kim Dae-jung in the 1992 presidential election to become South Korea's first civilian president since 1961. As president, he tried to reduce corruption, sacked hard-line military officers, curbed the domestic security services, and successfully prosecuted former presidents Chun and Roh for corruption and treason. However, under his watch, the private sector overextended itself with excessive borrowing. When a contagious regional financial crisis struck in 1997-98, South Korea had depleted its foreign exchange reserves and had to ask for a record bailout package of \$55 billion from the International Monetary Fund. Angry over the government's failure to better supervise the country's banks and business conglomerates, South Koreans in December 1997 elected Kim Dae-jung as president, making him the first opposition candidate to win a presidential election.

Kim Dae-jung came to power wanting to improve inter-Korean relations. His efforts to reach out to North Korea culminated in the historic June 2000 summit with North Korean leader Kim Jong-il. Kim Dae-jung was awarded the Nobel Peace Prize in 2000 for this achievement, which was later tarnished by revelations of a "payoff" to Kim Jong-il amounting to as much as \$500 million. Public frustration with a series of corruption scandals, along with criticism that Kim Dae-jung's policy of engagement with North Korea had reaped few benefits, helped the opposition Grand National Party (GNP) take the most seats in the 2000 parliamentary elections. With Kim constitutionally barred from seeking a second term, Roh Moo-hyun, a human rights lawyer and former minister of maritime affairs and fisheries, won the December 2002 presidential election on the ruling party's ticket. He narrowly beat the favored Lee Hoi-chang of the GNP, after a campaign in which Roh mixed populist promises with anti-American rhetoric. Anti-American sentiment had grown due to disputes over the U.S.-ROK Status of Forces Agreement (SOFA), the location of a huge U.S. army



base in downtown Seoul, and contrasting approaches to North Korea. The surge of anti-Americanism during the election, however, occurred because the U.S. authorities mishandled the accidental killings of two Korean girls by a U.S. armored vehicle, and vested interests in South Korea manipulated the situation for political ends.

Roh took office in February 2003 facing an economic slowdown, an opposition-led parliament, and public moves by North Korea to revive its nuclear weapons program. In addition, prosecutors were investigating allegations that former top aides to Roh, as well as legislators from across the political spectrum, had accepted millions of dollars in illegal corporate donations before and after the 2002 presidential election. In October 2003, lawmakers loyal to Roh—mostly from his Millennium Democratic Party (MDP), but a few from the GNP—formed the Uri Party to support the embattled president. Just one year into his term, the opposition brought a parliamentary motion to impeach Roh. The charges concerned a minor, at most technical, breach of election rules; Roh had urged support for the Uri Party. South Korean voters demonstrated their disapproval of the proceedings by supporting the president's party in parliamentary elections held in April 2004. The Uri Party won 152 seats, taking control of the chamber. Although Roh had stepped down from power following the impeachment vote, the election results led the Constitutional Court to overturn the impeachment vote, and Roh was reinstated as president. Nevertheless, his popularity entered a period of sustained decline, and the Uri Party suffered substantial losses in provincial gubernatorial elections in May 2006 and sizable defections in 2007. In August of that year, the Uri Party merged with its splintered factions to form the United New Democratic Party (UNDP), which nominated Chung Dong-young, a former minister of unification and chairman of the Uri Party, as its candidate for president in the December 19, 2007, election. He lost to the conservative Grand National Party (GNP) candidate, Lee Myung Bak, a former mayor of Seoul, who promised economic growth and reciprocity in dealing with North Korea. Lee won with 48.7 percent of the popular vote to Chung's 26.1 percent. The voter turnout was 62.9 percent, an all-time low.

In April 2007, South Korea and the United States signed a free-trade agreement (FTA). The pact still had to win ratification by the two countries' legislatures, where it faced significant opposition.

South Korea's most important foreign-policy objective has been to improve relations with North Korea. Roh in 2007 generally maintained his "peace and prosperity" engagement policy—a continuation of the "sunshine" policy of Kim Dae-jung—despite North Korea's missile and nuclear-device tests in 2006. After boycotting the Six-Party Talks, multilateral negotiations designed to denuclearize North Korea, Pyongyang agreed to rejoin the talks in 2007 and later pledged to disable its nuclear facilities by the end of the year. However, the process remained incomplete at year's end, with the DPRK citing delays in the delivery of promised aid. Pyongyang did, however, continue its disablement of the Yongbyon reactor but did not declare its nuclear program by year's end as agreed on in the February 13 agreement. Roh met Kim Jong-il in Pyongyang in October, only the second summit between the two Koreas. The leaders pledged to work toward formally ending the Korean War and cooperating on economic development projects.

With respect to human rights policy toward North Korea, South Korea had "absented" itself or "abstained" on EU-sponsored resolutions at the UN Commis-

sion on Human Rights and the UN General Assembly that criticized North Korea's severe human rights violations in 2003, 2004, and 2005. In November 2006, South Korea voted with the majority of member states to recognize and condemn North Korea's violations. However, the 2007 Korean summit meeting did not address human rights issues.

**Political Rights and Civil Liberties:**

South Korea is an electoral democracy. Elections are free and fair, and the government is elected on the basis of universal suffrage. The constitution, which was created in 1988, vests executive power in a directly elected president, who is limited to a single five-year term. The unicameral National Assembly, consisting of 299 members, is elected for a four-year term. The 2004 parliamentary elections demonstrated that major steps had been taken since 2002 to improve electoral processes. The advances included adherence to campaigning rules, record levels of voter turnout, and a reduction in electoral irregularities under the watch of the National Election Commission.

Political pluralism is robust in South Korean politics, with multiple political parties competing for power. The two largest parties are the UNDP (formerly the Uri Party) and the GNP.

Despite the overall health of the South Korean political system, bribery, influence peddling, and extortion by officials have not been eradicated from politics, business, and everyday life. South Korea was ranked 43 out of 180 countries surveyed in Transparency International's 2007 Corruption Perceptions Index.

South Korea's news media are free and competitive. Newspapers are privately owned and report fairly aggressively on governmental policies and alleged official and corporate wrongdoing. The government directly censors films for sex and violence, though it has been increasingly liberal in recent years. Violent and sexually explicit websites are also censored. The National Security Law stipulates that South Koreans may not listen to North Korean radio. However, no effective measures are in place to block access to broadcasts by North Korean stations.

The administration of President Roh Moo-hyun recently came under attack for trying to push through legislation that would restrict the circulation of conservative dailies; the bill did not pass. In October 2007, the government closed all government pressrooms except for the pressroom in the Central Government Complex. The Government Information Agency said the closures were designed to upgrade the "support system for news coverage." Journalists criticized the closures as an attempt to muzzle or influence the press. Reporters are not permitted to enter government buildings without prior authorization and can interview ministers and other government officials only after receiving state permission. International press freedom groups have sent letters urging the Roh administration to maintain an open-access media policy.

The constitution provides for freedom of religion, and the government does not enforce any state religion. Academic freedom is also unrestricted, with the exception of limits on statements of support for the North Korean regime or pro-Communist comments. In 2006, legal proceedings were initiated against a Dongguk University (Seoul) professor for writings and remarks considered to be pro-North Korean.

South Korea maintains freedom of association, and the Law on Assembly and Demonstrations requires only that the police be informed in advance of all demon-

strations, including political rallies. Human rights groups, social welfare organizations, and other nongovernmental organizations are active and, for most part, operate freely. There exists, however, a climate of fear and heavy-handedness by the government in some instances when nongovernmental organizations' activities go against the policies of the state.

The country's independent labor unions strongly advocate workers' interests, organizing high-profile strikes and demonstrations that sometimes lead to arrests. The law still bars defense-industry and white-collar government workers from forming unions and bargaining collectively, although government workers can form more limited workplace councils.

South Korea's judiciary is generally considered to be independent. There is no trial by jury; judges render verdicts in all cases. Officers of the National Police Administration, under the Ministry of Government Administration and Home Affairs, are occasionally responsible for human rights abuses such as verbal and physical abuse of detainees.

Because South Korean citizenship is based on parentage rather than place of birth, residents who are not ethnic Koreans face extreme difficulties obtaining citizenship. Lack of citizenship bars them from the civil service and also limits job opportunities at some major corporations. The country's few ethnic minorities face legal and societal discrimination.

The government generally respects citizens' right to privacy. An Anti-Wiretap Law sets out the conditions under which the government can monitor telephone calls, mail, and e-mail. Nevertheless, political and business elites often carry two cell phones and change their numbers frequently to evade what they perceive as intrusive government eavesdropping. Travel both within South Korea and abroad is unrestricted; the only exception is travel to North Korea, for which government approval is required.

Although women in South Korea possess *de jure* equality, there is *de facto* discrimination in society, with men enjoying more social privileges and better employment opportunities. However, a landmark ruling by the Supreme Court in July 2005 granted married women equal rights with respect to inheritance. Previously, married women were considered to be part of their husband's family and were not eligible to inherit family property.

## Spain

**Population:** 45,300,000

**Capital:** Madrid

**Political Rights:** 1

**Civil Liberties:** 1

**Status:** Free



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

1998	1999	2000	2001	2002	2003	2004	2005	2006	2007
1,2F	1,2F	1,2F	1,2F	1,1F	1,1F	1,1F	1,1F	1,1F	1,1F

**Overview:** Peace talks between the government and the Basque separatist group ETA broke down in January 2007 after a December 2006 bombing in Barajas Airport. The Supreme Court subsequently banned hundreds of candidates from running in local elections in May due to their supposed links to ETA. In November, a rare visit by King Juan Carlos to the Spanish enclaves of Ceuta and Melilla on the North African coast caused an uproar in Morocco, which claims the territories as its own.

Peninsular Spain's current borders were largely established by the 16th century, and after a period of great colonial expansion and wealth, the country declined in relation to its European rivals. Most of its overseas possessions had been lost in wars or revolts by the end of the 19th century. The Spanish Civil War of 1936-39 led to the deaths of more than 350,000 people and ended in victory for General Francisco Franco's right-wing Nationalists, who executed, jailed, and exiled the leftist Republicans. During Franco's long rule, many countries cut off diplomatic ties, and his regime was ostracized by the United Nations from 1946 to 1955. The militant Basque separatist group Euskadi Ta Askatasuna (ETA), or Basque Fatherland and Freedom, was formed in 1959 with the aim of creating an independent Basque homeland and went on to carry out a campaign of terrorist bombings and other illegal activity. After a transitional period following Franco's death in 1975, Spain emerged as a parliamentary democracy, joining the European Economic Community, the precursor to the European Union (EU), in 1986.

During the March 2004 parliamentary elections, the Spanish Socialist Workers' Party (PSOE) won more than 43 percent of the vote, capturing 164 seats in the Congress of Deputies, the parliament's lower house. The conservative Popular Party (PP), which had been in power for 11 years, was reduced to 148 seats. Other parties winning seats included Convergence and Union (CiU), the Republican Left of Catalonia (ERC), the Basque Nationalist Party (PNV), the United Left (IU), and the Canarian Coalition (CC). Lacking an outright majority, the PSOE relied on the regionalist parties to support its legislation. In the Senate, the PP led by winning 102 directly elected seats, while the PSOE took 81.

The elections came only three days after multiple terrorist bombings of commuter trains in Madrid that killed close to 200 people. Shortly after the bombings, the

conservative government blamed ETA, a factor that angered voters when it was discovered that the perpetrators were instead linked to Islamic fundamentalists. The attacks allegedly came in response to the conservative government's staunch support of the U.S.-led war in Iraq. Shortly after becoming prime minister, the PSOE's Jose Luis Rodriguez Zapatero pulled Spain's contingent of 1,300 troops out of Iraq.

In March 2006, the parliament passed an autonomy plan for the northeastern region of Catalonia despite resistance from the opposition PP. Catalanian voters in June approved the plan, which gave the region national status within Spain and greater control over taxation, judicial matters, and immigration.

Peace talks between the Spanish government and ETA broke down in January 2007, after the separatist group claimed responsibility for a December 2006 bombing in a parking garage at the Barajas Airport. Negotiations had begun in July 2006, after ETA announced its first permanent ceasefire in March of that year. The Supreme Court banned hundreds of candidates from participating in May 2007 local elections in the Basque region, accusing them of links to ETA. In October, the authorities arrested 17 members of Batasuna, ETA's political wing, for holding an illegal meeting and having links to a terrorist organization. Batasuna, which had previously garnered between 5 and 10 percent of the regional vote, was banned in 2003.

In April 2007, a Spanish judge charged three U.S. soldiers with homicide and a crime against the international community for the shooting of a Spanish journalist and his Ukrainian colleague in Iraq in 2003. The two journalists had been in Baghdad's Hotel Palestine when it came under fire during the U.S. invasion.

A roadside bomb hit a UN convoy in Lebanon in June 2007, killing three Spanish soldiers. Spain had 1,100 peacekeeping troops participating in the UN Interim Force in Lebanon (UNEFIL), which was reinforced after the 2006 conflict between Israel and the Lebanese Islamist militant group Hezbollah.

In October 2007, a Spanish court handed down long prison sentences for 21 of the 28 defendants charged in connection with the 2004 Madrid train bombings, including a sentence of 43,000 years for each of the two men who supplied the explosives. Seven of the accused were acquitted.

A November visit by King Juan Carlos to the country's North African enclaves of Ceuta and Melilla was met with considerable opposition by Morocco, which maintained claims to the territories. The enclaves had been ruled by Spain for 500 years and were a major entry point for illegal immigrants into Europe.

The number of African migrants attempting to reach Spain's Canary Islands fell to 15,000 in 2007, from 31,000 in 2006. The migrants typically depart in small boats from Senegal and other sub-Saharan African countries and many perish during the journey. The migration has been thwarted in part by a new EU surveillance system, with aircraft and ships posted off the coast of Africa. The EU has also been active in trying to set up job centers in Africa to regularize the migration. In 2006, Spain and Senegal signed a cooperation deal that would discourage illegal migration while organizing the recruitment of legal workers. The Spanish government also began an advertising campaign across West Africa to dissuade potential migrants.

### **Political Rights**

#### **and Civil Liberties:**

Spain is an electoral democracy. The Congress of Deputies, the lower house of the National Assembly, has 350 members elected from party lists in provincial constituen-

cies. The Senate has 259 members, with 208 elected directly and 51 chosen by regional legislatures. Members of both the Senate and Congress serve four-year terms. Following legislative elections, the prime minister, known as the president of the government, is selected by the monarch and is usually the leader of the majority party or coalition. The candidate must also be elected by the National Assembly. The country's 50 provinces are divided into 17 autonomous regions with varying degrees of power, in addition to the two North African enclaves of Ceuta and Melilla.

People generally have the right to organize in political parties and other competitive groups of their choice. The main political parties are the PSOE, the PP, the CiU, the ERC, the PNV, the IU, and the CC. The Basque separatist Batasuna party was permanently banned in 2003 for its alleged ties to the armed group ETA.

Spain was ranked 25 out of 180 countries surveyed in Transparency International's 2007 Corruption Perceptions Index. The U.S. State Department's 2008 Human Rights report found that by September, over 80 people had been charged in connection with a 2006 investigation into the Marbella local government. The charges include real estate graft, bribery, and embezzlement.

The country has a free and lively press, with more than 100 newspapers covering a wide range of perspectives and actively investigating high-level corruption. Daily newspaper ownership, however, is concentrated within large media groups like Prisa and Zeta. Journalists who oppose the political views of ETA are often targeted by the group. Internet access is not restricted.

Freedom of religion is guaranteed through constitutional and legal protections. Roman Catholicism is the dominant religion and enjoys privileges that other religions do not, such as financing through the tax system. Jews, Muslims, and Protestants have official status through bilateral agreements with the state, while other groups (including the Jehovah's Witnesses and the Mormons) have no such agreements. The government does not restrict academic freedom. However, ETA has sought to silence academics who criticize its political goals.

The constitution provides for freedom of assembly, and the government respects this right in practice. People are free to demonstrate and speak publicly. Domestic and international nongovernmental organizations (NGOs) operate without government restrictions. With the exception of members of the military, workers are free to organize and join unions of their choice and also have the right to strike. About 15 percent of the workforce is unionized.

The constitution provides for an independent judiciary. However, there have been concerns about the functioning of the judicial system, including the impact of media pressure on sensitive issues like immigration and Basque terrorism. There have been reports of police abuse of prisoners, especially immigrants. Police can also hold suspects of certain terrorism-related crimes for up to five days with access only to a public lawyer. Prison conditions generally meet international standards.

Spanish law allows judges to try suspects for crimes committed abroad if they are not facing prosecution in their home country. In July 2007, the Supreme Court ruled that former Argentine general Ricardo Cavallo would stand trial in Spain for crimes against humanity that he allegedly committed during Argentina's so-called Dirty War of the 1970s and 1980s, in which the military government targeted suspected dissidents.

The parliament in 2005 enacted legislation that legalized same-sex marriage and

allowed gay couples to adopt children. Women enjoy legal protections against rape, domestic abuse, and sexual harassment in the workplace. However, violence against women, particularly within the home, remains a serious problem. The current prime minister has made the protection of women's rights and gender equality a centerpiece of his administration.

In March 2007, the Spanish parliament passed a law requiring that political parties run women candidates in at least 40 percent of the seats that they contest. The law also orders larger companies to institute "equality plans" that promote women and grants 15 days of paternity leave to new fathers. Women won 36 percent of the seats in the lower house in the 2004 elections, marking a 7 percentage point increase from the previous elections in 2000.

Trafficking in women for the purpose of sexual exploitation remains a problem. However, in its 2007 Trafficking in Persons Report, the U.S. State Department found that the country made a strong effort to combat trafficking through law enforcement, which helped to break up 177 sex-trafficking networks and 63 labor-trafficking rings. The country also continued to offer assistance to trafficking victims and made efforts to reduce the demand for prostitution. Two major police raids during the year led to the arrests of over one hundred people for suspicion of involvement with child pornography.

## ↓ Sri Lanka

**Population:** 20,100,000

**Capital:** Colombo

**Political Rights:** 4

**Civil Liberties:** 4

**Status:** Partly Free



**Trend Arrow:** Sri Lanka received a downward trend arrow due to a weakening of opposition forces within Parliament, sustained government pressure on human rights activists and other critics, and a worsening military conflict with the Tamil Tiger rebels in which numerous human rights abuses have taken place.

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

1998	1999	2000	2001	2002	2003	2004	2005	2006	2007
3,4PF	3,4PF	3,4PF	3,4PF	3,4PF	3,3PF	3,3PF	3,3PF	4,4PF	4,4PF

**Overview:** President Mahinda Rajapakse, who continued his authoritarian style of governance during 2007, faced increasing resistance from within the ruling People's Alliance coalition but staved off calls for an early election. He also maintained his pursuit of a military solution to the long-running conflict with the rebel Liberation Tigers of Tamil Eelam. High levels of violence—including open warfare, terrorist attacks,

**and politically motivated disappearances—fed into a spiraling humanitarian crisis, with more than 4,000 people killed and thousands newly displaced during the year. In a prevailing climate of impunity, numerous human rights abuses occurred throughout the country, and rights to freedom of expression and association were increasingly restricted.**

Since independence from Britain in 1948, political power in this island nation has alternated between the conservative United National Party (UNP) and the leftist Sri Lanka Freedom Party (SLFP). While the country made impressive gains in literacy, basic health care, and other social needs, its economic development was stunted and its social fabric tested by a long-running civil war that has killed more than 70,000 people. The conflict initially pitted several ethnic Tamil guerrilla groups against the government, which is dominated by the Sinhalese majority. Although triggered by anti-Tamil riots in 1983 that claimed hundreds of lives, the war came in the context of long-standing Tamil claims of discrimination in education and employment. By 1986, the Liberation Tigers of Tamil Eelam (LTTE, or Tamil Tigers), which called for an independent Tamil homeland in the merged North Eastern Province, had eliminated most rival Tamil guerrilla groups and was in control of much of the northern Jaffna Peninsula. At the same time, the government was also fighting an insurgency in the south by the leftist People's Liberation Front (JVP). The JVP insurgency, and the brutal methods used by the army to quell it in 1989, killed an estimated 60,000 people.

In 1994, Chandrika Kumaratunga ended nearly two decades of UNP rule by leading the SLFP-dominated People's Alliance (PA) coalition to victory in parliamentary elections and then winning the presidential election. Early in her term, she tried to negotiate a peace agreement with the LTTE, but following a renewal of hostilities by the rebels, she reverted to focusing on a military solution to the conflict. Kumaratunga won early presidential elections in 1999, but the UNP and its allies gained a majority in 2001 parliamentary elections, and UNP leader Ranil Wickremasinghe became prime minister.

In response to an LTTE ceasefire offer, the new government declared a truce, and a permanent ceasefire accord (CFA) with provisions for international monitoring was signed in February 2002; the accord prohibited political assassinations and recruitment of child soldiers but left large chunks of territory under LTTE control. By December, the government and the Tamil Tigers had agreed to share political power in a federal system. Although the LTTE suspended its participation in peace talks in April 2003, it stated that it remained committed to a political solution. However, the peace process was constrained by infighting between the main political parties about how to approach the Tigers, as well as the Tigers' own intransigence.

The impasse between the southern parties was broken when Kumaratunga dissolved Parliament in early 2004. Bolstered by the direct support of the Marxist JVP, Kumaratunga's new PA-led United People's Freedom Alliance (UPFA) coalition won 105 out of 225 seats and managed to form a minority government. Apart from the JVP, other extremist and ethnic-based parties also made inroads, including a new party formed by Buddhist clergy, the Jathika Hela Urumaya (JHU, or National Heritage Party), which won nine seats. Though Kumaratunga remained committed to finding a political solution to the ethnic conflict, progress was hampered by the addition to the ruling coalition of the JVP, which adamantly opposed granting more



powers to the provinces or the LTTE, and by the presence of pro-Sinhalese forces such as the JHU in Parliament.

Meanwhile, the ceasefire with the LTTE continued to hold, despite an increasing number of violations. A complicating element emerged in March 2004 when Colonel Karuna (the nom de guerre of Vinayagamoorthi Muralitharan), an LTTE commander in the east who controlled an estimated 6,000 out of the total 15,000 LTTE troops, formed a breakaway faction called the Tamil Makkal Viduthalai Pulikal (TMVP or Karuna group), alleging discrimination in the treatment of eastern Tamils by the LTTE leadership. His rebellion was initially quashed, but he gradually rebuilt his cadres, and armed clashes between the two groups continued as both attempted to reassert their control over the east. By 2006, the reinvigorated Karuna faction had become loosely allied with the government, which provided it with logistical support in exchange for valuable intelligence. As with the other parties in the conflict, the faction also increasingly engaged in killings, abductions, forced conscription, and other abuses against civilians.

In August 2005, the Supreme Court ruled that the presidential elections, which Kumaratunga had controversially tried to postpone until 2006 on technical grounds, had to be held later that year. The PA nominated Mahinda Rajapakse, the prime minister since 2004, as its candidate, but against the wishes of Kumaratunga and some other party leaders, he immediately took a hard line, alienating minority groups and forging preelection alliances with the JVP and JHU. Largely as the result of an LTTE boycott and intimidation of voters, which led to extremely low voter turnout in the Tamil-majority northern and eastern areas, Rajapakse narrowly won the November presidential election with 50.3 percent of the vote, as opposed to 48.4 percent for Wickremasinghe. Calls for the vote to be rerun in certain areas were rejected by the election commission.

Rajapakse's primary political objectives were to consolidate his position within the party and his coalition's position within Parliament. Despite a groundbreaking October 2006 memorandum of understanding (MoU) between the SLFP and the UNP, under which the latter agreed to support the government in six key areas for two years, the ruling party urged UNP members to defect and join the government outright. The president also wooed smaller parties with promises of cabinet seats and other perks. In addition, Rajapakse cultivated a more authoritarian style of rule, relegating Parliament to a secondary role. According to a report by the Centre for Policy Alternatives (CPA), the president and his three brothers, who were appointed to key positions, made all the crucial decisions, with the cabinet and other party stalwarts serving as implementers and advisers. The process by which a constitutional council nominates members of key independent commissions was sidestepped; the council itself was not reconstituted after the terms of its members expired, and in its absence, the president unilaterally appointed loyalists to official posts.

Rajapakse's successful policy of encouraging UNP defections resulted in the collapse of the MoU in early 2007, and in a signal that he expected compliance with his decisions, Rajapakse dismissed several ministers from his own party who questioned his tactics. Tensions emerged throughout 2007 between party legislators and the four Rajapakse brothers, who controlled most public spending as the heads of the key ministries of finance, defense, ports and aviation, and nation-building. By midyear, two former SLFP ministers had formed a new party, the SLFP Mahajana

Wing (SLFP-M), which joined with the weakened UNP in a new opposition alliance, the National Congress. Another smaller party, the Ceylon Workers Congress, left the government briefly but rejoined the fold in return for concessions. In September, Parliament opened an investigation into lingering allegations that Rajapakse had colluded with the LTTE during the 2005 election to enforce the boycott that had disenfranchised many Tamils and contributed to Rajapakse's narrow victory. At year's end, the government was shaky but had survived a vote on the budget and avoided the need for early elections.

On the issue of the peace process, the president had initially tried to build consensus among the main southern political parties, convening an All-Party Representatives Committee that submitted its report in January 2007. Meanwhile, after a hiatus of almost three years, peace talks between the government and the LTTE had taken place in February and October 2006, but they accomplished little except to bring both sides to the negotiating table. Prospects for further talks dimmed in 2007 as consensus-building among the southern parties stalled, fighting with the LTTE escalated, and both sides engaged in targeted killings of key political leaders. The government and LTTE appeared more interested in pursuing military options and slid inexorably back into an undeclared war.

Levels of violence had started to rise after Rajapakse's election, when a series of LTTE ambushes in the north and east triggered April 2006 air strikes on LTTE positions, the first major military operation since the 2002 ceasefire. A pattern of daily attacks in the north and east resumed, punctuated by LTTE land-mine and suicide attacks throughout the country. In an aggressive military strategy, government forces struck LTTE camps and several high-profile leaders. The LTTE targeted both the security forces and the Karuna group in the east. The advantage shifted back and forth between the government and the LTTE, favoring the government at the end of 2006. The army had won control of the eastern province by June 2007, though pockets of rebel activity remained; the navy was able to sink a number of LTTE vessels; and government forces killed a senior LTTE leader—S. P. Thamilselvan, head of the Tigers' political wing—in November 2007. However, the LTTE retained the ability to strike almost anywhere in the country, carrying out bus bombings, suicide attacks, assaults on military bases, and its first-ever aerial assault on the Colombo airport. In an unexpected twist, Karuna was arrested in Britain in November while traveling on a forged diplomatic passport, and his faction had reportedly been taken over by another commander named Pillayan. As in 2006, more than 4,000 soldiers, rebels, and civilians died in the conflict in 2007, a dramatic increase from the ceasefire period.

Conditions in the north and east have markedly deteriorated in the past two years, with rising hostilities creating a humanitarian crisis and leading to a variety of human rights abuses. Largely indiscriminate aerial shelling by the Sri Lankan military in Tiger-controlled territory, as well as ground operations, have killed dozens of people and displaced tens of thousands. Overall, some 300,000 civilians have been newly displaced by the fighting, and conditions in many camps are worrisome. People's mobility and commercial and social activities remained curtailed in 2007 by curfews, road closures, and security checkpoints. All parties to the conflict engaged in human rights violations, including civilian killings, abductions, detentions, political assassinations, child conscription, and extortion. Young Tamil males were most at risk of harassment by all sides. This drastic increase in violations was accompa-

nied by the international monitors' dwindling ability to track the situation, as the Sri Lankan Monitoring Mission (SLMM) was forced to reduce the scope of its activities and cut staff to approximately 30 monitors. Although violations were concentrated in the conflict areas, they took place throughout the country, facilitated by the use of emergency and antiterrorism legislation to detain perceived security threats or critics of government policy. In a move that was ultimately quashed by the Supreme Court, the government in June 2007 attempted to expel several hundred Tamils from the capital.

Largely as a result of international censure, the president established a commission of inquiry in December 2006 to investigate 16 recent high-profile cases of abuse, and in February 2007 invited the previously formed International Independent Group of Eminent Persons (IIGEP) to assist and monitor the commission. After the commission's investigations were reportedly hampered by the attorney general's office, the IIGEP reported that its advisory role was met with disregard and that a formal international monitoring mechanism should be put in place instead. However, the government ignored this suggestion and assumed a belligerent stance toward both local and international critics of the country's worsening human rights situation.

**Political Rights and Civil Liberties:** Sri Lanka is an electoral democracy. The 1978 constitution vested strong executive powers in a president who is directly elected for a six-year term and can dissolve Parliament. The prime minister heads the leading party in Parliament but otherwise has limited powers. The 225-member unicameral legislature is directly elected for a six-year term through a mixed proportional-representation system. Elections are open to multiple parties, and fair electoral laws and equal campaigning opportunities ensure a competitive political process.

While elections are generally free and fair, they continue to be marred by some irregularities, violence, and intimidation, and the LTTE generally refuses to allow free elections in areas under its control. The independent Center for Monitoring Election Violence reported that the 2004 parliamentary elections were considerably less beleaguered by violence and malpractice than previous polls. The European Union's Election Observation Mission noted that the 2005 presidential vote proceeded fairly smoothly in the south, despite some inappropriate use of state resources and biased reporting by both state-run and private media outlets. However, voting in the north was suppressed by the LTTE, which enforced a boycott through acts of violence including grenade attacks on polling stations and the buses intended to carry voters into government-controlled territory. Since the elections, intimidation by armed groups has dramatically shrunk the space for nonviolent Tamil politics in the north and east, while the warlike situation has led to more muted opposition from southern political parties. President Mahinda Rajapakse has faced allegations—denied by the government but corroborated by former supporters of the president—that his 2005 campaign colluded with and paid off the LTTE in order to suppress Tamil votes. In September 2007, Parliament opened an investigation into these claims, and the probe was ongoing at year's end.

Governmental coherence has been improved by the fact that the executive and legislative branches are now controlled by the same party. Some observers charge

that Rajapakse's centralized, authoritarian style of rule has led to a lack of transparent, inclusive policy formulation. The power of the president and his three brothers—who control an estimated 70 percent of Sri Lanka's budget due to their cabinet positions—led to increasing resentment among other party members during 2007.

The 17th amendment to the constitution was designed to improve governance and depoliticize key institutions by creating a constitutional council responsible for appointing members to independent commissions that would oversee the police, the judiciary, and public servants. Owing to a parliamentary impasse, Rajapakse failed to reconstitute the council in 2006 after the terms of its previous members expired. Instead, he made unilateral appointments to the public service and police commissions in April, and to the human rights commission, judicial services commission, Supreme Court, and other judicial bodies in May. Some local groups allege that these actions have threatened the independence of the institutions and created a class of appointees who owe their positions to the president.

Official corruption is a continuing concern, and the current legal and administrative framework is inadequate for promoting integrity and punishing corrupt behavior. Sri Lanka was ranked 94 out of 180 countries surveyed in Transparency International's 2007 Corruption Perceptions Index. Although hundreds of cases are being investigated or prosecuted by the Commission to Investigate Allegations of Bribery or Corruption, no current or former politician has been sentenced.

Media freedom continued to decline in 2007, as media outlets faced increased censorship and other restrictions, and journalists faced a heightened level of attacks and intimidation, particularly in the wartorn north and east. Although freedom of expression is provided for in the constitution, a growing number of laws and regulations—including the Official Secrets Act, emergency regulations reintroduced in 2005, antiterrorism regulations introduced in December 2006, and defamation and contempt-of-court laws—restrict this right and have led to overt self-censorship by journalists. While state-run media outlets are increasingly being influenced by the government, private media have become more polarized, shrinking the space for balanced views. Official rhetoric toward journalists and media outlets perceived to be "unpatriotic" or critical has become more hostile, with high-level officials regularly making statements that equate any form of criticism with treason.

The sharp increase in violence since 2006 has severely affected journalists' ability to cover the news. The LTTE does not permit free expression in its domain and terrorizes a number of Tamil journalists and other critics. The Karuna faction and security forces have also been responsible for abuses. At least five journalists were killed and numerous others were abducted or otherwise intimidated during 2007. Despite its calls for protection, the largest-circulation daily in Jaffna, *Uthayan*, faced repeated attacks and harassment, and the paper's editor and news editor have been forced to live semipermanently at the paper's offices. A number of Tamil newspapers have been banned or seized by various factions, and distributors have been attacked or warned not to sell certain papers; several independent outlets have closed due to threats against them. Journalists throughout Sri Lanka, particularly those who cover human rights issues or official misconduct, face intimidation and threats from security forces and officials. In a growing trend, those perceived as being supportive of Tamil interests have also drawn ire from Sinhalese nationalist groups. Several journalists decided to leave the country for short periods of time in 2007, including

prominent defense correspondent Iqbal Athas, who fled three times following repeated threats. Previous cases of attacks on journalists have not been adequately investigated or prosecuted. Internet access is generally not restricted, although the government occasionally bars access to pro-LTTE websites.

Religious freedom is respected, and members of all faiths are generally allowed to worship freely, but the constitution gives special status to Buddhism and there is some discrimination and occasional violence against religious minorities. The LTTE discriminates against Muslims and has attacked Buddhist sites in the past. Tensions between the Buddhist majority and the Christian minority—and in particular, evangelical Christian groups, who are accused of forced conversions—have worsened since late 2003, according to the U.S. State Department's 2007 Report on International Religious Freedom, with a sharp rise in attacks against churches and individuals. In 2006, a parliamentary committee met to discuss the JHU-sponsored Prohibition of Forcible Conversions bill, and it remained under consideration at the end of 2007. In recent years, the minority Ahmadiyya Muslim sect has faced increased threats and attacks from members of the Sunni Muslim community, who accuse Ahmadis of being apostates.

The government generally respects academic freedom. However, the LTTE has a record of silencing intellectuals who criticize its actions, sometimes through murder or other violence, and progovernment Tamil groups have also allegedly made threats. Groups such as the University Teachers for Human Rights-Jaffna have faced particularly severe harassment by the LTTE. Both students and professors are at risk in conflict zones; during 2007, at least three students were killed at Jaffna University.

Freedom of assembly is typically upheld. Although the 2005 emergency regulations give the president the power to restrict rallies and gatherings, permission for demonstrations is usually granted. Police occasionally use excessive force to disperse protesters. The LTTE does not allow freedom of association in its areas and reportedly forces civilians to attend pro-LTTE rallies. Caught between both sides, aid workers are increasingly unable to operate safely in conflict-affected areas. Several dozen nongovernmental organization (NGO) and humanitarian workers were killed in 2006 and 2007. In two particularly chilling cases, 17 local staff of the international group Action Against Hunger were murdered in their compound in Mutur in August 2006, allegedly by government forces, while two Red Cross workers attending a seminar in Colombo were slain in June 2007. International staff of groups such as Doctors Without Borders are subject to new visa and work-permit regulations imposed by the Ministry of Defense in 2006, and are on occasion barred from rebel-held areas. During the year, human rights and social welfare NGOs throughout the country, particularly those considered "unpatriotic" or unwilling to support the official line, faced greater threats and harassment from authorities, including assaults on their gatherings and a proposed parliamentary investigation into their activities.

Sri Lanka has a strong workers' rights tradition, with more than 1,500 trade unions registered. Most unions are independent and are legally allowed to engage in collective bargaining. Except for civil servants, most workers can hold strikes, but the 1989 Essential Services Act allows the president to declare a strike in any industry illegal. Even though more than 70 percent of the workforce on tea plantations is unionized, employers routinely violate the rights of the mainly Tamil workforce. The

government has increased penalties for employing minors, but thousands of children continue to be employed as domestic servants, and many face abuse.

Successive governments have respected the constitutional provision for an independent judiciary, and judges can generally make decisions without overt intimidation from the political branches. However, in recent years there has been growing concern about the politicization of the judiciary, particularly with respect to the chief justice of the Supreme Court, Sarath Nanda Silva. During 2006, there were several questionable judicial rulings in favor of members of the government, and two senior Supreme Court judges resigned. Corruption is fairly common in the lower courts, and those willing to pay bribes have better access to the legal system.

The rule of law remains weak, and conditions deteriorated during the year. In November 2005, the new government transferred authority over the police force to the Ministry of Defense. Heightened political and military conflict in 2006 and 2007 has led to a sharp rise in the number of human rights abuses committed by security forces, including arbitrary arrest, extrajudicial executions, forced disappearances, torture, custodial rape, and prolonged detention without trial. Torture occurs in the context of the insurgency and during routine interrogations to extract confessions. Such practices are facilitated by emergency regulations reintroduced in 2005, under which detainees can be held for up to a year without trial. In December 2006, the government reinstated certain provisions of the Prevention of Terrorism Act, giving security personnel powers to arrest and detain suspects indefinitely without court approval. Additional legislation introduced later that month, the Prevention and Prohibition of Terrorism and Specified Terrorist Activities Regulations, was criticized for providing an overly broad definition of terrorism and granting immunity to those accused of rights abuses. These laws have been used to detain a wide swath of perceived critics, including political opponents, journalists, and members of civil society, as well as Tamil civilians suspected of supporting the LTTE. A recent Human Rights Watch report documented hundreds of cases of abduction and disappearance committed by the security forces, amounting to one of the largest such totals in the world. Most of the abuses take place in the conflict-ridden north and east, particularly the Jaffna Peninsula, where extrajudicial killings occur on a nearly daily basis.

The National Human Rights Commission (NHRC) is empowered to investigate abuses but has traditionally suffered from insufficient authority and resources. A lack of aggressive prosecution of the majority of past abuses, coupled with inadequate protection for victims and witnesses, contributes to a climate of almost complete impunity. Since 2006, as a result of the continuing impasse over reconvening the constitutional council, appointments to key bodies such as the NHRC and the National Police Commission have been made unilaterally by the executive branch, raising questions about the suitability and independence of the appointees and further weakening these institutions.

The LTTE has effective control over roughly 10 percent of Sri Lankan territory and operates a parallel administration that includes schools, hospitals, courts, and law enforcement. The Tigers raise money through extortion, kidnapping, theft, and the seizure of Muslim property, and have used threats and attacks to close government schools and other facilities in their self-styled Tamil homeland. The LTTE also imposes mandatory military and civil-defense training on civilians in its areas. After

a respite during the ceasefire period, the rebels have resumed summary executions, political assassinations, disappearances, arbitrary detentions, torture, and the forcible conscription of children, all of which remained areas of serious concern in 2007. The Tigers typically deny involvement in such activity, despite clear evidence to the contrary.

Press reports indicate that the Tigers recruit teenage girls and boys, violating pledges to release all children below age 18. Recruitment efforts, which increased in 2004 to compensate for the loss of the Karuna faction, are at times so intense that parents keep their children home from school to prevent their abduction. Anecdotal evidence suggests that the LTTE requires all Tamil families to provide them with at least one member. Despite periodic releases, UNICEF estimates that more than 1,500 children remain in LTTE custody. The Karuna faction has also been accused of abducting hundreds of boys and young men, often with the complicity of security forces. A number of armed Tamil groups and criminal gangs also engage in kidnapping for ransom.

During 2007, the rate of politically motivated violence remained high, exacerbating the humanitarian crisis in the north and east. The LTTE killed hundreds of people during the year, including Tamil political activists, followers of the Karuna faction, military intelligence agents and suspected informers, elected officials, and members of civil society. In retaliation, the government and state-supported Tamil paramilitary groups targeted LTTE officials and members of pro-LTTE political factions. According to the South Asia Terrorism Portal, more than 4,000 people (including civilians, security forces, and rebels) were killed nationwide in the violence in 2006, and a similar number were slain in 2007, the majority of them LTTE rebels.

Tamils maintain that they face systematic discrimination in areas including government employment, university education, and access to justice. Legislation replacing English with Sinhala as the official language in 1956 continues to disadvantage Tamils and other non-Sinhala speakers. Thousands of Tamils whose ancestors were brought from India to work as indentured laborers during the 19th century did not qualify for Sri Lankan citizenship and faced discrimination and exploitation. However, in 2003, Parliament granted citizenship to about 170,000 previously stateless "Indian" Tamils. Tensions between the three major ethnic groups (Sinhalese, Tamils, and Muslims), which lead to occasional violent clashes, remain a concern. Both the government and the LTTE generally fail to prevent incidents of communal violence from spiraling out of control.

According to the Office of the UN High Commissioner for Refugees, there are more than 450,000 internally displaced persons (IDPs) in Sri Lanka, of whom about 300,000 have been newly displaced in 2006 and 2007 by fighting in the north and east. The vast majority are unwilling or unable to return to their homes, and live either with relatives or in government-run camps, while a smaller number live as refugees in the southern Indian state of Tamil Nadu. The government has reportedly engaged in the forced resettlement of Tamil IDPs to insecure areas. Others were forced to move from newly created "high security zones" and "special economic areas" in the north and east. According to Human Rights Watch, following the collapse of the ceasefire accord, citizens from the north and east are once again required to obtain a pass to travel and live in other parts of the country. The general militarization of the conflict areas has led to serious restrictions on freedom of move-

ment, as well as military control over many aspects of civilian administration. In June 2007, the government attempted to expel several hundred Tamil civilians from Colombo on the grounds that they had no "valid reason" for being in the capital; however, following a petition brought by CPA, the prominent think tank, the Supreme Court issued an interim order halting the process.

Women are underrepresented in politics and the civil service. Female employees in the private sector face some sexual harassment as well as discrimination in salary and promotion opportunities. Rape and domestic violence against women remain serious problems, with hundreds of complaints reported annually; authorities weakly enforce existing laws. Although women have equal rights under civil and criminal law, matters related to the family—including marriage, divorce, child custody, and inheritance—are adjudicated under the customary law of each ethnic or religious group, and the application of these laws sometimes results in discrimination against women. The government remains committed to ensuring that children have good access to free education and health care, and it has also taken steps to prosecute those suspected of crimes against children, including pedophilia. A general increase in violence during 2007 also resulted in greater violence against women in conflict areas, including rapes.

## Sudan

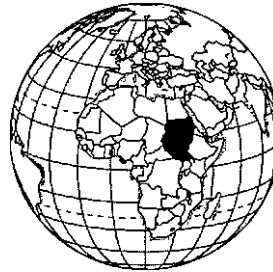
**Population:** 38,600,000

**Capital:** Khartoum

**Political Rights:** 7

**Civil Liberties:** 7

**Status:** Not Free



### Ten-Year Ratings Timeline For Year Under Review

(Political Rights, Civil Liberties, Status)

1998	1999	2000	2001	2002	2003	2004	2005	2006	2007
7,7NF	7,7NF	7,7NF	7,7NF	7,7NF	7,7NF	7,7NF	7,7NF	7,7NF	7,7NF

**Overview:** The Comprehensive Peace Agreement, which ended the war between northern and southern Sudan in 2005, began unraveling in 2007 amid accusations that the north was not adhering to its commitments. Meanwhile, the situation in western Sudan's conflict-ridden Darfur region remained grim, and nationally there were few positive developments with respect to political rights and civil liberties.

Sudan, Africa's largest country, achieved independence from Britain and Egypt in 1956, and it has been embroiled in civil wars for most of its subsequent history. The Anyanya movement, representing mainly Christian and animist black Africans in southern Sudan, battled Arab Muslim-dominated government forces from 1956 to 1972. In 1969, General Jafar Numeiri toppled an elected government and estab-



lished a military dictatorship. The south gained extensive autonomy under a 1972 accord, and an uneasy peace prevailed for the next decade. In 1983, Numeiri restricted southern autonomy and imposed Sharia (Islamic law). Civil war between the north and the south resumed and would continue until 2004, causing the deaths of some two million people and the displacement of millions more. Meanwhile, Numeiri was overthrown in 1985. Civilian rule was restored in 1986, with the election of a government led by Prime Minister Sadiq al-Mahdi of the moderate Islamic Ummah Party. Lieutenant General Omar al-Bashir ousted al-Mahdi in a 1989 coup, and the deposed leader spent seven years in prison or under house arrest before fleeing to Eritrea. Until 1999, al-Bashir ruled through a military-civilian regime backed by senior Muslim clerics including Hassan al-Turabi, who wielded considerable power as the ruling National Congress Party (NCP) leader and speaker of the National Assembly.

Tensions between al-Bashir and al-Turabi climaxed in December 1999. On the eve of a parliamentary vote on a plan by al-Turabi to curb presidential powers, al-Bashir dissolved the legislature and declared a state of emergency. He fired al-Turabi as NCP head, replaced the cabinet with his own supporters, and held deeply flawed presidential and parliamentary elections in December 2000, which the NCP won overwhelmingly. In June 2000, al-Turabi formed his own party, the Popular National Congress (PNC), but he was prohibited from participating in politics. In January 2001, the Ummah Party refused to join al-Bashir's new government despite the president's invitation, declaring that it would not support totalitarianism.

Al-Turabi and some 20 of his supporters were arrested in February 2001 after he called for a national uprising against the government and signed a memorandum of understanding in Geneva with the Sudan People's Liberation Army (SPLA), the main southern rebel group. In May 2001, al-Turabi and four aides were charged with conspiracy to overthrow the government; al-Turabi was placed under house arrest. He was moved to a high-security prison in September 2002 and then released in October 2003.

By sidelining al-Turabi, who was considered a leading force behind Sudan's efforts to export Islamic extremism, al-Bashir began to lift Sudan out of international isolation. Although Vice President Ali Osman Mohammed Taha—who replaced al-Turabi as Islamic ideologue—remained committed to Sudan's status as an Islamic state and to the government's self-proclaimed jihad against non-Muslims, al-Bashir managed to repair relations with several countries. After the September 11, 2001, terrorist attacks against the United States, he offered his country's cooperation in combating terrorism. Sudan had previously provided a safe haven for Osama bin Laden and al-Qaeda, his international terrorist network. In March 2004, al-Turabi was again placed under house arrest, this time on suspicion of plotting a coup with sympathizers of rebel groups in the western region of Darfur; al-Turabi had been outspokenly critical of the government's tactics in the region.

The Sudanese government also focused on ending its long-running conflict with the SPLA. After intense negotiations, the two sides signed the Comprehensive Peace Agreement (CPA) in January 2005. The pact included power-sharing provisions, with the NCP retaining a slight majority in parliament, as well as measures to share state revenues. The civil war had been fueled in part by competition for control of southern oil resources. However, the new agreement failed to address the human rights abuses committed by both sides. The government had bombed and destroyed

civilian targets, denied humanitarian relief to rebel-held areas and internally displaced people, and forced conversions to Islam. For its part, the SPLA had also regularly attacked civilian targets and recruited child soldiers.

A key provision of the CPA allowed a referendum on southern independence to be held after a six-year transitional period, during which the government was obliged to withdraw 80 percent of its troops stationed in the south. In a serious disruption to the pact's implementation, longtime SPLA leader John Garang died in an August 2005 helicopter crash, just 20 days after he was sworn in as first vice president of Sudan under an interim constitution. The incident sparked riots by supporters who suspected that the crash was not an accident, leading to at least 130 deaths and some 2,000 arrests. Garang's deputy, Salva Kiir, replaced him as SPLA leader and first vice president.

In 2007, SPLA leaders warned that the CPA was near collapse, accusing the NCP of renegeing on its terms. For example, al-Bashir refused to recognize a special panel's decision that designated the resource-rich Abyei area as part of autonomous Southern Sudan.

As Sudan's northern and southern leaders were negotiating an end to the civil war, another violent internal conflict had been escalating. In 2003, rebel groups in Darfur began attacking Sudanese military positions, although some observers have dated the first attacks to 2001 and 2002. The residents of Darfur, mostly black Muslim farmers or herders, had long clashed with some of the region's nomadic Arab tribes, and with one another, over land use. The rebels also complained of discrimination by the Arab-dominated government. There had been periods of violence in Darfur since Sudanese independence, but the new conflict was on a different scale. By early 2004, government-supported Arab militias known as *janjaweed* had begun torching villages, massacring the inhabitants, slaughtering and stealing livestock, and raping women and girls. The military also employed some of the same scorched-earth tactics it had used in the south, bombing and strafing settlements from the air. Those who were not killed fled the violence, and one of the world's most acute refugee crises was born. Many arrived in internally displaced persons (IDP) camps within Darfur, while others gathered in refugee camps in neighboring Chad.

The African Union deployed a force to monitor a ceasefire signed by Sudan and two of the major rebel groups in April 2004, and increased the size of the force to 7,000 troops in 2005. However, it remained underfunded and was not authorized to intervene directly in the fighting, leading to calls for a larger UN force.

The scale of the killing and displacement led to charges of genocide by international human rights groups, and the UN Security Council in September 2004 passed a resolution calling for a commission of inquiry. The commission's report, delivered to the Security Council in January 2005, stated that although the panel could not designate the killing as genocide, there was mass killing and rape. The commission requested that the case be referred to the International Criminal Court. In 2007, the ICC indicted Ahmed Haroun, a Sudanese official, and charged him with almost two dozen crimes, including crimes against humanity. Haroun was subsequently appointed as a cabinet minister.

In May 2006, the government signed the Darfur Peace Agreement with a faction of the Sudan Liberation Army (SLA), one of the western region's rebel groups, led by Minni Minnawi. All the other major rebel groups refused to sign the agreement,

saying it did not address their concerns. After the signing of the pact, there were demonstrations and riots in the camps by those who opposed it. Throughout 2006, the UN Security Council reiterated its position that a UN force should be deployed, but the Sudanese government refused, saying the move would compromise its sovereignty. Finally, in February 2007, Sudan agreed to allow UN peacekeepers. However, the deployments were subsequently stalled due to a combination of Sudanese obstruction and contributing countries' reluctance to commit troops and key equipment. In May, the United States signaled its displeasure with Sudan by imposing new sanctions on Sudanese firms and individuals.

Despite the peace efforts, the killing in Darfur continued. As of 2007, credible estimates of the dead ranged from 70,000 to over 400,000, with more than two million displaced. Many in the IDP and refugee camps suffered from disease and starvation.

Sudan's economy, while weak, has been improving thanks to high oil prices. China has been harshly criticized for lending Sudan diplomatic support and actively participating in its oil industry and other ventures. Pressure on world leaders to boycott the 2008 Beijing Summer Olympics over the Darfur issue and other human rights concerns increased steadily in 2007.

**Political Rights and Civil Liberties:** Sudan is not an electoral democracy. The last national elections took place in 2000, but major opposition parties boycotted the process and the European Union refused an invitation to monitor the balloting. President Omar al-Bashir and his NCP won easily, and the NCP remained the dominant party until the peace agreement with the SPLA was implemented in 2005. The SPLM—the SPLA's postconflict political incarnation—and the existing Sudanese government formed a joint transitional administration, with the SPLM leader as first vice president. The joint presidency appointed members of the 450-seat lower house of parliament, the National Assembly, with the NCP holding 52 percent, the SPLA controlling 28 percent, and the rest of the seats divided among other northern and southern parties. The parliament's upper house is the 50-member Council of States. Although the current members of parliament were appointed, members of both chambers would serve five-year terms after the first elections, scheduled for 2008-09. The government's reluctance to give Darfur rebel groups more power in Khartoum stems in part from its desire to maintain its majority in parliament. Nine of Sudan's 30 cabinet ministries are now headed by members of the SPLM.

Sudan is one of the world's most corrupt states. It is ranked 172 out of 180 countries surveyed in Transparency International's 2007 Corruption Perceptions Index.

The news media face significant obstacles despite some improvements in the years since the signing of the CPA. Journalists were harassed for their work on several occasions in 2007. Article 39 of the 2005 interim national constitution recognizes the right to freedom of expression and the media, but the Press and Printed Material Act, passed in 2004, introduced a number of restrictions on journalists. The National Press Council, dominated by government appointees, licenses newspapers and monitors journalists, and the Ministry of Information tightly controls broadcast media. While some private radio stations broadcast in Khartoum and in southern Sudan, the government monitors programming for offending material. The state-owned Sudan Radio and Television Corporation (SRTC) remains the only television

broadcaster. Private ownership of newspapers is common, however, with numerous dailies and weeklies reflecting different points of view, including opposition publications and outlets with a Southern Sudanese perspective.

Internet penetration in Sudan is among the highest in sub-Saharan Africa but is limited to urban areas. The government has not displayed much interest in censoring this new medium, apart from the blocking of pornographic content. Political debates online are flourishing on highly popular websites, which are frequented by local users and Sudanese living abroad.

Press freedom conditions in southern Sudan are better than in areas controlled directly by Khartoum. Journalists in the south are not as restricted as those in the north and have more leeway to criticize government policies.

The 2005 interim constitution guarantees freedom of worship. Before the CPA was implemented, Islam was the state religion, and Sharia (Islamic law) was described as the source of legislation. The majority of the population in the north is Sunni Muslim, while the majority in the south is animist and Christian. There is also a sizeable Christian population in Khartoum. Sudan's northern states are now subject to Sharia, but those in the south are not. Christians face discrimination and harassment in the north, where permits to build churches are sometimes denied. Under the 1994 Societies Registration Act, religious groups must register in order to legally gather, and registration is reportedly difficult to obtain. The north-south conflict was characterized as jihad by the government, and in some cases non-Muslims were forced to convert to Islam.

Both the Ministry of Higher Education and the Ministry of Education are headed by SPLM members. The government administers public universities, but there are private institutions of higher learning with prominent professors as well. Sudan's universities have been the sites of debate and more open discussion of critical issues, but security services do monitor them, and there is a certain amount of self-censorship.

As the Darfur crisis garners more negative attention for Sudan, the government is growing more hostile toward international nongovernmental organizations (NGOs) operating in the country, particularly because many NGOs are spearheading pressure campaigns against it from cities like London, Washington, and New York. Many local and international NGOs still operate in the country, but the government restricts their activities at times and can suspend or expel foreign NGOs it considers troublesome. NGOs are also subject to physical danger if they operate in conflict areas like Darfur.

Sudanese trade unions were very active politically until the al-Bashir regime seized power in the 1989 coup. Since then, they have been effectively destroyed. Some union leaders were forced from their jobs and harassed by authorities. The Sudan Workers Trade Unions Federation, the union umbrella organization, has been co-opted by the government and is not a credible, independent advocate of workers' interests.

The judiciary is not independent. The head of the judiciary, the chief justice of the Supreme Court, is a government appointee. Lower courts like the Town Benches and District Courts provide some due process safeguards, but higher courts are subject to political control, and special security and military courts do not apply accepted legal standards. In response to the International Criminal Court investiga-

tion into crimes related to Darfur, the government created the Special Courts for Darfur; their credibility has been challenged by legal experts. Sudanese criminal law is based on Sharia and provides for punishments such as flogging and amputation, although non-Muslim southern states are not subject to Sharia. Police and security forces practice arbitrary arrest and torture with impunity, and prison conditions do not meet international standards. With the signing of the CPA, the government created the National Judicial Service Commission (NJSC) to manage the judicial system; coordinate the relationships between judiciaries at the national, Southern Sudan, and state levels; and oversee the appointment, approval, and dismissal of judges. However, the NJSC is not independent or free from government pressure.

Credible reports have described the mass scale of killing and rights violations in Darfur. While some groups have not characterized the killings as genocide, it is widely accepted that for the past five years, the Sudanese government has directed and assisted the systematic killing of tens or, more likely, hundreds of thousands of people in the region. In March 2007, a UN panel headed by Nobel laureate Jody Williams issued a report finding that the government "has manifestly failed to protect the population of Darfur from large-scale international crimes, and has itself orchestrated and participated in these crimes." The report also said that "the principal pattern is one of a violent counterinsurgency campaign waged by the government of the Sudan in concert with janjaweed militia, and targeting mostly civilians." It added, "Rebel forces are also guilty of serious abuses of human rights and violations of humanitarian law ... but the overwhelming burden of guilt lies with the government and the militia (janjaweed)." The government rejected the report and tried to stop the UN Human Rights Council from considering it.

Female politicians and activists play a role in public life, but they face extensive legal and societal discrimination. Islamic law denies northern women equitable rights in marriage, inheritance, and divorce. Female genital mutilation is widely practiced in both northern and southern Sudan. Local and international human rights groups have gathered a great deal of evidence on the use of rape in the Darfur conflict in an attempt to bring perpetrators to justice and end the practice. Sudan has not ratified the international Convention on the Eradication of All Forms of Discrimination Against Women, arguing that it contradicts Sudanese values and traditions.

## Suriname

**Population:** 500,000  
**Capital:** Paramaribo

**Political Rights:** 2  
**Civil Liberties:** 2  
**Status:** Free



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

1998	1999	2000	2001	2002	2003	2004	2005	2006	2007
3,3PF	3,3PF	1,2F	1,2F	1,2F	1,2F	1,2F	2,2F	2,2F	2,2F

**Overview:** **President Ronald Venetiaan remained firmly in control of the country in 2007, but his relations with parliament grew more contentious. Also during the year, Suriname's courts ordered the prosecution of 10 suspects, including opposition politician and former coup leader Desi Bouterse, for the "December murders" of 15 political opponents in 1982.**

The Republic of Suriname achieved independence from the Netherlands in 1975, after more than three centuries of colonial rule. In 1980, a military coup led by Desi Bouterse established a regime that brutally suppressed civic and political opposition and initiated a decade of military intervention in politics. In 1987, Bouterse permitted elections that were won handily by the center-right New Front for Democracy and Development (NF), a coalition of mainly East Indian, Creole, and Javanese parties. The National Democratic Party (NDP), organized by the military, won just 3 out of 51 seats in the National Assembly.

The army ousted President Ramsewak Shankar in 1990, and Bouterse again took power, this time in a bloodless putsch popularly known as the "telephone coup." International pressure led to new elections in 1991. The NF won a majority in parliament, although the NDP increased its share of seats to 12. The National Assembly selected the NF's candidate, Ronald Venetiaan, as president. Bouterse quit the army in 1992 in order to lead the NDP. In the May 2000 legislative elections, the NF again secured a majority of the National Assembly seats—and three times as many as its closest rival.

In May 2001, a fatal heart attack suffered by labor leader Fred Derby, who was to be the star witness in the trial of Bouterse and others for 15 political killings committed in December 1982, initially appeared to rob the prosecution of key testimony. However, the government vowed that testimony given by the witness during a preliminary hearing would be submitted at trial. The death of the witness, the lone survivor of the massacre, came amid a parallel push by the Netherlands to bring Bouterse to account for the murders and his role in the 1980 coup. He had already been tried and convicted in absentia by a Dutch court for trafficking more than two tons of cocaine into the Netherlands between 1989 and 1997. Suriname did not extradite

Bouterse because of a bilateral agreement barring extraditions of citizens from their home country.

In 2004, the NF government's fiscal austerity program helped to stabilize prices and the economy generally, but there were signs that the policy's negative side effects had increased voter discontent. In the 2005 elections, the NF managed to remain the single largest political force, winning 41 percent of the vote. The NDP took 23 percent, 8 points more than in the 2000 contest. However, the NF failed to win an outright majority and fell well short of the two-thirds necessary to elect a president in the National Assembly. In August, a United People's Assembly consisting of 891 members—including national, regional, and local lawmakers—gave Venetiaan his third term as president, with 560 votes for the incumbent and 315 for the NDP candidate, Rabindre Parmessar.

Former minister of public works Dewanand Balesar was put on trial for corruption in June 2006, having been stripped of his immunity by the National Assembly in 2005. He was charged with awarding more than 30 fraudulent contracts worth a total of about \$36,000 to friends, family, and party loyalists, and he was thought to be the leader of a national corruption ring. In August 2007, police arrested two suspects in a corruption probe of the Ministry of Finance. In response, Venetiaan criticized the parliament for not putting his anticorruption bill on the agenda, but the scandal cut into his popular support.

Also in 2007, Suriname's courts ordered officials to proceed with the long-delayed prosecution of Bouterse and nine other suspects for the 1982 "December murders." The trial began in November and was expected to stretch well into 2008.

Strong commodity prices helped to spur the economy's 5 percent growth rate in 2007. Future growth could be affected by a UN tribunal's September decision to partially recognize Guyana's claims to offshore energy resources, which Suriname had long contested.

### **Political Rights**

#### **and Civil Liberties:**

Suriname is an electoral democracy. The 1987 constitution provides for a unicameral, 51-seat National Assembly, elected by proportional representation to five-year terms. The body elects the president to five-year terms with a two-thirds majority. If it is unable to do so, a United People's Assembly—consisting of lawmakers from the national, regional, and local levels—convenes to choose the president by a simple majority. A Council of State (Raad van State) made up of the president and representatives of major societal groupings—including labor unions, business, the military, and the legislature—has veto power over legislation deemed to violate the constitution.

Political parties largely reflect the cleavages in Suriname's ethnically diverse society, although political-racial discord is much less acute than in neighboring Guyana. Suriname's major parties include the NDP, the National Party Suriname (NPS), and the People's Alliance for Progress (VVP). The current administration has support from the NF, a political alliance of which the NPS is a leading member.

Corruption remains a serious problem, but the country scored better in international rankings in 2007. Suriname was ranked 72 out of 180 countries surveyed in Transparency International's 2007 Corruption Perceptions Index, and its score improved to 3.5 from 3.0 in 2006.

The constitution provides for freedom of expression and of the press, and the government generally respects these rights in practice. However, some media outlets engage in occasional self-censorship due to fear of reprisal from members of the former military leadership or pressure from senior government officials and others who object to critical stories about the administration. In June 2007, Suriname's vice president personally intervened to prevent a state television program from broadcasting a discussion on China and Taiwan, prompting cries of censorship. There are two privately owned daily newspapers, *De Ware Tijd* and *De West*. A number of small commercial radio stations compete with the government-owned radio and television broadcasting systems, resulting in a generally pluralistic range of viewpoints. Public access to government information is recognized in law, although it is very limited in practice. The government does not restrict access to the internet.

The authorities generally respect freedom of religion and do not infringe on academic freedom.

Freedoms of assembly and association are provided for in the constitution, and the government respects these rights in practice. Although civic institutions remain weak, human rights organizations function freely. Workers can join independent trade unions, and the labor movement is active in politics. Collective bargaining is legal and conducted fairly widely. Civil servants have no legal right to strike.

The judiciary is susceptible to political influence and suffers from a significant shortage of judges and a large backlog of cases. The courts and prisons are seriously overburdened by the volume of people detained for narcotics trafficking. The police abuse detainees, particularly during arrests, and prison guards mistreat inmates. Military personnel generally are not subject to civilian criminal law. In 2007, Suriname continued to move forward with the process of joining the appellate jurisdiction of the new Caribbean Court of Justice, which was established to serve as a final venue of appeal for member states of the Caribbean Community (CARICOM). Suriname is a major transit point for cocaine en route to Europe, and poor law enforcement capabilities resulted in a rising tide of drug money entering the country in 2007.

In July 2006, the government officially apologized for a 1986 massacre in the village of Moiwana, in which 39 people were murdered by the military regime. In order to comply with a prior decision by the Inter-American Court of Human Rights, the government paid \$13,000 to the 130 survivors and relatives of victims and held a public ceremony to accept responsibility for the crime.

Discrimination against indigenous and tribal groups is widespread, and Surinamese law offers such groups no special protection or recognition. As a result, Amerindians, who live mostly outside urban areas, have only a marginal ability to participate in decisions affecting their lands, cultures, traditions, and natural resources. Tribal people known as Maroons are the descendants of escaped African slaves who formed autonomous communities in the interior during the 17th and 18th centuries. Their rights to lands and resources, cultural integrity, and the autonomous administration of their affairs are not recognized in Surinamese law.

Constitutional guarantees of gender equality are not enforced. Several organizations specifically address violence against women and related issues. Despite their central role in agriculture and food production, 60 percent of rural women, particularly those in tribal communities, live below the poverty level. Trafficking in persons remains a problem, and the country lacks a comprehensive law specifically banning



the practice. In June 2007, the U.S. State Department's Trafficking in Persons Report categorized Suriname as a Tier II country, which meant it had serious problems but was making efforts to meet minimum standards.

## Swaziland

**Population:** 1,100,000

**Capital:** Mbabane

**Political Rights:** 7

**Civil Liberties:** 5

**Status:** Not Free



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

1998	1999	2000	2001	2002	2003	2004	2005	2006	2007
6,4NF	6,5NF	6,5NF	6,5NF	6,5NF	7,5NF	7,5NF	7,5NF	7,5NF	7,5NF

**Overview:** King Mswati III retained near-absolute power in 2007 despite the promulgation of a new constitution in 2006. Also during the year, prodemocracy activists continued to be arrested, and the country's food crisis grew worse.

Swaziland regained its independence from Britain in 1968, and an elected Parliament was added to the traditional monarchy. In 1973, King Sobhuza II repealed the 1968 constitution, ended the multiparty system in favor of the *tinkhundla* (local council) system, and declared himself absolute monarch. After Sobhuza's death in 1982, a protracted power struggle led to King Mswati III's accession to the throne in 1986.

A new constitution was implemented in 2006. While it removed the king's ability to rule by decree, it reaffirmed his absolute authority over the cabinet, Parliament, and the judiciary. It also maintained the *tinkhundla* system—in which local chiefs control elections for 55 seats in the House of Assembly—and the ban on political parties. The charter provided for limited freedom of speech, assembly, and association, as well as limited equality for women, but the king could suspend those rights at his discretion.

After a series of bombings in 2005, security forces arrested members of the prodemocracy People's United Democratic Movement (PUDEMO) in 2006, charging 16 members—including Secretary General Bonginkosj Dlamini—with treason, attempted murder, and malicious damage to government property. The suspects were later freed on bail. In April 2007, six PUDEMO members were arrested for carrying "seditious" material while protesting near the country's border with South Africa.

An ongoing food crisis accelerated in 2007 amid the country's worst-ever harvest: yields reached just one-third of a five-year low, 60 percent less than in 2006. As a result, over half the population will require food aid until at least the spring of 2008. The country has the world's highest rate of HIV infection: estimates range from 26

to 33.4 percent of the sexually active population. In 2007, the government pledged to double the number of Swazis receiving antiretroviral (ARV) drug treatment; currently, only about 15,000 Swazis receive such treatment. Swaziland also has the highest rate of tuberculosis infection. That disease, aggravated by HIV/AIDS, remains the country's leading cause of death.

**Political Rights and Civil Liberties:**

Swaziland is not an electoral democracy. King Mswati III is an absolute monarch with ultimate authority over the cabinet, legislature, and judiciary. Of the House of Assembly's 65 members, 55 are elected by popular vote within the tinkhundla system, and the king appoints 10. The king also appoints 20 members of the 30-seat Senate, with the remainder selected by the House of Assembly. Members of both houses serve five-year terms. Traditional chiefs govern designated localities and typically report directly to the king.

Political parties are banned, but there are political associations, the two largest being PUDEMO and the Ngwane National Liberatory Congress (NNLC). The new constitution does not explicitly overturn—or even mention—the 1973 ban on political parties. In 2006, Sive Siyinqaba, a "cultural organization" formed in 1996 by powerful Swazis, hinted that it could become a legal political party under the new constitution.

Corruption is a major problem. The monarchy spends lavishly despite the largely impoverished population, and members of Parliament engage in fraud and graft. The large public sector belies the actual delivery of services; in 2006-07, 45 percent of the national budget was allocated to paying public sector salaries. In 2006, Mswati signed legislation enabling the Anti-Corruption Unit, established nearly 10 years earlier, to seize assets and enforce penalties on both bribe payers and bribe takers. However, the government mandated a "public education campaign" before the new rules could be applied. Swaziland was ranked 84 out of 180 countries surveyed in Transparency International's 2007 Corruption Perceptions Index.

The king may suspend constitutional rights to free expression at his discretion. Freedom of expression is severely restricted in practice, especially regarding political issues or the royal family. Publishing criticism of the monarchy is banned, and self-censorship is widespread, as journalists are subject to intimidation by the authorities. However, South Africa media are available, and both the state-owned (*Swazi Observer*) and independent (*Times of Swaziland*) newspapers occasionally criticize the government. The only independent radio station broadcasts religious programming. The government does not restrict access to the internet, but few Swazis can afford access. While several defamation lawsuits were launched in 2007, some were dismissed. Most prominently, in March the High Court dismissed the minister of education's \$100,000 lawsuit against the *Times of Swaziland*. In June, the government banned health workers from talking to the media following a series of articles on a critical drug shortage in the country.

Freedom of religion is respected but not explicitly protected in the constitution. Academic freedom is limited by self-censorship. While Swazis criticize the government in private discussions, they are less free to criticize the monarchy itself.

The government has restricted freedom of assembly and association, and permission to hold political gatherings has often been denied. Although freedom of association is enshrined in the constitution, prodemocracy protesters are routinely

dispersed and arrested by police. In 2005, the government issued guidelines for the creation, registration, and operation of nongovernmental organizations (NGOs), a longtime goal of local NGOs. An umbrella body of approved NGOs is allowed to submit reports on some legislation, including budgets.

Swaziland has active labor unions, and the Swaziland Federation of Trade Unions (SFTU), the largest labor organization, has led demands for democratization. However, government pressure—including the repeated arrest of SFTU leader Jan Sithole—has greatly limited union operations. Workers in all areas of the economy, including the public sector, can join unions, and 80 percent of the private workforce is unionized.

A dual judicial system includes courts based on Roman-Dutch law and traditional courts using customary law. The judiciary is independent in most civil cases, although the king has ultimate judicial powers, and the royal family and government often refuse to respect rulings with which they disagree.

According to the U.S. State Department, there were numerous incidents of police torture, beatings, and suspicious deaths in custody in 2007. Security forces generally operate with impunity. Prisons are overcrowded, and inmates are subject to torture, beatings, rape, and a lack of sanitation. While the new constitution prohibits torture, the ban is not enforceable in court. The spread of HIV/AIDS is a major problem in Swazi prisons.

The new constitution grants women adult status and equal rights. However, women's rights are still very restricted in practice. While both the legal code and customary law provide some protection against gender-based violence, it is common and often tolerated with impunity. In September 2007, a survey found that one-third of Swazi women had been subjected to sexual violence and two-thirds had been beaten or abused. In 2006, the government proposed a law mandating tough punishments for domestic violence; the bill was still pending at the end of 2007.

## Sweden

**Population:** 9,100,000

**Capital:** Stockholm

**Political Rights:** 1

**Civil Liberties:** 1

**Status:** Free



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

1998	1999	2000	2001	2002	2003	2004	2005	2006	2007
1,1F	1,1F	1,1F	1,1F	1,1F	1,1F	1,1F	1,1F	1,1F	1,1F

#### Overview:

In September 2007, the newspaper *Nerikes Allehanda* was threatened for printing a cartoon depicting the prophet Muhammad as a dog. The cartoon sparked separate pro-

**tests by Sweden's Muslim population. Also in September, the home of television reporter Trond Sefastsson was illegally raided by police.**

After centuries of wars and monarchical unions with its neighbors, Sweden emerged as a liberal constitutional monarchy in the 19th century. Norway ended its union with the country in 1905, leaving Sweden with its current borders. Its tradition of neutrality, beginning with World War I, was altered somewhat by its admission to the European Union (EU) in 1995 and was further eroded by a more pragmatic approach to security presented in 2002. However, Sweden has continued to avoid military alliances, including NATO.

Voters rejected adoption of the EU's euro currency in a September 2003 referendum, despite strong support from government and business leaders. The "no" vote was attributed to skepticism about the EU and fears regarding the possible deterioration of welfare benefits and damage to the economy.

Just days before the referendum, Foreign Minister Anna Lindh was killed in a knife attack in Stockholm. Her killer, Mijailo Mijailovic, was sentenced to life in prison. An appeals court found that he should be committed to psychiatric care instead, but the Supreme Court confirmed the prison sentence in 2004. The appeals court ruling had been met with general dismay and elicited criticism of the Swedish psychiatric care system.

In the September 2006 parliamentary elections, a four-party, center-right alliance headed by Fredrik Reinfeldt of the Moderate Party defeated the Social Democratic Party, which had been in power for 12 years and all but 10 of the previous 89 years. The Social Democrats won 130 seats in the latest balloting. The Moderates took 97 seats; the Center Party, 29 seats; the Liberal Party, 28 seats; the Christian Democrats, 24 seats; the Left Party, 22 seats; and the Greens, 19 seats. High unemployment was a major issue in the 2006 elections.

In September 2007, a bounty of some \$100,000 was placed on the lives of cartoonist Lars Vilke and editor Ulf Johansson of the newspaper *Nerikes Allehanda* for their publication of a cartoon depicting the prophet Muhammad as a dog. The Islamic State of Iraq, a militant grouping affiliated with al-Qaeda, issued the threat amid condemnation of the cartoon by Muslims in Sweden and leaders of several Muslim nations. Prime Minister Reinfeldt publicly supported the paper's right to publish the cartoon.

Separately that month, the home of reporter Trond Sefastsson was illegally raided by police following allegations of fraud and bribery. Police seized journalistic material, including Sefastsson's computer.

**Political Rights and Civil Liberties:** Sweden is an electoral democracy. The unicameral Parliament, the Riksdag, has 349 members elected every four years by proportional representation. A party must receive at least 4 percent of the vote nationwide or 12 percent in 1 of the 29 electoral districts to win representation. The prime minister is appointed by the speaker of the Riksdag and confirmed by the body as a whole. King Carl XVI Gustaf, crowned in 1973, is the largely ceremonial head of state.

Seven political parties are currently represented in the Riksdag. The largest is the Social Democratic Party, also known as the Workers' Party, which ruled for most

of the last century with the aid of the Left Party and the Green Party. Other parties include the Moderates, the center-right Liberals, the Christian Democrats, and the Center Party, which focuses on rural issues.

The principal religious, ethnic, and immigrant groups are represented in Parliament. Since 1993, the indigenous Sami community has elected its own parliament, which has significant powers over community education and culture and serves as an advisory body to the government.

Corruption rates are very low in Sweden, which was ranked 4 out of 180 countries surveyed in Transparency International's 2007 Corruption Perceptions Index. However, there have been political scandals in recent years. Liberal Party secretary Johan Jakobsson resigned after it was revealed that the Liberals had repeatedly hacked into the computer systems of the incumbent Social Democratic Party in early 2006 to obtain campaign strategy secrets. Jakobsson admitted that he had learned about the activity but did little to stop or expose it.

Freedom of speech is guaranteed by law, and the country has one of the most robust freedom of information statutes in the world. However, hate-speech laws prohibit threats or expressions of contempt based on race, color, national or ethnic origin, religious belief, or sexual orientation. Sweden's media are independent. Most newspapers and periodicals are privately owned, and the government subsidizes daily newspapers regardless of their political affiliation. Public broadcasters air weekly radio and television programs in several immigrant languages. The ethnic press is entitled to the same subsidies as the Swedish-language press. The newspaper *Nerikes Allehanda* sparked a row in September 2007 by publishing a cartoon of the prophet Muhammad depicted as a dog. Foreign death threats were made against the paper's cartoonist and editor, but their freedom of speech was defended by Prime Minister Fredrik Reinfeldt. Separately that month, the home of a TV4 reporter, Trond Sefastsson, was raided by police and his journalistic material was confiscated following accusations of fraud and bribery for collecting money from the family of a convicted criminal to write favorably about him. In October, a court ruled that because of the seriousness of the accusations against Sefastsson, the police had the right to retain the computer containing 10 years of investigative reporting data for TV4.

Religious freedom is constitutionally guaranteed. Although the population is 87 percent Lutheran, all churches, as well as synagogues and mosques, receive some state financial support. According to the U.S. State Department, two Muslim women were awarded financial compensation in separate discrimination cases in 2007, having been denied employment for wearing headscarves. Academic freedom is ensured for all.

Freedoms of assembly and association are guaranteed, as are the rights to strike and organize in labor unions. Domestic and international human rights groups generally operate without government restrictions. Trade union federations are strong and well organized, representing about 80 percent of the workforce. One of the largest demonstrations the country has ever seen occurred in October 2007, when over 12,000 people gathered to protest drug and alcohol abuse. The demonstration was prompted by the death of a 16-year-old who was murdered at a party by his intoxicated peers.

The judiciary is independent. Swedish courts are allowed to try suspects for genocide committed abroad. Swedish prisons generally meet international standards, although overcrowding and lengthy pretrial detentions sometimes occur.

The government maintains effective control of the police and armed forces. However, in May 2005, the UN Committee against Torture ruled that Sweden had violated the absolute ban on torture in 2001 by expelling two terrorism suspects to Egypt, where they were eventually tortured. The late foreign minister, Anna Lindh, was eventually found by a parliamentary investigation to have approved the deportations.

In 2003, Sweden passed a hate-crimes law that addressed attacks against homosexuals and covered hate speech. Reverend Ake Green was sentenced in 2004 to one month in jail for hate speech after denouncing homosexuality in his sermon, but the conviction was overturned in 2005. In April 2005, Leif Liljestrom was sentenced to two months in jail for posting material offensive to homosexuals on his website. He was cleared in 2006 on the grounds that he had simply expressed his Christian views, but he was then sentenced to one month in jail for allowing others to post offensive materials on his website.

Sweden was ranked at the top of the Migrant Integration Policy Index in 2007. However, the country changed its immigration policy that year, disallowing family reunification for "quota refugees." Family members will now have to apply separately for visas. After an influx of Iraqi refugees in 2006, Sweden also made it more difficult for Iraqis to seek asylum in 2007 by requiring them to cite specific threats of violence.

The state gave formal recognition to adoption by gay couples for the first time in 2003. In 2005, the country granted lesbian couples the same rights regarding artificial insemination and in vitro fertilization as heterosexual couples.

Sweden is a leader in gender equality. Some 47 percent of Riksdag members are female, and half of the government ministers are women. Although 80 percent of women work outside of the home, women still make only 70 percent of men's wages in the public sector and 76 percent in the private sector; the government has announced efforts to close this gap. According to the U.S. State Department, in 2007 the government launched a \$118 million four-year action plan to combat violence against women.

The country is a destination and transit point for the trafficking in persons, particularly women and children, for sexual exploitation. The 2004 Aliens Act helped to provide more assistance to trafficking victims, and a "special ambassador" has been appointed to aid in combating human trafficking.

## ↓ Switzerland

**Population:** 7,500,000

**Capital:** Bern

**Political Rights:** 1

**Civil Liberties:** 1

**Status:** Free



**Trend Arrow:** Switzerland received a downward trend arrow due to the electoral gains of the Swiss People's Party, which campaigned with racist appeals and promised anti-immigrant policies that would further marginalize the country's significant foreign-born population.

### Ten-Year Ratings Timeline For Year Under Review

(Political Rights, Civil Liberties, Status)

1998	1999	2000	2001	2002	2003	2004	2005	2006	2007
1,1F	1,1F	1,1F	1,1F	1,1F	1,1F	1,1F	1,1F	1,1F	1,1F

**Overview:** **The right-wing, xenophobic Swiss People's Party won the 2007 elections with 29 percent of the vote, the best result for any party in decades. The Green Party also had its best-ever showing, but Switzerland's other parties were disappointed by poor results.**

Switzerland, which has existed as a confederation of cantons since 1291, emerged with its current borders at the end of the Napoleonic wars in 1815, when its tradition of neutrality was also confirmed. The country's four official ethnic communities are based on language: German, French, Italian, and Romansh (the smallest community).

Switzerland remained neutral during the wars of the 20th century, and it joined the United Nations only after a referendum in 2002. Membership in international institutions has long been a controversial issue in Switzerland. The country is surrounded by members of the European Union (EU), but the Swiss have resisted joining. The country even rejected, in a 1992 referendum, membership in the European Economic Area, a "halfway house" to EU membership that features a trade agreement with the EU. However, Switzerland has joined international financial institutions and signed a range of free-trade agreements.

Hostility to both EU membership and immigration has been a hallmark of the right-wing Swiss People's Party (SVP). During the October 2003 legislative elections, the SVP made blatantly xenophobic appeals, including a newspaper advertisement blaming "black Africans" for crime. The SVP insisted that it had nothing against legal immigrants, who made up a fifth of Switzerland's population. The SVP captured the largest share of the vote, while the center-left Social Democratic Party (SP) finished just behind. The center-right Christian Democratic People's Party (CVP) received barely half the total of the SVP. This led SVP leader Christoph Blocher to call, successfully, for a second seat on the seven-member Federal Council for his party, at the expense of the CVP. Blocher became minister for justice and police.

In June 2005, a package of bilateral accords with the EU passed in a referendum after years of negotiation. Switzerland joined the Schengen area, a passport-free travel zone consisting of 2 other non-EU countries (Norway and Iceland) and 13 of the 25 EU member states. The accord also deepened Switzerland's cooperation with the EU on asylum policy, justice, and home affairs. In September, a second referendum passed, extending the free movement of labor to the 10 countries that had joined the EU in 2004.

The SVP opposed both referendums, and their passage led to speculation that the party had passed its political peak. However, in September 2006, it successfully championed a tightening of asylum and immigration laws in a new referendum. Asylum seekers would have to produce an identity document within 48 hours of arrival or risk repatriation. (The SVP claimed that many fake asylum seekers threw away their documents to avoid investigation of their claims.) The tightening of immigration policy limited immigration mainly to those coming from EU countries; prospective immigrants from outside the EU would have to possess skills that were lacking in the Swiss economy.

The 2007 elections showed that the SVP had somewhat farther to climb. The race centered unusually around the figure of Blocher. An SVP rally on October 6 in Bern, met by a leftist counterdemonstration, resulted in violence and police use of water cannons and tear gas—extremely rare in Switzerland. The SVP won the elections with 29 percent of the vote, more than any party since 1919. The SP fell to 19.5 percent, and the Free Democratic Party (FDP) to 15.6 percent, its worst-ever showing. The CVP won 14.6 percent, and the Green Party took 9.6 percent, its best-ever result. The SVP campaign received international attention for its anti-immigrant appeals. One poster showed white sheep kicking a black sheep off a Swiss flag; Blocher denied that the advertisement was racist. A television ad called "Heaven or Hell?" showed immigrants, especially Muslims, in a negative light with foreboding music.

However, once parliament convened, it surprised the SVP by refusing to reappoint Blocher to the cabinet, choosing instead Eveline Widmer-Schlumpf, from the party's more moderate wing. The SVP responded by entering formal opposition to the government, the first time a major party entered opposition in decades. This portends a more adversarial style of government. Blocher, upon his rejection for the position, promised to use referendums to pursue its preferred policies directly with the people. The SVP was expected to push forward with two referendums: to legalize deportation of "criminal foreigners," among which the party platform included welfare-system abusers, and to ban minarets for mosques.

**Political Rights and Civil Liberties:** Switzerland is an electoral democracy. The constitution of 1848, significantly revised in 1874 and 2000, provides for a Federal Assembly with two directly elected chambers: the Council of States (in which each canton has two members and each half-canton has one) and the 200-member National Council. All of the lawmakers serve four-year terms. The Federal Council (cabinet) is a seven-person executive, with each member elected by the Federal Assembly. The presidency is largely ceremonial and rotates annually among the Federal Council's members.

The Swiss political system is characterized by decentralization and direct democracy. The cantons and half-cantons have significant control over economic and



social policy, with the federal government's powers largely limited to foreign affairs and some economic matters. Referendums are also a common feature; any measure that modifies the constitution must be put to a referendum. Any new or revised law must also be put to a referendum if 50,000 signatures in favor of doing so can be gathered, and voters may even initiate legislation themselves with 100,000 signatures.

The main political parties are the SVP, the SP, the right-wing and free-market Free Democratic Party (FDP), and the CVP. Traditionally, these last three parties each held two seats in the Federal Council, with the SVP holding just one. However, the SVP's popular support increased gradually over the 1990s as it shifted to the right, poaching voters initially from small far-right parties and then increasingly from the FDP. Since the 2003 elections, the SVP has held two seats and the CVP has held one. In the wake of the 2007 election and the expulsion of Christoph Blocher from the cabinet, however, the SVP's parliamentary faction has declared it will not formally support its party-affiliated cabinet members.

The government is free from pervasive corruption. However, the country has traditionally drawn criticism for its banking-secrecy laws, which allegedly enable money laundering and other crimes. The International Monetary Fund has praised Switzerland for tightening laws on money laundering and terrorist financing, but in 2005, the intergovernmental Financial Action Task Force still found Switzerland only "partially compliant" with many of its recommended international norms. Switzerland was ranked 7 out of 180 countries surveyed in Transparency International's 2007 Corruption Perceptions Index.

Freedom of expression is guaranteed by the constitution. Switzerland has a free media environment, although the state-owned Swiss Broadcasting Corporation dominates the broadcast market. The penal code prohibits racist or anti-Semitic speech. Consolidation of newspaper ownership in large media conglomerates has forced the closure of some small and local newspapers. Internet access is unrestricted.

Freedom of religion is guaranteed by the constitution, and most cantons support one or several churches. The country is split roughly between Roman Catholicism and Protestantism, although an official tally of more than 300,000 (and perhaps many more undocumented) Muslims form the largest non-Christian minority. The SVP supports a referendum to ban mosque minarets. Religion is taught in public schools, depending on the predominant creed in each canton. Students are free to choose their creed of instruction or opt out of religious instruction. In 2001, a cantonal court ruled that the Church of Scientology could not be a "real church" because it does not advocate belief in God. Scientologists face other legal obstacles, such as difficulty establishing private schools. Academic freedom is generally respected.

Freedoms of assembly and association are upheld in practice, and civil society is especially active in Switzerland. The right to collective bargaining is respected, and roughly one-third of the workforce is unionized.

The judiciary is independent, and the rule of law prevails in civil and criminal matters. Most judicial decisions are made at the cantonal level, except for the federal Supreme Court, which reviews cantonal court decisions when they pertain to federal law. Refusal to perform military service is a criminal offense for males. Prison conditions are generally acceptable.

The rights of cultural, religious, and linguistic minorities are legally protected, though increasing anxiety about the large foreign-born population has led to a tight-

ening of asylum laws and societal discrimination, especially against non-European immigrants and their descendants. Women were only granted universal suffrage at the federal level in 1971, and the half-canton Appenzell-Innerrhoden denied women the vote until 1990. Abortion laws were eased to decriminalize abortion in the first 12 weeks of pregnancy following a referendum in 2002, which 72 percent of voters supported. The constitution guarantees equal pay to men and women for work of equal value, but pay differentials remain as a result of general inequality. The National Council has 59 women among its 200 members, which is above the European average.

## ↓ Syria

**Population:** 19,900,000

**Capital:** Damascus

**Political Rights:** 7

**Civil Liberties:** 6

**Status:** Not Free



**Trend Arrow:** Syria received a downward trend arrow due to the authorities' suppression of opposition activities.

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

1998	1999	2000	2001	2002	2003	2004	2005	2006	2007
7,7NF	7,7NF	7,7NF	7,7NF	7,7NF	7,7NF	7,7NF	7,7NF	7,6NF	7,6NF

**Overview:** Syria held parliamentary and municipal elections as well as a presidential referendum in 2007, but candidate eligibility remained tightly circumscribed. New measures to monitor and control internet activity were put in place during the year. Meanwhile, prominent reformists received sentences for signing the 2006 Beirut-Damascus Declaration on Lebanese sovereignty.

The modern state of Syria was established by the French after World War I and formally granted independence in 1946. Democratic institutions functioned intermittently until the Arab Socialist Baath Party seized power in a 1963 coup and transformed Syria into a one-party state governed under emergency law. During the 1960s, power shifted within the party from civilian ideologues to army officers hailing mostly from Syria's Alawite minority (adherents of an offshoot Islamic sect comprising 12 percent of the population), culminating in General Hafez al-Assad's rise to power in 1970.

Although the regime cultivated a base of support among public sector employees, peasants, and select private sector beneficiaries that transcended sectarian and ethnic divisions, it fundamentally relied on Alawite domination of the military-security establishment and the suppression of dissent. In 1982, government forces stormed

the northern town of Hama to crush a rebellion by the Muslim Brotherhood, one of the main opposition movements, and killed as many as 20,000 insurgents and civilians. By the time of al-Assad's death in 2000, Baathist rule and socialist economic policies had made Syria one of the Arab world's poorest countries.

Bashar al-Assad, who succeeded his late father, pledged to liberalize Syria's politics and the economy. The first six months of his tenure featured the release of political prisoners, the return of exiled dissidents, and open discussion of the country's problems. In February 2001, however, the regime abruptly halted this so-called "Damascus Spring." Most leading reformists were arrested and sentenced to lengthy prison terms, while others faced constant surveillance and intimidation by the secret police. Economic reform fell by the wayside, and Syria under Bashar al-Assad proved to be less free than under his father and equally resistant to political change.

Reinvigorated by the toppling of Iraq's Baathist regime in 2003, Syria's secular and Islamist dissidents began cooperating and pushing for the release of all political prisoners, the cancellation of the state of emergency, and legalization of political parties. Syria's Kurdish minority, apparently inspired by the political empowerment of Iraqi Kurds, erupted into eight days of rioting in March 2004. At least 30 people were killed as security forces suppressed the riots and arrested some 2,000 people.

The domestic opposition was also strengthened by international frustration over Syria's failure to combat terrorist infiltration into Iraq and its continuing occupation of Lebanon. Syrian troops had entered Lebanon in 1976, during the latter country's civil war, but they had stayed on after peace was restored in 1990. In September 2004, UN Security Council Resolution 1559 called on Damascus to end immediately the occupation. Syria was widely suspected of involvement in the February 2005 assassination of former Lebanese prime minister Rafiq Hariri, prompting fresh international pressure for a Syrian withdrawal as well as massive anti-Syrian demonstrations in Beirut. The UN Security Council then passed Resolution 1636, calling on Syria to cooperate unconditionally with the UN investigation into Hariri's death. Syrian troops pulled out of Lebanon in April 2005, but al-Assad refused to fully cooperate with the Hariri probe. An interim report on the investigation issued in 2005 cited circumstantial evidence implicating members of al-Assad's regime.

In the face of growing internal opposition, the government released hundreds of political prisoners in 2005. Despite repeated hints that sweeping political reforms would be drafted at a major Baath Party conference that year, no substantial measures were undertaken, and al-Assad openly ruled out any major constitutional reforms or loosening of Baath Party control. In October 2005, representatives of all three opposition currents—the Islamists, the Kurds, and secular liberals—signed the Damascus Declaration for Democratic and National Change, which called for the country's leaders to step down and endorsed a broad set of liberal democratic principles.

A major cabinet shuffle in February 2006 introduced 14 new ministers and replaced the foreign, interior, and information ministers. In May, exiled opposition leaders announced the creation of the National Salvation Front (NSF) to bring about regime change. Also that month, a number of Syrian political and human rights activists signed the Beirut-Damascus Declaration, which called for a change in Syrian-Lebanese relations and the recognition of Lebanese sovereignty. Many of the signatories were subsequently detained or sentenced to prison, part of a renewed gov-

ernment crackdown on dissidents in 2006 that reversed the previous partial leniency on personal freedom. A Syrian military court that year charged former vice president Abdel Halim Khaddam, a leader of the NSF, in absentia with inciting foreign attacks against Syria.

The president in January 2007 decreed a series of largely cosmetic electoral reforms ahead of the April parliamentary elections, a May presidential referendum, and August municipal elections. Al-Assad obtained approval for another term as president with 97.6 percent of the vote. In results that were preordained by the electoral framework, the ruling Baath-dominated coalition won the majority of seats in the parliamentary and municipal polls. Opposition groups boycotted the elections and announced plans for new laws on elections and political parties. Meanwhile, the National Council of the Damascus Declaration for Democratic Change renewed its activities in 2007, prompting a government crackdown on its members.

Like its neighbors, Syria is struggling with an influx of Iraqi refugees; in 2007, the Syrian Foreign Ministry sought to stem the flow by requiring Iraqis to obtain visas before entering. Syria still stands accused of lax border monitoring, allowing militants to enter Iraq to conduct attacks. The Syrian regime is also suspected of involvement in the recent assassinations of several anti-Syrian Lebanese lawmakers.

On September 6, 2007, Israeli forces conducted an air strike against a rumored nuclear facility in Syria. The event was clouded by suspicious charges and incomplete information and made any future Syrian-Israeli peace talks more difficult. Nevertheless, Syria did participate in the U.S.-sponsored Annapolis Conference on the Arab-Israeli issue in November 2007.

**Political Rights and Civil Liberties:**

Syria is not an electoral democracy. Under the 1973 constitution, the president is nominated by the ruling Baath Party and approved by popular referendum for seven-year terms. In practice, these referendums are orchestrated by the regime, as are elections for the 250-member, unicameral People's Council, which serves for four-year terms and holds little independent legislative power. Almost all power rests in the executive branch.

The only legal political parties are the Baath Party and its several small coalition partners in the ruling National Progressive Front (NPF). Independent candidates, who are heavily vetted and closely aligned to the regime, are permitted to contest about a third of the People's Council seats, meaning two-thirds are reserved for the NPF. The ruling party pledged to legalize political parties not based on religious or ethnic identity (a condition that would exclude the Muslim Brotherhood and Kurdish opposition groups) at its June 2005 conference, but no legislation implementing this pledge has been forthcoming.

Changes made to the electoral process in 2007 include limits on campaign spending, transparent election boxes, and the monitoring of polling stations by civil servants. Syrian political reformers have criticized these measures as wholly insufficient.

Regime officials and their families monopolize many lucrative import markets and benefit from a range of illicit economic activities. Corruption is widespread, and bribery is often necessary to navigate the bureaucracy. Equality of opportunity has been compromised by rampant graft. Syria was ranked 138 out of 180 countries surveyed in Transparency International's 2007 Corruption Perceptions Index.

Freedom of expression is heavily restricted. Vaguely worded articles of the penal code, the Emergency Law, and a 2001 Publications Law criminalize the publication of material that harms national unity, tarnishes the image of the state, or threatens the "goals of the revolution." Many journalists, writers, and intellectuals have been arrested under these statutes. Apart from a handful of non-news radio stations, all broadcast media are state owned. However, satellite dishes are common, giving many Syrians access to foreign broadcasts. While more than a dozen privately owned newspapers and magazines have sprouted up in recent years, only one (owned by the son of Syria's defense minister) is allowed to publish serious criticism of the government. The 2001 press law permits the authorities to arbitrarily deny or revoke publishing licenses and compels private print outlets to submit all material to government censors. It also imposes punishment on reporters who do not reveal their sources in response to government requests. Since the Kurdish protests in 2004, the government has cracked down on journalists calling for the expansion of Kurdish rights.

In July 2007, the authorities issued a stop press order for two months against the *Baladuna* newspaper—managed by Majd Sulaiman, the son of a former official—after it published a cartoon commenting on the president. Separately, the Western-based Reform Party of Syria hung hundreds of posters of its exiled leader, Farid Ghadry, in the streets of major cities in August 2007. The posters were quickly removed, but the act garnered much attention.

Syrians are permitted to access the internet only through state-run servers, which block access to Kurdish, opposition, foreign-based, and other websites. Previously available networking sites such as Facebook were blocked in 2007. E-mail correspondence is reportedly monitored by the intelligence agencies, which often require internet cafe owners to spy on customers. The Ministry of Telecommunications introduced new measures in 2007 that call for all posters for blogs and websites to publish their names and e-mail addresses. In September 2007, blogger Ali Zine al-Abidine Mejan was convicted of "writings unauthorized by the government that harm ties with a foreign state" and sentenced to two years in prison. Karim Arbaji was detained in June for moderating *akhawia.net*, a youth internet forum. Another blogger, Tarek Biasi, was arrested by military intelligence that month for insulting the security services online.

Although the constitution requires that the president be a Muslim, there is no state religion in Syria, and freedom of worship is generally respected. However, all nonworship meetings of religious groups require permits, and religious fundraising is closely scrutinized. The Alawite minority dominates the officer corps of the military and security forces. The government tightly monitors mosques and controls the appointment of Muslim clergy.

Academic freedom is heavily restricted, although progress has been made on privatizing higher education. University professors have been dismissed or imprisoned for expressing dissent. In June 2007, seven students received seven-year prison sentences for attempting to establish a youth discussion group and publishing prodemocracy articles.

Freedom of assembly is heavily circumscribed. Public demonstrations are illegal without official permission, which is typically granted only to progovernment groups. The security services intensified their ban on public and private gatherings in 2006,

forbidding any group of five or more people from discussing political and economic topics. This rule has been enforced through surveillance and informant reports.

Freedom of association is severely restricted. All nongovernmental organizations must register with the government, which generally denies registration to reformist or human rights groups. Leaders of unlicensed human rights groups have frequently been jailed for publicizing state abuses. Three prominent human rights activists—Michel Kilo, Mahmoud Issa, and Anwar al-Bunni—were arrested in 2006 for signing the Beirut-Damascus Declaration. Kilo and al-Bunni were sentenced in April 2007 to five years in prison.

Several members of the National Council of the Damascus Declaration for Democratic Change, including Ahmad Tohme, Jabr al-Shoufi, Akram al-Bunni, Fida al-Hurani, and Ali al-Abdullah, were arrested without charge following their first conference in December 2007, at which they elected their president and secretariat.

Professional syndicates are controlled by the Baath Party, and all labor unions must belong to the General Federation of Trade Unions (GFTU), a nominally independent grouping that the government uses to control union activity. Strikes in nonagricultural sectors are legal, but they rarely occur.

While the lower courts operate with some independence and generally safeguard defendants' rights, politically sensitive cases are usually tried by the Supreme State Security Court (SSSC), an exceptional tribunal established under emergency law that denies the right to appeal, limits access to legal counsel, tries many cases behind closed doors, and routinely accepts confessions obtained through torture. The appointment of SSSC judges is in the hands of the executive, and only the president and interior minister may alter verdicts.

The state of emergency in force since 1963 gives the security agencies virtually unlimited authority to arrest suspects and hold them incommunicado for prolonged periods without charge. Many of the estimated 2,500 to 3,000 remaining political prisoners in Syria have never been tried. The security agencies, which operate independently of the judiciary, routinely extract confessions by torturing suspects and detaining their family members. There were scores of credible reports of torture in 2007. After release from prison, political activists are routinely monitored and harassed by security services. The Syrian Human Rights Committee has reported that hundreds of government informants are rewarded for or coerced into writing reports on relatives, friends, and associates who are suspected of involvement in "antiregime" activities.

The Kurdish minority faces severe restrictions on cultural and linguistic expression. The 2001 press law requires that owners and top editors of publications be Arabs. Some 200,000 Syrian Kurds are deprived of citizenship and unable to obtain passports, identity cards, or birth certificates, which in turn prevents them from owning land, obtaining government employment, and voting. Suspected Kurdish activists are routinely dismissed from schools and public sector jobs. Mustapha Khalil, a member of the Kurdish intellectual movement, and two other young Kurdish men were arrested in 2007 for engaging in cultural activities. Muhi al-Din Sheikh Aali, secretary of the Kurdish Democratic Unity Party, was released in February after being held incommunicado since December 2006. However, former lawmaker Osman Suleiman bin Haji and Kurdish activist Aisha Afandi Bint Ahmed were arrested in November 2007 for undisclosed reasons. Security services also used force to suppress a peaceful demonstration organized by the Kurdish Democratic Party

(PYD) in November 2007 to protest Turkish incursions into northern Iraq. One man was killed, dozens were wounded, and PYD activists were arrested. The government continues to detain dozens of Kurdish Workers' Party (PKK) members. It has arrested hundreds of other Kurdish activists in recent years and prevented many from traveling to Iraqi Kurdistan.

Opposition figures and relatives of exiled dissidents are routinely prevented from traveling abroad, and stateless Kurds lack the requisite documents to leave the country. In 2006, the government expanded its travel-ban list to include signers of the Beirut-Damascus Declaration, former Damascus Spring detainees, human rights lawyers, and their family members. In May 2007, activist Kamal Labwani, founder of the Democratic Liberal Gathering, was sentenced to 12 years in prison for "contacting a foreign country and encouraging attacks on Syria" after he returned from a visit to the United States. Opposition member Jihadedin al-Musuti was arrested in the Damascus airport in November 2007 as he was leaving for a human rights meeting in Cairo. Aside from travel bans on political dissidents, Syrians are generally allowed freedom of movement, residence, and employment.

The government has promoted gender equality by appointing women to senior positions and providing equal access to education, but many discriminatory laws remain in force. A husband may request that the Interior Ministry block his wife from traveling abroad, and women are generally barred from leaving the country with their children without proof of the father's permission. Violence against women is common, particularly in rural areas. An accused rapist can be acquitted if he marries his victim, and the law provides for reduced sentences in cases of "honor crimes" committed by men against female relatives for alleged sexual misconduct. Syrian human rights groups estimate that over 300 women were killed in honor crimes in 2006. Personal status law for Muslim women is governed by Sharia (Islamic law) and is discriminatory in marriage, divorce, and inheritance matters.

## Taiwan

**Population:** 22,900,000

**Capital:** Taipei

**Political Rights:** 2

**Civil Liberties:** 1

**Status:** Free



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

1998	1999	2000	2001	2002	2003	2004	2005	2006	2007
2,2F	2,2F	1,2F	1,2F	2,2F	2,2F	2,1F	1,1F	2,1F	2,1F

### Overview:

Taiwan's political elite became embroiled in a series of corruption scandals in 2007 that tarnished the reputation of leading figures in both the ruling Democratic Progress-

**sive Party (DPP) and the opposition Kuomintang (KMT). Meanwhile, in the run-up to the 2008 legislative and presidential elections, cross-strait relations and the issue of "Taiwan identity" took center stage, much to the alarm of officials in both Beijing and Washington.**

Taiwan became home to the Chinese nationalist Kuomintang (KMT) government-in-exile in 1949, and it is still formally known as the Republic of China (ROC). Although the island is independent in all but name, the People's Republic of China (PRC) considers it a renegade province and has threatened to take military action if *de jure* independence is declared.

Taiwan's transition to democracy began in 1987, when the KMT ended 38 years of martial law. In 1988, Lee Teng-hui became the first native Taiwanese president, breaking the mainland emigres' stranglehold on politics. The media were liberalized and opposition political parties legalized in 1989. Lee oversaw Taiwan's first multi-party legislative elections in 1991-92 and the first direct presidential election in 1996.

Chen Shui-bian's victory in the 2000 presidential race, as a candidate of the pro-independence Democratic Progressive Party (DPP), ended 55 years of KMT rule. Chen won reelection in March 2004 by a margin of only 0.2 percentage points.

That year, the Legislative Yuan (LY) passed a resolution on constitutional amendments. The reforms wrote a national referendum mechanism into the constitution, cut the size of the 225-seat legislature by half, extended legislative terms to four years, and exchanged Taiwan's single-vote, multiple-member-district electoral system for a mixed system of single-member districts and proportional representation (a two-vote system), to take effect in 2008. However, a dispute over the redistricting of electoral constituencies—including questions about the independence of the Electoral Commission—and bargaining between the premier and the LY speaker that finally broke the impasse in January 2007 raised fears that the new system had been manipulated to the detriment of smaller political parties and would do little to curtail the continuing problem of influence peddling during elections.

There was continued public frustration with the political gridlock that resulted from two different, strongly opposed parties controlling the executive and legislative branches of government. The DPP failed to live up to its promise of an alternative to "dirty politics," as both leading parties were racked by infighting and corruption scandals. The DPP suffered LY and local electoral setbacks in 2004 and 2005, and although it regained ground in December 2006 local elections, retaining the mayoralty of Kaohsiung and doing better than expected in Taipei, the polls were marred by accusations of vote buying. The Kaohsiung election was initially annulled in June 2007, a decision that was then overturned by the High Court, which upheld the election result in November 2007.

Despite demonstrations demanding his resignation and three recall attempts launched in the wake of corruption scandals, notably the trial of First Lady Wu Shuchen, President Chen remained committed to serving out his term. In 2007, corruption investigations tainted several members of Taiwan's political elite, including KMT presidential candidate Ma Ying-jeou; DPP presidential candidate Frank Hsieh and his running mate, former premier Su Tseng-chang; DPP vice president Annette Lu; and former DPP chairman Yu Shyi-kun.

In the run-up to the LY election in January 2008 and the presidential election in



March 2008, the issue of cross-strait relations, particularly "Taiwan identity," took center stage as Chen continued to risk Beijing's ire and raise fears in Washington that he was challenging the status quo. After abolishing the National Unification Council in 2006—demonstrating that reunification with the mainland was no longer a policy goal of Taiwan's government—Chen applied for UN membership under the name Taiwan instead of the ROC in September 2007. He also pushed for a national referendum on UN membership under the name Taiwan that would coincide with the presidential election in 2008. However, the DPP remained deeply divided over Chen's cross-strait policy. In October 2007, Chen replaced Yu Shyi-kun as party chairman, pitting himself against the more moderate Hsieh in the battle for control over the party's election platform.

Meanwhile, despite China's March 2005 promulgation of an antiseccession law providing for the use of "non-peaceful means" against Taiwan if efforts to achieve a peaceful reunification were "completely exhausted," the KMT's more conciliatory policy toward the mainland continued to resonate with the electorate. Polls consistently showed that more than 80 percent of Taiwan's people would prefer to maintain the status quo in cross-strait relations.

In contrast to the bellicose rhetoric with which it had previously responded to Chen's moves, the PRC has adopted a far more nuanced approach to Taiwanese politics in recent years. In October 2007, President Hu Jintao called for a cross-strait "peace agreement," though still based on the "one-China principle."

**Political Rights and Civil Liberties:** Taiwan is an electoral democracy. The 1946 constitution, adopted while the KMT was in power on the mainland, created a hybrid presidential-parliamentary system. The president, who is directly elected for a maximum of two four-year terms, wields executive power, appoints the prime minister, and can dissolve the legislature. The prime minister is responsible to the national legislature (LY), whose 225 members were elected in 2004 to four-year terms. The Executive Yuan, or cabinet, consists of ministers appointed by the president on the recommendation of the prime minister. Beginning in 2008, the LY will consist of 113 members serving four-year terms, with 73 elected in single-member districts and 34 chosen through nationwide proportional representation by party. The six remaining members will be chosen by indigenous people. Constitutional amendments require the approval of two-thirds of the legislature, followed by a national referendum. The two main political parties are the proindependence DPP and the nationalist KMT.

According to the 2006 Asian Network for Free Elections report on Taiwan's December 2004 elections, observers "heard reports of widespread vote-buying, and many citizens clearly believe that it is prevalent." Following the December 2006 elections, the Ministry of Justice reported that 81 vote-buying and bribery cases related to the mayoral elections and 509 cases related to the city councilor elections were under investigation. The Kaohsiung mayoral election was annulled in June 2007 on the grounds of election interference by the DPP. However, the High Court then overturned the lower court decision and upheld the original election result in November 2007.

The DPP has pledged to stem vote buying and fight improper links among politicians, business, and organized crime, which flourished under KMT rule. It was

announced in October 2007 that, since the establishment in 2000 of the Black Gold Investigation Center, a government anticorruption unit that was replaced by the Special Investigation Panel in January 2007, a total of 10,518 people had been prosecuted, including 605 senior government officials, 613 elected representatives, and 4,922 civil servants. However, the DPP's anticorruption image has been tarnished by a series of scandals, notably the conviction of President Chen Shui-bian's close aides and son-in-law; the ongoing trial of First Lady Wu Shu-chen; and investigations involving DPP vice president Annette Lu, former DPP chairman Yu Shyi-kun, DPP presidential candidate Frank Hsieh, and his running mate, former premier Su Tseng-chang. In Transparency International's 2007 Corruption Perceptions Index, Taiwan was ranked 34 out of 180 countries surveyed.

The Taiwanese press is vigorous and active. Print media are completely independent, but electronic media and broadcast television stations were subject to government influence through the authority of the Government Information Office (GIO) to regulate programming and the licensing process. That arrangement ended in early 2006, when the National Communications Commission (NCC) was established. The NCC's independence was subsequently questioned, however, and provisions of its founding legislation were declared unconstitutional by the Council of Grand Justices in June 2006 because of requirements for partisan membership selection. The commission remained active during 2007, and following the legislature's amendment of the law in December, new appointments are to be made in 2008 by the premier, with parliamentary approval. Government and political parties were required to divest their radio and broadcast interests by December 2005, and the NCC came under fire in June 2007 for having approved the sale of the KMT's Broadcasting Corporation of China (BCC) to former legislator Jaw Shau-kong. The government refused to recognize the sale, and Jaw quit as BCC chairman. Given that most Taiwanese can access about 100 cable television stations, the state's influence on the media is, on balance, minimal. There are generally no restrictions on internet access.

Taiwanese of all faiths can worship freely. Religious organizations can choose to register with the government; those that do so receive tax-exempt status. Taiwanese professors and other educators write and lecture freely.

Freedoms of assembly and association are respected, as evidenced by the large-scale yet mainly peaceful demonstrations that took place throughout 2007. Permits are required for outdoor public meetings and are generally granted. However, Shih Ming-teh and 15 other organizers of the anti-Chen rallies held in 2006 have been indicted for breaking the Assembly Law. They claim to have filed the necessary applications, which were only denied after it was too late to call off the rallies. All civic organizations must register with the government, although registration is freely approved. Taiwanese nongovernmental organizations (NGOs) focusing on human rights, social welfare, and the environment are active and operate without harassment.

Trade unions are independent, and most workers in Taiwan enjoy the right to free association. However, government employees do not have associational rights, and all teachers, civil servants, and defense-industry workers are barred from joining unions or bargaining collectively. According to the 2007 U.S. State Department human rights report, union leaders have been dismissed without due cause, and unions may be dissolved if their activities "disturb public order." Other restrictions undermine collective bargaining and make it difficult to strike legally.

A riot by Thai workers in August 2005 highlighted the abysmal living and working conditions of Taiwan's 300,000 foreign workers, who are neither covered by the Labor Standards Law nor represented by Taiwan's unions. Foreign workers often fail to report abuses for fear of repatriation and subsequent inability to repay debts to employment brokers.

Taiwan's judiciary is independent, and trials are public and generally fair. There is no trial by jury; judges decide all cases. While political influence over the courts has been reduced, there are lingering concerns about the influence of organized crime on the outcome of some cases. Arbitrary arrest and detention are not permitted, and police generally respect this ban.

The police in Taiwan are under civilian control, although according to the U.S. State Department report, police corruption continues to be a problem. Suspects are allowed attorneys during interrogations specifically to prevent abuse in custody. Laws protecting privacy are generally adhered to. Searches without warrants are allowed only in particular circumstances, and a 1999 law imposes strict punishments for illicit wiretapping.

Taiwan's constitution provides for the equality of all citizens. Apart from the unresolved issue of ownership of ancestral lands, the rights of indigenous people are protected by law. The first aboriginal television station was launched in July 2005. When the redistricting of electoral constituencies goes into effect in 2008, six LY seats will be reserved for indigenous people.

With the exception of civil servants and military personnel traveling to China, freedom of movement is generally unrestricted. During the 2005 Lunar New Year holidays, direct airline flights between Taiwan and mainland China commenced for the first time in 55 years; similar flights have taken place on subsequent holidays. The possibility of opening up these routes permanently is still being discussed. Currently, normal flights between Taiwan and China must touch down in a third country.

Taiwanese women have made impressive gains in business in recent years, but they continue to face job discrimination in the private sector. Rape and domestic violence remain problems despite government programs to protect women and the work of numerous NGOs to improve women's rights. Although the law allows authorities to investigate complaints of domestic violence and to prosecute rape suspects without the victims formally pressing charges, cultural norms inhibit many women from reporting these crimes. The Ministry of the Interior reported that 6,601 charges of rape or sexual assault were filed in 2006; of these, only 1,825 were tried, resulting in 1,535 convictions. Experts estimate the actual number of rapes to be 10 times the official number.

## Tajikistan

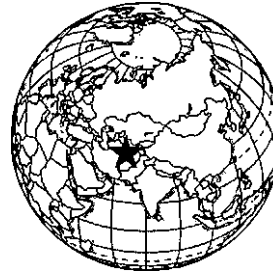
**Population:** 7,100,000

**Capital:** Dushanbe

**Political Rights:** 6

**Civil Liberties:** 5

**Status:** Not Free



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

1998	1999	2000	2001	2002	2003	2004	2005	2006	2007
6,6NF	6,6NF	6,6NF	6,6NF	6,5NF	6,5NF	6,5NF	6,5NF	6,5NF	6,5NF

**Overview:** **President Imomali Rakhmon, politically secure after his latest reelection in 2006, extended his sway to the cultural sphere in 2007, encouraging the de-Russification of surnames and banning lavish weddings. Meanwhile, the government noticeably tightened its control over the practice of religion. Internationally, Tajikistan continued to cement ties with China amid an apparent move to distance itself from Russia.**

Conquered by Russia in the late 19th century, Tajikistan was made an autonomous region within the Soviet republic of Uzbekistan in 1924 and a separate Soviet republic in 1929. Tajikistan declared independence from the Soviet Union in September 1991, and two months later, former Communist Party leader Rakhmon Nabiyev was elected president.

Long-simmering, clan-based tensions, combined with various anti-Communist and Islamist movements, soon plunged the country into a five-year civil war. In September 1992, Communist hard-liners forced Nabiyev's resignation; he was replaced later that year by Imomali Rakhmonov, a leading Communist Party member. The following month, Rakhmonov launched attacks against antigovernment forces that caused tens of thousands of people to flee into neighboring Afghanistan.

As the fighting continued, Rakhmonov was elected president in November 1994, after most opposition candidates either boycotted or were prevented from competing in the poll. Similarly, progovernment candidates won the March 1995 parliamentary elections amid a boycott by the United Tajik Opposition (UTO), a coalition of secular and Islamic groups that emerged during the war as the main force fighting against Rakhmonov's government.

Following a December 1996 ceasefire, Rakhmonov and UTO leader Said Abdullo Nuri signed a formal peace agreement in June 1997. The accord called for the merging of opposition forces into the regular army, granted an amnesty for UTO members, provided for the UTO to be allotted 30 percent of senior government posts, and established a 26-member National Reconciliation Commission, with seats evenly divided between the government and the UTO.

A September 1999 referendum that permitted the formation of religion-based political parties paved the way for the legal operation of the Islamic opposition, includ-

ing the Islamic Renaissance Party (IRP), which constituted the backbone of the UTO. The referendum also included an amendment extending the president's term in office from five to seven years. In November, Rakhmonov was reelected with a reported 97 percent of the vote in a poll criticized by international election observers for widespread irregularities.

In February 2000 elections to the 63-seat lower house of parliament, Rakhmonov's People's Democratic Party (PDP)—which he joined in 1998—received nearly 65 percent of the vote, followed by the Communist Party with 20 percent, and the IRP with 7 percent. Although the participation of six parties in the poll provided some political pluralism, international election observers, including a joint mission by the Organization for Security and Cooperation in Europe (OSCE) and the United Nations, cited serious problems.

After the elections, the National Reconciliation Commission was formally disbanded, and a UN observer mission withdrew in May 2000 after nearly six years in Tajikistan. However, important provisions of the peace accord remained unimplemented, with demobilization of opposition factions incomplete and the government failing to meet the 30 percent quota of senior government posts to be awarded to the UTO.

Rakhmonov's presidential powers were further consolidated in a June 2003 constitutional referendum, which paved the way for him to remain in office until 2020. The PDP easily won the 2005 parliamentary elections, taking 52 of 63 seats in the lower house. OSCE monitors concluded that "despite some improvement over previous elections, large-scale irregularities were evident." In the run-up to elections, a number of Rakhmonov's prominent former allies were jailed, often on dubious charges.

The pressure on potential opposition continued ahead of the November 2006 presidential election. The four registered challengers were little known and broadly pro-Rakhmonov, suggesting a government-engineered attempt to create the impression of a competitive election. Rakhmonov won the contest, garnering more than 70 percent of the vote, although the OSCE pointed in its report to lackluster campaigning and a general absence of real competition.

With the political opposition safely sidelined, Rakhmonov broadened his influence to the cultural sphere in 2007. He de-Russified his surname to "Rakhmon" in March and in May signed legislation establishing spending limits on birthday and wedding celebrations. While the authorities denied rumors of a campaign to de-Russify surnames, and some reports indicated popular support for the enforced "austerity" measures, the moves raised fears of an increasingly erratic and culturally interventionist presidency.

On the international front, Tajikistan continued to receive significant Chinese investments in 2007, mainly in the form of preferential loans for infrastructure projects. One report put total Chinese investment in Tajikistan at over \$700 million. Meanwhile, business ties with Russia cooled. In August, Tajikistan revoked a 2004 contract with Russian Aluminum to build a major hydroelectric station, planning instead to create an international consortium around the project.

**Political Rights  
and Civil Liberties:**

Tajikistan is not an electoral democracy. The 1994 constitution provides for a strong, directly elected president who enjoys broad authority to appoint and dismiss officials.

Amendments adopted in a 1999 referendum further increased the powers of the president and created a full-time, bicameral parliament, while 2003 amendments allowed President Imomali Rakhmon to serve two additional seven-year terms beyond the 2006 election. In the Assembly of Representatives (lower chamber), 63 members are elected by popular vote to serve five-year terms. In the 33-seat National Assembly (upper chamber), 25 members are chosen by local assemblies, and 8 are appointed by the president, all for five-year terms. Elections are neither free nor fair.

Patronage networks and regional affiliations are central to political life, with officials from the president's native Kulyob region dominant in government. Rakhmon's PDP is the ruling political party. Secular opposition parties are weak and enjoy minimal popular support. The limited influence of the IRP, currently the only legal religion-based party in Central Asia, was further reduced by the August 2006 death of Said Abdullo Nuri, the party's widely respected leader.

Corruption is reportedly pervasive throughout society, with payments often required to obtain government positions. Tajikistan was ranked 150 out of 180 countries surveyed in Transparency International's 2007 Corruption Perceptions Index.

Despite constitutional guarantees of freedom of speech and the press, independent journalists continue to face harassment and intimidation, and the penal code criminalizes defamation. The government controls most printing presses, newsprint supplies, and broadcasting facilities. Most television stations are state owned or only nominally independent, and the process of obtaining broadcast licenses is cumbersome. Dozens of journalists were murdered during the country's five-year civil war in the 1990s, and most of the cases have not been solved despite some recent efforts to conduct investigations.

In August 2007, three journalists faced criminal charges for "insulting" a popular singer. The same month, Rakhmon signed legislation criminalizing libel on the internet and allowing courts to sentence journalists to up to two years in prison for libel in print publications.

While the government generally respects religious freedom in this predominantly Muslim country, it has shown an increasing willingness to impose restrictions. In October 2005, the minister of education banned the wearing of the *hijab* (headscarf) in schools and higher educational institutions. In 2006 and 2007, expulsions and other restrictions continued to take place under this regulation. In March 2007, the authorities shut down large numbers of unauthorized mosques, while August saw new, tighter rules for licensing religious leaders. In October, officials suspended the activities of the Jehovah's Witnesses in Tajikistan.

The government at times restricts freedom of assembly and association. Local government approval is required to hold public demonstrations. Unapproved protests are rare because of the fear of reprisal from the authorities and concerns about a return to the political unrest of the civil war period. All nongovernmental organizations (NGOs) must register with the Ministry of Justice.

Citizens have the legal right to form and join trade unions and to bargain collectively, which they do in practice.

The judiciary lacks independence. Many judges are poorly trained and inexperienced, and bribery is reportedly widespread. Occasional high-profile anticorruption campaigns have had little real impact. Police often conduct arbitrary arrests and

beat detainees to extract confessions. Conditions in prisons—which are overcrowded, unsanitary, and disease-ridden—are often life-threatening.

The Tursunzadah relocation program appears to have been phased out in 2007, reducing concerns of government-sponsored ethnic manipulation. Most of the population lives in poverty and survives on subsistence agriculture, remittances from relatives working abroad (mainly in Russia), and foreign humanitarian aid. Child labor, particularly on cotton farms, remains a problem.

Tajikistan is a major conduit for the smuggling of narcotics from Afghanistan to Russia and then on to Europe. A side effect has been an increase in drug addiction within Tajikistan, as well as a rise in the number of cases of HIV/AIDS. Although there were less than 1,000 officially registered HIV cases in Tajikistan in 2007, unofficial estimates put the real number at up to 10 times that many.

Sexual harassment, traditional discrimination, and violence against women, including spousal abuse, are reportedly common, but cases reported to the authorities are rarely investigated. Despite a 2004 law against human trafficking that addresses prevention, Tajikistan remains a source and transit country for persons trafficked for prostitution.

## Tanzania

**Population:** 38,700,000

**Capital:** Dar-es-Salaam

**Political Rights:** 4

**Civil Liberties:** 3

**Status:** Partly Free



### Ten-Year Ratings Timeline For Year Under Review

#### Political Rights, Civil Liberties, Status

1998	1999	2000	2001	2002	2003	2004	2005	2006	2007
5,4PF	4,4PF	4,4PF	4,4PF	4,3PF	4,3PF	4,3PF	4,3PF	4,3PF	4,3PF

### Overview:

**Intermittent negotiations designed to resolve complaints about fraudulent 2005 elections in Zanzibar failed to bear fruit in 2007. Four opposition parties sought to form a united front for the next general elections, scheduled for late 2010, despite a constitutional prohibition on party coalitions. Also during the year, an anticorruption bill containing a mix of positive and negative features became law.**

Three years after mainland Tanganyika gained independence from Britain in 1961, the Zanzibar archipelago—consisting of Zanzibar, Pemba, and a number of smaller islands—merged with Tanganyika to become the United Republic of Tanzania. The ruling Chama Cha Mapinduzi (CCM) party, under longtime president Julius Nyerere, dominated the country's political life. For much of his presidency, Nyerere espoused a collectivist economic philosophy known in Swahili as *ujamaa*. While this policy

may have promoted a sense of community and nationality, it also resulted in significant economic dislocation and decline. During Nyerere's tenure, Tanzania played an important role as a "frontline state" in the international response to white-controlled regimes in southern Africa. Nyerere's successor, Ali Hassan Mwinyi, held the presidency from 1985 to 1995 and oversaw a carefully controlled political liberalization process.

A CCM landslide victory in the 1995 parliamentary elections was seriously tainted by poor organization of the electoral process, fraud, and administrative irregularities. In addition, extensive use of state broadcasting and other government resources during the campaign favored the ruling party. The CCM won 80 percent of the 232 directly elected seats in the National Assembly. The voting in Zanzibar was plainly fraudulent, but its high court summarily rejected opposition demands for fresh polls.

Tanzania again conducted legislative and presidential elections in October 2000, the second since the reintroduction of multiparty politics. President Benjamin Mkapa, who first took office in 1995, was reelected with about 70 percent of the vote, and the CCM won an overwhelming victory in the parliament. Although the conduct of the elections represented a modest improvement over the 1995 vote, they were nonetheless marred by fraud in favor of the ruling party in Zanzibar. The opposition Civic United Front (CUF) and independent observers convincingly demonstrated that the CCM had engaged in fraud to retain power. Rioting in Zanzibar in early 2001 resulted in the deaths of more than 40 people. In October 2001, the CCM and the CUF announced a reconciliation agreement designed to resolve the political crisis and allow for a more transparent government.

Delays subsequently occurred in the implementation of the agreement, which called for reforms related to police oversight, publicly owned media institutions, and the function and structure of the Zanzibar Electoral Commission. The delays included the postponement of voter registration in Zanzibar, and the CUF complained that mainlanders were being fraudulently listed in the Zanzibari voting rolls.

In presidential and parliamentary elections in December 2005, Foreign Minister Jakaya Mrisho Kikwete, a CCM stalwart, was elected president with approximately 80 percent of the vote. The CCM captured 206 of 232 directly elected parliament seats. Polling also took place for the presidency and parliament of Zanzibar. There were some violent incidents in the run-up to those votes, and the postelection atmosphere was tense as the CUF once again accused the victorious CCM of electoral fraud. Intermittent negotiations on the issue failed to bear fruit in 2007.

An anticorruption bill passed in April 2007 included the creation of a board designed to coordinate and implement antigraft efforts that would comprise the police, the national intelligence service, and representatives from the private sector. Also during 2007, four opposition parties sought to form a common front to win the next general elections, scheduled for late 2010, despite a constitutional prohibition on party coalitions.

Tanzania is one of the poorest countries in the world, with an annual per capita income, adjusted for the cost of living, of approximately \$700. It has recently experienced significant economic growth. According to International Monetary Fund, "fueled by a rebound in the agricultural sector and improved electricity supply, economic growth reached 6 percent in 2006-2007 and is on track to exceed 7 percent



in 2007-2008." Contributing factors for this growth include low inflation, growing foreign investment, and increased tourism. The country has in the past hosted over 400,000 refugees, mostly from Burundi and the Democratic Republic of Congo, but many have begun to return home and recent figures suggest that under 300,000 remain.

### **Political Rights**

#### **and Civil Liberties:**

Tanzania is not an electoral democracy. Although opposition parties were legalized in 1992, the ruling CCM continues to dominate the country's political life. Executive power rests with the president, who is elected by direct popular vote for up to two five-year terms. Legislative power is held by a unicameral National Assembly, the Bunge, which currently has 323 members serving five-year terms. Of these, 232 are directly elected in single-seat constituencies, 75 are women chosen by the political parties according to their representation in the Bunge, 10 are appointed by the president, and 5 are members of the Zanzibar legislature, whose 50 deputies are elected to five-year terms. The attorney general is also an ex-officio member of the Bunge.

Eighteen parties presented candidates in the 2005 legislative elections. Some of these parties are active, but they tend to be divided and ineffectual. The opposition CUF, based in Zanzibar, has sought to establish significant support on the Tanzanian mainland. Parties with parliamentary representation receive government subsidies, but they criticize the low level of funding and the formula by which it is allocated. The constitution prohibits political coalitions, which has impeded opposition efforts to seriously contest the CCM's dominance. The opposition fielded nine separate presidential candidates in the 2005 polls. To register in Tanzania, political parties must not be formed on religious, ethnic, or regional bases and cannot oppose the union of Zanzibar and the mainland.

Corruption remains a serious problem, although the government has taken some steps to address it, including the development of a national anticorruption action plan. The 2007 anticorruption law specifies regulations for international agencies, companies, and nongovernmental organizations operating in the country. Critics note that it limits the powers of the Prevention and Combating of Corruption Bureau to investigate corruption and take suspects to court, and reduces corruption penalties from 14 years in prison to five years. The country's high court in 2006 ruled in favor of legal rights organizations that had challenged the formerly officially sanctioned practice of *takrima*, or the provision of free goods to voters by candidates during election campaigns. Tanzania has ordered harsh penalties for firms involved in corrupt procurement procedures. In August 2007, 15 senior members of the CCM were arrested over corruption allegations related to internal ruling party elections. Tanzania was ranked 94 out of 180 countries surveyed in Transparency International's 2007 Corruption Perceptions Index.

Although the constitution provides for freedom of speech, it does not specifically guarantee freedom of the press. Nevertheless, Tanzania has a higher level of press freedom than other countries in its region. Print and electronic media are active, but their reach is largely limited to major urban areas. The country has more than 50 regular newspapers, including 17 dailies. The growth of the broadcast media has been hindered by a lack of capital investment, both public and private. However, a number of independent television and private FM radio stations have gone on the air in recent years, most of them in urban areas. The number of journalists has

increased from only 230 in 1991 to more than 4,000 currently, but journalists in general have serious concerns about press laws that could limit freedom of expression. A draft Media Service bill was postponed for consideration in 2007 after criticism that some of its provisions would limit press freedoms, for example through a mandatory registration process. Internet access, while limited to urban areas, is growing.

Press freedom rights in Zanzibar have been constrained by its semiautonomous government. In recent years, the government there has not permitted private broadcasters or newspapers, though many islanders can receive mainland broadcasts and read the mainland press. The Zanzibari government often reacts to media criticism by accusing the press of being a "threat to national unity." In 2005, it banned leading columnist Jabir Idrissa. The weekly newspaper *Dira* was banned in November 2003, with no reason given until April 2006, when the government defended its decision on the grounds that the paper had been "publishing articles bent on destabilizing the unity and solidarity" of Zanzibar.

Freedom of religion is generally respected in Tanzania, and relations between the various faiths are mainly peaceful. In recent years, however, religious tensions have increased. Separately, the 2001 Mufti Law allowed the Zanzibari government to appoint a mufti, a professional jurist who interprets Islamic law, to oversee Muslim organizations. Some Muslims are critical of this law, contending that it permits an excessive government role in the religious sphere. Academic freedom is respected in the country.

Constitutional protections for the rights of freedom of assembly and association are generally, but not always, respected. The laws allow rallies only by officially registered political parties. Many nongovernmental organizations (NGOs) are active, and some have been able to influence the public policy process. However, critics have cited serious flaws in an NGO act passed by parliament in 2002, including compulsory registration backed by criminal sanctions, lack of appeal to the courts, alignment of NGO activities with government plans, prohibition of national networks and coalitions of NGOs, and inconsistencies with other legislation.

Less than 5 percent of the labor force is unionized, and workers' rights are limited. Essential workers are barred from striking, and other workers' right to strike is restricted by complex notification and mediation requirements.

Tanzania's judiciary has displayed signs of autonomy after decades of subservience to the one-party CCM regime, but it remains subject to considerable political influence. Arrest and pretrial detention rules are often ignored. Prison conditions are harsh, and police abuse is said to be common. According to the International Centre for Prison Statistics, as of the end of 2006, there were 44,000 inmates in the country's prisons, although government sources have indicated that the facilities' collective capacity is only 23,000. Questions have been raised regarding the safety and health of prisoners, including minors and women, who have been subjected to sexual harassment and human rights abuses. In 2006, an increase in daylight armed robberies, especially in Dar-es-Salaam, marred Tanzania's reputation for having relatively low crime rates.

The 2002 Prevention of Terrorism Act, which some NGOs have criticized for containing inconsistencies and anomalies, gives the government considerable latitude by not clearly defining the term terrorism. The act merely lists acts of terrorism, which include, among other things, attacks on a person's life, kidnapping, and seri-

ous damage to property. The law gives the police and immigration officials sweeping powers to arrest suspected illegal immigrants or anyone thought to have links with terrorists.

Compared with many of its neighbors, Tanzania has enjoyed tranquil relations among its many ethnic groups. The presence of refugees from conflicts in Burundi, Rwanda, and the Democratic Republic of Congo, however, has in the past raised tensions.

Women's rights guaranteed by the constitution and other laws are not uniformly protected. In President Jakaya Kikwete's cabinet, women were appointed to the key ministries of Finance and Foreign Affairs. Traditional or Islamic customs that discriminate against women prevail in family law, especially in rural areas and in Zanzibar, and women have fewer educational and economic opportunities than men. Domestic violence against women is reportedly common and rarely prosecuted. Human rights groups have sought laws to bar forced marriages, which are most common among Tanzania's coastal peoples.

## Thailand

**Population:** 65,700,000

**Capital:** Bangkok

**Political Rights:** 6\*

**Civil Liberties:** 4

**Status:** Partly Free



**Status Change:** Thailand's political rights rating improved from 7 to 6, and its status improved from Not Free to Partly Free, because of the resumption of limited political activity and the holding of legislative elections by year's end.

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

1998	1999	2000	2001	2002	2003	2004	2005	2006	2007
2,3F	2,3F	2,3F	2,3F	2,3F	2,3F	2,3F	3,3PF	7,4NF	6,4PF

**Overview:** The Council for National Security (CNS)—the military-led authority installed after Prime Minister Thaksin Shinawatra was ousted in a September 2006 coup—charted a carefully controlled return to democracy in 2007. It maintained martial law in nearly half of the country's provinces for much of the year, effectively dissolved Thaksin's Thai Rak Thai party, and imposed a host of restrictions on his political supporters after they regrouped as the People's Power Party (PPP). A new constitution was approved by referendum in August. Despite the CNS's efforts, however, the PPP won the December 23 elections and formed a ruling coalition at year's end. Also during 2007, the CNS manipulated the state-run broadcast media in a bid

**to influence votes, and religious freedom declined as a result of heightened violence in the south.**

Known as Siam until 1939, Thailand is the only Southeast Asian country that was never colonized by a European power. Beginning with a 1932 coup that transformed the kingdom into a constitutional monarchy, the army ruled periodically over the next six decades. The military more recently seized power in 1991, but Thailand returned to civilian rule the following year, when the country's revered monarch, King Bhumibol Adulyadej, convinced the military to appoint a civilian prime minister.

Thailand's export-led economy experienced strong growth in the decade prior to 1997, when it was dragged down by the Asian financial crisis. Amid street protests by middle-class Thais in Bangkok against corruption and economic mismanagement, the parliament voted no confidence in Prime Minister Chavalit Yongchaiyudh and replaced him with Democrat Party (DP) leader Chuan Leekpai, a former prime minister with a clean reputation. The parliament also approved a reformist constitution, which created independent election and anticorruption bodies and introduced the direct election of the Senate.

Criticizing the government for favoring the urban middle class over ordinary Thais, Thaksin Shinawatra, a former deputy prime minister who built his fortune in telecommunications, unseated Chuan in the January 2001 elections. His Thai Rak Thai (TRT, or Thais Love Thais) party won 248 of the lower house's 500 seats despite a December 2000 ruling by the new National Counter-Corruption Commission that Thaksin had falsified wealth-disclosure statements while serving as a cabinet minister in 1997. He was cleared of the charges in a controversial move by the Constitutional Court in August 2001.

Thaksin's government won praise from many Thais for introducing programs to help small businesses and the poor. Low interest rates and populist spending programs fueled a consumption-driven economic growth spurt. Yet many of Thaksin's moves undercut the reformist spirit of the country's new constitution; the prime minister was even accused of subverting the charter itself. The constitution required the prime minister and cabinet members to divest themselves of all business interests, but many officials simply transferred their holdings to family members. Thaksin and his associates also allegedly abused their power for personal gain. Moreover, seeking to portray Thailand as hospitable for foreign investors and tourists, the government clamped down on negative news, denied the presence of terrorists in the country, and maintained that Thailand was safe from the deadly avian influenza sweeping Asia. However, by February 2004, officials had confirmed numerous human flu cases.

The eruption of violence that year in Thailand's four southernmost provinces, home to most of the country's four million Muslims, and the government's hard-line response prompted further discontent with Thaksin. The government declared martial law and introduced restrictive security laws in most of Narathiwat, Pattani, and Yala provinces in July 2005, and the measures were extended in duration and scope in October of that year and January 2006. Many Thais, particularly those residing in the south, feared that the government's drastic actions would only fuel the insurgency and aid recruitment for the international terrorist groups Jemaah Islamiyah and al-Qaeda, both of which had previous links to Thailand. More than 2,600 people have been killed since the insurgency began in January 2004.

The February 2005 parliamentary elections marked a second landslide for the TRT party, which captured 377 of 500 seats in the lower house and formed a government without coalition partners. However, rising inflation and interest rates, mounting fatalities from bird flu, corruption, the government's general disregard for the constitution, and its heavy-handed approach to the insurgency all combined to fuel significant anti-Thaksin sentiment by December 2005, particularly in Bangkok and the south.

The political crisis of 2006 began in January with the Thaksin family's highly controversial sale of its Shin Corporation telecommunications firm to Temasek Holdings, the investment arm of Singapore's government. The move set off a wave of anti-Thaksin protests in the capital, prompting the prime minister to call snap elections for early April. While the TRT secured a majority of the vote, the balloting was perceived to be illegitimate due to a boycott by all three opposition parties. Thaksin promised to step down for the sake of "national unity," but a political impasse developed when unfilled seats prevented the House of Representatives from convening, and new elections were scheduled for October 15.

A military coup on September 19 preempted the vote, ousting Thaksin from office and installing a junta led by General Sonthi Boonyaratglin. The constitution was abrogated, parliament was dissolved, and the Constitutional Court was replaced with an appointed military tribunal. A number of restrictions were imposed on the media and freedom of association and assembly. The coup leaders' Council for National Security (CNS) established an interim civilian government within weeks, with former army commander Surayud Chulanont as prime minister. An interim constitution promulgated on October 1 outlined a process for drafting a new permanent constitution over the next year, but the temporary charter was criticized for its omission of many democratic protections.

While the coup was carried out peacefully and initially enjoyed significant public and royal support, the credibility and legitimacy of the CNS government was undermined in 2007 by its slow progress in restoring democracy, a major dip in the Thai stock market, lagging efforts to hold Thaksin accountable for corruption, and the deteriorating security situation in the south. A poll indicated that as of February 2007, more than 50 percent of Thais had lost faith in the CNS's ability to resolve political problems. By June, the Democratic Alliance Against the Dictatorship (DAAD), a coalition of groups opposed to the coup and the CNS government, was leading daily nonviolent protests of up to 10,000 people.

Meanwhile, the CNS took steps to prevent Thaksin and his supporters from returning to power. In late May, the CNS-appointed Constitutional Tribunal found the TRT guilty of paying off smaller parties in the April 2006 elections, but it cleared the DP—the main opposition party prior to the coup—of any electoral irregularities. The ruling effectively dissolved the TRT, specifically prohibiting Thaksin and 111 other party leaders from formally participating in politics for the next five years.

A ban on political activity was lifted in June to allow parties to prepare for elections, which were set to be held before year's end. A ban preventing new political parties from forming remained in place. Former TRT members, including 270 former TRT lawmakers, circumvented the ban by regrouping under the formerly defunct People's Power Party (PPP), with Samak Sundaravej as party leader. Samak leaned further to the right than Thaksin, but was known for strongly opposing the coup. By

October, a host of smaller parties were maneuvering to form coalitions with the PPP or the DP to improve their electoral prospects.

Voters approved a new constitution in an August 19 referendum, reflecting a general desire to end the CNS government and hold elections rather than actual support for the charter. The referendum results, with 57 in favor and 41 percent opposed, also showed a significant protest vote and notable societal divisions. Some 62 percent of voters in the northeast, where support for Thaksin and the TRT was strongest, voted against the constitution, while 65 percent of those in central Thailand, where support for Thaksin was much weaker, voted in favor. The charter secured 86 percent of the vote in the southern provinces. The final version of the new constitution was an improvement on the initial draft, but it included a number of provisions that left Thailand less democratic than under the abrogated 1997 constitution.

Viewing the substantial vote against the constitution as an indication of support for the PPP-led coalition, the CNS went to great lengths to prevent a PPP victory in the upcoming December 23 elections. It maintained tight control over the electoral process through a series of strategic appointments, its election commission imposed a host of campaign restrictions designed to hinder newer, smaller parties, and evidence of a CNS plan to "sabotage" the PPP campaign was discovered. Moreover, martial law was maintained in 34—and later 25—of the country's 76 provinces, significantly limiting campaign activities in the affected areas.

In a sign of strong public discontent with the military-led government, the PPP nevertheless secured the largest share of the December vote, winning 233 out of 480 contested seats. The DP placed second with 165 seats and, as expected, won in Bangkok and the south. Samak, the PPP leader, announced on December 31 that with support from three smaller parties, it could muster 254 seats and form a coalition government. The election commission meanwhile launched investigations into fraud claims against three PPP candidates who had won seats in the northeast.

Separately, religious freedom declined during the year as violence escalated in the southern provinces, with insurgents increasingly targeting Buddhist teachers and schools. Thaksin remained in self-imposed exile at year's end.

**Political Rights and Civil Liberties:**

Thailand is not an electoral democracy. Prior to the September 2006 military coup, the 1997 constitution mandated a parliamentary system with a bicameral legislature, including a House of Representatives with 500 members elected for four-year terms, and a Senate with 200 members elected for six-year terms. The head of the party or coalition that held a majority in parliament became prime minister. The interim constitution promulgated on October 1, 2006, replaced the bicameral legislature with a unicameral National Assembly of 250 members, all appointed by the king, which remained in place through the end of 2007. The charter also gave CNS chairman Sonthi Boonyaratglin the authority to appoint and remove the prime minister at any time. The CNS had final say over the composition of the 100-member Constitutional Drafting Committee and barred anyone who had been affiliated with a political party in the previous two years. All current and former TRT members were thus excluded from the drafting process. The CNS retained the right to select any previous constitution and revise it for use if the new draft was rejected by referendum voters.

The new constitution approved in August 2007 was more democratic than the

initial version issued by the drafting committee in that it called for an elected rather than an appointed prime minister and did not provide for the establishment of an emergency council with discretionary powers to dismiss the prime minister. However, it did contain a number of provisions—clearly designed in response to ousted prime minister Thaksin Shinawatra's overreach while in office and the dominance of his TRT party—that left Thailand less democratic than under the 1997 constitution. In addition to establishing a two-term limit for the premiership and lowering the threshold for launching a no-confidence vote against the prime minister (from two-fifths to one-fifth) and cabinet ministers (from one-fourth to one-sixth), the new constitution reduced the role of elected lawmakers. The Senate was cut from 200 elected members to 150 members—76 elected and 74 appointed. Moreover, the means of appointment somewhat compromises legislative and judicial independence: a committee of seven judges selected by the Senate, along with independent government bodies, would appoint half the Senate. For the House of Representatives, the new constitution altered the system of proportional representation to lessen the voting power of the northern and northeastern provinces, where support for Thaksin remains strong. While 100 members were previously elected according to their parties' shares of the national vote, 80 members are now elected according to party performance in eight groups of provinces with 10 representatives each. The remaining 400 members of the lower house are elected in 157 multiseat constituencies.

Thailand's head of state, King Bhumibol Adulyadej, has little responsibility in day-to-day politics but retains tremendous moral and symbolic influence, particularly in times of national or constitutional crisis. In early December 2007, hundreds of thousands gathered in Bangkok and campaign activities were suspended to celebrate the 80th birthday of the world's longest-reigning monarch.

While the December elections returned Thailand to democratic rule, the CNS maintained tight control over the process and deliberately maneuvered to influence the outcome. Prime Minister Surayud Chulanont appointed himself to head the Interior Ministry, which supervises elections, and then appointed CNS leader Sonthi as deputy prime minister when his term as army commander expired in September. Surayud also placed Sonthi in charge of the committee responsible for preventing voter fraud. At least three investigations were brought against PPP candidates between the elections and the end of the year.

Martial law remained in force in 34 provinces through October and in 25 through the rest of 2007, limiting campaign activities. The election commission imposed a host of restrictions in October that disadvantaged smaller, newer parties by limiting their ability to promote their plans and platforms. Candidates were barred from holding public forums unless they were specifically organized by the commission itself, and media outlets were prohibited from hosting candidates from one party without including candidates from all parties. Evidence of a CNS plan to "sabotage" the PPP, specifically employing the state-run broadcast media, was published online after it was discovered.

Prior to the 2006 coup, Thailand's multiparty democracy was dominated by Thaksin's populist TRT party, which drew important support from rural voters. Under Thaksin, the government generally showed less patience for the basic procedures of democratic consultation and debate. The coup suspended all party activity through June 2007, when the ban was finally lifted. The CNS-backed Constitutional Tribunal's

April 2007 ruling against the TRT effectively dissolved the country's largest political force and prevented its leadership from contesting the upcoming elections. The continued ban on the formation of new parties served to obstruct the reorganization of the TRT, but its members managed to regroup as the PPP, a defunct older party. The DP, the country's oldest political party, was left intact by the tribunal's ruling. With its strong middle-class support, particularly in Bangkok, it was the main opposition force before the coup and following the December 2007 elections. Meanwhile, despite clear campaign disadvantages, the PPP won 233 lower house seats in the elections and joined with three smaller parties—the Thai Unity Party, the Middle Way Party, and the Royalist People's Party—to form a majority coalition by year's end.

Anecdotal evidence suggests that official corruption is widespread, with bureaucrats and law enforcement officials accepting bribes in exchange for routine services. Corruption ranked among Thais' top frustrations with the Thaksin government and was cited as part of the military's justification for the coup. The main complaints arose from the strong nexus between politics and big business, particularly the Thaksin family's ownership of significant national assets. After seizing power in September 2006, the CNS reinstated the county's anticorruption commission, which had been dormant for more than a year, and established the Asset Examination Committee (AEC), a body with the power to seize assets from Thaksin and other former officials. While it was criticized for a slow start and was driven by clear political motives, the AEC filed two suits against Thaksin in 2007 and froze 21 of his and his family members' bank accounts—containing roughly 53 billion baht (\$US 1.5 billion)—in June. In late November, shortly before the elections, the AEC indicted Thaksin and 46 others, mostly former cabinet officials, for launching a controversial two- and three-digit lottery in 2003, accusing them of violating the 1974 Government Lottery Act and the 1948 Treasury Reserves Act. All 47 were asked to pay significant sums to the government for lost revenue. A few corruption allegations were made against Prime Minister Surayud, and in September and October, five members of the interim cabinet resigned after being cited by the National Counter-Corruption Commission for holding stakes in companies exceeding 5 percent. That was an apparent violation of the new constitution, which took effect in September. Thailand was ranked at 84 out of 180 countries surveyed in Transparency International's 2007 Corruption Perceptions Index.

The new constitution restored and even extended strong legal protections for freedom of expression that had been eliminated by the September 2006 coup. Yet media freedom remained significantly restricted for the better part of 2007 due to the passage of harsh new legislation and the manipulation of state-run media to influence voters. In a positive move, the draconian 1941 Printing and Publishing Act, which reserved the government's right to shut down media outlets, was replaced with the less restrictive Publishing Registration Act in late August 2007. A new Computer Crime Act, however, came into effect in July, threatening significant prison terms for the publication of false information deemed to endanger the public or national security. That law was first invoked against a blogger in August, but the charges were dropped in October. The penal code continues to include harsh defamation legislation. Although the use of libel suits to silence government critics was more frequent under Thaksin, the tactic was employed against journalists who insulted CNS officials in 2007. A Bangkok court sentenced two talk-show hosts to two



years in prison in April for saying that the deputy Bangkok governor had taken bribes on two occasions.

The country's print media remained largely unaffected by military rule and continued to cover controversial developments, including the dissolution of the TRT and the drafting of the new constitution. However, the CNS significantly obstructed the state-run broadcasting sector and online media. In January 2007, it invoked Military Order No. 10, issued in September 2006, which urged media cooperation in promoting "peace and national unity." Television and radio executives were convened and asked to prevent their outlets from being used as platforms for Thaksin's return. Television broadcasts of Thaksin were blocked, and community radio stations were temporarily closed down for airing interviews with the ousted leader. State-run media were barred from broadcasting calls for a "no" vote in the constitutional referendum, and state outlets were similarly restricted ahead of the December elections. Moreover, in March the CNS tried to prevent the launch of People's TV (PTV), which supported the PPP, by denying it the internet access it needed. The station managed to begin operations, but the authorities immediately blocked its broadcasts. Also in March, the Public Relations Department took over Thailand's only independent, private broadcast television station, iTV, which was formerly run by a Thaksin-owned company. Officials claimed that it had illegally changed its operating concession with the former prime minister's office and thus owed significant fines. Websites that were considered a threat to the military regime were blocked, and the video-sharing site YouTube was temporarily banned for carrying a video deemed insulting to the king.

The interim constitution did not specifically protect freedom of religion, but Thais of all faiths have traditionally worshipped freely in this predominantly Buddhist society. The new Thai constitution explicitly prohibits discrimination against a person on the grounds of "a difference in religious belief," yet religious freedom declined markedly in 2007 as a result of mounting violence in the southern provinces. The fact that the chairman of the CNS was a Thai Muslim initially raised hopes for progress toward a resolution of the insurgency. The military government pledged to improve justice, education, and socioeconomic conditions in the south, but bombings, assassinations, and arson all dramatically increased following the coup, with attacks occurring daily. The victims included Buddhist monks and, increasingly, Buddhist teachers; 64 teachers were assassinated between January 2004 and February 2007. An August 2007 report by Human Rights Watch found that ethnic Malay Muslims who collaborated with the Thai government were also targeted, including religious leaders or parents who opposed the insurgency or obstructed rebel recruitment.

A coup-related ban on political activity and gatherings was lifted in December 2006, but freedoms of assembly and association were not protected by the interim constitution, and martial law restricted these rights in much of the country in 2007. Several peaceful protests by the DAAD drew thousands in early 2007, however, voicing support for PTV, opposition to the CNS, and calling for the head of the Privy Council to step down. Sonthi urged the restoration of martial law throughout the country in response, but the prime minister allowed the protests to proceed. The government prepared security forces for major protests after the Constitutional Tribunal's decision to dissolve the TRT, but the expected demonstrations did not

materialize. The new constitution officially restored the rights to assembly and association later that year, but martial law continued in certain provinces.

Thailand has an extremely vibrant nongovernmental organization (NGO) community, with groups representing farmers, laborers, women, students, and human rights interests. However, according to the U.S. State Department's 2007 human rights report, NGOs that dealt with sensitive political issues or obstructed government-backed development projects faced harassment. Human rights groups focused on the volatile southern provinces reportedly met with intimidation by both sides in the conflict. Private associations are legally required to register with the government, but the rule is not observed in practice.

Thai trade unions are independent, though fewer than 4 percent of the workforce is unionized. More than 50 percent of state-enterprise workers are unionized, however. According to the U.S. State Department's 2007 Human Rights report, low rates of labor organization can be attributed to the fact that unions are not permitted in the sizable agricultural and informal sectors, and to efforts by the government and the private sector to diminish union cohesion. Labor laws allowing certain workers to join unions, collective bargaining, and protections against forced labor were unchanged by the 2006 coup, but they remained poorly enforced. Exploitation of migrant workers from Burma, Cambodia, and Laos was an ongoing problem, as was child and sweatshop labor.

Judicial independence was eliminated when the coup leaders dissolved the Constitutional Court and transferred its role and cases to a new Constitutional Tribunal. While the interim constitution specified that judicial independence would be upheld, international human rights groups cited the judiciary as one of the institutions most concretely affected by the coup. All appointed judges could be removed at any time, and with the nullification of the 1997 constitution, Thai citizens lost habeas corpus rights. The Constitutional Tribunal's April 2007 decision to effectively dissolve the TRT party was widely perceived to be politically driven. The new permanent constitution restored judicial independence and reestablished an independent constitutional court. A separate military court adjudicates criminal and civil cases involving members of the military, as well as cases brought under martial law. Sharia (Islamic law) courts hear certain types of cases pertaining to Muslims.

Pretrial detention—often up to 84 days in criminal cases—is a serious problem, and trials frequently take years to complete. Prison conditions are dire, with inmates and detainees facing shackling and abuse by police and military personnel. State officials are rarely prosecuted for such acts. According to an October 2007 International Crisis Group report, a range of paramilitary forces and civilian militias operating alongside the military and police are impeding efforts to defeat the insurgency in the south; despite its reputation for human rights abuses and corruption, the "ranger" paramilitary force has been tripled by the army since the violence erupted in 2004. Reports of extrajudicial killings and arbitrary arrests by security forces in the south continued in 2007. Some progress was made in the investigation of the 2004 murder of Somchai Neelaphajit, a Muslim lawyer who had been campaigning against martial law in the south and defending five Muslims tortured by police, though the case remained unresolved at year's end. A police investigation of December 31, 2006, bomb blasts in Bangkok was launched in January, but no one was ultimately held accountable. Separately, the Justice Ministry and police force formed panels in

2007 to investigate at least 1,300 killings stemming from Thaksin's 2003 "War on Drugs" campaign.

The interim legislature approved a new Internal Security Act in the final days before the December 2007 elections, allowing the establishment of an Internal Security Operations Command (ISOC) in times of perceived national crisis. The original draft proposed in June was rejected for going too far to retain military control after the restoration of elected government. The second version, introduced in October, called for the prime minister to serve as the ISOC's head and the army chief to serve as deputy director, but it nevertheless allowed the government to use emergency powers—including authority to suspend the media, search and detain without warrants, and establish curfews—without declaring a state of emergency. The measure was widely criticized by watchdog groups as a threat to basic civil liberties.

Many of the estimated one million members of hill tribes have never been fully integrated into society. Half of hill-tribe members reportedly lack citizenship, which renders them ineligible to vote, own land, attend state schools, or be protected under labor laws. They are required to carry identification cards, their movement is restricted, and they continue to face forced eviction and relocation. Separately, an estimated 140,000 Burmese refugees live in camps along the Burmese border.

Rape, domestic abuse, HIV/AIDS, prostitution, and the trafficking of women and children all present critical challenges. Thai government records indicate that the number of domestic abuse cases per day has multiplied since 2002. According to the U.S. State Department, the Thai police reported 5,269 cases of rape nationwide from September 2006 through October 2007. Rape is illegal, and there are a range of penalties for sexual assault. Some 200,000 to 300,000 Thai women and children work as prostitutes, according to NGO estimates, and sex tourism remains a problem. Authorities prosecute relatively few traffickers, and many police, soldiers, local officials, and immigration officers reportedly are involved in trafficking or take bribes to ignore it. More than 1 percent of adult Thais are infected with HIV/AIDS; aggressive prevention and treatment policies, especially a program launched in 2004 to provide HIV-positive people with antiretroviral drugs, have reduced both the number of new HIV/AIDS cases and the number of deaths from the disease.

## Togo

**Population:** 6,600,000

**Capital:** Lome

**Political Rights:** 5\*

**Civil Liberties:** 5

**Status:** Partly Free



**Status Change:** Togo's political rights rating improved from 6 to 5, and its status improved from Not Free to Partly Free, due to the success of the 2007 legislative elections, including the ability of Togo's opposition parties to demonstrate and campaign without interference.

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

1998	1999	2000	2001	2002	2003	2004	2005	2006	2007
6,5NF	5,5PF	5,5PF	5,5PF	6,5NF	6,5NF	6,5NF	6,5NF	6,5NF	5,5PF

**Overview:** In October 2007, Togo held its first genuinely free and fair legislative elections. The ruling Rally of the Togolese People party maintained a majority in the National Assembly, though the main opposition party, which also won a number of seats, alleged fraud. The opposition was able to hold rallies and demonstrations without incident during the campaign. Separately, large-scale human rights abuses linked to the 2005 coup and presidential election remained unpunished.

France and Britain seized the German colony of Togoland at the outset of World War I. The British portion became part of Ghana, and the French portion gained independence as Togo in 1960. Gnassingbe Eyadema, then a demobilized sergeant, overthrew the civilian government in a bloodless coup in 1967. Using mock elections and a loyal military, he then presided over close to 40 years of repressive rule—the longest reign of any leader on the continent.

In 1991, under pressure from European governments, Eyadema agreed to institute a multiparty system and prepare for free elections. However, his soldiers and secret police harassed, attacked, or killed opposition supporters who grew too assertive. By 1993, he had dissolved the new transitional government, and thousands of opposition supporters had fled abroad.

Eyadema allowed opposition participation in subsequent elections, but military harassment and legal manipulation ensured that his Rally of the Togolese People (RPT) party dominated all balloting. Eyadema secured another five-year term with 57 percent of the vote in 2003, compared with 34 percent for Emmanuel Bob-Akitani, who ran for the opposition Union of Forces for Change (UFC) after candidate Gilchrist Olympio was eliminated through a manufactured technicality.

In an effort to rebuild trade relations with the European Union (EU), which had been severed in 1993 due to human rights abuses, Eyadema signed a pledge

in April 2004 to undertake 22 reform measures, including the launch of talks with the political opposition.

Eyadema died of natural causes in February 2005, and the military quickly installed his son, Faure Gnassingbe, in his place, amending the constitution to bolster the legality of the move. Protests and opposition activity were formally banned for two months after Eyadema's death; demonstrations were nonetheless frequent and the law enforcement response brutal. The Economic Community of West African States (ECOWAS) and the African Union (AU) condemned the military coup, severed economic ties, and pushed for immediate elections.

Gnassingbe relented, holding an April poll that confirmed him as president. While the results were endorsed by ECOWAS, other observers cited the presence of a million phantom voters on the electoral rolls, widespread intimidation, and the enforcement of a complete broadcast and communications blackout on election day. Subsequent clashes between opposition supporters and security forces killed almost 500 people, injured thousands more, and forced 40,000 to flee the country. A subsequent report by the UN High Commissioner for Human Rights stated that most of those killed were attacked in their homes, and that security forces bore the greatest responsibility.

In 2006, the promise of renewed EU economic aid convinced the RPT and opposition parties to hold reconciliation talks. All participants agreed in August to form a government of national unity, create an independent electoral commission, and set October 2007 as the deadline for legislative elections. The UFC pulled out of the agreement less than a month later, claiming that Gnassingbe had reneged on a promise to grant the interim premiership to a UFC member.

The UFC alleged fraud in the October 2007 elections, but most domestic and international observers, including the EU, considered the polls to be transparent. With a reported 85 percent turnout, the RPT won 50 of 81 National Assembly seats. The UFC took 27, and another opposition party, the Action Committee for Renewal (CAR), took the remainder. The electoral commission that presided over the polls was comprised of two representatives from the RPT, one each from the five opposition parties, one from the coalition government, and an independent chairperson.

The elections were a key item on the list of 22 steps required for a renewal of EU economic aid. The bloc released a portion of the aid (\$20.2 million) following the signing of the August 2006 political agreement and provided \$ 18 million to support the 2007 electoral process. Despite the fact that the president was not chosen in equally free and fair elections, the EU has still promised to restore all economic aid to Togo.

**Political Rights and Civil Liberties:**

Togo is not an electoral democracy. Despite international consensus that the 2007 legislative elections were generally free and fair, the 2005 presidential vote was blatantly fraudulent and marked by serious violence. The president is elected to five-year terms and appoints the prime minister. Members of the 81-seat, unicameral National Assembly are elected to five-year terms. The Independent National Electoral Commission (CENI) was able to function without excessive political interference in 2007, and technology brought in from the Democratic Republic of Congo eased the registration of eligible voters. The ruling RPT remains the dominant party, but the opposition UFC and CAR parties won a significant share of seats.

Corruption continues to be a serious impediment to development and stability. Despite the successful electoral process, corruption and bribes remain a central mechanism for achieving political goals. Togo was ranked 143 of 180 countries surveyed in Transparency International's 2007 Corruption Perceptions Index.

Freedom of speech and freedom of the press are legally guaranteed. In 2004, President Gnassingbe Eyadema abolished prison sentences for libel and prohibited the seizure or closure of media outlets without judicial approval. Nonetheless, these policy changes are infrequently respected in practice. Journalists were particularly susceptible to government harassment during the 2005 presidential election, and self-censorship was widespread in 2007 due to the culture of impunity that continues to pervade the country. The government regularly arrested or suspended dissenting journalists and media outlets on allegations of "unethical" operations during the year. One such journalist, the widely respected Daniel Lawson-Drackey, was indefinitely suspended after he accused a government minister of corruption. The government runs Togo's only daily newspaper, *Togo Press*, as well as the only national television station, Togo Television. Private print and broadcast outlets exist, but they are more limited in capacity and many are heavily politicized. Access to the internet was generally unrestricted despite reports that its content is being monitored by the government.

Constitutionally protected religious freedom is generally respected, though tensions sometimes arise between Togo's Christian majority and the Muslim minority. In 2006, the government rejected the registration applications of a number of religious groups for activities it deemed to be immoral. While government informers and security forces are believed to maintain a presence on university campuses and in other public places, ordinary citizens are now able to speak more openly and critically than they had been in previous years.

Freedoms of assembly and association have not historically been respected in Togo. All demonstrations were banned following Eyadema's death in 2005, and any political party planning a demonstration on public property must still notify government officials. However, during the 2007 elections, opposition political parties peacefully held rallies and demonstrations without violent crackdowns by the security forces. The fact that Gilchrist Olympio, the exiled UFC candidate, was able to return to Togo and campaign without interference was particularly impressive.

Togo's constitution includes the right to form and join labor unions, with an exception for "essential" workers such as security personnel. Unions have the right to bargain collectively, but the government often views demands for better working conditions as attacks on state security.

The judicial system is understaffed, inadequately funded, and heavily influenced by the presidency. In May 2007, as agreed in August 2006, the government reorganized the constitutional court. However, the changes were superficial, as six of the nine judges were chosen by the RPT-dominated parliament and the other three were appointed by the president. Prisons are overcrowded and reportedly rife with corruption, and many inmates are pretrial detainees or incarcerated for political reasons.

Ever since the campaign of extrajudicial killings, abductions, and intimidation linked to the 2005 presidential election, human rights groups and victims have been calling for the prosecution of those responsible. More than 100 victims formally lodged complaints with prosecutors in 2007, but no suspect has been tried to date.

Discrimination is common among the country's 40 ethnic groups; during the

2005 electoral conflict, violence often erupted between northern and southern groups. While tensions persist, no serious incidents of interethnic violence were reported in 2007. The army has traditionally been composed of soldiers from the president's northern Kabiye ethnic group and has played a central role in the political system, including the unconstitutional installation of Faure Gnassingbe as president in 2005 and the concurrent abuse of the political opposition. As part of the 2006 political settlement, security forces were slated for reform. A law passed in early 2007 mandated that the military be kept separate from the political system and permitted women to serve. While implementation of the measure remains uncertain, the security forces performed admirably in ensuring peace during the October legislative elections.

Despite constitutional guarantees of equality, women's opportunities for education and employment are limited, and improvements are either absent or slow in coming. A husband may legally bar his wife from working or choose to receive her earnings. Customary law discriminates against women in divorce and inheritance, giving women the legal rights of a minor.

As in much of West Africa, child trafficking for the purpose of slavery is a serious problem in Togo. A long-pending child trafficking law was finally approved in July 2005. However, inconsistencies in the measure have since made implementation difficult and prosecutions rare. A draft child code would improve the law if adopted, and a bill criminalizing all forms of human trafficking has been debated in the National Assembly for the last two years.

## Tonga

**Population:** 100,000

**Capital:** Nuku'alofa

**Political Rights:** 5

**Civil Liberties:** 3

**Status:** Partly Free



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

1998	1999	2000	2001	2002	2003	2004	2005	2006	2007
5,3PF	5,3PF	5,3PF	5,3PF	5,3PF	5,3PF	5,3PF	5,3PF	5,3PF	5,3PF

**Overview:** A state of emergency declared during a wave of riots over political reform in November 2006 remained in place throughout 2007. Authorities arrested several prodemocracy activists and charged them with sedition, and suspects accused the security forces of beatings and abuse. The government declared it was committed to political reform but announced no timetable or actions to that end.

Tonga consists of 169 islands that King George Tupou I united under his rule in 1845. It became a constitutional monarchy in 1875 and a British protectorate in 1900,

gaining independence in 1970 as a member of the Commonwealth. King Taufa'ahau Tupou IV ruled from 1945 to 2006. His son, Crown Prince Tupouto'a, assumed the title King Siaosi Tupou V in 2006.

Politics and the economy are dominated by the monarchy, hereditary nobles, and a few prominent commoners. Prodemocracy candidates were first elected to the parliament in 2002, winning seven of nine directly elected seats for commoners. Prodemocracy candidates again won the majority of commoners' seats in the 2005 elections, and for the first time, two "people's representatives" joined the cabinet. Growing public demand for political reform pushed the king in 2005 to approve the formation of a constitutional review committee chaired by Prince Tu'ipelehake, his nephew and a prominent democracy advocate. The prince was killed in a car accident in 2006, however, which was a major blow to the prodemocracy movement.

When Prince 'Ulukalala Lavaka Ata resigned as prime minister in 2006, the king appointed Fred Sevele, a people's representative, to replace him, marking the first time a commoner held the post.

In October 2006, the National Committee for Political Reform submitted its report to the government, recommending a 26-seat parliament with 17 members elected by the people and 9 by the 33 nobles, and a prime minister and cabinet chosen from among the lawmakers. The government offered a counterproposal under which the king would retain the power to appoint the prime minister and cabinet and include individuals from outside the legislature. Prodemocracy activists rejected this counterproposal and launched a protest on November 17 that quickly degenerated into rioting. Several people were killed, hundreds were injured, and 80 percent of the capital's business district was destroyed. The king declared a state of emergency, which remained in effect throughout 2007.

Nearly 700 people were arrested in connection with the riots, and prominent prodemocracy activists and lawmakers were charged with sedition. In May, the Community Paralegal Task Force on Human Rights, a 130-member regional organization, reported that nearly half of all suspects surveyed accused the military or police of physical abuse.

In June, the Tongan Broadcasting Commission (TBC) was ordered to stop reporting on parliamentary proceedings after several cabinet members accused it of bias. Although the government said the ban was subsequently lifted, political coverage remained restricted at year's end. In July and August, two senior union officials resigned, alleging pressure from the government due to their calls for political reform. In November, the government announced the formation of a new Department of Information to oversee all media reporting. On December 21, the government sued a newspaper, *Kele 'a*, for alleged defamation over a critical editorial. These actions prompted local and international criticism, but the government showed little concern.

Meanwhile, Sevele pledged to continue with political reforms but provided little detail on their nature or timing. When the king opened the new legislative session in May, he stressed education reform but made no comment on a timetable for political reform.

**Political Rights and Civil Liberties:** Tonga is not an electoral democracy. The king selects the cabinet, which consists of two nobles and two commoners drawn from the unicameral Legislative Assembly, as well



as 10 life appointees. The four lawmakers elevated to the cabinet are replaced through by-elections. The assembly consists of 9 popularly elected members and nine nobles elected by their peers, all serving three-year terms, plus the 14 cabinet members sitting ex-officio. As part of a deal to end the November 2006 riots, the king and prodemocracy leaders agreed to create a 30-seat parliament in 2008, with 21 elected members and 9 seats reserved for nobles, and a cabinet drawn entirely from the assembly. It remained unclear in 2007 whether the government intended to enact that plan.

There are several budding political parties in Tonga, and prodemocracy candidates have aligned themselves with the Human Rights and Democracy Movement, though it is not a formal party.

Widespread official corruption is a source of public discontent. The royals, the nobles, and their top associates have allegedly used state assets for their personal benefit. Tonga was ranked 175 out of 180 countries surveyed in Transparency International's 2007 Corruption Perceptions Index.

Despite constitutional guarantees of press freedom, the government has long suppressed media criticism. In 2004, the Supreme Court struck down a series of laws and constitutional amendments aimed at silencing critical print outlets. Political reporting has been invigorated by the presence of democracy advocates in parliament and broader public pressure for reform, but in 2007 the TBC faced restrictions on political coverage after cabinet ministers complained of bias. Further, government practices such as not publicly releasing draft budgets and bills or charging a fee to obtain court papers effectively restricts transparency and public involvement in policy decisions. The state owns shares in several private media companies and runs the television and radio stations. Internet diffusion is limited by cost and infrastructural challenges but demand is growing rapidly.

Freedom of religion is generally respected, but the government requires all religious references on broadcast media to conform to mainstream Christian beliefs. Academics reportedly practice self-censorship to avoid conflicts with the government.

Freedoms of assembly and association are upheld for apolitical or uncritical groups, but those engaging in protests and marches have reportedly suffered from government harassment. The state of emergency in force since the November 2006 riots restricts public assembly in the capital. The 1963 Trade Union Act gives workers the right to form unions and to strike, but regulations for union formation were never promulgated.

The judiciary is generally independent and efficient, and traditional village elders frequently adjudicate local disputes. Criminal suspects may exercise the right to an attorney and a court hearing. Prisons are spartan, but there are no reports of prisoner abuse.

Tensions between Tongans and Chinese immigrants have worsened in recent years, as evidenced by attacks on Chinese-owned shops during the 2006 riots. Many Chinese entrepreneurs and their families fled Tonga for safety.

Women enjoy equal access to education and health care and receive fairly equal treatment in employment. Women hold several senior government jobs, including cabinet positions and the majority of commissioned officer posts in the police. Nevertheless, women cannot own land, and domestic violence against women is not uncommon.

## Trinidad and Tobago

**Population:** 1,400,000  
**Capital:** Port-of-Spain

**Political Rights:** 2  
**Civil Liberties:** 2  
**Status:** Free



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

1998	1999	2000	2001	2002	2003	2004	2005	2006	2007
1,2F	1,2F	2,2F	3,3PF	3,3PF	3,3PF	3,3PF	3,2F	2,2F	2,2F

**Overview:** In November 2007, Prime Minister Patrick Manning of the People's National Movement party won a second term in office amid an economic boom generated by the country's natural gas industry. The United National Congress remained the principal opposition party, and the upstart Congress of the People party failed to win a single seat in Parliament.

Trinidad and Tobago, a member of the Commonwealth, achieved independence from Britain in 1962 and became a republic in 1976.

Prime Minister Patrick Manning of the People's National Movement (PNM) returned to the premiership in December 2001 after a previous stint in office from 1991 to 1995. The disputed 2001 elections had resulted in an evenly divided lower house, and Manning sought to break the deadlock by calling fresh elections in October 2002. The PNM won 20 of the chamber's 36 seats, but the opposition United National Congress (UNC) also had a strong showing, reinforcing the dominance of the two parties. The UNC became increasingly confrontational in 2003, forcing the government to compromise when legislation required a two-thirds majority. Basdeo Panday, the UNC prime minister from 1995 to 2001, refused to step down as party leader despite having promised to do so when he turned 70 in May 2003. In June 2005, the country's Elections and Boundaries Commission approved of the creation of 5 new electoral constituencies, for a total of 41. The change was designed to prevent a recurrence of the 2001 electoral tie.

Panday was sentenced to two years of hard labor in April 2006 for having failed to declare London bank accounts that he held while serving as prime minister. He retained the UNC chairmanship while appealing his conviction, which was overturned in April 2007. However, the UNC was embroiled in infighting, and several high-level defections fueled speculation that a three-party system could emerge. In September 2006, former UNC leader Winston Dookeran created a new party, Congress of the People.

Manning handily won another term in office in the November 2007 elections, with the PNM capturing 26 of the 41 seats in the lower house. The UNC won the remaining 15, leaving Congress of the People shut out of Parliament. Even Dookeran

lost his seat to a UNC opponent. About half of the country's one million registered voters cast their ballots, a lower turnout than in previous elections. A 27-member Caribbean Community (CARICOM) electoral observation mission reported that the elections were free and fair and that voting was orderly and peaceful, which represented a marked reduction in tension compared to previous elections.

Trinidad and Tobago is currently experiencing an economic boom driven by its natural gas industry. The country has become the biggest supplier of liquefied natural gas to the United States and the world's top exporter of methanol and ammonia. On the back of high energy prices, Trinidad enjoyed a growth rate in excess of 8 percent in 2007. However, violent crime remained a serious concern; there were 395 murders in 2007, up from 368 in 2006, giving the country one of the highest murder rates in the region.

Trinidad and Tobago is one of the few countries in Latin America and the Caribbean that must grapple with the problem of domestic Islamic extremism. Jamaat al-Muslimeen, a small radical Muslim group, staged a coup attempt in 1991, killing 23 people in a series of bombings and holding the prime minister and 8 cabinet members hostage before eventually surrendering to the authorities. In August 2003, Yasin Abu Bakr, the leader of Jamaat al-Muslimeen, was arrested on charges of conspiracy to commit murder but was then released on bail. He was re-arrested in July 2004 on charges of conspiring to murder two former members of his group, including his son-in-law. The jury in the case deadlocked, and he was released pending retrial, but police detained him and several followers once again after four bombs injured nine people in October 2005. They were subsequently released, and it remained unclear whether the bombers were engaged in criminal mischief or pursuing a broader political agenda. In 2007, an alleged four-person terrorist plot to blow up a fuel line at a New York City airport included a Trinidadian suspect. The four had reportedly attempted, without success, to enlist Jamaat al-Muslimeen's support for their efforts.

**Political Rights and Civil Liberties:** Trinidad and Tobago is an electoral democracy. The president is elected to a five-year term by a majority of the combined houses of Parliament, though executive authority rests with the prime minister. Parliament consists of the 41-member House of Representatives, elected for five years, and the 31-member Senate, also serving for five years. The president appoints 6 senators on the advice of the opposition, 16 on the advice of the prime minister, and 9 at his own discretion.

Political parties are free to organize, though the dominance of the PNM and UNC has led to a two-party system. The parties are technically multiethnic, but the PNM is favored by Afro-Trinidadians and the UNC is affiliated with Indo-Trinidadians.

Trinidad and Tobago is believed to suffer from high levels of official corruption. An Integrity Commission, established under the 2000 Integrity in Public Life Act, has the power to investigate the financial and ethical performance of public functionaries. Former prime minister Basdeo Panday of the UNC was the first person to be investigated by the commission. He was sentenced in April 2006 to two years in prison for failing to declare overseas bank accounts, but the conviction was overturned in 2007. Trinidad and Tobago was ranked 79 out of 180 countries surveyed in Transparency International's 2007 Corruption Perceptions Index.

Freedom of speech is legally guaranteed by the constitution. Press outlets are

privately owned and vigorous in their pluralistic views. There are four daily newspapers and several weeklies, as well as both private and public broadcast media outlets. In 2007, noted Islamic broadcaster Inshan Ishmael was arrested under the 2005 Anti-Terrorism Act for promoting a nationwide strike, and his *Breaking Barriers* television show was pulled off the air. However, the charges were later dropped. Access to the internet is not restricted.

Freedom of religion is guaranteed under the constitution, and the government honors this provision. Foreign missionaries are free to operate, but the government allows only 35 representatives of each denomination. Academic freedom is generally observed.

Freedoms of association and assembly are respected. Civil society in Trinidad and Tobago is relatively robust, with a range of interest groups engaged in the political process. Labor unions are well organized, powerful, and politically active, although union membership has declined in recent years. Strikes are legal and occur frequently.

The judicial branch is independent, but it is subject to some political pressure and corruption. As a result of rising crime rates, the court system is severely backlogged, in some cases for up to five years, with an estimated 20,000 criminal cases awaiting trial. The government permits human rights monitors to visit prisons, which are severely overcrowded.

Many Trinidadians of East Indian descent, who are disproportionately targets of abduction, blame the increase in violence and kidnapping on government corruption and police collusion. Drug-related corruption extends to the business community, and a significant amount of money is believed to be laundered through front companies. The Proceeds of Crime Act of 2000 provides severe penalties for money laundering and requires that major financial transactions be strictly monitored. The government works closely with U.S. law enforcement agencies to track drug shipments in and out of the country.

Corruption in the police force, which is often drug related, is endemic, and law enforcement inefficiency results in the dismissal of some criminal cases. The police have won praise, however, for establishing a branch of Crime Stoppers, an international organization that promotes community involvement in preventing and informing on crime through a telephone hotline.

The population is multiethnic, consisting of Afro-Trinidadians, Indo-Trinidadians, and those of mixed race. The Indo-Trinidadian community continues to edge toward numerical, and thus political, advantage. Accusations of racial discrimination are often leveled in Parliament, and racial disparities persist, with Indo-Trinidadians composing a disproportionate percentage of the country's upper class. However, the country's leadership alternates between the two dominant parties, which have loose ethnic affiliations but are not strictly defined by ethnicity.

Domestic violence concerns remain quite significant. While serious crimes such as murder and rape are reported, other instances of abuse go unreported. Gender discrimination is forbidden under the constitution, and women participate in high-level politics. As of 2007, women held one-sixth of the seats in the House of Representatives, one-fifth of the Senate's seats, and 10 cabinet-level positions. Women are present in the public and private sectors, but men still dominate most leadership positions, and salary gaps continue to favor men.

## Tunisia

**Population:** 10,200,000

**Capital:** Tunis

**Political Rights:** 7\*

**Civil Liberties:** 5

**Status:** Not Free



**Ratings Change:** Tunisia's political rights rating declined from 6 to 7 due to credible accusations of rampant corruption among the president's family and close associates.

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

1998	1999	2000	2001	2002	2003	2004	2005	2006	2007
6,5NF	6,5NF	6,5NF	6,5NF	6,5NF	6,5NF	6,5NF	6,5NF	6,5NF	7,5NF

**Overview:** **Early in 2007, security forces clashed with what the government described as an armed Islamist insurgency. While the authorities continued to take small steps like releasing certain political prisoners during the year, they also maintained the practice of harassing and jailing government opponents.**

Tunisia, which had been a French protectorate since 1881, gained its independence in 1956. The country was then ruled for more than 30 years by Habib Bourguiba, a secular nationalist who favored economic and social modernization along Western lines but who severely limited political liberties. Bourguiba succeeded in advancing women's rights and economic development, and his government was able to maintain strong relations with both the West and fellow Arab states.

In 1987, Prime Minister Zine el-Abidine Ben Ali ousted Bourguiba and seized the presidency in a bloodless coup. Ben Ali's rise to power had little effect on state policy. He continued to push market-based economic development and women's rights, but he also repressed political opponents. Independent journalists, secular activists, and Islamists faced imprisonment, torture, and harassment. The Islamists, particularly those in the banned movement Ennahda, were jailed following sham trials in the early 1990s. Some political prisoners have been freed in recent years, and Ben Ali has publicly stated that the press and opposition should feel free to promote their ideas. However, the president's critics still face beatings and incarceration, and even political activists who are released from jail often have their movements monitored and restricted.

Tunisian authorities have been able to react with indifference to the complaints of local and international human rights groups largely because they are not backed by diplomatic pressure. Tunisia has not faced the kind of intense criticism from the United States or European Union (EU) that is applied to other Arab states. The public statements that have been issued are not bolstered by threats to reduce diplomatic or economic ties. Tunisia is seen as a moderate Muslim ally in the fight against Islamic extremism, and U.S. and European officials are wary of alienating Ben Ali.

**Political Rights and Civil Liberties:** Tunisia is not an electoral democracy. President Zine el-Abidine Ben Ali has exercised authoritarian rule since he ousted former president Habib Bourguiba in a 1987 coup. Beginning in 1989, he won four successive five-year terms in tightly controlled elections, either running unopposed or easily defeating token challengers. A 2002 referendum removed the constitution's three-term limit for presidents, allowing Ben Ali to secure reelection in 2004 with over 95 percent of the vote, amid opposition boycotts and claims of fraud. The president appoints the cabinet, the prime minister, and regional governors. The bicameral legislature, composed of a 189-seat Chamber of Deputies with five-year terms and a Chamber of Advisors with 126 members appointed or indirectly elected to six-year terms, is a rubber-stamp institution dominated by Ben Ali's Constitutional Democratic Rally (RCD) party. The RCD currently holds 152 of the lower house's 189 seats, and parliamentary elections are neither free nor fair.

Opposition parties that are genuinely independent of state influence are weak and have almost no role in the formation of public policy. The state severely curbs their activities. According to Human Rights Watch, a Tunis court in October 2007 ordered the eviction of the Progressive Democratic Party's weekly publication *Al-Mawkef* from its offices on the grounds that it had violated the terms of its lease. The party is one of the few critical independent movements in Tunisia.

Corruption in Tunisia may be less prevalent than in some Arab states, but those close to the president and his family have increasingly employed their positions to gain financially. In Transparency International's 2007 Corruption Perceptions Index, Tunisia was ranked 61 out of 180 countries surveyed.

The situation for journalists in Tunisia is one of the worst in the Arab world. The government has taken some steps to placate external critics, but substantial changes have yet to occur. Tunisia continues to block free expression in print, television, and radio, and is among the most aggressive governments in policing the internet. In the decades since Ben Ali became president, Tunisian journalists have been detained, physically assaulted, fired from their jobs, prevented from leaving the country, and monitored by the efficient police services. A press law that endorses free expression is largely ignored in practice. Tunisian authorities have shown on numerous occasions that they are willing to use both judicial and extrajudicial means to punish dissenting journalists. When journalists are taken to court, they are often charged with vague violations of the penal code which may have no connection to laws dealing with free expression. Critical journalists at times are simply attacked by thugs.

Government-approved media regularly feature praise of Ben Ali and his associates. Independent journalists and activists continued to try to circumvent state restrictions and publish their work in 2007, but they faced routine government harassment. In August, Omar Mestiri, an editor of the online magazine *Kalima*, faced defamation charges in a case brought by a lawyer associated with the state. The case was eventually dropped, but the lawyer who defended Mestiri had his office burned the following day. The New York-based Committee to Protect Journalists reported that the government continued to harass Lotfi Hajji, a reporter for Qatar's Al-Jazeera satellite television station and cofounder of the independent Tunisian Journalists' Syndicate. He has been under pressure for years, and the government has used tactics including physical violence to hamper his work. Also in 2007, independent

journalist Slim Boukhdhir, who has written critically about Ben Ali's family, received a prison sentence; Lotfi Hidouri of *Kalima* and Ayman Rezgui of an Italian-based satellite channel were beaten by police; and Rezgui's boss was briefly detained. In addition to the severe restrictions on local journalists, Tunisian authorities carefully monitor the work of foreign journalists and foreign publications coming into the country. Criticism of Ben Ali is not tolerated, and editions of foreign publications that do report critically on Tunisia are seized. Foreign journalists who offend the government can be expelled.

Tunisia is officially a Muslim state, but the small population of local Jews and Christians are generally free to practice their religions. The government is more concerned with militant Islam and closely monitors mosques for extremist activity. The state provides funding for local mosques, and they must remain closed when it is not prayer time. Imams are state appointed and salaried. In late 2006 and early 2007, government forces battled what they described as armed Islamist militants for the first time in recent memory.

Authorities limit academic freedom. While professors may discuss sensitive topics with relative openness in private settings, the government will not allow these topics to be discussed at public forums.

Rights to freedom of association and assembly are guaranteed in the constitution, but the government restricts them in practice. Independent human rights organizations are stifled and harassed. According to Human Rights Watch, genuinely independent human rights groups are consistently denied legal recognition, and their "illegal" status is then used to restrict their operations. Lawyer Mohamed Abbou, who had been in jail since 2005 and had criticized the government in internet postings, was released in July 2007. He has since been monitored and prevented from leaving the country. Authorities also briefly detained and harassed Tunisian human rights lawyer Samir Ben Amor in December. Ben Amor is active in a group called the International Association in Support of Political Prisoners (AISPP), which the authorities have described as "unrecognized."

Recognized labor organizations like the General Union of Tunisian Workers (UGTT) are progovernment in orientation. The UGTT endorsed Ben Ali's most recent presidential candidacy in 2004. Authorities limit independent labor activity, especially when it resembles or threatens to become organized political opposition.

The Tunisian judiciary lacks independence and regularly issues convictions in politically motivated cases. Credible local and international sources report that detainees are tortured in prison and in police custody. In 2007, Ben Ali ordered the release of over 30 prisoners, but the practice of detaining political activists continued.

One of the few areas in which Tunisian authorities have been more progressive is women's rights. Tunisian women enjoy many more social freedoms and legal rights than their counterparts in other Arab countries. The 1956 Personal Status Code grants women equal rights in divorce, and children born to Tunisian women are automatically granted Tunisian citizenship.

## Turkey

**Population:** 74,000,000

**Capital:** Ankara

**Political Rights:** 3

**Civil Liberties:** 3

**Status:** Partly Free



**Trend Arrow:** Turkey received an upward trend arrow for holding free and fair parliamentary elections.

### Ten-Year Ratings Timeline For Year Under Review

(Political Rights, Civil Liberties, Status)

1998	1999	2000	2001	2002	2003	2004	2005	2006	2007
4,5PF	4,5PF	4,5PF	4,5PF	3,4PF	3,4PF	3,3PF	3,3PF	3,3PF	3,3PF

**Overview:** **The ruling Justice and Development (AK) Party won a strong victory in July 2007 parliamentary elections, which were deemed free and fair. The result paved the way for the party's presidential candidate to win election in August, despite objections from the military and secularist opposition parties. Meanwhile, the government's reform efforts continued to stall.**

Turkey emerged as a republic following the breakup of the Ottoman Empire at the end of World War I. Its founder and the author of its guiding principles was Mustafa Kemal, dubbed Ataturk (Father of the Turks), who declared that Turkey would be a secular state. He sought to modernize the country through measures such as the pursuit of Western learning, the use of the Roman alphabet instead of Arabic script for writing Turkish, and the abolition of the Muslim caliphate.

Following Ataturk's death in 1938, Turkey remained neutral for most of World War II, joining the Allies only in February 1945. In 1952, the republic joined NATO to secure protection from the Soviet Union. However, Turkey's domestic politics have been unstable, and the army has forced out civilian governments on four occasions since 1960. The military, which sees itself as a bulwark against both Islamism and Kurdish separatism, has traditionally wielded great influence over the functioning of the government.

The role of Islam in public life has been one of the key questions of Turkish politics since the 1990s. In 1995, the Islamist party Welfare won parliamentary elections and joined the ruling coalition the following year. However, the army, ever protective of Turkey's secular identity, forced the coalition to resign in 1997 and Welfare withdrew from power.

The governments that followed failed to stabilize the shaky economy, leading to an economic crisis in 2001 and growing discontent among voters. The Justice and Development (AK) Party, whose roots lay in the disbanded Welfare party, won a sweeping majority in the November 2002 elections. AK's leader, Recep Tayyip



Erdogan, had previously been banned from politics after he was convicted of crimes against secularism for reading a poem that seemed to incite religious intolerance. However, the party sought to distance itself from Islamism. Abdullah Gul served as its prime minister until the parliament changed the constitution, allowing Erdogan to replace him in March 2003.

Erdogan used AK's large parliamentary majority to pass a series of wide-reaching reforms that were crucial to Turkey's application to join the European Union (EU). Accession talks officially began in October 2005. However, difficulties soon arose, especially regarding Cyprus. The island has been divided since 1974 between an internationally recognized Republic of Cyprus, populated mostly by ethnic Greeks, and a Turkish-backed Turkish Republic of Northern Cyprus (TRNC). The southern republic, an EU member state since 2004, wants Turkey to open its ports to Greek Cypriot ships as called for in an EU customs agreement, but Turkey has refused, as the EU has not fulfilled its promise to end the economic isolation of the TRNC. Moreover, EU public opinion and some EU leaders are against Turkish membership, and the EU has criticized Turkey for stalling on reforms in recent years. Turkish popular support for membership has also fallen, with an apparent parallel rise in Turkish nationalism, although a majority still favors joining the EU. In 2007, the EU opened a new stage of membership talks with Turkey.

President Ahmet Necdet Sezer's nonrenewable term ended in May 2007. The prime minister, who is responsible for nominating a presidential candidate for election by the National Assembly, chose Gul in spite of explicit objections by the military and the secularist Republican People's Party (CHP). In a posting on its website, the army tacitly threatened to intervene if Gul's nomination was approved, and secularists mounted huge street demonstrations to protest the Islamist threat they perceived in his candidacy. An opposition boycott of the April presidential vote in parliament prevented a quorum, leading the traditionally secularist constitutional court to annul the poll. With his nominee thwarted, Erdogan called parliamentary elections for July—four months ahead of schedule—in an effort to reduce the opposition's numbers.

AK won a clear victory in the parliamentary elections, increasing its share of the vote to nearly 50 percent. However, because more parties passed the 10 percent threshold for entering the legislature, AK's share of seats actually decreased slightly to 340. The CHP together with its junior partner, the Democratic Left Party, won 112 seats. The Nationalist Movement Party (MHP) entered the assembly for the first time, with 70 seats. A group of 20 candidates from the pro-Kurdish Democratic Society Party (DTP) also gained seats for the first time by running as independents, since they did not have the national support required to enter as a party. The MHP decided not to boycott the subsequent presidential vote, and Gul was ultimately elected president on August 28. While Gul's policies and politics are generally respected, his wife generates endless controversy as the first in her position to wear a headscarf; such religious garments are banned in government buildings.

In an October referendum, voters approved constitutional amendments that, among other changes, reduced the presidential term to five years with a possibility for reelection, provided for future presidents to be elected by popular vote rather than by parliament, and cut the parliamentary term to four years. At year's end, parliament was drafting a revised constitution, expected to be voted on during 2008.

Violence continued to rise in the southeast in 2007. Kurdish separatists in the region had fought a 15-year guerrilla war against government forces until 1999, when separatist leader Abdullah Ocalan was captured. His Kurdish Workers Party (PKK) abandoned its ceasefire in 2004, and while it occasionally offers renewed truces, fighting in 2007 led to casualties among guerrillas, government forces, and occasionally civilians. PKK splinter groups have also reportedly formed. In what critics claimed was a populist move, Turkey pursued PKK fighters in northern Iraq in land and air operations in late 2007, despite pressure to refrain from Iraq, the United States and other Turkish allies.

**Political Rights and Civil Liberties:** Turkey is an electoral democracy. The 1982 constitution provides for a 550-seat unicameral parliament, the Grand National Assembly. Reforms approved in the 2007 referendum reduced members' terms to four years, from five. The changes also envision future presidential elections by popular vote for a once-renewable, five-year term, replacing the existing system of presidential election by parliament for a single seven-year term. The president appoints the prime minister from among the lawmakers. The prime minister is head of government, but the president has certain powers, including a legislative veto and the authority to appoint judges and prosecutors. Democratic choice has been undercut by the army in the past, most recently in 1997, when the military forced the government of the religious Welfare party out of office. The July 2007 elections were widely judged to be free and fair, with reports of more open debate on traditionally sensitive issues. One independent candidate was shot dead before the elections.

A party must win at least 10 percent of the votes cast nationwide to secure representation in parliament. The opposition landscape changed in 2007, with the rejection by voters of the Motherland Party and the entrance of the MHP and representatives of the DTP into the legislature. By contrast, only the two largest parties—the ruling AK and the opposition CHP—won seats in the 2002 elections. Much of AK's popular base is very religious. Although the party supported some loosening of restrictions on religious activity in its first term, it has not made any attempt to undermine Turkey's secular underpinnings.

A party can be shut down if its program is not in agreement with the constitution, and this criterion is broadly interpreted. The Communist Party and parties representing Kurdish interests face court cases threatening their closure and can function only minimally. As many as 50 DTP members, including the party leader, were arrested in 2007 for pro-Kurdish activities, and some were convicted. At the end of 2007, the Constitutional Court was considering a case to shut down the DTP on the grounds that it is linked to the PKK, and its leader was charged with insulting the state. The number of women in the assembly nearly doubled with the 2007 elections but is still under 50.

The government has experienced tension with entrenched, secularist state officials, including judges, prosecutors, and military officers. Segments of the bureaucracy appear to purposefully rebel against reforms they see as threatening to Turkey's secular system. This internal tension has jeopardized Turkey's democratic progress, as well as its EU aspirations.

Recent reforms have increased civilian oversight of the military, but restrictions

persist in areas including civilian supervision of defense expenditures. The once-powerful National Security Council, dominated by the military, has been reduced to an advisory role, and since 2004 it has been headed by a civilian. However, the military continues to intrude on issues beyond its purview, and the EU reported an increase in military comments on key domestic and foreign policy matters in 2007. These included Abdullah Gul's election as president, although the fact that the military ultimately did not disrupt the election was significant.

Turkey struggles with corruption in government and in daily life. The AK Party originally came to power with promises to clean up government corruption, and it has adopted some anticorruption measures. However, enforcement is lacking, and a culture of tolerance of corruption pervades the general population. Parliamentary immunity prevents the prosecution of most politicians. Government transparency has improved in recent years through EU-related reforms. Turkey was ranked 64 out of 180 countries surveyed in Transparency International's 2007 Corruption Perceptions Index.

The right to free expression is guaranteed in the constitution. Legal impediments to press freedom remain, although recent reforms have had some positive effect. Publications in Kurdish are now permitted, and television broadcasts in Kurdish began in March 2006, but restrictions are still applied. Journalists are sometimes prosecuted under the penal code instead of being sued according to the press law, and a 2006 antiterrorism law reintroduced jail sentences for journalists. Nearly all media organizations are owned by giant holding companies with interests in other sectors, which contributes to self-censorship by journalists. More significantly, Article 301 of the 2004 revised penal code includes tight restrictions, allowing journalists and others to be prosecuted for discussing controversial subjects such as the division of Cyprus and the 1915 mass killings of Armenians by Turks. Many writers, publishers, and journalists have been charged and tried for crimes that include insulting the armed services and denigrating "Turkishness"; very few have been convicted, and charges are often dropped, but trials are time-consuming and expensive. The broadcast authority banned coverage of PKK attacks in October 2007.

In January 2007, a Turkish nationalist murdered journalist Hrant Dink for his stated views on the Armenian killings, which had previously earned him a suspended prison sentence under Article 301. Many media outlets reported various forms of interference in 2007. The offices of the weekly *Nokta* were raided in April following a complaint by a military prosecutor, and *Nokta* subsequently chose to suspend operations.

The internet is subject to the same censorship policies that apply to other media, and a bill passed in May 2007 allows the state to block access to sites deemed to insult Ataturk or whose content includes criminal activities. This followed a March court order that briefly banned access to video-sharing website YouTube over a video insulting Ataturk.

The constitution protects freedom of religion. Turkey is a predominantly Muslim country, and much of its population is very devout. Three non-Muslim groups—Jews, Orthodox Christians, and Armenian Christians—are officially recognized, and attitudes toward them are generally tolerant, although they are not integrated into the Turkish establishment. Other groups lack legal status, and their activities are subject to legal challenges. Christian minorities have been facing hostility, and three Protestants were killed in April 2007 at a publishing house that distributed Bibles.

The Turkish republic's official secularism has in practice led to considerable state control of religion. Women wearing headscarves are not allowed in public universities and government offices, and observant men are dismissed from the military. The European Court of Human Rights has repeatedly upheld the headscarf ban's legality. The government does not restrict academic freedom, although self-censorship on sensitive topics is common.

Freedoms of association and assembly are protected in the constitution. Prior restrictions on public demonstrations have been relaxed, but police sometimes monitor public meetings of nongovernmental organizations. Police cracked down on a 2007 May Day protest and arrested nearly 600 people. A 2004 law on associations was expected to reduce state interference in civil society, but 2005 implementing legislation allows the state to restrict groups that might oppose its interests. Members of local human rights groups have received death threats. Nevertheless, civil society plays an increasingly active role in Turkish politics. Trade union activity remains restricted in practice, although laws to protect unions are in place. Implementation has not kept pace with EU-related improvements to the legal framework on that issue.

The Turkish constitution envisions an independent judiciary, but in practice, the government can influence judges through its control of appointments, promotions, and financing. Critics questioned the impartiality of the April 2007 constitutional court ruling annulling the presidential election; much of the court system is controlled by strict secularists who oppose the ruling government. A controversial bill adopted in late 2007 introduces an interview for all judicial candidates before a ministry-appointed board, which critics say could make space for further executive interference. However, the judiciary has been strengthened in recent years by structural reforms and a 2004 overhaul of the penal code. The death penalty was fully abolished in 2004, and State Security Courts, where many human rights abuses occurred, were replaced by so-called Heavy Penal Courts. Still, some trials last so long as to become an inconvenience and financial burden for the defense. Amnesty International has accused the Heavy Penal Courts of accepting evidence extracted under torture.

The current government has a "zero tolerance" policy concerning torture, backed up by new laws and training to improve implementation. In July 2007, Amnesty International again reported a decrease in torture in police custody and improved safeguards. However, rights groups still cite new cases and highlight the fact that perpetrators are not consistently punished. The government has established a variety of bodies to investigate and field complaints on human rights.

Prison conditions can be harsh, with problems including overcrowding. The country's F-type prisons are criticized for isolating inmates. An especially contentious imprisonment is that of Abdullah Ocalan, former leader of the Kurdish guerrilla movement, who is serving a life sentence in solitary confinement on an island off the Turkish coast.

The Kurdish conflict in the southeast in the 1990s, in which more than 35,000 people were killed, has left a legacy of discrimination and a lower standard of living in the region. Fighting between the PKK and the government in the southeast is ongoing. Renewed ceasefires offered by the PKK have been rejected by the government. The conviction of security officials in connection with a 2005 bomb explosion in a bookstore in the southeast was overturned in May 2007 for procedural flaws.

The state claims that all Turkish citizens are treated equally, but its unwilling-

ness to acknowledge minority differences results in de facto unequal treatment under the law. Because recognized minorities are limited to the three defined by religion and there has been a traditional emphasis on Turkish national identity, Kurds in particular have faced restrictions on their language, culture, and freedom of expression. The situation has improved with EU-related reforms, but official and informal discrimination remains. Alleged collaboration with the PKK can be used as an excuse to arrest Kurds who challenge the government.

Property rights are generally respected in Turkey. The most significant problem is the tens of thousands of Kurds who were driven from their homes by government forces during the conflict in the 1990s. Increasing numbers have returned to their homes since a program to address the situation was launched in 2004, and the first families received monetary compensation in 2006, but progress has been slow. Local paramilitary "village guards" have been criticized for obstructing returning families through intimidation and violence.

The amended constitution grants women full equality before the law, but they face discrimination in employment and are underrepresented in government. The World Economic Forum ranked Turkey 121 out of 128 countries surveyed in its 2007 Global Gender Gap Index. Domestic abuse and so-called honor crimes continue to occur; a 2007 study from the Turkish Sabanci University found that one in three women in the country was a victim of violence. The 2004 penal code revisions include increased penalties for crimes against women and the elimination of sentence reductions in cases of honor killing and rape. Suicide among women has been linked to familial pressure as stricter laws have made honor killings less permissible. A 2006 national poll found that Turks hold deeply conservative values, including disapproval of homosexuality and the cohabitation of unmarried couples.

## Turkmenistan

**Population:** 5,400,000

**Capital:** Ashgabat

**Political Rights:** 7

**Civil Liberties:** 7

**Status:** Not Free



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

1998	1999	2000	2001	2002	2003	2004	2005	2006	2007
7,7NF	7,7NF	7,7NF	7,7NF	7,7NF	7,7NF	7,7NF	7,7NF	7,7NF	7,7NF

**Overview:** President Gurbanguly Berdymukhammedov, who emerged as Saparmurat Niyazov's successor after the latter's death in December 2006, cemented his status in a February 2007 presidential election and with a number of government shakeups. Berdymukhammedov reversed some of his predecessor's most egregious policies, but these steps did little

**to change the country's profoundly repressive and arbitrary system of government. The new president also pursued a more active foreign policy, traveling internationally, vowing greater openness to foreign investment, and attempting to balance Chinese, Russian, and Western interests in Turkmenistan's natural gas reserves.**

Turkmenistan gained formal independence from the Soviet Union in 1991. Saparmurat Niyazov, the former head of the Turkmenistan Communist Party, had been the sole candidate in elections to the newly created post of president in October 1990. After the adoption of a new constitution in 1992, he ran unopposed again and was reelected for a five-year term with a reported 99.5 percent of the vote. A 1994 referendum extended his term until 2002. In the December 1994 elections to the Mejlis (National Assembly), only Niyazov's Democratic Party of Turkmenistan (DPT), the former Communist Party, was permitted to field candidates.

In the 1999 Mejlis elections, every candidate was selected by the government and virtually all were members of the DPT. The Organization for Security and Cooperation in Europe (OSCE), citing numerous procedural inadequacies, refused to send even a limited assessment mission. The Mejlis unanimously voted in late December to make Niyazov president for life.

In November 2002, Niyazov survived an alleged assassination attempt in Ashgabat. The incident sparked a widespread crackdown on the opposition and perceived critics of the regime, drawing condemnation from foreign governments and international organizations. Early elections for the Halk Maslahaty (People's Council), a second legislative body, were held in 2003, and Mejlis polls were held in 2004. As in previous elections, candidates for both chambers were preapproved by the administration.

Niyazov's rule was marked by frequent government reshuffles, the gutting of formal institutions, the muzzling of media, and an elaborate personality cult. The *Rukhnama*, a rambling collection of quasi-historical and philosophical musings attributed to Niyazov, became the core of educational curriculums. Limited information about the true state of affairs in Turkmenistan pointed to crises in health care, education, and agriculture.

Niyazov's death on December 21, 2006, from an apparent heart attack was followed by the rapid and seemingly well-orchestrated ascent of Deputy Prime Minister Gurbanguly Berdymukhammedov to the position of acting president. The succession appeared to circumvent constitutional norms, as criminal charges were brought against Mejlis Speaker Ovezgeldy Atayev, who would have become acting president according to the constitution. Berdymukhammedov subsequently cemented his formal status, easily besting five obscure ruling-party candidates in a February 2007 presidential election that was not monitored by any international observers.

Berdymukhammedov used 2007 to consolidate his position, removing Niyazov loyalists from high posts. Although Niyazov's extensive cult of personality appeared to wane after his death, lavish celebrations of Berdymukhammedov's 50th birthday in June raised fears that a new cult was arising.

Also during the year, Berdymukhammedov eased the isolationist foreign policy maintained by Niyazov. He visited Saudi Arabia, China, Iran, the United States, and the European Union, and moved to improve long-strained ties with Azerbaijan.

Despite this new "multivector" approach, natural gas sales continue to dominate Turkmenistan's relations with the outside world, with competition between China and Russia emerging as the leitmotif in recent interactions.

**Political Rights and Civil Liberties:** Turkmenistan is not an electoral democracy. The late Saparmurat Niyazov enjoyed virtually absolute power, serving as "president for life" until his death in 2006. None of the country's elections—including the February 2007 vote that gave Niyazov's successor, Gurbanguly Berdymukhammedov, a five-year term in office—have been free or fair.

The country has two parliamentary bodies, neither of which enjoys independence from the executive: the unicameral Mejlis (National Assembly), composed of 50 members elected by popular vote for five-year terms, and the Halk Maslahaty (People's Council), composed of approximately 2,500 elected and appointed members. The Halk Maslahaty was officially made the country's supreme legislative body in 2003.

Only one political party, the DPT, has been officially registered. Opposition parties have been banned, and those of their leaders who have not fled abroad face harassment and detention.

Corruption is widespread, with public officials often forced to bribe their way into their positions. Turkmenistan was ranked 162 out of 180 countries surveyed in Transparency International's 2007 Corruption Perceptions Index.

Freedom of speech and the press is severely restricted by the government, which controls all broadcast and print media. Some reports indicate that the media have become slightly more informative after Niyazov's death and that government surveillance of private discussion is less intense. State-owned Turkmen Telekom is the only authorized internet service provider in the country. Berdymukhammedov has promised universal internet access, but when two internet cafes opened in Ashgabat in February 2007, they were prohibitively expensive and reportedly guarded by soldiers. The Turkmen authorities have yet to permit an investigation of the suspicious death of Radio Free Europe/Radio Liberty correspondent Ogulsapar Muradova, who died in custody in 2006.

The government restricts freedom of religion, and independent groups continue to face persecution. While Niyazov declared in 2004 that practicing an unregistered religion would no longer be a criminal offense, it remains illegal, with violators subject to fines. In August 2007, former chief mufti Nasrullah ibn Ibadullah, who had been serving a 22-year prison sentence for treason, was pardoned. However, the U.S. State Department's 2007 International Religious Freedom Report, released in September, found that "there was no improvement in the status of respect for religious freedom by the Government during the period covered by this report." The government controls access to Islamic education and restricts the number of mosques in the country. The authorities also coerce Christian and Muslim houses of worship to display a copy of Niyazov's *Rukhnama*.

The government places significant restrictions on academic freedom, and the *Rukhnama* is still required reading throughout the school system. Some reforms took place in 2007, however. A February decree increased grade-school education from 9 to 10 years and university education to 5 years of study, from 2 years' study

plus 2 years' practical work. A March decree raised teachers' salaries by 40 percent. These positive steps will require significant follow-up measures, and perhaps outside assistance, to overcome the disastrous effects of Niyazov's extended assault on education.

While the constitution guarantees peaceful assembly and association, these rights are severely restricted in practice. Opposition sources provided scattered, unconfirmed reports of protests after pension reductions in January 2006. In July 2007, the cuts were reversed. While not technically illegal, nongovernmental organizations (NGOs) are tightly controlled, and Turkmenistan has no civil society sector to speak of.

The government-controlled Colleagues Union is the only central trade union permitted. There are no legal guarantees for workers to form unions or strike, although the constitution does not specifically prohibit these rights. Strikes in Turkmenistan are extremely rare.

The judicial system is subservient to the president, who appoints and removes judges without legislative review. The authorities frequently deny rights of due process, including public trials and access to defense attorneys. In February 2007, Berdymukhammedov set up a commission to accept complaints against law enforcement authorities, but it is unclear whether this will give citizens recourse against the arbitrary actions of officials.

Prisons suffer from overcrowding and inadequate nutrition and medical care, and international organizations are not permitted to visit. While Berdymukhammedov announced in September 2007 that imprisoned former foreign ministers Boris Shikhmuradov and Batyr Berdyev were alive, the conditions in which they and other political prisoners are held remain unknown. A number of individuals who had been purged and jailed under Niyazov were released in October 2007, although high-profile prisoners like Shikhmuradov remained behind bars.

Turkmenistan is a smuggling corridor for drugs from neighboring Afghanistan, with numerous reports suggesting the involvement of high-level officials in the narcotics trade as well as a growing problem of drug addiction within Turkmenistan.

Employment and educational opportunities for ethnic minorities are limited by the government's promotion of Turkmen national identity and its discrimination against those who are not ethnic Turkmen. Under Niyazov, many Russian-language institutions, including schools, were closed; recent reports point to a possible restoration of some Russian-language education.

Freedom of movement overseas is restricted, with a reported "black list" preventing some individuals from leaving the country. In July 2007, the government lifted Niyazov-era domestic travel restrictions.

A continuing Soviet-style command economy and widespread corruption diminish equality of opportunity. Profits from the country's extensive energy exports rarely reach the general population, most of whom live in poverty. In June 2007, Berdymukhammedov ordered the seizure and audit of a secret account, thought to be held in a German bank, into which Niyazov was believed to have siphoned profits from natural gas sales.

According to the Vienna-based International Helsinki Federation for Human Rights, the Turkmen government has engaged in "widespread violations of property rights" as part of a dramatic urban reconstruction project in Ashgabat that was



launched in 2001. Hundreds of residents have reportedly been forced to vacate their homes on extremely short notice and with little or no compensation.

Traditional social and religious norms and a lack of employment prospects limit professional opportunities for women, and anecdotal reports suggest that domestic violence is common. Niyazov had gained fame for numerous and often bizarre pronouncements that led to infringements of personal social freedom, including campaigns against gold teeth and lip-synching. These appeared to come to an end with Niyazov's death.

## Tuvalu

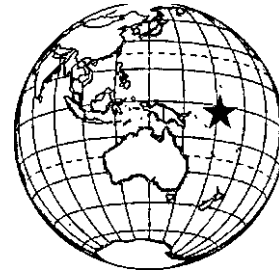
**Population:** 10,000

**Capital:** Funafuti

**Political Rights:** 1

**Civil Liberties:** 1

**Status:** Free



### Ten-Year Ratings Timeline For Year Under Review

(Political Rights, Civil Liberties, Status)

1998	1999	2000	2001	2002	2003	2004	2005	2006	2007
1,1F	1,1F	1,1F	1,1F	1,1F	1,1F	1,1F	1,1F	1,1F	1,1F

### Overview:

**Tuvalu's Parliament passed legislation allowing the incorporation of nongovernmental organizations in July 2007. The law was expected to strengthen legal protections for**

**civil society groups.**

The Gilbert and Ellice Islands, situated in the central South Pacific Ocean, became a British protectorate in 1892 and a British colony in 1916. Polynesian Ellice Islanders voted to separate themselves from the Micronesian Gilbertese in 1974. In 1978, the Ellice Islands became independent under the name of Tuvalu, while the Gilbert Islands went on to become part of Kiribati.

The country has had several changes of government since 2001 due to intense personal and political rivalries and the frequent use of no-confidence votes. Individual and tribal loyalties rather than formal party affiliations drive political alliances, and elected representatives frequently change sides while in office. This situation has sustained a decade-long debate over proposals to introduce direct popular elections for prime minister.

Disappointment with incumbent lawmakers prompted a large voter turnout—some 6,000 out of a population of 10,000—in the 2006 general elections, and newcomers took 7 of the 15 Parliament seats. Apisai Ielemia, a former civil servant, was chosen as prime minister.

In July 2007, Parliament passed a bill to allow the incorporation of nongovernmental organizations.

**Political Rights and Civil Liberties:**

Tuvalu is an electoral democracy. The head of state, Britain's Queen Elizabeth II, is represented by a governor-general who must be a citizen of Tuvalu. The prime minister, chosen by Parliament, leads the government. The unicameral, 15-member Parliament is elected to four-year terms. A six-person council administers each of the country's nine atolls. Council members are chosen by universal suffrage for four-year terms.

There are no formal political parties, although there are no laws against their formation. Political allegiances revolve around geography and personalities.

Tuvalu is one of the few places in the Pacific Islands where corruption is not a serious problem. The country was not ranked in Transparency International's 2007 Corruption Perceptions Index.

The constitution provides for freedom of speech and the press, and the government generally respects these rights in practice. The semipublic Tuvalu Media Corporation (TMC) operates the country's sole radio station as well as a television station. Human rights groups have criticized the TMC for limited coverage of politics and human rights issues, but there are no allegations of censorship or imbalances in reporting. The radio station, Radio Tuvalu, broadcasts a range of domestic and international programs, but financial constraints at the television station limit broadcast time and content variety. Many residents use satellite dishes to access foreign programming. There is one fortnightly newspaper, *Tuvalu Echoes*, which is also run by TMC. The government news sheet, *Sikuelo o Tuvalu*, is published in Tuvaluan. Internet access is largely limited to the capital because of cost and connectivity challenges. Telecommunication links can be tenuous; for example, equipment failure disrupted all telecommunication services for two weeks in December 2005, though service resumed after replacement parts were brought in from Fiji.

Religious freedom is generally respected in practice. Religion is a major part of life in this overwhelmingly Christian country, and Sunday service is typically considered the most important weekly event. Academic freedom is also generally respected.

The constitution provides for freedoms of association and assembly, and the government generally upholds these rights. Public demonstrations are permitted, and nongovernmental groups provide a variety of health, education, and other services for women, youth, and the population at large. In July 2007, Parliament approved a bill allowing the incorporation of nongovernmental organizations. The measure was expected to strengthen legal protection for civil society groups. Workers can freely organize unions and choose their own representatives for collective bargaining. They also have the right to strike, but no strikes have occurred in Tuvalu's history. Public sector employees, numbering fewer than 1,000, are members of professional associations that do not have union status. With two-thirds of the population engaged in subsistence farming and fishing, Tuvalu has only one registered trade union—the Tuvalu Seaman's Union, with about 600 members who work on foreign merchant vessels. In December 2005, Tuvalu joined the International Labor Organization.

The judiciary is independent and provides fair trials. Tuvalu has a two-tier judicial system. The higher courts include the Privy Council in London, the court of appeal, and the high court. The lower courts consist of senior and resident magistrates, the island courts, and the land courts. The chief justice, who is also the chief justice of Tonga, sits on the high court about once a year. A civilian-controlled, 70-

member constabulary force maintains internal order. Prisons are spartan, but there have been no reports of abuse.

Major sources of revenue for the state include the sale of coins and stamps, sale of tuna-fishing licenses to foreign fleets, and leasing of the country's internet domain name, ".tv," to foreign firms. Copra and handicrafts are Tuvalu's main exports. About 10 percent of the annual budget is derived from the Tuvalu Trust Fund, a well-run overseas investment fund set up by Britain, Australia, and South Korea in 1987 to provide development assistance.

There is general respect for human rights, but traditional customs and social norms condone discrimination against women and limit their role in society. Violence against women is rare. Rape is a crime punishable by law, but spousal rape is not included in the definition. No law specifically targets sexual harassment. Women enjoy equal access to education, but they remain underrepresented in positions of leadership in business and government.

## Uganda

**Population:** 28,500,000

**Capital:** Kampala

**Political Rights:** 5

**Civil Liberties:** 4

**Status:** Partly Free



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

1998	1999	2000	2001	2002	2003	2004	2005	2006	2007
4,4PF	5,5PF	6,5PF	6,5PF	6,4PF	5,4PF	5,4PF	5,4PF	5,4PF	5,4PF

**Overview:** Concerns about judicial independence in Uganda were reinforced by the security forces' intervention in a politically sensitive trial in 2007. The government also sought to increase limitations on press freedom during the year. Progress was made toward resolving the long-running and gruesome conflict with the rebel Lord's Resistance Army in the north, although ongoing instability in the eastern provinces of the Democratic Republic of Congo spilled over into Uganda.

In the years following its independence from Britain in 1962, Uganda experienced considerable political instability. President Milton Obote, an increasingly authoritarian leader, was overthrown by Major General Idi Amin in 1971. Amin's brutality made world headlines as hundreds of thousands of people were killed. His 1978 invasion of Tanzania finally led to his ouster, with Tanzanian forces and Ugandan exiles routing his army. After Obote returned to power in 1980 in fraudulent elections, he and his backers from northern Uganda savagely repressed their opponents, who were primarily from southern Ugandan ethnic groups.

Obote was overthrown a second time in a 1985 army coup. Conditions continued to worsen until the National Resistance Army, led by Yoweri Museveni, assumed power in 1986. Arguing that majoritarian democracy exacerbated religious and ethnic tensions in Africa, Museveni introduced a "no party" system with only one, supposedly nonpartisan, political organization—the National Resistance Movement (NRM)—allowed to operate unfettered. This system remained in place for two decades.

Museveni and the NRM comfortably won presidential and legislative elections in 2001. Human rights groups and donor countries noted that state media and other official resources were mobilized in support of Museveni's candidacy, and that the ban on most formal party activities further hindered the opposition. However, most observers agreed that Museveni would have won in an open contest and described the actual balloting and vote-tabulation processes as largely transparent. The opposition, which claimed that the elections were rigged, boycotted subsequent parliamentary elections. Meanwhile, the NRM's comfortable legislative majority was buttressed by dozens of special-interest representatives, some from groups linked to the ruling party such as the army.

The National Assembly passed the Political Parties and Organizations Act in 2002, setting the conditions under which political parties could be registered and function fully. In 2003, the Constitutional Court ruled that parts of the law were unconstitutional, as they effectively prevented political parties from carrying out their activities. Despite the ruling, the NRM continued to dominate the nation's political life. In 2004, the Constitutional Court voided restrictions on the freedom of political parties to function. Ugandan voters in 2005 approved constitutional amendments that both lifted the ban on political parties and repealed the prohibition on sitting presidents running for a third term. As a result, Museveni was able to seek reelection in 2006.

A leading Museveni opponent, Kizza Besigye of the Forum for Democratic Change (FDC), returned from exile and announced his intention to run for president. He was subsequently arrested on charges of treason, terrorism, rape, and unlawful possession of firearms. Benefiting from the advantages of incumbency, Museveni defeated Besigye in the 2006 election, taking 59 percent of the vote according to official results. The NRM also won a large majority in concurrent parliamentary elections. Besigye was later cleared of the rape charges, but the treason case was still pending at the end of 2007.

Regional tensions, especially with the Democratic Republic of Congo (DRC), Rwanda, and Sudan, have continued in recent years. In November 2007, for example, Ugandan forces on the border clashed with troops loyal to the Congolese renegade General Laurent Nkunda. Meanwhile, a vicious and long-running guerrilla war undertaken in northern Uganda by the Lord's Resistance Army (LRA), a cult-like Ugandan rebel movement with no clear agenda, appeared to be winding down. In 2005, LRA leader Joseph Kony was indicted by the International Criminal Court (ICC), which called for his arrest. Kony has insisted that the international charges be dropped before any peace deal is finalized. In 2006, the guerrilla group entered into intermittent peace talks with the government that continued throughout 2007, and in late 2007 LRA representatives made a reconciliation tour through parts of Uganda.

Uganda is home to more than 500,000 people infected with HIV. According to

the Joint United Nations Program on HIV/AIDS (UNAIDS), the presence of HIV/AIDS in Uganda has declined in recent years. The overall prevalence in the country is approximately 6 percent, more than 50 percent lower than in 1992, although UNAIDS reports that the infection rate may be starting to climb again.

**Political Rights and Civil Liberties:** Uganda is not an electoral democracy. A long-standing ban on political party activity was formally lifted only in 2005, and the two-term limit for presidents was removed at the same time. The president and the single-chamber National Assembly are elected for five-year terms. Of the current Assembly's 332 members, 215 are directly elected and 104 are indirectly elected from special interest groups including women, the army, youth, the disabled, and trade unions. There are also 13 ex-officio seats held by cabinet ministers, who are not elected members of parliament and do not have voting rights.

The personalized nature of the Ugandan power structure was reflected in the 2006 parliamentary contest, in which a number of junior cabinet ministers were defeated while the ruling NRM won nearly two-thirds of the seats. The National Assembly has asserted some independence, censuring high-level executive officials and exercising oversight to influence a number of government actions and policies. However, there are significant concerns regarding the ability of opposition parties to compete with the NRM on a relatively level playing field. Opposition parties have protested restrictive party registration requirements and the dominant status of the NRM. Other controversial issues have included federalism, voter and candidate eligibility, the use of government resources to support NRM candidates, and the government's use of illegal paramilitary groups—such as the Black Mambas and the Kiboko Squad—to intimidate voters and political opponents.

In 2006, Human Rights Watch identified a number of methods used by the NRM to impede the free expression of political will, including intimidation of the opposition, military interference in the courts, and bias in campaign funding and media coverage. The army also occupies a position in politics incompatible with democratic principles; its representatives sit in the National Assembly and have openly campaigned in support of President Yoweri Museveni.

A 2007 Transparency International report concluded that although Uganda has certain legislative measures in place to combat corruption, the resources to enforce them are lacking. Institutions including the Inspectorate of Government, the Public Procurement and Disposal of Assets Authority, the Office of the Auditor General, and the Director of Public Prosecutions are understaffed and underfinanced. These agencies have made some headway in the fight against corruption and abuse of office, but a number of alleged corrupt acts by government officials have not been fully pursued. Some governmental corruption has been reported in the media. Uganda was ranked 111 out of 180 countries surveyed in Transparency International's 2007 Corruption Perceptions Index.

The constitution provides for freedom of speech. Independent print media outlets, including more than two dozen daily and weekly newspapers, are often highly critical of the government and offer a range of opposition views. Several private radio and television stations report on local political developments. Supported by legislation limiting press freedoms, however, the government has in recent years demonstrated increased intolerance of press freedom. A sedition law is applied se-

lectively to journalists and others who hold views that are at variance with those of the NRM; for example, in 2007 the International Federation of Journalists called on the government to withdraw sedition charges against three journalists working for the *Monitor*, a private newspaper, in relation to a story alleging that soldiers were secretly trained as policemen in order to subordinate the police force to military control. According to the International Telecommunications Union, the number of internet service providers has grown rapidly in recent years, although access remains limited mostly to major urban centers.

There is no state religion, and freedom of worship is constitutionally protected and respected. Various Christian sects and the country's Muslim minority practice their creeds freely. Academic freedom is also generally respected.

Freedoms of association and assembly are officially recognized. Nongovernmental organizations (NGOs) make a significant contribution to Uganda's social, economic, cultural, and political life. They encourage the expression of different views and have been willing to address politically sensitive issues. However, the existence and activities of NGOs are vulnerable to the abuse of legal restrictions, including the manipulation of registration requirements. In 2006, the parliament passed the government-sponsored NGO Registration Amendment Act, requiring all NGOs and Pentecostal churches to reregister with the Internal Affairs Ministry a year after their initial registration. The bill was opposed by the NGO sector.

According to the International Confederation of Trade Unions, despite repeated requests from the International Labor Organization (ILO), the government has delayed revising restrictive labor legislation that makes it difficult to unionize or strike. Many private firms refuse to recognize unions, and workers' rights are limited. The National Organization of Trade Unions, the country's largest labor federation, is largely independent of the government and political parties.

The executive does not guarantee the independence of the judiciary. Sensitive human rights issues, such as police brutality, rape, domestic violence, and vigilante justice, remain serious concerns. Prolonged pretrial detention, inadequate resources, the security forces' intermittent refusal to respect civilian courts, and poor judicial administration combine to impede the fair exercise of justice. In 2007, judges briefly went on strike to protest an invasion of the courts by security forces, which re-arrested alleged members of a guerrilla movement who had been granted bail. A similar event had occurred in November 2006. The judges resumed work on receiving assurances from Museveni that such an incident would not be repeated. The Uganda Law Society noted that this episode reflected a broader problem of government officials refusing to comply with certain judicial actions, and the Supreme Court's chief justice spoke out publicly on the lack of resources available to the judicial system. Also in 2007, the East African Court of Justice found Uganda guilty of violating the rule of law and the rights of its citizens by allowing its military to repeatedly interfere with court processes.

Prison conditions are difficult, especially in local jails. According to press reports, there are currently some 26,000 individuals behind bars in the country's 222 prisons, twice the official capacity of the prison system. More than 500 prisoners die annually as a result of poor diet, sanitation, and medical care. Pretrial detainees constitute more than half of the prison population. Critics have warned that the 2002 Suppression of Terrorism Act—which defines any act of violence or threat of vio-

lence for political, religious, economic, or cultural ends as a terrorist act—could be used against political opponents.

The numbers of internally displaced persons (IDPs) has diminished in recent years due to reduced tensions in the northern part of the country and a government policy to phase out IDP camps. Concerns remain, however, about serious human rights violations related to the unresolved conflict between LRA rebels and the military. In addition to the more widespread LRA abuses, torture by security forces, especially at the local level, has continued despite the government's assurance that it is not condoned on an institutional level.

Although the constitution enshrines the principle of equality between women and men, discrimination against women remains pronounced, particularly in rural areas. Incidents of domestic violence and sexual abuse, including rape, often go unreported and are rarely investigated. According to the Ugandan Human Rights Commission (UHRC), the most common complaints registered relate to child maintenance and neglect. Polygamy remains legal. There are no laws protecting women from domestic violence, and draft laws, such as the Domestic Relations Bill and the Sexual Offenses Bill, have languished in the National Assembly for years. Cultural practices such as female genital mutilation have persisted. The UHRC and other NGOs indicate that sexual abuse of minors is increasing. According to the ILO, more than 2.7 million children are employed as workers.

Uganda has legislated quotas for women in all elected bodies, from village councils to the National Assembly. Almost 20 percent of Assembly members are female. One-third of local council seats must go to women. The law gives women inheritance rights over land, but customary patriarchal practices mean that the formal legal provisions are often ignored. Abortion is permitted when the mother's mental or physical health would otherwise be seriously affected.

## Ukraine

**Population:** 46,500,000

**Capital:** Kyiv

**Political Rights:** 3

**Civil Liberties:** 2

**Status:** Free



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

1998	1999	2000	2001	2002	2003	2004	2005	2006	2007
3,4PF	3,4PF	4,4PF	4,4PF	4,4PF	4,4PF	4,3PF	3,2F	3,2F	3,2F

#### Overview:

**Disagreements between Prime Minister Viktor Yanukovich and President Viktor Yushchenko over their respective powers led to a showdown in 2007. In a controversial move,**

**Yushchenko disbanded the parliament three years before its term expired and called new elections. After several months of resistance and occasionally tense negotiations, all the parties agreed to allow the voting to proceed. The elections were conducted according to democratic norms, and while former prime minister Yulia Tymoshenko was able to return to the premiership, Yanukovich's party increased its parliamentary representation. The year's political conflicts revealed a lack of respect for the division of power and the rule of law, with both the presidential and prime ministerial factions of the executive interfering in the courts. Corruption remained a key problem, particularly in the energy sector.**

In December 1991, Ukraine's voters approved independence from the Soviet Union in a referendum and elected Leonid Kravchuk as president. Communists won a plurality in parliamentary elections in 1994, and Leonid Kuchma, a former director of the Soviet Union's largest missile production facility, defeated Kravchuk in the presidential poll. Over time, Kuchma's government became the target of domestic and international criticism for extensive, high-level corruption, and the erosion of political rights and civil liberties.

The 1999 presidential election—which Kuchma won in the second round with 56.2 percent of the vote, over Communist Party challenger Petro Symonenko's 37.5 percent—was marred by media manipulation, intimidation, and the abuse of state resources. The still-unresolved 2000 murder of independent journalist Heorhiy Gongadze and credible evidence that appeared to implicate Kuchma contributed to mass demonstrations and calls for the president's dismissal. The controversy prevented Kuchma from implementing his plans to consolidate more power.

Reformist former prime minister Viktor Yushchenko's Our Ukraine bloc led the party-list portion of the March 2002 parliamentary elections, marking the first electoral success for the democratic opposition since independence. However, pro-presidential factions were able to create a parliamentary majority, partly through successes in the half of the chamber that was filled through single-member district races at the time. Nevertheless, the reformists' strong showing galvanized thousands who took to the streets during the year to demonstrate against Kuchma's increasing authoritarianism and corruption.

As the 2004 presidential election approached and Kuchma's final term drew to a close, members of his entourage threw their support behind Prime Minister Viktor Yanukovich, a convicted felon (in his youth) and representative of the eastern, Russian-speaking Donbas region, where economic oligarchs tightly controlled the local media and political life.

In the significantly tainted first-round vote in October, Yushchenko came in first among 24 candidates with 39.7 percent of the vote; Yanukovich, who enjoyed backing from Russian president Vladimir Putin, won 39.3 percent. In the November runoff, the results from the Central Election Commission (CEC) showed Yanukovich to be the winner by less than three percentage points. The CEC's results, moreover, showed a voter turnout of nearly 100 percent in Yanukovich's home region—well above the national average of 78 percent—as well as massive last-minute infusions of absentee ballots in southern and eastern Ukraine. Domestic opposition and international monitors declared Yanukovich's apparent victory "not legitimate."

In what became known as the "Orange Revolution" because of Yushchenko's



ubiquitous campaign color, millions massed peacefully in Kyiv and other cities to protest fraud in the second-round vote. The Supreme Court on December 4 struck down the results and ordered a rerun on December 26. In the middle of the crisis, the parliament ratified constitutional reforms that shifted certain powers from the president to the parliament, effective January 1, 2006. The compromise changes effectively lowered the stakes of the upcoming rerun, making it more palatable to Yushchenko's opponents.

The rerun of the second round was carried out in a new political and social atmosphere. The growing independence of the media, the parliament, the judiciary, and local governments allowed for a fair and properly monitored ballot. As a result, Yushchenko won easily with 52 percent of the vote, to Yanukovych's 44 percent, with 75 percent of eligible voters participating. Former deputy prime minister Yulia Tymoshenko, who had been briefly imprisoned in 2001, was approved as prime minister in February 2005. As the head of her own eponymous party, she had been Yushchenko's chief ally in the Orange Revolution.

Although he was inaugurated amid high expectations of a clean, responsible, and efficient government, Yushchenko was soon forced to deal with the legacies of his predecessor, such as mismanagement of the economy, corruption, and unreformed state institutions. Yushchenko and Tymoshenko failed to establish themselves as effective leaders, and members of the government fought over privatization issues, with many implicated in a variety of scandals.

The Orange alliance collapsed on September 8, 2005, when Yushchenko dismissed his key allies: Tymoshenko and Petro Poroshenko, the head of the National Security and Defense Council. The March 2006 parliamentary elections only prolonged the political stalemate, in which neither the fractured Orange coalition nor Yanukovych's group could initially form a majority. In July, Socialist Party leader Oleksandr Moroz abandoned the Orange alliance to join Yanukovych's Party of the Regions and the Communist Party in a coalition that made him speaker of parliament and Yanukovych prime minister. That left Yushchenko and Yanukovych, the main rivals in the 2004 presidential election, in the positions of president and prime minister.

Back in office, Yanukovych sought to limit Yushchenko's power, targeting his ability to control foreign and national security policies. Under the new constitutional arrangement, the president had the right to appoint the foreign and defense ministers directly and also filled important law enforcement posts, while parliament was supposed to approve his appointments. Power had never been shared between the president and prime minister in this way, and Yanukovych claimed that approval should not be automatic. In January 2007, the parliament, with the support of the Tymoshenko Bloc, passed a law taking the power to appoint the prime minister, foreign minister, and defense minister if the president does not do so within 15 days of the period defined in the constitution. It also limited the president's power to appoint governors and other regional officials. At the same time, deputies from various opposition parties began defecting to Yanukovych's party. To stop the erosion of his authority, Yushchenko dissolved parliament in April and set new elections for May. He claimed that the ruling coalition had illegally convinced opposition deputies to switch parties. The Party of the Regions initially resisted Yushchenko's move, but the president, Yanukovych, and Speaker Moroz in May agreed to hold the elections on September 30. The agreement followed a confrontation one day earlier, in

which Yushchenko summoned Interior Ministry riot police to the capital, but they were blocked by police loyal to Interior Minister Vasyl Tsushko.

The elections featured lively debates and rallies, coverage by a pluralistic media, and little state interference. The Organization for Security and Cooperation in Europe (OSCE) determined that the balloting was consistent with democratic norms. All sides accepted the outcome, which returned Tymoshenko to the premiership in December. The Party of the Regions won 175 seats, followed by the Tymoshenko Bloc with 156 seats and the Our Ukraine-People's Self-Defense bloc with 72. The Communist Party won 27 seats, and the Lytvyn Bloc secured 20. Voter participation was 62 percent.

The tussles between the president and prime minister were primarily, though not exclusively, attributable to the lack of clarity on the two posts' respective powers in the constitutional reforms that were hurriedly adopted during the Orange Revolution. Both the president and prime minister could legitimately claim to have authority in a given area, and the constitution did not specify how conflicts were to be resolved. In February 2007, Tymoshenko's party and Yushchenko's Our Ukraine signed an agreement to revise the constitution, and the issue remained high on the political agenda at year's end.

**Political Rights and Civil Liberties:** Ukraine is an electoral democracy. Despite the falsification of several million ballots in the first two rounds of the 2004 presidential election, massive citizen protests doomed the attempt at voter fraud and ensured that a democratically elected president, Viktor Yushchenko, would emerge from the process in the third round, which was mandated by Ukraine's Supreme Court. Parliamentary elections in March 2006 and September 2007 were deemed free and fair, with only minor polling-place violations.

Citizens elect delegates to the Verkhovna Rada (Supreme Council), the 450-seat unicameral parliament, for four-year terms. All seats are chosen on the basis of party-list proportional representation, according to a new electoral law first used in the March 2006 elections. Parties must gain at least 3 percent of the vote to win representation. A related package of constitutional reforms shifted the balance of power from the president to the parliament, which now approves the prime minister proposed by the president on the recommendation of the majority coalition. The president, who is elected to a maximum of two five-year terms, no longer has the right to dismiss the cabinet.

Corruption remains one of the country's most serious problems. The fact that Ukraine must buy Russian and Central Asian natural gas from the secretive trading company RosUkrEnergo, set up in 2004 to take over from the discredited EuralTransGaz, demonstrates the lack of transparency at the highest level of the economy and political system. There is no apparent reason for RosUkrEnergo, a creature of Russian natural gas monopoly Gazprom, to serve as a middleman other than to facilitate corruption, and Yushchenko has come under attack for allowing it to play a prominent role. In addition, many fear that the country's economic oligarchs benefit financially from their close association with top politicians. Ukraine was ranked 118 out of 180 countries surveyed in Transparency International's 2007 Corruption Perceptions Index.

The constitution guarantees freedom of speech and expression, and under

changes adopted in 2001, libel is no longer a criminal offense. Since the 2004 Orange Revolution, the government has abstained from direct political interference and has not used media outlets as vehicles for political propaganda and slander against its opponents. Accordingly, the media have grown increasingly pluralistic, and a far broader range of opinions is available to the public.

Nevertheless, there has been little progress in turning state television into a public broadcaster. Viktor Yanukovich and his allies, while in government, worked to use state television for their purposes. For example, Ukrainian National Television Channel 1 cancelled its only political debate show after Yulia Tymoshenko appeared on the program in March 2007. Opaque economic control over the press remains in place, which means that media coverage frequently follows the will of a wealthy owner who might at the same time be an influential political figure. Local governments often control the local media, and journalists who investigate wrongdoing at the local level still face physical intimidation. Local police and prosecutors do not energetically pursue such cases. Journalists frequently lack professionalism and print politically biased information rather than independently checking all the facts. Some observers cited a chilled media environment under Yanukovich's government, with increasing self-censorship among reporters.

The constitution and the 1991 Law on Freedom of Conscience and Religion define religious rights in Ukraine, and these are generally well respected. There are some restrictions on the activities of foreign religious organizations, and all religious groups with more than 10 members must register with the state. There was a spike in anti-Semitic acts in the fall of 2007, and Jewish leaders blamed the government for failing to mount a strong response. Muslims are occasionally subjected to document checks by local police, particularly in the eastern parts of Ukraine. Local officials sometimes block the attempts of nontraditional religious groups to register and buy property, and typically side with the dominant local religious group. Religious leaders complain about the slow restoration of religious buildings confiscated by the Soviet authorities.

Academic freedom is generally respected in most disciplines. New, private universities now augment state-supported higher education. Nevertheless, despite the changing atmosphere, bribes for entrance exams and grades remain a problem.

The constitution guarantees the right to peaceful assembly but requires advance notification of government authorities. Ukraine has one of the most vibrant civil societies in the region. Citizens are increasingly taking issues into their own hands, protesting against unwanted construction, and exposing corruption. Trade unions function, but strikes and worker protests are infrequent. Factory owners are still able to pressure their workers to vote according to the owners' preferences.

The judiciary consists of the Supreme Court, specialized high courts, appeals courts, and local courts of general jurisdiction, as well as a Constitutional Court. The constitution guarantees equality before the law, but the president, members of parliament, and judges are immune from criminal prosecution unless the parliament consents. Before the Orange Revolution, the judiciary was inefficient and subject to corruption. Problems remain, but to a marginally lesser degree than in the past. Given the battles between the president and prime minister, the courts have become important arbiters. However, there is little respect for the division of power, and all political factions have attempted to manipulate courts, judges, and legal procedures.

President Yushchenko in 2007 fired three Constitutional Court judges for procedural and ethics violations while the court was determining the legality of his decree to disband parliament before its term ended. The Constitutional Court remains weak in the face of politicians seeking to grab power. This is partly because in the months before the crisis of 2007, it had adopted no decisions whatsoever. During the crisis, it also remained silent. Such behavior lowered its legitimacy in the eyes of the public and facilitated elite interference. On the whole, Ukraine's judiciary has a long way to go before it meets European Union standards.

Police often subject drug users and sex workers to physical and psychological intimidation, according to Human Rights Watch. Law enforcement officers reportedly harass these vulnerable members of the population as a way of fulfilling their arrest quotas.

While the country's Romany population suffers from discrimination, the government has actively interceded to protect the rights of most ethnic and religious minorities, including the Crimean Tatar community.

The government generally respects personal autonomy and privacy, and the constitution guarantees individuals the right to own property, to work, and to engage in entrepreneurial activity. When the interests of oligarchic clans are involved, cronyism and the protection of insider interests prevail.

In 2001, the Constitutional Court struck down the country's *Soviet-era propiska* system, which had required individuals to register with the Interior Ministry in their place of residence. Opponents of the system had long argued that the regulation violated freedom of movement.

Gender discrimination is prohibited under the constitution, but women's rights have not been a priority for government officials. While there are some women in prominent executive and legislative posts, including the prime minister, women still do not enjoy equal opportunities with men. Human rights groups have complained that employers advertising for jobs often specify the gender of the desired candidate. The trafficking of women abroad for the purpose of prostitution remains a major problem and a threat to women's rights and security.

## United Arab Emirates

**Population:** 4,400,000

**Capital:** Abu Dhabi

**Political Rights:** 6

**Civil Liberties:** 5

**Status:** Not Free



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

1998	1999	2000	2001	2002	2003	2004	2005	2006	2007
6,5NF	6,5NF	6,5NF	6,5NF	6,5NF	6,6NF	6,6NF	6,6NF	6,5NF	6,5NF

**Overview:** **Sheikh Mohammed bin Rashid al-Maktoum, the prime minister of the United Arab Emirates, issued a decree lifting restrictions on freedom of expression in September 2007. He called for a new press law and said that journalists would no longer face imprisonment for offenses related to their work. Despite the decree, government officials continue to harass journalists and ban publications. As a result of widespread labor unrest in 2006, the government also issued a new draft labor law in 2007, but the proposed legislation would still bar workers from forming unions, striking, and engaging in collective bargaining. Worker unrest continued during the year, with massive strikes rocking the country in October.**

Attacks on shipping off the coast of what is now the United Arab Emirates (UAE) led the British to mount military expeditions against the local tribal rulers in the early 19th century. A series of treaties followed, including a long-term maritime truce in 1853 and an 1892 pact giving Britain control over foreign policy. The seven sheikhdoms of the area subsequently became known as the Trucial States.

In 1971, Britain announced that it was ending its treaty relationships in the region, and six of the seven Trucial States formed the UAE federation. Ras al-Khaimah, the seventh state, joined in 1972. The provisional constitution left significant power in the hands of each emirate.

The government in 2001 cracked down on corruption, arresting some senior officials. In the wake of that year's terrorist attacks on the United States, the government introduced reforms in its financial services and banking sectors to block the financing of terrorism.

In January 2006, Sheikh Mohammed bin Rashid al-Maktoum succeeded his brother as ruler of the emirate of Dubai and prime minister of the UAE. His ascension did not result in any substantive changes in the UAE's political balance, with the ruling families maintaining a firm grip on power.

The first-ever elections for half of the 40-seat, largely advisory Federal National Council were held in December 2006. However, participation was limited to a small electoral college appointed by emirates' seven rulers in September. Of the college's 6,689 members, 1,189 were women. One woman was elected to the council. The UAE

government appointed the remaining 20 members of the council, including 8 women, in February 2007.

In contrast to many of its neighbors, the UAE has achieved some success in diversifying its economy to reduce dependency on the petroleum sector. The country has built a leading free-trade zone in Dubai and a major manufacturing center in Sharjah, and it has invested resources to expand its tourism industry. However, this economic development has been accompanied by ongoing worker unrest, prompting the government to issue a new draft labor law in 2007.

**Political Rights and Civil Liberties:** The UAE is not an electoral democracy. All decisions about political leadership rest with the dynastic rulers of the seven emirates, who form the Federal Supreme Council, the highest executive and legislative body in the country. The seven leaders select a president and vice president, and the president appoints a prime minister and cabinet. The UAE has a 40-member Federal National Council (FNC), half of which was elected for the first time in 2006. Voting was restricted to a 6,689-member electoral college chosen by the seven rulers. The other half of the council is directly appointed by the government for two-year terms. UAE officials have said they intend to grant universal suffrage for the 2010 FNC elections. The council serves only as an advisory body, reviewing proposed laws and questioning federal government ministers.

There are no political parties in the country. Instead, the allocation of positions in the government is largely determined by tribal loyalties and economic power. The emirate of Abu Dhabi, the major oil producer in the UAE, has controlled the federation's presidency since its inception. Citizens have a limited opportunity to express their interests through traditional consultative sessions.

The UAE is considered one of the least corrupt countries in the Middle East. It was ranked 34 out of 180 countries surveyed in Transparency International's 2007 Corruption Perceptions Index.

Although the UAE's constitution provides for some freedom of expression, the government has historically restricted this right in practice. The Printing and Publishing Law (No. 15 of 1980) applies to all media and prohibits "defamatory material and negative material about presidents, friendly countries, [and] religious issues, and [prohibits] pornography." Consequently, journalists commonly practice self-censorship, and the leading media outlets frequently publish government statements without criticism or comment. However, Dubai has a "Media Free Zone," where few restrictions have been reported on print and broadcast media produced for audiences outside of the UAE. Moreover, in September 2007, the prime minister called for a new press law and issued an executive decree stipulating that journalists would no longer face imprisonment for violations linked to their work. The application of the decree has been uneven, however. In November, the Arab Network for Human Rights issued a statement criticizing continuing restrictions on free speech in the media, art, and publishing, as well as in Emirati schools. Government officials continue to ban a variety of publications. Internet access is widely available, though there have been reports that a leading internet service provider, the state-owned Etisalat, sometimes blocks sites deemed morally objectionable.

The constitution provides for freedom of religion. Islam is the official religion, and the majority of citizens are Sunni Muslims. However, the minority Shiite Muslim

sect and non-Muslims are free to worship without interference. The government controls content in nearly all Sunni mosques. Academic freedom is limited, with the Ministry of Education censoring textbooks and curriculums in both public and private schools.

The government places limits on freedoms of assembly and association. Small discussions on politics in private homes are generally tolerated, but there are limits on citizens' ability to organize broader gatherings. Public meetings require government permits. All nongovernmental organizations (NGOs) must register with the Ministry of Labor and Social Affairs, and registered NGOs reportedly receive subsidies from the government.

Following widespread labor unrest in 2006, the Labor Ministry published a draft of a new labor law in 2007, but it fell short of satisfying the demands of most workers. Its provisions would not give the UAE's mostly foreign workers the right to organize, bargain collectively, or strike. Meanwhile, labor disturbances continued in 2007. Thousands of South Asian workers clashed with riot police in October while protesting low wages, poor working conditions, and poor housing. As many as 4,000 of the demonstrators were deported. In June, the government had offered free one-way airline tickets to foreign workers who wished to return to their home countries. Around 200,000 workers submitted requests to leave.

The judiciary is not independent, with court rulings subject to review by the political leadership. The legal system is divided into Sharia (Islamic law) courts, which handle family and criminal matters, and secular courts, which cover civil law. Although the constitution bans torture, Sharia courts sometimes impose flogging sentences for drug use, prostitution, and adultery. Overcrowding is reported in the prisons of the larger emirates, and other prison conditions vary by jurisdiction. Recent violence among the nonindigenous community has led to arbitrary arrests and detention. In July 2004, new legislation established stricter punishments for crimes involving terrorism. The federal Ministry of the Interior oversees police forces in the country, but the police force in each emirate enjoys a great deal of autonomy.

Discrimination against noncitizens occurs in many aspects of life, including employment, education, housing, and health care. Fewer than 20 percent of the country's residents are UAE citizens. In addition to foreign nationals, there are more than 100,000 stateless residents, often known as *bidoon*, who are unable to secure regular employment and have difficulty obtaining adequate health care. In March 2007, the government naturalized 1,294 people who had been living without citizenship for over 30 years. Nonetheless, the government's naturalization initiative fell far short of addressing the systemic nature of the problem, and most stateless residents continue to face discrimination.

The constitution provides for equality before the law but does not specifically mention gender equality. In practice, women's social, economic, and legal rights are not always protected because of incomplete implementation of the law and traditional biases against women. Muslim women are forbidden to marry non-Muslims, and according to the interpretation of Sharia in the UAE, a brother inherits double what a sister inherits when a parent dies. Women are underrepresented in government, although there are signs of limited openings, with women receiving appointments at various levels in recent years. Sheikha Lubna al-Qasimi became the first woman minister in the UAE when she was appointed minister of the economy and

planning in 2004. In addition, Sheikh Sultan al-Qasimi, ruler of the emirate of Sharjah, has appointed five women to his consultative council.

Foreigners continue to be lured into the country by employment opportunities and then subjected to harsh working conditions, physical abuse, and the withholding of passports. The government enacted an antitrafficking law in 2006, providing penalties for those convicted of human trafficking for the purpose of sexual or economic exploitation. In May 2007, the government established a national organization to fight trafficking, although the results have been mixed. In December, Dubai authorities arrested over 300 people involved in a prostitution ring as part of the country's antitrafficking measures. Still, the UAE remained on the Tier 2 Watch List in the U.S. State Department's 2007 Trafficking in Persons Report for failing to adequately address these problems. The authorities have taken more effective measures to ban the employment of children as jockeys in camel races.

## United Kingdom

**Population:** 61,000,000

**Capital:** London

**Political Rights:** 1

**Civil Liberties:** 1

**Status:** Free



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

1998	1999	2000	2001	2002	2003	2004	2005	2006	2007
1,2F	1,2F	1,2F	1,2F	1,1F	1,1F	1,1F	1,1F	1,1F	1,1F

**Overview:** **Tony Blair stepped down as prime minister as expected in 2007, passing his job to Gordon Brown, the chancellor of the exchequer, in June. Brown's response to minor terrorist attacks in Glasgow and London soon after he took office bolstered his popularity. However, later in the year, his indecision on whether to call early elections undermined his position and boosted the opposition Conservative Party.**

The English state emerged before the turn of the first millennium and was conquered by Norman French invaders in 1066. Wales, Scotland, and lastly Ireland were subdued or incorporated into the kingdom over the course of centuries, culminating in the creation of the United Kingdom of Great Britain and Ireland in 1801. The Glorious Revolution of 1688-89 began a gradual—but eventually total—assertion of the powers of Parliament, as Britain became one of the modern world's first democracies. A significant extension of voting rights was passed in 1832, and subsequent reforms led to universal adult suffrage.

Separatism has persisted in the Celtic lands; most of Ireland won independence after World War I, with Protestant-majority counties in the north remaining a restive



part of what became, as of 1927, the United Kingdom of Great Britain and Northern Ireland. Significant powers were devolved to a Scottish Parliament, and fewer to a Welsh Assembly, established under the Labour Party government in 1997. Peace negotiations restored home rule to Northern Ireland in 1998, but the local government was later suspended because of breakdowns in the peace process.

After nearly two decades of Conservative Party rule, Tony Blair's "New Labour"—so called because of the party's radical shift from its Socialist past—adopted Conservative-style positions on a number of issues and swept general elections in May 1997. In the June 2001 parliamentary elections, the Labour Party won a second landslide victory.

Despite a promise to focus on public services, particularly the troubled health and transport systems, Blair's second term as prime minister was dominated by his support of the U.S.-led war in Iraq amid opposition from within his own party. After the end of the initial hostilities in Iraq, the government suffered renewed criticism over the evidence and arguments it had offered to support its position during the run-up to the conflict.

A combination of slow progress in improving public services, the continuation of the war, and frustration with the government's European Union (EU) policy led to a far less decisive Labour victory in May 2005 elections, with the margin of parliamentary majority reduced from 165 seats to 66. Labour took just 36 percent of the vote, the smallest total for a majority-winning party in Britain's democratic history.

Blair remained prime minister after the 2005 election, but he was considerably weakened by speculation about when he would hand the premiership to Gordon Brown, the chancellor of the exchequer. Blair said in September 2006 that he would step down within a year. Michael Howard, who had been seen as ineffective at capitalizing on Blair's weakness, resigned as Conservative Party leader, and David Cameron was elected to replace him in December 2005.

On July 7, 2005, three bombings in London's Underground railway system and one on a London bus killed more than 50 people and wounded hundreds. The bombers, also killed in the attacks, were British Muslims, three of Pakistani descent and one a convert to Islam. The attacks set off a public debate about the failure of many immigrants and racial and religious minorities to become integrated into British society. Shortly after the attacks, British police shot and killed an innocent Brazilian man, suspecting he was a terrorist. (For this, the police in 2007 were found guilty of violating health and safety laws and fined, though no individual officers were punished, and the head of London's police resisted calls to resign.)

The terrorist attacks led to government proposals to toughen antiterrorism laws, which in turn sparked concerns about civil liberties. The proposals, first introduced in August 2005, were wide ranging. However, in one of the first bills to be voted on by the House of Commons, Blair was defeated. Instead of extending the time terrorism suspects could be held without detention from 14 to 90 days, the Commons extended the period to 28 days. In another government setback, the Law Lords, the highest court in Britain, ruled in December that evidence obtained through torture could not be used at trial.

Concerns about terrorism extended into 2006. In February, a radical and outspoken Muslim cleric, Abu Hamza al-Masri, was convicted of soliciting murder and inciting racial hatred. (British National Party leader Nick Griffin was cleared of incite-

ment charges in November after calling Islam a "vicious, wicked faith," prompting claims by some observers that the justice system was biased against Muslims.) In August, authorities reported that they had disrupted a plot to blow up transatlantic airliners departing London.

Northern Ireland's peace efforts made progress from 2005 to 2007, culminating in the creation of a power-sharing government in Belfast by two parties that were previously considered hard-line rejectionists: the Catholic and republican Sinn Fein, and the Protestant and loyalist Democratic Unionist Party (DUP). The DUP's long-time leader, Ian Paisley, became first minister. This was a breakthrough in the stalled peace process. The locally elected Assembly called for in the Good Friday Agreement of 1998 had been suspended in 2002 after Sinn Fein was caught spying on rival politicians and security officials. Sinn Fein and the DUP had then taken the lead in December 2003 Assembly elections, edging out their more moderate rivals, but were unable to form a government. An independent commission confirmed in 2006 that the guerrilla Irish Republican Army (IRA), which was linked to Sinn Fein, had dismantled its paramilitary structures. Only after this, and a crucial policing reform that included more Catholics in the renamed Police Service of Northern Ireland, were fresh elections held in March 2007 and the new power-sharing government formed. Small-scale violence flared up at the end of the year.

In June 2007, Tony Blair finally resigned, and Gordon Brown took office as prime minister. That same month, a series of amateurish terrorist attacks took place: two similar car bombs were found and disabled in London, and the next day, a jeep loaded with propane crashed into Glasgow airport and caught fire. No one was killed except for one of the attackers in Glasgow, who died of his burns in August. Eight men were taken into custody, including several doctors, and all the suspects were of Arab or South Asian descent. Brown's actions afterward, including a reorganization and strengthening of the national security agencies, won him popularity. However, his plan to double the amount of time police could hold suspects without charges to 56 days, an echo of Blair's earlier efforts, was reduced to 42 days under pressure; it remained uncertain whether it would be passed at year's end.

In the autumn, Brown further distanced himself from Blair by announcing that he would remove all of Britain's troops from Iraq by the end of 2008. Soon after, he speculated publicly about calling early elections, which are not uncommon in Britain. His wavering on whether to do so, and his eventual decision not to, made him appear weak in the eyes of many, and gave a boost to the Conservative Party. He also suffered a party-funding scandal that broke in November, when it emerged that a wealthy property developer donated 650,000 pounds (US\$1.3 million) to the party through intermediaries, a practice against his own government's policies.

**Political Rights and Civil Liberties:** The United Kingdom is an electoral democracy. Each of the 646 members of the House of Commons, the dominant lower chamber of the bicameral Parliament, is elected in a single-member district. This procedure multiplies the power of the two largest parties—the Labour Party and the Conservative Party—at the expense of smaller parties. The Liberal Democrats, the third-largest party, are the most disadvantaged; although they won 22.1 percent of the vote in the 2005 elections, they received only 9.4 percent of the seats in the House of Commons. The separation of executive and legis-

lative powers is weak, since the prime minister is typically the leader of the majority party or coalition in the Commons. Furthermore, the executive has in recent years become more powerful, at the expense of the legislature. The lead opposition party plays a crucial role in the Commons; although it is unable to block legislation, it holds ministers accountable in parliamentary debates that are widely covered in the press. Parliamentary elections must be held at least every five years.

The House of Lords, Parliament's upper chamber, can delay, but not ultimately block, legislation initiated in the Commons. Its membership (currently more than 700) was reformed under Prime Minister Tony Blair's Labour government. Nearly all hereditary peers (nobles) have been removed from the body, with 92 remaining pending further reform. The rest are "life peers," chosen by governments to serve for life; Law Lords, who serve as the country's highest court; and a small number of bishops and archbishops of the Church of England. The monarch, currently Queen Elizabeth II, plays a largely ceremonial role as head of state.

Aside from the dominant Labour and Conservative parties and the third-ranked, left-leaning Liberal Democrats, the chief parties are regional; these include the Welsh nationalist Plaid Cymru and the Scottish National Party. In Northern Ireland, the main Catholic and republican parties are Sinn Fein and the Social Democratic and Labour Party, while the leading Protestant and unionist parties are the Ulster Unionist Party and the DUP.

After a period of centralization under Conservative governments from 1979 to 1997, the Labour Party delivered a far-reaching (though asymmetrical) devolution of power to Northern Ireland, Scotland, and Wales. The first elections to the Scottish Parliament and the Welsh Assembly were held in 1999. The Scottish body has more power (including some tax-raising authority) than its Welsh counterpart, largely because of stronger separatist sentiment in Scotland. Welsh nationalism is primarily cultural. The Northern Ireland Assembly was temporarily suspended in October 2002 after complications in the peace process, but restored in 2007.

The government is largely free of pervasive corruption, though minor instances of political donations for "honors" (peerages and titles) have made news during the Labour government, and in 2007 a party-funding scandal (discussed above) tarnished the government. The United Kingdom was ranked 12 out of 180 countries surveyed in Transparency International's 2007 Corruption Perceptions Index.

The law provides for press freedom, and the media in Britain are lively and competitive. Daily newspapers across a broad political spectrum compete for readers. Although broadcasting is dominated by the state-owned British Broadcasting Corporation (BBC), the organization is editorially independent and faces significant private competition. In 2003, the BBC claimed that the government exaggerated evidence of Iraqi weapons of mass destruction, which led to an extensive inquiry that eventually exonerated the government. While the episode tarnished the reputations of both the government and the BBC, it was a sign of the healthy political debate that is possible in Britain's media. Internet access is not restricted by the government.

Although the Church of England and the Church of Scotland are established churches, the government both prescribes freedom of religion in law and protects it in practice. Scientology is not recognized as an official religion for charity purposes. Muslims and other religious minorities complain of discrimination. In 2005, the government proposed banning Hizb ut-Tahrir (Party of Liberation), an Islamist group

that advocates the creation of a transnational Muslim caliphate and is opposed to democracy, but the plan stalled and the group remains legal. Although it officially disavows violence, the government sees Hizb ut-Tahrir as an ideological source of violent extremism. Academic freedom is respected by British authorities; however in 2006, the *Guardian* newspaper reported on what it said was leaked guidance by the department of education to university professors, asking them to be on the lookout for extremism among Muslim students.

Freedoms of assembly and association are respected, as demonstrated by massive protests in recent years against the government's participation in the Iraq war. Civic and nongovernmental organizations are allowed to operate freely. Workers' right to organize in unions is protected. Trade unions have traditionally played a strong role in the Labour Party, though this connection is weakening as the party moves to the center and seeks a larger role for the private sector in traditional public-sector areas, such as health care.

Legislation approved in 2005 launched a major reform of the top tiers of the justice system, calling for the Law Lords to be removed from the House of Lords and established as a separate Supreme Court. The original bill would also have abolished the ancient post of Lord Chancellor, the second-oldest office in Britain after the monarchy, which combined a legislative role in the House of Lords, a senior executive position in the cabinet, and a powerful judicial position as, effectively, the top judge in the country. As such, it had represented a serious breach of the separation of powers, which was already weak in Britain. The final version of the legislation stopped short of eliminating the office of Lord Chancellor, but it removed the post's judicial function and ended the Lord Chancellor's role as Speaker of the House of Lords. The police maintain high professional standards, and prisons generally meet international guidelines.

Britain has large numbers of immigrants and locally born children of immigrants, who receive equal treatment under the law. In practice, their living standards are lower than the national average, and they complain of having come under increased suspicion amid the terrorist attacks and alleged terrorist plots in recent years.

Women receive equal treatment under the law but are underrepresented in politics and top levels of business.

## United States of America

**Population:** 302,200,000

**Capital:** Washington, D.C.

**Political Rights:** 1

**Civil Liberties:** 1

**Status:** Free



### Ten-Year Ratings Timeline For Year Under Review

(Political Rights, Civil Liberties, Status)

1998	1999	2000	2001	2002	2003	2004	2005	2006	2007
1,1F	1,1F	1,1F	1,1F	1,1F	1,1F	1,1F	1,1F	1, 1F	1,1F

**Overview:** Intense campaigning for the 2008 presidential election began in 2007, with a special focus on the emergence of Barack Obama, an African American first-term senator, as a major contender for the Democratic Party nomination. The campaign overshadowed an ongoing struggle between the newly elected Democratic majorities in Congress and the Republican administration of President George W. Bush. Debate over the country's immigration policies continued, with no sign of a resolution before the election of a new president. There was also continuing controversy over the administration's counterterrorism policies, particularly the treatment of prisoners at the Guantanamo Bay military base and interrogation policies that some said amounted to torture.

The independence of the United States of America was declared in 1776 during a revolution against British colonial rule. The current system of government began functioning in 1789, following the ratification of the country's constitution. Because the founders of the United States distrusted concentrated government authority, they set up a system in which the federal government has three coequal branches—executive, legislative, and judicial—and left many powers with state governments and the citizenry.

For most of the country's history, power has alternated between the Democratic and Republican parties. President George W. Bush of the Republicans was reelected for a second four-year term in 2004, but he subsequently suffered from major policy setbacks and declining public approval ratings. In the 2006 midterm elections, the Democrats won control of both houses of Congress for the first time since 1994, adding pressure to the Republicans' effort to find a viable presidential candidate for the 2008 contest.

As with other recent elections, campaigns for the party presidential nominations got under way well in advance of the election itself, in early 2007. Numerous candidates, serious and otherwise, entered the competition in both parties, but the races quickly narrowed to a few leading contenders. In the Republican Party, the most prominent figures were Senator John McCain of Arizona, former New York mayor Rudolph Giuliani, former Massachusetts governor Mitt Romney, and Arkan-

sas governor Mike Huckabee. In the Democratic Party, three candidates emerged from a crowded pack: Senator Hillary Rodham Clinton of New York, the former first lady; Senator Barack Obama of Illinois; and former senator John Edwards of North Carolina, the party's vice presidential candidate in 2004. Obama, with his biracial background and charismatic campaign style, received much attention. Although several African Americans had sought the presidency in the past, Obama was the first black presidential candidate to be widely regarded as a serious contender.

The early months of the presidential campaign took place during a time of political gridlock between Congress and the White House. The Democrats had seized clear control of the House of Representatives in the 2006 elections, but their Senate victory was narrow, and neither the Democratic leadership nor the administration was able to enact significant parts of their respective agendas.

The debate over the country's policies toward undocumented immigrants continued during the year, with no resolution in sight. Although the controversy was partly driven by security concerns, the major issues stemmed from apprehension over the effects of record numbers of undocumented migrants on the American economy and culture. Opinion polls indicated that Americans were ambivalent about illegal immigrants. Many were concerned that an influx of millions of undocumented workers would strain educational and social services and depress wages. Others saw undocumented workers as an economic boon due to their willingness to work in menial yet essential jobs that citizens would not accept. An attempt to forge a bipartisan approach to immigration policy collapsed when Congress rejected a bill supported by Bush and a number of leading Democrats that would have combined border-control measures with a route to citizenship for illegal immigrants already in the United States and a guest-worker program targeting specific economic sectors. Another bill, which would have offered a path toward legal status for children of undocumented immigrants in exchange for their enrollment in college or the military, failed to win sufficient support in the Senate. The defeat of this legislation, combined with the enactment of a measure providing for the construction of a barrier along large sections of the border, led some to claim that the United States had opted for an "enforcement first" policy on immigration. The decision to build a border fence came on the heels of stepped-up federal efforts to deport illegal immigrants through worksite raids.

Also in 2007, controversy continued over certain features of the administration's counterterrorism policies. In one development that administration critics praised, President Bush issued an executive order banning the use of torture against prisoners held in the CIA's interrogation program. It remained unclear, however, whether the order would eliminate the use of the technique known as waterboarding, in which detainees were subjected to simulated drowning.

At the same time, little progress was made toward a resolution of the status or fate of prisoners detained at the U.S. military base at Guantanamo Bay, Cuba. One major unsettled issue was the detainees' habeas corpus rights to challenge their imprisonment in the federal court system. On two occasions, the Supreme Court had ruled that federal law enabled the prisoners to petition courts regarding their status. In 2006, Congress passed the Military Commissions Act, which stripped courts of the power to review challenges to the status of foreign detainees at Guantanamo. In February 2007, a federal court upheld the Military Commissions Act, setting the stage

for another appeal to the Supreme Court. Separately, a federal judge barred the Bush administration from sending a Guantanamo inmate to his home country, Tunisia, on the grounds that he risked torture there. Meanwhile, the administration announced that it was considering a new round of hearings to determine the status of the 330 men still held at Guantanamo. The hearings would determine whether the detainees would be treated as "enemy combatants," a status that did not afford prisoner-of-war rights under international law. The American Bar Association announced that it was backing out of an agreement to provide lawyers for the detainees because it did not want to lend credibility to proceedings that it found to offer inadequate legal protections. In another case related to the war on terrorism, it was revealed that the CIA had destroyed several videotapes showing the interrogation of terrorism suspects. According to news reports, the intelligence agency destroyed the tapes partly due to concerns that the harsh techniques captured on video might put agency officials in legal jeopardy. At year's end, the Justice Department was conducting an investigation to determine whether criminal laws were violated by the destruction of the tapes.

### **Political Rights and Civil Liberties:**

The United States is an electoral democracy with a bicameral federal legislature. The upper chamber, the Senate, consists of 100 members—two from each of the 50 states—serving six-year terms, with one-third coming up for election every 2 years. The lower chamber, the House of Representatives, consists of 435 members serving two-year terms. As a result of the 2006 elections, Democrats control the House, 233-202. In the Senate, the Democrats and Republicans each hold 49 seats, but two independents are aligned with the Democratic caucus, ensuring the party's control of that body. All national legislators are elected directly by voters in the districts or states they represent. The president and vice president are elected to four-year terms. Under a 1951 constitutional amendment, the president is limited to two terms in office.

In the U.S. political system, a great deal of government responsibility rests with the 50 states. Most law enforcement matters are dealt with at the state level, as are education, family matters, and many land-use decisions. States also have the power to raise revenues through various forms of taxation. In some states, citizens have a wide-ranging ability to influence legislation through institutions of direct democracy, such as referendums, which have been conducted on issues including gay marriage, tax rates, affirmative action, and immigrant rights. Although hailed by some as a reflection of the openness of the U.S. system, direct democracy has come under criticism by others, who contend that making government policy by referendum or recalling democratically elected officeholders in the middle of their terms weakens the party system and the institutions of representative democracy.

For presidential elections, the United States has a unique system combining a popular vote with ballots cast by an electoral college. The Electoral College apportions votes to each state based on the size of its congressional representation. In most cases, all of the electors in a particular state then cast their ballots for the candidate who won the popular vote in that state, regardless of the margin. Two states, Maine and Nebraska, have chosen to apportion their electoral votes between the candidates according to the percentage of the state's votes each receives, and other states are now considering similar systems. The Electoral College vote determines

the winner of the election. Thus it is possible for a candidate to win the presidency while losing the national popular vote.

The United States has an intensely competitive political environment dominated by two major parties, the Republicans and the Democrats. The country's "first past the post" or majoritarian electoral system tends to discourage the emergence of additional parties, as do a number of specific legal and other hurdles. However, on occasion, independent or third-party candidates have significantly influenced politics at the presidential and state level, and a number of newer parties, such as the Green Party, have modestly affected politics in certain municipalities in recent years.

Presidential election campaigns in the United States are long and expensive. Candidates often begin campaigning two years prior to the election. Because of the high costs involved, serious candidates frequently find themselves in what has been called a "permanent campaign," with a never-ending process of fundraising. In 2001, Congress passed the McCain-Feingold bill, intended to limit the effect of moneyed interests on national politics. Nevertheless, the two parties and the constituency and interest groups that support them have used various methods to circumvent the legislation's restrictions. Furthermore, the Supreme Court on several occasions has struck down controls on campaign spending on the grounds that they violated free speech rights. The 2006 congressional race was the costliest ever, with a total expenditure of \$2.6 billion, much of which was spent by advocacy groups that effectively supported or opposed the major candidates, rather than by the parties or candidates themselves. Spending for the 2008 presidential race is expected to easily surpass that of previous elections.

A serious and growing problem for American democracy is the widespread practice of redrawing districts for the House of Representatives and state legislatures to maximize the success of a particular party or protect incumbent legislators of either party. The practice, known as gerrymandering, has been a part of the American system since its inception. Recently, however, sophisticated computer techniques have strengthened the ability of the dominant party in a given state to carve out districts that considerably limit the competitive nature of legislative elections.

Corruption is a complex phenomenon in the United States. American society has a tradition of intolerance toward corrupt acts by government officials, corporate executives, or labor leaders. In recent years, executives from a number of large corporations have received lengthy prison sentences for various financial crimes, and officials at the local, state, and federal levels are regularly prosecuted for corruption. There are a variety of measures in place to reduce private sector corruption. The most recent corporate-governance legislation, the 2002 Sarbanes-Oxley Act, was passed in the wake of a series of scandals involving inflated earnings reports by major corporations. The U.S. media are aggressive in reporting on cases of corporate and official corruption; newspapers often publish investigative articles that delve into questions of private or public malfeasance. At the same time, however, the expanding influence of interest groups and lobbyists on the legislative and policy-making process, combined with their crucial role in campaign fund-raising, has given rise to public perceptions of enhanced corruption in Washington. Some civil libertarians have raised concerns about prosecutors' overzealous tactics in corruption cases and the use of organized-crime legislation to punish political or corporate mis-



conduct. The United States was ranked 20 out of 180 countries surveyed in Transparency International's 2007 Corruption Perceptions Index.

The federal government has a high degree of transparency. A substantial number of auditing and investigative agencies function independently of political influence. Such bodies are often spurred to action by the investigative work of journalists. Federal agencies regularly place information relevant to their mandate on websites to broaden public access.

The United States has a free, diverse, and constitutionally protected press. In recent years, though, a debate has arisen over the impact of ownership consolidation, either by sprawling media companies with outlets in many states and formats or by corporate conglomerates with little or no previous interest in journalism. At the same time, internet journalists and bloggers play a growing role in the coverage of political news, and internet access is widespread in the country.

Controversy has also arisen over attempts by federal prosecutors to compel journalists to divulge the names of confidential sources. In 2007, a federal judge threatened two reporters from the *San Francisco Chronicle* with imprisonment for refusing to reveal the source of information leaked from a grand jury investigating steroid use by professional athletes. The case was resolved when the attorney responsible for the leak acknowledged his role. A bill to provide limited protection from demands for information about confidential sources in federal cases has passed the House. Such press shield laws already exist in 37 states.

The United States has a long tradition of religious freedom. Adherents of practically every major religious denomination, as well as many smaller groupings, can be found throughout the country; rates of both religious belief and religious service attendance are high. The debate over the role of religion in public life is ongoing, however, and often centers on the question of whether government subsidies to schools sponsored by religious denominations conform with constitutional rules requiring the separation of church and state. Issues such as gay marriage and abortion, as well as the words "under God" in the Pledge of Allegiance, are heavily loaded with religious implications and tend to mobilize political action by Evangelical Christians. Predominantly African American churches are also intensely involved in political affairs at both the local and national levels. There are no direct government subsidies to houses of worship.

Although a contentious debate has emerged over the university's role in society, the academic sphere enjoys a healthy level of intellectual freedom. There are regular discussions on university campuses over such issues as the war in Iraq, the global economy, and the alleged politicization of curriculums on Middle Eastern affairs.

In general, officials respect the right to public protest. Protest demonstrations directed at government policies are frequently held in Washington, New York, and other major cities. The United States gives wide freedom to trade associations, non-governmental organizations, and issue-oriented pressure groups to organize and argue their cases through the political process.

Federal law guarantees trade unions the right to organize workers and engage in collective bargaining with employers. The right to strike is also guaranteed. Over the years, however, the strength of organized labor has declined, so that less than 8 percent of the private workforce is currently represented by unions, one of the low-

est figures among economically advanced democracies. An important factor in organized labor's decline is the country's labor code, which is regarded as an impediment to organizing efforts. Decisions by the National Labor Relations Board, which adjudicates labor-management disputes, have also circumscribed unions' ability to effectively organize and represent workers. In 2006, the board dealt unions a serious blow by greatly expanding the pool of workers deemed to have management responsibility, making them ineligible for union representation. Union organizing efforts are also impeded by strong resistance from employers and the federal government's failure to strictly punish labor code violators. Several attempts to modify core labor laws have been defeated in Congress over the years. Despite its institutional decline, however, organized labor continues to play a vigorous role in electoral politics. Unions are expected to spend millions of dollars toward the election of Democratic candidates for president and Congress in 2008.

Judicial independence is respected. Although there has been occasional criticism of the judiciary for allegedly extending its powers into areas of governance that are best left to the legislative branch, most observers regard the judiciary as a linchpin of the American democratic system. The courts have played an especially important role in disputes over President George W. Bush's counterterrorism policies.

While the United States has a strong rule-of-law tradition, the criminal justice system's treatment of minority groups has long been a controversial issue. African Americans and Hispanics constitute a disproportionately large percentage of defendants in criminal cases involving murder, rape, assault, and robbery.

Civil liberties organizations and other groups have advanced a broad critique of the criminal justice system, arguing that there are too many Americans (especially members of minority groups) in prison, that prison sentences are often excessive, and that too many people are prosecuted for minor drug offenses. Over two million Americans are serving time in federal and state prisons and local jails at any given time, producing the highest national incarceration rate in the world. The number of incarcerated Americans has continued to increase even as the national rate of violent crime has declined in recent years. There is also a disturbing number of juveniles serving lengthy prison terms in adult penitentiaries. Some observers have criticized "three strikes and you're out" laws, under which criminal defendants receive life sentences after conviction on a third felony, even for relatively minor offenses. Concerns have been raised about prison conditions, especially the unsettling levels of violence and rape. Meanwhile, the United States has the highest rate of legal executions in the democratic world. Reflecting growing doubts about the death penalty, several states have announced a moratorium on capital punishment pending studies on the practice's fairness. In 2007, New Jersey became the first state in decades to abolish capital punishment. Of particular importance in the campaign against the death penalty has been the exoneration of some death-row inmates based on new DNA testing. There have also been regular legal challenges aimed at the methods of execution, most recently the prevalent form of lethal injection, which allegedly places convicts at risk of severe pain and suffering before death.

The United States is one of the world's most racially and ethnically diverse societies. In recent years, the country's demographics have shifted in important ways as residents and citizens of Latin American ancestry have replaced African Americans as the largest minority group, and the percentage of whites in the population

has declined somewhat. An array of policies and programs are designed to protect the rights of minorities, including laws to prevent workplace discrimination, affirmative-action plans for university admissions, quotas to guarantee representation in the internal affairs of some political parties, and policies to ensure that minorities are not treated unfairly in the distribution of government assistance. African Americans, however, continue to lag in economic standing, educational attainment, and other social indicators. They are more likely to live in poverty, less likely to own businesses, less likely to hold a university degree, and much more likely to have served time in prison than members of other groups, including many recent immigrant groups. Affirmative action in employment and university admissions remains a contentious issue. The Supreme Court has given approval to the use of race or ethnicity as a factor in university admissions under certain narrow conditions. However, affirmative action has been banned, in whole or in part, through referendums in four states, and several additional states will hold referendums on affirmative action in 2008.

Since its immigration laws underwent major changes during the 1960s, the United States has generally maintained liberal immigration policies. In recent years, there has been a major debate over the degree to which new immigrants are assimilating into American society. Most observers, however, believe that the country has struck a balance that both encourages assimilation and permits new legal immigrants to maintain their religious and cultural customs.

Citizens of the United States enjoy a high level of personal autonomy. The right to own property is protected by law and is jealously guarded as part of the American way of life. Business entrepreneurship is encouraged as a matter of government policy.

The United States prides itself as a society that offers wide access to economic and social advancement and favors government policies that enhance equality of opportunity. Historically, the opportunities for economic advancement have played a key role in the successful assimilation of new immigrants. Recently, however, studies have shown a widening inequality in wealth and a narrowing of access to upward mobility. Among the world's prosperous, stable democracies, the United States is unique in having a large underclass of poor people who have at best a marginal role in economic life.

Women have made important strides toward equality over the past several decades. Women are heavily represented in the legal profession, medicine, and journalism, and they predominate in university programs that train students for these careers. Although the average compensation for female workers is 80 percent of that for male workers, women with recent university degrees have effectively attained parity with men. Nonetheless, there remain many female-headed families that live in conditions of chronic poverty.

The issue of gay rights is highly contentious. Federal law does not include homosexuals as a protected class under antidiscrimination legislation, though many states have enacted civil rights protections. An intense controversy erupted over gay marriage after the Massachusetts Supreme Judicial Court ruled in 2003 that homosexual couples had the same right to marry as heterosexual couples under the state constitution. Since the ruling, many states have passed laws or constitutional amendments explicitly banning same-sex marriage, though an increasing number of states permit civil unions or other legal arrangements for gays that guarantee economic and family rights similar to those enjoyed by married couples.

## Uruguay

**Population:** 3,300,000

**Capital:** Montevideo

**Political Rights:** 1

**Civil Liberties:** 1

**Status:** Free



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

1998	1999	2000	2001	2002	2003	2004	2005	2006	2007
1,2F	1,2F	1,1F	1,1F	1,1F	1,1F	1,1F	1,1F	1,1F	1,1F

**Overview:** Halfway through his five-year mandate, President Tabare Vazquez's Frente Amplio (Broad Front) coalition continued in 2007 to address the issue of human rights violations during the period of military rule (1973-85). While Vazquez also advanced economic reforms, including a long-awaited tax reform, progress was stalled by leftist elements within his coalition and by political positioning ahead of the October 2009 presidential election.

After gaining independence from Spain, the Republic of Uruguay was established in 1830. The ensuing decades brought a series of revolts, civil conflicts, and incursions by neighboring states, followed by a period of relative stability in the first half of the 20th century. The rival Colorado and Blanco parties vied for political power in the 1950s and 1960s, but economic troubles and an insurgency by the leftist Tupamaro National Liberation Front led to a military takeover by 1973. From that year until 1985, the country was under the control of a military regime whose reputation for incarcerating the largest proportion of political prisoners per capita in the world earned Uruguay the nickname "The Torture Chamber of Latin America."

The military era came to an end after elections held in 1984, in which Julio Maria Sanguinetti of the Colorado Party won the presidency. A 1986 amnesty law promoted by the new civilian president, who had been the military's favored candidate, granted members of the armed forces immunity for human rights violations committed during the years of dictatorship. The military extracted the concession as its price for allowing the democratic transition the year before.

In the next general election, held in November 1989, Luis Lacalle of the Blanco Party was elected president. The 1990s were marked by relative economic stability and prosperity. The Colorados won in both 1994 and 1999, with the latter election a close runoff between Colorado candidate Jorge Batlle and Tabare Vazquez of the leftist Frente Amplio (Broad Front) coalition.

Batlle immediately sought an honest accounting of the human rights situation under the former military regime, while showing equally firm determination to reduce spending and privatize state monopolies. In 2001, crises in the rural economy and an

increase in violent crime, as well as growing labor unrest, set off alarms in what was still one of Latin America's safest countries.

A currency devaluation and default in Argentina at the end of 2001 caused a dramatic drop in foreign exchange reserves and the loss of Uruguay's coveted investment-grade status among leading financial ratings agencies. By mid-2002, the government was forced to impose a weeklong bank holiday, Uruguay's first in 70 years, to stanch a run on the country's banks. The spillover from Argentina's economic crisis led to union-backed antigovernment protests that brought much of Montevideo to a standstill. In October, the National Party withdrew its members from Batlle's government.

By 2004, average household income had shrunk by about 30 percent over the previous five years in what became the worst economic crisis in the country's history. A bond restructuring that year prevented a potentially catastrophic default and was accompanied by a small economic rally.

In October 2004, Uruguayans elected Vazquez as president in the first round of voting, dealing a crushing blow to the Colorado Party. Vazquez's coalition also captured a majority of seats in both houses of parliament in concurrent legislative elections, marking the first time in nearly 40 years that the president's party enjoyed a parliamentary majority. Faced with the challenge of creating a stable macroeconomic framework and attracting foreign capital, Vazquez began his term by implementing a floating exchange rate, fiscal discipline, and an inflation-targeted monetary policy in a once-again growing economy. While considered a center-left moderate, Vazquez's ties to Venezuelan president Hugo Chavez and a blocked Uruguayan attempt to buy arms from Iran in October 2007 raised concerns in Washington.

Vazquez proved willing to reopen the issue of some 200 Uruguayans who disappeared during the military's political dominance in the 1970s. In his inaugural address, he stated that neither the abduction of the daughter-in-law of famous Argentine poet Juan Gelman nor the murders of two Uruguayan political leaders were covered by the 1986 amnesty law. Human rights groups pressed to have the amnesty law more literally enforced, opening up the possibility of prosecutions for crimes committed before the 1973 coup. In November 2006, former president Juan Maria Bordaberry, a military-backed puppet, and his foreign minister were charged for the 1976 kidnapping and murder of the two parliamentary leaders. Both faced a minimum prison sentence of 10 years if convicted.

Under its reinterpretation of the 1986 amnesty law, which allowed for higher-level officers to be tried, the administration arrested several police chiefs and army leaders in 2006 and 2007 for human rights violations committed during military rule, while Vazquez dismissed an army chief known for his opposition to investigating military crimes. Still, Uruguayan courts remained far behind those in Argentina and Chile in trying human rights cases.

Uruguay fully repaid its International Monetary Fund (IMF) obligations in November 2006, thereby terminating the government's IMF agreement. Economic officials have nevertheless pledged to continue the agreement's goals of fiscal restraint, low inflation, and structural reform. In July 2007, a revenue-neutral tax reform that introduced a personal income tax and simplified the tax system came into effect. However, tensions between the moderates dominating the economic team and the

more left-leaning wing of the Broad Front threatened to slow structural reform. For example, pressures from unions forced the government to shelve plans to negotiate a free trade agreement with the United States in 2007.

**Political Rights and Civil Liberties:** Uruguay is an electoral democracy. The 2004 elections were free and fair. The 1967 constitution established a bicameral General Assembly consisting of the 99-member House of Representatives and the 30-member Senate, with all members serving five-year terms. The president is directly elected for a single five-year term.

The major political parties and groupings are the Colorado Party, the Independent Party, the National (or Blanco) Party, and the ruling Broad Front coalition. The latter includes the Movement of Popular Participation (MPP), the New Space Party, the Socialist Party, and the Uruguayan Assembly, among other factions.

The Transparency Law (Ley Cristal) criminalizes a broad range of potential abuses of power by officeholders, including the laundering of funds related to public corruption cases. In 2005, the government announced that it had reached an important antinarcotics agreement with the United States, including tight controls on money laundering in a country previously known as a bank-secrecy haven. Uruguay was ranked 25 out of 180 countries surveyed in Transparency International's 2007 Corruption Perceptions Index, second only to Chile in Latin America.

Constitutional guarantees regarding free expression are generally respected, and violations of press freedom are rare. The press is privately owned, and broadcasting includes both commercial and public outlets. Numerous daily newspapers publish, many of them associated with political parties; there are also a number of weeklies. The government does not place restrictions on internet usage.

Freedom of religion is a cherished political tenet of democratic Uruguay and is broadly respected. The government does not restrict academic freedom.

Rights to freedom of assembly and association are provided for by law, and the government generally observes these in practice. Civic organizations have proliferated since the return of civilian rule. Numerous women's rights groups focus on problems such as violence against women and societal discrimination. Workers exercise their right to join unions, bargain collectively, and hold strikes. Unions are well organized and politically powerful.

The judiciary is relatively independent but has become increasingly inefficient in the face of escalating crime, particularly street violence and organized crime. The court system is severely backlogged, and pretrial detainees often spend more time in jail than they would if convicted of the offense in question and sentenced to the maximum prison term. Allegations of police mistreatment, particularly of youthful offenders, have increased. However, prosecutions of such acts are also occurring more frequently. Prisons are overcrowded, and conditions do not meet international standards.

The small black minority, comprising an estimated 6 percent of the population, continues to face discrimination and economic difficulties. Violence against women also remains a problem. Women enjoy equal rights under the law but face traditional discriminatory attitudes and practices, including salaries averaging about two-thirds those of men. As of the end of 2007, no gender discrimination cases had ever reached a courtroom. On a positive note, 60 percent of public university students are women,

women hold 15 parliamentary seats, and 3 cabinet members are women. The government generally protects children's rights and welfare and has made the education and health of children a top priority.

## Uzbekistan

**Population:** 26,500,000

**Capital:** Tashkent

**Political Rights:** 7

**Civil Liberties:** 7

**Status:** Not Free

### Ten-Year Ratings Timeline For Year Under Review

(Political Rights, Civil Liberties, Status)

1998	1999	2000	2001	2002	2003	2004	2005	2006	2007
7,6NF	7,6NF	7,6NF	7,6NF	7,6NF	7,6NF	7,6NF	7,7NF	7,7NF	7,7NF

**Overview:** **The human rights situation in Uzbekistan remained grim in 2007, even as the government inched toward warmer ties with the European Union, apparently motivated by a desire to reduce its dependence on Moscow. President Islam Karimov secured a third term in a December presidential vote, ignoring constitutional rules that appeared to bar his reelection.**

Uzbekistan gained independence from the Soviet Union through a December 1991 referendum on the issue. In a parallel vote, Islam Karimov, former Communist Party leader and chairman of the People's Democratic Party (PDP), the successor to the Communist Party, was elected president with a reported 88 percent of the ballots. The only independent candidate, Erk (Freedom) Party leader Mohammed Solih, claimed election fraud. Solih fled the country two years later, and his party was forced underground. Only progovernment parties were allowed to compete in elections to the first post-Soviet legislature in December 1994 and January 1995. A February 1995 referendum to extend Karimov's first five-year term in office until 2000 was allegedly approved by 99 percent of the country's voters.

The government's repression of the political opposition and of Muslims not affiliated with state-sanctioned religious institutions intensified after a series of deadly bombings in Tashkent in February 1999. The authorities blamed the attacks, which they described as an assassination attempt against Karimov, on the Islamic Movement of Uzbekistan (IMU), an armed group seeking to overthrow the secular government and establish an Islamic state.

All of the five parties that competed in the December 1999 parliamentary elections, which were strongly criticized by international monitors, supported the president. In the January 2000 presidential poll, Karimov defeated his only opponent, Marxist history professor Abdulhafiz Jalolov, with 92 percent of the vote. The gov-

ernment refused to register genuine opposition parties or permit their members to stand as candidates. A January 2002 referendum extended presidential terms from five to seven years.

The fragile state of Uzbekistan's political order was highlighted by a series of suicide bomb attacks and related violent clashes in late March and early April 2004, in which some 50 people died. Police appeared to be the main targets, prompting speculation that the bombings were carried out by vengeful relatives of those imprisoned for alleged religious extremism. The authorities blamed radical international Islamist groups—particularly the IMU, which had links to al-Qaeda, and the banned Hizb ut-Tahrir (Party of Liberation)—and denied any connection to the government's repressive political and economic policies.

In July 2004, several people were killed when suicide bombers struck again in coordinated attacks on the U.S. and Israeli embassies and the office of Uzbekistan's prosecutor general. Several groups claimed responsibility, most notably a previously unknown group that calls itself Islamic Jihad, although the claims could not be independently verified. In December, elections for the lower house of a new bicameral parliament were held, with only the five legal, propresidential parties allowed to participate.

The city of Andijon in the Ferghana Valley, an area that has suffered both from the government's repression of Islamic groups and from high poverty and unemployment, was the scene of a popular uprising and violent security crackdown in May 2005. On May 10 and 11, family members and supporters of 23 local businessmen charged with involvement in a banned Islamic group staged a peaceful demonstration in anticipation of the trial verdict. The situation turned violent when armed supporters of the men attacked a police station and army barracks. They stormed the prison, freed the 23 businessmen and other inmates, and captured the local government administration building. Thousands of local residents, among them women and children, subsequently gathered in the city center, where people began to speak out on political and economic issues, often making antigovernment statements.

Security forces responded by opening fire on the demonstrators and storming the occupied building. Although the authorities maintained that the protesters were the first to open fire, eyewitnesses reported that the security forces began shooting indiscriminately. Official figures put the death toll at 187, but unofficial sources estimated the dead at nearly 800, most of them unarmed civilians. The government accused Islamic extremists of orchestrating the demonstrations, though most of the protesters appeared to have been motivated by economic and social grievances.

Karimov repeatedly rejected calls from the United Nations, the European Union (EU), the Organization for Security and Cooperation in Europe (OSCE), and the United States for an independent international inquiry into the violence. In July 2005, Uzbekistan gave the United States six months to leave its military base at Karshi-Khanabad, which it had been allowed to use to support operations in Afghanistan since late 2001 as part of a strategic partnership between the two countries. Russia and China supported the official account of the violence and the U.S. base eviction.

The crackdown unleashed by the Uzbek authorities after the Andijon violence continued in 2006, targeting potential political opposition figures, human rights defenders, and even former officials. The government maintained tight control over all possible sources of dissent throughout 2007.

Karimov's seven-year term ended in January 2007, and the constitution barred



him from running for reelection. While opposition parties abroad raised questions about Karimov's legitimacy after January, Uzbek officialdom was silent. In October, the Liberal Democratic Party nominated him as its candidate for a December presidential election, and he won with an official 88 percent of the vote. His three opponents openly supported him.

On the international front, Uzbekistan strove to restore some balance in 2007 after its concerted move toward Russia in the wake of the Andijon incident. A March 2007 visit to Tashkent by the Russian premier featured unusual complaints from Uzbek officials about the pace of Russian investment. An April agreement with China laid the groundwork for a natural-gas export pipeline to that country. Meanwhile, in October the EU softened Andijon-related sanctions despite a marked lack of progress on human rights in Uzbekistan. Also that month, Karimov revived long-flagging regional ties with a visit to Turkmenistan.

**Political Rights and Civil Liberties:** Uzbekistan is not an electoral democracy. President Islam Karimov and the executive branch dominate the legislature and judiciary, and the government severely represses all political opposition. According to current constitutional rules, the president is limited to two seven-year terms, but Karimov, having served since before independence, was nevertheless reelected in December 2007. A dubious referendum in 2002 replaced the country's single-chamber legislature with a bicameral parliament consisting of a 120-seat lower house (with members elected by popular vote for five-year terms) and a 100-member upper house, or Senate (with 84 members elected by regional councils and 16 appointed by the president).

Parties based on ethnic or religious affiliations and those advocating subversion of the constitutional order are prohibited. Only five parties, all progovernment, are registered, and no genuine opposition groups function legally. A March 2007 law intended to expand the role of registered parties had little effect on the moribund political arena. Members of unregistered secular opposition groups, including Birlik and Erk, are subject to discrimination, and many live in exile abroad. The Sunshine Uzbekistan opposition movement was effectively smashed in 2006 with the conviction of its leader, businessman Sanjar Umarov, on a variety of economic charges.

Corruption is widespread. Uzbekistan was ranked 175 out of 180 countries surveyed in Transparency International's 2007 Corruption Perceptions Index.

While the constitution guarantees free speech, the law restricts freedom of speech and the press, particularly with regard to reports on the government and Karimov. The state controls major media outlets as well as newspaper printing and distribution facilities. Although official censorship was abolished in 2002, newspaper editors were warned by the State Press Committee that they would be held personally accountable for what they published. Self-censorship remains widespread. In the aftermath of the violence in Andijon in May 2005, the authorities struck out at independent and foreign media outlets. In December 2005, for instance, Radio Free Europe/Radio Liberty was forced to close its Tashkent bureau when the Justice Ministry refused to extend its accreditation. The government has also blocked websites with critical materials, most recently after the killing of journalist Alisher Saipov, a critic of the Uzbek regime, in Kyrgyzstan in October 2007.

The government permits the existence of mainstream religions, including ap-

proved Muslim, Jewish, and Christian denominations. However, religious activities by unregistered groups is punishable by fines or imprisonment. The state exercises strict control over Islamic worship, including the content of sermons, and suspected members of banned Muslim organizations and their relatives have been subjected to arrest, interrogation, torture, and extortion. Harsh crackdowns followed the outbreaks of violence in 2004 and 2005. In November 2006, the U.S. State Department added Uzbekistan to its list of countries of "particular concern" for violations of religious freedom. Some reports in 2007, however, suggested a slight relaxation in official constraints on the activities of mainstream Muslims.

The government limits academic freedom, according to the U.S. State Department's 2007 human rights report. While professors generally are required to have their lectures preapproved, enforcement varies. Bribes are commonly required to gain entrance to exclusive universities and to obtain good grades.

Open and free private discussion is limited by the *mahalla* committees, traditional neighborhood organizations that the government has turned into an official system for public surveillance and control.

Freedom of association is restricted. Unregistered nongovernmental organizations (NGOs), including the Human Rights Society of Uzbekistan (HRSU), can face difficulties operating. After the unrest in Andijon, the government intensified its crackdown on human rights activists and NGOs, particularly those that receive funding or other support from the United States and the EU. The regime associates such groups with popular protests that led to the overthrow of the leaders of Georgia, Ukraine, and Kyrgyzstan in recent years. In 2005-06, court decisions led to the temporary or permanent closure of virtually all foreign-funded organizations in Uzbekistan.

Despite constitutional provisions for freedom of assembly, the authorities severely restrict this right in practice. Law enforcement officials have used force to prevent demonstrations against human rights abuses, and participants have been harassed, arrested, and jailed. The Council of the Federation of Trade Unions is dependent on the state, and no genuinely independent union structures exist. Organized strikes are extremely rare.

The judiciary is subservient to the president, who appoints all judges and can remove them at any time. Police routinely abuse and torture suspects to extract confessions, which are accepted by judges as evidence and often serve as the basis for convictions. A 2007 report by Human Rights Watch described torture as "endemic" to the criminal justice system. Law enforcement authorities reportedly often plant contraband on suspected Islamic extremists or political opponents to justify their arrest. In 2007, rights activists Gulbahor Turayeva and Umida Niyazova were tried, sentenced, and then released after dubious "confessions" in which they recanted their previous human rights activities.

Prisons suffer from severe overcrowding and shortages of food and medicine. Inmates, particularly those sentenced for their religious beliefs, are often subjected to abuse or torture, and Human Rights Watch has documented a number of torture-related deaths in custody during the last few years.

Although racial and ethnic discrimination is prohibited by law, the belief that senior positions in government and business are reserved for ethnic Uzbeks is widespread.

Permission is required to move to a new city, and the authorities rarely grant permission to move to Tashkent. Bribes are commonly paid to obtain the necessary registration documents. Restrictions on foreign travel include the use of exit visas, which are often issued selectively. Nevertheless, millions of Uzbeks, primarily men of working age, work abroad—primarily in Russia and Kazakhstan—which affects the domestic political atmosphere.

Widespread corruption and the government's tight control over the economy limit most citizens' equality of opportunity. There has been little reform in the country's agricultural sector, in which the state sets high production quotas and low purchase prices for farmers. A series of regulations and decrees over the last few years have placed increasing restrictions on market traders.

Women's educational and professional prospects are limited by cultural and religious norms and by ongoing economic difficulties. Victims of domestic violence are discouraged from pressing charges against perpetrators, who rarely face prosecution. The trafficking of women abroad for prostitution remains a serious problem. Local authorities frequently use schoolchildren as free or cheap labor to harvest cotton; many children work long hours in unhealthy conditions, often receiving inadequate food and water. This practice can be linked to the absence of adult males in the labor force.

## Vanuatu

**Population:** 200,000

**Capital:** Port Vila

**Political Rights:** 2

**Civil Liberties:** 2

**Status:** Free



### Ten-Year Ratings Timeline For Year Under Review

#### Political Rights, Civil Liberties, Status

1998	1999	2000	2001	2002	2003	2004	2005	2006	2007
1,3F	1,3F	1,3F	1,3F	1,2F	2,2F	2,2F	2,2F	2,2F	2,2F

### Overview:

**Allegations of black magic in a squatter area outside the capital fueled tribal clashes in 2007, prompting the government to impose a two-week state of emergency. Also during the year, the electoral office increased the number of Parliament seats for the island of Efate, where the capital is located, from four to six. However, the seats for urban Port Vila itself fell from six to four.**

The archipelago now known as Vanuatu was governed as an Anglo-French "condominium" from 1906 until independence in 1980. The Anglo-French legacy continues to split society along linguistic lines in all spheres of life, including politics, religion, and economics.

Widespread corruption and persistent political fragmentation have caused many governments to collapse or grow dysfunctional. To restore public trust and government stability, Prime Minister Serge Vohor in 2004 proposed constitutional amendments that would bar no-confidence votes for 12 months before and after a parliamentary election, require a by-election in any constituency whose representative changed parties, and extend parliamentary terms from four to five years. Parliament approved these proposals for a constitutional referendum in 2005, but the vote has yet to be held. Ham Lini succeeded Vohor as prime minister after a no-confidence vote in December 2004, pledging to enact economic reforms and strengthen the rule of law.

Vanuatu secured \$66 million in development assistance over five years from the U.S. Millennium Challenge Account in 2006, but real progress on economic reform and strengthening the rule of law remained difficult in a political environment dominated by ethnic, tribal, and personal rivalries.

In February 2007, the electoral office increased the size of the multiseat parliamentary constituency for the island of Efate, where the capital is located, from four to six seats. However, the separate constituency for urban Port Vila itself was reduced from six seats to four.

The government declared a two-week state of emergency in the capital on March 3, following deadly clashes between people from Tanna and Ambrym islands in the Blacksands squatter area, which was home to thousands of migrants from the outer islands. Public meetings were prohibited during the emergency, and some restrictions on freedom of movement were imposed. The violence, sparked by allegations of black magic, killed two people and led to 200 arrests.

In September, the government raised wages for public servants by 25 percent. The Asian Development Bank warned that the move could undermine current economic growth.

**Political Rights and Civil Liberties:** Vanuatu is an electoral democracy. The constitution provides for parliamentary elections every four years. The prime minister, who appoints his own cabinet, is chosen by the 52-seat unicameral Parliament from among its members. Members of Parliament and the heads of the six provincial governments also form an electoral college to select the largely ceremonial president for a five-year term. The National Council of Chiefs works in parallel with Parliament, exercising authority mainly over language and cultural matters.

No-confidence votes have forced several changes of government in recent years. Parliamentary coalitions have been formed and dissolved with increasing frequency since the 1990s, and fraud and bribery are widespread in elections.

Many political parties are active, but individual rivalries are intense and politicians frequently switch affiliations. Politics is also driven by linguistic and tribal identity. The leading parties are the Vanua'aku Party, the National United Party, and the francophone Union of Moderate Parties.

Corruption is a serious problem. Corruption allegations forced Prime Minister Barak Sope to resign in 2001, and President Alfred Maseng Nalo resigned in 2004 after his corruption conviction was revealed. In 2007, a former minister was arrested for fraud, and the land minister was investigated for allegedly improper transfers of

public lands. Vanuatu was ranked 98 out of 180 countries surveyed in Transparency International's 2007 Corruption Perceptions Index.

The government generally respects freedoms of speech and the press. The state-owned Television Blong Vanuatu broadcasts in English and French. Radio Vanuatu is the only radio station. The weekly *Port Vila Press* and the privately owned papers *Vanuatu Daily*, *Nasara*, and *Port Vila News* supply international, national, and local news. Most media outlets deliver information in Bismala (a pidgin), English, or French. The number of internet users is increasing, but diffusion is limited by cost and access challenges outside the capital.

The government generally respects freedom of religion in this predominantly Christian country. Members of the clergy have held senior government positions, including president and prime minister. There were no reports of restrictions on academic freedom.

The law provides for freedoms of association and assembly, and the government typically upholds these rights. Civil society groups are active on a variety of issues. There are five independent trade unions organized under the umbrella Vanuatu Council of Trade Unions. Workers can organize unions, bargain collectively, and strike. Public demonstrations are permitted by law and generally allowed in practice.

The judiciary is largely independent, but it is weak and inefficient. Lack of resources hinders hiring and retention of qualified judges and prosecutors. Long pre-trial detentions are common. Tribal chiefs often adjudicate local disputes, but their punishments are sometimes deemed excessive. Vanuatu has no military. The Vanuatu Mobile Force is a paramilitary wing of the small police force. Both are under the command of a civilian police commissioner. Reports of police abuse are infrequent and minor. Prison conditions are poor.

Vanuatu is suspected of being used as a transit point for trafficked persons heading to North America, Japan, and Western Europe.

Local traditions are frequently sources of discrimination against women. Violence against women is common and particularly severe in rural areas. Spousal rape is not a crime, and no law prohibits domestic abuse or sexual harassment. Most cases go unreported because the victims fear reprisal or are discouraged by family pressure, and the police and courts generally hesitate to intervene or impose stronger punishments on offenders. The traditional practice of "bride payment," or dowry, remains common. Critics say it encourages the view that women are property. Abortion is permitted only to save a woman's life or preserve her mental health; it is not available on request, even for pregnancies resulting from rape or incest.

## ↓ Venezuela

**Population:** 27,500,000

**Capital:** Caracas

**Political Rights:** 4

**Civil Liberties:** 4

**Status:** Partly Free



**Trend Arrow:** Venezuela received a downward trend arrow due to further government-imposed restrictions on assembly and protest, media activity, and academic freedom.

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

1998	1999	2000	2001	2002	2003	2004	2005	2006	2007
2,3F	4,4PF	3,5PF	3,5PF	3,4PF	3,4PF	3,4PF	4,4PF	4,4PF	4,4PF

**Overview:** In May 2007, Venezuelan authorities shut down the popular television station RCTV, generating student-led protests that continued for the rest of the year. However, President Hugo Chavez's ongoing efforts to consolidate power were dealt a surprise setback in December, when voters rejected a package of constitutional amendments proposed by the president and his parliamentary allies.

The Republic of Venezuela was founded in 1830, nine years after independence from Spain. Long periods of instability and military rule ended with the establishment of civilian rule in 1958 and the approval of a constitution in 1961. Until 1993, the center-left Democratic Action party (AD) and the Social Christian Party (COPEI) dominated politics under an arrangement known as the Punto Fijo pact. President Carlos Andres Perez (1989—93) of the AD, already weakened by the violent political fallout from his free-market reforms, was nearly overthrown by Lieutenant Colonel Hugo Chavez and other nationalist military officers in two 1992 coup attempts, in which dozens of people were killed. Perez was subsequently impeached as a result of corruption and his inability to stem the social consequences of economic decline, which had coincided with lower oil prices beginning in the 1980s. Rafael Caldera, a former president (1969-74) and founder of COPEI, was elected president in late 1993 as head of the 16-party Convergence coalition, which included both left- and right-wing groups.

In the December 1998 presidential contest, Chavez made his anticorruption, populist candidacy into a referendum on the entrenched political elite, which was famous for its consensual approach to politics but also for its interlocking system of privilege and graft. The long-ruling political parties' effort to unify behind a consensus candidate was unsuccessful, and Chavez won with 56 percent of the vote.

A Constituent Assembly dominated by Chavez followers drafted a new constitution that strengthened the presidency and introduced a unicameral National As-

sembly. After voters approved the new charter in a December 1999 referendum, the bicameral Congress and the Supreme Court of Justice were dismissed, and new national elections were called for May 2000. Although Chavez was reelected president, opposition parties won most of the country's governorships, about half of the mayoralties, and a significant share of National Assembly seats. Nevertheless, that November, Chavez's allies in the legislature granted him special powers to enact a wide range of laws by decree.

In April 2002, following the deaths of 19 people in a massive antigovernment protest, dissident military officers attempted to remove Chavez from office with backing from some of the country's leading business groups. The provisional government appointed by the military also sought to dismiss the elected vice president and the National Assembly, but it faced a reaction from loyalist troops and an outburst of protests by pro-Chavez citizens. Chavez was reinstated and moved swiftly to regain control of the military, dismissing dozens of generals and installing supporters across the higher ranks.

Following the coup attempt, the country was racked by protests from a broad spectrum of civil society. In early December, opposition leaders called a general strike that lasted 62 days but ultimately weakened their political position, failed to force the president from office, and severely damaged the economy. Nevertheless, anti-Chavez activists succeeded in gathering enough signatures to force a presidential recall vote. While fending off his opponents with legal maneuvers and intimidation tactics, Chavez introduced a bold program of social service initiatives, including urban health care and literacy projects, many of which were staffed by thousands of doctors and other experts brought in from Cuba.

Chavez won the August 2004 presidential recall referendum with 58 percent of the vote amid high voter turnout. After the relatively peaceful balloting, opposition groups insisted that there was a large discrepancy between the official results and their own exit polls. Independent observers said that although there were credible reports of voter harassment, the problems did not appear to have affected the outcome. In the October 2004 regional and municipal elections, voters overwhelmingly backed pro-Chavez candidates.

Even as Venezuela faced high levels of street crime and unemployment, as well as an economy recovering from severe damage, Chavez continued to focus on increasing his influence over the judicial system, the media, and other institutions of civil society. The National Assembly, controlled by his supporters, approved a measure allowing it to remove and appoint judges to the Supreme Tribunal of Justice, which had replaced the old Supreme Court in 1999 and controlled the rest of the judiciary. The legislation also expanded the tribunal's membership from 20 to 32 justices, who would be appointed by a simple majority vote in the legislature. In December 2004, a law giving the government increased control over the content of radio and television programs took effect.

In 2005, Chavez continued to curry favor in the region by signing a trade pact under which Venezuela would provide nine Caribbean governments with oil on favorable terms. Squabbles between the United States and Venezuela continued throughout 2005 and 2006 over issues including large Venezuelan arms purchases, a supposed lack of cooperation in efforts to combat illegal drugs and terrorism, and alleged assistance to favored political candidates in neighboring countries. Chavez

became a factor in elections throughout Latin America in 2006, though his explicit or perceived endorsements of leftist candidates backfired in Peru and Mexico, where they were successfully exploited by conservative opponents. Chavez also traveled extensively, signing political and economic accords in countries including Iran, Belarus, Russia, China, Vietnam, Portugal, and Mali.

National Assembly elections in December 2005 were conducted in an atmosphere of severe mistrust, as the opposition accused the National Electoral Council (CNE) of allowing violations of the secrecy of the vote. A boycott movement gained steam in the days preceding the balloting, resulting in the election—by a mere 25 percent of eligible voters—of a National Assembly in which all 167 deputies were government supporters.

In the run-up to the December 2006 presidential election, the ideologically diverse opposition, except for the AD, unified behind the candidacy of former AD member Manuel Rosales, the governor of Zulia, Venezuela's wealthiest state. Rosales, running under the banner of the Un Nuevo Tiempo (A New Time) party, railed against high crime rates, the Chavez administration's corruption, and Chavez's giveaways of money and oil to favored foreign nations, but he also pledged to maintain generous social programs aimed largely at the poor. However, most poor Venezuelans continued to support Chavez, who had delivered material benefits to the lower classes, as evidenced by the gradually declining poverty rate. The Venezuelan media remained highly polarized, with most press outlets strongly supporting one candidate or the other and accusing opponents of fomenting violence. In the end, Chavez defeated Rosales handily, 61 percent to 38 percent, in balloting that generally proceeded without incident.

Soon after the vote, Chavez indicated that he would press forward with his program of institutional changes, which he called a "Bolivarian revolution." In late December 2006, he announced that the license of the popular opposition-aligned television station RCTV would not be renewed and broadcasting would cease in May 2007. He also unveiled plans to merge all progovernment parties into a single grouping. In early 2007, he carried out a cabinet shakeup that included the replacement of influential Vice President Jose Vicente Rangel with former CNE head Jorge Rodriguez. The deepening of the "revolution" continued with the announcement that the primary national telecommunications company, CANTV, would be nationalized, along with Electricidad de Caracas, the capital city's power utility. At the end of January, the National Assembly voted to give the president decree power on a broad array of issues for 18 months.

On May 27, Chavez fulfilled his pledge to take control of the frequency and equipment of RCTV. The seizure was justified on the basis of what Chavez claimed were the station's ongoing efforts to destabilize the government. Media watchdog and human rights groups characterized the move as an attack on press freedom and decried a lack of transparency in the decision-making process. Moreover, the decision was challenged by groups of university students, who repeatedly carried out large street protests that were at times forcibly repressed. The fact that the demonstrations appeared spontaneous, and that the students were not tainted by links with the discredited opposition parties, earned them sympathy.

The year's other major development was the narrow defeat, on December 2, of a referendum that would have amended 69 of the Venezuelan constitution's 350 articles. The proposed changes, which were drafted by the executive and the National



Assembly with little outside consultation, ranged from establishing an official six-hour workday and instituting a new pension scheme for informal workers, to giving the president the power to redraw the country's territorial map and formalizing new, ambiguous property classifications. For human rights groups, the proposed expansion of the president's power to declare indefinite states of emergency, which would enable him to limit certain elements of due process and freedom of information, was disquieting. Most of the opposition, however, regarded the proposal to remove presidential term limits as the motivation behind the entire package. Chavez's public musings about governing until 2050 helped to mobilize the significant minority of Venezuelans who stridently opposed his regime.

As the referendum approached, opposition to the reform package increased. The student movement, which remained at the forefront of the opposition, was joined by influential former Chavistas, particularly former defense minister Raul Isaias Baduel and members of the PODEMOS party, which went into opposition rather than join the unified pro-Chavez party. In addition, economic and social conditions were less than optimal for Chavez with increasing inflation, shortages of some food staples (partially a result of price controls), and a spiraling crime rate, voters were less eager to reward the president than in previous contests. Finally, for the first time since 2004, nearly all opposition members were persuaded to participate rather than abstain from voting. As the ballots were counted, it became clear that apathy among Chavista voters had cost the government victory; whereas the vote against the amendments was comparable to what Rosales had won in the 2006 election, the total in favor was some three million ballots short of that collected by Chavez a year earlier.

Chavez's concession speech made him appear somewhat chastened, but his customary rhetoric soon returned as he denigrated the opposition victory and scolded his supporters for their low turnout. Toward the end of the year, much of the president's attention was focused on his attempts to secure the release of prominent hostages held by Colombia's leftist rebels; as negotiations dragged on, previously respectful relations between Chavez and Colombian president Alvaro Uribe turned increasingly sour.

**Political Rights and Civil Liberties:** Venezuela is an electoral democracy. However, the political opposition is forced to operate under difficult conditions. The December 2005 National Assembly elections were marred by an anemic turnout after the opposition called for a boycott, claiming that the secrecy of the vote was compromised by a combination of mechanized voting machines and fingerprint-based antifraud equipment. Though the CNE agreed to forgo the equipment, the opposition decided to sit out the elections. In April 2006, a new CNE board of directors was appointed by the legislature; although a majority of the board were supporters of President Hugo Chavez, the opposition actively contested the December 2006 presidential election. The voting was generally considered free and fair, but the CNE was ineffectual at limiting Chavez's use of state resources. He enjoyed a massive advantage in television exposure, and the promotion of social and infrastructure projects often blurred the line between his official role and his electoral campaign. The opposition also alleged that the limited use of fingerprint-identification machines was designed to intimidate voters, and that the accuracy of the electoral registry was highly questionable.

A similar exploitation of public resources occurred during the run-up to the December 2007 referendum on government-backed constitutional amendments. In addition, the delayed announcement of results drew accusations that backroom negotiations were conducted. Actual balloting proceeded without serious incident, and the opposition expressed satisfaction with the auditing system; however, full, final results, which could have allayed any lingering suspicions, had still not been released by year's end. Separately, after the failed 2004 presidential recall referendum, tens of thousands of people who had signed petitions in favor of the effort found that they could not get government jobs or contracts, or qualify for public assistance programs; they had apparently been placed on an alleged blacklist of Chavez's political opponents.

The unicameral National Assembly is composed of 167 members elected by popular vote to serve five-year terms. Chavez's control of the Assembly lessened slightly in 2007 following the defection of the PODEMOS party, but his still-powerful grip allows him to curb the independence of government institutions. Aside from the legislature, Chavez's coalition controls the Supreme Tribunal of Justice, the intelligence services, and the Citizen Power branch of government, which was created by the 1999 constitution to fight corruption and protect citizens' rights. Moreover, in January 2007, the National Assembly approved an "enabling law" that granted Chavez the power to legislate by decree on a wide range of topics through mid-2008. By the end of the year, however, he had yet to use this power extensively. The president, who is both head of state and head of government, is directly elected for up to two six-year terms; the failed constitutional amendments would have added a year to the term and eliminated the two-term limit.

The process of merging government-aligned parties into a single United Socialist Party (PSUV) proceeded slowly in 2007, with a number of delays in convening the party's founding congress. Meanwhile, the opposition has largely been ideologically and programmatically incoherent. This deficit, combined with Chavez's popularity and power over the distribution of state resources, has often left the opposition struggling to win over Chavez supporters and independents. However, in the run-up to the December 2007 referendum, opposition forces exhibited new unity while also gaining support from former Chavistas and the student movement. Newer opposition parties include Un Nuevo Tiempo, which presidential candidate Manuel Rosales adopted in 2006, and Primero Justicia (Justice First), which suffered internal problems in 2007. At the end of 2007, there was some talk of merging these two parties ahead of the state and local elections scheduled for 2008.

The Chavez government, which now enjoys free rein over the economy, has done little to remove vague or excessive regulatory restrictions that increase opportunities for corruption. Several newly created development funds are controlled by the executive branch without oversight. Anticorruption efforts are sporadic and focus on violations by the regime's political opponents. Following the strikes of 2002-03, Chavez replaced technocrats at PDVSA, the state oil company, with his own loyalists, to the detriment of the firm's technical reputation. The expropriation of large, idle landholdings has slowed in the last two years. The nationalization of industrial holdings, however, continues apace; in 2007 national telecoms provider CANTV and electric utility Electricidad de Caracas were nationalized, while all oil producers in the Orinoco belt were obliged to hand majority control to the state. Transparency International (TI) ranked Venezuela a dismal 162 out of 180 countries surveyed in its 2007

Corruption Perceptions Index. In late 2007 the government successfully lobbied for the removal of a critical TI report from the Organization of American States website.

Although the constitution provides for freedom of the press, the media climate is permeated by intimidation, sometimes including physical attacks, and strong antimedia rhetoric by the government is common. Opposition outlets remain vocally hostile toward the government, but their share of the broadcast media has declined markedly in recent years. The 2004 Law on Social Responsibility of Radio and Television gives the government the authority to control the content of radio and television programs. According to the Inter American Press Association, the government "has used public funds to establish many publications, television and radio stations which enjoy unlimited budgets." During the 2006 election and 2007 referendum campaigns, coverage by state media was overwhelmingly one-sided in its support of the government; opposition-aligned outlets also exhibited bias, though to a somewhat lesser degree. When justifying the nonrenewal of RCTV's license in 2007, the government referred repeatedly to the station's "undemocratic" actions during the 2002 coup attempt; however, other stations that had been equally anti-Chavez but subsequently toned down their criticism were not similarly punished. The government does not restrict internet access.

Freedom of religion, which the constitution guarantees, is generally respected by the government, though tensions with the Roman Catholic Church remain high. Government relations with the small Jewish community have also been strained, due especially to Chavez's ties to Iranian president and Holocaust denier Mahmoud Ahmadinejad. Academic freedom came under mounting pressure in 2007 with the introduction of a new curriculum, to eventually be applied in all private and public schools that will emphasize socialist concepts. Ideological friction in universities has increased; elections for student associations and administration positions have become even more politicized than before, and rival groups of students clashed repeatedly, especially during the run-up to the constitutional referendum.

Freedom of peaceful assembly is guaranteed in the constitution, and protests are common. However, the rise of the student movement in 2007 caused a spike in confrontations with the government. Even prior to the peak of the referendum-related protests, local human rights group Provea noted an increased "tendency toward the criminalization of protest," with more arrests and repression of marches.

In 2000, the Supreme Tribunal ruled that nongovernmental organizations (NGOs) with non-Venezuelan leaders or foreign government funding are not part of "civil society." As a result, they may not represent citizens in court or bring their own legal actions. The Chavez government has also made an effort to undermine the legitimacy of human rights and other civil society organizations by questioning their ties to international groups. An NGO law modeled on a restrictive Russian statute received preliminary approval in the National Assembly in June 2006 but has not subsequently moved forward.

Workers in Venezuela are legally entitled to form unions, bargain collectively, and strike, with some restrictions on public sector workers' ability to strike. Control of unions is actively contested between traditional opposition-allied labor leaders, who allege that challenges by upstart workers' organizations mask Chavez's intent to create government-controlled unions, and the president's supporters, who maintain that the old labor regime was effectively controlled by AD, COPEI, and employ-

ers. The growing competition has contributed to a substantial increase in violence in the labor sector.

Until Chavez took power, the judicial system was headed by a nominally independent Supreme Court that was nevertheless highly politicized, undermined by the chronic corruption (including the growing influence of narcotics traffickers) that permeates the entire government system, and unresponsive to charges of rights abuses. Under Chavez, the effectiveness of the judicial branch remains tenuous, and the level of politicization has increased. Conviction rates remain low, the public defender system continues to be underfunded, and the level of provisionality (absence of tenure) among judges is high.

Widespread arbitrary detention and torture of suspects, as well as extrajudicial killings by the often-corrupt police and the military, have increased along with soaring crime rates. With over 50 homicides per 100,000 inhabitants, Venezuela's murder rate is now one of the world's highest. In the first nine months of 2007, over 9,500 homicides were reported, a nearly 10 percent increase over the rate in all of 2006. Furthermore, rights abuses by the police and the military are committed with impunity. In late 2006, plans to nationalize and reform the police began to be elaborated, a process that continued throughout 2007. Though reform plans are under discussion and the budget has moderately increased, prison conditions remain among the worst in the Americas. The nongovernmental group Venezuelan Prison Observatory reported at least 498 violent deaths in 2007.

Since Chavez's election, Venezuela's military, which has long been largely unaccountable to civilian authorities, has become an active participant in the country's social development and the delivery of public services. The 1999 constitution assigns the armed forces a significant role in the state but does not provide for civilian control over the military's budget or procurement practices, or for related institutional checks. In early 2007, Chavez obliged members of the military to recite the "fatherland, socialism, or death" slogan and declared that those who refused should exit the armed forces. However, a faction of the military is also perceived as partial to former defense minister Raul Isaias Baduel, who claims that tensions within the armed forces are rising. Baduel also asserts, as do foreign officials, that the military has adopted an increasingly permissive attitude toward narcotics trafficking and Colombian rebel activity inside Venezuela.

The formal rights of indigenous people have improved under Chavez, although those rights—specifically the groups' ability to make decisions affecting their land, cultures, and traditions, and the allocation of natural resources—are seldom enforced by local political authorities. Indigenous communities trying to defend their legal land rights are subject to abuses, including murder, by gold miners and corrupt rural police. The constitution reserves three seats in the National Assembly for indigenous people and also provides for "the protection of indigenous communities and their progressive incorporation into the life of the nation."

Venezuelan women enjoy progressive rights enshrined in the 1999 constitution, and some programs, such as a hotline for victims of domestic abuse, have been established to assist them. However, domestic violence and rape remain common, and the courts have provided limited means of redress for victims. As in some neighboring countries, the problem of trafficking in women is inadequately addressed by the government.

## Vietnam

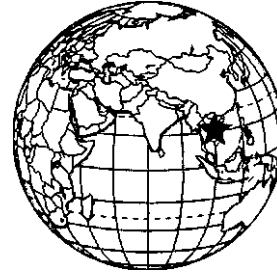
**Population:** 85,100,000

**Capital:** Hanoi

**Political Rights:** 7

**Civil Liberties:** 5

**Status:** Not Free



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

1998	1999	2000	2001	2002	2003	2004	2005	2006	2007
7,7NF	7,7NF	7,6NF	7,6NF	7,6NF	7,6NF	7,6NF	7,5NF	7,5NF	7,5NF

**Overview:** In the May 2007 National Assembly elections, 500 deputies were elected in a poll that was neither free nor fair. The legislature approved the new cabinet of Prime Minister Nguyen Tan Dung in August. Fighting official corruption and closing the widening rural-urban economic gap remained top government priorities during the year, as both were significant sources of public discontent and social tension. Following a relative easing of restrictions on political activity in 2006 as Vietnam prepared for accession to the World Trade Organization (WTO), the government in 2007 cracked down on peaceful dissent with a severity not seen in several years as over a dozen journalists, lawyers, and dissidents were sentenced to long prison terms.

Vietnam won full independence from France in 1954, but it was divided into a Western-backed state in the south and a Communist-ruled state in the north. Open warfare erupted between the two sides by the mid-1960s, and fighting persisted for more than a decade. A peace treaty in 1973 officially ended the war, but fighting did not cease until 1975, when North Vietnam claimed victory over the South. The country was formally united in 1976.

War and poor economic policies mired Vietnam in deep poverty, but economic reforms that began in 1986 have drastically transformed the country. Tourism is a major source of revenue, as is the export of foodstuffs and manufactured products; a stock market opened in 2000. However, political reform has not followed the partial economic liberalization. Criticism of the government is harshly suppressed. Official corruption and abuses are widespread and serve as major sources of public frustration and discontent. To protect the legitimacy and survival of the regime, recent governments have all declared anticorruption efforts a top priority and acknowledged that reform is needed within the ruling Communist Party of Vietnam (CPV). The leadership has also focused on closing the widening income gap between rural and urban populations, as it is another key source of social tension. Following major bribery and corruption scandals involving officials in the ministry of transportation and the national soccer team in 2006, the government allowed the media greater freedom to report on graft and corruption.

At the 10th congress of the CPV in April 2006, Nong Due Manh was reelected as the party's general secretary, a post he has held since 2001. Also that year, the CPV approved a proposal to allow members to engage in business, partly to attract young entrepreneurs into the party. In June 2006, Nguyen Minh Triet, head of the CPV in Ho Chi Minh City, was elected state president by the National Assembly, while Nguyen Tan Dung, a deputy prime minister, became prime minister.

The United States has been pressuring Hanoi to improve its human rights record through high-profile reports on the topic, and the U.S. Congress has proposed linking economic aid to the release of political and religious prisoners. To sustain high economic growth, the Vietnamese government needs to access the United States and other world markets, as well as foreign investment. In 2005, the authorities stopped disrupting public Roman Catholic masses; Vietnam is home to between five and eight million Catholics, the largest number in Southeast Asia after the Philippines. Many restrictions on religious groups have been lifted, allowing charitable activities and freer movement for clergy, and the number of religious prisoners is believed to have fallen in recent years. In January 2007, Prime Minister Nguyen Tan Dung met with the pope at the Vatican, marking the first meeting of a Vietnamese leader and the head of the Catholic Church; in March, the government received a Vatican delegation. Meanwhile, restrictions on political activity were eased in 2006 as Vietnam prepared for accession to the World Trade Organization (WTO).

In the months preceding and following the elections—and after Vietnam became the WTO's 150th member on January 11, 2007—the government embarked on one of the strongest crackdowns against peaceful dissent in recent years. According to Human Rights Watch, nearly 40 dissidents were arrested, with more than 20 sentenced to long prison terms in 2007, often under Article 88 of the Penal Code which criminalizes promoting "antigovernment propaganda." In March, Father Nguyen Van Ly, a founding member of the (illegal) Progression Party and member of the prodemocracy movement Bloc 8406, was sentenced to eight years in prison for "committing very serious crimes that harmed national security"; he had already spent over a dozen years in prison for his dissident activities. Attorneys and Bloc 8406 members Nguyen Van Dai and Le Thi Cong were sentenced in May to five and four years in prison, respectively, for "spreading propaganda intended to undermine Vietnam's Communist government."

About 900 candidates competed in the May 2007 National Assembly elections. Of the 500 deputies chosen, 50 were not CPV members. In August, the National Assembly approved the new cabinet of Prime Minister Nguyen, which included two relatively young deputy prime ministers with strong economic expertise and fluency in English. The prime minister also reduced the number of ministries, from 26 to 22, for his 28-member cabinet.

Widespread official corruption and abuse of power by the CPV and the government have greatly undermined public trust in these institutions, to the extent that several former high-ranking government and party leaders, war veterans, and intellectuals have openly advocated reform. They include former prime minister Vo Van Kiet, who in the run-up to the May 2007 elections called for national reconciliation and urged CPV leaders to talk to political dissidents. Vo was prime minister from 1991 to 1997 and is considered the chief architect of market-based reforms.

**Political Rights and Civil Liberties:** Vietnam is not an electoral democracy. Politics and the government are controlled by the CPV, and its Central Committee is the top decision-making body. The CPV is the sole legal political party, and no opposition parties are permitted. The National Assembly, consisting of 500 members elected to five-year terms, generally follows the party's dictates in legislation; all candidates for the assembly are vetted by the Vietnam Fatherland Front, an arm of the CPV, regardless of whether they are CPV members or independents. Delegates to the Assembly can speak about grassroots complaints, influence legislation, question state ministers, and debate legal, social, and economic issues, within limits set by the party. The president, elected by the National Assembly for a five-year term, appoints the prime minister, who is confirmed by the legislature.

Corruption and abuse of office are serious problems. Citizens complain about official corruption, governmental inefficiency, opaque bureaucratic procedures, and unreasonable land seizures. Although senior party and government officials have publicly acknowledged growing public discontent, the government has mainly responded with a few high-profile prosecutions of officials and private individuals rather than comprehensive reforms. Vietnam was ranked 123 out of 180 countries surveyed in Transparency International's 2007 Corruption Perceptions Index.

The government tightly controls the media. Journalists who overstep the bounds of permissible reporting—for example, by writing about sensitive political and economic matters or the CPV's monopoly on power—are silenced using the courts or other forms of harassment. Foreign media representatives cannot travel outside Hanoi without government approval. Publications deemed offensive or inaccurate are subject to an official ban. A 1999 law requires journalists to pay damages to groups or individuals found to be harmed by press articles, even if the reports are accurate. Under a 2006 decree, journalists face large fines for transgressions of censorship laws, including denying revolutionary achievements, spreading "harmful" information, or exhibiting "reactionary ideology."

Television is the dominant medium. State-owned Vietnam Television broadcasts to the entire country, and there are many provincial television stations. Although satellite television is officially restricted to senior officials, international hotels, and foreign businesses, many homes and businesses have satellite dishes and pick up foreign broadcasts. Some foreign channels, including Cable News Network (CNN), broadcast via cable. All print media outlets are owned by or are under the effective control of the CPV, government organs, or the army, although several newspapers have attempted to push the limits of permissible coverage.

The number of internet users continues to increase. By July 2006, an estimated 13 million Vietnamese were regular users. The government recognizes the internet as a new medium for reaching out to youth. In February 2007, Prime Minister Nguyen Tan Dung conducted the government's first online chat with the public; some 20,000 questions were reportedly received during the three-hour session. Nevertheless, the government maintains tight control of the internet through legal and technical means. For example, a 2003 law bans the receipt and distribution of antigovernment email messages, websites considered "reactionary" are blocked, and owners of domestic websites must submit their content for official approval. Cyber cafes are required by law to register the personal information of and record the sites visited by users. Internet service providers face fines and closure for violating censorship

rules. In 2007, over a dozen journalists and activists who had pushed for a more open media or cyberdissidents who had posted online essays calling for democratic reforms were sentenced to long prison terms.

Religious freedom is still restricted, but the situation has improved in recent years due to international pressure and greater integration with the global economy. All religious groups and most individual clergy members must join a party-controlled supervisory body. One such body exists for each religion that the state officially recognizes: Buddhism; Roman Catholicism; Protestantism; Islam; Cao Daiism, a synthesis of several religions; and the Hoa Hao faith, a reformist Buddhist church. Religious groups must obtain permission for most activities, including personnel decisions and building renovations. A small number of religious leaders and adherents remain in prison or face other forms of government harassment. In recent years, the Catholic Church has been allowed to pick its own new bishops and priests, although they must still be approved by the government. Many churches have also received government approval for repairs, and adherents can freely attend church. Catholic priests have been allowed to travel to Rome.

Academic freedom is limited. University professors must refrain from criticizing government policies and adhere to party views when teaching or writing on political topics. For example, in 2004, a 73-year-old military historian was sentenced to 19 months in jail for "abuse of democratic freedom and rights." The government also accused an 83-year-old former high-ranking CPV member of treason for speaking out against human rights violations. The state appears to act most harshly against prominent prodemocracy activists; private citizens can generally speak freely in private discussion without fear of repercussions.

Freedoms of association and assembly are restricted. Human rights organizations and other private groups with rights-oriented agendas are banned; a small but active community of nongovernmental groups promote environmental conservation, women's development, and public health. The Vietnam General Conference of Labor (VGCL), closely tied to the CPV, is the only legal labor union. All trade unions are required to join the VGCL. In recent years, the government has permitted hundreds of independent "labor associations" to represent workers at individual firms and in some service industries. Farmer and worker protests against local government abuses and unfair or harsh working conditions have become more common. The central leadership uses such public demonstrations to pressure local governments and businesses to comply with tax laws, environmental regulations, and wage agreements. Enforcement of child labor, workplace safety, and other labor laws remains poor.

Vietnam's judiciary is subservient to the CPV, which controls courts at all levels. Defendants have a constitutional right to counsel, but lawyers are scarce and many are reluctant to take on human rights and other sensitive cases for fear of harassment and retribution by the state. Defense attorneys cannot call or question witnesses and are only infrequently permitted to request leniency for their clients.

The police are known to abuse suspects and prisoners, and prison conditions are poor. The death penalty is applied mainly for violent crimes, but it has been handed down in cases involving economic or drug-related offenses. Many have been imprisoned for their political and religious beliefs. Police can hold individuals in administrative detention for up to two years on suspicion of threatening national



security. There have been fewer arrests and more releases of religious prisoners in recent years.

Ethnic and religious minorities face discrimination in mainstream society, and some local officials restrict their access to schooling and jobs. Minorities generally have little input on development projects that affect their livelihoods and communities. Human rights groups have accused the government of arresting more than 350 Montagnards ("mountain dwellers" in French) since 2001, and many are given long prison terms for protesting against land seizures and demanding greater religious freedom (many are Catholic).

Ordinary Vietnamese, particularly those living in major cities, are increasingly free of government intrusion into their daily lives, including their choice of work, place of residence, and participation in economic and religious activities. In July 2007, hundreds of farmers from the Mekong Delta region surrounded a government building in Ho Chi Minh City to demand the return of their land and punishment for abusive officials.

Economic opportunities have grown for women, but they continue to face discrimination in wages and promotion. Many are victims of domestic violence, and thousands of women each year are trafficked internally and externally and forced into prostitution. In July 2007, six people were jailed for human trafficking, allegedly using marriage as a cover to ship women overseas and force them into prostitution.

## Yemen

**Population:** 22,400,000

**Capital:** Sanaa

**Political Rights:** 5

**Civil Liberties:** 5

**Status:** Partly Free



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

1998	1999	2000	2001	2002	2003	2004	2005	2006	2007
5,6NF	5,6NF	5,6NF	6,6NF	6,5NF	5,5PF	5,5PF	5,5PF	5,5PF	5,5PF

### Overview:

**Yemen's government continued to clash with Zaidi Muslim rebels in the north in 2007. The authorities also continued their crackdown on the press and free speech, prosecuting journalists who criticized the state and especially its northern military campaign. Also in 2007, the U.S. Millennium Challenge Corporation pledged more than \$20 million in aid to fight accelerating corruption in the government.**

For centuries after the advent of Islam, a series of dynastic imams controlled most of northern Yemen and parts of the south. The Ottoman Empire ruled many of the cities from the 16th to the early 20th centuries, and the British controlled areas

in the southern part of the country, including the port of Aden, beginning in the 19th century.

After the imam was ousted in a 1960s civil war and the British left the south in 1967, Yemen remained divided into two countries: the Yemen Arab Republic (North Yemen) and the People's Democratic Republic of Yemen (South Yemen). The two states ultimately unified in 1990 after decades of conflict. In the face of widespread poverty and illiteracy, tribal influences that limit the central government's authority in certain parts of the country, a heavily armed citizenry, and the threat of Islamist terrorism, Yemen has taken limited steps to improve the status of political rights and civil liberties in the years since unification.

In September 2006, Yemen held its second presidential election since unification. President Ali Abdullah Saleh was reelected with 77 percent of the vote, and the ruling Grand People's Congress (GPC) party won by a similar margin in concurrent provincial and local council elections. The 2006 presidential race was the first in which a serious opposition candidate challenged the incumbent. Saleh's main opponent, Faisal Ben Shamlan, was supported by a coalition of Islamist and other opposition parties and received 22 percent of the vote. The elections, which international observers deemed free and fair despite opposition allegations of fraud, secured Saleh's rule for another seven years and opened the door for the possible political candidacy of his son.

Yemen has faced security challenges from terrorist and secessionist movements over the past decade. Clashes in the northern region of Saada as part of an uprising by some members of Yemen's large community of Zaidi Shiite Muslims continued in 2007; hundreds of people had been killed in the fighting since it broke out in 2004. The government faced other sources of opposition as well. In September 2007, police killed two army veterans who participated in protests aimed at government discrimination against communities in southern Yemen. In ongoing tensions between tribes and the government over poor social conditions, tribesmen near Sanaa blew up an oil pipeline in October. Revenues from oil exports make up 70 percent of Yemen's national budget.

The country continues to be plagued by serious economic problems, including widespread poverty. Economic growth has been slow, and unemployment hovers around 40 percent.

**Political Rights and Civil Liberties:** Yemen is not an electoral democracy. The country appears to have a relatively open democratic system, with citizens voting for president and members of parliament. However, Yemen's politics are dominated by the ruling GPC party, which has increased its share of elected parliament seats from 145 in 1993 to 237 in the current parliament. The government structure suffers from the absence of any significant limits on the executive's authority, and President Ali Abdullah Saleh has been serving continuously since 1978, when he became president of North Yemen in a military coup.

The president of Yemen is elected for seven-year terms, and appoints the 111 members of the bicameral parliament's largely advisory upper house, the Majlis al-Shura (Consultative Council). The 301 members of the lower house, the House of Representatives, are elected to serve six-year terms. Local council members are also elected. There is limited competition among the ruling GPC party, two main opposition parties (the Islamist party Islah and the Yemeni Socialist Party), and a handful of other parties.

Corruption is an endemic problem. Despite recent efforts by the government to fight graft, Yemen lacks most legal safeguards against conflicts of interest. Auditing and investigative bodies are not sufficiently independent of the executive authorities. In February 2007, the U.S. government's Millennium Challenge Corporation (MCC) reinstated Yemen's eligibility for assistance under its Threshold Program after a two-year suspension. In September, the MCC approved \$20.6 million in programs for Yemen to fight corruption and improve the judiciary, elections, and the investment climate. Yemen was ranked 131 out of 180 countries surveyed in Transparency International's 2007 Corruption Perceptions Index.

The state maintains a monopoly over the media that reach the most people—television and radio. Access to the internet is not widespread, and the authorities block websites they deem offensive. Article 103 of the Press and Publications Law outlaws direct personal criticism of the head of state and publication of material that "might spread a spirit of dissent and division among the people" or "leads to the spread of ideas contrary to the principles of the Yemeni Revolution, [is] prejudicial to national unity or [distorts] the image of the Yemeni, Arab, or Islamic heritage." Government authorities have used the Press and Publications Law to restrict press freedom, especially in recent years.

In May 2007, the Ministry of Telecommunications blocked two websites for their critical coverage of the government's war on Zaidi rebels in the north, and in June the Ministry of Information began censoring SMS text messages for criticism of the president. In May 2007, the Yemeni Centre for Training and Protecting Journalists issued a report claiming 500 violations against journalists in the last five years. Journalists continue to face threats of violence, kidnapping, death, and arbitrary arrest. The opposition journalist Abdul Karim al-Khaiwani was sentenced in June 2007 to one month in prison on charges of conspiring with rebels in the north. In August, masked gunmen abducted al-Khaiwani, beat him, and threatened to kill him and his family if he continued to criticize the president.

Article 2 of the constitution states that Islam is the official religion, and Article 3 declares Sharia (Islamic law) to be the source of all legislation. Yemen has few non-Muslim religious minorities, and their rights are generally respected in practice. The government has imposed some restrictions on religious activity in the context of the rebellion in the northern region of Saada. Mosques' hours of operation have been limited in the area, and imams suspected of extremism have been removed. Strong politicization of campus life, including tensions between supporters of the ruling GPC and opposition Islah parties, places limits on academic freedom.

Yemenis have the right to form associations according to Article 58 of the constitution, and several thousand nongovernmental organizations operate in the country. Yemenis also enjoy some freedom of assembly, with periodic restrictions by the government. The authorities were accused of using excessive force against protesters and rioters demonstrating against fuel-price increases in 2005; more than 40 people were killed and hundreds were injured in the violence. However, opposition political rallies were permitted across the country during the 2006 election season.

The government respects the right to form and join trade unions, but some critics claim that the government and ruling party elements have stepped up efforts to control the affairs of these organizations.

The judiciary is nominally independent, but in practice it is susceptible to inter-

ference from the executive branch. Authorities have a spotty record on enforcing judicial rulings, particularly those issued against prominent tribal or political leaders. Lacking an effective court system, citizens often resort to tribal forms of justice or direct appeals to the executive branch of government. In 2006, Yemen restructured its judicial system to remove the president as head of the Supreme Judicial Council (SJC), which oversees the judiciary. It would instead be led by the chief justice of the Supreme Court. In September 2006, a female judge was appointed to the Supreme Court, and another woman was appointed as the head of the civil court of appeals for Aden governorate.

Arbitrary detention occurs, partly because law enforcement officers lack proper training and senior government officials lack the political will to root out the problem. Security forces affiliated with the Political Security Office (PSO) and the Ministry of the Interior torture and abuse detainees, and torture remains a problem in PSO prisons, which are not closely monitored.

Yemen is relatively homogeneous ethnically and racially. The Akhdam, a small minority group, live in poverty and face social discrimination.

In 2007, almost 19,000 refugees seeking relief from war and poverty in the Horn of Africa were smuggled into Yemen. Refugees, who pay smugglers between \$US50 and \$US100, are routinely subjected to theft, abuse, and even murder, with over 1,000 people reported dead or missing in 2007 alone, including the drowning of 200 in December.

Women are afforded most legal protections against discrimination and provided with guarantees of equality. In practice, however, they continue to face pervasive discrimination in several aspects of life. A woman must obtain permission from her husband or father to receive a passport and travel abroad. Unlike men, women do not have the right to confer citizenship on a foreign-born spouse, and the process of obtaining citizenship for a child of a Yemeni mother and a foreign-born father is more difficult than that for a child born to a Yemeni father and a foreign-born mother. Yemen's penal code allows lenient sentences for those convicted of "honor crimes"—assaults or killings of women for alleged immoral behavior. Laws requiring that a wife obey her husband were abolished by presidential decree in 2004.

Women are vastly underrepresented in elected office, and a study produced by the Women's National Committee in 2004 found that women represented less than 3 percent of all government employees. According to a 2005 UNESCO estimate, 26 percent of children of primary-school age are not enrolled in school. According to the UN Development Programme in 2005, Yemen has one of the largest gaps in the world between boys' and girls' primary-school attendance rates.

## Zambia

**Population:** 11,500,000  
**Capital:** Lusaka

**Political Rights:** 3  
**Civil Liberties:** 4  
**Status:** Partly Free



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

1998	1999	2000	2001	2002	2003	2004	2005	2006	2007
5,4PF	5,4PF	5,4PF	5,4PF	4,4PF	4,4PF	4,4PF	4,4PF	3,4PF	3,4PF

**Overview:** **Civil society activists pushed in 2007 for the formation of a constituent assembly to reform the constitution, but the parliament instead created a 500-member constitutional conference that would propose reforms but leave the final decision to the legislature. During the heated sparring over the issue, the government introduced, then withdrew, legislation that would have placed greater controls over nongovernmental organizations (NGOs). The president warned that those interfering in the constitutional reform process would be charged with treason.**

Zambia gained independence from Britain in 1964. President Kenneth Kaunda and his United National Independence Party (UNIP) subsequently ruled Zambia as a de facto—and, from 1973, a de jure—one-party state. Increasing repression and corruption, coupled with dramatic economic decline, led to widespread resentment against the Kaunda regime in the late 1980s and early 1990s. In the face of domestic and international pressure, Kaunda agreed to a new constitution and multiparty democracy in 1991. In free elections that October, former labor leader Frederick Chiluba and his Movement for Multiparty Democracy (MMD) captured both the presidency and the National Assembly by wide margins. However, in the 1996 elections, the MMD-led government manipulated candidacy laws, voter registration, and media coverage in favor of the incumbents. Most egregiously, constitutional reforms prior to the elections disqualified candidates whose parents were not Zambian by birth or descent, effectively barring Kaunda from seeking reelection. Most opposition parties boycotted the polls, and the MMD renewed its parliamentary dominance.

Dissent within the MMD, as well as protests by opposition parties and civil society, forced Chiluba to abandon an effort to change the constitution and seek a third term in 2001. Instead, the MMD nominated Levy Mwanawasa, who won with just 29 percent of the vote against a divided opposition. The MMD also captured 69 out of 150 elected parliament seats. Domestic and international election monitors cited vote rigging and other serious irregularities, and three opposition candidates petitioned the Supreme Court to overturn Mwanawasa's victory.

Mwanawasa gradually asserted his authority over the MMD and the political arena, and in February 2005 the Supreme Court upheld his election. In the September

2006 election, Mwanawasa won a second term with 43 percent of the vote, followed by Patriotic Front (PF) leader Michael Sata, with 29 percent, and United Democratic Alliance (UDA) leader Hakainde Hichilema, with 25 percent. The polls were deemed the freest and fairest in 15 years. Of the 150 parliamentary seats that were contested, the MMD won 72, the PF took 46, and the UDA captured 27.

Mwanawasa had pledged to implement a new constitution, and in 2005 a constitutional review commission put forward a plan calling for the formation of a constituent assembly followed by a referendum on the resulting draft. However, the president resisted such a process. In 2007, Mwanawasa initially claimed that he would allow a constituent assembly only after a referendum approved constitutional changes to permit its formation, which the opposition and civil society criticized as costly and unnecessary. The president then convened an interparty meeting to develop a new plan. The result was the creation of a constitutional review conference, approved by the legislature in late August. Formally beginning work in December, it consists of nearly 500 members from the parliament, political parties, government, civil society, and other groups, and has been charged with submitting proposals to the parliament for final approval. The PF and key elements of civil society announced that they would boycott the conference, arguing that its composition and legal mandates strongly favored the president and the ruling party.

Deft economic management and anticorruption efforts have kept Zambia on good terms with Western donors. Economic progress has been evident in the appreciation of the kwacha currency, lower inflation, and some degree of poverty reduction. Zambia obtained considerable debt relief in 2005, and in 2007 Japan and Belgium cancelled additional debt. Relations with China, already the subject of local political debate, intensified during the year. Despite protests by opposition and labor groups, Chinese president Hu Jintao visited Zambia in February. During the visit, Hu announced an \$800 million investment package and the cancellation of \$3 million in debt.

**Political Rights and Civil Liberties:** Zambia is an electoral democracy. The 2006 elections represented a step forward in the ability of citizens to democratically change their government. Both the 1996 and 2001 elections had featured substantial flaws, and the Supreme Court criticized the 2001 presidential poll even while upholding its outcome. The parliament passed a government-backed electoral reform law in April 2006, providing for transparent ballot boxes, new voter cards, restrictions on the use of public resources, and requirements for balanced coverage by the state-owned media. However, the law also empowered the president to set the date for elections and prevented the media from publishing speculative analyses and unsourced opinion polls in the run-up to the contests. Meanwhile, Zambia's Electoral Commission, under new leadership since 2005, received high marks in 2006 for consulting regularly with the parties and showing less bias toward the ruling MMD party.

The president and the unicameral National Assembly are elected to serve concurrent five-year terms. The National Assembly includes 150 elected members, as well as 8 members appointed by the president.

The opposition has been able to operate, although under some duress. PF leader Michael Sata has been arrested and charged with various offenses, including sedition, since 2001. After his defeat in the 2006 presidential polls, rumors circulated

about him setting up "parallel governments" on local councils where the PF held majorities, leading President Levy Mwanawasa to accuse him of treasonous behavior. In the months that followed, Sata and the PF became the target of considerable harassment. He was arrested on charges that were subsequently dismissed by the courts. The government also ordered police to deny his party permits to hold rallies. Sata remained a vocal opponent of Mwanawasa in 2007. A major critic of the Chinese presence in Zambia, he was accused of inciting protests prior to President Hu Jintao's visit to the country. However, apart from one incident in which police clashed with PF supporters marching near the state house, there were no widely distributed reports of the party's activities being curtailed in 2007.

The effort to fight corruption has been one of the primary themes of Mwanawasa's public rhetoric since he took power. In his first term, he earned praise for banning senior officials from bidding on public contracts and for sacking his own vice president in 2003 for involvement in an irregular oil contract. In 2006, the Anti-Corruption Commission announced the formation of integrity committees in several ministries. Mwanawasa fired both the deputy minister and minister of lands in 2007 to allow for investigations into their allegedly corrupt land-allocation schemes. The former minister was formally charged in July. The head of the Drug Enforcement Commission was also arrested on corruption charges in November 2007. At the same time, Mwanawasa appears to have tolerated some corrupt individuals in his circle. He attempted to shield his ally, former health minister Kashiwa Bulaya, from prosecution in 2005. MMD chairman Michael Mabenga and national secretary Katele Kalumba have also been implicated in major corruption scandals.

Inconclusive anticorruption prosecutions and a somewhat selective pursuit of cases have been a source of frustration. In 2006, the former director of the state-owned Zambia National Commercial Bank was found guilty of inappropriately providing credit facilities to the executive under former president Frederick Chiluba. In 2007, Chiluba himself was convicted in a British court of conspiring to steal \$46 million in public funds. Also during the year, Mwanawasa renewed the mandate of the task force on corruption, an institution created early in his first term to deal with crimes committed under Chiluba. Zambia was ranked 123 out of 180 countries surveyed in Transparency International's 2007 Corruption Perceptions Index.

Freedom of speech is constitutionally guaranteed, but the government often restricts this right in practice. The government controls two widely circulated newspapers, and owing to prepublication review, their journalists commonly practice self-censorship. In September 2007, the minister of information and broadcasting warned reporters at the two papers not to criticize government. The state-owned, progovernment Zambia National Broadcasting Corporation (ZNBC) dominates the broadcast media. An independent study indicated that although there had been improvement from previous years, the ZNBC continued to favor the incumbent during the 2006 election campaign. In 2007, the government won a major court case concerning who could appoint the management boards of ZNBC and the Independent Broadcasting Authority, which regulates the industry and grants licenses to prospective broadcasters. The ruling left the appointments largely in the hands of the government. The government has also delayed passage of a bill designed to give the public and journalists free access to official information.

The independent media continue to play a significant role, although journalists

have been arrested, detained, and harassed by MMD supporters in previous years. The Public Order Act (POA) and other statutes have at times been used to harass journalists. Other tools of harassment have included criminal libel and defamation suits brought by MMD leaders in response to stories on corruption. In 2007, police prevented an independent radio station from providing live coverage of an antigovernment demonstration. The minister of information and broadcasting is also alleged to have threatened to revoke the license of a radio station that aired an interview with Sata. The government does not restrict internet access.

Constitutionally protected religious freedom is respected in practice. The government does not restrict academic freedom.

Under the POA, the police must receive a week's notice before all demonstrations; while the law does not require permits, the police have frequently broken up "illegal" protests because the organizers lacked permits. Nongovernmental organizations (NGOs) operate freely, but they are required to register with the government. Government relations with NGOs were somewhat contentious in 2007, as prominent civic groups challenged the government on constitutional reform. A highly regressive NGO bill, which would have increased government controls over NGOs, was introduced in July but withdrawn after a considerable outcry. Mwanawasa later claimed that opponents of his plans for constitutional reform could face treason charges.

Zambia's trade unions are among Africa's strongest, and union rights are constitutionally guaranteed. The Zambia Congress of Trade Unions operates democratically without state interference. About two-thirds of the country's 300,000 formal-sector employees are union members. While collective bargaining rights are protected by statute, labor laws also require labor organizations to have at least 100 members to be registered, a potentially burdensome rule. Recent years, including 2007, have featured labor activism in the form of strikes and demonstrations, including some targeting Chinese investment and labor practices in the mining sector.

Judicial independence is guaranteed by law. While courts do act independently and have ruled against the government, they are undermined by capacity problems, corruption, and political influences. A lack of qualified personnel, in part because of poor working conditions, contributes to significant trial delays, and pretrial detainees are sometimes held for years under harsh conditions. Many accused do not have access to legal aid owing to limited resources, but in March 2007 the government announced plans to provide free legal services to the poor. In rural areas, customary courts of variable quality and consistency, whose decisions often conflict with the constitution and national law, decide many civil matters.

Allegations of police corruption, brutality, and even torture are widespread, but security forces have generally operated with impunity. In 2005, the police were accused of not cooperating with investigations by the Police Public Complaints Authority. Prison conditions are very harsh; severe overcrowding, poor nutrition, and limited access to health care have led to many inmate deaths. Prison commissioner Jethro Mumbwa, who had once complained about overcrowding, was sacked in 2007 after the president publicly raised concerns about rape and the spread of HIV/AIDS in the prison system. In the months that followed, the government began efforts to reduce crowding, in part by pardoning over 800 convicts.

In March 2007 the government announced plans, the first of their kind under



Mwanawasa, to demolish dozens of illegal settlements. This prompted concerns among NGOs and advocates that thousands could be left homeless. Some 100 unoccupied residences were destroyed by the government as part of the program. Those who lost their homes and others who feared further demolitions have begun to take legal and political action.

The constitution prohibits discrimination based on race, tribe, gender, place of origin, marital status, political opinion, color, or creed. However, societal discrimination remains a serious obstacle to women's rights. Domestic violence and rape are major problems, and traditional norms inhibit many women from reporting assaults. Women are denied full economic participation and usually require male consent to obtain credit. Discrimination against women is especially prevalent in customary courts, where they are considered subordinate with respect to property, inheritance, and marriage. In September 2005, an amended penal code banned the traditional practice of "sexual cleansing," in which a widow is obliged to have sex with relatives of her deceased husband.

## Zimbabwe

**Population:** 13,300,000

**Capital:** Harare

**Political Rights:** 7

**Civil Liberties:** 6

**Status:** Not Free



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

1998	1999	2000	2001	2002	2003	2004	2005	2006	2007
5,5PF	6,5PF	6,5PF	6,6NF	6,6NF	6,6NF	7,6NF	7,6NF	7,6NF	7,6NF

**Overview:** The Zimbabwean leadership engaged in a renewed violent crackdown on the political opposition in 2007, including hundreds of arrests and scores of beatings by security forces and progovernment gangs. A series of bans on political gatherings and ad hoc curfews further restricted political and civil liberties during the year, and the authorities continued to repress independent media. Nevertheless, negotiations between the government and the opposition Movement for Democratic Change (MDC) led to an apparent consensus on political reforms and plans for presidential and parliamentary elections in 2008, although there was scant evidence that the polls would be either free or fair. Meanwhile, Zimbabwe's economic crisis worsened, with inflation reaching almost 8,000 percent by November. Public health and development was threatened further by a breakdown in basic services.

In 1965, a white-minority regime in what was then Southern Rhodesia unilaterally declared independence from Britain. A guerrilla war led by black nationalist

groups, as well as sanctions and diplomatic pressure from Britain and the United States, contributed to the end of white-minority rule in 1979 and the recognition of an independent Zimbabwe in 1980. Robert Mugabe and the Zimbabwe African National Union-Patriotic Front (ZANU-PF), first brought to power in relatively democratic elections, have ruled the country since then.

Zimbabwe was relatively stable in its first years of independence, but from 1983 to 1987, the Shona-dominated government violently suppressed opposition among the Ndebele minority, and between 10,000 and 20,000 civilians were killed by government forces. Widespread political unrest in the 1990s led to the creation in 1999 of the opposition Movement for Democratic Change (MDC), an alliance between trade unions and other civil society groups. In 2000, the MDC helped defeat a referendum on a draft constitution that aimed to expand executive power. Parliamentary elections in June 2000 were deemed by observers to be fundamentally flawed prior to balloting. Candidates and supporters of the MDC faced violence and intimidation; voter registration, identification procedures, and tabulation of results were highly irregular; and ZANU-PF used substantial state resources, including state-run media, to aid its campaign.

After months of political violence aimed at MDC supporters, Mugabe defeated MDC candidate and trade union leader Morgan Tsvangirai in a deeply flawed presidential election in 2002. Mass protests and strikes called by Tsvangirai in 2003 were crushed by security forces. Parliamentary elections in March 2005 were similarly marked by political violence and fraudulent electoral processes. As in previous elections, ZANU-PF used government food stocks as a political weapon, denying supplies to some MDC supporters and promising it to other citizens in exchange for votes. In addition, only African monitors believed to be sympathetic to ZANU-PF were allowed to observe the elections, which resulted in a sweeping victory for the ruling party. With 78 elected and 30 appointed seats, it gained a two-thirds legislative majority and the ability to amend the constitution. The MDC won only 41 of 120 elected seats.

The government subsequently enacted a far-reaching Constitutional Amendment Bill. Among other provisions, the bill abolished freehold property titles by nationalizing all land, denied landowners any legal recourse regarding expropriated land, brought all schools under state control, and empowered the government to seize the passports and travel documents of people deemed a threat to national interests. Furthermore, the bill reintroduced an upper legislative house, the Senate, elections for which were held in November 2005. ZANU-PF secured 59 out of 66 seats; the MDC, deeply split over whether to participate in the elections, fielded just 26 candidates and won 7 seats. Less than 20 percent of voters turned out for the balloting.

Also in 2005, the government implemented a politically tinged slum-clearance effort known as Operation Murambatsvina (OM), which means "drive out the trash" in the Shona language. Beginning in Harare, the operation soon spread to almost every urban area and rural business center in Zimbabwe, resulting in the destruction of thousands of informal businesses and dwellings as well as thousands of arrests. Initially moved into transit camps near cities, many displaced residents were forced to return to the rural areas designated on their national identity cards. According to the United Nations, approximately 700,000 people were made homeless by the op-

eration, and another 2.4 million were affected directly or indirectly. While the government defended OM as a necessary effort to restore law and order to the country's cities, many analysts maintain that it was designed to impose control over urban areas that had proven to be MDC strongholds and sources of antigovernment agitation.

Victims of OM have seen little improvement in basic living conditions. The government has actively prevented civic groups and aid agencies—as well as the United Nations—from gaining access to the displaced. Upon initiating the campaign, government officials had announced ambitious plans—dubbed Operation Garikai/Hlalani Kuhle, or Better Life—to build new housing projects for the urban poor in place of the destroyed dwellings. However, according to numerous human rights organizations, these projects remained mostly incomplete, and failed to benefit people displaced by OM. Amnesty International reported that "almost none of the victims of Operation Murambatsvina have benefited from the rebuilding, with only 3,325 houses constructed—compared to the 92,460 homes destroyed." The group also noted that most constructed houses were incomplete, and that many houses and plots had been allocated by political affiliation or bribery.

Meanwhile, the government's seizures of white-owned farmland, which began in 2000, precipitated the collapse of Zimbabwe's agriculture-based economy. Much of the seized land went to ZANU-PF officials, Mugabe loyalists, and war veterans without a farming background. The country's gross domestic product has fallen more than 40 percent since the land reform began, and the economy has been plagued by extreme hyperinflation; the inflation rate neared 8,000 percent in November 2007. In recent years, the government has attempted a number of interventions, mostly currency devaluations and price controls, to stave off economic disaster. In 2006, government attempts to enforce a 1,000 percent devaluation led to the detention of over 2,000 people and the seizure of more than Z\$20 billion (US\$200,000) by police officers, soldiers, and members of ZANU-PF's youth militias. In June 2007, the government ordered firms to cut prices of basic goods by half, resulting in massive shortages, panicked buying, and the arrest of thousands of businesspeople for noncompliance; in August, the policy was suspended. The central bank announced the introduction of a new devalued currency in October. Zimbabwe's economic crisis is the primary reason behind the emigration of as many as three million Zimbabweans in recent years. Unemployment in 2007 was estimated at 80 percent.

The worsening economic and political conditions led to a spate of antigovernment protests in 2007, most of which were violently dispersed by security forces amid a general crackdown on the political opposition. In February, police used roadblocks, tear gas, and water cannons to disperse an MDC rally in Harare; citing the disorderly conduct of the oppositionists, the government then implemented a three-month ban on political gatherings. The following month, police violently broke up a large prayer meeting organized by the Save Zimbabwe Campaign in Harare. One MDC leader was shot dead, and over 50 people were arrested. Many of the detainees were badly beaten on-site or in police custody, including Tsvangirai and Lovemore Madhuku, leader of the National Constitutional Assembly, a reformist umbrella group. After unidentified assailants firebombed several police stations around the country, police raided MDC headquarters, arrested at least 20 people, beat several of them, and charged nine with attempted murder. According to Human Rights Watch, police also attacked residents of alleged opposition strongholds in Harare, Bulawayo,

and Mutare. The crackdown continued in May, when police violently stopped a demonstration by the Law Society of Zimbabwe, beating several lawyers. Later that month, police arrested some 200 MDC members in connection with petrol bombings in Harare; all were released without charge, though several were beaten. Authorities extended the ban on political gatherings.

Despite the political violence, negotiations between ZANU-PF and the MDC—brokered by South African president Thabo Mbeki—yielded an agreement in September. The MDC reportedly agreed to vote for a constitutional amendment that moves parliamentary elections to 2008 and allows Mugabe to present a chosen successor for approval by Parliament. In exchange, the amendment removes appointed seats from the legislature, increases the overall number of parliamentary seats, and redraws constituency boundaries. The government also agreed to ensure the independence of the electoral commission, revamp the Public Order and Security Act (POSA), and allow Zimbabweans living abroad to vote. Mugabe, who was planning to run for reelection in 2008, signed the amendment into law in November. In December, Parliament began debating changes to the POSA.

The collapse of Zimbabwe's economy has resulted in large-scale food shortages. In August 2006, the World Food Programme estimated that 3.3 million Zimbabweans would require additional food aid in 2007. Food, humanitarian, and educational aid are often distributed or withheld to serve political ends. Basic utilities such as electricity and water are deteriorating, threatening health as well as economic activity. Health services are also strained by a high HIV prevalence rate; about 20 percent of Zimbabweans are infected with the virus. The continuing political and social crisis in Zimbabwe has highlighted the unwillingness of the African Union and the African Commission on Human and Peoples' Rights to act against even its most abusive members.

**Political Rights** Zimbabwe is not an electoral democracy. Recent presidential and legislative elections have been marred by political violence and intimidation, a discriminatory electoral framework, biased media coverage, and the unscrupulous use of state resources. President Robert Mugabe and the ruling ZANU-PF party have dominated the political landscape since independence in 1980, overseeing at least 17 amendments to the constitution that have expanded presidential power. Mugabe has on several occasions invoked the Presidential Powers Act, which enables him to bypass normal governmental review and oversight procedures. Presidential elections are held every six years. Despite his vows to retire, Mugabe has been nominated by ZANU-PF to run in the 2008 presidential election. In November 2007, Mugabe signed into law a constitutional amendment allowing the president to select a successor if he does not complete his term. The measure also moved parliamentary elections to 2008.

Since the reconstitution of the Senate in 2005, Zimbabwe has had a bicameral legislature. The Senate includes 50 directly elected members, 6 presidential appointees, and 10 traditional chiefs. The House of Assembly comprises 120 elected seats and 30 seats filled by various Mugabe appointees; elections are held every five years. ZANU-PF loyalists make up 72 percent of the House of Assembly and over 89 percent of the Senate. The 2007 constitutional amendment removes appointed seats from the legislature, increases the number of seats overall, and redraws constituency boundaries.

Despite splits within the party concerning participation in the 2005 Senate elections, the MDC represents the most significant opposition force in Zimbabwe. Morgan Tsvangirai, leader of the anti-Senate faction, and Arthur Mutambara, head of the pro-Senate group, joined forces to stage antigovernment rallies in 2007. Both factions also agreed to the constitutional accord with ZANU-PF.

Corruption is rampant throughout the country, including at the highest levels of government. Patronage is crucial to ZANU-PF's grip on power: the party owns a wide range of businesses, and party loyalists have been allocated many of the properties seized from white farmers. The collapse in public service delivery has made corruption a ubiquitous part of dealing with local officials. Anticorruption prosecutions are almost exclusively motivated by political vendettas; the November 2007 arrest of Attorney General Sobusa Gula-Ndebele on corruption-related charges was tied directly to an ongoing power struggle within ZANU-PF. Reports of extensive corruption and nepotism have contributed to the stark decline in public and investor confidence in Zimbabwe's economy. Zimbabwe was ranked 150 out of 180 countries surveyed in Transparency International's 2007 Corruption Perceptions Index.

Freedom of expression and of the press is severely restricted in Zimbabwe. The country's draconian legal framework includes the Access to Information and Protection of Privacy Act (AIPPA), the Official Secrets Act, the POSA, and the Criminal Law (Codification and Reform) Act. In general, these laws restrict who may work as a journalist, require journalists to register with the state, greatly restrict what journalists may publish, and mandate harsh penalties—including long prison sentences—for violators. Journalists are routinely subjected to verbal intimidation, physical attacks, arrest and detention, and financial pressure by the police and supporters of the ruling party. Several journalists were arrested and beaten while covering the government's crackdown on the MDC in 2007. In April, a cameraman for state television, Edward Chikomba, was abducted, beaten, and murdered, allegedly for leaking footage of Tsvangirai's beating. Foreign journalists are rarely granted visas, and local correspondents for foreign publications have been refused accreditation or threatened with lawsuits and deportation.

The government dominates the print and broadcast media. Coverage in state-controlled dailies such as the *Chronicle* and the *Herald* consists of favorable portrayals of Mugabe and ZANU-PF and attacks on government critics. The *Daily News*, the country's only independent daily, was shuttered in 2003 for not adhering to the AIPPA. The state-controlled Zimbabwe Broadcasting Corporation (ZBC) runs all broadcast media, which are seen as mouthpieces of the regime. The cost of satellite services that provide international news programming place them out of reach for most Zimbabweans. In 2005, the government began jamming the shortwave radio signals of stations perceived as hostile, including Voice of the People, the London-based SW Radio Africa, and the Voice of America. In April 2007, the Iranian government agreed to help fund a new state radio station intended to counter Western broadcasts. Mugabe enacted the Interception of Communications Bill in August, empowering the state to monitor telephonic and electronic communication with sophisticated surveillance technologies acquired from China.

Freedom of religion is generally respected, although church attendance is becoming increasingly politicized. Zimbabwe's economic crisis has propelled a recent boom in attendance, and church groups such as the Solidarity Peace Trust and the

Zimbabwe Christian Alliance have been at the forefront of opposition to the Mugabe government. Other church groups, such as the Zimbabwe Council of Churches and the Ecumenical Peace Initiative, are widely perceived as progovernment. In September 2007, vocal government critic Bishop Pius Ncube resigned his post after evidence of an adulterous affair surfaced in the media; Ncube claims the scandal was manufactured by the government.

Academic freedom is limited. All schools are under state control, and education aid is often distributed based on parents' political loyalties. Security forces and ZANU-PF thugs harass dissident university students, who have been arrested or expelled for protesting against government policy. In 2007, several protests by university students resulted in arrests and beatings; police closed the University of Zimbabwe in July. In September, the police defied a High Court ruling to reopen student residences that were kept shut after classes resumed.

The nongovernmental sector is small but active. However, nongovernmental organizations (NGOs), particularly those dealing with human rights issues, have faced increasing legal restrictions and extralegal harassment. In 2004, Parliament passed the Non-Governmental Organizations Act, which increased scrutiny of groups that "promote and protect human rights" and explicitly prohibited such groups from receiving foreign funding. Public demonstrations and protests are severely restricted under the 2002 POSA, which requires police permission to hold public meetings and demonstrations. Such meetings are often deemed illegal and broken up, and participants are subject to arbitrary arrest by security forces (including intelligence officers) and attacks by ZANU-PF militias. The POSA also allows police to impose arbitrary curfews and forbids criticism of the president. In addition to the crackdown on political opposition rallies, police forces blocked or broke up several citizen protests in 2007. Hundreds of protesters were arrested during a large march organized by Women of Zimbabwe Arise (WOZA) in rural Matabeleland to protest economic conditions.

The right to collective labor action is limited under the Labor Relations Act, which allows the government to veto collective-bargaining agreements that it deems harmful to the economy. Strikes are allowed except in "essential" industries. Because the Zimbabwean Congress of Trade Unions (ZCTU) has led resistance to Mugabe's rule, it has become a particular target for repression. In April 2007, a nationwide strike called by ZCTU in response to the economic crisis was poorly observed due to workers' precarious economic conditions and intimidation by security forces.

While some courts have struck down or disputed government actions, increasing pressure by the regime has substantially eroded the judiciary's capacity to act independently. The accused are often denied access to counsel and a fair, timely trial. The government has repeatedly refused to enforce court orders and has replaced senior judges or pressured them to resign by stating that it could not guarantee their security; judges have been subject to extensive physical harassment. The judicial system has been burdened by the vacancy of nearly 60 magistrate posts, which has caused a backlog of some 60,000 cases.

In general, security and military forces are accountable to the government but abuse citizens with impunity. Security forces often ignore basic rights regarding detention, searches, and seizures. The government has taken no clear action to halt the rising incidence of torture and mistreatment of suspects held by police or secu-

rity services. War veterans and ZANU-PF militias—including the youth militia—operate as de facto enforcers of government policies and have committed human rights abuses such as assault, torture, rape, extralegal evictions, and extralegal executions without fear of punishment. Security forces have taken on increased roles in crop collection, food distribution, and enforcement of government monetary policy. In May 2007, the government began a large recruitment drive intended to double the size of the police force before national elections in 2008. The police as well as the military are heavily politicized, as evidenced in a special report released by the International Bar Association in November 2007.

Prison conditions are harsh and life-threatening. Severe overcrowding and a major shortage of funds has contributed to a rise in HIV/AIDS and tuberculosis infections among inmates, food shortages, and the deterioration of already poor health and sanitation facilities. Deaths in prisons are often caused by disease or beatings by guards. Many prisoners rely on family members for food. Pretrial detention is a major problem, with some inmates being held for over 10 years without trial. Women and juveniles are housed separately from men, and pretrial detainees are generally held in separate, common cells.

The minority Ndebele ethnic group continues to suffer political and economic discrimination, and Ndebele areas are often targeted by security forces as opposition strongholds. Restrictive citizenship laws discriminate against Zimbabweans with origins in neighboring African countries.

The state has extensive control over travel and residence. The government has seized the passports of prominent government critics, and foreign critics are routinely expelled or prevented from entering the country. In March 2007, the police banned several MDC activists seeking medical treatment abroad from leaving the country.

Property rights are not respected in Zimbabwe. Operation Murambatsvina featured the eviction of hundreds of thousands of urban dwellers from their homes and the destruction of thousands of residential and commercial structures, many of which had been approved by the government. Fewer than 400 white-owned farms remain out of the 4,500 that existed when land invasions started in 2000. A February deadline for remaining white farmers to leave their land was delayed in 2007. Still, any avenues of legal recourse for expelled farmers have been closed. In September, Parliament passed a bill mandating that 51 percent of shares in all—including foreign—companies operating in Zimbabwe must be owned by black Zimbabweans.

Women enjoy extensive legal protections, but de facto societal discrimination and domestic violence persist. Women serve as ministers in national and local governments and hold seats in Parliament. Joyce Mujuru is second vice president of Zimbabwe and a possible successor to Mugabe. The World Health Organization has reported that Zimbabwean women's life expectancy of 34 years is the world's shortest. Sexual abuse is widespread, including the use of rape as a political weapon. A recent upsurge in gender-based violence spurred renewed calls for the enactment of the Prevention of Domestic Violence Bill, which has lingered in Parliament for eight years. In July 2007, Amnesty International reported that women oppositionists faced particular brutality by security forces. The prevalence of customary laws in rural areas undermines women's civil rights and access to education. Homosexuality, decried as un-African by Mugabe, is illegal in Zimbabwe.

## Armenia/Azerbaijan\*

### Nagorno-Karabakh

**Population:** 145,000

**Political Rights:** 5

**Civil Liberties:** 5

**Status:** Partly Free



\* The designation of two countries is intended to reflect the international consensus on the status of Nagorno-Karabakh, as well as the de facto authority over the territory.

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

1998	1999	2000	2001	2002	2003	2004	2005	2006	2007
5,6NF	5,6NF	5,6NF	5,6NF	5,5PF	5,5PF	5,5PF	5,5PF	5,5PF	5,5PF

**Overview:** Nagorno-Karabakh held a presidential election in July 2007, replacing 10-year incumbent Arkady Ghukassian with former security chief Bako Saakian. The election, which was not recognized internationally, was criticized internally as not entirely free and fair, and local nongovernmental organizations voiced concerns about pressure from authorities and a clampdown on media after the vote. Meanwhile, despite renewed efforts by international mediators to resolve the long-standing dispute over the territory and reports of a possible breakthrough in May 2007, no meaningful progress was made by year's end. With Azerbaijan's upcoming presidential election—and annual military spending reaching the \$1 billion mark—as well as calls from recently elected President Serzh Sarkisian for a more hard-line Karabakh policy, progress in the talks appeared extremely unlikely in the near future.

Nagorno-Karabakh, populated largely by ethnic Armenians, was established as an autonomous region inside Soviet Azerbaijan in 1923. In February 1988, the regional legislature adopted a resolution calling for union with Armenia. The announcement led to warfare over the next several years between Armenian, Azerbaijani, and local Nagorno-Karabakh forces.

At its inaugural session in January 1992, Nagorno-Karabakh's new legislature adopted a declaration of independence, which was not recognized by the international community. By the time a Russian-brokered ceasefire was signed in May 1994, Karabakh Armenians, assisted by Armenia, had captured essentially the entire territory, as well as seven adjacent Azerbaijani districts. Virtually all ethnic Azeris had fled or been forced out of the enclave and its surrounding areas, and the fighting had resulted in thousands of deaths and an estimated one million refugees and internally displaced persons (IDPs).

In December 1994, the head of Nagorno-Karabakh's state defense committee, Robert Kocharian, was selected by the territory's National Assembly for the newly



established post of president. Parliamentary elections were held in 1995, and Kocharian defeated two other candidates in a popular vote for president the following year.

In September 1997, Foreign Minister Arkady Ghukassian was elected to replace Kocharian, who had been named prime minister of Armenia in March of that year. Kocharian was elected Armenia's president in 1998. In the territory's June 2000 parliamentary vote, the ruling Democratic Artsakh Union (ZhAM), which supported Ghukassian, won a slim victory, taking 13 seats.

Ghukassian won a second term as president in August 2002 with 89 percent of the vote. Voter turnout was close to 75 percent. While a number of domestic and international nongovernmental organizations (NGOs) concluded that the elections marked a further step in Nagorno-Karabakh's democratization, they did note some flaws, including limited access for the opposition to state-controlled media. Azerbaijan's Foreign Ministry described the election as a violation of international norms, insisting that a legitimate vote could be held only after a peaceful resolution to the conflict.

An upsurge in shooting incidents along the ceasefire line during the summer of 2003, which both Armenian and Azerbaijani officials accused the other side of instigating, fueled concerns of a more widespread escalation of violence.

Nagorno-Karabakh held parliamentary elections in June 2005, with the opposition accusing the authorities of misusing state resources to influence the outcome, and Azerbaijani officials again insisting that such votes would be illegal until Azerbaijanis who had fled Nagorno-Karabakh were allowed to return. According to official results, Ghukassian's renamed Democratic Party of Artsakh (AZhK) received 12 of the 33 seats. The Free Fatherland party, allied with AZhK, received 10 seats. Another eight seats went to unaffiliated candidates who were believed to be loyal to Ghukassian. Only three seats were won by parties opposed to the president.

In December 2006, a referendum on a draft constitution in Nagorno-Karabakh elicited criticism from the international community, including the Organization for Security and Cooperation in Europe (OSCE), which said it would not recognize the vote and called it "counterproductive to the ongoing conflict settlement process." Official reports indicated that 98 percent of those voting supported the referendum, which sought to declare the disputed territory an independent and sovereign state.

Presidential elections held in July 2007 also went unrecognized by the OSCE and other international bodies. Karabakh security chief Bako Saakian reportedly took more than 85 percent of the vote. His main opponent, Deputy Foreign Minister Masis Mailian, received 12 percent. All four political parties represented in the National Assembly, as well as outgoing president Ghukassian, supported Saakian's candidacy, while the territory's small NGO sector supported Mailian's bid. Mailian argued that Saakian's landslide win was due in part to his use of state resources during the election.

The OSCE's Minsk Group—which had been established a decade earlier to facilitate negotiations on Nagorno-Karabakh's status—hosted a number of confidence-building meetings in 2005 in order to continue a dialogue between the principal parties. Kocharian and Azerbaijani president Ilham Aliyev met on two separate occasions in 2005, and a number of meetings took place over the course of 2006 at both the ministerial and presidential levels. In May 2007, the two presidents met at the sidelines of a Commonwealth of Independent States (CIS) meeting, with re-

ports that the countries were the closest they had ever been to a resolution. However, considerable distance remained between the two parties' positions, and at year's end a compromise on the dispute was nowhere within view. Presidential elections scheduled for 2008 in both countries made major concessions unlikely in the near future, as did oil-rich Azerbaijan's growing military spending, which reached \$1 billion in 2007.

**Political Rights and Civil Liberties:** Nagorno-Karabakh has enjoyed de facto independence from Azerbaijan since 1994 and retains close political, economic, and military ties with Armenia. Parliamentary elections in 1995 and 2000 were regarded as generally free and fair, as were the 1996 and 1997 presidential votes. Parliamentary elections, which the opposition claimed were marred by fraud and other irregularities, were held in June 2005, while presidential elections held in 2007 were criticized for the use of state resources to influence the outcome. All of the elections, however, were considered invalid by the international community, which does not recognize Nagorno-Karabakh's independence.

The president, who is directly elected for up to two five-year terms, appoints the prime minister. Of the unicameral National Assembly's 33 members, 22 are elected from single-mandate districts and 11 by party list, all for five-year terms. The main political parties in Nagorno-Karabakh are the AZhK, Free Fatherland, Movement 88, and the Armenian Revolutionary Federation-Dashnaktsutiun. The latter two ran as an opposition alliance in the 2005 elections.

Nagorno-Karabakh is believed to suffer from extensive corruption, and its interior minister and general prosecutor have come under scrutiny in the past. The territory was not listed separately in Transparency International's 2007 Corruption Perceptions Index.

The region officially remains under martial law, which imposes restrictions on civil liberties, including media censorship and the banning of public demonstrations. However, the authorities maintain that these provisions have not been enforced since 1995, a year after the ceasefire was signed.

The government controls many of the territory's broadcast media outlets, and most journalists practice self-censorship, particularly on subjects related to Azerbaijan and the peace process. Underfunded public television broadcasts only several hours a day, and internet access is limited. Print media are more vibrant, with publications such as the biweekly *Demo* openly criticizing the government. Since Bako Saakian's election as president in July 2007, journalists have reported increasing pressure from the authorities.

The registration of religious groups is required under Nagorno-Karabakh's 1997 law on religion. The Armenian Apostolic Church, to which most residents belong, is the only religious organization registered with the territory. A number of minority groups, including Pentecostals, Adventists, Baptists, and Jehovah's Witnesses, have allegedly faced restrictions on their activities.

Freedom of assembly and association are limited, although trade unions are allowed to organize. The handful of NGOs that are active in the territory suffer from lack of funding and competition from government-organized NGOs, or GONGOs. Since Saakian's election, NGO workers have reported increasing pressure from the authorities.

The judiciary, which is not independent in practice, is influenced by the execu-

tive branch and powerful political and clan forces. A poll conducted in 2003 found that 48 percent of Nagorno-Karabakh residents believed court sentences were unjust, and 47 percent did not trust the police.

The majority of Azeris who fled the territory during the separatist conflict continue to live in poor conditions in IDP camps in Azerbaijan. International aid organizations, meanwhile, are reducing direct assistance to the IDPs. Land-mine explosions continue to cause deaths and injuries each year, with children and teenagers among the most vulnerable groups. According to the International Committee of the Red Cross, at least 50,000 antipersonnel mines were laid during the war, but in many cases, records of minefield locations were never created or were lost.

Nagorno-Karabakh's fragile peace has failed to bring significant improvement to the economy, particularly in the countryside, and pensioners in particular are severely affected. Widespread corruption, a lack of substantive economic reforms, and the control of major economic activity by powerful elites limit equality of opportunity for most residents.

## China

### Hong Kong

**Population:** 6,900,000

**Political Rights:** 5

**Civil Liberties:** 2

**Status:** Partly Free



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

1998	1999	2000	2001	2002	2003	2004	2005	2006	2007
5,3PF	5,3PF	5,3PF	5,3PF	5,3PF	5,3PF	5,2PF	5,2PF	5,2PF	5,2PF

**Overview:** **The first contested election for chief executive took place in March 2007, as Hong Kong prepared to mark the 10th anniversary of reversion to China in July. However, the Beijing leadership's forceful reminder of the limits to Hong Kong's autonomy in June raised concerns about the progress of political reform in the territory. In December, direct election by universal suffrage for the Hong Kong elections scheduled for 2012 was ruled out.**

Hong Kong Island was ceded in perpetuity to Britain in 1842; adjacent territories were subsequently added, and the last section was leased to Britain in 1898 for a period of 99 years. Hong Kong's transition to Chinese rule began in 1984 with the Sino-British Joint Declaration, in which London agreed to restore the entire colony to China in 1997. In return, Beijing—under Chinese leader Deng Xiaoping's "one country, two systems" formula—pledged to maintain the capitalist enclave's legal, political, and economic autonomy for 50 years.

Under the 1984 agreement, a constitution for the Hong Kong Special Administrative Region (SAR), known as the Basic Law, took effect in 1997. The Basic Law, which stated that universal suffrage was the "ultimate aim" for Hong Kong, allowed direct elections for 18 seats in the territory's 60-member legislature, known as the Legislative Council (Legco), with the gradual expansion of elected seats to 30 by 2003. "Functional constituencies"—business and social interest groups, many with close ties to Beijing—were to choose the remaining 30 seats. Hong Kong's last British colonial governor, Christopher Patten, infuriated Beijing with his attempts to deepen democracy. After China took control in 1997, Beijing disbanded the partially elected Legco and installed a provisional legislature that repealed or tightened several civil liberties laws during its 10-month tenure.

Tung Chee-hwa was chosen by a Beijing-organized election committee to lead Hong Kong. He saw his popularity wane as Beijing became increasingly involved in Hong Kong's affairs. The government's independence was questioned further in 2002, when officials introduced Basic Law Article 23, a draft antisubversion bill. The considerable powers the bill gave to the government led to fears that civic freedoms would be compromised, sparking massive demonstrations in July 2003; the bill was subsequently withdrawn. Following reelection in 2002, Tung promised to consult with the public on changes to the electoral system. However, in April 2004, China's National People's Congress (NPC) cut the debate short, unilaterally interpreting the Basic Law and issuing a ruling that rejected universal suffrage for either the 2007 chief executive or 2008 Legco elections. The NPC also maintained that political reform in Hong Kong could not occur without its prior approval.

In the September 2004 Legco elections, pro-Beijing parties retained control of the legislature. The elections were marred by incidents of intimidation and threats; much of this activity was thought to have been organized by Beijing. In a report issued in September 2004, Human Rights Watch called instances of election manipulation "some of the most worrying violations of human rights since the 1997 handover."

In March 2005, with two years left to serve, the deeply unpopular Tung resigned, and he was replaced by career civil servant Donald Tsang. In another controversial interpretation of the Basic Law, largely reflecting Beijing's concerns about Tsang's political reliability, the NPC ruled that he would serve out the remainder of Tung's term rather than a full five-year term as chief executive.

Tsang has been successful in representing the often-competing interests of the Hong Kong people and the Chinese leadership. His political reform package was defeated in December 2005, after prodemocracy Legco members refused to support any plan that did not include a timetable for universal suffrage. However, Tsang rebounded in 2006, buoyed by the economic recovery and Beijing's restrained reaction to subsequent prodemocracy rallies. Although concerns were raised by passage of a controversial surveillance law in September 2006, there was no repeat of the widespread demonstrations that greeted the antisubversion bill.

In March 2007, Hong Kong held its first contested election for chief executive, after the pan-democrats on the election committee voted as a block to nominate a second candidate, Alan Leong. Although Tsang was reelected by a wide margin, garnering 82 percent of the votes, the competition forced the candidates to appeal for public support in two landmark televised debates.

China's reaction to the election dashed hopes that President Hu Jintao would mark his first visit to Hong Kong by unveiling a road map for political reform, including a timetable for universal suffrage. On the contrary, NPC Chairman Wu Bangguo bluntly reminded the SAR of the limits on its autonomy in June, saying that it had only as much power as authorized by the Chinese government. Hu echoed these sentiments during his July visit, calling only for "gradual" democratic development. Faced with this reality, there was limited public comment on the government's "Green Paper" on constitutional reform.

Although the Basic Law calls for the eventual direct election of Hong Kong's chief executive and the Legco, China's NPC in April 2004 ruled out universal suffrage for the 2007 and 2008 elections, invoking the Basic Law's caveat that the transition should be "gradual" and concluding that Hong Kong was "not yet ready" for full democratic government. In December 2007, China again disappointed democrats by ruling out direct election by universal suffrage for the Hong Kong elections scheduled for 2012. While the NPC decision stated that the chief executive may be directly elected by universal suffrage in 2017, and indicated Legco could be by 2020, conditions will apply and much remains open to interpretation.

#### **Political Rights**

#### **and Civil Liberties:**

Hong Kong's Basic Law calls for the election of a chief executive and a unicameral Legislative Council (Legco). The chief executive is elected by an 800-member committee: some 200,000 "functional constituency" voters elect 600 members, and the remaining 200 consist of Legco members, Hong Kong delegates to the NPC, religious representatives, and 41 members of the mainland's Chinese People's Political Consultative Conference. The Legco currently consists of 30 directly elected members and 30 members chosen by the functional constituency voters. The chief executive serves a five-year term, and Legco members serve four-year terms.

The territory's Basic Law restricts the Legco's lawmaking powers, prohibiting legislators from introducing bills that would affect Hong Kong's public spending, governmental operations, or political structure. Although there are fair electoral laws, the 2004 Legco elections were marred by intimidation and threats, largely at the hands of Chinese government supporters. The first contested election for chief executive was held in March 2007, after pan-Democrats on the election committee nominated a challenger to Donald Tsang, the incumbent. Tsang nevertheless won reelection with 82 percent of the vote.

Hong Kong enjoys a multiparty system, and local and Legco elections are fiercely contested. The four main parties are the Civic Party, the pro-China Democratic Alliance for the Betterment and Progress of Hong Kong, the Democratic Party, and the Liberal Party.

Hong Kong is generally regarded as having low rates of corruption, although it is apparent that business interests have considerable influence on the Legco. The right to access government information is protected by law and observed in practice. Hong Kong was ranked 14 out of 180 countries surveyed in Transparency International's 2007 Corruption Perceptions Index.

Under Article 27 of the Basic Law, Hong Kong residents enjoy freedoms of speech, press, and publication. Hong Kong's media are widely regarded as among the freest in East Asia. International media organizations operate freely, and foreign

reporters do not need government-issued identification to operate. Hong Kong has 16 privately owned newspapers, although 4 of them are funded by pro-Beijing interests and follow the capital's lead on political issues. Falun Gong has encountered difficulty in trying to publish its newspaper, and observers remain concerned about self-censorship. A Hong Kong Journalist Association survey found that 58.4 percent of journalists polled believed that press freedom had deteriorated since reversion, mainly due to self-censorship. There are also concerns about the future of government-owned Radio Television Hong Kong after a committee recommended not allowing it to transform into an independent public broadcaster. There are no restrictions on internet access.

The Basic Law provides for freedom of religion, which is generally respected in practice. Religious groups are excluded from the Societies Ordinance, which requires nongovernmental organizations (NGOs) to register with the government. Falun Gong followers remain free to practice in the territory. However, over 140 adherents, most from Taiwan and with valid visas, were reportedly denied entry or forcibly deported in June 2007 as they sought to join prodemocracy demonstrations marking the tenth anniversary since the handover. University professors can write and lecture freely, and political debate on campuses is lively.

Passage of the controversial Interception of Communications and Surveillance Ordinance in September 2006, necessitated by a court decision finding that the existing grounds for police surveillance contravened the Basic Law, led to concerns that the measure gave the authorities too much power. Under the new law, the chief executive has the authority to appoint a panel of judges to approve surveillance activities, including telephone wiretaps and monitoring of email correspondence.

The Basic Law guarantees freedom of assembly and association. Police permits for demonstrations are necessary though rarely denied. Protests on "politically sensitive" issues are held regularly, including Falun Gong demonstrations against harsh treatment of their group in China.

Even the government's staunchest critics acknowledge that Hong Kong residents enjoy the same basic rights as before the 1997 handover, but many of these rights are now on a weaker legal footing. While the International Covenant on Civil and Political Rights continues to be formally incorporated into Hong Kong's 1991 bill of rights, the provisional legislature that served for 10 months after the handover watered down certain provisions. It also amended laws to give officials the power to cite national security concerns in denying registration to NGOs, deregistering existing groups, and barring public protests, although these powers have not been exercised.

Hong Kong's trade unions are independent, and membership is not restricted to a single trade, industry, or occupation. However, the laws restrict some basic labor rights and do not protect others. The provisional legislature in 1997 removed both the legal basis for collective bargaining and legal protections against summary dismissal for union activity. The Employment Ordinance provides punishments for antiunion discrimination. Though strikes are legal in the territory, many workers sign contracts stating that job walkouts could be grounds for summary dismissal. Metal workers launched a series of strike protests in August 2007.

The common-law judiciary is independent, and the judicial process is fair. Trials are public and held before a jury. However, the NPC reserves the right to make a final

interpretation of the Basic Law, effectively limiting the power of Hong Kong's Court of Final Appeals.

Hong Kong's police force, which remains firmly under the control of civilian authorities, is well supervised and not known to be corrupt. The police are forbidden by law to employ torture and other forms of abuse. Arbitrary arrest and detention are also illegal; suspects must be charged within 48 hours of their arrest. Prison conditions generally meet international standards.

Citizens are treated equally under the law, though Hong Kong's large population of foreign domestic workers remains vulnerable to discrimination. Since foreign workers face deportation if dismissed, they remain fearful of bringing complaints against employers.

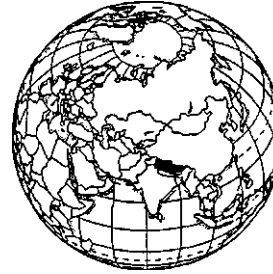
The government does not control travel, choice of residence, or choice of employment in Hong Kong, although documents are required to travel to the Chinese mainland. The Hong Kong SAR maintains its own immigration system. In 2004, mainland China relaxed travel restrictions to allow Chinese to visit Hong Kong as individuals, no longer requiring them to join tour groups. However, all Chinese visitors must obtain exit-entry permits from their local public security bureaus before traveling. Employers have to apply to bring workers from China into Hong Kong; direct applications from workers are not accepted.

Though women enjoy equal access to schooling and are protected under the Basic Law, there is discrimination in employment and inheritance. Despite robust efforts by the government, Hong Kong remains a point of transit and destination for persons trafficked for sexual exploitation or forced labor.

↓ **China**  
Tibet

**Population:** 5,300,000\*

**Political Rights:** 7  
**Civil Liberties:** 7  
**Status:** Not Free



**Trend Arrow:** Tibet received a downward trend arrow due to new regulations that require Chinese government approval for reincarnated Tibetan Buddhist teachers, as well the intensification of forced resettlement of traditionally nomadic Tibetan herders.

\* This figure from China's 2000 census includes 2.4 million Tibetans living in the Tibet Autonomous Region (TAR) and 2.9 million Tibetans living in areas of Eastern Tibet that, beginning in 1950, were incorporated into four Chinese provinces.

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

1998	1999	2000	2001	2002	2003	2004	2005	2006	2007
7,7NF	7,7NF	7,7NF	7,7NF	7,7NF	7,7NF	7,7NF	7,7NF	7,7NF	7,7NF

**Overview:** Fearing instability in the run-up to the Beijing Olympics in 2008, the Chinese authorities amplified their repressive policies in 2007. In addition to the intensification of forced resettlement of traditionally nomadic herders, regulations announced or implemented during the year effectively increased the authorities' control over Tibetan Buddhism, escalating tensions and sparking clashes between police and Tibetans across the Tibet Autonomous Region and surrounding provinces.

Communist China formally annexed Tibetan territory in 1951. In an effort to undermine Tibetan claims to statehood, Beijing split up the lands that had traditionally comprised Tibet, incorporating the eastern portion into four different Chinese provinces. The remaining area, which had been under the administration of the Dalai Lama's government, was designated the Tibet Autonomous Region (TAR) in 1965.

In 1959, Chinese troops suppressed a major uprising in Lhasa in which 87,000 people were reportedly killed. Tibet's spiritual and political leader—the 14th Dalai Lama, Tenzin Gyatso—was forced to flee to India with some 80,000 supporters. During the next six years, China closed 97 percent of the region's monasteries and defrocked more than 100,000 monks and nuns. During the Chinese Cultural Revolution (1966-76), nearly all of Tibet's 6,200 monasteries were destroyed.

Resistance to Beijing's rule continued and was ruthlessly suppressed. Under reforms introduced in 1980, religious practice was allowed again—with restrictions—and tourism was permitted in certain areas. Beginning in 1987, some 200 mostly peace-



ful demonstrations were mounted. After antigovernment protests in March 1989, martial law was imposed; it was not lifted until May 1990.

In addition to jailing dissidents, Beijing stepped up efforts to control religious affairs and undermine the exiled Dalai Lama's authority. In 1995, six-year-old Gedhun Choekyi Nyima was detained by the authorities, and his selection by the Dalai Lama as the 11th reincarnation of the Panchen Lama was rejected. Beijing then orchestrated the selection of another six-year-old boy as the Panchen Lama. Since one of the roles of the Panchen Lama is to identify the reincarnated Dalai Lama, the move was seen as a bid by Beijing to control the eventual selection of the 15th Dalai Lama.

The Chinese government has made a series of goodwill gestures that may be aimed at influencing international opinion on Tibet. Several political prisoners have been freed shortly before the end of their sentences. China hosted envoys of the Dalai Lama in 2002, the first formal contacts between Beijing and the Dalai Lama since 1993, and the sixth round of the ongoing dialogue was held in June 2007. Since 1988, the Tibetan government-in-exile has sought to negotiate genuine autonomy for Tibet, having dropped earlier demands for independence. While official statements suggest that Beijing is willing to have contacts with the Dalai Lama, the government disputes his view that an autonomous Tibet should include territory that has been incorporated into Chinese provinces and rejects his aspirations for a democratically elected government within the autonomous area. Other Tibetan groups remain firmly in favor of independence.

The Chinese government extols the economic development brought to Tibet by its Western Development Program, particularly the Qinghai-Tibet railway, inaugurated in July 2006; Beijing asserts that it will raise living standards. Tourism revenue is expected to exceed \$700 million by 2010, and the number of visitors is set to jump from 1.8 million in 2005 to 10 million by 2020. The Chinese government is also eager to exploit the region's rich natural resources, inviting international companies to carry out oil and gas exploration. While many Tibetans have benefited from such development, particularly the infrastructural improvements, the changes have disproportionately benefited Han Chinese. Scholars predict that the new railroad will increase Han Chinese migration to the TAR, heightening ethnic tensions and Tibetan fears of cultural assimilation. In a related move, in line with the latest Five-Year Plan (2006-10), Beijing has intensified efforts to forcibly resettle traditionally nomadic Tibetan herders in permanent-housing areas.

Fearing instability in the run-up to the Beijing Olympics in 2008, the authorities amplified their repressive policies in 2007. In October, China lodged a diplomatic protest after the Dalai Lama was awarded the U.S. Congressional Gold Medal, and the government intensified its anti-Dalai Lama "patriotic education" campaign. Regulations implemented or announced in 2007 effectively increased the authorities' control over Tibetan Buddhism, escalating tensions and sparking clashes between police and Tibetans. The unrest resulted in arrests and detentions across the TAR and surrounding provinces.

### **Political Rights**

#### **and Civil Liberties:**

The Chinese government rules Tibet through administration of the TAR and 10 Tibetan autonomous prefectures in traditional Tibetan areas within nearby Sichuan, Qinghai,

Gansu, and Yunnan provinces. Under the Chinese constitution, autonomous regions have the right to formulate their own regulations and implement national legislation in accordance with local conditions. In practice, the TAR mirrors the rest of China and is governed through the local legislature or people's congress system, with representatives sent annually to attend the National People's Congress in Beijing. Unlike China's provinces, which are run by governors, autonomous regional governments have the post of chairman, usually held by a member of the largest ethnic group. Jampa Phuntsog, an ethnic Tibetan, has served as chairman of the TAR government since 2003, but few of the other senior positions are held by Tibetans. No Tibetan has ever held the top post of TAR Communist Party secretary. Zhang Qingli, a Han Chinese, was appointed to the post in May 2006. Basic freedoms guaranteed under the Chinese constitution are strictly limited.

Corruption remains a problem in Tibet. Official reports noted that 74 cases of corruption and dereliction of duty were being dealt with in 2006. There are concerns that criminal organizations are using the Qinghai-Tibet railway to smuggle endangered plant and animal species. Tibet is not ranked separately on Transparency International's 2007 Corruption Perceptions Index.

Chinese authorities control the flow of information in Tibet, tightly restricting all media and regulating internet use. International broadcasts continue to be jammed. Increased availability of the internet in urban areas has provided more access to information, although identity cards must be shown to use the internet in public facilities. Internet restrictions in place in China are enforced all the more stringently in the TAR. Restrictions on internet content introduced in 2005 prevent distribution of uncensored information through websites or e-mail; this ban includes any information relating to Tibetan independence, the government-in-exile, or human rights abuses. In July 2007, a Tibetan-run website known as the Lamp was reportedly closed, followed in October by tibetti.com, tibetcm.com, and blogwww.tibetcm.com.

According to the U.S. State Department's 2006 human rights report, issued in March 2007, the government's record on respect for religious freedom "remained poor." While some religious practices are tolerated, officials "forcibly suppressed activities they viewed as vehicles for political dissent or advocacy of Tibetan independence." Possession of Dalai Lama-related materials can still lead to imprisonment; in March 2007, businessman Penpa received a three-year sentence after he was found in possession of Dalai Lama CDs. Communist Party members and senior officials in Tibet must adhere to atheism and cannot practice a religion. The Religious Affairs Bureaus (RABs) continue to control who can and cannot study religion in the TAR. Officials allow only boys over the age of 18 to become monks, and they are required to sign a declaration rejecting Tibetan independence, expressing loyalty to the Chinese government, and denouncing the Dalai Lama. TAR regulations implemented in January 2007 and national regulations announced in July endow the authorities with unprecedented control over Tibetan Buddhism, notably requiring government approval for the recognition and education of reincarnated teachers and restricting travel for the purpose of practicing religion.

Since 1996, Beijing has strengthened control through a propaganda campaign intended to undermine the Dalai Lama's influence. The government announced the end of this "patriotic education campaign" in 2000, but "work teams" continue to visit monasteries to conduct mandatory sessions. In 2005, 40 out of 50 nuns practic-

ing at the Gyarak Nunnery were expelled for refusing to participate in such sessions. Since Zhang Qingli was appointed party secretary in 2006, the campaign has intensified. Police clashed with Tibetans in Kardze, Sichuan province, in August 2007, and nomad chief Runggyal Adak and several of his family members were detained. The propaganda campaign was then extended to the general populace, and in October 2007 two Tibetans were reportedly arrested for refusing to participate. Beijing protested conferral of the U.S. Congressional Gold Medal on the Dalai Lama in October 2007, and there were reports of numerous clashes between police and monks celebrating the event. In one incident, three monks were reportedly detained at Drepung monastery.

The government manages the daily operations of monasteries through Democratic Management Committees (DMCs) and the RABs. The government approves all committee members so that only "patriotic and devoted" monks and nuns may lead DMCs. Since 1995, laypeople have also been appointed to these committees. According to the U.S. State Department's 2006 human rights report, Beijing claims that Buddhist monasteries are associated with pro-independence activism in Tibetan areas. As a result, spiritual leaders have encountered difficulty reestablishing historical monasteries.

In universities, professors cannot lecture on certain topics, and many must attend political indoctrination sessions. The government restricts course materials, prohibiting information deemed "politically sensitive," in order to prevent campus-based political and religious activity.

Chinese law provides for freedom of peaceful assembly; however, it is severely restricted in practice. Independent trade unions, civic groups, and human rights groups are illegal. Some international nongovernmental organizations (NGOs) focusing on development and health care operate in Tibet, under highly restrictive agreements. However, cumbersome registration requirements and a clampdown on NGOs since the 2003-05 "color revolutions" in three former Soviet republics make it increasingly difficult for these organizations to operate.

While some progress has been made in establishing the rule of law in other parts of China, the judicial system in Tibet remains abysmal, with most judges lacking any legal education. There is a lack of access to legal representation, and trials are closed if the issue of "state security" is invoked.

Owing to strictly controlled access to the TAR, it is difficult to determine the exact number of political prisoners. According to the 2007 annual report of the U.S. Congressional-Executive Commission on China, there were a total of 100 known political detainees, down from 145 in 2004. Of the 13 political detentions that took place in 2006, 11 detainees were reportedly monks and nuns. The Chinese government allowed the UN Human Rights Commission's Special Rapporteur on torture, Manfred Nowak, to visit Tibet in December 2005, but political dissidents continue to face particularly severe human rights abuses. Security forces routinely engage in arbitrary arrest, detention, torture, and execution without due process, punishing even nonviolent protests against Chinese rule.

Following the September 2006 videotaping of Chinese soldiers shooting Tibetan civilians as they attempted to seek refuge in Nepal, there has been a crackdown on people trying to flee across the border. Although Beijing issued denials, there were reports in October 2007 that three Tibetans were arrested and nine others were missing after being shot at by police in the same area.

As members of one of China's 55 officially recognized "minority" groups, Tibetans receive preferential treatment in university admissions. However, the dominant role of the Chinese language in education and in career fields limits opportunities for many Tibetans. Furthermore, the illiteracy rate among Tibetans (over 47 percent) remains five times greater than that of Han Chinese (around 9 percent). In the private sector, employers favor Chinese for many jobs, especially in urban areas. Tibetans find it more difficult than Chinese to obtain permits and loans to open businesses.

In line with the latest Five-Year Plan (2006-10), Beijing has intensified efforts to forcibly resettle traditionally nomadic Tibetan herders in permanent-housing areas. Some 56,000 people were relocated in the first year of the plan, and half of the TAR's rural population could be forcibly resettled by 2010.

China's restrictive family-planning policies are more leniently enforced for Tibetans and other ethnic minorities than for Han Chinese. Officials limit urban Tibetans to having two children and encourage—but do not usually require—rural Tibetans to stop at three children.

## Cyprus

### Northern (Turkish) Cyprus

**Population:** 273,000

**Political Rights:** 2

**Civil Liberties:** 2

**Status:** Free



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

1998	1999	2000	2001	2002	2003	2004	2005	2006	2007
4,2PF	4,2PF	2,2F	2,2F	2,2F	2,2F	2,2F	2,2F	2,2F	2,2F

*Note: See Cyprus under Country Reports.*

**Overview:** A survey released in 2007 found that as many as three-quarters of northern Cypriot women are victims of physical abuse at some point in their lives. Also during the year, progress on resolving the division of the island continued to stall.

The Ottoman Empire allowed Britain to administer Cyprus beginning in 1878, and Britain annexed the island in 1914. Cyprus gained independence in 1960 after a 10-year guerrilla campaign by partisans demanding union with Greece. In July 1974, Greek Cypriot National Guard members, backed by the military junta in power in Greece, staged an unsuccessful coup aimed at union with the mainland. Five days later, Turkey invaded northern Cyprus, seized control of 37 percent of the island, and expelled 200,000 Greek Cypriots from the north. Today the Greek and Turk-

ish Cypriot communities are almost completely separated into their respective enclaves.

A buffer zone called the Green Line has divided Cyprus, including the capital city of Nicosia, since 1974. UN resolutions stipulate that Cyprus is a single country of which the northern third is illegally occupied. In 1983, Turkish-controlled Cyprus declared its independence as the Turkish Republic of Northern Cyprus (TRNC), an entity recognized only by Turkey.

The Turkish government elected in 2002 was much more supportive of the unification of Cyprus than its predecessors, since Turkey's chances of European Union (EU) membership had been linked to a resolution of the island's division. Significant pressure from the EU and the United States, as well as UN intervention, also helped move the two sides closer to a settlement. A pro-unification TRNC government led by Prime Minister Mehmet Ali Talat was elected in 2003.

However, a promising round of unification negotiations led by then UN secretary-general Kofi Annan collapsed in 2004 after no consensus was reached. As agreed, Annan himself then proposed a plan that was put to a vote in simultaneous, separate referendums in northern and southern Cyprus in April 2004. Greek Cypriots, who previously had been more enthusiastic about unification, had reservations about the plan, especially concerning security and international guarantees that the Turkish side would comply. Ultimately, 76 percent of Greek Cypriots voted against the plan, while 65 percent of Turkish Cypriots voted in favor. With the island still divided, only Greek Cyprus joined the EU as scheduled in May 2004. The EU had used the prospect of membership to encourage reunification, but the internationally recognized government's entry was already assured by the time of the late-April referendum.

The pro-unification government elected in 2003 and the "yes" vote in the 2004 referendum weakened the power of President Rauf Denktash, a unification opponent who had held his post since the north declared independence. He did not run in the April 2005 presidential election. Instead, Talat emerged as the victor in a field of seven candidates, defeating National Unity Party (UBP) leader Dervish Eroglu, 56 percent to 23 percent.

In legislative elections held in February 2005, Talat's Republican Turkish Party (CTP) won 44 percent of the vote, increasing its share of seats to 24 out of 50. The UBP, which had campaigned against unification in the 2004 referendum, came in second with 32 percent, or 19 seats. Serdar Denktash, the son of Rauf Denktash, led the CTP-allied Democratic Party (DP) to win six seats, an increase of one. The only other party in parliament is the pro-unification Peace and Democracy Party, which dropped from three seats to one.

The ruling CTP-DP coalition had difficulty forming a government after June 2006 by-elections. When three deputies (two from the UBP and one from the DP) resigned to form the new, progovernment Free Party in September, the coalition collapsed, and Serdar Denktash quit the government. The DP and UBP blamed the collapse in part on Turkey, which had cooled to the elder Denktash's anti-EU and antiunification positions and allegedly extended its disfavor to the son despite his more positive stance on those issues. Turkey was also accused of collusion to weaken the UBP, allegedly disapproving of the party's nationalist rhetoric. Prime Minister Ferdi Sabit Soyer kept his post when his CTP formed a new coalition government with the Free Party after the September 2006 collapse.

Turkish Cypriots' support for unification has sparked international efforts to end their isolation. However, the Greek Cypriots have thwarted attempts to lift trade and travel bans on the north. Talks between Talat and Greek Cypriot president Tassos Papadopoulos in July 2006, the first since the 2004 referendum, led to a program of confidence-building measures called the July 8 agreement. The leaders did not meet again until September 2007, at which time talks stalled completely; critics have accused Papadopoulos of having no intention of making progress. Still, trade has increased between the two sides since 2004, and free movement across the Green Line has improved, with more crossing points and looser restrictions. A large aid package from the EU, originally suggested after the referendum and approved in 2006, is mostly devoted to infrastructure projects.

Although the gap in living standards between the north and the south has narrowed, economic opportunities in the north continue to be more limited. The economy depends heavily on the government of Turkey, and the public sector provides most jobs. Many Turkish Cypriots cross the border to work on the Greek side.

**Political Rights and Civil Liberties:** Elections in the TRNC are free and fair. The president and 50-seat Assembly are elected to five-year terms. The powers of the president are largely ceremonial; the prime minister is head of government. The main parties are the ruling, pro-unification CTP, in coalition with the new Free Party since September 2006; the UBP, which has opposed unification; and the DP, which left the ruling coalition in September 2006.

The roughly 1,000 Greek and Maronite Christian residents of the north are disenfranchised in the TRNC, but many vote in elections in the southern Republic of Cyprus. Minorities are not represented, and women are underrepresented, in the Assembly.

The government has made efforts to combat corruption in recent years, but graft and lack of transparency are still considered problems. Two ministers from the Free Party were accused in 2007 of receiving bribes from a construction company; one had been let go by the prime minister earlier in the year for "differences of principle." The TRNC is not listed separately on Transparency International's Corruption Perceptions Index.

Freedom of the media is generally respected, but problems persist. The criminal code allows the authorities to jail journalists for what they write, and the government has been hostile to the independent press. The editor of the outspoken daily *Afrika*, for example, has faced hundreds of court summonses for his paper's criticism of Turkish and Turkish Cypriot officials. The government does not restrict access to the internet. Five foreign journalists were detained and quickly released without charges in February 2007 after carrying out interviews at a meeting on a university campus. The president of the Association of Turkish Cypriot Cartoonists was violently attacked in January, allegedly by nationalists who disagreed with his ideas.

A 1975 agreement with Greek Cypriot authorities provides for freedom of worship, which is generally respected. The government does not restrict academic freedom. In 2004, Turkish Cypriot schools began teaching a less partisan account of Cypriot history, in accordance with Council of Europe recommendations.

The rights of freedom of assembly and association are respected. Civic groups and nongovernmental organizations generally operate without restrictions. Work-

ers may form independent unions, bargain collectively, and strike, although union members have been subject to harassment.

The judiciary is independent, and trials generally meet international standards of fairness. Turkish Cypriot police, under the control of the Turkish military, sometimes fail to respect due process rights, and there have been allegations of abuse of detainees. The police have also been accused of corruption related to narcotics trafficking. Since the TRNC is not recognized by other countries, it has no extradition treaties, and Turkish Cypriots accused of crimes abroad have sometimes fled back to northern Cyprus. However, in 2006-07, a Turkish Cypriot man charged with manslaughter in Britain was similarly charged and sentenced in the TRNC to comply with a British request.

Census results released in 2007 revealed that about half of the north's population is comprised of indigenous Turkish Cypriots. The rest include people of mainland Turkish origin and many foreign workers, as well as Greek Cypriots and Maronites. The latter three groups face difficulties at Green Line checkpoints and discrimination, and they are allegedly subject to official surveillance.

After the 2004 referendum on unification, the EU attempted to initiate direct trade and flights between northern Cyprus and the rest of the world, but it was unable to circumvent international regulations that control the north's ports and airports. After joining the bloc, the recognized Cypriot government thwarted several attempts by the EU to pursue its efforts; the German presidency of the EU in the first half of 2007 pushed hard for agreement, and its failure dimmed hopes for future compromise. However, north-south trade on the island did increase after restrictions were loosened in 2004, and new border crossings have opened. In addition, all EU citizens, including Greek Cypriots, can now travel to the north by presenting identity cards and no longer require passports or visas. Most governments do not recognize Turkish Cypriots' travel documents, but thousands have obtained Republic of Cyprus passports since the option became available in 2004.

The status of property formerly owned by Greek Cypriots in the north is expected to be a major point of contention in any future unification talks. In the past, former property owners have taken their cases to the European Court of Human Rights (ECHR), to which they could appeal directly due to the lack of an adequate local remedy. The ECHR ruled in April 2005 that the TRNC must institute more effective mechanisms to address the problem. In March 2006, the northern authorities announced the formation of a property commission to adjudicate complaints, although the south disputes its legitimacy. The commission had received more than 200 complaints as of July 2007, and 20 had resulted in some form of compensation, although critics claim that amounts are far below the value of the property.

A 2007 survey found that three-quarters of women were victims of violence at least once in their lives, with most attacks occurring at home. Police have proven unwilling to intervene, and many women choose not to report the crimes, even to friends. There are legal provisions for equal pay for equal work, but these are not always enforced, especially in blue-collar jobs.

## Georgia Abkhazia



**Population:** 340,000

**Political Rights:** 5

**Civil Liberties:** 5

**Status:** Partly Free

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

1998	1999	2000	2001	2002	2003	2004	2005	2006	2007
6,5NF	6,5NF	6,5NF	6,5NF	6,5NF	6,5NF	6,5NF	5,5PF	5,5PF	5,5PF

**Overview:** Abkhazia held parliamentary elections in March 2007 that were not recognized by the international community, with pro-presidential parties taking a strong majority of seats. The political environment remained tense throughout the year due to deteriorating relations with Georgia and Russia's growing influence in the territory. The problem was exacerbated by a series of violent incidents, including the deaths of two Abkhaz militiamen and a missile attack on a Georgian-controlled portion of Abkhazia.

Annexed by Russia in 1864, Abkhazia became an autonomous republic within Soviet Georgia in 1930. After the 1991 collapse of the Soviet Union, Abkhazia declared its independence from Georgia in 1992, igniting a war that lasted nearly 14 months. In September 1993, Abkhaz forces, with covert assistance from Russia, seized control of the city of Sukhumi, ultimately defeating the Georgian army and winning de facto independence for the republic. As a result of the conflict, more than 200,000 residents, mostly ethnic Georgians, fled Abkhazia, and casualty figures were estimated in the thousands. An internationally brokered ceasefire was signed in Moscow in 1994, although the territory's final status remains unresolved.

Abkhaz president Vladislav Ardzinba ran unopposed for reelection in 1999. The Organization for Security and Cooperation in Europe (OSCE), the United Nations, and other international organizations refused to recognize the vote as legitimate. In a concurrent and similarly unrecognized referendum, a reported 98 percent of voters supported independence for Abkhazia. Georgia denounced the polls as an illegal attempt to sabotage peace talks.

Deputies loyal to Ardzinba swept the 2002 parliamentary elections after the opposition withdrew most of its candidates to protest the conduct of the campaign. Government-backed candidates, who won all 35 seats, ran unopposed for 13 of them. State-backed electronic media promoted progovernment candidates, and the Central Election Commission disqualified a number of opposition candidates. Ethnic Georgians displaced by the war were not able to vote.



After four months in office, Prime Minister Gennady Gagulia's government resigned in April 2003 under pressure from Amsakhara, an increasingly powerful opposition movement comprised mainly of war veterans. Raul Khadjimba was named prime minister, and although Amsakhara urged Ardzinba to resign as well, he refused to step down before the 2004 presidential election.

Election officials declared former prime minister Sergei Bagapsh of the new opposition movement United Abkhazia to be the winner of the October 2004 poll, crediting him with enough of the vote—50.08 percent—to avert a second round. Ardzinba, who had handpicked Khadjimba as his successor, contested Bagapsh's win. Khadjimba was also backed by Russia, which imposed economic sanctions on Abkhazia. A compromise was struck under which Khadjimba would be the vice presidential candidate on Bagapsh's ticket during an election rerun. In January 2005, Bagapsh won the presidency with 91 percent of the vote amid a higher-than-expected turnout of 58 percent.

In February 2006, the leaders of Abkhazia's government and nongovernmental elite signed a declaration expressing their desire to have Abkhazia recognized as an independent state. The fear that Georgia was likely to take military action against Abkhazia was thought to have prompted the move.

Georgian and Abkhaz officials in May 2006 provided respective peace plans to the UN Coordinating Council, which was established in 1997 to consider issues related to resolving the Abkhaz conflict. It was the first time since 2001 that the parties had met through the forum.

Georgian troops in July 2006 entered the upper Kodori Gorge, the only portion of Abkhazia under Georgian control. A bout of fighting had erupted in the volatile area in 2001. The new Georgian deployment came after Emzar Kvitsiani, the leader of a Kodori-based paramilitary group, withdrew his recognition of Tbilisi's authority and refused orders to disarm his fighters. After regaining control of the area, Georgian officials said the Abkhaz government-in-exile, based in Tbilisi and comprised of ethnic Georgians, would be moved to the Kodori Gorge.

A series of events in 2007 exacerbated tensions between Georgia and Abkhazia and prompted tit-for-tat accusations between Georgia and Russia as well. On March 11, the Kodori Gorge was struck by an antitank missile, with Georgian officials reporting that a Russian helicopter had invaded Georgia's airspace. The UN Observer Mission in Georgia (UNOMIG) was sent to investigate the accusations. On September 20, two Abkhaz militiamen were killed, and others captured, during a clash with Georgian Interior Ministry forces. Russian and Abkhaz officials claimed that Georgian forces had executed the men on Abkhaz territory. Finally, on October 30, Georgian servicemen were detained by Russian peacekeepers in Ganmukhuri, a Georgian-controlled town on the border with Abkhazia. Though the servicemen were soon released, Georgia and Russia traded accusations, ratcheting up tensions in the restive region. Candidates from more than a dozen parties competed for 35 seats in the March 2007 parliamentary elections, with 18 deputies elected in the first round and the remainder of the races decided in subsequent runoff votes. Opposition members argued that Bagapsh had interfered with the election process to support loyalist candidates. More than 20 seats were captured by members of the three pro-Bagapsh parties—United Abkhazia, Amsakhara, and Aytayra (Revival), the party of Prime Minister Aleksandr Ankvab.

**Political Rights and Civil Liberties:** Residents of Abkhazia can elect government officials, but the more than 200,000 displaced Georgians who fled the region during the war in the early 1990s could not vote in any of the elections held by the separatist government. International organizations including the OSCE, as well as the Georgian government, have criticized the polls as illegitimate.

Although the 1994 constitution established a presidential-parliamentary system of government, the president exercises extensive control. The president and vice president are elected for five-year terms. The parliament, or People's Assembly, consists of 35 members elected for five-year terms from single-seat constituencies.

Sergei Bagapsh defeated Raul Khadjimba—who was backed by the Kremlin and outgoing president Vladislav Ardzinba—in the December 2004 presidential election, but he was pressured into accepting a January 2005 rerun with Khadjimba as his vice presidential running mate. The deal included a pledge to grant 40 percent of the positions in the incoming government to Khadjimba supporters. The new People's Assembly elected in 2007 was dominated by pro-Bagapsh parties, but it also included a number of opposition lawmakers; the legislature elected in 2002 had consisted entirely of progovernment deputies due to opposition boycotts and other irregularities.

An ethnic Georgian government-in-exile has operated with the support of the Georgian authorities since Abkhazia achieved de facto independence in the 1990s. The entity moved from Tbilisi to the upper Kodori Gorge after Georgian forces reasserted control over the area in 2006.

Corruption in Abkhazia is believed to be extensive. The republic was not listed separately on Transparency International's 2007 Corruption Perceptions Index.

Electronic media are controlled by the state and generally reflect government positions. A ban prohibiting private broadcasters from airing news or political programming was lifted in 2004, and several live news programs were given broadcasting rights in 2007. However, independent media outlets report continued pressure from the authorities. Though they are hampered by funding and distribution problems, several independent newspapers are published in Abkhazia, including popular opposition newspapers that are critical of the government.

According to the U.S. State Department's 2007 International Religious Freedom Report, the Georgian Orthodox Church claims that it is unable to operate in Abkhazia and accuses the Russian Orthodox Church of tacitly supporting separatism. Other Christian denominations have apparently been able to operate freely.

Most nongovernmental organizations (NGOs) in Abkhazia rely on funding from outside the territory, but the NGO sector is relatively vibrant and exerts a degree of influence on government policies.

Defendants' limited access to qualified legal counsel, violations of due process, and lengthy pretrial detentions are among the chronic problems in Abkhazia's criminal justice system. The legal system is based largely on a Russian model. Abkhaz officials reported a prison population of 370 as of 2007.

The human rights and humanitarian situation in Abkhazia continued to be a very serious problem in 2007. The UN Security Council has repeatedly stressed the need to avoid outbreaks of violence and resolve the status of refugees and internally displaced persons. The security environment in the Gali district, whose population is

largely ethnic Georgian, remained fragile in 2007; the area's residents were viewed with suspicion by both the Abkhaz and Georgian authorities.

Travel and choice of residence are limited by the ongoing separatist dispute. Approximately 200,000 ethnic Georgians who fled Abkhazia during the early 1990s are living in western Georgia, primarily in the Zugdidi district bordering Abkhazia.

As much as 85 percent of Abkhazia's population hold Russian passports and receive social benefits as Russian citizens, which they claim is a matter of necessity in light of the fact that Abkhaz travel documents are not internationally recognized.

Equality of opportunity and normal business activities are limited by widespread corruption, the control by criminal organizations of large segments of the economy, and the continuing effects of the war. Abkhazia's economy is heavily reliant on Russia, and Russia's successful bid to hold the 2014 Olympics in nearby Sochi will likely have a notable economic impact on the region.

## India

### Kashmir

**Population:** 11,700,000

**Political Rights:** 5

**Civil Liberties:** 4\*

**Status:** Partly Free



**Ratings Change:** Indian-controlled Kashmir's civil liberties rating improved from 5 to 4 due to the withdrawal of troops from schools and hospitals, a tentative effort to prosecute abuses by security forces, and an overall decrease in violence.

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

1998	1999	2000	2001	2002	2003	2004	2005	2006	2007
6,6NF	6,6NF	6,6NF	6,6NF	5,5PF	5,5PF	5,5PF	5,5PF	5,5PF	5,4PF

**Overview:** Meaningful progress on a solution to the conflict over Kashmir, which has killed at least 45,000 people since 1989, remained elusive in 2007, though the 2003 ceasefire between Indian and Pakistani troops was largely upheld. There were a number of attacks on Hindu civilians and other minorities during the year, but the overall level of violence declined, continuing a five-year trend. In addition, thousands of troops were withdrawn from schools and hospitals, and some steps were taken to prosecute security personnel responsible for fake "encounter" killings. Nevertheless, deaths in custody were reported during the year, and impunity generally remained the norm.

For centuries, Kashmir was ruled by Afghan, Sikh, and local strongmen. In 1846, the British seized control and sold the territory to the Hindu maharajah of the neigh-

boring principality of Jammu, who later incorporated surrounding areas into the new princely state of Jammu and Kashmir. When British India was partitioned into India and Pakistan in 1947, Maharajah Hari Singh tried to maintain Jammu and Kashmir's independence, but eventually ceded it to India in return for autonomy and future self-determination.

Within months, India and Pakistan went to war over Kashmir. As part of a UN-brokered ceasefire in 1949 that established the present-day boundaries, Pakistan gained control of roughly one-third of Jammu and Kashmir. India retained most of the Kashmir Valley, along with Jammu and Ladakh. Under Article 370 of India's constitution and a 1952 accord, the territory received substantial autonomy, but India annulled such guarantees in 1957 and formally annexed the portion of Jammu and Kashmir under its control. Since then, the territory has largely been governed as other Indian states, by an elected state legislature headed by a chief minister. Seeking strategic roads and passes, China seized a portion of Kashmir in 1959. India and Pakistan fought a second, inconclusive war over the territory in 1965. Under the 1972 Simla accord, New Delhi and Islamabad agreed to respect the Line of Control (LOC) dividing the region and to resolve Kashmir's status through negotiation. Another round of fighting broke out between the two countries in 1999, when they engaged in a 73-day military conflict in Kargil.

In 1987, the pro-India National Conference (NC) party won state elections marred by widespread fraud, violence, and arrests of members of a new, Muslim-based opposition coalition, leading to widespread unrest. An armed insurgency against Indian rule gathered momentum after 1989, when militant groups linked to political parties assassinated several NC politicians and attacked government targets in the Kashmir Valley. The militants included the Jammu and Kashmir Liberation Front (JKLF) and other pro-independence groups consisting largely of Kashmiris, as well as Pakistani-backed Islamist groups seeking to bring Kashmir under Islamabad's control.

As the violence escalated, New Delhi placed Jammu and Kashmir under federal rule in 1990 and attempted to quell the mass uprising by force. By the mid-1990s, the Indian army had greatly weakened the JKLF, which abandoned its armed struggle in 1994. The armed insurgency has since been dominated by Pakistani-backed extremist groups, which include non-Kashmiri fighters from elsewhere in the Muslim world. Although opposition parties joined together to form the All Parties Hurriyat Conference (APHC) in 1993, they boycotted the 1996 state elections, and the NC was able to form a government under party leader Farooq Abdullah. In 2000, Hizbul Mujahideen, the largest armed group in Kashmir, initiated a dialogue with the Indian government. However, after the talks broke down and a summit held in 2001 failed to resolve India and Pakistan's differences over Kashmir, militants again stepped up their attacks.

New Delhi encouraged all political parties to participate in the 2002 state elections, but was unsuccessful in persuading the APHC. However, in a surprise result, the ruling NC lost 29 of its 57 assembly seats, while the Congress Party and the People's Democratic Party (PDP) made significant gains, winning 16 and 20 seats, respectively. In November, the two parties formed a coalition government headed by the PDP's Mufti Mohammad Sayeed. In October 2005, Sayeed stepped down as chief minister as part of the coalition agreement, and Congress leader Ghulam Nabi Azad was named as his replacement.

Though fighting continued, the number of casualties from militant attacks or actions by security forces steadily declined after the 2002 elections, as relations between the Indian government and moderate Kashmiri separatist groups improved. In 2004, talks were held for the first time between Kashmiri separatists and the highest levels of the Indian government. India enabled several separatist political leaders to travel to Pakistan and meet with Pakistan-based separatists in June 2005. At this gathering and a later meeting with Indian prime minister Manmohan Singh in September 2005, the moderate APHC leaders reiterated their renunciation of violence and called for Kashmiris to become more deeply involved in the negotiating process. However, the latter desire was hampered by an emerging split within the APHC between hard-liners, who favor a continuation of the insurgency, and moderates, who favor a political solution. This split worsened in 2007, as militants launched a grenade attack against the headquarters of the moderate bloc in January and the two factions clashed in the streets of Srinagar in August.

New Delhi has also attempted to improve relations with Pakistan. Talks between the two countries over the ultimate status of Kashmir, as well as other confidence-building measures, have occurred regularly since a ceasefire was instituted in November 2003. In April 2005, a bus service across the LOC was launched, linking the capitals of Indian and Pakistani Kashmir (PoK) and allowing Kashmiri civilians to reunite with family members. Nevertheless, due to onerous red tape, only several thousand Kashmiris have been able to avail themselves of this new opportunity. In 2007, talks and periodic high-level meetings continued—including the first trade delegation from PoK to Jammu and Kashmir in March—but little progress was made toward a comprehensive resolution to the dispute.

The number of fatalities decreased for the fifth consecutive year in 2007. According to the South Asia Terrorism Portal, about 777 people were killed during the year, crossing the threshold from a high-intensity conflict to a low-intensity one. Of those killed, 164 were civilians, half the amount from the previous year. Nevertheless, incidents of violence still occurred, including grenade attacks targeting public places and other attacks directed at security forces, politicians, and minority groups.

Given the reduction in violence and in infiltrations across the LOC following the completion of a security fence, demilitarization was a key topic of political discussion during the year. In April 2007, the Congress party faced a crisis when the PDP threatened to withdraw from the state's ruling coalition unless troop levels were reduced and the Armed Forces Special Powers Act (AFSPA) was repealed. In response, the central government set up three committees to examine the matter. In November, following the committees' recommendations, India relocated thousands of troops from over 80 schools, hospitals, and other private and civic property to other parts of the state, but avoided a more substantive demilitarization. In another positive development, the drop in violence resulted in an increase in normal political activities, with parties across the political spectrum holding dozens of rallies.

**Political Rights and Civil Liberties:** Each of India's states, including Jammu and Kashmir, is governed by an appointed governor who serves as titular head of state and an elected bicameral legislature headed by a chief minister. Members of the lower house or state assembly are directly elected, while the upper house has a combination of members elected by the state assembly

and nominated by the governor. India has never held a referendum allowing Kashmiri self-determination as called for in a 1948 UN resolution. The state's residents can nominally change the local administration through elections, which are held at least once every five years, but historically elections have been marred by violence, coercion by security forces, and balloting irregularities. Militants commonly enforce boycotts called for by separatist political parties, threaten election officials and candidates, and kill political activists and civilians during balloting. In the campaign period leading up to the 2002 elections for the 87-seat state assembly, more than 800 people, including over 75 political activists and candidates, were killed. However, the balloting process itself was carefully monitored by India's Election Commission, and most independent observers judged the polls to be fair but not entirely free, largely because of the threat of violence. Municipal elections held in February 2005 were also largely peaceful, while four by-elections for the state legislature held in April 2006 yielded close to a 60 percent turnout, despite militant groups' calls for a boycott.

The political violence includes high-profile assassinations, such as that of Education Minister Ghulam Nabi Lone in 2005. In April 2007, unidentified gunmen murdered a Congress party district president. Later that month, police reportedly foiled two plots to assassinate Chief Minister Ghulam Nabi Azad. In June, NC president Omar Abdallah emerged unscathed from a grenade attack that injured 20 others at a rally.

Although Jammu and Kashmir was returned to local rule in 1996, many viewed the government as corrupt, incompetent, and unaccountable to the wishes and needs of Kashmiris. A 2005 survey by Transparency International found that Jammu and Kashmir was India's second-most-corrupt state. Since then, the government appears to have been making additional efforts to fight corruption, though it remains widespread. In 2006, a revision of the Prevention of Corruption Act was passed, and in 2007, the government approved for prosecution 68 cases submitted by the anticorruption State Vigilance Organization (SVO). Nevertheless, convictions are rare and several whistleblowers have reported harassment after filing complaints. Indian-controlled Kashmir was not ranked separately on Transparency International's 2007 Corruption Perceptions Index.

Primarily because of pressure from militants, conditions for the media remain difficult, and many journalists practice some level of self-censorship. Militant groups regularly threaten and sometimes kidnap, torture, or kill journalists. In March 2007, cable operators across Kashmir suspended broadcasts of four popular English entertainment channels whose programming the militants denounced as obscene. Journalists are also occasionally harassed or detained by the authorities. In October 2007, Indian security personnel detained and interrogated Majid Hyderi, a senior correspondent for the *Great Kashmir* newspaper. Photojournalist Maqbool Sahil has also been detained since September 2004 under the Public Safety Act, despite repeated court decisions calling for his release.

Though it is generally not used, India's 1971 Newspapers Incitements to Offenses Act (in effect only in Jammu and Kashmir) gives district magistrates the authority to censor publications in certain circumstances. Pressure to self-censor has been reported at smaller media outlets that rely on state government advertising for the majority of their revenue. Despite these restrictions, newspapers report on con-

troversial issues such as alleged human rights abuses by security forces. The authorities generally allow foreign journalists to travel freely, meet regularly with separatist leaders, and file reports on a range of issues, including government abuses.

Freedom of worship and academic freedom are generally respected by Indian and local authorities. Since 2003, the state government has granted permission to separatist groups to organize a procession marking the prophet Muhammad's birthday. However, Islamist militants attack Hindu and Sikh temples or villages; in July 2007, grenade attacks on Hindu pilgrims en route to the Amarnath shrine killed one person and injured dozens of others.

Freedoms of assembly and association are occasionally restricted. Although local and national civil rights groups are permitted to operate, they sometimes encounter harassment by security forces. The APHC, an umbrella group of 23 secessionist political parties, is allowed to operate, but its leaders are frequently subjected to short-term preventative detention, and its requests for permits for public gatherings are often denied. In April 2007, several leaders of the hard-line APHC faction were placed under house arrest to prevent them from leading demonstrations over allegations of a mosque demolition. Politically motivated shutdowns, protest marches, and antigovernment demonstrations take place on a regular basis, though some are forcibly broken up by the authorities. In July 2007, the Associated Press reported that a 16-year-old was killed when police opened fire on a protest against alleged human rights abuses by Indian troops. Labor rights are similar to conditions in the rest of India, with most rights being broadly upheld.

The judicial system functioned more effectively and began to normalize in 2007, according to the U.S. State Department's human rights report. Nevertheless, judges, witnesses, and the families of defendants remain subject to threats and intimidation from militants. In addition, the government and security forces frequently disregard court orders, including those quashing detentions. Two broadly written laws—the AFSPA and the Disturbed Areas Act—allow Indian forces to search homes and arrest suspects without a warrant, shoot suspects on sight, and destroy buildings believed to house militants or arms. In a widely criticized decision in May 2007, India's Supreme Court dismissed a petition filed by the widow of a custodial killing victim who had been arrested under the AFSPA. According to local rights groups, the decision in *Masooda Parveen v. Union of India* set a dangerous precedent, reversing previous rulings requiring the armed forces to involve civilian police in operations and thus removing an important safeguard for detainees. Despite repeated calls from local officials and an April 2007 recommendation by a prime minister-appointed working group to repeal the AFSPA, the government had not done so by year's end.

In a continuing cycle of violence, hundreds of militants, security personnel, and civilians are killed each year, although the number continued to decline in 2007. The SATP reported that 164 civilians, 121 security personnel, and 492 militants were killed during the year. The total of 777 was a significant decrease from the previous year's death toll of 1,116. Approximately 600,000 Indian security personnel based in Kashmir carry out arbitrary arrests and detentions, torture, "disappearances," and custodial killings of suspected militants and alleged civilian sympathizers. As part of the counterinsurgency effort, the government has organized and armed progovernment militias composed of former militants. Members of these groups act with impunity

and have reportedly carried out a wide range of human rights abuses against pro-Pakistani militants and civilians. According to human rights groups, 60 people have reportedly disappeared since 2006, though only nine disappearances were recorded in 2007. Eighteen cases of extrajudicial killing were also reported during the year. Local human rights groups estimate that at least 8,000 people have "disappeared" since the insurgency began. Of particular concern is the continuing problem of killings in which security forces kill militants or civilians in their custody and then claim that they were "encounter" deaths, meaning they occurred during firefights. The practice is exacerbated by the fact that security personnel are often rewarded—with either cash or a promotion—for producing a dead "militant," and holding militants in custody is considered a security risk. In February 2007, police unearthed the bodies of five men who had been victims of such fabricated encounter killings. Also in February, there were reports of two other custodial killings that were unrelated to the conflict.

Impunity for rights abuses by Indian armed forces has been the norm, in part because under the AFSPA, New Delhi is required to approve any prosecutions. However, several prosecutions were launched in 2007. The discovery of apparent victims of fake encounter killings in February 2007 prompted an unusually thorough investigation, and at least 18 policemen were charged, including a number of senior officers and a former superintendent. In another positive development, the state government appointed a commission of inquiry in April to probe custodial killings and fake encounter deaths. Nevertheless, impunity surrounding thousands of other cases continued, and rights groups expressed doubts as to whether the latest investigations represented a genuine change in policy. While the state human rights commission examines several dozen complaints a year (it has received hundreds since its inception), it is hampered by inadequate resources and infrastructure. In addition, it cannot directly investigate abuses by the army or other federal security forces, nor can it take action against those found to have committed violations.

Armed with increasingly sophisticated and powerful weapons, and relying to a greater degree on the deployment of suicide squads, militant groups backed by Pakistan continue to kill pro-India politicians, public employees, suspected informers, members of rival factions, soldiers, and civilians. The roughly 1,400 active militants also engage in kidnapping, rape, extortion, and other forms of intimidation. Violence targeting Pandits, or Kashmiri Hindus, is part of a pattern dating to 1990 that has forced several hundred thousand Hindus to flee the region; many continue to reside in refugee camps near Jammu. According to the U.S. State Department, entire families of Pandits were killed in several attacks by insurgents throughout 2007. Other religious and ethnic minorities such as Sikhs and Gujjars have also been targeted.

As in other parts of India, women face some societal discrimination as well as domestic violence and other forms of abuse. Female civilians continue to be subjected to harassment, intimidation, and violent attack, including rape and murder, at the hands of both the security forces and militant groups. In recent years, women and girls have also been targeted by Islamist groups and pressured to adopt more conservative styles of dress or stop attending school, but there were no reported instances of this in 2007.



## Israel

### Israeli-Occupied Territories

**Population:** 4,149,000 (Gaza: 1,537,000; West Bank: 2,612,000). In addition, there are some 187,000 Israeli settlers in the West Bank and 20,000 in the Golan Heights, and approximately 177,000 Jews live in East Jerusalem.



**Political Rights:** 6  
**Civil Liberties:** 6\*  
**Status:** Not Free

**Ratings Change:** The civil liberties rating for the Israeli-occupied territories declined from 5 to 6 due to a combination of Israeli military incursions, restrictions on the delivery of food aid, and violent dispersals of protests.

*Note:* The areas and total number of persons under Israeli jurisdiction changed periodically during the year as a result of the fluid nature of Israel's military presence in the West Bank and Gaza Strip.

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

1998	1999	2000	2001	2002	2003	2004	2005	2006	2007
6,5NF	6,5NF	6,6NF	6,6NF	6,6NF	6,6NF	6,6NF	6,5NF	6,5NF	6,6NF

**Overview:** **Israeli military action increased in both the West Bank and the Gaza Strip in 2007, resulting in hundreds of Palestinian casualties. Following the fracturing of the Palestinian Authority in June and Hamas's takeover of the Gaza Strip, Israel restricted fuel and electricity supplies to that territory and temporarily sealed its borders.**

Israel declared its statehood in 1948 on land allotted for Jewish settlement under a UN partition plan. It gained additional territory in the ensuing conflict with neighboring Arab states. Meanwhile, Jordan captured East Jerusalem and the West Bank, and Egypt took the Gaza Strip. In the 1967 Six-Day War, Israel seized the West Bank, East Jerusalem, and the Gaza Strip, as well as the Sinai Peninsula (from Egypt) and the Golan Heights (from Syria). The Sinai was later returned to Egypt.

After 1967, Israel began establishing Jewish settlements in the West Bank and Gaza Strip, an action regarded as illegal by most of the international community. Israel has maintained that the settlements are legal since under international law the West Bank and Gaza are disputed territories. In what became known as the first *intifada* (uprising), Palestinians living in the West Bank and Gaza began attacking mainly Israeli settlers and Israel Defense Forces (IDF) troops in 1987. Israel and Yasser Arafat's Palestine Liberation Organization (PLO) reached an agreement in 1993 that

provided for a PLO renunciation of terrorism and recognition of Israel, Israeli troop withdrawals, and gradual Palestinian autonomy in the West Bank and Gaza.

In subsequent years, the IDF granted the new Palestinian Authority (PA) control over most of Gaza and up to 40 percent of West Bank territory, including 98 percent of the Palestinian population outside of East Jerusalem. However, the IDF reentered most PA areas after the September 2000 eruption of the second intifada.

Israeli and Palestinian leaders engaged in far-reaching negotiations under U.S. sponsorship in 2000 and early 2001, but the talks failed to produce a final settlement. The Palestinians' armed uprising continued, and violence flared throughout the occupied territories. Meanwhile, Likud party leader Ariel Sharon was elected Israeli prime minister in 2001. Insisting that the PA was not preventing terrorism, Israel responded to Palestinian suicide bombings by staging raids into PA-ruled territory. The incursions targeted Islamist and secular militant groups but also caused the deaths of many civilians.

In 2003, Israel and the PA agreed to abide by a "road map" to peace put forward by the United States, Russia, the United Nations, and the European Union (EU). The plan demanded coordinated Palestinian and Israeli steps toward peace, and the eventual creation of an independent Palestinian state.

After Arafat's death in 2004 and the election of Mahmoud Abbas as the new PA president in 2005, violence declined markedly. In February 2005, Sharon and Abbas agreed on a formal truce that lasted through June 2006. Israel unilaterally withdrew all settlers from the Gaza Strip in August 2005, and by September, all IDF troops had pulled out of the territory. However, while Israel handed control of Gaza's southern border to the PA and the EU (subject to Israeli surveillance), it retained control over the airspace and coastline.

The Islamist faction Hamas won 74 of 132 seats in the 2006 elections to the Palestinian Legislative Council (PLC). Abbas's Fatah party won only 45 seats, allowing Hamas to form a government without Fatah support. Israel, the United States, and the EU refused to recognize the Hamas-led government, citing the group's involvement in terrorism and refusal to recognize Israel or past Israel-PA agreements.

In June 2006, in response to the killing of eight Palestinian civilians by an artillery shell, Hamas declared an end to the 2005 truce with Israel and accelerated the firing of Qassam rockets at Israel from Gaza. The source of the artillery fire remains disputed. Hamas and other militant groups subsequently carried out a raid near Gaza, killing two IDF soldiers and capturing a third, Corporal Gilad Shalit. Israel responded by invading Gaza, where the IDF destroyed Qassam launchers and ammunition sites but failed to locate Shalit. The fighting killed dozens of unarmed civilians. Human rights groups condemned Israel for these deaths and the destruction of a major power plant in Gaza. PA-controlled areas of the West Bank also faced Israeli incursions in **2006**.

The IDF in 2007 continued to stage violent incursions into Gaza and the West Bank, and conduct "targeted assassinations" of suspected terrorists, mostly in the Gaza Strip. IDF operations in the West Bank dropped precipitously following the fracturing of the PA in June between the Hamas-controlled Gaza Strip and the Fatah-controlled West Bank (see separate report on PA). By contrast, Israeli forces attacked targets in the Gaza Strip throughout the year. In addition, Israeli troops and Palestinian militants clashed repeatedly near the Gaza-Israel border. Israel claimed

its operations were aimed at stopping heavy Qassam rocket fire from Gaza, blocking the smuggling of weapons into the territory, and preventing terrorist attacks in Israel. Hamas claimed the actions were intended to overthrow its government, kill civilians, and crush resistance to Israeli occupation. According to the human rights group B'Tselem, about 350 Palestinians were killed by Israeli forces in 2007, including many civilians.

Following Hamas's June takeover of the Gaza Strip, Israel closed down its borders with the territory. It allowed food deliveries for the remainder of the year, but shut off almost all fuel deliveries, leaving most residents with only sporadic electricity. In August, the EU similarly halted fuel aid to Gaza, citing Hamas's plans to generate revenue by taxing electricity bills. The following month, Israel declared the Gaza Strip a "hostile entity" in response to the continued barrage of Qassam rockets. The classification would allow Israel to cut off all utility supplies to Gaza short of causing a humanitarian crisis; however, the declaration was suspended by the Israeli attorney general on legal grounds. In November, the Israeli Supreme Court ruled that the government could continue to restrict fuel supplies as a legal economic sanction against Hamas. The government's plans for electricity cutbacks, however, were ruled too vague to ensure a minimal humanitarian impact. In August, the UN warned that Israeli border restrictions had almost completely stalled Gaza's economy, making the territory dependant on international aid.

Israel in 2007 continued construction of a controversial security barrier roughly along the West Bank side of the 1949 armistice line (Green Line). The barrier's stated purpose was to prevent terrorists from infiltrating Israel. In some areas, it jutted farther into the West Bank and restricted Palestinian access to agricultural property, schools, and jobs. Palestinians complained that the barrier was a means to expropriate West Bank land and collectively punish ordinary Palestinians for acts committed by terrorists. Analysts have suggested that the barrier would ultimately incorporate 8 percent of West Bank land and put 99.5 percent of Palestinians outside the barrier. Once complete, however, the barrier would cut off approximately 55,000 Palestinians living in East Jerusalem from the rest of the city. Israel continued to insist that the fence was a temporary solution to an ongoing terrorist threat, not a permanent border.

Peace negotiations between Israel and Abbas accelerated during the year, particularly after Hamas's Gaza takeover in June. Confidence building measures—including Israel's release of hundreds of Palestinian prisoners and tens of millions of dollars in PA tax funds—preceded both sides' participation in a U.S.-brokered peace conference in late November; also attending were representatives of nearly every Arab state and the Arab League. The conference yielded a joint commitment by Abbas and Israeli prime minister Ehud Olmert to begin final status negotiations and try to complete them by the end of 2008. The agreement was immediately rejected by Hamas. In December, Hamas proposed a ceasefire and talks with Israeli officials. Despite the support of some government ministers, Olmert rejected the offer unless Hamas recognized Israel.

A number of Israel-PA agreements demand a freeze on settlements, a condition that Israel has not generally honored. A January 2007 report by the Israeli organization Peace Now claimed that 40 percent of settlements have been built on privately owned Palestinian land, in contravention of Israeli law. A subsequent report in

November found that construction in 88 of about 150 settlements was continuing despite Israeli promises to halt such expansion; most of these settlements were located in large blocs west of the security barrier. In December, Peace Now reported that Israeli forces had carried out only 3 percent of government orders to demolish unauthorized settler outposts in the West Bank over the past 10 years. However, the IDF did forcibly remove dozens of settlers from two homes in Hebron in August. That same month—soon after the Annapolis peace conference—Israel announced plans to build several hundred homes in the East Jerusalem neighborhood of Har Homa and the nearby settlement of Maaleh Adumim, prompting opposition from Palestinian and international authorities.

**Political Rights and Civil Liberties:** Since they are not citizens of Israel, Palestinians under Israeli control in the West Bank and Gaza cannot vote in Israeli elections. They are permitted to vote in elections organized by the PA. Balloting held in 2005 resulted in the election of Mahmoud Abbas as president of the PA. According to the U.S.-based National Democratic Institute (NDI), "despite some problems during the campaign and with electoral preparations, Israeli authorities generally eased travel through checkpoints on election day to facilitate freedom of movement." Elections for the Palestinian Legislative Council (PLC) in 2006 similarly saw an easing of Israeli restrictions on Palestinian travel. While some voters reported encountering difficulty in reaching polling stations because of Israeli roadblocks, Israel was generally credited with allowing relatively free access during the elections.

After Israel annexed East Jerusalem in 1967, Arab residents were issued Israeli identity cards and given the option of obtaining Israeli citizenship. However, by law, Israel strips Arabs of their Jerusalem residency if they remain outside the city for more than three months. Those who do not choose Israeli citizenship have the same rights as Israeli citizens except the right to vote in national elections (they can vote in municipal elections). Many choose not to seek citizenship out of solidarity with Palestinians in the West Bank and Gaza Strip, believing East Jerusalem should be the capital of an independent Palestinian state. East Jerusalem's Arab population does not receive a share of municipal services proportionate to its numbers.

Arabs in East Jerusalem have the right to vote in PA elections, but are subject to restrictions imposed by the Israeli municipality of Jerusalem. In advance of the 2006 PLC elections, Israeli authorities announced that polling could take place at five designated post offices in East Jerusalem, in keeping with a compromise reached prior to the 1996 PA elections. Israel initially announced its intention to bar campaigning in Jerusalem, in response to Hamas's intention to field candidates. However, a compromise was reached on this issue, whereby only those parties that registered with the Jerusalem municipality would be allowed to campaign; Hamas was not allowed to register.

Druze and Arabs in the Golan Heights cannot vote in Israeli national elections, but they are represented at the municipal level.

International press freedom groups regularly criticize Israel for blocking journalists' access to active conflict zones, for harming and sometimes killing reporters during battles, and for harassing Palestinian journalists. Israel insists that reporters risk getting caught in crossfire but are not targeted deliberately. In February 2007, Israeli

forces detained Sanabel TV director Nabegh Break during a raid in Nablus and interrupted broadcasts on several local television stations to demand information about wanted militants. In May, the IDF raided five West Bank radio and television stations aligned with Hamas or other Islamist factions, confiscating transmission equipment; a similar raid occurred in December. A cameraman for Hamas-affiliated Al-Aqsa TV, Imad Ghanem, was allegedly targeted and shot several times in the legs by Israeli troops in July; the IDF is investigating the incident.

Israel generally recognizes the right to freedom of worship and religion. On several occasions during the latest intifada, Israel has restricted Muslim men under 45 from praying on the Temple Mount/Haram al-Sharif compound in Jerusalem for fear of violent confrontations. In September 2007, authorities restricted access for the first day of Ramadan to older men and women only. While academic freedom is generally respected, IDF closures and curfews and the West Bank security barrier restrict access to Palestinian academic institutions. Schools have sometimes been damaged during military operations, and student travel between the Gaza Strip and the West Bank has been restricted. Following the Hamas takeover of Gaza, Israel's border shutdown prevented Palestinian students studying abroad from leaving Gaza; in December, they were allowed to return to school. Throughout the intifada, schoolchildren have been injured or killed during fighting.

Freedoms of assembly and association are generally respected. However, Israel has imposed strict curfews in the West Bank at various times since September 2000. In February 2007, Israeli police broke up a rally of several hundred international activists protesting the security barrier near the village of Bilin. The following month, authorities forcibly dispersed a group of about 3,000 Jewish settlers attempting to "reclaim" a recently demolished settler outpost. There are many Palestinian nongovernmental organizations (NGOs) and civic groups, and their activities are generally not restricted by Israel. Labor affairs in the West Bank and Gaza are governed by a combination of Jordanian law and PA decisions. Workers may establish and join unions without government authorization. Palestinian workers in Jerusalem are subject to Israeli labor law.

Israel's Supreme Court hears petitions from non-Israeli residents of the occupied territories to protest home demolitions, outposts on confiscated land, and Israeli military tactics. Decisions in favor of Palestinian petitioners are rare. Rights groups often charge that such petitions are not adjudicated in a timely fashion and are sometimes dismissed without sufficient cause. In recent years, the Israeli Supreme Court has repeatedly ordered that the proposed route of the security barrier be changed to reduce its negative effects on Palestinian residents, having heard well over 100 petitions filed by NGOs and Palestinian civilians on the issue. The Ministry of Defense continues to alter the route in response to the rulings. In February 2007, the court ordered rerouting of the barrier near Bilin, the site of much protest.

Palestinians accused of broadly defined security offenses in Israeli-controlled areas are tried in Israeli military courts. Some due process protections exist in these courts, though there are limits on the rights to counsel, bail, and appeal. Administrative detention is widely used. Most convictions in Israeli military courts are based on confessions, sometimes obtained through coercion. In 2000, Israel outlawed the use of torture as a means of extracting security information, but milder forms of physical coercion are permissible when the prisoner is believed to have vital information

about impending terrorist attacks. Human rights groups criticize Israel for continuing to engage in what they consider torture. In May 2007, human rights groups B'Tselem and the HaMoked Center reported that Palestinian prisoners are held in terrible conditions and are subject to abusive interrogation techniques. The government disputed the accuracy of the report. In October, hundreds of Palestinian prisoners in Ketziot Prison clashed with guards, injuring 15 prisoners and 15 guards; guards used rubber bullets to quell the riot.

Israel holds somewhere between 7,000 and 10,000 Palestinians in jail. Many suspected of involvement in terrorism are held in administrative detention without charge or trial. Israel frequently releases prisoners in the context of peace negotiations or mutual exchanges. In 2007, about 800 prisoners were released, almost all of whom belonged to factions of Abbas's Fatah movement. Israel arrested over 30 PA lawmakers in 2007, nearly all of them members of Hamas. In June, an Israeli military court ruled that three of the Hamas lawmakers—including two members of the PA cabinet—would remain in custody through year's end.

According to B'Tselem, Israeli security forces have killed more than 4,260 Palestinians since the beginning of the second intifada (about 50 percent of them civilians and/or noncombatants, including over 860 minors). In March 2007, B'Tselem accused IDF soldiers of using young Palestinians as "human shields" during a raid in Nablus; in April, an IDF commander was suspended for complicity in the crime. Violence between Palestinians and Israeli settlers is not uncommon; B'Tselem places the number of Palestinians killed by Israeli civilians in the occupied territories between the start of the second intifada in 2000 and December 2007 at 41, while the number of Israeli civilians killed by Palestinians in the West Bank and Gaza during the period was 234.

Freedom of movement improved measurably in 2005 following Israel's withdrawal from Gaza, but the trend was reversed somewhat following the reentry of the Israeli military in June 2006. Israel continues to man 35 external and 58 internal checkpoints in the West Bank and has constructed over 460 roadblocks. These measures deny Palestinians easy passage from one town to another, making access to jobs, hospitals, and schools difficult. Construction of Israel's security barrier has also cut off many Palestinians from their farms and denied them and others easier access to other parts of the West Bank. All West Bank and Gaza residents must have identification cards in order to obtain entry permits to Israel, including East Jerusalem. Israel often denies permits without explanation.

While Palestinian women are underrepresented in most professions and encounter discrimination in employment, they have full access to universities and to many professions. Palestinian societal norms, derived in part from Sharia (Islamic law), put women at a disadvantage in matters of marriage, divorce, and inheritance. Rape, domestic abuse, and "honor killings," in which unmarried women who are raped or who engage in premarital sex are murdered by a relative, are not uncommon; these murders often go unpunished. Human Rights Watch released a report in 2006 that cited widespread abuse of women in Palestinian society, with reference to instances of rape victims being forced to marry assailants, and light sentences for men who kill female relatives suspected of adultery. The report pointed out that women's fates in instances of rape or abuse are increasingly determined by tribal leaders, a situation that Human Rights Watch claims is detrimental to Palestinian women.

## Israel

### Palestinian Authority- Administered Territories

**Population:** 4,149,000  
(1,482,000: Gaza;  
2,536,000: West Bank)



**Political Rights:** 5\*  
**Civil Liberties:** 6  
**Status:** Not Free

**Status Change:** The political rights rating for the Palestinian Authority-administered territories declined from 4 to 5, and its status declined from Partly Free to Not Free, due to the collapse of a unified government after Hamas's takeover of Gaza, the inability of elected representatives to govern in either Gaza or the West Bank, and the suppression of the political opposition in both areas.

*Note:* The areas and total number of persons under Palestinian jurisdiction changed periodically during the year as a result of the fluid nature of Israel's military presence and activities in the West Bank and Gaza Strip.

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

1998	1999	2000	2001	2002	2003	2004	2005	2006	2007
5,6NF	5,6NF	5,6NF	5,6NF	5,6NF	5,6NF	5,6NF	5,5PF	4,6PF	5,6NF

**Overview:** Increased fighting between Hamas and Fatah in 2007 upended a newly formed Palestinian Authority (PA) government and led to Hamas's expulsion of Fatah-aligned political and security forces from the Gaza Strip. PA president and Fatah leader Mahmoud Abbas dissolved the Hamas-led government and appointed a new, West Bank-based government led by Salam Fayad. This fracturing of the PA was followed by crack-downs on the respective opposition forces in the Gaza Strip and the West Bank, with more severe restrictions in the former.

In the 1967 Six-Day War, Israel occupied the Sinai Peninsula, the West Bank, the Gaza Strip, East Jerusalem, and the Golan Heights. It annexed East Jerusalem in that year and the Golan Heights in 1981, though the Sinai was returned to Egypt. In what became known as the *intifada* (uprising), Palestinians living in the West Bank and Gaza began attacking mainly military targets in 1987 to protest Israeli rule. Israel and Yasser Arafat's Palestine Liberation Organization (PLO) reached an agreement in 1993 that provided for Israeli troop withdrawals and gradual Palestinian autonomy in the West Bank and Gaza in exchange for recognition of Israel and an end to Palestinian terrorism. The resulting Palestinian Authority (PA) subsequently obtained

full or partial control of up to 40 percent of the West Bank, more than 50 percent of the Gaza Strip, and 98 percent of the Palestinian population.

Far-reaching negotiations under U.S. sponsorship in 2000 and early 2001 failed to produce a final settlement on a Palestinian state. Meanwhile, a second intifada had begun in September 2000, and violence flared throughout the occupied territories. Rightist leader Ariel Sharon was elected Israeli prime minister in February 2001. Insisting that the PA was not preventing terrorism, his government responded to Palestinian suicide bombings by staging raids into PA territory. The operations targeted Islamist and secular militant groups but also caused the deaths of many civilians.

In April 2003, Israel and the Palestinians agreed to abide by a "road map" to peace put forward by the United States, Russia, the United Nations, and the European Union (EU). The plan called for coordinated Palestinian and Israeli steps toward peace and the eventual creation of an independent Palestinian state.

A PA presidential election was held in January 2005 to replace Arafat, who died in November 2004. The election, repeatedly postponed during Arafat's rule, was the second in the PA's history; the first voting for president and the Palestinian Legislative Council (PLC) had taken place in 1996. Mahmoud Abbas of Arafat's Fatah faction won the 2005 contest with 62 percent of the vote. In subsequent municipal voting in Gaza, the Islamist group Hamas won 77 out of 118 seats in 10 districts, to Fatah's 26 seats. In a second round of West Bank and Gaza municipal voting in May, Fatah won most municipalities, but Hamas posted impressive gains. Each group accused the other of fraud, and there was some election-related violence. Later that year, Israel unilaterally pulled all Jewish settlers out of Gaza, giving the PA full control within the territory.

PLC elections, which Abbas had postponed in 2005, were held in January 2006. Hamas won 74 of 132 seats, while Fatah won just 45. The results allowed Hamas to form a government without Fatah support. Hamas's popularity was due in large part to its network of health clinics and schools and its vow to fight corruption; its electoral gains were a significant challenge to the Fatah-dominated PA, which was widely viewed as corrupt. Israel, the United States, and the EU refused to recognize the Hamas-led government, citing the group's involvement in terrorism and its refusal to recognize Israel or past Israel-PA agreements. The United States and the EU, the largest donors to the PA before the elections, cut off assistance to the government.

After Hamas's ascent to power, armed clashes frequently broke out between Hamas and Fatah supporters. In February 2007, weeks of fighting between Hamas and Fatah culminated in a major outbreak of violence in Gaza, in which 20 people were killed and over 100 wounded within 24 hours. Later that month, Abbas and Prime Minister Ismail Haniya of Hamas agreed to form a "national unity" government in which key ministries were assigned to independent candidates. Nonetheless, Hamas- and Fatah-affiliated militias continued to clash, leaving scores dead in Gaza and, to a lesser extent, the West Bank. In May, the fighting in Gaza increased significantly, with Hamas and Fatah gunmen exchanging fire and staging violent raids on party-affiliated targets; over 50 Palestinians, including civilians, were killed. A ceasefire between the two sides was short-lived, and by early June, Hamas militants had successfully taken over Fatah strongholds—including paramilitary bases and government buildings—in the territory and driven most Fatah militants to the West Bank. Thousands of Gazans, particularly those loyal to Fatah, fled the terri-



tory during the fighting. Abbas subsequently dismissed the Hamas-led government, declared a state of emergency, and accused Hamas of staging a coup in Gaza. He appointed an emergency cabinet led by former finance minister Salam Fayad. These events left a bifurcated PA, with Haniya and Hamas governing Gaza and Abbas and Fayad governing the Palestinian-administered areas of the West Bank.

Fayad's Hamas-free government in the West Bank received widespread support from Western countries and recognition by Israel. The United States and the EU renewed aid flows, while Israel released millions of dollars in PA tax revenues. The Gaza-based institutions controlled by Hamas were excluded from accessing these funds. Moreover, peace negotiations between Israel and Abbas accelerated following the fracturing of the PA. A series of confidence-building measures—including the release of hundreds of Palestinian prisoners held in Israel—preceded both sides' participation in a U.S.-brokered peace conference in late November. The conference culminated in a joint pledge by Abbas and Israeli prime minister Ehud Olmert to begin final status negotiations on a Palestinian state and try to complete them by the end of 2008. The agreement was immediately rejected by Hamas. In December, Hamas proposed a ceasefire and talks with Israeli officials. Despite the support of some government ministers, Olmert rejected the offer unless Hamas recognized Israel.

Following the Hamas takeover of the Gaza Strip in June, Israel closed down its borders with the territory. Food deliveries were permitted for the remainder of the year, but Israel shut off almost all fuel deliveries, leaving most Gazans with only sporadic electricity. In August, the EU similarly halted fuel aid to Gaza, citing Hamas's plans to generate revenue by taxing electricity bills. The following month, Israel declared the Gaza Strip a "hostile entity" in response to the continued barrage of Qassam rockets from the area. The classification would have allowed Israel to cut off all utility supplies to Gaza short of causing a humanitarian crisis; however, the declaration was suspended by the Israeli attorney general on legal grounds. In November, the Israeli Supreme Court ruled that the government could continue to restrict fuel supplies as a legal economic sanction against Hamas, but found that the government's plans for electricity cutbacks were too vague to ensure minimal humanitarian impact. In August, the United Nations warned that Israeli border restrictions had almost completely stalled Gaza's economy, leaving the territory dependant on international aid.

### **Political Rights**

#### **and Civil Liberties:**

The Palestinian Authority (PA) president is elected to five-year terms, and international observers judged the 2005 presidential election to be generally free and fair. The unicameral Palestinian Legislative Council (PLC) was expanded from 88 to 132 representatives ahead of the legislative elections in 2006. The prime minister is nominated by the president. Under agreements with Israel, the PLC has no real authority over borders or defense policy. Laws governing Palestinians in the occupied territories derive from Ottoman, British Mandate, Jordanian, Egyptian, and PA law, as well as Israeli military orders.

In the January 2006 PLC elections, at least five parties competed in addition to the dominant Hamas and Fatah. The armed faction Islamic Jihad did not participate and urged its followers to boycott the vote. While the elections were deemed largely fair by international observers, there were credible reports of the use of PA resources

for the benefit of Fatah candidates, as well as campaigning by Hamas candidates in mosques, in violation of the PA's electoral rules. Some voters reported encountering difficulty in reaching polling stations because of Israeli roadblocks, though Israel was generally credited with allowing relatively free access during the elections.

The fracturing of the PA between the Hamas-controlled Gaza Strip and the Fatah-controlled West Bank in 2007 resulted in a decline in political rights, as elected officials on both sides were prevented from holding office and performing related duties. Hamas forcibly expelled Fatah officials from the Gaza Strip, while President Mahmoud Abbas appointed a new PA cabinet in the West Bank, creating an unelected authority in that territory. Abbas's calls for new PLC elections were rejected by Hamas throughout 2007.

Palestinian residents of the West Bank, Gaza, and East Jerusalem do not have the right to vote in national elections in Israel. Arabs in East Jerusalem who hold Israeli identity cards can vote in the city's municipal elections and in PA elections. However, Israeli authorities restricted PLC campaigning in East Jerusalem to parties that registered with the Israeli police, effectively excluding Hamas.

Transparency and the consolidation of PA finances became priorities in the wake of Yasser Arafat's death in 2004, due to rampant corruption during his presidency. Abbas instituted budget controls, ended the old system of cash handouts to political loyalists and members of security services, and launched a widespread corruption probe in 2005. While the Hamas-led government that took control following the 2006 PLC elections expressed a willingness to subject itself to budgetary oversight, many foreign governments were nonetheless reluctant to contribute money out of concern that it would be used for terrorist operations. Prime Minister Salam Fayad, who was appointed by Abbas after the PA schism in 2007, is highly regarded for his commitment to transparent government. Transparency International did not rank Palestine in its 2007 Corruption Perceptions Index.

A 1996 law passed by the PLC that guarantees freedom of expression has yet to be ratified. The media are not free in the West Bank and Gaza, and press freedom continued to suffer in 2007. Under a 1995 press law, journalists may be fined and jailed, and newspapers closed, for publishing "secret information" on PA security forces or news that might harm national unity or incite violence. However, another press law stipulates that intelligence services do not reserve the right to interrogate, detain, or arrest journalists on the basis of their work. Several small media outlets are routinely pressured to provide favorable coverage of the PA, Fatah, or Hamas. Arbitrary arrests, threats, and the physical abuse of journalists critical of the PA or the dominant factions are routine. In January 2007, the Gaza offices of the Dubai-based Al-Arabiya satellite television channel were bombed after a controversial report on Prime Minister Ismail Haniya of Hamas. Official PA radio and television have been considered government mouthpieces, though Hamas-Fatah infighting has made the Palestinian Broadcasting Corporation an occasional target of Hamas gunmen. According to the International Telecommunication Union, 160,000 Palestinians had access to the internet as of 2004.

Several journalists have been kidnapped by militants over the course of the current intifada, including three in 2007. Most notably, British Broadcasting Corporation (BBC) correspondent Alan Johnston was captured in March near the Kami crossing in Gaza by Army of Islam gunmen; following a number of international and

Palestinian interventions, Johnston was released in July. The upsurge in fighting between Hamas and Fatah featured increased attacks on journalists in PA-controlled areas. Hamas gunmen attacked Fatah-affiliated and PA broadcast stations in Gaza, while Hamas-affiliated stations were threatened by Fatah gunmen in the West Bank. Eight news outlets and 15 journalists were reportedly attacked—and 2 journalists were killed—during the fighting. In June, Hamas gunmen raided the Gaza office of the Palestinian Journalists' Syndicate; the union was subsequently dissolved in the territory. Hamas later banned all journalists not accredited by the Information Ministry, closed down Gaza outlets that were not affiliated with Hamas, and began enforcing the restrictive 1995 PA press law. Several journalists were arrested in Gaza during Hamas crackdowns on Fatah rallies in the second half of the year; meanwhile, Fatah forces continued to harass and attack Hamas-affiliated media in the West Bank.

The PA generally respects freedom of religion, though no law specifically protects religious expression. The basic law declares Islam to be the official religion of Palestine and also states that "respect and sanctity of all other heavenly religions [that is, Judaism and Christianity] shall be maintained." Personal status law, which governs marriage and divorce, is based on religious law; for Muslims, it is derived from Sharia (Islamic law), and for Christians, from ecclesiastical courts. Some Palestinian Christians have experienced intimidation and harassment by radical Islamist groups and PA officials. Following remarks made in September 2006 by Pope Benedict XVI about Islam and the prophet Muhammad, churches and Christian institutions in the Gaza Strip received bomb threats.

The PA has authority over all levels of education. Some Palestinian schools teach hatred of Israel. Israeli military closures, curfews, and the West Bank security barrier restrict access to Palestinian academic institutions. Israeli authorities have at times shut universities, and schools have been damaged during military operations. Throughout the intifada, schoolchildren have periodically been injured or killed during fighting.

The PA requires permits for rallies and demonstrations and prohibits violence and racist sloganeering. Nevertheless, large rallies, often marked by violent rhetoric, are regular occurrences in Palestinian areas. Following the Hamas takeover of Gaza in 2007, freedoms of assembly and association were significantly restricted there, with security forces violently dispersing public gatherings of Fatah and other groups, killing a number of people. In August, a protest against Hamas was dispersed and several people arrested after Hamas banned all demonstrations not permitted by the Interior Ministry. Seven people were killed and 80 wounded during a November rally to commemorate the death of Arafat. In December, Hamas banned opposition rallies commemorating the 43rd anniversary of Fatah's founding. There are a broad range of Palestinian nongovernmental organizations and civic groups, and Hamas itself operates a large network providing social services to certain Palestinians.

Labor affairs in the West Bank and Gaza are governed by a combination of Jordanian law and PA decisions. Workers may establish and join unions without government authorization. Palestinian workers seeking to strike must submit to arbitration by the PA Labor Ministry. There are no laws in the PA-ruled areas to protect the rights of striking workers. Palestinian workers in Jerusalem are subject to Israeli labor law.

The judicial system is not independent. While the PA unveiled a draft constitution in April 2003, neither Arafat nor Abbas endorsed it. Palestinian judges lack proper training and experience. Israeli demands for a crackdown on terrorism have given rise to state security courts, which lack almost all due process rights. There are reportedly hundreds of administrative detainees currently in Palestinian jails and detention centers. The same courts are also used to try those suspected of collaborating with Israel or accused of drug trafficking. Defendants are not granted the right to appeal sentences and are often summarily tried and sentenced to death. According to the Palestinian Human Rights Monitoring Group, alleged collaborators are routinely tortured in Palestinian jails and denied the right to defend themselves in court. These practices are not prohibited under Palestinian law.

Armed factions continued to exercise de facto rule over significant portions of PA-administered areas in 2007. News reports identified at least five autonomous armed militias operating in PA territory; frequent and violent clashes occurred between Hamas and Fatah gunmen. In November, PA security forces began a large-scale crackdown on armed groups in the West Bank, including Hamas-allied groups. Violence between Palestinians and Israeli settlers in the West Bank is common.

The intifada and Israeli restrictions have exacted a serious toll on the Palestinian economy in recent years. Citing security concerns, Israel barred most Gazan workers from entering Israel beginning in March 2006. Israel has traditionally been the primary market for Gazan goods. The Kami crossing, through which commercial supplies entered Gaza, was often closed in 2007. Following the Hamas takeover of the Gaza Strip in June, Israel sealed its borders with the territory, although food deliveries were allowed for the remainder of the year. The halt to almost all fuel deliveries to Gaza left most residents with only sporadic electricity. As a result of the Fatah-Hamas violence and Israeli closures, thousands of Gazans were stranded outside the territory, mostly in Egypt; they began returning in July.

While Palestinian women are underrepresented in most professions and encounter discrimination in employment, they have fuller access to higher education. A political quota system was instituted in 2005, mandating that women be represented on each party's list for PLC elections. Personal status law, derived in part from Sharia, puts women at a disadvantage in matters of marriage, divorce, and inheritance. Rape, domestic abuse, and "honor killings," in which women who are raped or engage in extramarital sex are murdered by a relative, are not uncommon. In 2006, 17 women in the PA are reported to have been victims of honor killings; according to a report by the Palestinian Centre for Human Rights, such killings have risen in Gaza in 2007. These murders often go unpunished. Human Rights Watch released a report in November 2006 citing widespread abuse of women in Palestinian society, with reference to instances of rape victims being forced to marry assailants, and light sentences for honor killings. The report pointed out that women's treatment in instances of rape or abuse is increasingly determined by tribal leaders or PA-appointed governors, and not by the courts, a situation that Human Rights Watch said leads to arbitrary decisions. The report urged the PA to make the protection of women a top priority; in October 2007, the PA Ministry of Women's Affairs found that legal options for victims of domestic abuse were extremely limited.

## Moldova

### Transnistria

**Population:** 700,000

**Political Rights:** 6

**Civil Liberties:** 6

**Status:** Not Free



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

1998	1999	2000	2001	2002	2003	2004	2005	2006	2007
6,6NF	6,6NF	6,6NF	6,6NF	6,6NF	6,6NF	6,6NF	6,6NF	6,6NF	6,6NF

#### Overview:

**Reports in April 2007 that bilateral Moldovan-Russian talks had yielded a draft proposal for a final settlement of Transnistria's status prompted fresh calls for a resumption of multilateral negotiations. The reported draft was seen as favoring Russian and Transnistrian interests. In June, Transnistria released the last of four men who had been held on terrorism charges since 1992 but were regarded as political prisoners by the international community.**

The Pridnestrovskaaia Moldavskaaia Respublica (PMR), bounded by the Dniester River to the west and the Ukrainian border to the east, is a breakaway region in eastern Moldova with a large population of ethnic Russians and ethnic Ukrainians. In the rest of Moldova, where the dominant language is nearly identical to Romanian, the separatist region is called Transnistria. It was attached to the territory that became Moldova when the borders were redrawn under Soviet leader Joseph Stalin in 1940. As the Soviet Union began to collapse in 1990, pro-Russian separatists in Transnistria, fearing that Moldova would join neighboring Romania, declared independence and established the PMR under an authoritarian presidential system.

With weapons and other assistance from the Russian army, the PMR leadership fought a military conflict with Moldova that ended with a 1992 ceasefire. A new Moldovan constitution in 1994 gave the territory substantial autonomy, but the conflict remained unresolved. The separatist regime was strong enough to resist absorption by Moldova, yet too weak to gain international recognition; it is not recognized by any independent state.

The Organization for Security and Cooperation in Europe (OSCE), Russia, and Ukraine have attempted to mediate a final settlement between Moldova and the PMR. They also participate in the Joint Control Commission that monitors compliance with the 1992 ceasefire. In September 2005, the United States and the European Union (EU) were invited to join the negotiations as observers.

The lingering presence in Transnistria of more than 1,000 Russian soldiers and a supply of Russian weapons has further complicated matters. Despite a 1999 pledge to withdraw its forces by 2002, Russia has since resisted pulling out until a final

settlement of the region's status is reached. In May 2006, Russia reiterated that its troops would remain in Transnistria for the foreseeable future. Moldovan president Vladimir Voronin and the Moldovan Parliament have both called for the soldiers to be withdrawn.

Settlement negotiations have made little progress over the past several years. Moldova rejected a Russian-backed federalization plan in November 2003 after it drew public protests. The latest round of multilateral talks collapsed in early 2006. Transnistrian referendum voters in September 2006 overwhelmingly backed a course of independence with the goal of eventually joining Russia, although the legitimacy of the vote was not recognized by Moldova or the international community.

In April 2007, the U.S.-based Jamestown Foundation reported that bilateral talks between Voronin and Russian officials, conducted quietly since the multilateral talks broke down the year before, had resulted in a draft proposal that would give Transnistria significant autonomy and power within a reunited Moldova. The reported proposal would also require Moldova to remain neutral, preventing it from joining alliances like NATO. The news prompted fresh calls for a return to multilateral negotiations. Voronin insisted that he was eager to resume the wider talks, and in October offered to hold direct talks with Transnistria. PMR president Igor Smirnov rejected that offer.

Commentators have pointed out that Transnistria has little economic incentive to join Moldova, Europe's poorest country. Most of Moldova's industrial infrastructure is within Transnistria's borders, although economic isolation limits its potential. Ukraine in early 2006 agreed to require that all goods imported from Transnistria be cleared by Moldovan customs officers, and the EU has established a program to help Ukraine control smuggling along the Transnistrian border.

### **Political Rights**

**and Civil Liberties:** Residents of Transnistria cannot elect their leaders democratically, and they are unable to participate freely in Moldovan elections. While the PMR maintains its own legislative, executive, and judicial branches of government, no country recognizes its sovereignty. Both the president and the 43-seat, unicameral Supreme Council are elected to five-year terms. Having won reelection in December 2006 with 82 percent of the vote, Igor Smirnov is now serving his fourth term as president, and he has said that he will not step down until Transnistria is independent. The international community has generally considered the presidential and parliamentary elections held since 1992 to be neither free nor fair, although they have not been monitored.

Opposition presidential candidates have often been barred from participating on technical grounds. In December 2005 parliamentary elections, the opposition group *Obnovlenye* (Renewal)—backed by Transnistria's dominant business conglomerate, Sheriff Enterprises—won 23 of the 43 seats, defeating Smirnov's ruling Republica Party, which took 13. *Obnovlenye* leader Yevgeny Shevchuk seeks business-oriented reforms, and has been accused of taking a softer line on Moldova, but his party supports PMR independence. Shevchuk became speaker of parliament after the elections, but the parliament has traditionally held very little power. Native Moldovan speakers are not represented in government and are under constant political pressure. PMR authorities prevented voters in the village of Corjova, which recognized the Moldovan government, from participating in Moldova's June 2007

local elections. A Corjova mayoral candidate was arrested before the vote, apparently for possession of Moldovan electoral documents.

Corruption and organized crime are serious problems in Transnistria. The authorities are entrenched in the territory's economic activities, which rely in large part on smuggling schemes designed to evade Moldovan and Ukrainian import taxes. Moldova has also accused Transnistria of illicitly exporting large quantities of drugs and weapons, although officials from the EU and the OSCE have argued that such charges are exaggerated. Russia has a growing stake in the Transnistrian economy and supports the PMR through loans, direct subsidies, and low-cost natural gas. Transnistria is not listed separately on Transparency International's 2007 Corruption Perceptions Index.

The media environment is restrictive, and the few independent print outlets have small circulations. Critical reporting draws harassment by the authorities, who also use tactics such as bureaucratic obstruction and the withholding of information to inhibit independent media. The independent newspaper *The Individual and His Rights* has experienced intimidation and violent attacks. Journalists exercise a certain amount of self-censorship. Nearly all media are state owned or controlled, and such outlets do not criticize the authorities. Sheriff Enterprises dominates the limited private broadcasting, cable television, and internet access. There were no reports of censorship of internet content.

Religious freedom is restricted. A locally administered census in 2005 found that more than 80 percent of Transnistrians identify themselves as Orthodox Christians. Authorities have denied registration to other religious groups, and Jehovah's Witnesses are regularly arrested. Unregistered groups have difficulty renting space for prayer meetings and face harassment.

Although several thousand students study Moldovan using the Latin script, this practice is restricted. The Moldovan language and Latin alphabet are associated with support for unity with Moldova, while Russian and the Cyrillic alphabet are associated with separatist goals. In 2005, the OSCE reported that parents who send their children to schools using Latin script continue to face harassment from the security services.

The authorities severely restrict freedom of assembly and rarely issue required permits for public protests. In March 2007, five leaders of the opposition Communist Party were arrested for attempting to mount an unauthorized protest over rising utility prices and delays in pension and salary payments. Freedom of association is similarly circumscribed. All nongovernmental activities must be coordinated with local authorities, and groups that do not comply face harassment, including visits from security officials. In 2006, authorities banned foreign financing for nongovernmental groups involved in political activity. The region's trade unions are holdovers from the Soviet era, and the United Council of Labor Collectives works closely with the government.

The judiciary is subservient to the executive and implements the will of the authorities. Defendants do not receive fair trials, and the legal framework falls short of international standards. Politically motivated arrests and long-term detentions are common. Human rights groups have received accounts of torture in custody. Politically motivated killings and police harassment have also been reported, and prisoners are frequently denied access to lawyers. Prison conditions are considered harsh,

and the facilities are severely overcrowded. In June 2007, PMR officials released the last two of a group of four men regarded internationally as political prisoners. They were members of the Christian Democratic People's Party who opposed Transnistrian independence, and had been held as terrorists since 1992, reportedly enduring torture and regular beatings. The first two of the four had been released in 2001 and 2004, and the European Court of Human Rights had ordered the remaining men to be freed as well.

In July and August 2006, two bombing incidents aboard Tiraspol public transportation vehicles killed eight and two people, respectively. A man was sentenced in March 2007 to 20 years in prison for the August bombing; he was allegedly preparing to attack a former employer when the bomb detonated prematurely. Two brothers were sentenced in October 2007 to 9 and 10 years in prison for making and selling the July bomb, which reportedly killed the woman who had purchased it as she was transporting it. No motive was disclosed by the court. PMR officials had initially speculated that Moldovan security forces were responsible for the blasts.

Authorities discriminate against ethnic Moldovans, who make up about 40 percent of the population. It is believed that ethnic Russians and Ukrainians together comprise a slim majority, and many hold Russian or Ukrainian citizenship.

Domestic violence against women is a problem, and women are underrepresented in most positions of authority. Transnistria is a source and transit point for trafficking in women for the purpose of prostitution. Homosexuality is illegal in Transnistria.

## Morocco

### Western Sahara

**Population:** 500,000

**Political Rights:** 7

**Civil Liberties:** 6

**Status:** Not Free



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

1998	1999	2000	2001	2002	2003	2004	2005	2006	2007
7,6NF	7,6NF	7,6NF	7,6NF	7,6NF	7,6NF	7,6NF	7,6NF	7,6NF	7,6NF

**Overview:** The pro-independence Polisario Front and the Moroccan government in 2007 held two rounds of direct talks in the United States about Western Sahara's fate. The Moroccan government also proposed a plan for Sahrawi autonomy but remained steadfast in its refusal to entertain the idea of independence. The two U.S. meetings did not produce any concrete results, and additional talks were planned for early 2008. Meanwhile, the situation on the ground for Sahrawis remained largely unchanged.



Western Sahara was ruled by Spain for nearly a century until Spanish troops withdrew in 1976, following a bloody guerrilla conflict with the pro-independence Polisario Front. Mauritania and Morocco both ignored the Polisario's aspirations and claimed the resource-rich region for themselves, agreeing to a partition in which Morocco received the northern two-thirds. However, Polisario proclaimed an independent Sahrawi Arab Democratic Republic and continued its guerrilla campaign. Mauritania renounced its claim to the region in 1979, and Morocco filled the vacuum by annexing the entire territory.

Moroccan and Polisario forces engaged in a low-intensity conflict until the United Nations brokered a ceasefire in 1991. The agreement called for the residents of Western Sahara to vote in a referendum on independence the following year, to be supervised by the newly established UN Mission for a Referendum in Western Sahara (MINURSO). However, the vote never took place, with the two sides disagreeing about who was eligible to participate.

Morocco tried to bolster its annexation by offering financial incentives for Moroccans to move to Western Sahara and for Sahrawis to move to Morocco. The Moroccan ruler repeatedly visited the territory and made declarative speeches about its historical connection to his kingdom. Morocco has also used more coercive measures to assert its control, engaging in forced resettlements of Sahrawis and detaining pro-independence activists. The Moroccan government's conduct in recent years has been less oppressive, but its human rights record with regard to the Western Sahara occupation remains poor.

In 2004, the Polisario accepted the UN Security Council's Baker plan (named after UN special envoy and former U.S. secretary of state James Baker), which called for up to five years of autonomy followed by a referendum on the territory's status. However, Morocco rejected the plan, and Baker himself has said that Morocco is not interested in implementing any plan that could eventually lead to independence.

Morocco in 2007 offered an autonomy plan as an alternative to the scuttled Baker proposal, apparently attempting to demonstrate its willingness to compromise. However, the Moroccan government continued to rule out independence, even as the Polisario remained committed to an eventual referendum on the question. Because of this impasse, the two sides failed to make substantial progress in two rounds of talks in the United States during the year. Additional negotiations were planned for early 2008.

**Political Rights and Civil Liberties:** As the occupying force in Western Sahara, Morocco controls local elections and works to ensure that independence-minded leaders are excluded from both the local political process and the Moroccan Parliament.

Western Sahara is not listed separately on Transparency International's Corruption Perceptions Index, but corruption is believed to be at least as much of a problem as it is in Morocco.

According to the Moroccan constitution, the press is free, but in practice this is not the case. There is little in the way of independent Sahrawi media. Moroccan authorities are sensitive to critical reporting that contradicts the state's position on Western Sahara, and will expel or detain Sahrawi, Moroccan, and foreign reporters who cross the line. Online media and independent satellite broadcasts are largely unavailable to the impoverished population.

Nearly all Sahrawis are Sunni Muslims, as are most Moroccans, and Moroccan authorities generally do not impede their freedom of worship. There are no major universities or institutions of higher learning in Western Sahara.

Sahrawis are not permitted to form independent political organizations, and their freedom of assembly is greatly restricted. Moroccan authorities regularly use force when quelling demonstrations and riots in Sahrawi towns and villages. In 2007, there were fewer cases of violent crackdowns on demonstrators. Sahrawis are technically subject to Moroccan labor laws, but there is little organized labor activity in the poverty-stricken region.

Particularly during the 1961-99 reign of Morocco's King Hassan II, Sahrawis who opposed the regime were summarily detained, killed, tortured, and "disappeared" by the thousands. While the situation has improved since the 1991 ceasefire and the coronation of King Mohamed VI, pro-independence Sahrawis are still are detained, harassed, threatened, and in some cases tortured.

International human rights groups have criticized Morocco's human rights record in Western Sahara for decades. A highly critical September 2006 report by the UN High Commissioner for Human Rights—intended to be distributed only to Algeria, Morocco, and the Polisario—was leaked to the press that October. The human rights situation in the territory tends to worsen during periods of increased demonstrations against Moroccan rule, as was the case in 2005. For their part, the Polisario have also been accused of disregarding human rights.

Morocco and the Polisario both restrict free movement in potential conflict areas. Morocco has been accused using force and financial incentives to alter the composition of Western Sahara's population.

Sahrawi women face much of the same cultural and legal discrimination as Moroccan women. Conditions are generally worse for women living in rural areas, where poverty and illiteracy rates are higher.

## Pakistan Kashmir

**Population:** 5,000,000

**Political Rights:** 7

**Civil Liberties:** 5

**Status:** Not Free



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

1998	1999	2000	2001	2002	2003	2004	2005	2006	2007
-	-	-	-	7,5NF	7,5NF	7,5NF	7,5NF	7,5NF	7,5NF

### Overview:

Although Pakistan and India maintained cordial relations in 2007, they made little substantive progress on resolv-

ing the status of Kashmir. Meanwhile, the Pakistani government continued to face demands for increased political rights from nationalist and pro-independence Kashmiri groups in Pakistani-controlled Kashmir, which consisted of two administrative units—Azad Kashmir and the Northern Areas. Pakistani president Pervez Musharraf proposed changes to the Northern Areas Legislative Council in October that would moderately increase the council's power while maintaining significant federal control. However, the reforms had not been implemented by year's end due to Pakistan's own political crisis, leaving political rights in the territory severely limited. The broader crisis was felt in Kashmir, as several opposition leaders were detained and some protesters clashed with police after Pakistani opposition leader Benazir Bhutto's assassination in December. Though arms continued to flow into the area, there were no reported incidents of serious sectarian violence between Sunni and Shia Muslim groups, unlike in previous years. Recovery and reconstruction efforts pertaining to the region's devastating 2005 earthquake made progress in 2007, particularly in housing provision.

For centuries, Kashmir was ruled by Afghan, Sikh, and local strongmen. In 1846, the British seized control of the territory and sold it to the Hindu maharajah of the neighboring principality of Jammu, who later incorporated surrounding areas into the new princely state of Jammu and Kashmir. When British India was partitioned into India and Pakistan in 1947, Maharajah Hari Singh tried to maintain Jammu and Kashmir's independence, but eventually ceded it to India in return for autonomy and future self-determination.

Within months, India and Pakistan went to war over Kashmir. As part of a UN-brokered ceasefire in January 1949 that established the present-day boundaries, Pakistan gained control of roughly one-third of Jammu and Kashmir. India retained most of the Kashmir Valley along with Jammu and Ladakh. Unlike India, Pakistan never formally annexed the portion of Kashmir under its control. The Karachi Agreement of April 1949 divided Pakistani-administered Kashmir into two distinct entities—Azad (Free) Kashmir and the Northern Areas. Pakistan retained direct administrative control over the Northern Areas, while Azad Kashmir was given a larger degree of nominal self-government.

A legislative assembly was set up for Azad Kashmir in 1970, and the 1974 interim constitution established a parliamentary system headed by a president and a prime minister. Nevertheless, Islamabad's influence over the electoral process and governance of the region remained strong. Three rounds of elections have taken place for the assembly, though few observers consider them free and fair. Azad Kashmir People's Party (AKPP) and the Muslim Conference (MC) are the two main parties contesting the leadership. In the 1996 elections, AKPP emerged with a majority of seats after the MC boycotted the voting amid accusations of fraud. In 2001, the MC won the elections, but within weeks Pakistani leader General Pervez Musharraf installed his own choice of president, former general Sardar Muhammad Anwar Khan. In 2006, 369 candidates from 15 parties contested the 41 directly elected seats, of which the MC won a majority. MC candidate Raja Zulqarnain Khan emerged as president, and MC leader Sardar Attique Ahmed Khan became prime minister following Musharraf's nomination.

The lack of political representation in the Northern Areas has fueled demands

for both formal inclusion within Pakistan and self-determination. In 1999, the Pakistani Supreme Court directed the government to act within six months to give the Northern Areas an elected government with an independent judiciary and to extend fundamental rights to the area's residents. The Pakistani government then announced a package that provided for an appellate court and an expanded and renamed Northern Areas Legislative Council (NALC). Elections to the NALC were held in October 2004, but the body continues to have few real fiscal and legislative powers despite ongoing calls for reform. The Musharraf-backed Pakistan Muslim League (Quaid-i-Azam) party dominated the NALC as of 2007, while the Pakistan People's Party (PPP) served as the main "opposition."

Militant groups that had been active in Azad Kashmir expanded their presence in the Northern Areas during the Kargil conflict between Indian and Pakistani-backed forces in 1999, with many of them, including al-Qaeda, establishing bases in the region. Extremist groups that receive patronage from the Pakistani military also continue to operate in both Azad Kashmir and the Northern Areas, regularly infiltrating into the Indian-controlled section. Although infiltration into Indian-administered Kashmir has declined since 2004, neither the militant groups nor the Pakistani military has abandoned this tactic altogether. In February 2007, following international pressure, law enforcement agencies took steps to curb Islamist activities in the region, closing the Gilgit offices of the Al-Akhtar Trust, listed by the United Nations as a financial facilitator for terrorist groups, including al-Qaeda. Meanwhile, tension between Islamist pro-Pakistan groups and pro-independence Kashmiri groups has also reportedly intensified.

While the Pakistani authorities have readily provided support to armed militants fighting in India, they have been less tolerant of groups that espouse Kashmiri self-determination, including primarily the All Parties National Alliance (APNA), a conglomerate of 12 small pro-independence Kashmiri groups. Nationalist and pro-independence groups in Pakistani-administered Kashmir, including the Jammu and Kashmir Liberation Front (JKLF), the Gilgit-Baltistan United Movement, and others, continued in 2007 to agitate for increased political representation. In October 2007, Musharraf proposed a number of reforms to the governance structure for the Northern Areas, but most groups rejected them as insufficient, saying they lacked a solid constitutional foundation and guarantees of judicial independence. By year's end, the imposition of a state of emergency in Pakistan on November 3, which led to widespread restrictions on political rights as well as the postponement of planned legislative elections, had led to a worsening of political freedom in Azad Kashmir, while Musharraf's planned reforms for the Northern Areas were put off indefinitely.

Talks between India and Pakistan over the ultimate status of Kashmir, as well as other confidence-building measures, have occurred regularly since a ceasefire was instituted in 2003. In 2005, a bus service across the Line of Control (LOC) was launched, linking the capitals of Indian and Pakistani Kashmir and allowing some Kashmiri civilians to reunite with family members. In 2007, talks and periodic high-level meetings continued, but little progress was made toward a comprehensive resolution to the dispute.

The appropriation of land in the Northern Areas by non-Kashmiri migrants from elsewhere in Pakistan, with the tacit encouragement of the federal government and army, has led to dwindling economic opportunities for the local population and an

increase in sectarian tension between the majority Shia Muslims and a growing number of Sunnis. Ethnic violence first erupted in 1988, with riots in Gilgit that killed at least 150 people, and it continues to be a concern. According to the International Crisis Group (ICG), between June 2004 and October 2005 as many as 100 people died in sectarian violence that broke out over a government decision to introduce a new educational curriculum. The situation improved somewhat in subsequent years after a group of religious leaders drew up a peace agreement and the authorities cracked down on extremist groups. Sporadic attacks continued to occur, however, and the ICG noted a recent escalation of religious rhetoric and a growing amount of sophisticated weaponry pouring into the area.

In October 2005, Pakistani-administered Kashmir and parts of Indian-administered Kashmir, Afghanistan, and Pakistan were hit by a major earthquake. At least 88,000 people were killed, 100,000 were injured, and several million were left homeless, most in Pakistani Kashmir. Initial reconstruction efforts were marred by allegations of corruption and political sensitivities that delayed assistance to those in need. However, international aid agencies cited a marked improvement in relief efforts in 2007, particularly regarding housing. On the two-year anniversary of the earthquake, the United Nations estimated that 150,000 homes had been rebuilt and 200,000 more would be completed by mid-2008. Nonetheless, 60,000 families reportedly remained homeless, while the rebuilding of schools and restoration of public services was painfully slow, and inflation in the prices of building materials decreased the value of reconstruction grants to local residents.

**Political Rights and Civil Liberties:** The political rights of the residents of Pakistani-administered Kashmir remain severely limited. Neither the Northern Areas nor Azad Kashmir has representation in Pakistan's national Parliament. The Northern Areas are directly administered by the Pakistani government under the Legal Framework Order of 1994; the region is not included in the Pakistani constitution and has no constitution of its own, meaning there is no fundamental guarantee of civil rights, democratic representation, or the separation of powers. Executive authority is vested in the minister for Kashmir affairs, a civil servant appointed by Islamabad. A 36-seat Northern Areas Legislative Council (NALC)—of which 24 seats are filled through direct elections and six each are reserved for women and technocrats from each district—serves in an advisory capacity and has no authority to change laws or control revenue. Elections to the NALC were held in 2004, with independent candidates and representatives of national political parties winning seats. In October 2007, Pakistani president Pervez Musharraf announced a package of reforms that would change the NALC into the Northern Areas Legislative Assembly, devolving fiscal and legislative powers to locally elected politicians. The package would also allow for the election of a chief executive accountable to the assembly, but it would maintain federal control over the judiciary and the top executive post of "chairman." The region would continue to be administered under the Legal Framework Order rather than a constitutional framework like in Azad Kashmir, thus still falling short of compliance with a 1999 Supreme Court ruling on the issue. At year's end, Pakistan's broader political crisis cast doubt on the future of the proposed reforms.

Azad Kashmir has an interim constitution, an elected unicameral assembly, a

prime minister, and a president who is elected by the legislative assembly. Both the president and the assembly serve five-year terms. Of the 49 assembly seats, 41 are filled through direct elections and 8 are reserved seats (5 for women and 1 each for representatives of overseas Kashmiris, technocrats, and religious leaders). However, Pakistan exercises considerable control over the structures of government and electoral politics. Islamabad's approval is required to pass legislation, and the minister for Kashmir affairs handles the daily administration of the state and controls the budget. The Pakistani military retains a guiding role on issues of politics and governance.

As detailed by Human Rights Watch (HRW) in a 2006 report on the region, individuals and political parties who do not support Kashmir's accession to Pakistan are barred from participating in the political process, standing for election, taking a job with any government institution, or accessing educational institutions. At least 60 pro-independence candidates who belonged to the JKLF, the APNA, and smaller political parties were barred from participating in the July 2006 Azad Kashmir legislative assembly elections. Overall, HRW noted that the election process was flawed and "greeted with widespread charges of poll rigging by opposition political parties and independent analysts." However, unlike the 2001 elections, the polls featured few instances of physical violence and harassment—aside from threats—against candidates or their supporters, possibly because of the greater international presence in the wake of the earthquake. In general, antiaccession parties and individuals are subject to surveillance, harassment, and sometimes imprisonment by Pakistani intelligence and security services.

In 2007, the political crisis in Pakistan reverberated in Kashmir. Chaudhry Majeed, the PPP president for Azad Kashmir, and other party activists were briefly detained in November following Musharraf's declaration of a state of emergency, with some placed under house arrest for 30 days. In December, demonstrators clashed with police, burned tires, and blocked roads in antigovernment protests after the assassination of PPP leader and former prime minister Benazir Bhutto, but there were no reported injuries.

Azad Kashmir receives a large amount of financial aid from the Pakistani government, especially following the 2005 earthquake, but successive administrations have been tainted by corruption and incompetence. A lack of official accountability has been identified as a key factor in the poor socioeconomic development of both Azad Kashmir and the Northern Areas. Pakistani-controlled Kashmir was not rated separately in Transparency International's 2007 Corruption Perceptions Index.

The Pakistani government uses the constitution and other laws to curb freedom of speech on a variety of subjects, including the status of Kashmir and incidents of sectarian violence. In recent years, authorities have banned several local newspapers from publishing and have detained or otherwise harassed Kashmiri journalists. In March 2007, the government suspended its advertisements in publications by the Dawn English-language media group after it reported on a possible resurgence of official support for militants in Kashmir. In April 2007, Dawn reported that the editor and publisher of the banned monthly *Kargil International* magazine were indicted on sedition and defamation charges for publishing a pro-independence article in 2004. In addition to pressure and threats from the authorities, journalists have been known to face harassment and attacks from nonstate actors, though no such

incidents were reported in 2007. During the state of emergency imposed on the rest of Pakistan in November 2007, cable operators in Kashmir were instructed to suspend broadcasts of most national and international news channels.

Internet access is not usually restricted but remains confined to urban centers. Deliberately limited telephone and mobile phone access has been expanded in the wake of the 2005 earthquake. The presence of foreign media and aid organizations has also helped to partially open up a tightly controlled information environment. Books that do not adequately adhere to a proaccession stance are regularly banned, according to HRW.

Pakistan is an Islamic republic, and there are numerous restrictions on religious freedom. Religious minorities also face unofficial economic and societal discrimination and are occasionally subject to violent attack. Shia Muslims, who form the majority of the population in the Northern Areas, include a large number of Ismailis, a group that follows the Aga Khan. Sectarian strife between Shiites and the increasing number of Sunni Muslims (many of whom are migrants from elsewhere in Pakistan) first became a concern in 1988 and continues to be a problem. In 2005, several waves of sectarian violence killed almost 100 people and led to a month-long curfew. Sporadic attacks continued to take place during 2006, including the destruction by fire of an Ismaili place of worship, but no violent incidents were reported in 2007.

Freedoms of association and assembly are restricted. The constitution of Azad Kashmir forbids individuals and political parties from taking part in activities that are prejudicial to the ideology of the state's accession to Pakistan. As such, police in recent years have regularly suppressed antigovernment demonstrations, sometimes violently. In 2005, at least 10 people were killed when police opened fire on Shia student protesters, and lengthy curfews were imposed to prevent demonstrators from assembling. In 2007, police clashed with demonstrators on several occasions, but there were no reports of deaths or lengthy detentions. In October, police baton-charged dozens of people demonstrating against a proposal to move the capital of Azad Kashmir from Muzaffarabad. Three people were arrested but released the same day. In November, police blocked activists of the pro-independence APNA who were protesting in favor of truck service across the LOC from entering a town near the ceasefire line as planned.

Nongovernmental organizations (NGOs) are generally able to operate freely. However, the Aga Khan Rural Support Program—run by the Aga Khan Foundation (AKF), an international development organization that focuses on Ismaili communities worldwide—has been subjected to harassment and violence. According to the U.S. State Department's 2007 Report on International Religious Freedom, Sunni extremist groups have in recent years vandalized AKF-funded schools and health clinics and have attacked AKF personnel, although no such attacks were reported in 2007. The situation for labor rights in Pakistani-controlled Kashmir is similar to that in Pakistan.

The judiciary of the Northern Areas consists of district courts, a chief court, and since 2005, a separate court of appeals. With appointments based on three-year contracts subject to discretionary renewal, the judiciary is largely subservient to the executive. Azad Kashmir has its own system of local magistrates and high courts, whose heads are appointed by the president of Azad Kashmir. Appeals are adjudicated by the Supreme Court of Pakistan. There are also Islamic judges who handle

criminal cases concerning Islamic law. In April 2007, local lawyers protested the appointment to the Azad Kashmir Supreme Court of Justice Mohammad Reaz Akhtar Chaudhry over the court's most senior judge, Justice Manzoor Hussain Gilani, arguing that it violated constitutional conventions and rules of seniority. The newspaper *Dawn* reported that the Azad Kashmir Supreme Court rejected a petition by the lawyers challenging the appointment and ordered that future petitions of a similar nature not be entertained by the courts.

According to the Human Rights Commission of Pakistan (HRCP), Pakistan's Inter-Services Intelligence (ISI) operates throughout Azad Kashmir and the Northern Areas and engages in extensive surveillance (particularly of pro-independence groups and the press), as well as arbitrary arrests and detentions. In some instances, those detained by the ISI, the police, or the security forces are tortured, and several cases of death in custody have been reported. Impunity for acts of torture and other mistreatment of civilians by the military and intelligence services remains the norm. The territory also continues to be governed by the colonial-era Frontier Crimes Regulations, under which residents are required to report to local police stations once a month.

A number of Islamist militant groups, including al-Qaeda, operate from bases in Pakistani-administered Kashmir with the tacit permission of Pakistani intelligence. Tension between Islamist, pro-Pakistan groups and the pro-independence Kashmiri groups—as well as some local residents—has reportedly intensified in recent years. In June 2007, a land dispute broke out between villagers in Azad Kashmir and the Islamist organization Jamaat-ud-Dawa (JUD), identified by the United States as a terrorist organization. Following the alleged torture of two men and the killing of a 17-year-old boy by JUD members, a mob burned down a temporary hospital the group had established following the 2005 earthquake.

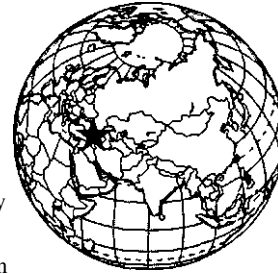
Several hundred families displaced by shelling between Indian and Pakistani forces around the LOC prior to the 2003 ceasefire remain unable to return to their homes and have largely been excluded from earthquake-related assistance schemes. In addition, the Azad Kashmir government manages relief camps for refugees from Indian-administered Kashmir, the bulk of whom arrived after the situation on the Indian side worsened in 1989. Many more of the refugees (roughly 1.5 million) live elsewhere in Azad Kashmir and throughout Pakistan.

The status of women in Pakistani-administered Kashmir is similar to that of women in Pakistan. While the HRCP reports that honor killings and rape occur less frequently than in other areas of Pakistan, domestic violence, forced marriage, and other forms of abuse continue to be issues of concern. Women are not granted equal rights under the law, and their educational opportunities and choice of marriage partner remain circumscribed. In May 2007, the United Nations and other aid agencies temporarily suspended their work after suspected Islamists mounted an arson attack on the home of two aid workers; the organizations had received warnings against hiring women.



## Russia

### Chechnya



**Population:** 1,200,000 (Source: United Nations Office for the Coordination of Humanitarian Affairs (OCHA) in the Russian Federation, 2007, Inter-Agency Transitional Workplan for the North Caucasus. The population of Chechnya according to the 2002 Russian census was approximately 1,100,000.)

**Political Rights:** 7

**Civil Liberties:** 7

**Status:** Not Free

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

1998	1999	2000	2001	2002	2003	2004	2005	2006	2007
6,6NF	7,7NF	7,7NF	7,7NF	7,7NF	7,7NF	7,7NF	7,7NF	7,7NF	7,7NF

**Overview:** **Ramzan Kadyrov became president of Chechnya in February 2007, formalizing the power he had previously held informally. Although there were signs that his corruption-tinted reconstruction efforts and brutal suppression of rebel groups were yielding increased economic activity, few outside businesses operated in the republic, and heavy military and law enforcement presences remained in place to ensure security. In contrast to the relative calm in Chechnya, the level of violence continued to increase in neighboring Dagestan and Ingushetia.**

Chechnya, a small, partly mountainous North Caucasus republic, has a history of armed resistance to Russian rule dating to the czarist period. In February 1944, the Chechens were deported en masse to Kazakhstan after Soviet leader Joseph Stalin accused them of collaborating with Nazi German forces. Officially rehabilitated in 1957 and allowed to return to their homeland, they remained politically suspect and were excluded from the region's administration.

After winning election as Chechnya's president in October 1991, former Soviet air force general Dzhokhar Dudayev proclaimed the republic's independence. Moscow responded with an economic blockade. In 1994, Russia began assisting Chechens opposed to Dudayev, whose rule was marked by growing corruption and the rise of powerful clans and criminal gangs. Russian president Boris Yeltsin sent 40,000 troops into Chechnya by mid-December of that year and attacked the capital, Grozny. As casualties mounted, Russian public opposition increased, fueled by criticism from much of the country's then independent media. In April 1996, Dudayev was killed by a Russian missile.

A peace deal signed in August 1996 resulted in the withdrawal of most Russian forces from Chechnya. However, a final settlement on the republic's status was put

off until 2001. In May 1997, Russia and Chechnya reached an accord recognizing the newly elected president, Aslan Maskhadov, as Chechnya's legitimate leader. The elections were considered reasonably free and fair by outside observers, but Maskhadov proved to be an ineffective ruler, and the region degenerated into chaos.

Following incursions into neighboring Dagestan by renegade Chechen guerrillas and deadly apartment bombings in Russia that the Kremlin blamed on Chechen militants, Russian prime minister (and later president) Vladimir Putin launched a second military offensive in Chechnya in September 1999. After initial successes, Russian troops' progress slowed as they neared Grozny. During the hostilities, Moscow withdrew its recognition of Maskhadov as president. The renewed campaign enjoyed broad popular support in Russia, driven in part by the media's now one-sided reporting in favor of the government.

Russian forces' indiscriminate bombing of civilian targets caused more than 200,000 people to flee Chechnya, with most heading to the neighboring Russian republic of Ingushetia. After federal troops finally captured Grozny in February 2000, the military focused on rebel strongholds in the mountainous south. Russian security sweeps led to regular atrocities in which civilians were beaten, raped, or killed, while Russian forces were subject to almost daily bombings and sniper attacks by rebels.

As the war persisted and atrocities increased, some Chechen fighters engaged in terrorist acts. A group of rebels stormed a Moscow theater in October 2002, resulting in the death of more than 120 hostages, most from the effects of a sedative gas that Russian troops used to incapacitate the assailants. In September 2004, the rebels attacked a school in Beslan, in the Russian republic of North Ossetia, leading to the deaths of more than 330 people, including numerous children.

A March 2003 referendum on a new Chechen constitution passed with 96 percent of the vote, amid 85 percent turnout, according to official results. However, an independent survey by the Russian human rights group Memorial found that 80 percent of the indigenous population opposed the referendum. Kremlin-backed candidate Akhmad Kadyrov won the Chechen presidency in an October 2003 election, though the Organization for Security and Cooperation in Europe (OSCE) said the poll had not offered voters a significant choice, and the U.S. government deemed it "seriously flawed." Chechen rebels assassinated Kadyrov in a May 2004 stadium bombing. In a subsequent election in August, Alu Alkhanov, Chechnya's interior minister since 2003, won with a reported 74 percent of the vote. The official voter turnout was 85 percent, but journalists observing the process called that figure wildly inflated.

Despite Alkhanov's election, a great deal of de facto power shifted to Kadyrov's son, Ramzan Kadyrov, who could not become president until he turned 30 in 2006. Alkhanov resigned in February 2007, allowing Kadyrov, then the prime minister, to become acting president. Putin confirmed him in office the following month. Kadyrov had support from some factions within the Kremlin, but was clearly working to expand his own power base as well. He saw himself as a regional leader whose influence could expand beyond Chechnya's borders. He had rebuilt central Grozny and restored some municipal services, drawing on large federal subsidies as well as funds extorted from contractors and government workers. Despite assertions of stability under his rule, serious business activity remained absent, and the republic was still host to Russian troops and a greatly expanded local law enforcement presence.

Ramzan Kadyrov's rise to power had coincided with several successes against the rebels. In March 2005, the Russian Federal Security Service (FSB) killed Maskhadov, the separatist leader, and infamous guerrilla commander Shamil Basayev died in a July 2006 explosion for which the Russian government took credit. Basayev, who had claimed responsibility for the terrorist attacks in Moscow and Beslan, was the key link between many of the disparate Islamist, terrorist, and criminal elements in the rebel movement. Meanwhile, Kadyrov and his own force of former rebel troops took over much of the fighting within Chechnya and were able to quash the secessionist guerrillas. There are now reportedly only a few hundred, poorly organized rebels inside Chechnya. The rebel leaders have increasingly moved the battle into the neighboring republics of Kabardino-Balkariya, Dagestan, and Ingushetia. Toward the end of 2007, observers feared that Ingushetia was deteriorating into a "second Chechnya," with militants stepping up assassinations, disappearances, and bombings as the security forces responded with extrajudicial killings and other acts of violence.

**Political Rights  
and Civil Liberties:**

The resumption of war in 1999 led to the total evisceration of Chechens' political rights. President Asian Maskhadov fled the capital in December 1999, and the parliament elected in 1997 ceased to function. The Russian government's claims to have returned the republic to democratic rule with a March 2003 constitutional referendum lacked credibility. In the October 2003 and August 2004 presidential elections, candidates representing a genuine alternative were not on the ballot, and debate was stifled in an atmosphere of repression and censorship. Under a new system enacted in late 2004, the Russian president recommends a candidate for the Chechen presidency, who then must be approved by the Chechen parliament. Although he effectively serves at the pleasure of the Russian president, the Chechen president was initially appointed for a four-year term under this system. Amendments to the constitution approved in a December 2007 referendum increased the term to five years and lifted a two-term limit. The referendum also replaced the bicameral legislature with a unicameral body of 41 members. All members will serve five-year terms. The current Chechen parliament was elected in November 2005 and is loyal to Kremlin-backed Chechen president Ramzan Kadyrov, who took office in early 2007.

Kadyrov headed his father's security service and reconstituted it as the Akhmad Kadyrov Special Purpose Regiment in 2004. His men, the so-called Kadyrovtsy, reportedly have been involved in abductions, disappearances, extortion, trading in contraband, and the maintenance of unsanctioned prisons and torture chambers. This group represents the chief political power in the republic and has been able to bring most of the territory under its control. In Russia's December 2007 State Duma elections, Kadyrov helped the pro-Kremlin United Russia party win more than 99 percent of the vote in Chechnya, with more than 99 percent turnout, by running as the top candidate on the list, though he had no intention of leaving his post as president. Other parties claimed that these results were falsified.

Corruption is rampant. Kadyrov's critics claim that his accomplishments in rebuilding parts of Grozny have been accompanied by a system of kickbacks. The restored apartments are not always distributed fairly, and many of the reconstruction workers have not been paid. It is also not clear how much of the revenue from

Chechen oil production has been misappropriated. Chechnya is not ranked separately in Transparency International's 2007 Corruption Perceptions Index.

Information in Chechnya is tightly managed. Kadyrov's financial resources allow him to control all local broadcast and most print media, which provide extensive coverage of his activities. There are three licensed television broadcasters, whose content is progovernment. Russian state-run television and radio continue to broadcast in Chechnya, although much of the population lacks electricity. The rebel movement operates a website with reports from its perspective, but internet usage is negligible.

The Russian military imposes severe restrictions on journalists' access to the widening Caucasus conflict area, issuing accreditation primarily to those of proven loyalty to the Russian government. Few foreign reporters are allowed into Chechnya, and when they are granted entry, they must be accompanied at all times by military officials. The October 2006 Moscow murder of Anna Politkovskaya, a correspondent for Moscow-based *Novaya Gazeta*, silenced one of the few remaining journalists brave enough to travel in Chechnya without official escorts and collect evidence of abuses by Russian troops and the pro-Moscow Chechen government. More than one year after her death, the authorities had not conclusively identified her killers.

Most Chechens practice Sufism, a mystical form of Islam. Kadyrov openly advocates giving it a central role in Chechen public life. The strict Wahhabi sect of Sunni Islam, with roots in Saudi Arabia, has been banned by the Russian government.

Since the start of the fighting in 1994, many of the republic's schools have been damaged or destroyed, and education in Chechnya has been sporadic. Most schools have not been renovated and continue to lack basic amenities.

Most international nongovernmental organizations (NGOs) working in Chechnya have moved their headquarters outside of the republic because of security concerns. However, the deteriorating situation in Ingushetia forced the Office of the UN High Commissioner for Refugees (UNHCR) to close its facilities there in 2007. Currently, international groups are providing humanitarian aid in Chechnya, and Memorial is conducting human rights research there. In addition to pressure from the Chechen government, the groups face increasing demands from the Russian government, which introduced extensive reporting requirements in 2006. Freedom of assembly is not respected, and labor union activity is almost nonexistent due to economic devastation and widespread unemployment.

The rule of law is extremely weak, with Kadyrov often acting as a law unto himself. Extrajudicial killings, disappearances, and other serious crimes are rarely investigated and even more rarely prosecuted. Human rights groups accuse members of the local police of involvement in kidnappings, though Memorial reported in 2007 that the number of abductions was down considerably compared to the previous year. In 2006, 187 people were kidnapped, while the count was only 25 for the first eight months of 2007. There has been some progress in a few high-profile cases against perpetrators. In June 2007, after juries in the Russian city of Rostov refused to convict them in the face of overwhelming evidence, a military tribunal sentenced Captain Eduard Ulman and three other members of a special Russian military intelligence unit to prison terms of 9 to 14 years for killing six Chechens in January 2002. However, Ulman and two of the others had disappeared in April, and they were tried in absentia.

The European Court of Human Rights has provided Chechens with an alterna-

tive source of justice. In July 2006, the Strasbourg-based court for the first time ruled that Colonel General Aleksandr Baranov, commander of Russian military forces in the North Caucasus, was responsible for the disappearance and presumed death of a prisoner detained in Chechnya in 2000. Memorial estimates that as many as 5,000 people have vanished during the second Chechen war. Subsequently, the court issued several additional rulings holding Russian troops responsible for killings in Chechnya. In October 2007, the court sought to speed up the process by allowing residents of the North Caucasus to file complaints without first exhausting all legal options in Russia. The Russian authorities have sought to prevent such appeals and redirect them to Russian courts.

Widespread corruption and the economic devastation caused by the war severely limit equality of opportunity. Residents who have found work are employed mostly by the local police, the administration, the oil and construction sectors, or small enterprises. Despite numerous problems, the Kadyrov government's rebuilding efforts have improved the overall economic situation, and local business activity is starting to pick up. Most of the ethnic Chechens who fled the republic have now returned home. The number of refugees in Ingushetia is down to 15,000, from 240,000 in 2000, while the number inside Chechnya itself is 30,000, down from 170,000, according to the UNHCR.

With Kadyrov's emphasis on traditional Chechen Islam, women face increased discrimination in this male-dominated culture. In September 2007, Kadyrov ordered female civil servants to wear headscarves. At the same time, the war has resulted in many women becoming the primary breadwinners for their families. Children accounted for up to 40 percent of casualties during the war, and they continue to suffer from psychological trauma and poor living conditions, including lack of access to education and health care.

## Serbia

### Kosovo

**Population:** 2,200,000 (est.)

**Political Rights:** 6

**Civil Liberties:** 5

**Status:** Not Free



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

1998	1999	2000	2001	2002	2003	2004	2005	2006	2007
7,7NF	7,7NF	6,6NF	6,6NF	5,5PF	5,5PF	6,5NF	6,5NF	6,5NF	6,5NF

#### Overview:

**Fourteen months of negotiations between the Serbian government and Kosovo's ethnic Albanian leaders ended in March 2007 without a resolution of the UN-administered**

**province's final status. The UN Security Council also failed to agree on an imposed solution. Parliamentary elections were held in November, but there was little progress on improving human rights for non-Albanian ethnic communities during the year, and the security situation appeared to deteriorate.**

Control of Kosovo was contested by ethnic Albanians and Serbs throughout the 20th century. After the death of Yugoslav dictator Josip Broz Tito in 1980, ethnic Albanians began demanding that Kosovo be given republic status within federal Yugoslavia, or even outright independence. Tensions increased after Serbian strongman Slobodan Milosevic came to power and revoked much of Kosovo's autonomy within Serbia in the late 1980s and early 1990s. For most of the 1990s, an uneasy status quo held between the Serbian government and the Kosovo Albanians, who, under longtime leader Ibrahim Rugova, developed their own quasi-governmental institutions, hospitals, and school systems.

In late 1997, an ethnic Albanian guerrilla movement called the Kosovo Liberation Army (KLA) began attacking Serbs and suspected ethnic Albanian collaborators. The government responded with disproportionate force, and after internationally sponsored negotiations failed to halt the violence, NATO in March 1999 launched a 78-day bombing campaign that compelled the rump Federal Republic of Yugoslavia (FRY) to relinquish control over the province. During the war, government forces expelled hundreds of thousands of ethnic Albanians from Kosovo. A UN Security Council resolution in June 1999 granted a NATO-led peacekeeping force (KFOR) security responsibilities in Kosovo. The province effectively became a UN-administered protectorate, but FRY sovereignty was left legally intact.

After the international takeover, tens of thousands of non-Albanians were forced to flee the province. Ethnic Albanians currently comprise about 90 percent of the population. The largest Serb enclave lies north of the Ibar River; smaller Serb areas scattered throughout the province have essentially become ethnic ghettos protected by international forces. In March 2004, two days of allegedly organized riots aimed at non-Albanian ethnic groups left 20 people dead, 800 homes and 30 churches destroyed, and more than 4,000 Serbs and other non-Albanians homeless.

The riots cast doubt on the sustainability of the existing policy toward Kosovo, and the international community began pressing for a resolution of the province's final status. The UN administration had previously called for the local leadership and society to meet certain human rights and security standards before status issues were addressed. However, Kosovo's predicament made it difficult to obtain development funds from institutions including the World Bank and the International Monetary Fund, and there were growing fears that extremists could begin attacking international forces.

Elections for the Kosovo Assembly in October 2004, though marred by a near-total Serb boycott, confirmed Rugova's Democratic League of Kosovo (LDK) as the leading political party, followed by former KLA political leader Hashim Thaci's Democratic Party of Kosovo (PDK) and former KLA commander Ramush Haradinaj's Alliance for the Future of Kosovo (AAK). The government was led by an LDK-AAK coalition. A week after the elections, which drew a 53 percent turnout, the Central Election Commission called for a full recount due to numerous complaints.

Haradinaj was indicted for war crimes by the International Criminal Tribunal for

the former Yugoslavia (ICTY) in March 2005, and he resigned as prime minister to contest the charges. The trial began in March 2007, but ICTY officials complained that Haradinaj and his supporters were intimidating potential prosecution witnesses. Separately, Rugova, who had served as Kosovo's president since 2002, died in January 2006. Fatmir Sejdiu of the LDK was elected to replace him in February with an 80-12 vote in the Kosovo Assembly. In March of that year, former KLA commander Agim Ceku was elected prime minister to replace Haradinaj's poorly performing successor, Bajram Kosumi. Many Serbs suspected Ceku of war crimes, and his rise to the premiership exacerbated the ethnic divide.

Status negotiations between Belgrade and Kosovo authorities, mediated by former Finnish president Martti Ahtisaari, began in February 2006, but the two sides remained far apart when the talks ended 14 months later. Belgrade continued to offer autonomy within Serbia, while the Kosovo leadership insisted on full independence. In March 2007, Ahtisaari recommended to the UN Security Council that Kosovo be granted "supervised independence." However, Russia supported Belgrade's position and blocked several draft resolutions on the issue over the summer. In August, diplomats representing the European Union (EU), the United States, and Russia were tasked with continuing negotiations until December, but they too failed to bridge the gap by year's end, increasing the likelihood that Kosovo would declare independence unilaterally.

Meanwhile, the PDK won November parliamentary elections with 36 of 120 seats, followed by the LDK with 25, the New Kosovo Alliance (AKR) with 13, an alliance of the Albanian Christian Democratic Party of Kosovo (PShDK) and the Democratic League of Dardania (LDD) with 11, and the AAK with 10. Smaller factions took the remainder. The PDK and LDK announced plans to form a coalition government in late December.

The security situation in Kosovo and neighboring regions deteriorated throughout 2007. In February, an organization called Vetvendosje (Self-Determination) mounted an independence rally of several thousand people in Pristina. When protesters began attacking government buildings, UN police fired on the crowd, killing two and injuring dozens of others. In July, ethnic Albanian leaders in Macedonia threatened to mobilize thousands of people to fight for Kosovo's independence. Seven inmates (some with ties to international terrorist organizations) broke out of a Kosovo prison in August under suspicious circumstances. In September, a Kosovo police officer was shot dead, apparently in gang-related violence. Weeks later, Kosovo police themselves were suspected of involvement in a bombing at a Pristina cafe reportedly owned by the leader of the gang that killed the officer. In October, Kosovo television broadcast footage of a guerrilla group, the so-called Albanian National Army (AKSh), which was stopping cars on roads and claiming to be preparing to defend Kosovo from a potential Serb invasion. The AKSh advocated creating a "Greater Albania" in the Balkans. Newly formed Serb paramilitary groups also posed a potential threat, and non-Albanian ethnic communities continued to face frequent acts of violence.

**Political Rights and Civil Liberties:** Ultimate authority in Kosovo resides with the UN secretary-general's special representative, who serves as chief of the UN Mission in Kosovo (UNMIK) and is responsible

for implementing civilian aspects of the agreement that ended the Kosovo conflict in 1999. Kosovo's so-called Provisional Institutions of Self-Government (PISG) include a 120-seat Assembly whose members are popularly elected to serve three-year terms. Twenty seats are reserved for ethnic minorities. The Assembly elects the president, who also serves three-year terms. The president nominates the prime minister, who must then be approved by the Assembly.

Elections since 1999 have been considered generally free and fair. However, given the large role played by international officials, the lack of freedom of movement for ethnic minorities, and the limited ability of women to participate in the political process, the actual level of democratization remains low. The 2004 and 2007 parliamentary elections were marred by the fact that nearly all Serb voters boycotted the polls. Local elections set for 2006 were postponed by the special representative, and held concurrently with the parliamentary elections on November 17, with a second round held December 8. In general, the municipal elections reconfirmed the basic winners of the parliamentary elections, with the PDK and the LDK winning in 24 out of 30 municipalities in Kosovo. Large-scale election boycotts by Kosovo Serbs, however, meant that municipal elections in five Serb-populated areas were declared invalid by UNMIK.

The main political parties since 1999 have been the LDK, the PDK, and the AAK. However, two new parties—the AKR, founded by a wealthy businessman, and the LDD, an LDK splinter faction—performed well in the 2007 elections. The political system remains largely based on clan and regional ties, complicating the effort to create a stable democratic government.

Competence in Kosovo's civil service is hampered by appointments that are based on political affiliation rather than professional qualifications, and administrative capacity at the municipal level remains weak. Belgrade-sponsored parallel administrative structures continue to operate in most predominantly Serb municipalities.

Corruption is considered to be a serious problem even by regional standards. A poll released in November 2006 revealed that 82 percent of Kosovo's residents believed there was corruption in Kosovo's government, with the Energy Ministry being singled out as the most corrupt institution. Kosovo was not rated separately in Transparency International's 2007 Corruption Perceptions Index.

Freedom of expression is limited because of the overall lack of security. Although a wide variety of print and electronic media operate in Kosovo, journalists report frequent harassment and intimidation. Real investigative journalism is rare due to fear of retribution. In June 2005, a journalist from the newspaper *Bota Sot* was mortally wounded in a drive-by shooting. In August 2006, as part of the effort to transfer responsibility to locals, UNMIK's temporary media commissioner was replaced by an Independent Media Commission, composed of five Kosovars and two internationals. However, despite such bodies and UNMIK regulations prohibiting speech that incites ethnic violence, many media outlets continue to deviate from established journalistic ethics. In August 2007, the Organization for Security and Cooperation in Europe (OSCE) condemned one Kosovo newspaper, *Infopress*, for publishing the names and addresses of Serbs who had allegedly committed war crimes. There were no reports of government attempts to restrict access to the internet.

The ethnic Albanian population, which is predominantly Muslim, generally enjoys freedom of religion, but there have been systematic attacks on Orthodox



Christian churches and other holy sites associated with the Serb population. During the March 2004 violence, 30 churches and monasteries were destroyed or damaged. Since NATO took control in 1999, roughly 130 churches and other Orthodox Church properties have been destroyed or damaged. There have also been attacks on Protestant places of worship in recent years.

Academic freedom has not been formally restricted, but there are frequent complaints about the low academic standards and politicization of the University of Pristina. Kosovo's educational system is ethnically segregated. The University of Pristina operates under the authority of the PISG and enrolls mainly Albanian students, while Mitrovica University operates under the authority of Belgrade and enrolls mainly Serbs.

Freedom of assembly, especially in ethnic flashpoints such as the divided city of Mitrovica, is occasionally restricted by UNMIK and KFOR for security reasons. Nongovernmental organizations generally function freely, although decreasing donor funding in recent years has led many to cease operations. While UNMIK regulations governing labor rights allow workers to join unions, there is no explicit right of association. Similarly, the law does not recognize the right to strike, but workers have not been prevented from striking. A 2004 World Bank report claimed that the labor market is virtually unregulated, and in the absence of collective bargaining agreements, the market largely determines wages. The largest union in Kosovo, the Union of Independent Trade Unions (BSPK), claims to represent some 100,000 workers.

Kosovo lacks a functioning criminal justice system. A 2006 Human Rights Watch report found "rampant impunity for crime." Courts at all levels are subject to political influence and intimidation. Ethnic Albanian judges rarely prosecute cases involving Albanian attacks on non-Albanians, and the physical safety of non-Albanian judges brought into Kosovo to try cases is difficult to guarantee. Criminal suspects arrested under the UN special representative's power to order executive detentions are frequently released by local judges. The backlog in the civil court system stands at tens of thousands of cases. The backlog in property claims, mainly those of Serbs, stood at approximately 21,000 by the end of 2007. Prison conditions in Kosovo are generally in line with international standards, though overcrowding remains a problem and abuse of prisoners has been reported. The leader of Vetvendosje, Albin Kurti, was placed under house arrest in May 2007 due to charges that he was responsible for the violence accompanying protests in February. He remained under house arrest at year's end. The breakdown in the judicial system has resulted in the reemergence of familial blood feuds in some areas.

Several former leaders of the KLA are under investigation by the ICTY for actions committed before, during, and after the 1999 NATO intervention. ICTY chief prosecutor Carla Del Ponte claimed in June 2006 that UNMIK's cooperation with the tribunal was the worst of any government in the region. According to Del Ponte, "the UNMIK leadership is encouraging a climate which deters witnesses from talking to my investigators when it comes to Albanian perpetrators."

Freedom of movement for ethnic minorities is a significant problem. Amnesty International has reported that non-Albanians are "subjected to both direct and indirect discrimination when seeking access to basic civil, political, social, economic and cultural rights." UNMIK has done little to promote the return of some 220,000

people (mostly Serbs) the UN High Commissioner for Refugees lists as displaced from Kosovo. The position of Kosovo's non-Serb ethnic minorities is particularly difficult. Four seats in the Assembly are reserved for non-Albanian and non-Serb ethnic communities such as Roma, Turks, Bosniaks, and Ashkali. As a rule, however, they generally do not get serious political support from Belgrade, while most Kosovo Albanians consider them to be Serb collaborators.

In August 2006, the Commission of the European Communities reported that Kosovo is a principal point along the heroin-trafficking route between Central Asia and Western Europe, and that heroin consumption within Kosovo is on the rise. The same source noted that organized crime remains a serious problem in Kosovo, with criminal networks extending into various socioeconomic sectors and politics. Belgrade-sponsored parallel administrative structures regarding property registration cause legal uncertainty for property holders.

Gender inequality is a serious problem. Patriarchal attitudes often limit a woman's ability to gain an education or choose a marriage partner, and women represent a disproportionately high percentage of the unemployed. Women are also underrepresented in politics, although election rules stipulate that women must occupy every third spot on each party's candidate list. In Kosovo's November 2007 parliamentary elections, women gained 38 seats in the 120-seat Assembly. According to a 2004 study, only half of Kosovo women between ages 25 and 64 have received elementary education. In some rural areas, this figure reaches only 10 percent. In May 2006, the Education Committee in Skenderaj municipality prohibited married women from receiving secondary education. In many rural areas, women are effectively disenfranchised by "family voting," in which the male head of a household casts ballots for the entire family. Domestic violence is a serious problem, as is discrimination against sexual minorities. In May 2007, the head of a gay and lesbian support group had his life threatened, and local police refused to provide any protection. The man subsequently fled the province.

Human trafficking is a major problem. Kosovo serves as a source, transit point, and destination for women and children trafficked for prostitution. A large international military force and numerous international civilian agencies provide a relatively affluent clientele for the trade. In August 2006, UNICEF reported that child trafficking in Kosovo was on the rise.

## Somalia

### Somaliland

**Population:** 3,500,000

**Political Rights:** 4

**Civil Liberties:** 4

**Status:** Partly Free



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

1998	1999	2000	2001	2002	2003	2004	2005	2006	2007
-	-	-	-	-	-	-	-	4,4PF	4,4PF

**Overview:** Somaliland's government continued to function at a much higher level in 2007 than those in Mogadishu and the autonomous region of Puntland. At year's end, Somaliland had failed in its ongoing bid to win international recognition as an independent state, but its leaders met with more foreign dignitaries and increased the likelihood of eventual recognition. Somaliland forces also captured territory that is claimed by Puntland.

The modern state of Somalia was formed in 1960 when the newly independent protectorates of British Somaliland and Italian Somaliland agreed to unite. In 1969, General Siad Barre took power in Somalia, ushering in a violent era of clan rivalries and political repression. As flood, drought, and famine racked the nation, the struggle to topple Barre resulted in varying degrees of civil war and banditry that lasted until January 1991, when he was finally deposed. Heavily armed militias, divided along traditional clan lines, then fought for power. The current Somaliland, largely conforming with the borders of the former British Somaliland in the northwestern corner of the country, seized the opportunity of Somalia's political collapse to declare independence.

In a series of clan conferences following the 1991 independence declaration, Somaliland's leaders agreed to form a government system that combined elements of an electoral democracy (a directly elected lower house) with traditional political structures (an upper House of Elders). Political parties did not operate freely until 2003. Since then, the three main political parties have roughly represented Somaliland's three most powerful clans. While the presidential election of 2003 and parliamentary elections of 2005 did not meet international standards, they were conducted without reports of widespread intimidation or misappropriation. Nevertheless, the government is relatively weak, clan-based conflicts still threaten stability, and women have very little influence on the decision-making process. There are also fears that the conflict in southern and central Somalia could spill over into Somaliland.

Somaliland has its own border disputes with its neighbors. It engaged in a military confrontation with Puntland forces in October 2007 when its troops seized the

city of Las Anod in Sool region. The area was controlled by Puntland. The attack was popular among Somalilanders, many of whom disliked Somalia's current president, the former ruler of Puntland. Also during the year, Somaliland officials increased their contacts with foreign governments and international bodies, but they failed to win recognition of the region's independence.

About half of Somaliland's people are livestock herders. Since the region is not recognized as an independent state, it does not receive direct development aid. However, nongovernmental organizations (NGOs) provide some social services, and many locals attribute the region's success to the lack of international involvement in its affairs.

**Political Rights and Civil Liberties:**

According to Somaliland's constitution, the president is directly elected for five-year terms and appoints the cabinet. The lower house of the bicameral Parliament, the 82-seat House of Representatives, is directly elected for five-year terms, while the 82-seat House of Elders is indirectly elected by local communities for six-year terms. In April 2003, nearly half a million voters took part in the presidential election, which Dahir Riyale Kahin won by a margin of less than 100 votes. His most prominent opponent, Ahmed Mahamoud Silanyo, chose to respect the result, thus averting bloodshed. The last elections for the lower house took place in September 2005, but the upper house has repeatedly postponed elections since its formal six-year term expired in 2003. In May 2006, the House of Elders voted to extend its term another four years rather than hold elections in September.

Three main parties dominate Somaliland politics: the For Justice and Development Party; the United Peoples' Democratic Party, which is the president's party and is loosely affiliated with Somaliland's second-largest clan, the Dir clan; and the Peace, Unity, and Development Party, linked to Silanyo and loosely affiliated with the country's largest clan, the Isaaq clan.

Transparency International did not rank Somaliland separately in its 2007 Corruption Perceptions Index.

Somaliland journalists enjoy much more freedom than their counterparts in the rest of Somalia, but because of elevated political tension ahead of the 2008 presidential election, the government limited press freedom more aggressively in 2007. It drafted a new press law that would reportedly grant the Ministry of Information more leeway to intervene in the managerial, financial, and editorial decisions of media outlets. Journalists have also protested against a government proposal that would require them to register with the ministry and obtain a press card to practice their profession. There were more high-profile cases of media harassment during the year. In January, Yusuf Gabobe and Ali Abdi Dini, journalists with the newspaper *Haatuf*, were detained for making allegations of corruption against the first lady. Another *Haatuf* journalist based in the northwestern Awdal region was also arrested in connection with the articles, and the three were tried for defamation in March. They were eventually pardoned, but the case had a negative effect on local media. Other journalists were also detained and harassed throughout the year, and at year's end at least two, Abdiqani Hassan Farah and Mohammed Shakale, remained in prison. The two were arrested in Las Anod for their coverage of the border conflict.

Two independent television stations began broadcasting in recent years, but

the government is reluctant to liberalize the airwaves. It argues, with a degree of validity, that open access could lead to the instigation of clan violence. Newspapers in Somaliland are not economically sustainable and are heavily subsidized by journalists' relatives and Somalilanders living abroad. The internet is widely available at competitive prices and serves as an active forum through which the diaspora contributes to the local media environment.

Nearly all Somaliland residents are Sunni Muslims, and Islam is the state religion. Proselytizing by those of other faiths is prohibited.

International and local NGOs operate in Somaliland without serious government interference. The government is wary of large protests but there have not been reports of systematic government crackdowns on public gatherings.

According to the Somaliland constitution, the country has an independent judiciary. The constitution also states that the laws cannot violate the principles of Sharia (Islamic law). The judiciary functions relatively well, but there have been questions about the independence of the courts, and local Islamist groups have pushed for more explicit application of Sharia.

Somaliland police and security forces, while well organized, have been accused of being heavy-handed. However, the scale of abuse does not approach human rights conditions in the rest of Somalia or other countries in the region.

Somaliland is ethnically and religiously homogeneous. Societal fault lines are largely based on clan. The larger, wealthier clans have more political clout than the less prominent clans, but clan elders often intervene to settle conflicts.

Society in Somaliland is patriarchal. While women are present in the workplace and hold some public positions, men have near-total domination of the political decision-making process. As in the rest of Somalia and other places in East Africa, female genital mutilation is practiced on the vast majority of women.

## United States Puerto Rico

Population: 3,900,000

Political Rights: 1  
Civil Liberties: 1  
Status: Free



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

1998	1999	2000	2001	2002	2003	2004	2005	2006	2007
1,2F	1,2F	1,2F	1,2F	1,2F	1,2F	1,2F	1,1F	1,1F	1,1F

**Overview:** Puerto Rico continued to suffer from economic decline and a political stalemate between the president and the opposition-controlled legislature in 2007. The political leadership also faced persistent corruption allegations during the year.

Having initially been captured by U.S. forces during the Spanish-American War in 1898, Puerto Rico acquired the status of a commonwealth of the United States following approval by plebiscite in 1952. As a commonwealth, Puerto Rico exercises approximately the same control over its internal affairs as do the 50 states. Although they are U.S. citizens, residents of Puerto Rico cannot vote in presidential elections and are represented in the U.S. Congress by a delegate to the House of Representatives with limited voting rights.

Puerto Rico is almost equally divided between the pro-commonwealth Popular Democratic Party (PPD) and the pro-statehood New Progressive Party (PNP). The governor, Anibal Acevedo-Vila of the PPD, won election in late 2004 by a razor-thin margin over his PNP opponent. At the same time, the PNP controls both houses of the legislature. The result is near-gridlock in government, with Acevedo-Vila unable to push any significant part of his program through the opposition-dominated legislature. Gubernatorial elections scheduled for 2008 may change the balance of power and end the stalemate.

Although Puerto Rico had for years been showcased as one of the Caribbean's major economic success stories, its performance has moved from stagnation to outright decline over the past several years. Per capita income stands at just over one-half the level of the poorest state in the United States, labor-force participation is low, and poverty rates are high. With tax revenues dwindling, Acevedo-Vila's government faced a crisis in May 2006 that forced a two-week shutdown of most government offices.

Corruption continued to plague Puerto Rican political life in 2007. A federal grand jury continued its investigation of Acevedo-Vila and several aides over alleged violations of campaign finance laws and the PPD's purchase of \$40,000 in suits for the governor. In 2006, two allies of former governor Pedro Rossello had been

convicted of extorting millions of dollars in kickbacks from a public works project in the late 1990s.

Political divisions within Puerto Rico reflect divisions among residents over the island's relationship with the United States. For years, Puerto Ricans have been nearly equally divided between those who favor the continuation of commonwealth status and those who favor full U.S. statehood. Commonwealth supporters argue that the special status allows the island to maintain its separate culture and an exemption from federal income taxes, but advocates of statehood seek presidential voting rights and full representation in Congress.

A third option, independence, has little popular support; the Independence Party (PIP) candidate for governor, Ruben Berrios, failed to collect 5 percent of the vote in the most recent election. There appears to be more support for Puerto Rican independence among political elites in Latin America than in Puerto Rico itself. In April 2007, hearings were held in the U.S. Congress on Puerto Rico's status; while several lawmakers advocated another referendum on the issue, no concrete proposals emerged. In recent years, Congress has shown little interest in changing the territory's status.

**Political Rights and Civil Liberties:** The commonwealth constitution, modeled after that of the United States, provides for a governor elected for four-year terms and a bicameral legislature, currently consisting of a 27-member Senate and a 51-member House of Representatives, elected for four-year terms.

As U.S. citizens, Puerto Ricans are guaranteed all civil liberties granted in the United States. The major political parties are the pro-commonwealth PPD, the pro-statehood PNP, and the pro-independence PIP.

The commonwealth is represented in the U.S. Congress by a single delegate. In January 2007, the U.S. House of Representatives restored voting rights to the delegates from Puerto Rico, the District of Columbia, and several other U.S. territories. The rights are limited, allowing Puerto Rico's delegate to vote on floor amendments to legislation but not on final passage of measures. The delegate had previously been restricted to voting at the committee level.

Puerto Rico was not ranked in Transparency International's 2007 Corruption Perceptions Index.

The island has a varied and vigorous media environment. During 2004, a coalition of human rights and gay organizations formally complained about frequent homophobic comments and jokes on radio and television.

Freedom of religion is guaranteed in this predominantly Roman Catholic territory, and a substantial number of Evangelical churches have been established on the island in recent years. Academic freedom is guaranteed.

Freedom of assembly is protected by law, and Puerto Ricans frequently mount protest rallies against local or federal government policies. There is a robust civil society, with numerous nongovernmental organizations representing the interests of different constituencies. The government respects trade union rights, and unions are generally free to organize and strike.

The legal system is based on U.S. law, and a supreme court heads an independent judiciary. Crime is the most serious problem facing the island. The law enforce-

ment and legal systems have been seriously tested by an increase in drug-related crime. The enforcement of drug laws has been accompanied by an increase in police corruption. In October 2007, the U.S. Federal Bureau of Investigation arrested a number of police officers for, among other things, allegedly planting drugs seized in earlier raids on dozens of impoverished Puerto Ricans.

In recent years, there has been an upsurge in attempts by illegal migrants from various Caribbean countries to reach Puerto Rico, often in flimsy boats. Many are brought to the island by smugglers, who encourage their migration efforts by warning that new U.S. policies would make immigration more difficult in the future.

Laws granting equal rights for women in education, at the workplace, and in other aspects of society have been adopted. Women's rights organizations, however, claim that women are still subject to widespread discrimination.



# *Freedom in the World 2008*

## Methodology

### INTRODUCTION

The *Freedom in the World* survey provides an annual evaluation of the state of global freedom as experienced by individuals. The survey measures freedom—the opportunity to act spontaneously in a variety of fields outside the control of the government and other centers of potential domination—according to two broad categories: political rights and civil liberties. Political rights enable people to participate freely in the political process, including the right to vote freely for distinct alternatives in legitimate elections, compete for public office, join political parties and organizations, and elect representatives who have a decisive impact on public policies and are accountable to the electorate. Civil liberties allow for the freedoms of expression and belief, associational and organizational rights, rule of law, and personal autonomy without interference from the state.

Freedom House does not maintain a culture-bound view of freedom. The methodology of the survey is grounded in basic standards of political rights and civil liberties, derived in large measure from relevant portions of the Universal Declaration of Human Rights. These standards apply to all countries and territories, irrespective of geographical location, ethnic or religious composition, or level of economic development. The survey operates from the assumption that freedom for all peoples is best achieved in liberal democratic societies.

The survey does not rate governments or government performance per se, but rather the real-world rights and social freedoms enjoyed by individuals. Freedoms can be affected by state actions, as well as by nonstate actors, including insurgents and other armed groups. Thus, the survey ratings generally reflect the interplay of a variety of actors, both governmental and nongovernmental.

The survey includes both analytical reports and numerical ratings for 193 countries and 15 select territories.<sup>1</sup> Each country and territory report includes an overview section, which provides historical background and a brief description of the year's major developments, as well as a section summarizing the current state of political rights and civil liberties. In addition, each country and territory is assigned

1. These territories are selected based on their political significance and size. Freedom House divides territories into two categories: related territories and disputed territories. Related territories consist mostly of colonies, protectorates, and island dependencies of sovereign states that are in some relation of dependency to that state, and whose relationship is not currently in serious legal or political dispute. Disputed territories are areas within internationally recognized sovereign states whose status is in serious political or violent dispute, and whose conditions differ substantially from those of the relevant sovereign states. They are often outside of central government control and characterized by intense, longtime, and widespread insurgency or independence movements that enjoy popular support.

a numerical rating—on a scale of 1 to 7—for political rights and an analogous rating for civil liberties; a rating of 1 indicates the highest degree of freedom and 7 the lowest level of freedom. These ratings, which are calculated based on the methodological process described below, determine whether a country is classified as Free, Partly Free, or Not Free by the survey.

The survey findings are reached after a multilayered process of analysis and evaluation by a team of regional experts and scholars (see below). Although there is an element of subjectivity inherent in the survey findings, the ratings process emphasizes intellectual rigor and balanced and unbiased judgments.

### **HISTORY OF THE SURVEY**

Freedom House's first year-end reviews of freedom began in the 1950s as the *Balance Sheet of Freedom*. This modest report provided assessments of political trends and their implications for individual freedom. In 1972, Freedom House launched a new, more comprehensive annual study of freedom called *The Comparative Study of Freedom*. Raymond Gastil, a Harvard-trained specialist in regional studies from the University of Washington in Seattle, developed the survey's methodology, which assigned political rights and civil liberties ratings to 151 countries and 45 territories and—based on these ratings—categorized them as Free, Partly Free, or Not Free. The findings appeared each year in Freedom House's *Freedom at Issue* bimonthly journal (later titled *Freedom Review*). The survey first appeared in book form in 1978 under the title *Freedom in the World* and included short, explanatory narratives for each country and territory rated in the study, as well as a series of essays by leading scholars on related issues. *Freedom in the World* continued to be produced by Gastil until 1989, when a larger team of in-house survey analysts was established. In the mid-1990s, the expansion of *Freedom in the World's* country and territory narratives demanded the hiring of outside analysts—a group of regional experts from the academic, media, and human rights communities. The survey has continued to grow in size and scope; the 2008 edition is the most exhaustive in *Freedom in the World's* 36-year tenure.

### **RESEARCH AND RATINGS REVIEW PROCESS**

This year's survey covers developments from January 1, 2007, through December 31, 2007, in 193 countries and 15 territories. The research and ratings process involved 35 analysts and 16 senior-level academic advisers—the largest number to date. The 11 members of the core research team headquartered in New York, along with 24 outside consultant analysts, prepared the country and territory reports. The analysts used a broad range of sources of information—including foreign and domestic news reports, academic analyses, nongovernmental organizations, think tanks, individual professional contacts, and visits to the region—in preparing the reports.

The country and territory ratings were proposed by the analyst responsible for each related report. The ratings were reviewed individually and on a comparative basis in a series of six regional meetings—Asia-Pacific, Central and Eastern Europe and the Former Soviet Union, Latin America and the Caribbean, Middle East and North Africa, sub-Saharan Africa, and Western Europe—involving the analysts, academic advisors with expertise in each region, and Freedom House staff. The ratings were compared to the previous year's findings, and any major proposed nu-

merical shifts or category changes were subjected to more intensive scrutiny. These reviews were followed by cross-regional assessments in which efforts were made to ensure comparability and consistency in the findings. Many of the key country reports were also reviewed by the academic advisors.

#### **CHANGES TO THE 2008 EDITION OF *FREEDOM IN THE WORLD***

The survey's methodology is reviewed periodically by an advisory committee of political scientists with expertise in methodological issues. Over the years, the committee has made a number of modest methodological changes to adapt to evolving ideas about political rights and civil liberties. At the same time, the time series data are not revised retroactively, and any changes to the methodology are introduced incrementally in order to ensure the comparability of the ratings from year to year.

In the 2008 edition of the survey, two changes were made to the checklist question guidelines (the checklist questions are used by the analysts when scoring each of their countries, while the guidelines—in the form of bulleted sub-questions—provide general guidance to the analysts about issues they should consider when scoring each checklist question). First, one sub-question on government protections for asylum seekers and refugees was added to Civil Liberties checklist question F.4. Second, the fifth sub-question under Civil Liberties checklist question F.3 was reworded slightly to address the extent of violent crime committed by both state and nonstate actors (previously, the question focused only on nonstate actors). (The complete checklist questions and guidelines appear at the end of this methodology essay.)

Finally, *Freedom in the World 2008* focuses on developments from January 1, 2007, through December 31, 2007. This time frame represents a change from the previous survey edition, which encompassed the 13-month period from December 1, 2005, through December 31, 2006. Beginning with the 2008 edition, each survey edition will cover a 12-month calendar year.

#### **RATINGS PROCESS**

*(NOTE: see the complete checklist questions and keys to political rights and civil liberties ratings and status at the end of the methodology essay.)*

**Raw Points** - The ratings process is based on a checklist of 10 political rights questions and 15 civil liberties questions. The political rights questions are grouped into three subcategories: Electoral Process (3 questions), Political Pluralism and Participation (4), and Functioning of Government (3). The civil liberties questions are grouped into four subcategories: Freedom of Expression and Belief (4 questions), Associational and Organizational Rights (3), Rule of Law (4), and Personal Autonomy and Individual Rights (4). Raw points are awarded to each of these questions on a scale of 0 to 4, where 0 points represents the smallest degree and 4 the greatest degree of rights or liberties present. The political rights section also contains two additional discretionary questions: question A (For traditional monarchies that have no parties or electoral process, does the system provide for genuine, meaningful consultation with the people, encourage public discussion of policy choices, and allow the right to petition the ruler?) and question B (Is the government or occupy-

ing power deliberately changing the ethnic composition of a country or territory so as to destroy a culture or tip the political balance in favor of another group?). For additional discretionary question A, 1 to 4 points may be added, as applicable, while for discretionary question B, 1 to 4 points may be subtracted (the worse the situation, the more points that may be subtracted). The highest number of points that can be awarded to the political rights checklist is 40 (or a total of up to 4 points for each of the 10 questions). The highest number of points that can be awarded to the civil liberties checklist is 60 (or a total of up to 4 points for each of the 15 questions).

The raw points from the previous survey edition are used as a benchmark for the current year under review. In general, a change in raw points is made only if there has been a real world development during the year that warrants a change (e.g., a crackdown on the media, the country's first free and fair elections) and is reflected accordingly in the narrative.

In answering both the political rights and civil liberties questions, Freedom House does not equate constitutional or other legal guarantees of rights with the on-the-ground fulfillment of these rights. While both laws and actual practices are factored into the ratings decisions, greater emphasis is placed on the latter.

For states and territories with small populations, the absence of pluralism in the political system or civil society is not necessarily viewed as a negative situation unless the government or other centers of domination are deliberately blocking its establishment or operation. For example, a small country without diverse political parties or media outlets or significant trade unions is not penalized if these limitations are determined to be a function of size and not overt restrictions.

**Political Rights and Civil Liberties Ratings** - The total number of points awarded to the political rights and civil liberties checklists determines the political rights and civil liberties ratings. Each rating of 1 through 7, with 1 representing the highest and 7 the lowest level of freedom, corresponds to a range of total points (see tables 1 and 2).

**Status of Free, Partly Free, Not Free** - Each pair of political rights and civil liberties ratings is averaged to determine an overall status of "Free," "Partly Free," or "Not Free." Those whose ratings average 1.0 to 2.5 are considered Free, 3.0 to 5.0 Partly Free, and 5.5 to 7.0 Not Free (see table 3).

The designations of Free, Partly Free, and Not Free each cover a broad third of the available raw points. Therefore, countries and territories within any one category, especially those at either end of the category, can have quite different human rights situations. In order to see the distinctions within each category, a country or territory's political rights and civil liberties ratings should be examined. For example, countries at the lowest end of the Free category (2 in political rights and 3 in civil liberties, or 3 in political rights and 2 in civil liberties) differ from those at the upper end of the Free group (1 for both political rights and civil liberties). Also, a designation of Free does not mean that a country enjoys perfect freedom or lacks serious problems, only that it enjoys comparably more freedom than Partly Free or Not Free (or some other Free) countries.

**Indications of Ratings and/or Status Changes** - Each country or territory's

political rights rating, civil liberties rating, and status is included in a statistics section that precedes each country or territory report. A change in a political rights or civil liberties rating since the previous survey edition is indicated with an asterisk next to the rating that has changed. A brief ratings change explanation is included in the statistics section.

**Trend Arrows** - Positive or negative developments in a country or territory may also be reflected in the use of upward or downward trend arrows. A trend arrow is based on a particular development (such as an improvement in a country's state of religious freedom), which must be linked to a change in raw points in the corresponding checklist question (in this case, an increase in the number of raw points assigned to checklist question D2, which covers religious freedom). However, not all increases or decreases in raw points warrant trend arrows. Whether a positive or negative development is significant enough to warrant a trend arrow is determined through consultations among the report writer, the regional academic advisers, and Freedom House staff. Also, trend arrows are assigned only in cases where increases or decreases in raw points are not sufficient to warrant a ratings change; thus, a country cannot receive both a ratings change and a trend arrow during the same year. A trend arrow is indicated with an arrow next to the name of the country or territory that appears before the statistics section at the top of each country or territory report. A brief trend arrow explanation is included in the statistics section.

## **GENERAL CHARACTERISTICS OF EACH POLITICAL RIGHTS AND CIVIL LIBERTIES RATING**

### **POLITICAL RIGHTS**

**Rating of 1** - Countries and territories that receive a rating of **1** for political rights come closest to ensuring the freedoms embodied in the checklist questions, beginning with free and fair elections. Those who are elected rule, there are competitive parties or other political groupings, and the opposition plays an important role and has actual power. Minority groups have reasonable self-government or can participate in the government through informal consensus.

**Rating of 2** - Countries and territories rated 2 in political rights are less free than those rated 1. Such factors as political corruption, violence, political discrimination against minorities, and foreign or military influence on politics may be present and weaken the quality of freedom.

**Ratings of 3, 4, 5** - The same conditions that undermine freedom in countries and territories with a rating of 2 may also weaken political rights in those with a rating of 3, 4, or 5. Other damaging elements can include civil war, heavy military involvement in politics, lingering royal power, unfair elections, and one-party dominance. However, states and territories in these categories may still enjoy some elements of political rights, including the freedom to organize quasi-political groups, reasonably free referendums, or other significant means of popular influence on government.

**Rating of 6** - Countries and territories with political rights rated 6 have systems

ruled by military juntas, one-party dictatorships, religious hierarchies, or autocrats. These regimes may allow only a minimal manifestation of political rights, such as some degree of representation or autonomy for minorities. A few states are traditional monarchies that mitigate their relative lack of political rights through the use of consultation with their subjects, tolerance of political discussion, and acceptance of public petitions.

**Rating of 7** - For countries and territories with a rating of 7, political rights are absent or virtually nonexistent as a result of the extremely oppressive nature of the regime or severe oppression in combination with civil war. States and territories in this group may also be marked by extreme violence or warlord rule that dominates political power in the absence of an authoritative, functioning central government.

### **CIVIL LIBERTIES**

**Rating of 1** - Countries and territories that receive a rating of 1 come closest to ensuring the freedoms expressed in the civil liberties checklist, including freedom of expression, assembly, association, education, and religion. They are distinguished by an established and generally equitable system of rule of law. Countries and territories with this rating enjoy free economic activity and tend to strive for equality of opportunity.

**Rating of 2** - States and territories with a rating of 2 have deficiencies in a few aspects of civil liberties, but are still relatively free.

**Ratings of 3, 4, 5** - Countries and territories that have received a rating of 3, 4, or 5 range from those that are in at least partial compliance with virtually all checklist standards to those with a combination of high or medium scores for some questions and low or very low scores on other questions. The level of oppression increases at each successive rating level, including in the areas of censorship, political terror, and the prevention of free association. There are also many cases in which groups opposed to the state engage in political terror that undermines other freedoms.

**Rating of 6** - People in countries and territories with a rating of 6 experience severely restricted rights of expression and association, and there are almost always political prisoners and other manifestations of political terror. These countries may be characterized by a few partial rights, such as some religious and social freedoms, some highly restricted private business activity, and relatively free private discussion.

**Rating of 7** - States and territories with a rating of 7 have virtually no freedom. An overwhelming and justified fear of repression characterizes these societies.

Countries and territories generally have ratings in political rights and civil liberties that are within two ratings numbers of each other. Without a well-developed civil society, it is difficult, if not impossible, to have an atmosphere supportive of political rights. Consequently, there is no country in the survey with a rating of 6 or 7 for civil liberties and, at the same time, a rating of 1 or 2 for political rights.

### **ELECTORAL DEMOCRACY DESIGNATION**

In addition to providing numerical ratings, the survey assigns the designation "electoral democracy" to countries that have met certain minimum standards. In determining whether a country is an electoral democracy, Freedom House examines several key factors concerning the last major national election or elections.

To qualify as an electoral democracy, a state must have satisfied the following criteria:

- 1) A competitive, multiparty political system;
- 2) Universal adult suffrage for all citizens (with exceptions for restrictions that states may legitimately place on citizens as sanctions for criminal offenses);
- 3) Regularly contested elections conducted in conditions of ballot secrecy, reasonable ballot security, and in the absence of massive voter fraud, and that yield results that are representative of the public will;
- 4) Significant public access of major political parties to the electorate through the media and through generally open political campaigning.

The numerical benchmark for a country to be listed as an electoral democracy is a subtotal score of 7 or better (out of a total possible 12) for the political rights checklist subcategory A (the three questions on Electoral Process). In the case of presidential/parliamentary systems, both elections must have been free and fair on the basis of the above criteria; in parliamentary systems, the last nationwide elections for the national legislature must have been free and fair. The presence of certain irregularities during the electoral process does not automatically disqualify a country from being designated an electoral democracy. A country cannot be an electoral democracy if significant authority for national decisions resides in the hands of an unelected power, whether a monarch or a foreign international authority. A country is removed from the ranks of electoral democracies if its last national election failed to meet the criteria listed above, or if changes in law significantly eroded the public's possibility for electoral choice.

Freedom House's term "electoral democracy" differs from "liberal democracy" in that the latter also implies the presence of a substantial array of civil liberties. In the survey, all Free countries qualify as both electoral and liberal democracies. By contrast, some Partly Free countries qualify as electoral, but not liberal, democracies.

### **FREEDOM IN THE WORLD 2008 CHECKLIST QUESTIONS AND GUIDELINES**

Each numbered checklist question is assigned a score of 0-4 (except for discretionary question A, for which 1-4 points may be added, and discretionary question B, for which 1-4 points may be subtracted), according to the survey methodology. The bulleted sub-questions are intended to provide guidance to the writers regarding what issues are meant to be considered in scoring each checklist question; the authors do not necessarily have to consider every sub-question when scoring their countries.

## POLITICAL RIGHTS CHECKLIST

### A. ELECTORAL PROCESS

1. Is the head of government or other chief national authority elected through free and fair elections?

- Did established and reputable national and/or international election monitoring organizations judge the most recent elections for head of government to be free and fair? (*Note:* Heads of government chosen through various electoral frameworks, including direct elections for president, indirect elections for prime minister by parliament, and the electoral college system for electing presidents, are covered under this and the following sub-questions. In cases of indirect elections for the head of government, the elections for the legislature that chose the head of government, as well as the selection process of the head of government himself, should be taken into consideration.)
- Have there been undue, politically motivated delays in holding the most recent election for head of government?
- Is the registration of voters and candidates conducted in an accurate, timely, transparent, and nondiscriminatory manner?
- Can candidates make speeches, hold public meetings, and enjoy media access throughout the campaign free of intimidation?
- Does voting take place by secret ballot or by equivalent free voting procedure?
- Are voters able to vote for the candidate or party of their choice without undue pressure or intimidation?
- Is the vote count transparent, and is it reported honestly with the official results made public? Can election monitors from independent groups and representing parties/candidates watch the counting of votes to ensure their honesty?
- Is each person's vote given equivalent weight to those of other voters in order to ensure equal representation?
- Has a democratically elected head of government who was chosen in the most recent election subsequently been overthrown in a violent coup? (*Note:* Although a peaceful, "velvet coup" may ultimately lead to a positive outcome—particularly if it replaces a head of government who was not freely and fairly elected—the new leader has not been freely and fairly elected and cannot be treated as such.)
- In cases where elections for regional, provincial, or state governors and/or other subnational officials differ significantly in conduct from national elections, does the conduct of the subnational elections reflect an opening toward improved political rights in the country, or, alternatively, a worsening of political rights?



2. Are the national legislative representatives elected through free and fair elections?

- Did established and reputable domestic and/or international election monitoring organizations judge the most recent national legislative elections to be free and fair?

Have there been undue, politically motivated delays in holding the most recent national legislative election?

- Is the registration of voters and candidates conducted in an accurate, timely, transparent, and nondiscriminatory manner?

Can candidates make speeches, hold public meetings, and enjoy media access throughout the campaign free of intimidation?

- Does voting take place by secret ballot or by equivalent free voting procedure?

- Are voters able to vote for the candidate or party of their choice without undue pressure or intimidation?

- Is the vote count transparent, and is it reported honestly with the official results made public? Can election monitors from independent groups and representing parties/candidates watch the counting of votes to ensure their honesty?

- Is each person's vote given equivalent weight to those of other voters in order to ensure equal representation?

- Have the representatives of a democratically elected national legislature who were chosen in the most recent election subsequently been overthrown in a violent coup? *{Note: Although a peaceful, "velvet coup" may ultimately lead to a positive outcome—particularly if it replaces a national legislature whose representatives were not freely and fairly elected—members of the new legislature have not been freely and fairly elected and cannot be treated as such.}*

In cases where elections for subnational councils/parliaments differ significantly in conduct from national elections, does the conduct of the subnational elections reflect an opening toward improved political rights in the country, or, alternatively, a worsening of political rights?

3. Are the electoral laws and framework fair?

- Is there a clear, detailed, and fair legislative framework for conducting elections? *{Note: Changes to electoral laws should not be made immediately preceding an election if the ability of voters, candidates, or parties to fulfill their roles in the election is infringed.}*

- Are election commissions or other election authorities independent and free from government or other pressure and interference?

- Is the composition of election commissions fair and balanced?

- Do election commissions or other election authorities conduct their work in an effective and competent manner?
- Do adult citizens enjoy universal and equal suffrage? (*Note:* Suffrage can be suspended or withdrawn for reasons of legal incapacity, such as mental incapacity or conviction of a serious criminal offense.)

manner, as opposed to gerrymandering for personal or partisan advantage?

(such as proportional versus majoritarian) been manipulated to advance certain political interests or to influence the electoral results?

## **B. POLITICAL PLURALISM AND PARTICIPATION**

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

- Do political parties encounter undue legal or practical obstacles in their efforts to be formed and to operate, including onerous registration requirements, excessively large membership requirements, etc.?

ings, rallies, or other peaceful activities?

oned, or subjected to violent attacks as a result of their peaceful political activities?

2. Is there a significant opposition vote and a realistic possibility for the opposition to increase its support or gain power through elections?

- Are various legal/administrative restrictions selectively applied to opposition parties to prevent them from increasing their support base or successfully competing in elections?
- Are there legitimate opposition forces in positions of authority, such as in the national legislature or in subnational governments?

rested, imprisoned, or subjected to violent attacks as a result of their peaceful political activities?

3. Are the people's political choices free from domination by the military, foreign powers, totalitarian parties, religious hierarchies, economic oligarchies, or any other powerful group?

- Do such groups offer bribes to voters and/or political figures in order to influence their political choices?

figures in order to influence their political choices?

ernment policy and activities, including in countries that nominally are under civilian control?

government policy and activities by means including the presence of foreign military troops, the use of significant economic threats or sanctions, etc.?

4. Do cultural, ethnic, religious, or other minority groups have full political rights and electoral opportunities?

of specific concern to minority groups?

- Does the government inhibit the participation of minority groups in national or sub-national political life through laws and/or practical obstacles?
- Are political parties based on ethnicity, culture, or religion which espouse peaceful, democratic values legally permitted and de facto allowed to operate?

### **C. FUNCTIONING OF GOVERNMENT**

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

office?

prevent freely elected representatives from adopting and implementing legislation and making meaningful policy decisions?

- Do nonstate actors, including criminal gangs, the military, and foreign governments, interfere with or prevent elected representatives from adopting and implementing legislation and making meaningful policy decisions?

2. Is the government free from pervasive corruption?

- Has the government implemented effective anticorruption laws or programs to prevent, detect, and punish corruption among public officials, including conflict of interest?
- Is the government free from excessive bureaucratic regulations, registration requirements, or other controls that increase opportunities for corruption?
- Are there independent and effective auditing and investigative bodies that function without impediment or political pressure or influence?

investigated and prosecuted without prejudice, particularly against political opponents?

- Are allegations of corruption given wide and extensive airing in the media?
- Do whistle-blowers, anticorruption activists, investigators, and journalists enjoy legal protections that make them feel secure about reporting cases of bribery and corruption?

tions Index score for this country?

3. Is the government accountable to the electorate between elections, and does it operate with openness and transparency?

- Are civil society groups, interest groups, journalists, and other citizens able to comment on and influence pending policies of legislation?

tion about government operations and the means to petition government agencies for it?

- Is the budget-making process subject to meaningful legislative review and public scrutiny?

timely fashion?

- Does the state ensure transparency and effective competition in the awarding of government contracts?
- Are the asset declarations of government officials open to public and media scrutiny and verification?

**ADDITIONAL DISCRETIONARY POLITICAL RIGHTS QUESTIONS:**

A. For traditional monarchies that have no parties or electoral process, does the system provide for genuine, meaningful consultation with the people, encourage public discussion of policy choices, and allow the right to petition the ruler?

- Is there a non-elected legislature that advises the monarch on policy issues?
- Are there formal mechanisms for individuals or civic groups to speak with or petition the monarch?
- Does the monarch take petitions from the public under serious consideration?

B. Is the government or occupying power deliberately changing the ethnic composition of a country or territory so as to destroy a culture or tip the political balance in favor of another group?

- Is the government providing economic or other incentives to certain people in order to change the ethnic composition of a region or regions?
- Is the government forcibly moving people in or out of certain areas in order to change the ethnic composition of those regions?
- Is the government arresting, imprisoning, or killing members of certain ethnic groups in order to change the ethnic composition of a region or regions?

#### **CIVIL LIBERTIES CHECKLIST**

##### **D. FREEDOM OF EXPRESSION AND BELIEF**

1. Are there free and independent media and other forms of cultural expression?  
(*Note:* In cases where the media are state controlled but offer pluralistic points of view, the survey gives the system credit.)

- Does the government directly or indirectly censor print, broadcast, and/or Internet-based media?
- Is self-censorship among journalists common, especially when reporting on politically sensitive issues, including corruption or the activities of senior officials?

scrutinize government officials and policies through either onerous fines or imprisonment?

- Is it a crime to insult the honor and dignity of the president and/or other government officials? How broad is the range of such prohibitions, and how vigorously are they enforced?
- If media outlets are dependent on the government for their financial survival, does the government withhold funding in order to propagandize, primarily provide official points of view, and/or limit access by opposition parties and civic critics?
- Does the government attempt to influence media content and access through means including politically motivated awarding of broadcast frequencies and newspaper registrations, unfair control and influence over printing facilities and distribution networks, selective distribution of advertising, onerous registration requirements, prohibitive tariffs, and bribery?
- Are journalists threatened, arrested, imprisoned, beaten, or killed by government or nongovernmental actors for their legitimate journalistic activities, and if such cases occur, are they investigated and prosecuted fairly and expeditiously?
- Are works of literature, art, music, and other forms of cultural expression censored or banned for political purposes?

2. Are religious institutions and communities free to practice their faith and express themselves in public and private?

- Are registration requirements employed to impede the free functioning of religious institutions?
- Are members of religious groups, including minority faiths and movements, harassed, fined, arrested, or beaten by the authorities for engaging in their religious practices?
- Does the government appoint or otherwise influence the appointment of religious leaders?
- Does the government control the production and distribution of religious books and other materials and the content of sermons?
- Is the construction of religious buildings banned or restricted?
- Does the government place undue restrictions on religious education? Does the government require religious education?

3. Is there academic freedom, and is the educational system free of extensive political indoctrination?

- Are teachers and professors free to pursue academic activities of a political and quasi-political nature without fear of physical violence or intimidation by state or nonstate actors?
- Does the government pressure, strongly influence, or control the content of school curriculums for political purposes?
- Are student associations that address issues of a political nature allowed to function freely?

officials, pressure students and/or teachers to support certain political figures or agendas, including pressuring them to attend political rallies or vote for certain candidates? Conversely, does the government, including through school administration or other officials, discourage or forbid students and/or teachers from supporting certain candidates and parties?

4. Is there open and free private discussion?

political nature (in places including restaurants, public transportation, and their homes) without fear of harassment or arrest by the authorities?

- Does the government employ people or groups to engage in public surveillance and to report alleged antigovernment conversations to the authorities?

## **E. ASSOCIATIONAL AND ORGANIZATIONAL RIGHTS**

1. Is there freedom of assembly, demonstration, and open public discussion?

or severely restricted?

demonstrations particularly cumbersome and time consuming?

- Are participants of peaceful demonstrations intimidated, arrested, or assaulted?

from engaging in such actions?

2. Is there freedom for nongovernmental organizations? (*Note:* This includes civic organizations, interest groups, foundations, etc.)

- Are registration and other legal requirements for nongovernmental organizations particularly onerous and intended to prevent them from functioning freely?
- Are laws related to the financing of nongovernmental organizations unduly complicated and cumbersome?
- Are donors and funders of nongovernmental organizations free of government pressure?
- Are members of nongovernmental organizations intimidated, arrested, imprisoned, or assaulted because of their work?

3. Are there free trade unions and peasant organizations or equivalents, and is there effective collective bargaining? Are there free professional and other private organizations?

- Are trade unions allowed to be established and to operate free from government interference?
- Are workers pressured by the government or employers to join or not to join certain trade unions, and do they face harassment, violence, or dismissal from their jobs if they do?
- Are workers permitted to engage in strikes, and do members of unions face reprisals for engaging in peaceful strikes? (*Note:* This question may not apply to workers in essential government services or public safety jobs.)
- Are unions able to bargain collectively with employers and able to negotiate collective bargaining agreements that are honored in practice?
- For states with very small populations or primarily agriculturally-based economies that do not necessarily support the formation of trade unions, does the government allow for the establishment of peasant organizations or their equivalents? Is there legislation expressly forbidding the formation of trade unions?

allowed to operate freely and without government interference?

## F. RULE OF LAW

1. Is there an independent judiciary?
  - Is the judiciary subject to interference from the executive branch of government or from other political, economic, or religious influences?
  - Are judges appointed and dismissed in a fair and unbiased manner?
  - Do judges rule fairly and impartially, or do they commonly render verdicts that favor the government or particular interests, whether in return for bribes or other reasons?
  - Do executive, legislative, and other governmental authorities comply with judicial decisions, and are these decisions effectively enforced?
  - Do powerful private concerns comply with judicial decisions, and are decisions that run counter to the interests of powerful actors effectively enforced?
  
2. Does the rule of law prevail in civil and criminal matters? Are police under direct civilian control?
  - Are defendants' rights, including the presumption of innocence until proven guilty, protected?
  - Are detainees provided access to independent, competent legal counsel?
  - Are defendants given a fair, public, and timely hearing by a competent, independent, and impartial tribunal?
  - Are prosecutors independent of political control and influence?
  - Are prosecutors independent of powerful private interests, whether legal or illegal?
  - Is there effective and democratic civilian state control of law enforcement officials through the judicial, legislative, and executive branches?
  - Are law enforcement officials free from the influence of nonstate actors, including organized crime, powerful commercial interests, or other groups?
  
3. Is there protection from political terror, unjustified imprisonment, exile, or torture, whether by groups that support or oppose the system? Is there freedom from war and insurgencies?
  - Do law enforcement officials make arbitrary arrests and detentions without warrants or fabricate or plant evidence on suspects?
  - Do law enforcement officials beat detainees during arrest and interrogation or use excessive force or torture to extract confessions?
  - Are conditions in pretrial facilities and prisons humane and respectful of the human dignity of inmates?
  - Do citizens have the means of effective petition and redress when their rights are violated by state authorities?



population widespread?

- Is the population subjected to physical harm, forced removal, or other acts of violence or terror due to civil conflict or war?

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

- Are members of various distinct groups—including ethnic and religious minorities, homosexuals, and the disabled—able to exercise effectively their human rights with full equality before the law?
- Is violence against such groups widespread, and if so, are perpetrators brought to justice?
- Do members of such groups face legal and/or de facto discrimination in areas including employment, education, and housing because of their identification with a particular group?
- Do women enjoy full equality in law and in practice as compared to men?

grants—enjoy basic internationally recognized human rights, including the right not to be subjected to torture or other forms of ill-treatment, the right to due process of law, and the rights of freedom of association, expression, and religion?

- Do the country's laws provide for the granting of asylum or refugee status in accordance with the 1951 UN Convention Relating to the Status of Refugees, its 1967 Protocol, and other regional treaties regarding refugees? Has the government established a system for providing protection to refugees, including against *refoulement* (the return of persons to a country where there is reason to believe they fear persecution)?

#### **G. PERSONAL AUTONOMY AND INDIVIDUAL RIGHTS**

1. Does the state control travel or choice of residence, employment, or institution of higher education?

- Are there restrictions on foreign travel, including the use of an exit visa system, which may be issued selectively?
- Is permission required from the authorities to move within the country?
- Does the government determine or otherwise influence a person's type and place of employment?
- Are bribes or other inducements for government officials needed to obtain the necessary documents to travel, change one's place of residence or employment, enter institutions of higher education, or advance in school?

2. Do citizens have the right to own property and establish private businesses?

Is private business activity unduly influenced by government officials, the security forces, political parties/organizations, or organized crime?

- Are people legally allowed to purchase and sell land and other property, and can they do so in practice without undue interference from the government or nonstate actors?
- Does the government provide adequate and timely compensation to people whose property is expropriated under eminent domain laws?
- Are people legally allowed to establish and operate private businesses with a reasonable minimum of registration, licensing, and other requirements?

documents to operate private businesses?

- Do private/nonstate actors, including criminal groups, seriously impede private business activities through such measures as extortion?

3. Are there personal social freedoms, including gender equality, choice of marriage partners, and size of family?

- Is violence against women, including wife-beating and rape, widespread, and are perpetrators brought to justice?
- Is the trafficking of women and/or children abroad for prostitution widespread, and is the government taking adequate efforts to address the problem?
- Do women face de jure and de facto discrimination in economic and social matters, including property and inheritance rights, divorce proceedings, and child custody matters?
- Does the government directly or indirectly control choice of marriage partners through means such as requiring large payments to marry certain individuals (e.g., foreign citizens) or by not enforcing laws against child marriage or dowry payments?
- Does the government determine the number of children that a couple may have?

ethnic indoctrination and related restrictions on personal freedoms?

- Do private institutions, including religious groups, unduly infringe on the rights of individuals, including choice of marriage partner, dress, etc.?

4. Is there equality of opportunity and the absence of economic exploitation?

through state ownership and the setting of prices and production quotas?

energy sector, benefit the general population or only a privileged few?

- Do private interests exert undue influence on the economy through monopolistic practices, cartels, or illegal blacklists, boycotts, or discrimination?

employment limited by widespread nepotism and the payment of bribes?

to enjoy certain economic benefits than others? For example, are certain groups restricted from holding particular jobs, whether in the public or the private sector, because of de jure or de facto discrimination?

- Do state or private employers exploit their workers through activities including unfairly withholding wages and permitting or forcing employees to work under unacceptably dangerous conditions, as well as through adult slave labor and child labor?

**KEY TO SCORES, PR AND CL RATINGS, AND STATUS**

**Table 1**

**Table 2**

<b>Political Rights (PR)</b>		<b>Civil Liberties (CL)</b>	
<b>Total Scores</b>	<b>PR Rating</b>	<b>Total Scores</b>	<b>CL Rating</b>
36-40	1	53-60	1
30-35	2	44-52	2
24-29	3	35-43	3
18-23	4	26-34	4
12-17	5	17-25	5
6-11	6	8-16	6
0-5*	7	0-7	7
<b>Table 3</b>			
<b>Combined Average of the PR and CL Ratings</b>		<b>Country Status</b>	
1.0-2.5		Free	
3.0-5.0		Partly Free	
5.5-7.0		Not Free	

\* It is possible for a country's total political rights score to be less than zero (between -1 and -4) if it receives mostly or all zeros for each of the 10 political rights questions *and* it receives a sufficiently negative score for political rights discretionary question B. In such a case, a country would still receive a final political rights rating of 7.

# Tables and Ratings

## Table of Independent Countries

Country	PR	CL	Freedom Rating	Country	PR	CL	Freedom Rating
↓ Afghanistan	5	5	Partly Free	Dominica*	1	1	Free
Albania*	3	3	Partly Free	Dominican Republic*	2	2	Free
Algeria	6	5	Not Free	East Timor*	3	4	Partly Free
Andorra*	1	1	Free	Ecuador*	3	3	Partly Free
Angola	6	5	Not Free	↓ Egypt	6	5	Not Free
Antigua and Barbuda*	2	2	Free	El Salvador*	2	3	Free
Argentina*	2	2	Free	Equatorial Guinea	7	6	Not Free
Armenia	5	4	Partly Free	Eritrea	7	6	Not Free
Australia*	1	1	Free	Estonia*	1	1	Free
Austria*	1	1	Free	Ethiopia	5	5	Partly Free
↓ Azerbaijan	6	5	Not Free	Fiji	6	4	Partly Free
Bahamas*	1	1	Free	Finland*	1	1	Free
Bahrain	5	5	Partly Free	France*	1	1	Free
Bangladesh	5▼	4	Partly Free	Gabon	6	4	Partly Free
Barbados*	1	1	Free	The Gambia	5	4	Partly Free
Belarus	7	6	Not Free	Georgia*	4▼	4▼	Partly Free
Belgium*	1	1	Free	Germany*	1	1	Free
Belize*	1	2	Free	Ghana*	1	2	Free
Benin*	2	2	Free	Greece*	1	2	Free
Bhutan	6	5	Not Free	Grenada*	1	2	Free
Bolivia*	3	3	Partly Free	Guatemala*	3	4	Partly Free
Bosnia-Herzegovina	4▼	3	Partly Free	Guinea	6	5	Not Free
Botswana*	2	2	Free	↓ Guinea-Bissau*	4	4	Partly Free
Brazil*	2	2	Free	Guyana*	2	3	Free
Brunei	6	5	Not Free	↑ Haiti*	4	5	Partly Free
Bulgaria*	1	2	Free	Honduras*	3	3	Partly Free
Burkina Faso	5	3	Partly Free	Hungary*	1	1	Free
↓ Burma	7	7	Not Free	Iceland*	1	1	Free
Burundi*	4	5	Partly Free	India*	2	3	Free
Cambodia	6	5	Not Free	Indonesia*	2	3	Free
↓ Cameroon	6	6	Not Free	Iran	6	6	Not Free
Canada*	1	1	Free	Iraq	6	6	Not Free
Cape Verde*	1	1	Free	Ireland*	1	1	Free
Central African Republic*	5	5▼	Partly Free	Israel*	1	2	Free
Chad	7▼	6	Not Free	Italy*	1	1	Free
Chile*	1	1	Free	Jamaica*	2	3	Free
China	7	6	Not Free	Japan*	1	2	Free
Colombia*	3	3	Partly Free	Jordan	5	4	Partly Free
Comoros*	4▼	4	Partly Free	↓ Kazakhstan	6	5	Not Free
↓ Congo (Brazzaville)	6	5	Not Free	Kenya	4▼	3	Partly Free
↓ Congo (Kinshasa)	5	6	Not Free	Kiribati*	1	1	Free
Costa Rica*	1	1	Free	Kuwait	4	4	Partly Free
Cote d'Ivoire	7	5▲	Not Free	↓ Kyrgyzstan	5	4	Partly Free
Croatia*	2	2	Free	Laos	7	6	Not Free
Cuba	7	7	Not Free	Latvia*	2▼	1	Free
Cyprus*	1	1	Free	↓ Lebanon	5	4	Partly Free
Czech Republic*	1	1	Free	↓ Lesotho*	2	3	Free
Denmark*	1	1	Free	Liberia*	3	4	Partly Free
Djibouti	5	5	Partly Free	Libya	7	7	Not Free
				Liechtenstein*	1	1	Free

Country	PR	CL	Freedom Rating	Country	PR	CL	Freedom Rating
Lithuania*	1	1	Free	Seychelles*	3	3	Partly Free
Luxembourg*	1	1	Free	Sierra Leone*	3▲	3	Partly Free
Macedonia*	3	3	Partly Free	Singapore	5	4	Partly Free
▾ Madagascar*	4	3	Partly Free	Slovakia*	1	1	Free
Malawi*	4	4▼	Partly Free	Slovenia*	1	1	Free
▾ Malaysia	4	4	Partly Free	▾ Solomon Islands	4	3	Partly Free
Maldives	6	5	Not Free	▾ Somalia	7	7	Not Free
Mali*	2	3▼	Free	South Africa*	2	2	Free
Malta*	1	1	Free	South Korea*	1	2	Free
Marshall Islands*	1	1	Free	Spain*	1	1	Free
Mauritania*	4▲	4	Partly Free	▾ Sri Lanka*	4	4	Partly Free
Mauritius*	1	2	Free	Sudan	7	7	Not Free
Mexico*	2	3	Free	Suriname*	2	2	Free
Micronesia*	1	1	Free	Swaziland	7	5	Not Free
Moldova*	3	4	Partly Free	Sweden*	1	1	Free
Monaco*	2	1	Free	▾ Switzerland*	1	1	Free
Mongolia*	2	2	Free	▾ Syria	7	6	Not Free
Montenegro*	3	3	Partly Free	Taiwan*	2	1	Free
Morocco	5	4	Partly Free	Tajikistan	6	5	Not Free
Mozambique*	3	3▲	Partly Free	Tanzania	4	3	Partly Free
Namibia*	2	2	Free	Thailand	6▲	4	Partly Free
Nauru*	1	1	Free	Togo	5▲	5	Partly Free
Nepal	5	4	Partly Free	Tonga	5	3	Partly Free
Netherlands*	1	1	Free	Trinidad and Tobago*	2	2	Free
New Zealand*	1	1	Free	Tunisia	7▼	5	Not Free
▾ Nicaragua*	3	3	Partly Free	↑ Turkey*	3	3	Partly Free
Niger*	3	4▼	Partly Free	Turkmenistan	7	7	Not Free
▾ Nigeria	4	4	Partly Free	Tuvalu*	1	1	Free
North Korea	7	7	Not Free	Uganda	5	4	Partly Free
Norway*	1	1	Free	Ukraine*	3	2	Free
Oman	6	5	Not Free	United Arab Emirates	6	5	Not Free
▾ Pakistan	6	5	Not Free	United Kingdom*1	1	1	Free
Palau*	1	1	Free	United States*	1	1	Free
Panama*	1	2	Free	Uruguay*	1	1	Free
▾ Papua New Guinea*	3	3	Partly Free	Uzbekistan	7	7	Not Free
Paraguay*	3	3	Partly Free	Vanuatu*	2	2	Free
Peru*	2	3	Free	▾ Venezuela*	4	4	Partly Free
Philippines	4▼	3	Partly Free	Vietnam	7	5	Not Free
↑ Poland*	1	1	Free	Yemen	5	5	Partly Free
Portugal*	1	1	Free	Zambia*	3	4	Partly Free
Qatar	6	5	Not Free	Zimbabwe	7	6	Not Free
Romania*	2	2	Free				
▾ Russia	6	5	Not Free				
↑ Rwanda	6	5	Not Free				
St. Kitts and Nevis*1	1	1	Free				
St. Lucia*	1	1	Free				
St. Vincent and the Grenadines*	2	1	Free				
Samoa*	2	2	Free				
San Marino*	1	1	Free				
Sao Tome and Principe*	2	2	Free				
Saudi Arabia	7	6	Not Free				
Senegal*	2	3	Free				
Serbia*	3	2	Free				

PR and CL stand for Political Rights and Civil Liberties, respectively; 1 represents the most free and 7 the least free rating. The ratings reflect an overall judgment based on survey results.

▲▼ up or down indicates a change in Political Rights or Civil Liberties since the last survey.

↑↓ up or down indicates a trend arrow.

\* indicates a country's status as an electoral democracy.

Note: The ratings reflect global events from January 1, 2007, through December 31, 2007.

**Table of Related Territories**

Country	PR	CL	Freedom Rating
China Hong Kong	5	2	Partly Free
United States Puerto Rico	1	1	Free

**Table of Disputed Territories**

Country	PR	CL	Freedom Rating
Armenia/Azerbaijan Nagorno-Karabakh	5	5	Partly Free
China Tibet	7	7	Not Free
Cyprus Northern (Turkish) Cyprus	2	2	Free
Georgia Abkhazia	5	5	Partly Free
India Kashmir	5	4▲	Partly Free
Israel Israeli-Occupied Territories	6	6▼	Not Free
Palestinian Authority- Administered Territories	5▼	6	Not Free
Moldova Transnistria	6	6	Not Free
Morocco Western Sahara	7	6	Not Free
Pakistan Kashmir	7	5	Not Free
Russia Chechnya	7	7	Not Free
Serbia Kosovo	6	5	Not Free
Somalia Somaliland	4	4	Partly Free

**Combined Average Ratings: Independent Countries**

<b>FREE</b>	Grenada	Paraguay	Togo
<b>1.0</b>	Israel	Seychelles	Yemen
Andorra	Japan	Sierra Leone	
Australia	Latvia	Turkey	<b>NOT FREE</b>
Austria	Monaco		<b>5.5</b>
Bahamas	Panama	<b>3.5</b>	Algeria
Barbados	St. Vincent	Bosnia-Herzegovina	Angola
Belgium	and the Grenadines	East Timor	Azerbaijan
Canada	South Korea	Guatemala	Bhutan
Cape Verde	Taiwan	Kenya	Brunei
Chile		Liberia	Cambodia
Costa Rica	<b>2.0</b>	Madagascar	Congo (Brazzaville)
Cyprus	Antigua and Barbuda	Moldova	Congo (Kinshasa)
Czech Republic	Argentina	Niger	Egypt
Denmark	Benin	Philippines	Guinea
Dominica	Botswana	Solomon Islands	Kazakhstan
Estonia	Brazil	Tanzania	Maldives
Finland	Croatia	Zambia	Oman
France	Dominican Republic		Pakistan
Germany	Mauritius	<b>4.0</b>	Qatar
Hungary	Mongolia	Burkina Faso	Russia
Iceland	Namibia	Comoros	Rwanda
Ireland	Romania	Georgia	Tajikistan
Italy	Samoa	Guinea-Bissau	United Arab Emirates
Kiribati	Sao Tome and Principe	Kuwait	
Liechtenstein	South Africa	Malawi	<b>6.0</b>
Lithuania	Suriname	Malaysia	Cameroon
Luxembourg	Trinidad and Tobago	Mauritania	Cote d'Ivoire
Malta	Vanuatu	Nigeria	Iran
Marshall Islands		Sri Lanka	Iraq
Micronesia	<b>2.5</b>	Tonga	Swaziland
Nauru	El Salvador	Venezuela	Tunisia
Netherlands	Guyana		Vietnam
New Zealand	India	<b>4.5</b>	
Norway	Indonesia	Armenia	<b>6.5</b>
Palau	Jamaica	Bangladesh	Belarus
Poland	Lesotho	Burundi	Chad
Portugal	Mali	The Gambia	China
Saint Kitts and Nevis	Mexico	Haiti	Equatorial Guinea
Saint Lucia	Peru	Jordan	Eritrea
San Marino	Senegal	Kyrgyzstan	Laos
Slovakia	Serbia	Lebanon	Saudi Arabia
Slovenia	Ukraine	Morocco	Syria
Spain		Nepal	Zimbabwe
Sweden	<b>PARTLY FREE</b>	Singapore	
Switzerland	<b>3.0</b>	Uganda	<b>7.0</b>
Tuvalu	Albania		Burma
United Kingdom	Bolivia	<b>5.0</b>	Cuba
United States	Colombia	Afghanistan	Libya
Uruguay	Ecuador	Bahrain	North Korea
	Honduras	Central African Republic	Somalia
<b>1.5</b>	Macedonia	Djibouti	Sudan
Belize	Montenegro	Ethiopia	Turkmenistan
Bulgaria	Mozambique	Fiji	Uzbekistan
Ghana	Nicaragua	Gabon	
Greece	Papua New Guinea	Thailand	

**Combined  
Average  
Ratings:  
Related  
Territories**

<b>FREE</b>
<b>1.0</b>
Puerto Rico (US)
<b>PARTLY FREE</b>
<b>3.5</b>
Hong Kong (China)

**Combined Average Ratings: Disputed Territories**

<b>FREE</b>	<b>PARTLY FREE</b>	<b>NOT FREE</b>
<b>2.0</b>	<b>4.0</b>	<b>5.5</b>
Cyprus (Northern [Turkish] Cyprus)	Somaliland (Somalia)	Palestinian Authority- Administered Territories (Israel)
	<b>4.5</b>	Kosovo (Serbia)
	Kashmir (India)	<b>6.0</b>
	<b>5.0</b>	Israeli-Occupied Territories (Israel)
	Abkhazia (Georgia)	Kashmir (Pakistan)
	Nagorno-Karabakh (Armenia/Azerbaijan)	Transnistria (Moldova)
		<b>6.5</b>
		Western Sahara (Morocco)
		<b>7.0</b>
		Chechnya (Russia)
		Tibet (China)



## Electoral Democracies (121)

Albania	Iceland
Andorra	India
Antigua and Barbuda	Indonesia
Argentina	Ireland
Australia	Israel
Austria	Italy
Bahamas	Jamaica
Barbados	Japan
Belgium	Kiribati
Belize	Latvia
Benin	Lesotho
Bolivia	Liberia
Botswana	Liechtenstein
Brazil	Lithuania
Bulgaria	Luxembourg
Burundi	Macedonia
Canada	Madagascar
Cape Verde	Malawi
Central African Republic	Mali
Chile	Malta
Colombia	Marshall Islands
Comoros	Mauritania
Costa Rica	Mauritius
Croatia	Mexico
Cyprus	Micronesia
Czech Republic	Moldova
Denmark	Monaco
Dominica	Mongolia
Dominican Republic	Montenegro
East Timor	Mozambique
Ecuador	Namibia
El Salvador	Nauru
Estonia	Netherlands
Finland	New Zealand
France	Nicaragua
Georgia	Niger
Germany	Norway
Ghana	Palau
Greece	Panama
Grenada	Papua New Guinea
Guatemala	Paraguay
Guinea-Bissau	Peru
Guyana	Poland
Haiti	Portugal
Honduras	Romania
Hungary	St. Kitts and Nevis

St. Lucia  
St. Vincent and the Grenadines  
Samoa  
San Marino  
Sao Tome and Principe  
Senegal  
Serbia  
Seychelles  
Sierra Leone  
Slovakia  
Slovenia  
South Africa  
South Korea  
Spain  
Sri Lanka

Suriname  
Sweden  
Switzerland  
Taiwan  
Trinidad and Tobago  
Turkey  
Tuvalu  
Ukraine  
United Kingdom  
United States  
Uruguay  
Vanuatu  
Venezuela  
Zambia

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