ARTICLE 19

# The Global Expression Report 2019/2020

The state of freedom of expression around the world

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ARTICLE 19 works for a world where all people everywhere can freely express themselves and actively engage in public life without fear of discrimination. We do this by working on two interlocking freedoms, which set the foundation for all our work. The Freedom to Speak concerns everyone's right to express and disseminate opinions, ideas and information through any means, as well as to disagree from, and question power-holders. The Freedom to Know concerns the right to demand and receive information by power-holders for transparency good governance and sustainable development. When either of these freedoms comes under threat, by the failure of power-holders to adequately protect them, ARTICLE 19 speaks with one voice, through courts of law, through global and regional organisations, and through civil society wherever we are present.

# Contents

# Acknowledgements

ARTICLE 19 wishes to thank everyone who has contributed to this year's report, and all those behind the scenes who know how important the insights of such a report are.

At the time of a global pandemic, we remember that the report is the sum of many efforts, gathering as it does the work of many organisations and human rights activists all over the world. Without you, we would not have the *Global Expression Report*.

Journalist Emily Hart and statistician Nicole Steward-Streng develop and deliver the insights of this report, drawing together and making sense of a vast range of data, experience, and contexts. Emily and Nicole have worked closely together to evolve the GxR metric to its current form, with Emily undertaking extensive research, analysis, and writing, and Nicole generating the data set that underpins the metric – helping us to dive into layers of analysis previously difficult to reach.

All our numbers are based on the peerless data set from V-Dem, and bringing all this to life is the extensive on-the-ground experience of our regional and thematic colleagues all over the world. Thank you to everyone for all that you have contributed to this year's edition.

Our production team this year has been brilliantly led by communications expert Raahat Currim who assembled a terrific team and kept everyone focussed on getting us to the finish line: thank you to Angela Yates for her detailed work on the text; to Lucy Peers for creating the visual coherence in the design of the data throughout, and to Sharon Leese for expert layout and additional design.

It is because of everyone involved that we can continue to keep our **#EyesOnExpression.**

## About the V-Dem Institute and data set

The V-Dem Institute is an independent research institute and the headquarters of the project is based at the Department of Political Science, University of Gothenburg, Sweden. The Institute was founded by Professor Staffan I. Lindberg in 2014.

The Institute is in charge of most operations relating to data collection of the V-Dem data set, one of the largest-ever social science data collection efforts in the world, with a database containing over 28.4 million data points. The latest version of the data set, v10, covers 202 countries from 1789–2019.

# Reader's note

With this year's Global Expression Report, we invite readers to explore the data and the analysis in the following ways.

Chapter 1 looks at the big picture – the major shifts in expression revealed by the data over a 10-year period. This section will give you a clear view of the structure of the metric, the range of data, and the big movers at a geographic level. It also presents analytical overviews of the trends.

From Chapter 2 to Chapter 6 we zoom in to the five different regional contexts for expression, and in particular look at where progress and downward trends are visible.

Analysis provided for each of the regional chapters is based on desk research from a wide range of publications and organisations, including our own work. Unlike previous years, live links to sources are provided in the text rather than as footnotes. Graphics illustrate the performance within each country and region over the same timescale as in Chapter 1.

All graphs are measured on a scale of 0-100, except Figures 10, 11, 12 and 13 in Chapter 1.3, which measure scores for democracy and the wider context for expression. These follow a different scale because these indicators are not part of the overall metric but are used to help us better understand the context of these freedom of expression scores, namely the ease of access to information (media) and how effective the structures, such as accountability, are in the state of expression.

Falling scores for countries across all data tables are organised in descending order with the worst performers at the top.

While the period under analysis is from 2009–2019, updates for 2020 are included in coloured boxes.

A detailed methodology for the metric is provided in Annex 1. This section explains how the metric has been constructed and the data sets analysed. Annex 2 lists the GxR data for each of the 161 countries.

We hope you find the GxR metric both accessible and informative.

# We must reclaim our rights to speak and to know

**Foreword by Quinn McKew**

In the wake of the COVID-19 pandemic, we face a global rebalancing of the relationship between individuals, communities, and the state. Since December 2019, we have seen the world redrawn in a myriad ways: borders have risen, surveillance has increased, and movement has been dramatically curtailed.

Human interaction is, more than ever, mediated through countless hours online, as hundreds of millions of people have been confined to their homes. We have learned how to navigate conflicting guidance while filtering a tsunami of information. And we have tacitly accepted the fact of millions of people losing their lives, or facing extreme poverty as the fall-out of the pandemic rolls on.

There is no doubt that the imprint this period will leave on us all will be profound. Yet we hold the power of our response. We must push back against the chaos that has been unleashed by the way states have responded to the pandemic, and the most effective and sustainable way we can do this is to strengthen our rights to speak and to know.

These two vital freedoms have been under pressure for a decade: without them, both states and individuals will be hostage to corruption and inequality. Full realisation of these rights ensures informed populations, who can demand effective accountable government.

In 2020, we are very far from full realisation of these rights: freedom of expression must now be claimed within an extremely challenging context – a new paradigm bounded by huge shifts in power, technology, and behaviour. We are witnessing a crisis in trust, with the credibility of authorities compromised and mainstream media struggling as a result of the pandemic and the profound changes to the information ecosystem prior to it. But not only that: the pandemic has demonstrated the acute necessity for populations everywhere to be able to access, and act on, accurate information from pluralistic and diverse media sources.

Without the right to know fully realised, which authorities in turn have actively undermined, governments are unable to maintain the credibility necessary to govern. How did we get here?

This report shows that the seeds for the breakdown in trust were sown over many years – like a slow march towards an uncertain future. The world entered the COVID-19 crisis with protection of the right to freedom of expression and information at its lowest ebb in over a decade. The Global Expression (GxR) metric shows that more of humanity lives under repressive regimes today than a decade ago, and that measures in every region are stagnant or declining.

51% of the world's population now live in countries rated **in crisis** – with a GxR score of less than 20/100: that is 3.9 billion people living in contexts where the right to know or the right to speak are routinely violated.

Countries with huge populations and others with great influence – China, India, Russia, Turkey, Iran, and Bangladesh to name only a few – are living in a 'crisis of expression'. Brazil has yet to fall into the crisis category, but has seen a steep and accelerating decline, while countries like the USA are faltering and creating increasingly hostile environments for communicators and activists.

These countries wield considerable power and significant economic and political influence in their regions. And many are actively avoiding accountability under international mechanisms which they themselves have signed up to.

Achieving progress for human rights overall is becoming more and more challenging: with impunity running at staggering levels, the need to rebalance the relationship of power is imperative.

304 human rights defenders were killed last year: 40% of those killed worked on land, indigenous peoples', and environmental rights, with a huge concentration of violence in Latin America; only a handful of prosecutions have ever reached courts of law.

57 journalists were killed in 2019 alone, with an impunity rate of around 90%. 971 journalists have been killed since 2009. At least 250 journalists were behind bars at the end of 2019, and attempts to silence journalists are diversifying – from 'lawfare' and judicial harassment, to surveillance and harassment by security services.

Impunity, silencing of media, excessive restrictions for online expression – these are actions of those in power. They have been increasing in severity and in each one of the ten years before.

We are now reaping the consequences: these erosions characterise the global response to COVID-19.

During this pandemic, there have been states of emergency declared in 90 countries, creating exceptional legislative situations which have enabled limitations on rights and freedoms. There have been more than 220 measures and policies globally which restrict expression, assembly, and information, with evidence that elections are also falling prey to manipulation under the guise of public health protections.

We have been witness to governments imposing sweeping surveillance measures, placing blanket restrictions on protests and directing Internet shutdowns, limiting the ability of millions to locate life-saving information.

We are seeing a serious and sustained roll-back of rights, with the virus itself now a pathogen of repression.

What this report also illustrates is that resistance is rising to face repression. Claiming the right to know and the right to speak have become crucial to sustaining momentum for change, and has provided the basis for a rebalancing of power between the state, the community and the individual.

Even confronted by state brutality, people united in huge numbers to form protest movements. And many achieved significant change, as the high GxR scores for countries like Tunisia, Sudan, and Armenia show: they are based on the fact that millions took to the streets determined to create space for reform and potential for institution-building.

With governments failing to protect the integrity and effectiveness of democratic institutions, faith in them is fast eroding: demonstration has proven key to political participation and institutional reform and given voice to citizens and vulnerable non-citizen groups alike.

Even during the pandemic, people have not stopped taking to the streets: the USA saw extremely influential protests this year, and many in Hong Kong, Algeria, Mexico, Iran, Belarus, and Lebanon (to list only a few) have named the fact of poor governance as a greater threat to communities than COVID-19.

But authorities and police continue to treat protests as a threat to democracy rather than as a key part of it, responding with violence, abusive behaviour towards people who protest, and efforts to stigmatize it. And we have witnessed attempts at repression not only from countries traditionally considered authoritarian. Even historically liberal states like the UK are trying to de-legitimise peaceful protest movements like Extinction Rebellion by aligning their cause to those defined as terrorist groups.

In this febrile atmosphere, we must renew our collective focus on redefining the contract between the individual and the state everywhere. While the international community has already built the infrastructure tasked with advancing states towards these objectives, in the form of attainment of the Sustainable Development Goals, renewed effort and a fresh focus on their undertakings is now vital.

These undertakings on governance, access to information, and corporate transparency, among others, are the best chance we have of driving long-term sustainable improvements in realising our rights to expression. The current crisis has increased inequalities which are literally costing people their lives.

Governments must honour these undertakings as part of rebuilding the relationship with the individual and re-establishing the trust which has been lost.

And fundamentally, governments must listen to those they govern, embrace radical transparency, and ensure the mechanisms of information sharing and participation are strengthened, not eroded.

Progress, for instance on anti-trust laws in the US affecting Big Tech, is especially crucial when so much of our interaction is mediated by them. Collectively, we must continue to reduce the control private bodies have over the free flow of information, improve accountability for content moderation, and push for solutions that distribute knowledge, power, and resources to the many, rather than concentrating them in the hands of a few.

When we are prevented from scrutinising those who abuse their power, we can no longer demand basic rights, including equality and education for all, clean air, water and food, fair and just conditions of work, an adequate standard of living, and the highest attainable standard of health. Authorities, with increased ease, demonstrate ability to manipulate populations to commit genocide, or brutally eradicate entire cultures.

3.9 billion people live in states where freedom of expression is **in crisis**. It is clear that our freedom to speak and know is at a perilous juncture. No event has proven this more clearly than the current health crisis. We must do all we can to stop these restrictions becoming permanent features of our governance systems. We must demand the space to question, and to participate. The time to act is now.

# The Global Expression Report: An introduction

The *Global Expression Report* is a comprehensive, annual data-informed look at freedom of expression worldwide.

With the benefit of data and hindsight, we take a look at 2019 – how this fundamental right fared, what the key trends were, and how it was affected by global events.

The *Global Expression Report*'s metric (the GxR) tracks freedom of expression across the world. The metric reflects not just the rights of journalists, media, and activists, but how much space there is for all of us – as individuals and members of organisations – to express and communicate. We look at how free each and every person is to post online, to march, to teach, and to access the information to participate in society and hold those with power to account.

Twenty-five indicators (see Annex 1) were used in 161 countries to create an overall freedom of expression score for every country on a scale of 1 to 100. These scores place countries into one of five categories.

We analysed scores and trends at global and regional level over a one, five, and 10-year period. Five key trends were identified at global level (see Chapter 1), and for each region (Chapters 2 to 6), there is an overview of the year with '2020 Hindsight', a regional trend in focus, and a close look at one country.

For the full GxR methodology, see Annex 1; for the full set of data tables, see Annex 2.

*Table 1: GxR rating categories according to score*

| GxR score | GxR rating |
|---|---|
| 0–19 | In Crisis |
| 20–39 | Highly Restricted |
| 40–59 | Restricted |
| 60–79 | Less Restricted |
| 80–100 | Open |

Chapter 1

# The Global View

**More than half of the world's population – around 3.9 billion people – live in countries where freedom of expression is in crisis: the highest ever figure. The longer-term declines tend to be in countries with democratically elected leaders who have held power over long periods and have slowly eroded democratic institutions.**

Chapter 1

# The global view

The world has undergone radical changes in the face of a global health crisis in 2020: the health crisis is, however, also a crisis of free expression and information.

Global freedom of expression is in decline, now at its lowest for a decade. The global GxR score dropped again in 2019, to 50.

The global GxR score is dropping, and the number of people living in countries where freedom of expression is **in crisis** is larger than ever. We count population and country scores at a one, five and 10-year period between 2009 and 2019.

More than half of the world's population – around 3.9 billion people – live in countries rated **in crisis**: the highest ever figure.

Though the number of countries in the crisis category has risen by seven since 2009 (Figure 5), the proportion of the global population has risen dramatically – from 29% to 51% (Figure 6). The biggest change happened between 2018 and 2019 when India, Algeria, and Somalia dropped into the bottom category.

Countries with larger populations are sliding into crisis and repression – these are often also countries which wield significant economic, political, and military influence in their regions, as well as further afield. China (1.4 billion people), India (1.4 billion people), Turkey (83 million people), Russia (144 million people), and Bangladesh (163 million people) are all rated **in crisis**. Brazil (211 million people) has yet to fall into the crisis category, but is seeing a steep and accelerating decline (see Chapter 1.2 for more).

Many of these countries blatantly disregard human rights standards both in legislation and in practice, and either do not engage at the UN, or push an anti-rights agenda at international fora.

The countries rated **open** tend to have smaller populations and less geographic territory.

Scores have been sliding in all regions for a decade, except in the Middle East and North Africa, where expression saw a very slight advance between 2011 and 2012 (in the wake of the Arab Spring) but had fallen back to its 2009 regional expression levels by 2019.

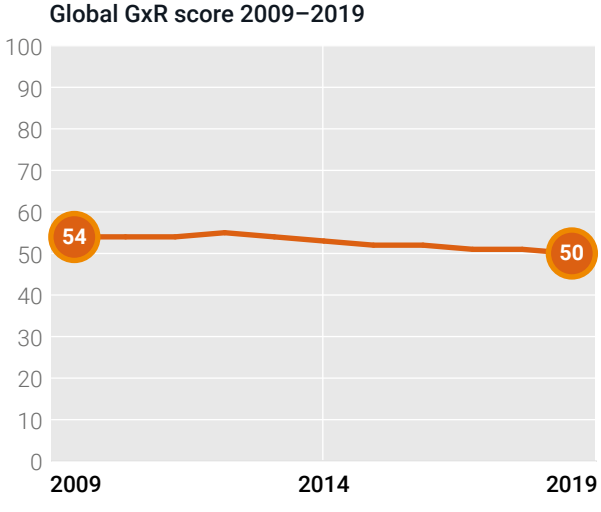



*Figure 1: Global GxR score 2009–2019*

*Table 2: Global population in each GxR category in 2019*

| GxR score | GxR rating | Number of countries | % Global population |
|---|---|---|---|
| 0–19 | In Crisis | 37 | 51% |
| 20–39 | Highly Restricted | 22 | 11% |
| 40–59 | Restricted | 29 | 17% |
| 60–79 | Less Restricted | 35 | 7% |
| 80–100 | Open | 38 | 15% |

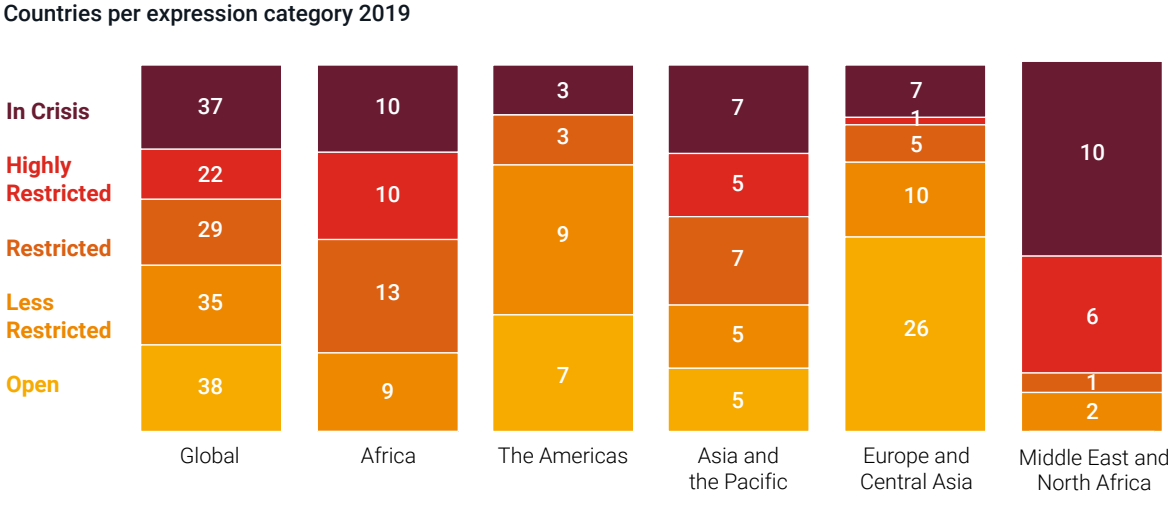



*Figure 2: Countries in each expression category in 2019*

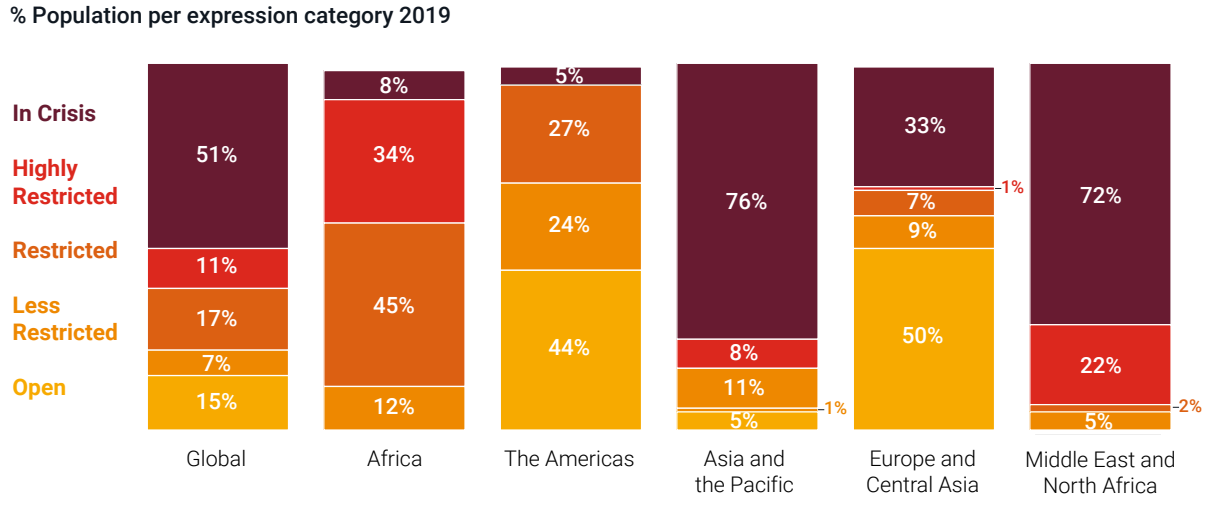



*Figure 3: Percentage of the population living in each expression category in 2019*

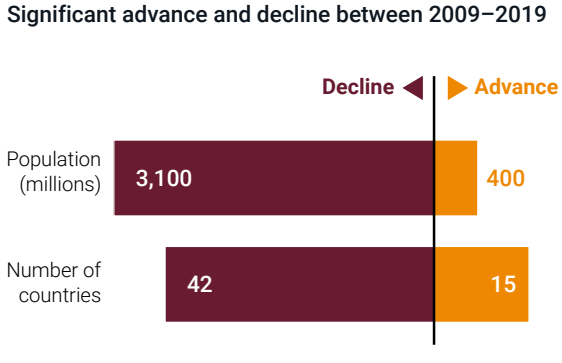



*Figure 4: Significant advances and declines in GxR scores 2009–2019*

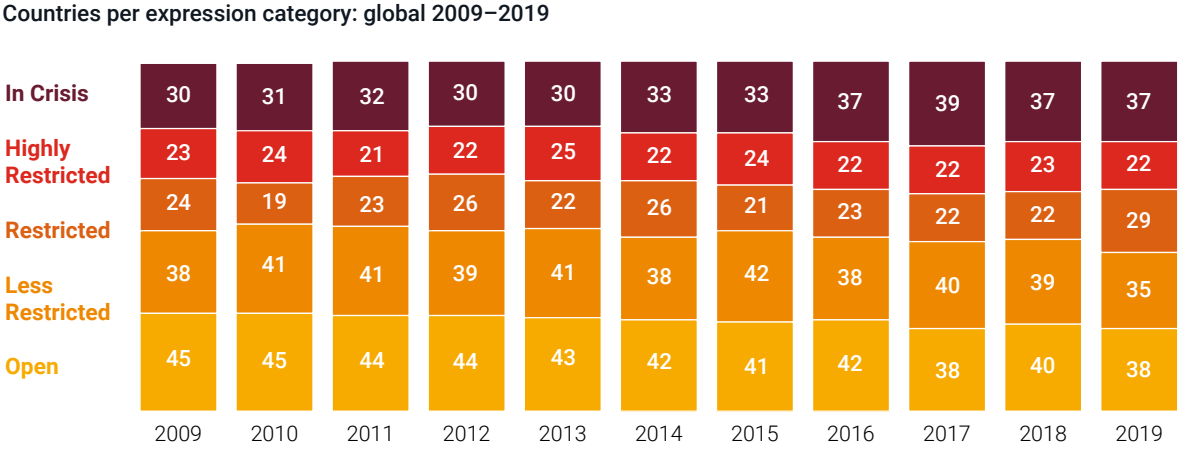



*Figure 5: Global number of countries in each expression category 2009–2019*

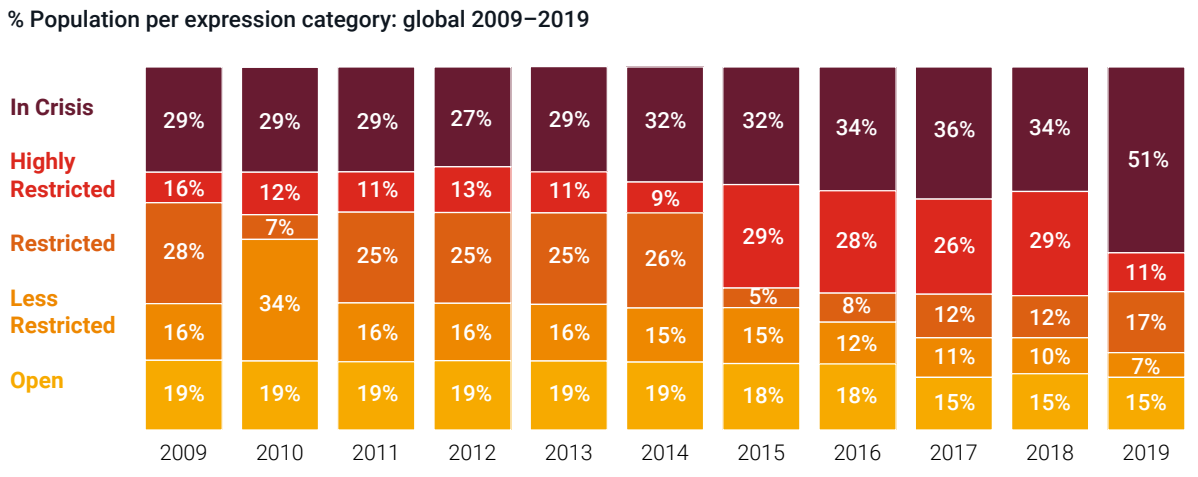



*Figure 6: Percentage of the global population living in each expression category 2009–2019*

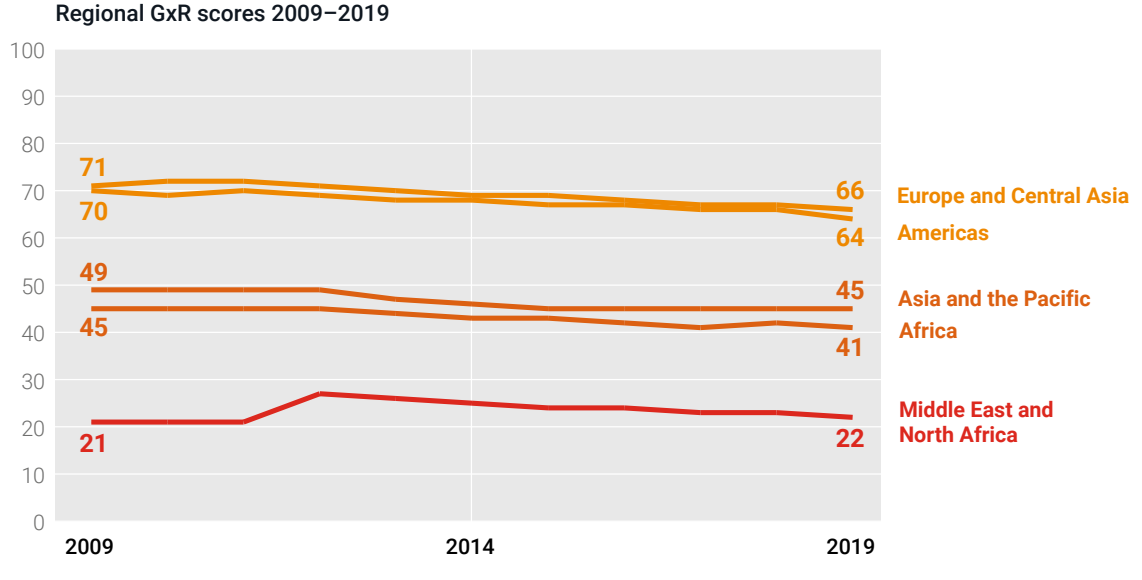



*Figure 7: Regional GxR scores 2009–2019*

1.1

# 2020 hindsight: Global trends

The world entered this crisis with freedom of expression in its worst shape in decades, with the ground perfectly laid for further erosion of rights and freedoms under the guise of crisis management.

The seeds of the global response to COVID-19 were sewn in 2019, with isolationist attitudes and populist strongmen hostile to journalism and science, and erosion of multilateral engagement and trust.

The COVID-19 virus emerged into environments already fraught with censorship and denigration of dissent or political opposition – and the worst global expression environment of the decade. Many governments have used the health crisis as a pretext on which to further control expression – online, in the media, and on the streets.

In 2019, people took to the streets to make themselves heard in huge numbers. There was a 51% rise in the number of demonstrations from the year before, with activity increasing in 71% of countries.

Austerity measures and economic inequality were a catalyst for many of these protests (most of the world's population now live in countries with increasing income inequality), as was frustration and mistrust in leadership.

Another thing many of these had in common was a violent response from the state. 2019 saw a 106% rise in fatalities during demonstrations, with the use of live rounds on demonstrators and the misuse and overuse of 'less than lethal' riot-control measures – many of which can, and do, maim and kill (see Chapter 1.4).

Traditional threats to expression marched onwards: the safety of journalists remains a serious issue globally, as does the lack of justice for cases of murder, assault, and harassment. Fifty-seven journalists were killed in 2019, with an impunity rate of around 90%. Justice remains elusive for Jamal Khashoggi, Daphne Caruana Galizia, and Ján Kuciak, as well as the Navarte murders in Mexico among many others. 971 journalists have been killed since 2009. Though the number of journalists killed in 2019 was lower than average in recent years, we are seeing that ways to silence journalists are more and more diverse.

Jailing journalists is a key tool for silencing those who speak up and speak out, with at least 250 behind bars at the end of 2019, 98% of whom were local journalists. The worst jailers are China, Turkey, Saudi Arabia, and Egypt, followed by Eritrea, Vietnam, and Iran. There is also a growing trend for smear campaigns and stigmatisation, painting communicators as enemies, criminals, traitors, and even terrorists, discrediting their work and ensuring that they lack public support.

Activists and human rights defenders (HRDs) also face huge risks: 304 HRDs were killed in 2019. Forty per cent of those killed worked on land, indigenous peoples', and environmental rights, with a huge concentration of violence in Latin America (see Chapter 3.2). Countless more were silenced by violent attacks, arrests, death threats, lawsuits, and

repressive laws. In the last two years alone, nearly 40 laws have been passed or planned to impose barriers against rights defenders and civil society.

A large proportion of these cases are driven by the private sector. There were 98 criminal cases launched against HRDs in 2019, up from 62 from 2018. Over the last five years, there has been an average increase of 48% per year in judicial harassment of HRDs who work on issues relating to private sector activities, from 86 in 2015 to 294 in 2019. Invasive surveillance by private sector actors on journalists and HRDs is an increasing concern.

Amid the perfect storm of disinformation and misinformation, a corresponding crisis of trust, and further disruption caused by the COVID-19 crisis, the situation facing journalism and news media is dire. Revenues are collapsing, especially due to social media's domination of online advertising, and funding is decreasing: local journalism is facing particularly hard times. Media are under financial pressure and are coping with losses of audience to free online sources and social media, as well as losses in advertising revenue.

2020 has seen a shift: the COVID-19 crisis has rebuilt some trust in legacy media. Amid the pandemic we have seen increased consumption of traditional sources of news, especially television. In fact, trust in the media's coverage of COVID-19 is relatively high, at a similar level to national governments and significantly higher than for individual politicians.

Amid fears of disinformation in the health crisis however, regulation of media has become stricter, with the 'fake news' trend taking on new proportions as governments use the health crisis as an excuse to further restrict expression.

Power over freedom of expression is increasingly consolidated in the hands of a few **social media platforms**, though the focus of authorities continues to fall on policing users rather than ensuring that platforms and companies respect human rights. Shutdowns, blocking, and surveillance have become standard practice for many regimes, while governments (even in the EU) deputise corporations to carry out censorship well outside the restrictions of international human rights law (see Chapter 1.5).

Strongman politics continues to rise globally, with many spending 2019 in efforts to alter constitutions to stay in office, and maintaining networks of clientelism and corruption. These leaders promote a muscular form of majoritarian populism, which excludes, polarises, and silences railing against the speed-bumps of democratic institutions and limits on the exercise of power.

Ethnic and religious nationalism is on the rise in states across the world, with state-driven repression of minority voices and protests apparent in numerous forms in Myanmar, Brazil, Malaysia, India, Sri Lanka, and Hungary, to name only a few (see Chapter 1.3).

1.2

# Exploring the data: Highs and lows, rises and falls

*Table 3: Top 10 and bottom 10 GxR scores in 2019**

| TOP 10 | |
|---|---|
| Country | GxR score |
| Denmark | 93 |
| Switzerland | 91 |
| Norway | 91 |
| Canada | 91 |
| Sweden | 91 |
| Finland | 91 |
| Belgium | 90 |
| Estonia | 90 |
| Germany | 90 |
| Latvia | 89 |

| BOTTOM 10 | |
|---|---|
| Country | GxR score |
| North Korea | 0 |
| Eritrea | 1 |
| Turkmenistan | 1 |
| Syria | 1 |
| Bahrain | 3 |
| China | 3 |
| Saudi Arabia | 3 |
| Equatorial Guinea | 4 |
| Tajikistan | 4 |
| Yemen | 4 |

* Countries in the Bottom 10 table are organised in descending order with the worst performers at the top.

*Table 4: Countries with significant advances and declines in GxR score over one, five, and 10-year periods*

| SIGNIFICANT ADVANCES IN SCORE | | | | | |
|---|---|---|---|---|---|
| 2018–2019 | | 2014–2019 | | 2009–2019 | |
| Maldives | +32 | Gambia | +59 | Tunisia | +70 |
| Mali | +17 | Sri Lanka | +38 | Gambia | +55 |
| Sudan | +13 | Maldives | +26 | Sri Lanka | +39 |
| Armenia | +13 | Ecuador | +26 | Myanmar | +31 |
| | | Armenia | +22 | Fiji | +27 |

| SIGNIFICANT DECLINES IN SCORE | | | | | |
|---|---|---|---|---|---|
| 2018–2019 | | 2014–2019 | | 2009–2019 | |
| Brazil | -18 | Brazil | -39 | Brazil | -43 |
| Benin | -15 | India | -37 | India | -40 |
| Hong Kong | -12 | Nicaragua | -27 | Nicaragua | -35 |
| Gabon | -11 | Poland | -25 | Ukraine | -34 |
| Colombia | -11 | Hong Kong* | -22 | Turkey | -34 |

Note: *Hong Kong refers to the Hong Kong Special Administrative Region of the People's Republic of China. These tables have a threshold of a 10-point score change for inclusion of a country.

Armenia and Sudan, two of the biggest advancers in 2019 (Table 4), saw major change through sustained protest, which translated into institutional reform (see Chapter 2.3). Positive change over the decade can be seen largely in countries with transitional politics and institutional reform, though Tunisia's biggest leap in score was amid social movements during the Arab Spring, holding onto gains made by taking the revolution from the streets to the corridors of state institutions.

Six countries – with a combined population of more than 313 million people – saw a decline in their overall freedom of expression environment between 2018 and 2019. The dramatic downward shifts over the one-year period are in states in which democratically elected autocrats have eroded democracy and expression (India, Brazil, and, to some extent, Colombia), or where protest movements have been violently suppressed by autocratic rule (Algeria, Hong Kong, Chad).

The longer-term declines tend to be in countries with democratically elected leaders who have held power over long periods and have slowly eroded democratic institutions.

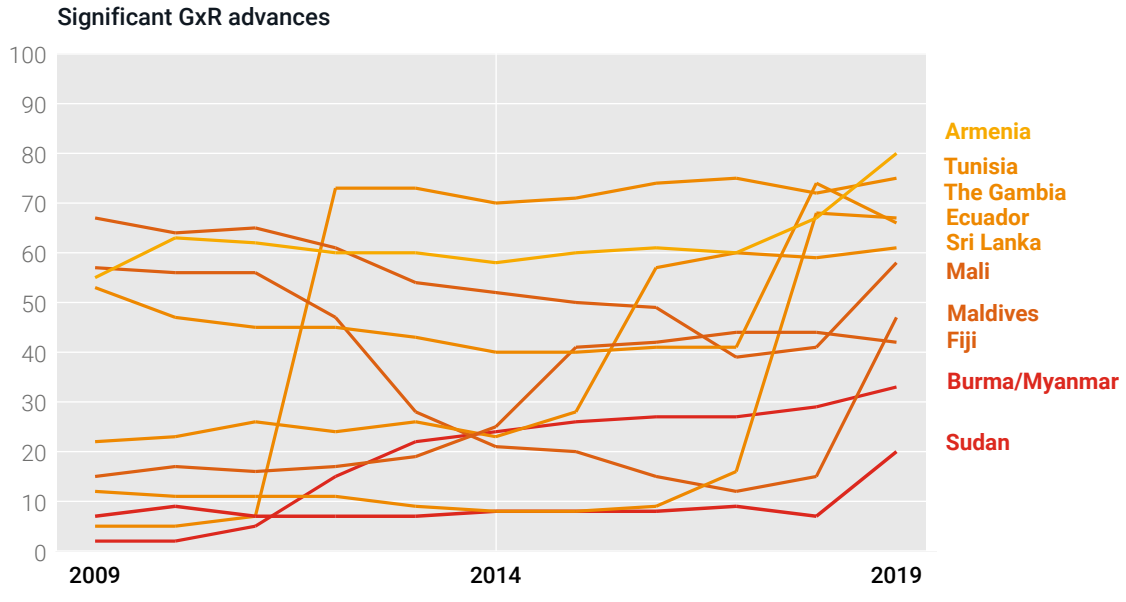



*Figure 8: Significant GxR advances from all three timeframes: GxR scores 2009–2019*

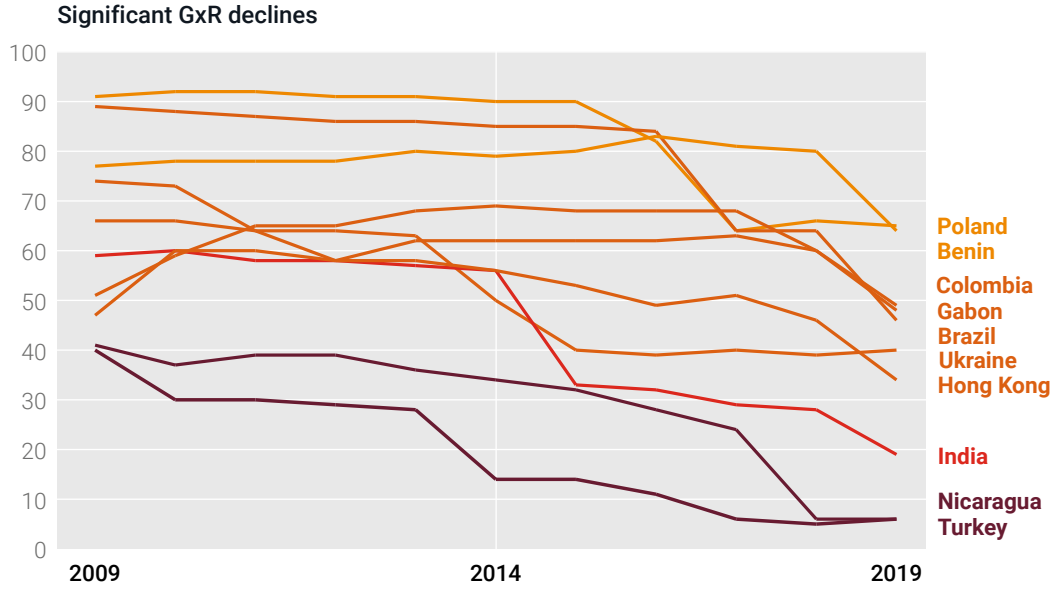



*Figure 9: Significant GxR declines from all three timeframes: GxR scores 2009–2019*

Table 5 shows the indicators that were tied most closely to the overall changes in GxR scores over the three time periods. Where these indicators move, the score tends to move as a whole.

It is clear that civil society participation is central to freedom of expression as a whole (appearing in the analysis under all three timeframes); the way that governments deal with online expression is also a key factor over all three timeframes.

For full methodology, names, and descriptions for indicators see Annex 1.

*Table 5: Indicators tied most closely to overall changes in GxR scores*

| 2018–2019 | 2014–2019 | 2009–2019 |
|---|---|---|
| Civil society organisation participatory environment | Civil society organisation participatory environment | Civil society organisation entry and exit |
| Civil society organisation repression | Freedom of discussion for men and women | Civil society organisation participatory environment |
| Government censorship efforts | Freedom from political killing | Internet censorship efforts |
| Government social media monitoring | Government censorship efforts | Internet legal regulation content |
| Internet censorship efforts | Government filtering in practice | |
| | Harassment of journalists | |
| | Internet legal regulation content | |

1.3

# The bigger picture: Democracy, media, and the context for expression

For freedom of expression to flourish, democracy needs to be functioning. In turn, freedom of expression underpins democracy. Concerningly, V-Dem's Democracy measures are in decline – a decline that mirrors the decline in GxR scores as well as serving as a warning for the right to global freedom of expression.

For the first time since 2001, V-Dem's data suggests that autocracies are in the majority: 92 countries, home to 54% of the global population. Some countries moving towards autocracy have large populations which exercise global military, economic, and political influence, including China, Brazil, Russia, India, USA, and Turkey.

The crushing of freedom of expression is both a means and an end for these leaders, who suppress dissent and scrutiny of their regimes, which corruption and cronyism often underpin. Autocratic regimes tend to gain control of civil society and media, muzzling the watchdogs, then later begin eroding democratic institutions, and ultimately undermine the independence of elections.

Observing the patterns of countries like Hungary, Turkey, Poland, Serbia, Brazil, and India, V-Dem's data shows that indicators for media censorship and repression of civil societies decline first, followed by indicators for electoral freedoms. In 2019, V-Dem's measure for 'clean elections' fell significantly in 16 countries, while media censorship and the repression of civil society intensified in a record 37 countries. This is potentially a warning sign for expression – and democracy more broadly: where media and civil society are repressed, election freedoms are likely to come under attack in the near future.

Protests are a force against autocracy in some places. During the last 10 years, pro-democracy mass protests in 22 countries have been followed by substantial democratisation.

Armenia, The Gambia, Sri Lanka, and Tunisia are the four countries achieving the greatest democratic gains.

Scores for freedom of expression over the last decade have moved in close conjunction with the indicator for 'vertical accountability', which measures the extent to which citizens are directly able to hold those in power to account (Figure 10). Clearly, freedom of expression – in its various forms – is a key tool for citizens: when that freedom suffers, power is wielded with impunity.

Figures 10, 11, 12 and 13 follow a different scale to the other graphs in the report because these graphs measure scores for democracy and the wider context for expression. The indicators used here are not part of the overall metric but are used to help us better understand the context of these freedom of expression scores, namely, the ease of access to information (media) and how effective the structures (e.g. accountability) are in the state of expression.

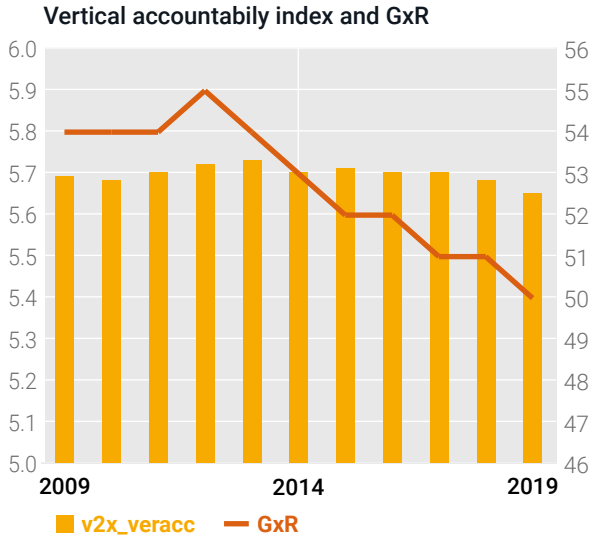



*Figure 10: Vertical accountability index and global GxR score 2009–2019*

## A pluralistic and critical media?

Free, pluralistic, and diverse media landscapes enable media to be critical of public and private powers, which, in turn, help people remain informed and engaged in society.

Diversity and pluralism are important to both media function and to freedom of expression as a whole. Over the last decade, the two indicators measuring the extent to which print/broadcast media are critical of the government (Figure 11) and the range of print/broadcast media perspectives (Figure 12) have closely followed the changes in the GxR score.

Interestingly, changes in the 'online media perspective' indicator do not flow in tandem with GxR score changes (Figure 13). Although the Internet has been hailed as the great democratisation of expression and journalism, the data tells a different story: online media perspectives grow, but this does not translate into freedom of expression.

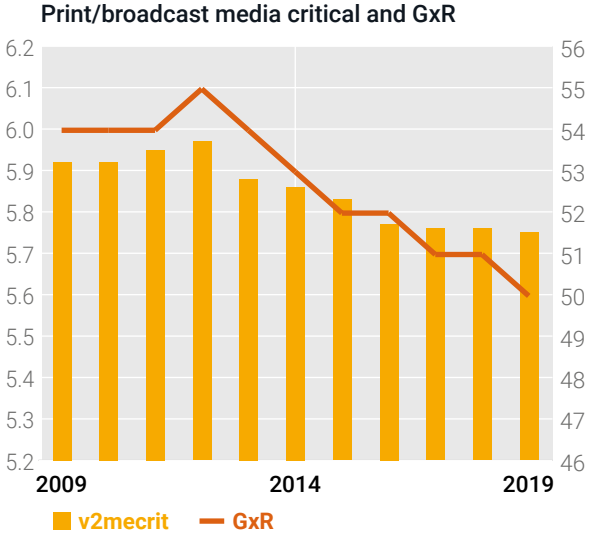



*Figure 11: Print/broadcast media critical and global GxR score 2009–2019*

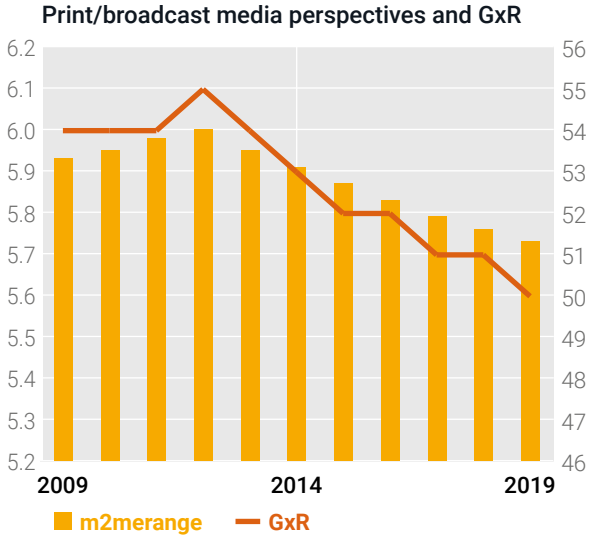



*Figure 12: Print/broadcast media perspectives and global GxR score 2009–2019*

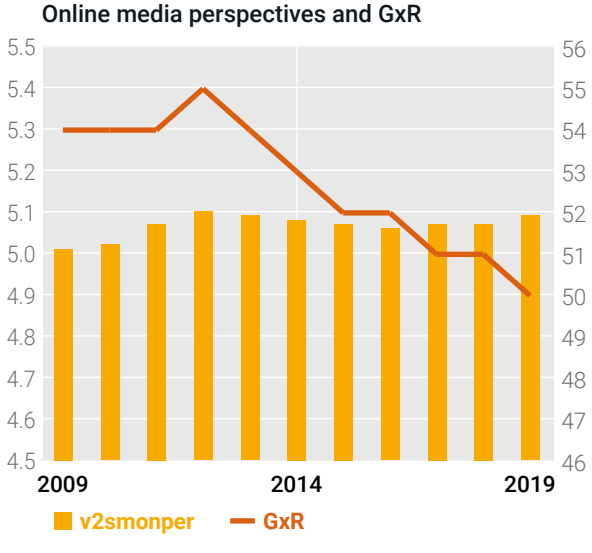



*Figure 13: Online media perspectives and global GxR score 2009–2019*

The proliferation of viewpoints online does not, in itself, mean more meaningful opportunity for expression, information, or political engagement: indeed, what we see in practice is that, in some cases, online perspectives can deepen a toxic polarisation, or indeed an availability of disinformation.

Though often user-generated, online perspectives are still enabled by a variety of private companies, both at the infrastructure and platform level (see Chapter 1.7). Added to this private sector control of the means of expression is a routine mismanagement and repression of online expression by governments.

Until companies are accountable and government regulation meets human rights standards, it is hard to imagine that the growth of online media perspectives will translate into what can be described as 'genuine freedom of expression'.

**Vertical accountability index (v2x_veracc)**
Question: To what extent is the ideal of vertical government accountability achieved?

**Indicator: Print/broadcast media critical (v2mecrit)**
Question: Of the major print and broadcast outlets, how many routinely criticise the government?

**Indicator: Print/broadcast media perspectives (v2merange)**
Question: Do the major print and broadcast media represent a wide range of political perspectives?

**Indicator: Online media perspectives (v2smonper)**
Question: Do the major domestic online media outlets represent wide range of political perspectives?

*Source: V-Dem*

1.4

# Expression takes to the streets: The right to protest

2019 was a year of impressive street demonstrations, creative tactics, and widespread discontent with the status quo. It was also a year of rising violence in the streets and intensified violence against those who take to the streets to make themselves heard.

2019 saw a 51% rise in the number of demonstrations, with protest activity increasing in 71% countries covered. These movements were surging, contagious, and decentralised in many cases, with horizontal organisational structures which made 'leadership' hard to identify or suppress, lending the protest movements a fluidity which made them much more difficult to crush.

Accompanying the rise in protest activity was an increase in repressive action: there was a 106% rise in fatalities compared to 2018. This repression took a myriad forms: legislation, stigmatisation, and violence against protesters. The failure to respect the right to protest occurs in countries all across the spectrum of expression scores, from countries with generally repressive frameworks to those seen as liberal democracies. Journalists and rights defenders were often targeted, and equipment confiscated.

There were multiple and overlapping catalysts for protest movements, from the Amnesty Bill in **Hong Kong** to an increase in public transport fares in **Chile**, from a WhatsApp tax in **Lebanon** to general poor governance and corruption in **Algeria**, **Colombia**, **Iraq**, and **Egypt**. In **Iran**, **Ecuador**, **Haiti**, **Sudan**, and **Zimbabwe**, the cost of fuel was the initial spark, while ongoing failures to acknowledge climate change inspired cross-border movements like **Extinction Rebellion** and the **International Climate Strikes**.

Many of these opened out into broader protests, diversifying participation and issues, rejecting neoliberal economic policy as a whole, or the relationship between citizen and state, and between individual and economy. A number of these were rejections of neoliberal measures and austerity packages, often pushed on states like **Ecuador** and **Haiti** in return for financial support from the International Monetary Fund, the World Bank, and the European Bank for Reconstruction and Development.

Demonstrations led by women are on the rise, and reached record numbers in 2019. Women took centre stage in many of 2019's movements in **Chile**, **Sudan**, **Algeria**, and **Iran**, even in the face of pushback and gendered forms of violence. Disappointingly, as was the case in Sudan, the key roles and involvement of women during popular movements, and the high price many paid, was not reflected in political solutions to unrest.

Countries with large-scale protests often leapt upwards in freedom of expression scores, and scores for democratic scores more widely. The right to protest is clearly linked to other expression rights, and democracy – it can force societies open, force elites and power-holders to listen, break through the walls between people and government, and reform that relationship entirely.

Protests inspire social change and improve the protection of human rights, as well as encouraging the development of an engaged and informed population. The GxR metric shows freedom of expression as a whole advancing significantly amid social movements, and scores for democracy more widely advancing along with them.

Protests can also achieve results. In 2019, **Chile**, **Ecuador**, and **Lebanon** backtracked on measures (Lebanon even offered a new economic package with cuts to politicians' pay), but the protests had moved beyond the single issue by then – 'not 30 pesos but 30 years', as a placard in Chile's protests said. In the end, Chile's Government agreed to a referendum offering the public a whole new constitution – though it has been postponed due to the COVID-19 pandemic.

Meanwhile, climate protests pushed more than 25 governments to declare climate emergencies, and strengthened links between grassroots activism (particularly from youth leadership) and high-level policy were clear.

The International Covenant on Civil and Political Rights (ICCPR) guarantees the rights to freedom of peaceful assembly in Article 21. The UN Human Rights Committee's General Comment 37, published in July 2020, recognises the intersection of assembly and freedom of expression, and limits the use of force and policing of protests, particularly on the de-escalation obligation of law enforcement (see also ARTICLE 19's 'Right to Protest' Principles).

**"States not only have a negative obligation to abstain from unduly interfering with the rights of peaceful assembly and of association but also have a positive obligation to facilitate and protect these rights in accordance with international human rights standards."**

Clément Nyaletsossi Voule, Special Rapporteur on the rights to freedom of peaceful assembly and of association, Report June 2019

*Table 6: Top and bottom countries for the 'freedom of peaceful assembly' indicator 2019**

**Indicator:** Freedom of Peaceful Assembly

| TOP 5 | BOTTOM 5 |
|---|---|
| Portugal | Eritrea |
| Armenia | Egypt |
| Czech Republic | North Korea |
| Belgium | Bangladesh |
| Spain | Syria |

* Countries in the Bottom 5 table are organised in descending order with the worst performers at the top.

Rather than seeing protests as an integral and necessary part of a thriving democratic society, as well as a human right, leadership across the globe has sought to depict demonstrations as a threat to stability and democracy itself. Protests are regularly used as a pretext to clamp down on human rights and restrict expression more generally: some of the biggest protests of 2019 sparked violent repression, which caused the year's biggest declines in GxR scores.

Even countries rated **open** seem to find protests a test of their democratic credentials. **French** police injured thousands of people in protests during 2019, including peaceful demonstrators, high-school students, and journalists. At climate protests in the **UK**, police arrested around 1,400, as well as putting Extinction Rebellion, along with Greenpeace, on a list for 'extremist ideology'.

**2020 update: The USA's treatment of its protesters will be explored in the 2020/2021 Global Expression Report.**

Lockdowns and restrictions relating to COVID-19 have paused many protest movements in 2020: protests dropped to half of their 2019 numbers in the first half of 2020. Governments have also used the health crisis as an opportunity to restrict movements and persecute activists in lockdown.

Although protest events are down in number since the arrival of the health crisis, many of the factors which contributed to their outbreak (economic hardship, unaccountable regimes, corruption) have been exacerbated under the economic pause and imminent recessions which many countries are facing. Protests are predicted to rise in the year to come, particularly in emerging markets.

## Violence against protesters

Live ammunition was fired at protesters in numerous contexts, and the use of 'less-lethal' weapons in protest management has become increasingly problematic, particularly tear gas, rubber bullets, and stun grenades – which can, and do, maim and kill.

**Iran**'s security forces fired live ammunition into crowds, including machine guns from rooftops and helicopters. At protests in **Iraq**, snipers fired live rounds into crowds, with armed militia groups acting with state consent. More than 700 people were killed, and medical tents were fired at by security forces. Regardless, protests continued into 2020 amid chants of "corruption is worse than COVID."

During nationwide protests over fuel price increases in **Zimbabwe** in January, security forces killed 17 people, raped at least 17 women, and shot and injured 81 people. There remains near total impunity for these crimes. Protests in **India**'s Assam region saw at least 27 killed, some by live ammunition. Military personnel, deployed to disperse roadblocks in **Lebanon**, fatally shot protesters with live rounds, and security forces in **Egypt** also shot at demonstrators.

Protests in **Venezuela** over lack of access to basic services were met with arbitrary detentions, killings, raids, and torture. The security forces used live ammunition, rubber bullets, and buckshot. The country's hospitals lacked sufficient medical resources to treat the injured. In **Ecuador**, the scale of excessive force was clear from the number of casualties: at least eight people died and 1,340 were injured.

In **Chile**, at least 285 people suffered severe eye trauma from hardened rubber bullets and tear gas canisters fired by security forces, intentionally aimed at eye level. **Colombia** deployed more than 170,000 security personnel into the streets, who clashed with protesters, shooting tear gas canisters at point-blank range and detaining people in huge numbers.

**Lebanon**'s October protests were subject to excessive violence by the state, as well as failure to protect protesters from violence at the hands of non-state actors. The Lebanese Red Cross and Lebanese Civil Defence reported treating 1,790 people for protest-related injuries,

including at least six members of the security forces, between 17 and 30 October. Torture of detained protesters was also reported.

## States of emergency, crackdowns, and mass detention

Authorities routinely depict protests as threats to national security, public order, and the safety of citizens. They use demonstrations as a reason to curtail other rights, impose curfews, or declare states of emergency, providing authorities and law enforcement with increased powers – often with decreased accountability.

Although the transport fare hike that had sparked the protest was suspended the next day, **Chile** declared a State of Emergency and implemented a curfew. Two-thousand people were arrested – with at least 751 cases of excessive force against those in detention and nearly 200 cases of sexual harassment and violence.

**Sudan** declared a State of Emergency in February in immediate response to protest – providing extra powers to stop and search, and to arrest. **India** used a planned protest as a pretext for 'pre-emptive detentions' of prominent political figures opposed to the controversial Citizenship Law.

**Egypt** enacted a nationwide crackdown after protests in September, arresting more than 4,000 people. Checkpoints and powers to search mobile phones were put in place, and there was a dramatic ramping up of arrests by security forces for 'offences' like having anti-government songs on their phones. Those detained included protesters, bystanders, journalists, academics, lawyers, and prominent HRDs. Many were denied legal representation and more than 900 were held incommunicado.

In **Russia** in July, peaceful protests broke out over the disqualification of opposition candidates – many of them allies of opposition politician Alexei Navalny – from the Moscow City Council elections. Police arrested record numbers of demonstrators and random bystanders. By November, 23 people had been arrested on unfounded charges of 'mass rioting' and assaulting police.

## Stigmatisation of protest and protesters

States increasingly try to blame protest on terrorism or even the interference of foreign powers, which enables the pretext of national security concerns to ignore human rights standards, as well as deterring members of the public from attending the demonstrations.

**Egypt's** anti-government protest was depicted as being driven by the Muslim Brotherhood, motivated by foreign intelligence in an attempt to discredit the movement. Carrie Lam described **Hong Kong**'s protesters as 'enemies of the public' and the Chinese authorities continued to insist that the protests were fuelled by 'foreign influence', even as foreign powers supported their own violations of protest rights with UK police training and French water cannons.

**Ecuador**'s President Moreno, who has won praise for his democratic credentials, called protesters 'criminals' and accused them of being part of a coup by previous President Correa and of being funded by Venezuelan President Nicolas Maduro.

Despite this, some protests gained powerful credibility during the year, even in the face of these smear campaigns and hostility from the state. For example, the climate protests gained credibility and public support, creating momentum and creating alliances with civil society and state bodies, as well as raising consciousness and educating the public.

## Controlling the flow of information

In many cases, repressive regimes do not want information about protests reaching a national public, or an international one – journalists are often targeted, or technical measures are taken to limit connectivity.

For example, in Venezuela in January, journalists and media outlets were targeted. On 23 January alone, 17 journalists reported attacks, detentions, and confiscation of equipment, and three media outlets were reportedly raided by civil and military authorities, resulting in destruction and confiscation of equipment, preventing broadcasters from transmitting.

Internet shutdown and throttling (the intentional reduction in bandwidth by Internet Service Providers) are among the most effective, and rights-abusive, measures taken to interfere with protest, and these are on the rise (see Chapter 1.5).

> "Digital technology companies' actions and inaction have exacerbated these risks or created complex new challenges for individuals and organizations that seek to exercise assembly and association rights online and offline."
>
> Clément Nyaletsossi Voule, Special Rapporteur on the rights to freedom of peaceful assembly and of association, Report June 2019

# Protest in Focus: **Hong Kong**

Hong Kong's protests captured the spirit of 2019's fluid and creative street movements; unfortunately, their treatment by authorities also embodied the violent and illegal state responses seen across the world.

One million people took to the streets of Hong Kong on 9 June to protest a law that would allow extradition from Hong Kong to China. It was considered a sword hanging over the heads of communicators, dissidents, and whistleblowers. The biggest march in Hong Kong's history was on 16 June, and in July protesters took over the Legislative Council and then occupied the airport in August.

As well as the protest's resilience and determination, it was noted for its creative tactics and tools to evade police surveillance and facial recognition technologies, such as the strategic use of umbrellas and the targeted removal of 'smart lamp posts'. New forms of protest also appeared, like the 'Lennon Wall' and the 'Hong Kong Way', which mobilised 200,000 people to link arms across the city.

The police response was immediately heavy-handed, using live ammunition, tear gas, water cannons, and blue dye to stain and identify protesters, as well as tactics like forcing people into the subway system in order to beat and torture them in the confines of the underground space. Police also used increasingly intrusive surveillance and infiltration techniques, and even laid siege to an entire university campus.

The law was suspended and formally withdrawn in October but, by then, protests had opened out into a movement considered to be a decisive struggle for democracy in the face of encroaching intervention from the Chinese regime. Many protesters felt Beijing had used its authority under the 'one country, two systems' policy to gradually undermine certain freedoms – such as an independent judiciary and freedom of speech.

The regime's repressive attitude was not only on the streets: laws and regulations were created and revived in order to limit the protests. Authorities revived a colonial-era law to ban the use of facial coverings during protests, and a proposal arose for a centralised system for identifying journalists.

Violence continued, with live rounds and riot gear routinely used against demonstrators. First-aid providers trying to help the injured were detained, and journalists were routinely attacked by police and vigilantes while covering the protests. However, no police officer has faced legal action over excessive use of force or abuse of power. In fact, the evidence of torture and ill-treatment of protesters by police in detention has still not been addressed.

The UN High Commissioner for Human Rights failed to condemn the state violence, ignoring extensive documentation of violations of human rights by credible sources and the concerns raised by UN independent experts.

Authorities in mainland China restricted information about the protests reaching their own population. Journalist Sophia Huang Xueqin, who covered the Hong Kong protest, was arrested in Guangzhou for 'making trouble and picking quarrels', and popular Chinese app TikTok was reportedly censoring posts with keywords related to the protests. Chinese soldiers even appeared on the streets of Hong Kong, if only briefly.

At the end of 2019, six months into protests, there had been 5,800 arrests, 10,000 rounds of tear gas, and at least 17 protest applications rejected by authorities. A quarter of Hong Kong's population was estimated to have participated in the protests.

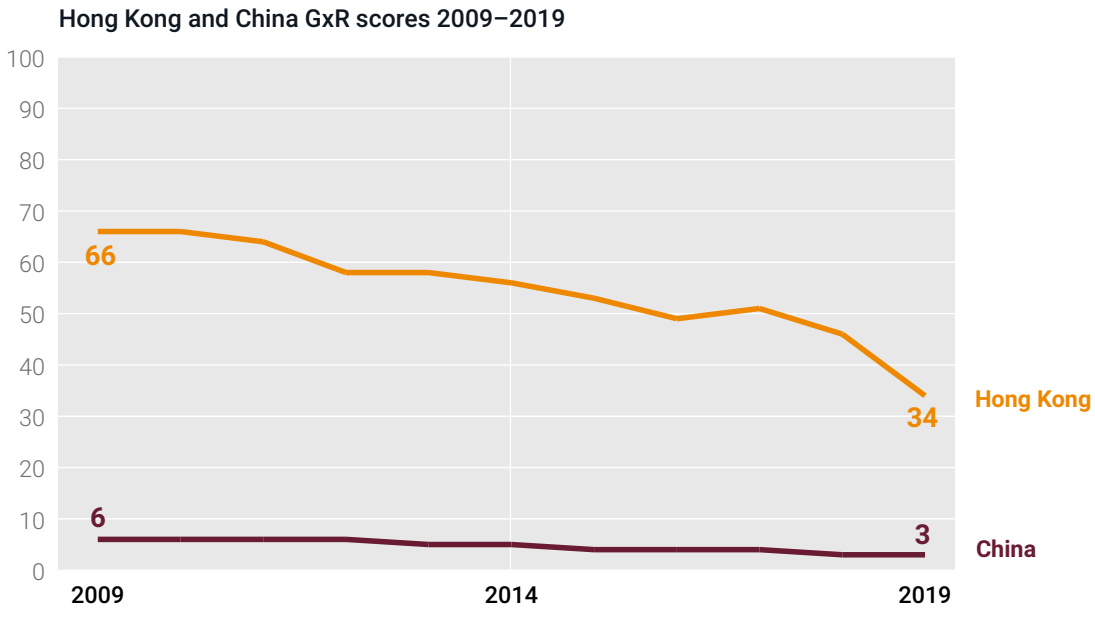



*Figure 14: Hong Kong and China: GxR scores 2009–2019*

**2020 update: July 2020 saw a new and controversial security law imposed by Beijing which gives authorities sweeping powers to crack down on dissent and provides China with new levels of control over Hong Kong. Protests continued, though dampened by the pandemic and increasing police aggression, and the possibility of extradition. The law lays out penalties, including life imprisonment, for vaguely defined crimes of secession, subversion, terrorism, and collusion with foreign forces.**

1.5

# Shutdown and splinternet: Attacks on the infrastucture of expression

Governments took increasingly drastic steps to control the flow of information in their countries. From countrywide Internet blackouts to 'nationalising the Internet', online expression and information faced grave challenges in 2019.

Both of these tactics are serious infringement of the right to freedom of expression and information, and are particularly dangerous when used in conjunction, as Iran proved in late 2019.

## Blackout: Shutting down the Internet

In 2019, 1,706 days of Internet access were disrupted by 213 Internet shutdowns across 33 countries, compared to 188 shutdowns in 2019. There were 121 incidents in India alone. There were also at least 14 cases of throttling in 2019: 10 of these were followed by complete blackout.

Internet shutdowns not only obstruct journalists and defenders monitoring and reporting on national situations (often protests or conflict), but also facilitate grave violations of international humanitarian law and international human rights law to continue, out of sight. People are also barred from vital information during these blackouts.

> **"Network shutdowns are fundamentally incompatible with Article 19(3) of the ICCPR."**
>
> David Kaye, Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression, Report June 2019

Shutdowns are, de facto, a disproportionate infringement on freedom of expression. They interfere with economic social and cultural rights, including the right to health. UN experts have made it clear that there are no legitimate justifications for implementing a shutdown under international law.

> **"[This Resolution] condemns unequivocally measures in violation of international human rights law that prevent or disrupt an individual's ability to seek, receive or impart information online, calls upon all States to refrain from and to cease such measures."**
>
> United Nations Resolution A/HRC/RES/38/7 on promotion, protection, and enjoyment of human rights on the Internet, 2018

As online platforms and tools become increasingly interwoven with all forms of expression and political participation, shutdowns serve different purposes in different contexts:

- To disrupt and prevent **protests**: e.g. Iran, Iraq, Zimbabwe, Chad, Sudan, Gabon, Eritrea, Liberia, Venezuela, Indonesia, and Ecuador. This is the most prevalent use of Internet shutdowns and they tend to be accompanied by upsurges in assaults on protesters and activists.
- To control the flow of information around **elections**: e.g. Benin, Senegal, Nigeria, DRC, Malawi.
- To restrict information around **military activity** and repression of **ethnic minorities**, e.g. India, and Rohingya Muslims in both Myanmar and Bangladesh.

**India** is historically the most prevalent user of this tactic, aiming to shut down dissent and halt the flow of information. This did not change in 2019. More than 50% of all shutdowns worldwide were imposed in India. What was new was the sheer scale of repression: authorities imposed measures at an unprecedented level, for long periods of time across entire states, and with consequences more severe than ever.

> **"The blackout is a form of collective punishment of the people of Jammu and Kashmir, without even a pretext of a precipitating offence."**
>
> UN special procedures

In August 2019, the Indian Parliament revoked the constitutionally-mandated status of Jammu and Kashmir, and a communications blackout was imposed in the area amid protests. Internet access, mobile phone networks, and cable and Kashmiri television channels were cut off. The disruption seriously affected the delivery of health services, education, and the livelihood of ordinary people.

On 10 January 2020, India's Supreme Court ruled against the blackout, declaring that shutdown orders must take proportionality, reasonableness, and transparency into account, as well as undergoing a review after seven days. The Internet was partially restored in Kashmir after the release of the Supreme Court ruling, though media groups still lacked broadband Internet access.

These legal challenges are becoming more common globally, and victories are on the rise too. In Sudan, connections for MTN and Sudani, two of the main Internet providers, were restored after a court ruling in July. There have also been successful cases in India (see above), Zimbabwe, and Pakistan, as well as Indonesia – with at least five new cases launched in 2019. Lawyers are often on the frontline, launching these cases themselves, usually with the support of civil society.

In August 2017, a Myanmar military operation in Rakhine State killed thousands of Rohingya and forced over 700,000 to flee into neighbouring Bangladesh. Throughout 2019, the Rohingya continued to suffer severe human rights violations, both in Myanmar and in Bangladesh (see Chapter 4.3).

On 20 June 2019, Myanmar's Ministry of Transport and Communications ordered mobile phone operators to 'stop mobile Internet traffic' in nine townships in conflict areas of Rakhine State and Chin State (home to much of the country's Rohingya population) due to 'disturbances of peace and use of Internet services to coordinate illegal activities'. In 2020, there were further restrictions imposed on mobile Internet access in five townships in the two states.

> **"I fear for all civilians there, cut off and without the necessary means to communicate with people inside and outside the area."**
>
> Yanghee Lee, UN Special Rapporteur on the situation of human rights in Myanmar, June 2019

In September 2019, in response to protests in **Bangladesh** by Rohingya refugees, the **Bangladesh** Telecommunication Regulatory Commission ordered telecommunications operators to shut off high-speed mobile Internet access in refugee camps. These restrictions were lifted in August 2020.

The same month, the national telecommunications regulator instructed operators to 'ensure that the Rohingya people do not get access to the mobiles for the sake of state security and importance, law and order and public safety', including by withdrawing SIM cards used by Rohingya and ending the sale of SIM cards.

## Bringing the Internet within borders

Governments are increasingly seeking to fence off the World Wide Web into a series of national internets. The idea of 'the Splinternet' has been around for three decades, but its arrival is accelerating.

Although the UN recognises the 'global and open nature of the Internet as a driving force in accelerating progress towards development in its various forms', various governments are moving towards a 'sovereignty-and-control' model, which poses a huge threat to the freedoms to express and to be informed.

**Russia** and **Iran** have moved data servers onto national soil, allowing them access to data and metadata, while **China**, **Vietnam**, **Nigeria**, and **Pakistan** have instituted data-localisation requirements.

For years, there has been discussion in **Iran** about a 'National Internet' or a 'Halal Internet': a national, secure and 'clean' Internet which would be hosted inside the country and have limited access to the content of the World Wide Web. Content within this National Information Network would be blocked or filtered according to political, cultural, or religious criteria, and users' activity would be monitored.

In November 2019, protests broke out across Iran over a fuel price hike: authorities responded with violence and repression. They also disconnected millions of Iranians from the Internet. While access was lost for citizens across the country, domestic Internet services hosted on the National Information Network remained online such as national banking, local applications, and government websites and services. This 'back-up' minimised losses and kept the government functioning nearly as normal throughout the shutdown, enabling authorities to keep Internet services off for longer.

**Russia**'s Government gained even greater control over freedom of speech and information online in 2019 when the country's 'Sovereign Internet' law came into effect in November, amid widespread domestic criticism, protests, and online campaigning.

Cross-border Internet traffic can now be kept under close state control which could lead to partial or full blocking of traffic between Russia and the rest of the World Wide Web.

Furthermore, the bill created a national domain name system (DNS) that enables the authorities to answer any user's request for a website address with either a fake address or no address at all. This not only allows them to conduct fine-grained censorship, but it will also allow the national DNS to redirect users to government-controlled servers in response to any DNS requests instead of to a website's authentic servers.

Russia is not yet able to fully cut itself off from the World Wide Web, but in December 2019, local news agencies, including Pravda, reported that Russia had 'tested' its new national Internet, with officials reporting that tests had gone as planned. They have also announced a new legislation that requires manufacturers to pre-install selected Russian apps on devices sold to end users.

As of July 2019, it is illegal in **Cuba** to host websites from a server in a foreign country. Although the scope of the rule remains unclear, it will affect critical websites, which are purposely hosted abroad.

A 'national Internet' is already a reality in **Turkmenistan**; the few who have access to the Internet can only access a highly censored version. In **Tajikistan**, the authorities assumed an Internet-access monopoly in 2018.

Another form of this restriction is the so-called 'Great Firewall of **China**' a long-standing mechanism to control the flow of information across the country's border. State-run entities maintain China's gateways to the global Internet, giving authorities the ability to cut off cross-border information requests.

1.6

# A shield against corruption: The right to information

The free flow of information is essential: it enables engaged participation and the exercise of rights, fosters sustainable development, improves economic performance, and makes authorities accountable.

- 121 countries now have Right to Information laws; 6 countries have national regulations.
- 20 years after the first draft, Ghana's Parliament passed the new Right to Information Bill in March 2019; The Gambia, Cambodia, Malaysia, Myanmar, and Namibia are now considering laws.
- Around 140 countries now have some sort of whistleblower protection: 50 have broad protections for public or private sector, and 34 have comprehensive laws covering both public and private sector. Three of these measures were new in 2019, and the European Council's new EU-wide rules on the protection of whistleblowers are a huge step – not least because other countries often look to EU rules when drafting their own national guidelines.
- Open Government Partnership now includes 78 countries.
- The Extractive Industries Transparency Initiative now has 54 implementing countries.

## Gaining momentum: Beneficial ownership and corporate accountability

The Panama Papers exposed the huge scale of anonymous companies being used to avoid sanctions, launder proceeds of corruption and crime, and facilitate illicit financial schemes. In the wake of the leak, many governments and companies committed to action, and 2019 saw the movement reach critical mass: real change is being achieved.

Beneficial ownership has come into global focus: making sure it is clear who owns companies, who is in charge, and who benefits. Seventy per cent of grand corruption cases involve anonymous companies: due to murky and complicated legal structures, transparency in the private sector has been difficult to achieve, as well as prosecution and investigation.

When corporate structures are used to launder money, it often involves adding layers of 'legal distance' between the beneficial owner and their assets. These layers are placed strategically in a number of jurisdictions to make it difficult for investigators to access information that crosses national boundaries. The ability to

link beneficial ownership information from around the world is essential to expose transnational networks of illicit financial flows.

Since 2016, around 90 jurisdictions have committed to implement beneficial ownership transparency reforms: to date, over one billion US dollars have been recovered by governments using beneficial ownership data.

This conversation has remained key during the COVID-19 health crisis. Promisingly, in 2020, the International Monetary Fund publicly committed to working to balance the need for urgent financing against accountability and transparency in transfers of aid and finance for health support.

## Information amid a health crisis

Amid a global health crisis, the importance of transparency is clearer than ever, yet there has been a failure across the globe to ensure that the public has the information they need during the crisis. As healthcare systems struggle, and governments spend billions buying equipment, supporting workers, and keeping businesses afloat, a significant casualty has been the public's right to know.

States are restricting the right to information and limiting/violating open government laws, while whistleblowers and journalists have been harassed and arrested for revealing problems, accused of releasing 'fake news' in the absence of government transparency.

Deaths, infections, and lack of equipment for healthcare workers have been covered up, subsidies for large companies have been closed from public scrutiny, contracts for vital equipment have been given to politically-connected groups, and shadowy groups have been offering science advice.

China's attempts to silence journalists and doctors prevented people in Wuhan from finding out about the coronavirus outbreak. A lack of early reporting also meant there were delays in alerting the international community about the extent of the outbreak. China is, however, not the only state trying to control the media narrative about coronavirus: in Spain, prosecutions have even been launched against those making jokes online or satirising crisis-management.

1.7

# Digital giants: Missing voices and power in the hands of the few

The conversation around Internet censorship and concentration of power is gaining momentum, but a handful of companies still wield huge power over expression – these companies are failing to meet human rights standards on a global scale.

States have many obligations with regards to the Internet, but access is, in most circumstances, mediated by private actors. Telecommunications companies and Internet service providers connect individuals with the complex infrastructure of wires, cables, and satellites that enable them to go online. A huge number of people also mediate their use of the Internet via a handful of social media companies.

There are oligopolies at every level of the Internet architecture, from infrastructure to the content platforms. Though the online world has opened up great new opportunities for expression and communication, the human rights implications are significant and ever-deepening as connectivity is more closely woven with daily life.

A few years ago, regulating social media was a niche discussion in most parts of the world: social media was left to be governed in a laissez-faire environment. These companies grew to be among the most profitable the world has ever seen.

We are now seeing a 'techlash' against Internet companies, especially social media companies, for enabling the spread of disinformation, hate speech, election interference, cyber-bullying, terrorism, gender-based violence, and extremism. Many of these terms are vague, and open to abuse as well as over-censorship (see Chapter 1.8 on national security and Chapter 5.2 on hate speech).

A number of solutions are posited to this imbalance of power and lack of accountability. We propose a self-regulatory model for social media platforms: a multi-stakeholder, voluntary compliance model for the oversight of content moderation on the basis of international standards. We also advocate that competition law is used to tackle the consolidations of power and influence in the hands of a few companies.

Consolidation is also an issue at the infrastructure layer of the Internet's function. Fostering competition among connectivity providers can create opportunities for community network providers, which can connect communities too-often locked out of meaningful access, as they are not deemed profitable by large network operators to justify infrastructural investment.

When communities build their own infrastructure, they can define the terms of their own access, from privacy and security, to affordability.

**2020 update: With the arrival of COVID-19, companies coordinated and reacted significantly more swiftly to disinformation than at any previous time, posting information boxes with links to trusted institutions, removing apps for spreading COVID-19 disinformation, and even deleting misleading tweets from major political figures such as Brazilian President Jair Bolsonaro.**

## Missing voices, delegated censorship

All kinds of voices are disappearing, from art to activism and everything in between. It is impossible to know how many: platforms fail to proactively publish adequate data on the number of content removals, types of flaggers, reasons for removal, or how many appeals they receive and the outcome of appeals.

The voices which disappear from social media platforms are disproportionately minorities, women, LGBTQI+ people, who are often already denied a voice offline. On the other side of the coin, these same groups struggle to be heard by platforms regarding content which ought to be dealt with swiftly, like abuse and non-consensual sharing of images.

The delegation of censorship to private bodies is not an appropriate response to the challenges of online expression, though numerous governments have moved towards that approach. In 2017, Germany passed the Network Enforcement Act (NetzDG Law), which imposed a system that incentivised companies to remove content flagged by users, within short timeframes and with huge fines for failure. This approach has now been 'exported' to 13 countries, including Russia, Venezuela, the Philippines, and Venezuela – all of whom cite it to justify their own repressive laws.

Content removal is carried out using a combination of algorithms and human moderators: both are prone to mistakes and bias, meaning that social media platforms remove large amounts of legal content, illegitimately silencing millions.

The systems are opaque and confusing, and many struggle to navigate appeals processes – if there even are any in place. Under most terms of service, individuals are not entitled to contest, or even be informed of, decisions by providers to facilitate surveillance, disclose data to third parties, undermine network neutrality, or even disconnect access. Terms of service often obfuscate, rather than illuminate, obligations towards their users. When there is a way to challenge a decision, appeals take an unreasonably long time, meaning that the content loses its relevance or value.

**Palestinian** journalist 'Muath' had historical documentary footage removed from YouTube on the grounds that it was in 'support of terrorist groups'. The platform rejected his appeal. **Kenyan** activist Beatrice Maina found herself unable to access her Facebook account, through which much of her activism was carried out. The account was suspended for months with no explanation, and her appeals for information and reactivation were not responded to. **Mexican** journalist Gloria Ruiz García had her interviews with politicians removed from Facebook and was not able to get an explanation from the platform, though they initially assured her than an investigation was underway.

Nearly one million tweets relating to the occupation of Kashmir were removed from Twitter at the request of the Indian Government. Around 100 accounts were also made unavailable. Many of the posts were by journalists critical of government policy relating to Kashmir. This is not new to India: in 2018, it emerged that Facebook was instructing moderators in India and Pakistan to apply special scrutiny to accounts using the phrase 'Free Kashmir,' under the category of 'local illegal content'.

**2020 update: Many companies, amid the pandemic outbreak, are set to rely even more on automated content takedowns, and at a time when the need for transparency and fair appeals is even more urgent – many across the world are reliant on social media for crucial communication and information during the pandemic.**

## Monopolies and human rights

A handful of companies have gained market control, creating a context of corporate monopolies which do not respect human rights acting as the gatekeepers of expression across the world – from the platforms over which content is exchanged, to the infrastructure over which these platforms are built. The failures of these bodies disproportionately impact women, LGBTQI+ people, and minorities.

This concentration results in limited consumer choice, and impairs the balance of power between user and company, impairing fairness in the market and often the quality of the products and services provided. For users, it means less choice, lost services, and stunted innovation, which is a real threat to the enjoyment of human rights. Another key factor is merger control: the number of acquisitions performed by big tech in the past decade is impressive. Many of these have aimed to eliminate rivals, limiting consumer choice even further.

Social media companies have begun building and investing in infrastructure projects (e.g. Facebook, Google) and infrastructure companies are looking to invest in and acquire social media platforms. This creates an environment where a smaller and smaller group of companies control not just the terms of access and connectivity, but the content, too.

At community level, social media platforms with market dominance can exert decisive influence on public debate, which raises issues in relation to diversity and pluralisms in the online environment.

In the media sphere, walled gardens are increasingly an issue: Google's Accelerated Media Pages service keeps users within Google's domain and diverts traffic away from other websites, unbeknown to its users. Services like Facebook's Instant Articles, Apple's News Format, and Baidu's Mobile Instant Pages further add to technologies that exert dominance on the web. Regulation has proven difficult: in response to a proposal of a tax on Google News, Google has generally shut down its service, dramatically reducing traffic to the media it collates, damaging those outlets in another way entirely.

> "Digital space is not neutral space. At the levels of its physical architecture, regulation and use, different groups exert their interests over it. The principles of international human rights law, however, should be at the centre of its development."
>
> UN Experts, June 2019

## New ways forward? Social media councils, unbundling, and community networks

Social media regulation is an increasingly powerful problem, and social media platforms are starting to engage, but there is a long way to go and a lot of power to redistribute before human rights of users can be guaranteed.

Many of the solutions proposed by social media platforms and big tech companies are not, in themselves, adequate – solutions such as Artificial Intelligence and Blockchain must be part of a broader and more holistic approach to securing human rights online.

**Facebook** has now launched their 'Oversight Board', to which appeal cases can be sent. While this is a notable improvement, it lacks the necessary changes to its internal procedures for removing content before cases get referred: Facebook are still removing content without notification or adequate explanation. The board, based in the USA, fails to incorporate the complexities of local contexts, and social, political, historical, cultural, and linguistic dimensions are

key to making informed decisions on content moderation. The board will ultimately implement standards which are decided by Facebook, without obligation to meet human rights standards.

In December 2019, **Twitter** CEO Jack Dorsey announced research into creating a decentralised standard for social media. By creating an open standard that could be used by a limitless number of content moderation providers, control over content (and data) would no longer be held by a few dominant companies.

**2020 update: Although these developments are welcome, they must not distract from what is needed: systemic change. The events of 2020 have thrown into even sharper relief the reality tech companies must be more transparent about content moderation practices and improve their appeal processes, especially as they enact plans to remove misinformation about coronavirus.**

ARTICLE 19's proposed model, the Social Media Council (SMC), puts forward a voluntary approach to the oversight of content moderation, whereby participants (social media platforms and all stakeholders) sign up to a mechanism that does not create legal obligations. Its strength and efficiency rely on voluntary compliance by platforms, whose commitment, when signing up, will be to respect and execute the SMC's decisions (or recommendations) in good faith, which would be based on international human rights law.

The 'bundling' of different services by dominant social media companies enables them to have a severe impact on freedom of expression online, as they control both hosting of the content and the moderation of content on the platform. Unbundling is the separation of those services, whereby dominant social media platforms would still be able to moderate the content on their platforms, but they would be also obliged to allow competitors to provide competing content moderation services on their platforms.

Community-based Wi-Fi connections are a growing movement at the infrastructure level. Brazil's regulator has supported these networks, which provide local connection, transparency, and security, often in places where mainstream companies might not reach.

1.8

# Fear weaponised against dissent: National security and terrorism

Governments continue to use national security as a pretext for undue restrictions to freedom of expression, imposing measures above and beyond the real threat to security and using states of emergency and special measures to crack down on dissent.

Terrorism and incitement to violence pose serious threats to human rights, democracy, and social cohesion. States are bound by international standards to protect people from such threats. However, many of these laws allow exceptions and derogations to human rights standards, and are misused by governments across the globe.

Between 2001 and 2018, at least 140 countries adopted counter-terror legislation, from laws enabling mass surveillance to secret courts, disproportionate sentences, and restrictions on non-governmental organisations (NGOs). These measures consistently violate human rights standards and have a chilling effect on expression, as well as often being actively misapplied by governments.

Sixty-six per cent of all communications to the UN Special Mandate relate to the use of anti-terrorism measures against civil society, and in 2018 (most recent available data) 58% of HRDs were charged under national security legislation – an extraordinarily high proportion.

There is no definition of 'terrorism' under international law, meaning that many attempts to regulate are vague and open to abuse. Part of the issue is this vagueness of definition, and part is that national security serves as an exceptional circumstance to many human rights standards: declaring a terrorist threat, or a State of Emergency gives a government special powers, and justifies the use of, for example, particular tribunals and executive powers.

Since a failed coup attempt in 2016, Turkey has weaponised anti-terror legislation to silence dissent without evidence of criminal wrongdoing, jailing critics from journalists and academics to artists. Following the coup attempt, Turkey's State of Emergency lasted two years, and despite being lifted mid-2018, the situation has not improved (see Chapter 5.3).

Following an attack on churches and hotels by Islamist suicide bombers in April 2019, which killed over 250 people, Sri Lanka's authorities imposed a State of Emergency under the

Prevention of Terrorism Act, detaining hundreds without charge. Organisations were raided by security personnel under emergency and security protocols. Officers facing serious allegations of war crimes and killings of HRDs were reinstated, including the current Army Commander.

This trend is truly global: countries with scores across the GxR spectrum are guilty of overzealously legislating against the ill-defined threat of terror, and implementing that legislation without adequately considering human rights. Even at the EU level, a recent Directive on Combating Terrorism has a vague definition of terrorism, which poses a threat to free expression, particularly online, and on the right to public protest.

In February 2019, UN experts criticised the UK over use of security and terrorism-related legislation to prosecute peaceful protesters following the conviction of the Stansted 15, who took action at an airport to prevent a deportation flight.

After an attack on a mosque in **New Zealand** in March 2019, 'The Christchurch Call to Action' was made – a commitment by governments and tech companies to eliminate terrorist and violent extremist content online. While well-intentioned, it repeated the failings of many previous policy approaches by failing to properly define terrorism or extremist content, meaning that its vague measures pose a threat to freedom of expression.

There are also legislative moves by several states, including **France**, **Poland**, and the **UK**, seeking more extensive powers for mass surveillance. This could have serious consequences for the rights to privacy, but also for the journalistic right to protect confidential sources.

Additionally, there are industry-led initiatives, such as the Global Internet Forum to Counter Terrorism, but all of these initiatives must be more transparent and inclusive of diverse groups of stakeholders, including civil society.

## Weaponising the label 'terrorist'

Anti-terror legislation is routinely used against dissenters of many types, but the tag of 'terrorist' is also wielded to intentionally stigmatise and discredit journalists and activists, as well as legitimate political opposition. Sometimes this takes the form of membership to a particular terrorist group; on other occasions this rhetoric plays into a more nebulous fear of 'extremism'. In some countries, particularly in Asia, the label of 'terrorist' is applied to those who oppose development projects or environmental damage caused by businesses.

**Russia**'s creeping implementation of the 'Foreign Agent' Law is a typical example of the use of national security measures to choke civil society and create a chilling effect on expression. The law began as laws regulating the funding of NGOs. However, in 2017 their provisions were extended to media entities, and in December 2019 were extended again to apply to individual journalists and bloggers. All information published by the 'foreign agent' blogger or journalist must now be marked with a 'foreign agent' label, serving to stigmatise and imply external influence.

Alexandra Koroleva, head of Ekozaschita! (Ecodefence), one of Russia's oldest environmental groups, fled the country in June 2019 after a criminal case was launched against her under the 'Foreign Agent' Law. Koroleva's group refused to register, but was forcibly added to the registry. In November 2019, the Supreme Court ruled to liquidate the Movement For Human Rights after a case launched by the Ministry of Justice alleged that the movement did not always indicate in its publications (including on social networks) that it was a foreign agent.

In August 2019, **India**'s federal government passed legal amendments allowing individuals to be designated as terrorists without due process. The law is routinely misused to target religious minorities, critics of the government, and social activists. The amendments have been challenged in the Supreme Court as unconstitutional and the case is pending at time of writing.

**Egypt** is among the world's worst abusers of national security narratives, as well as having a notoriously abusive security force. The regime spent 2019 bringing more and more expression under the remit of security and counter-terror bodies. Law 8/2015, which regulates designated terrorist and terrorism lists, was amended in 2020: counter-terrorism agencies now have under their jurisdiction satellite channels, radio stations, and social media accounts which 'encourage terrorism'.

At the UN Human Rights Council (UN HRC), Egypt actively works against the UN HRC's long-standing agreement on the topic. The pushback against Egypt on these issues has been inadequate, and the UN counter-terror architecture remains over-focussed on security, with little engagement with human rights or civil society.

HRD Mohamed Soltan was falsely accused of being a 'member of the Muslim Brotherhood and working on behalf of foreign agents', for his work with the US-based *The Freedom Initiative*. In apparent coordination, new accusations were published in government-sponsored media outlets in both Egypt and Saudi Arabia in May 2019.

Mass trials, like Case 488, initiated in February 2019, grouped dissidents together and charged them collectively with 'collaborating with a terrorist organisation to achieve its goals', 'spreading false news', and 'using social media to publish false rumours'.

## Terror crimes: Glorification, incitement, justification

Even vaguer and more problematic than provisions about terrorist acts are those that criminalise the 'glorification' or 'incitement' of terrorism. International human rights standards are clear that offences of 'glorifying', 'praising', or 'justifying' terrorism (short of the actual incitement of terrorist acts) unjustifiably limit the right to freedom of expression. Maintenance of, and prosecutions under, those provisions continues regardless.

Russia's **'justifying terrorism'** laws were used against radio journalist Svetlana Prokopyeva in February; she also discovered she had been added to the state's list of 'terrorists and extremists' for her interview work. Russia routinely uses national security as a pretext for restricting expression, applying national legislation well beyond its scope of justification.

Numerous provisions of the Spanish Penal Code relating to terrorism raise serious freedom of expression concerns. 'Terrorism' is defined very broadly, and Article 578(1) makes it a criminal offence to engage in 'public praise or justification of the crimes [of terrorism] listed in Articles 572 to 577 [of the Penal Code], or of those who have participated in their execution, or the performance of acts that entail discredit, contempt or humiliation of the victims of terrorist crimes or their relatives.'

This vague provision has been repeatedly used to prosecute musicians and artists in Spain in recent years, including prison sentences handed to rappers Valtònyc, Pablo Hasél, and César Strawberry. The terrorist groups who Pablo Hasél was prosecuted for glorifying – ETA (Euskadi Ta Askatasuna) and GRAPO (Grupos de Resistencia Antifascista Primero de Octubre) – were inactive at the time of his online posts and YouTube music video.

**2020 update: In February 2020, the Spanish Constitutional Court overturned the verdict, declaring that the Supreme Court had not adequately considered his right to freedom of expression.**

## Terrorism online

In April 2019, EU lawmakers approved controversial legislation which required platforms to take down terrorist content within one hour of receiving notification from authorities. The

EU's proposed Regulation on Preventing the Dissemination of Terrorist Content Online and, in particular, the Regulation's call for Internet hosts to use 'proactive measures' to detect terrorist content pose serious risks.

This will lead platforms to adopt poorly understood tools, such as the Hash Database. EU institutions' embrace of the database and other filtering tools will have serious consequences for Internet users all over the world. The database was initially developed by Facebook, YouTube, Microsoft, and Twitter as a voluntary measure. It contains digital hash 'fingerprints' of images and videos that platforms have identified as 'extreme' terrorist material, based not on the law but on their own Community Guidelines or Terms of Service. The platforms can use automated filtering tools to identify and remove duplicates of the hashed images or videos.

**2020 update: In March 2020, the EU's draft Terrorist Content Regulation (Draft Regulation) was leaked. It is an extremely regressive piece of legislation which fails to protect human rights, in particular the rights to freedom of expression and privacy and data protection. Proposals for mandatory filters, obligations to remove broadly defined terrorist content within one hour, and insufficient procedural safeguards for the protection of freedom of expression and privacy online are of particular concern.**

Chapter 2

# Africa

**Protests are a force against autocracy. During the last 10 years, pro-democracy mass protests in 22 countries have been followed by substantial democratisation. Armenia, The Gambia, Sri Lanka, and Tunisia are the four countries achieving the greatest democratic gains.**

# The regional score for freedom of expression is at its lowest for a decade (Figure 15), which is in keeping with the global movement.

More than 40% of the people living in the African region now live in countries where expression is **in crisis** or **highly restricted**; no countries in the region are rated **open** (Table 7).

The big shift since 2009 in Africa is not the number of countries in each expression category, but rather in the population measure (Figures 16 and 17). In 2009, 43% of the population lived in a country rated **less restricted**: in 2019, 45% lived in **restricted** environments.

The good news, however, is that fewer people are now living in countries **in crisis.**

The major declines over 2019 were in countries with relatively high scores – dropping out of the **open** and **less restricted** categories. The significant changes over the decade, however, occurred further down the scale, with Burundi dropping into **in crisis**.

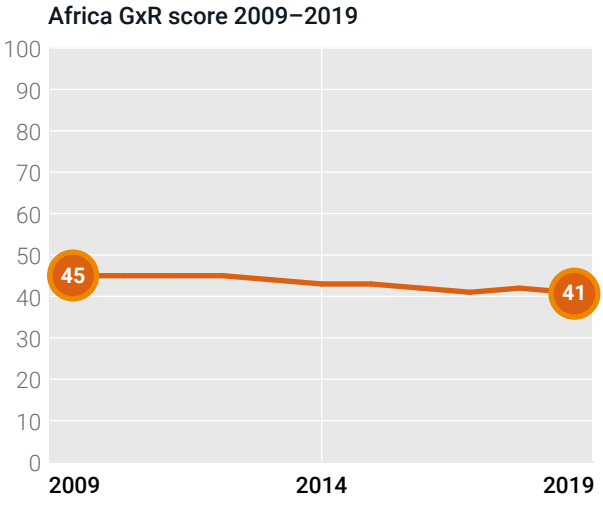



*Figure 15: Africa: GxR score 2009–2019*

*Table 7: Africa: countries and population in each GxR category*

| GxR score | GxR rating | Number of countries | % Regional population |
|---|---|---|---|
| 0–19 | In Crisis | 9 | 8% |
| 20–39 | Highly Restricted | 10 | 34% |
| 40–59 | Restricted | 13 | 45% |
| 60–79 | Less Restricted | 9 | 12% |
| 80–100 | Open | 0 | |

**Countries per expression category: Africa**

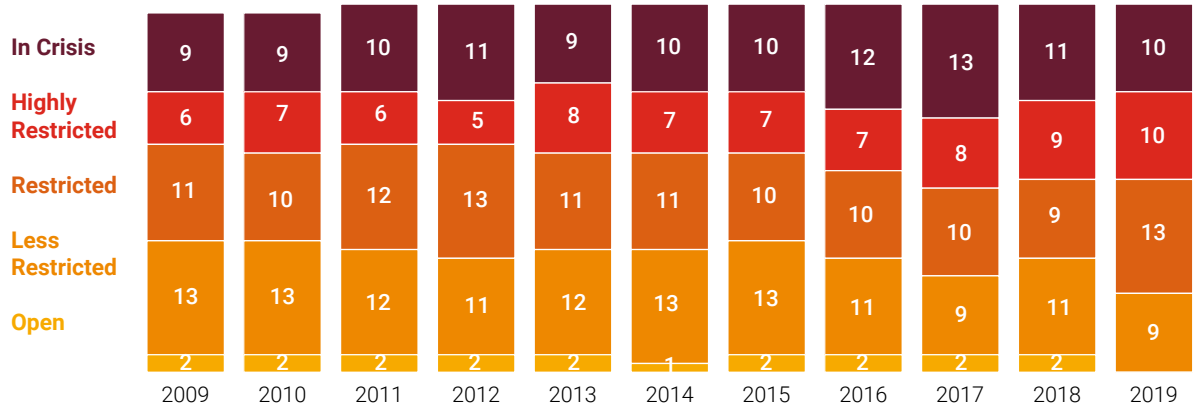
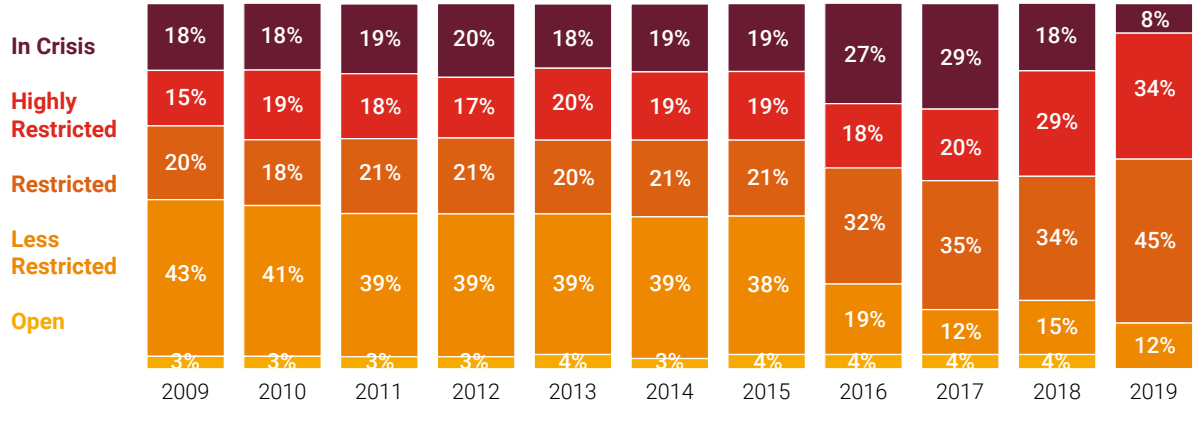



*Figure 16: Africa: countries in each expression category 2009–2019*

**% Population per expression category: Africa**




*17: Africa: percentage of the population living in each expression category 2009–2019*

*Table 8: Africa: GxR highs and lows, rises and falls**

| TOP 5 | GxR score |
|---|---|
| Botswana | 74 |
| Ghana | 73 |
| Senegal | 72 |
| Sierra Leone | 71 |
| Namibia | 70 |

| BOTTOM 5 | GxR score |
|---|---|
| Eritrea | 1 |
| Equatorial Guinea | 4 |
| South Sudan | 5 |
| Burundi | 6 |
| Republic of the Congo | 12 |

| RISING SCORES | | |
|---|---|---|
| 1 year | 5 year | 10 year |
| Mali | The Gambia | The Gambia |
| Sudan | Ethiopia | Ethiopia |
| | Angola | Angola |
| | Sudan | Sudan |

| FALLING SCORES | | |
|---|---|---|
| 1 year | 5 year | 10 year |
| Benin | Nigeria | Zambia |
| Gabon | Niger | Burundi |
| Ghana | Tanzania | Tanzania |
| | Togo | Cameroon |
| | Benin | Uganda |

* Countries in the Bottom 5 and Falling Scores tables are organised in descending order with the worst performers at the top.

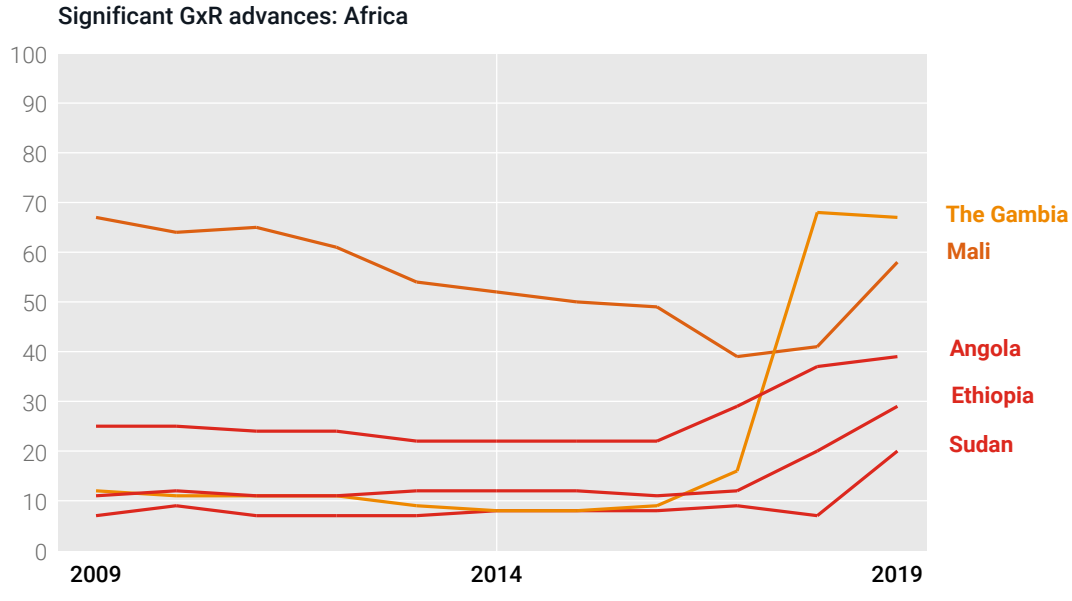



*Figure 18: Africa: countries with significant advances in GxR scores 2009–2019*

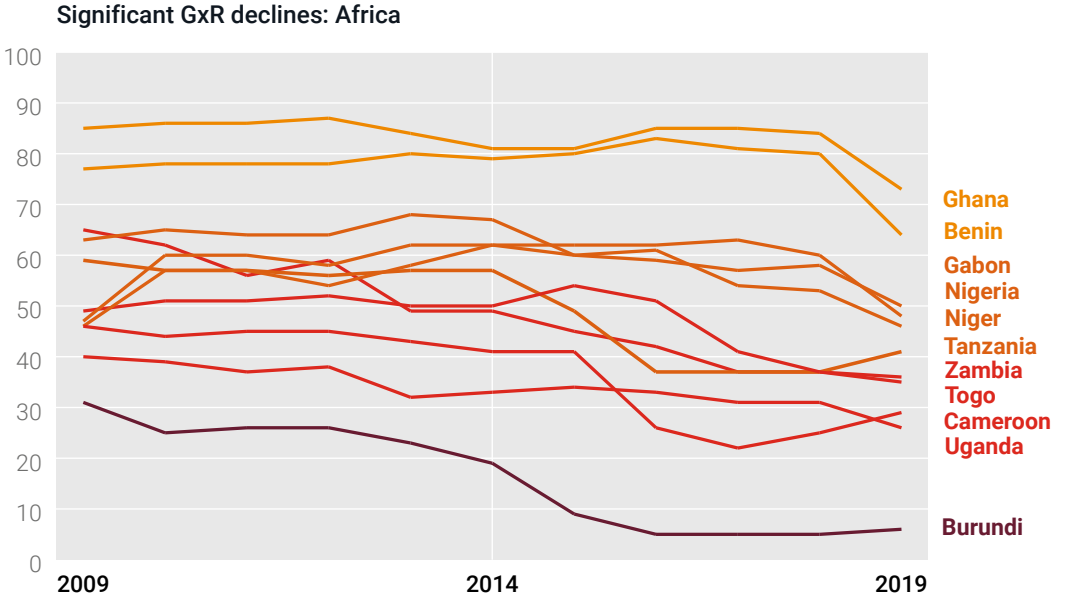



*Figure 19: Africa: countries with significant declines in GxR scores 2009–2019*

2.1

# 2020 hindsight on Africa

In 2019, the African Commission on Human and Peoples' Rights finalised the new Declaration of Principles on Freedom of Expression and Access to Information, which put a new emphasis on digital rights and access to information. The Commission made significant progress in standard-setting, but its independence continues to be threatened by certain member states and the African Union Executive Council.

At country level, however, many African states continue to create a **near-impossible environment** for communicators: journalists are regularly threatened due to their work and murders were committed in Nigeria, Kenya, and Cameroon, among others.

In **Ghana**, in January 2019, a masked gunman killed journalist and documentarist Ahmed Hussein-Suale in Accra. Hussein-Suale's documentary on corruption in Ghanaian football had inspired hostility from top politicians, including Kennedy Ohene Agyapong – a member of parliament named in the documentary who had circulated photos of Hussein-Suale prior to his murder.

Assault, arbitrary detention, and allegations of torture are routinely made by security services as well as police. Journalists covering protests sustained serious injuries in Senegal, Nigeria, and Uganda.

In **Tanzania**, investigative journalist Eric Kabandera was taken from his home by armed men in unmarked cars. The Dar es Salaam Special Zone Police later admitted they were holding him while they investigated his citizenship status, which is a common tactic for obstructing and intimidating government critics.

The **security situation in the Sahel** is worsening, meaning a near-impossible environment for expression amid a deepening human rights crisis. Nearly twice as many fatalities were reported in 2019 compared to 2018: 2019 was the deadliest year in the Sahel for 20 years.

A number of dramatic **regime changes** have rocked the continent in recent years, bringing with them opportunities for expression. **The Gambia**'s new regime seems to be holding onto the advances made since the departure of Yahya Jammeh in 2016, though progress is slow and faltering with a slight decline in GxR score in 2019 (Figure 11).

**Ethiopia** and **Sudan**'s popular uprisings, each of which brought regime change, bring cautious

hope for real reform, though accountability for ongoing human rights violations by military and security forces remains elusive. Both uprisings pulled the countries out of the **in crisis** category. However, in 2020 Ethiopia has seen alarming violence against protesters, often intersecting with ethnic tension: more than 150 were killed amid violence by security forces.

Opportunities for reform at the polls were marred by choking of opposition groups and broken term limits – often extended unconstitutionally by ageing leaders trying to stay in power, in Guinea and the Ivory Coast, for example (see Chapter 2.2).

Robert Mugabe's 2017 departure from politics has brought little change in **Zimbabwe**'s environment. In addition to the use of existing repressive laws and police force to limit expression, President Mnangagwa's government has also made use of the country's military to violate free expression. A few days before scheduled protests, six activists were abducted from their homes by masked men, interrogated, and tortured and left in remote locations. A week later, topical comedian Samantha Kureya, known as Gonyeti, was also abducted, stripped, assaulted, and forced to drink sewer water.

Over the last 15 years, nine countries in Africa have adopted legislation or policies which restrict non-governmental organisations (NGOs) and their work: Sudan, Rwanda, Ethiopia, Zambia, South Sudan, Uganda, Sierra Leone, Burundi, and Tanzania; several others have measures pending. These measures range from imposing onerous bureaucratic requirements for registration, funding, or hiring, to restricting areas of work or allowing state interference in operations.

It was 'two steps forward and three steps back' for **LGBTQI+ rights** in 2019: **Angola** and **Botswana** decriminalised homosexuality, while **Kenya**, **Uganda**, and **Tanzania** continued to repress and persecute via raids on LGBTQI+ NGOs, alongside homophobic legislation. In **Uganda** (GxR score 26), a member of parliament threatened to reintroduce the infamous 'Kill the Gays' bill, and Brian Wasswa, LGBTQI+ activist, died after he was attacked at his home.

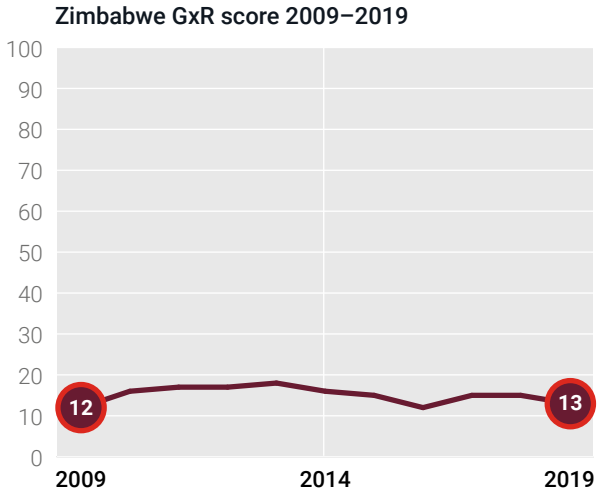



*Figure 20: Zimbabwe: GxR score 2009–2019*

Formerly a beacon of hope and democratic progress in the region, progress in **Senegal** (GxR score 72) has begun to stall. Journalists and artists have been detained for government-critical social media posts under vague provisions such as 'offences against the Head of State' or 'acts that compromise public security'. Protests have also been banned, and protesters arrested, notably relating to corruption implicating the President's brother, Aliou Sall.

Under **Tanzania'**s (GxR score 41) President Magufuli, state capture stretches further and civic space closes: Figure 19 illustrates the erosion of freedom of expression since his arrival to office in 2015. In February, the Ministry of Information, Culture, Arts and Sports suspended *The Citizen* newspaper for seven days for violating the Media Services Act with biased articles, one of which had reported that the Tanzania shilling was falling against the US dollar.

**Burundi** (GxR score 6) continues its decade of decline and criminalisation of expression: more than 100 journalists have fled the country in the face of intimidation and attacks by the state security forces and the Imbonerakure – the youth wing of the ruling party. Only one daily newspaper – *le Roveneau* – remains operational in the country: it is owned and directed by the state. Burundi continues to refuse to cooperate with the UN Working Group on Enforced or Involuntary Disappearances, which has expressed particular concern around the country's situation.

2.2

# Political opposition under attack

Freedom of expression is the right to participate, oppose, discuss, and hold to account those in power. In countries across Africa, political debate is being shut down and opposition politics crushed, particularly around election time, when there is increasing violence and repression.

More than 15 African presidents have ruled for more than a decade, some since their countries won independence from colonial powers. Power is entrenched and many leaders have spent their tenures consolidating into the hands of themselves and their parties, as well as networks of allies, cronies, and corrupted institutions.

In this context, political opposition is particularly difficult to sustain. Legitimate political alternatives are crushed using a broad range of measures and tactics, and crackdowns have consistently worsened as elections approached in many countries, undermining election rights.

For the 'freedom from political killings' indicator, four of the bottom five countries are African states: The Republic of the Congo, Zimbabwe, Burundi, and Uganda. Their scores are even lower than Syria's score.

**Benin**'s GxR score fell 16 points in the space of a year, from 80 to 64: no coincidence that it was an election year. The country held a parliamentary election in April 2019, though without opposition candidates. After the Electoral Commission decided in March that none of the five existing opposition parties met new requirements, voters were forced to select members of parliament from two parties – both allied to President Patrice Talon.

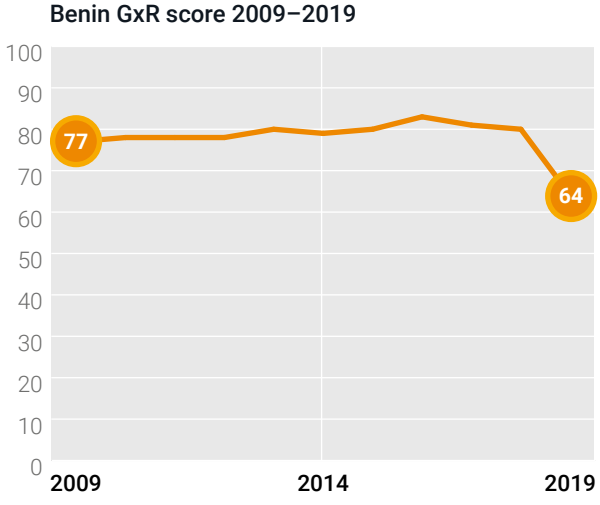



*Figure 21: Benin: GxR score 2009–2019*

The election took place in a climate of violent repression and crackdown on journalists and political activists. Benin has adopted several repressive laws in recent years which were used to restrict dissent in the election run-up. These criminalise the publishing of false information, press offences

online, and incitement to rebellion online. Internet access was shut down entirely on election day, with virtual private networks usually used to circumvent online censorship also made inaccessible. Benin has seen the biggest drop in the GxR indicator for government shutdown in the last five years, except for India, whose use is notorious worldwide.

Local governments implemented a blanket ban on protests in the lead-up to polls, with opposition leaders arrested and protesters violently dispersed. At least one person was killed. On 19 April 2019, the security forces fired tear gas on two of Benin's former Presidents, Nicéphore Soglo and Thomas Boni Yayi, and the eldest member of Parliament, 83-year-old Rosine Vieyra Soglo, as they addressed protesters at a demonstration in the capital city Cotonou.

With an election approaching, **Tanzania**'s restrictions on political opposition tightened, with amendments to the country's Political Parties Act steering the country even further towards being a one-party state: a government-appointed registrar now has general sweeping powers, including the power to de-register parties.

In the last few years, laws in Tanzania have severely restricted the environment for media and dissent of all kinds in Tanzania, including the Media Services Act 2016, Cyber Crimes Act 2015, Statistics Act 2015, Access to Information Act 2016, and related regulations such as the Electronic and Postal Communications Act (Online Content) Regulations 2018.

Legislation is tightening the environment for opposition in Tanzania, and criminal violence and fear-mongering continue to be used alongside judicial harassment. In May 2019, armed men abducted Mdude Nyagali, a high-profile dissident and opposition activist. According to a statement from the main opposition party Chadema, he was found 150 kilometres away, seriously injured, and unable to speak. Nine Chadema leaders are facing charges for sedition, incitement to violence, and holding an 'illegal rally' in 2018.

**Burundi**'s political violence rose sharply in the lead-up to its 2020 election, particularly following the formation of the opposition party National Congress for Freedom (CNL) in February 2019. There was a significant increase in violence carried out by the youth wing of the ruling party, the notorious 'Imbonerakure', against opposition supporters and particularly CNL members. Burundi has seen the world's biggest score drops in the GxR indicator for 'bans on political parties' and 'harassment of journalists' in the last five years.

**2020 update: In Burundi on election day, there were two rounds of shutdowns. Social media platforms were disconnected when citizens began making their way to the polls. Burundi was the third African country to shut down social media during an election in 2020. Togo and Guinea also shut down social media platforms and the Internet during their recent elections and, much like Burundi, thereby jeopardised the integrity and the outcomes of those elections (see Chapter 1.5).**

Africa has a growing youth population that is increasingly frustrated with ageing leadership, economic failures, and restrictive environments. Music culture, particularly hip-hop, is reflecting this frustration and is increasingly politicised, with many artists actively entering politics, for example Bobi Wine in **Uganda**, Falz in **Nigeria**, Didier Lalaye in **Chad**, Valsero in **Cameroon**, and Pilato in **Zambia**.

**Uganda** is a stark example of this dynamic, where an ageing leader is violently targeting a young musician and politician known as 'The Ghetto President'. President Museveni has been in power since 1986 and, in April 2019, the Supreme Court confirmed the removal of a 75-year age limit for presidential candidates from the Ugandan Constitution. The ruling party then announced that Museveni would be their candidate for '2021 and beyond'.

The Ugandan Government continued to arrest political opponents and block political rallies. However, the President's intolerance of criticism seems to be worsening, particularly in relation to musician and opposition MP Robert Kyagulanyi, known as **Bobi Wine**. Wine is the leader of the 'Our People, Our Power' Movement and enjoys strong youth support.

Wine was detained and charged with holding an illegal assembly and sent to a maximum-security prison in April 2019. This detention followed a spate of arrests, including an arrest in 2018 after which he was tortured and prevented from leaving the country to seek medical treatment.

Radio and television stations were also ordered by the national regulator in April 2019 to suspend their staff, accusing them of airing programmes that were 'unbalanced, sensational and often give undue prominence to specific individuals' after they aired news reports about Wine. In the same month, police shut off three radio stations for hosting another opposition leader, Kizza Besigye.

In July 2019, the Attorney General tabled several proposals which would ban presidential candidates from running as independents after participating in party primaries and prevent them from forming alliances with political parties. Opposition lawmakers said the reforms targeted Wine, who had announced plans to run for President in 2021 as an independent candidate. There were also proposals for laws restricting lyrics and music videos and bans on certain concerts and clothing resembling military attire of the Uganda People's Defence Force, which were understood as an attack on Wine's music and trademark red beret.

Similarly, in **Cameroon** (GxR score 29), rapper and pro-democracy activist Gaston Philippe Abe Abe, known as Valsero, was arrested in relation to a demonstration to protest against the victory of the re-election of Paul Biya, who has been President since 1982. These demonstrations were violently suppressed by security forces. After much civil society advocacy, Valsero was released months later.

2.3

# Sudan: New hope at a high cost

Real change was achieved in 2019 in the midst of a popular uprising: Sudan's President of 30 years – Omar al-Bashir – was ousted in April, followed by a power-sharing agreement and legal reforms.

## FACT**FILE**

**Capital city**
Khartoum

**Population**
43 million

**GDP per capita**
USD440

**GxR score**
20

**Rated**
Highly Restricted

**Country ranking**
124/161

Freedom of expression is guaranteed by Sudan's Constitution in Chapter 14, Article 57.

Sudan ratified the International Covenant on Civil and Political Rights (ICCPR) in 1986.

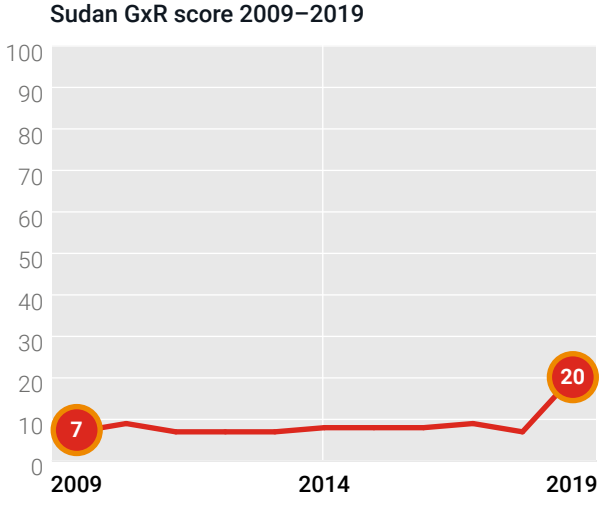



*Figure 22: Sudan: GxR score 2009–2019*

Sudan's GxR score jumped 13 points in one year, leaving the **in crisis** category and making it one of the biggest advancers of 2019. The uprising has been followed by real reform, though human rights abuses were carried out on a huge scale by military and security forces during the uprising, for which no accountability has been seen.

Protests first broke out in Sudan at the end of December 2018, when the government attempted to raise the prices of bread and basic commodities. President al-Bashir declared a State of Emergency on

22 February 2019, banning protests and authorising 'emergency courts' to try violators in special trials.

Between December 2018 and April 2019, at least 2,000 people were arrested and 77 killed, with numerous others beaten, injured, and tortured, mostly by security forces. Many were detained and subjected to summary trials, and were often imprisoned or fined without due process.

On 10 April 2019, protesters sat outside the army headquarters in the capital city Khartoum and demanded that the military withdraw support for President al-Bashir. The following day, the army arrested the President and announced a Transitional Military Council.

A coup was not what the protesters had been demanding. Protesters remained in the streets demanding real change and a return to civilian rule. Security forces continued to commit serious human rights violations, including the use of live ammunition against unarmed protesters.

These attacks climaxed on 3 June, when the state security forces, in particular the Rapid Support Forces, attacked the continuing sit-in outside the military headquarters. At least 120 people were killed and over 700 injured, beaten, assaulted, and raped. Hospitals and clinics were attacked, and wounded protesters were prevented from seeking medical help. Bodies were thrown into the River Nile and an unknown number are still missing.

Authorities sought to suppress information about June's violence by restricting media access to the country and cutting off Internet access for more than a month, starting on 10 June. The authorities had shut down Al Jazeera's offices at the end of May, just days before the attack.

Finally, following an African Union-brokered negotiation, military and opposition leaders signed a power-sharing agreement in August 2019. Women played an important role in the protests, and women's rights groups have expressed disappointment that few women were included in the transitional government.

This transitional government has now agreed to transfer the former President to the International Criminal Court to face trial for war crimes and genocide.

In September 2019, a Sudanese court ordered telecommunications companies to apologise for having disrupted access to networks during the protests. The Telecommunications and Post Regulatory Authority is now independent from the military, after being moved from the Ministry of Defence under the Sovereign Council.

**2020 update: Since the agreement, laws have been reformed to increase freedom of religion and belief, as well as reducing the power of security services and tackling the 'guardianship system' of the country. However, the military has continued to use old laws to harass critics, even those who were involved in the protest movement itself.**

Chapter 3

# The Americas

**Amid a global health crisis, the importance of transparency is clearer than ever, yet there has been a failure across the globe to ensure that the public has the information they need during the crisis. As healthcare systems struggle, and governments spend billions buying equipment, supporting workers, and keeping businesses afloat, a significant casualty has been the public's Right to Know.**

Like the global GxR score, the score for the Americas has dropped substantially in the last decade, though it is still the second highest regional score in the world.

Forty-four per cent of the population of the Americas is living in a country rated **open**, which is higher than in many regions (Figure 25). However, looking at the movement over the last decade, the picture is pretty bleak: in 2009, 66% of the regional population lived in an **open** environment for expression. Now, not only has that percentage dropped significantly, but the number of people living in **restricted** environments has grown substantially too.

Although **Ecuador** saw rising scores over the five-year and 10-year periods (Table 10), its progress did not simply slow during 2019 – it saw a drop in GxR score, due to the repressive attitudes of President Moreno in his attempts to crush protest.

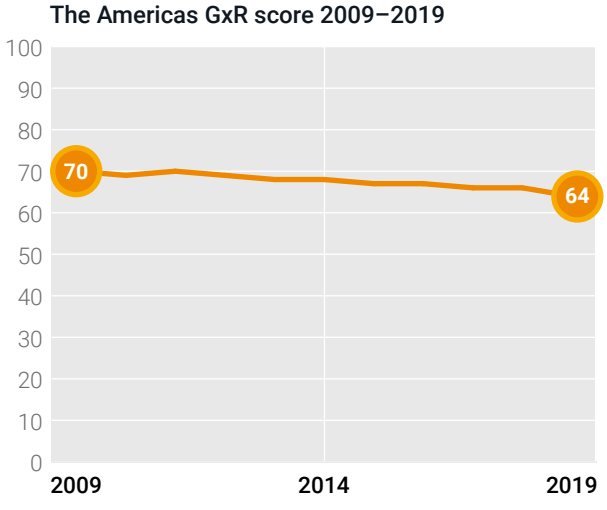



*Figure 23: The Americas: GxR score 2009–2019*

*Table 9: The Americas: countries and population in each GxR category*

| GxR score | GxR rating | Number of countries | % Regional population |
|---|---|---|---|
| 0–19 | In Crisis | 3 | 5% |
| 20–39 | Highly Restricted | 0 | 27% |
| 40–59 | Restricted | 3 | 24% |
| 60–79 | Less Restricted | 9 | 44% |
| 80–100 | Open | 7 | |

**Countries per expression category: The Americas**

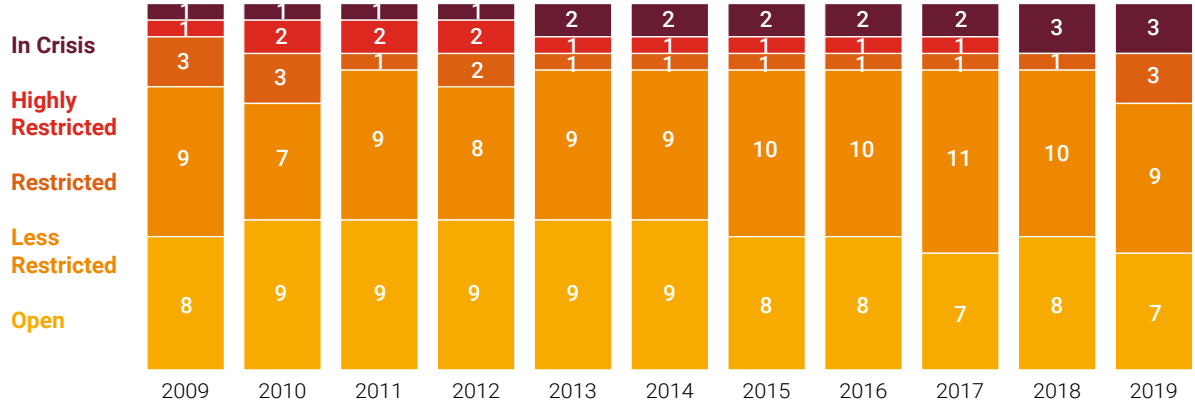



*Figure 24: The Americas: countries in each expression category 2009–2019*

**% Population per expression category: The Americas**

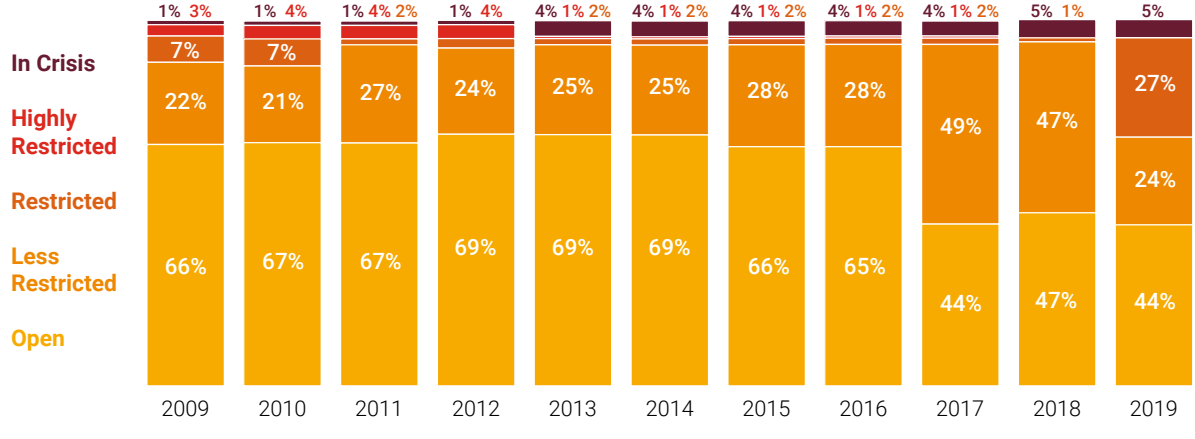



*Figure 25: The Americas: percentage of the population living in each expression category 2009–2019*

*Table 10: The Americas: GxR highs and lows, rises and falls**

| TOP 5 | GxR score |
|---|---|
| Canada | 91 |
| Uruguay | 88 |
| Costa Rica | 87 |
| Chile | 87 |
| Jamaica | 85 |

| BOTTOM 5 | GxR score |
|---|---|
| Cuba | 4 |
| Nicaragua | 6 |
| Venezuela | 8 |
| Brazil | 46 |
| Colombia | 49 |

| RISING SCORES | | |
|---|---|---|
| 1 year | 5 year | 10 year |
| None | Ecuador | Ecuador |

| FALLING SCORES | | |
|---|---|---|
| 1 year | 5 year | 10 year |
| Brazil | Brazil | Nicaragua |
| Colombia | Nicaragua | Venezuela |
| | Colombia | Brazil |
| | | Bolivia |

* Countries in the Bottom 5 and Falling Scores tables are organised in descending order with the worst performers at the top.

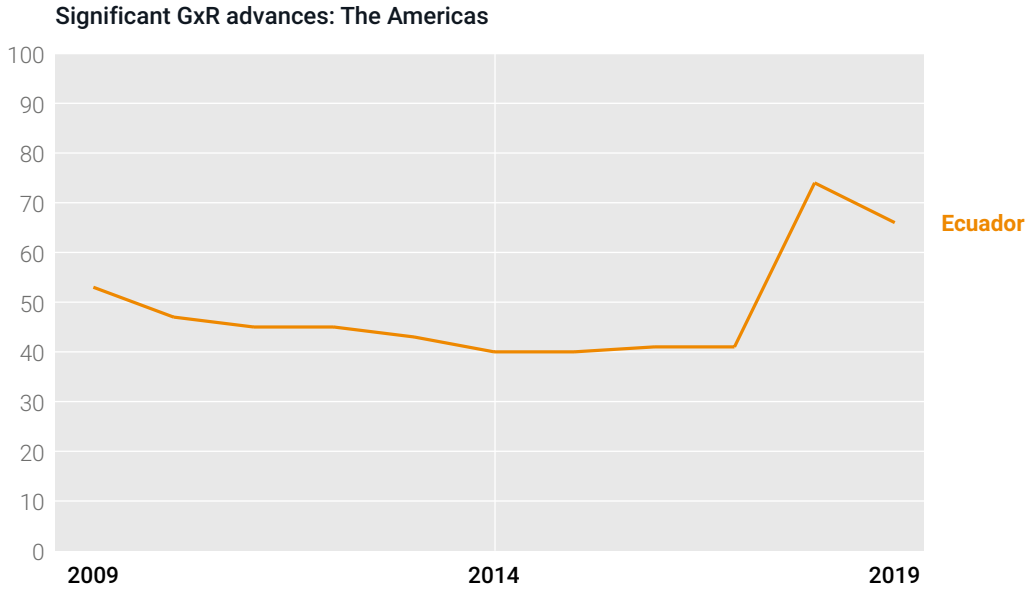



*Figure 26: The Americas: countries with significant advances in GxR scores 2009–2019*

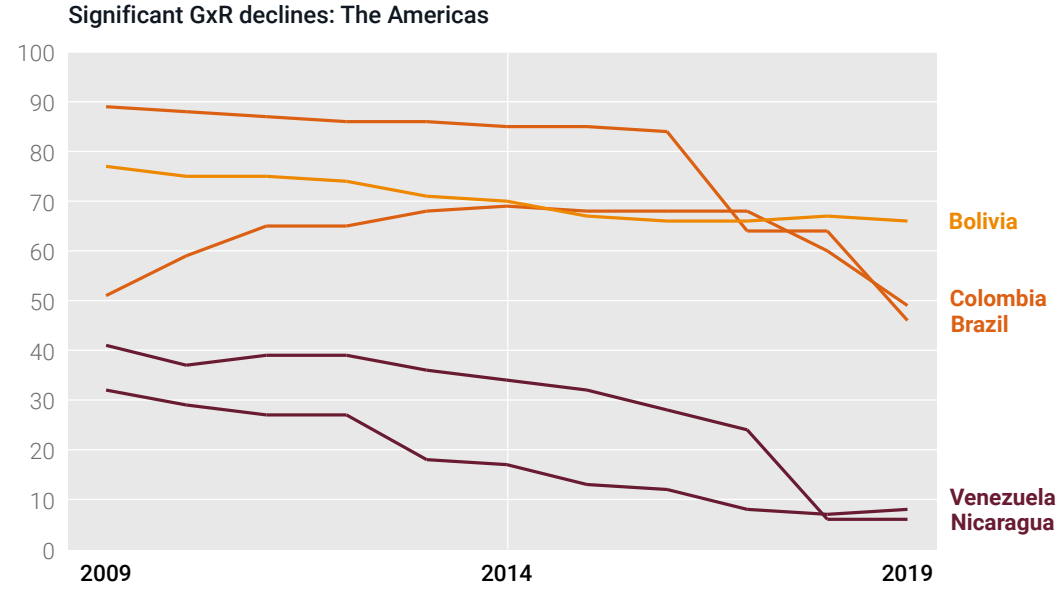



*Figure 27: The Americas: countries with significant declines in GxR scores 2009–2019*

3.1

# 2020 hindsight on the Americas

The Americas faced numerous serious human rights challenges in 2019, with widespread protest and unrest, as well as democratic instructions eroded and undermined by authoritarian leadership on both sides of the political spectrum.

Organised crime and corruption remain key issues, along with forced disappearances and violence against journalists and HRDs, particularly women and indigenous communities (see Chapter 3.2).

**Protest** broke out all across the Americas in late 2019, often inspired by a general discontent with government policies, austerity, and the prevailing neoliberal economic model, which has enriched a few investors at the cost of sustainable development for the majority. Feminist movements also took centre stage in 2019, such as Chile's 'A Rapist in Your Path' protest song, which echoed across the region.

Demonstrators were consistently met with excessive state violence (particularly in Ecuador and Chile), and there were targeted attacks on journalists, in line with the global trend (see Chapter 1.4). Like journalists, protesters in this region face criminalisation and stigma from authorities and even some media outlets.

Governments responded by imposing states of emergency, special powers, and heightened security, with restrictions on expression and assembly rights in Bolivia, Chile, Colombia, Ecuador, Guatemala, Nicaragua, and Honduras, as leadership strove to quash unrest and regain control of the streets.

In the Americas, particularly Latin America, journalists are routinely targeted by state and non-state actors. At least **28 journalists were killed in 2019**, and there was a marked increase in acts of violence and intimation against journalists, activists, and online communicators.

Increasingly **polarised political environments** and ongoing stigmatisation of journalists and activists exacerbate this issue, which is particularly acute in Mexico, Brazil, Venezuela, Cuba, and El Salvador. Stigmatising statements have concrete effects on the ground for journalists, particularly women journalists, as the insults and smear campaigns regularly have a gendered element (see Chapter 3.3).

Jair Bolsonaro, the new President of Brazil (see Chapter 3.3), has brought with him a huge escalation in verbal attacks on journalists: he personally made 10 attacks on journalists per month in 2019, with his vitriol directed particularly at women of African descent and indigenous activists. Mexico's President, Andrés Manuel López Obrador, also known as AMLO, repeatedly called the press 'sold' and 'fifi', meaning elitist (see Chapter 3.4).

US President Trump's public attacks on the press also increased in 2019, with new records for the number of times he named media outlets 'fake news' (273 times) and 'enemy of the people'. At local level, the atmosphere is worsening, with protests becoming more dangerous for journalists and assaults at Trump rallies in Texas and Florida.

**Expression is also criminalised** in numerous ways, with laws from 'inciting violence' and terrorist offences to criminal defamation being wielded against critics and dissenters, and public figures themselves suing communicators.

Some attacks on expression come directly from the state and its bodies: for example, **regulatory agencies** interrupted critical channels in Venezuela, Bolivia, and Ecuador, among others. The market is also distorted in more subtle ways by state intervention, such as 'official advertising' (state use of outlets to distribute information) and public information budgets.

Extraordinarily high numbers of **HRDs and social leaders are killed** in this region, subjected to physical attacks, threats, harassment, and strategic lawsuits against public participation (SLAPP) in an environment of near total impunity. The predominant extractivist economic model is taking hold on the continent without guarantees of information or expression, much less protest and transparency (see Chapter 3.2).

In Latin America, as in many other parts of the world, physical attacks are accompanied by **online harassment campaigns** waged by 'troll armies' or supporters of authoritarian regimes, or both. Technology-mediated violence also disproportionately targets women journalists.

Journalists and media outlets cannot count on strong democratic institutions to guarantee their safety or an enabling environment for their work. As well as attacks and lack of state support, communicators and activists have no recourse to justice: **impunity** reigns and even protection mechanisms are failing to provide the necessary measures to keep journalists safe.

**Surveillance** of activists and journalists is emerging as a strong pattern: Colombia, Cuba, Chile, Mexico, Nicaragua, and Venezuela persist in watching social media accounts and even intrusive surveillance measures, like Pegasus software.

International scrutiny comes at a higher and higher price in the Americas: harassment, trumped-up charges, and impeachment proceedings against judges and activists who comply with international bodies were seen in Guatemala, Nicaragua, and Venezuela in 2019. Two independent monitoring bodies in the Organisation of American States were also expelled from Nicaragua the day before one of them was set to release a report on human rights violations during the protests of 2018.

The USA's (GxR score 84) approach to **information** seems to be declining in the latter part of President Trump's first term: there was a rise in access to information denials in 2019, and local and state governments restricted press access to public interest events. The Justice Department continued to pursue charges against WikiLeaks founder Julian Assange under the Espionage Act, a case which could criminalise the news-gathering process.

Myriad events in 2019 and this year attest to Bolsonaro's autocratic aspirations, and desire to govern without checks or balances, without the cooperation of Parliament, the justice system, the free press, or civil society. Bolsonaro's administration has eliminated most federal councils, committees, and working groups, many of which had representatives of civil society, and reduced NGO representation in committees that were not eliminated.

**Cuba**, **Venezuela**, and **Nicaragua** are at the bottom of the region's score table: they are the region's only three countries categorised as **in crisis**.

Venezuela and Nicaragua are, unusually, among the big declines of the last decade as well as being in the bottom five for the region. At global level, the bottom scores tend to be countries which have consistently scored very low over the decade.

President Nicolas Maduro took power in 2013, which is marked by a big drop in Venezuela's score (Figure 28), and Nicaragua's President Ortega, who has eroded democratic structures since taking office in 1985, enacted a brutal crackdown in 2018 amid anti-government protests.

**Cuba**, the region's lowest scoring country, has a state monopoly on media with no independent journalism permitted. It also maintains tight control of access to information, in a context of extremely limited connectivity. Only a fraction of Cubans can read independent websites and blogs because of the high cost of the Internet and the limited access. In February 2020, a new constitution was approved in a referendum, but authorities repressed activists opposing its adoption by blocking websites and carrying out raids and short-term detention. Although this new constitution recognises the right to information for the first time, it maintains restrictions on pluralism and media independence from the previous constitution. For more on Cuba and Central America, see ARTICLE 19's report.

In April 2019, police agents in Cuba detained Roberto de Jesús Quiñones, an independent journalist who publishes on the news site CubaNet, while he was covering a trial. They beat him on the way to the police station, where he was kept for five days. In September 2019, he was convicted of 'resistance' and 'disobedience' and sentenced to a year's deprivation of liberty, converted to correctional labour with internment. This is not an isolated case: it is emblematic of the reality faced by independent journalists and HRDs in Cuba, who are routinely summoned by police as a form of threat. Sources and interviewees also face retribution for speaking to journalists, particularly on public interest issues.

**Venezuela** continues to spin out of control, and journalists face blackouts as well as targeted threats when covering uprising and protest. During the attempted military uprising in April 2019, authorities removed CNN and BBC from cable TV and shut down Radio Caracas. Death threats and attacks were made against journalists covering demonstrations, including beatings.

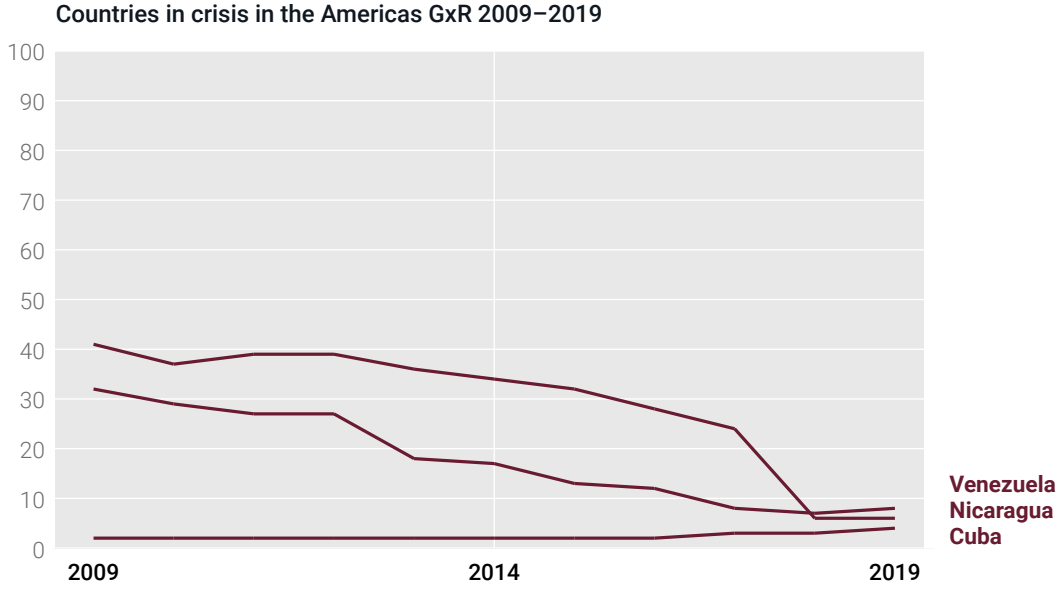



*Figure 28: The Americas: countries 'In Crisis' 2009–2019*

3.2

# Attacking the defenders: Environmental and indigenous activism threatened

Environmental and indigenous rights defenders in the Americas are killed, harassed, and stigmatised by government and business. These attacks are on the rise in an environment of impunity amid an increase in environmental exploitation and extractivist business models.

In 2019, 212 land and environmental defenders were killed globally, more than two-thirds were in Latin America, 64 of which were in Colombia alone (GxR score 49). The rate of impunity is extremely high, fuelling a cycle of violence which threatens a range of human rights, both of the defenders and the communities whose rights they seek to protect.

Land, environmental, and indigenous peoples' rights remained the most dangerous sector of human rights defence due to the profit-driven exploitation of natural resources, combined with rampant corruption, weak governments, and systemic poverty.

Latin America is a nexus for this violence, with the combination of rich natural resources and high levels of corruption and state violence. The documented number of lethal attacks against environmental defenders continues to rise in the region, as do the numbers of defenders facing judicial harassment, arbitrary arrest, detention, and prosecutions.

**Mining** was the sector linked to the most murders, but logging has seen the biggest rise in related killings. Brazil saw a huge rise in violent land invasions, with at least 160 in 2019. Attacks, murders, and massacres were also used to clear land for commodities like palm oil and sugar.

Colombia's attacks took place in a spiralling security context: local groups count 124 human rights defenders (HRDs) murdered in 2019, with 844 violent acts against all defenders in Colombia during the year – up 39 from 2018, and the highest number registered since 2009. More than a quarter of HRDs killed were indigenous community leaders; 36 indigenous groups face total disappearance in Colombia.

Escalating land conflict and environmental destruction has pushed communities to become defenders, putting more people on the frontline and in danger of attack. Colombia's economy is dominated by land-intensive industries where operations often bring significant human rights risks, which are often mismanaged or ignored. Environmental defenders thus face risks from both the private and public sectors, who are often aligned against those who protest big infrastructure or extraction projects. Land grabbing, land speculation, and extensive cattle ranching continue to grow.

A highly concerning development in the Colombian context is the connection between the energy sector and arms of the state, including official agreements between companies and the Colombian military, as well as the Attorney General's office. Large amounts of money are handed over in order to guarantee protection of projects and support the prosecution of, for example, roadblocks. Roadblocks are characteristic of Colombian social movements, such as the 2019 'Minga' in which around 100 people were arrested and more than ten prosecuted. Where these agreements exist, persecution and abuses are reported by local groups; there are more than 200 of these agreements with 70 businesses.

UN Special Rapporteur on the situation of human rights defenders, Michel Forst, delivered a damning report in 2019, to which the Colombian Government responded by disputing his figures and methodology and blocking his second visit, which had been planned to follow up with sources and provide recommendations.

**2020 update: Murders of rights defenders and community leaders have accelerated during the COVID-19 pandemic, as has the hold of armed groups on certain parts of the countryside. Additionally, the right of rural communities to be consulted about projects on their land is under threat: Colombia has announced a plan to use online consultation, despite 90% of indigenous lands lacking Internet access.**

This crisis of violence against defenders is demonstrated par excellence in Colombia, but these phenomena can be found across the region. Frontline defenders of precious resources were murdered in Brazil (amid skyrocketing violent land invasions in the Amazon), Honduras, Ecuador, Peru, Mexico, and Costa Rica during 2019.

**Brazil** saw 24 environmental HRDs killed, **Mexico** had 18, and **Honduras** 14. Seven of the global top ten countries by death of environmental HRDs are in Latin America, which has consistently been the worst-affected region in terms of the killing of environmental HRDs.

As extraction and logging business moves into Latin America, the risks rise. HRDs who were attacked were most often advocating against the following companies: AngloGold Ashanti, Big Group Salinas (BG Salinas), Cerrejón Coal (a non-operated joint venture of Anglo-American, BHP, and Glencore), Ecopetrol, and EPM.

Exploitation has become a key part of the economic model of Brazil's new President Bolsonaro: those who oppose it are painted 'unpatriotic' and 'anti-development'. Under President Bolsonaro, the enforcement of environmental regulations has relaxed and there has been a huge jump in Amazon deforestation – government data suggests that deforestation is occurring at its highest rate in a decade.

In 2019, there were 33 murders in the **Amazon region** – almost 90% of the killings in **Brazil** were in the Amazon. Amazonian deforestation is also on the rise in **Bolivia** and **Colombia**, and is accompanied by violent repression of those who oppose it.

**Indigenous defenders** constitute an extremely high proportion of those murdered, and are often engaged in the protection of ancestral lands or the natural resources on or beneath those lands. Indigenous defenders were murdered in Brazil, Honduras, Costa Rica, and Mexico, often on orders from illegal loggers.

On 1 November, 26-year-old Paulo Paulino Guajajara was shot dead in **Brazil**. Illegal loggers ambushed him and another member of the Guajajara, both members of the Guardians of the Forest, a group which works against logging gangs on indigenous land. Between 2000 and 2018, 42 Guajajara indigenous people were murdered during conflict with illegal loggers. In March 2019, Dilma Ferreira da Silva, an advocate for the rights of the 32,000 people displaced by a dam project in the Amazon, was killed, with signs of torture.

The Mapuche in Argentina continue to be repressed by the Argentine Government over their occupation of Vaca Muerta. This area is the world's second largest reserve of shale gas, where the government has posted the National Gendarmerie to guard fracking operations.

HRDs have experienced reprisals for UN engagement in **Guatemala**, **Nicaragua**, and **Venezuela**; indeed there have been reprisals against the special procedures system as a whole in places across the globe. Stigmatisation and criminalisation are common across the region.

Failure to understand or act on climate change is not restricted to Latin America. US President Donald Trump regularly tweets about climate change, calling it 'fake news' and accusing environmental defenders of having a hidden agenda. Climate scientists in the USA have also reported their research suspended or silenced. Anti-protest laws lobbied for by fossil fuel giants, inspired by the Dakota Pipeline protests, have been passed in seven states.

## Cause for cautious hope?

The **Escazú Agreement** was ratified in 2019. This is the first environmental treaty in Latin America and the Caribbean, and the first in the world to include specific provisions on environmental HRDs. The regional agreement may prove a powerful tool for enhancing governance by fostering access to climate information, public participation in climate decision-making, access to justice in climate-related matters, and protecting climate activists.

In November 2019, the UN Human Rights Council adopted, by consensus, a resolution on the importance of environmental HRDs. More than 80% of UN Member States (156 out of 193) legally recognise the right to a safe, clean, healthy, and sustainable environment, and the UN Guiding Principles on business and human rights state that companies should '[s]eek to prevent or mitigate adverse human rights impacts that are directly linked to their operations, products or services by their business relationships, even if they have not contributed to those impacts.'

3.3

# Brazil: GxR rating plummets amid violence and disinformation

Brazil has seen the world's biggest score drop over the one, five, and 10-year measures: the country has fallen two GxR categories in only a decade. This decline has accelerated with the arrival of Jair Bolsonaro to power at the start of 2019, with an 18-point drop in one year.

## FACTFILE

**Capital city**
Brasilia

**Population**
211 million

**GDP per capita**
USD8,700

**GxR score**
46

**Rated**
Restricted

**Country ranking**
94/161

Freedom of Expression and Information are guaranteed under the Constitution: Title VIII, Chapter V, Article 220.

Brazil ratified the International Covenant on Civil and Political Rights (ICCPR) in 1992.

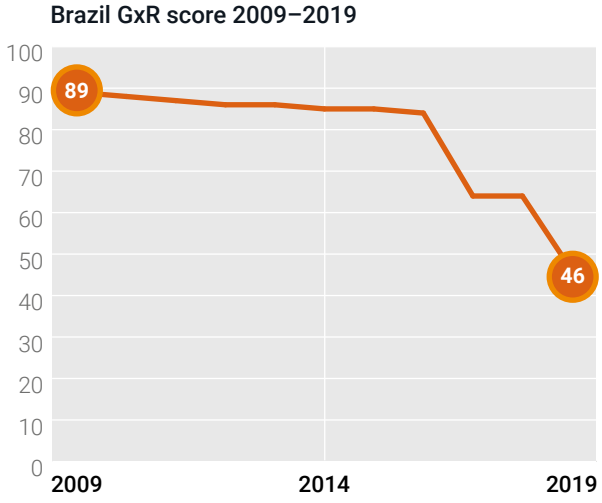



*Figure 29: Brazil: GxR score 2009–2019*

Since 2010, 43 journalists have been killed in Brazil. These attacks intensified after the 2018 presidential campaign, won by current President Bolsonaro. Given Brazil's size and influence, this nosedive in human rights has a significant effect on the region as a whole: Brazil is Latin America's biggest economy, as well as being the second biggest population in the Americas (second only to the USA) and the third largest land mass.

In January 2019, the same month that Bolsonaro was inaugurated as President, his administration made major amendments to two laws: the first of which allowed them to control civic spaces and reduce freedom of expression, the second increased the number of public officials authorised to classify documents for up to 50 years.

After an intense civil society mobilisation against both, including lawsuits before the Brazilian Supreme Court and support of several Parliament members, the government revoked both sets of amendments.

This attempt was, however, representative of a concerning set of official strategies to suppress liberties. Two key strategies emerged early in the new administration: **disinformation**, by suppressing accurate data and reducing access to sources of official information; and **violence** against independent voices, from journalists and bloggers to HRDs and NGOs.

Use of disinformation and criticism of media outlets has caused a new wave of smear campaigns against the media, often promoted by or even carried out with the support of public authorities. Women journalists were the main targets of these attacks, with serious attacks on Patricia Campos Mello and several other media professionals.

Women's rights to speak and to know have been severely affected by Bolsonaro's policies, with information on reproductive and sexual rights, as well as information about labour rights, suppressed. In 2019, the federal budget for implementing women's rights public policies was dramatically reduced. In September 2019, the regime pushed prosecutors to investigate a news outlet over a story which simply detailed the World Health Organization's recommendations for safe abortion.

In 2016, an anti-terrorism law was approved, consistently wielded to criminalise social movements and protests. In 2019, 21 new legal projects were proposed, aiming to increase penalties and further restrict the activities.

The criminalisation of NGOs and defenders is particularly acute in the area of environmental rights (see Chapter 3.2), as was demonstrated during the fires in the Amazon in 2019. These fires were blamed on environmental groups, and members of the Alter do Chão Fire Brigade Daniel Gutierrez Govino, João Victor Pereira Romano, Gustavo de Almeida Fernandes, and Marcelo Aron Cwerner were arrested.

**2020 update: The 2020 pandemic has made Brazil an example in the extreme of how authoritarian leaders and restrictions on freedom of expression, combined with disinformation, represent a high risk for public health.**

3.4

# Mexico: New rhetoric, old violence

The new President's first year in government showed no impact on violence against journalists and media workers; instead, it contributed to deepening polarisation and disturbing new online trends.

## FACTFILE

**Capital city**
Mexico City

**Population**
128 million

**GDP per capita**
USD9,700

Freedom of Expression is guaranteed under Mexico's 1917 Constitution with Amendments 2015: Title One, Chapter I, Article 6.

Mexico ratified the International Covenant on Civil and Political Rights (ICCPR) in 1981.

In his first speech as Mexico's President, Andrés Manuel López Obrador, known as AMLO, made big promises: "Freedom of expression will be respected, the government will never apply any censorship to any journalist or media outlet […] and we recommend to the members of the media, in a very respectful way, to exercise that freedom, which will guarantee the right to dissent in Mexico."

AMLO swept into power on a mandate of anti-corruption, championing equality and the recognition of historical state violence. His first year in office, however, has seen ongoing violence and a new set of concerns for freedom of expression.

It seems that this government has neither the intention nor the capacity to tackle the violence and impunity which are rife in the country; instead, it is pushing for control of information, deepening Mexico's political polarisation, and imposing new forms of censorship while the old forms continue unabated.

### Violence against journalists continues to rise

The first year of AMLO's government saw 609 aggressions against journalists; 10 were murdered in 2019 (Table 11). Attacks on journalists have been steadily rising over the last decade, and the arrival of a new President does not seem to have had any effect on the trajectory of violence (Figure 30).

The most common perpetrators of aggressions against the media are public officials, typically with threats, intimidation, and harassment to silence journalists (Tables 12, 13, 14). In 2019, public officials continued to be the greatest threat against the press, but threats from individuals have increased dramatically.

Politics and corruption are the types of coverage that are most likely to come under attack. Concerningly, states which were previously considered peaceful have now become hotspots for attacks on journalists.

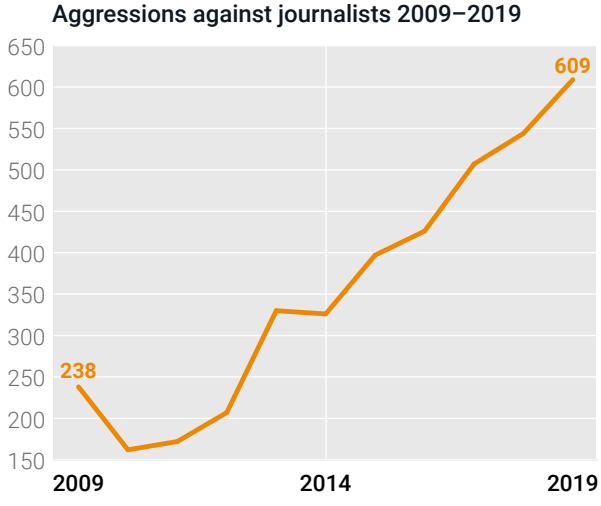



*Figure 30: Mexico: aggressions against journalists 2009–2019*

*Table 11: Number of aggressions and murders in Mexico*

| Government | Year | Aggressions | Murders |
|---|---|---|---|
| Former-President **Enrique Peña Nieto** (6 years) Aggressions against the press **2,522** Murders of journalists **47** | 2012 (Dec) | 20 | 0 |
| | 2013 | 330 | 4 |
| | 2014 | 326 | 5 |
| | 2015 | 397 | 7 |
| | 2016 | 426 | 11 |
| | 2017 | 507 | 12 |
| | 2018 (to the 30 Nov) | 516 | 8 |
| President **Andrés Manuel Lopez Obrador** (1 year) Aggressions against the press **637** Murders of journalists **11** | 2018 (Dec) | 28 | 1 |
| | 2019 | 609 | 10 |

*Table 12: Type of aggressors in Mexico 2009–2019*

| Type of aggressor | 2019 attacks | Attacks 2009–2019 |
|---|---|---|
| Organised crime | 49 | 350 |
| Public official | 265 | 1,847 |
| Citizen | 131 | 660 |
| Political party member | 13 | 244 |
| Unknown | 151 | 817 |
| **Total** | **609** | **3,918** |

*Table 13: Journalistic themes related to 2019 aggressions*

| Journalistic theme | 2019 attacks |
|---|---|
| Politics and corruption | 339 |
| Human rights | 51 |
| Protest and social movements | 62 |
| Private sector | 17 |
| Security and justice | 133 |
| Land and territory | 7 |
| **Total** | **609** |

*Table 14: Type of aggression in 2019 attacks*

| Type of aggression | 2019 attacks |
|---|---|
| Raid | 17 |
| Threat | 144 |
| Murder | 10 |
| Attack on property | 40 |
| Attack on medium of communication / systems of information | 6 |
| Physical attack | 62 |
| Blocking, alteration, or removal of information | 60 |
| Forced displacement | 12 |
| Intervention into or illegal surveillance of communication | 15 |
| Intimidation and harassment | 166 |
| Deprivation of liberty | 28 |
| Torture or cruel, inhuman, and degrading human | 3 |
| Abuse of public power | 46 |
| **Total** | **609** |

## Official information and deepening polarisation

AMLO's rhetoric and stigmatisation of political opposition has deepened the toxic political polarisation already seen in Mexico. Although he has reduced government spending on 'official advertising' in mainstream outlets by 500%, the allocation of remaining resources is opaque and arbitrary.

More concerning is AMLO's wielding of social media and the centralisation of government information, which pose new and acute dangers to the freedom of expression and information in Mexico.

The new President has introduced morning press conferences, supposedly with the aims of transparency, openness, and dialogue. In his first year of government, he held 252 conferences, which were watched by between 100,000 and 120,000 users live on Facebook and YouTube every day.

During these conferences, however, AMLO personally delivers official information which is rarely verifiable or possible to cross-reference or contrast with other sources: in 2019, he personally delivered 15,000 false or unverifiable statements during morning conferences.

AMLO regularly stigmatises media workers, taking a highly critical attitude towards the press. The increase in individual attacks on the press reflects his attitudes: not only do pro-AMLO online 'trolls' harass journalists who are critical of the new government, but protesters have been harassed too. #CaminataPorLaPaz (Walk for Peace) was a march organised to demand justice for Javier Valdez, a journalist who was murdered in 2017. AMLO supporters criticised the protest and threatened demonstrators, echoing the stigmatising comments that the President had made towards the press to harass journalists participating in the march.

## Impunity's grip is as tight as ever

Mexico has special protection and justice mechanisms for crimes against expression, but they are not up to the task. The Office of the United Nations High Commissioner for Human Rights (UNOCHR) declared in August 2019 that the Special Office for Attention to Crimes against Freedom of Expression (FEADLE) is 'insufficient to respond to the real protection needs' of the country, and warned that this inadequacy and its consequences will only become more acute.

Of the 1,614 cases of aggressions against journalists in Mexico since its creation in 2010, FEADLE has only achieved 14 sentences: 99.13% of cases continue with impunity.

2019 was the first year in which FEADLE managed to carry out an exhaustive investigation against the probable material authors of crimes against Lydia Cacho, a journalist and activist. Cacho was arrested for defamation after her 2005 investigation 'The Demons of Eden' uncovered a ring of paedophiles. She was tortured and assaulted both in transit and during detention. To date, only five police officers who participated in the crimes against Cacho have been arrested. Only one has received a final sentence. In April 2019, a federal judge ordered the arrest of former governor Mario Marín and businessman Kamel Nacif, who allegedly ordered the arrest and torture of the journalist. Both fled Mexico.

The case is marred by suspicion of deliberate inaction, a clear manifestation of the collusion and confusion between the mafia and the political class. In July 2019, Cacho was forced to leave the country: her house had been raided and her pets killed by men who also stole materials related to her most recent investigation.

Francisco Romero, who ran *Ocurrió Aquí*, was shot on 16 May, despite being under Mexico's protection mechanism for journalists. He is the fourth person to have been killed while under its protection.

This chapter was translated and adapted from ARTICLE 19 Mexico and Central America's annual report, *Disonancia: Voces en Disputa*, by Emily Hart for Writing Rights.

Chapter 4

# Asia and the Pacific

**Government abuse of power and the slide toward autocracy begins by gaining control of civil society and media. They muzzle the watchdogs at first, chip away at democratic institutions, and ultimately destroy the independence of elections. The data in countries like Hungary, Turkey, Poland, Serbia, Brazil, and India consistently show us this pattern.**

## The regional score for Asia and the Pacific is stagnant and at its lowest for at least a decade, but the fall has also slowed: the score has been steady since 2015.

Three in every four people in Asia and the Pacific live in an **in crisis** expression environment (Table 15). This is the highest proportion of any region in the world.

The proportion of people in Asia and the Pacific living in a country **in crisis** has risen by more than 35% during the decade (Figure 32), while the share of **open** countries has remained more or less constant, at only 5% (Figure 33).

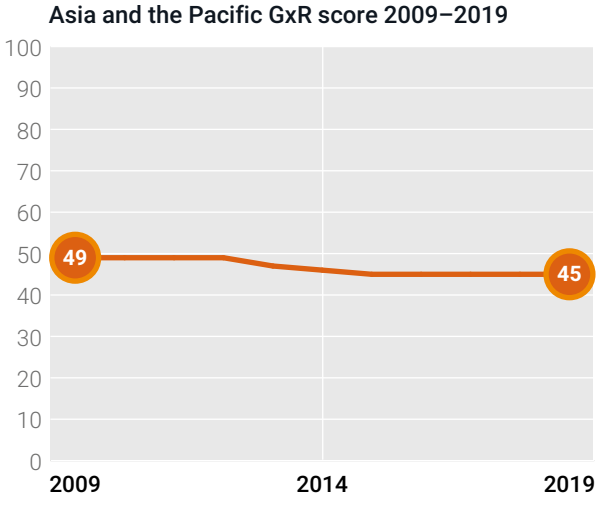



*Figure 31: Asia and the Pacific: GxR score 2009–2019*

*Table 15: Asia and the Pacific: countries and population in each GxR category*

| GxR score | GxR rating | Number of countries | % Regional population |
|---|---|---|---|
| 0–19 | In Crisis | 7 | 76% |
| 20–39 | Highly Restricted | 5 | 8% |
| 40–59 | Restricted | 7 | 11% |
| 60–79 | Less Restricted | 5 | 5% |
| 80–100 | Open | 5 | –1% |

**Countries per expression category: Asia and the Pacific**

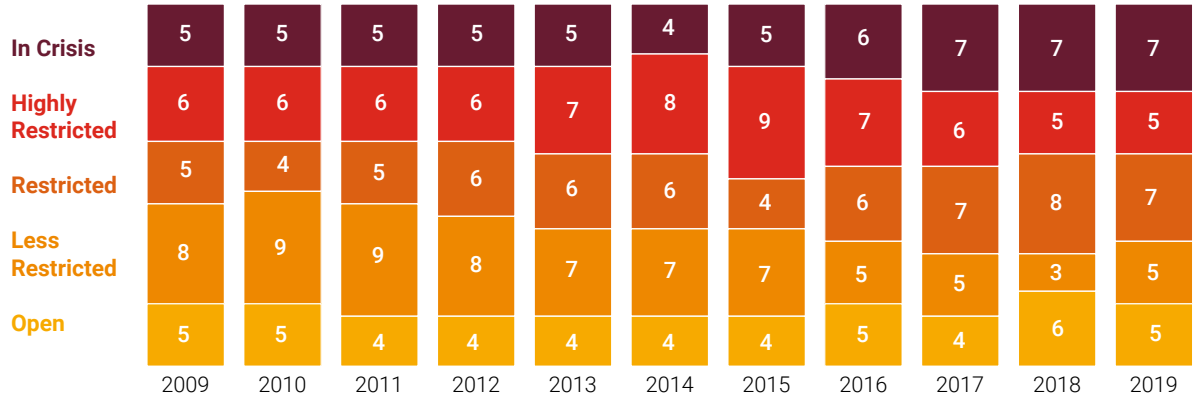



*Figure 32: Asia and the Pacific: countries in each expression category 2009–2019*

**% Population per expression category: Asia and the Pacific**

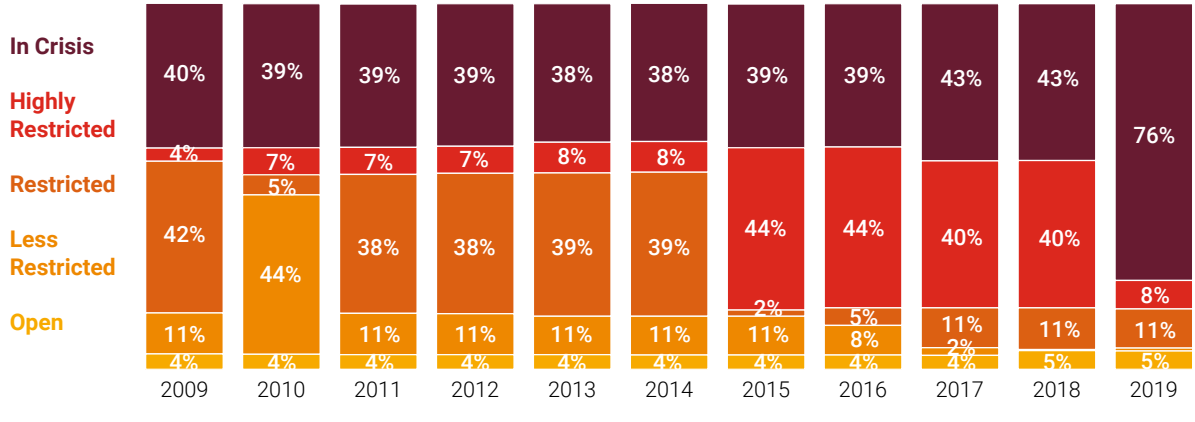



*Figure 33: Asia and the Pacific: percentage of the population living in each expression category 2009–2019*

*Table 16: Asia and the Pacific: GxR highs and lows, rises and falls*

| TOP 5 | GxR score |
|---|---|
| New Zealand | 88 |
| Japan | 82 |
| Vanuatu | 82 |
| South Korea | 81 |
| Australia | 80 |

| BOTTOM 5 | GxR score |
|---|---|
| North Korea | 0 |
| China | 3 |
| Cambodia | 8 |
| Vietnam | 10 |
| Bangladesh | 15 |

| RISING SCORES | | |
|---|---|---|
| 1 year | 5 year | 10 year |
| Maldives | Sri Lanka | Sri Lanka |
| | Maldives | Myanmar |
| | Fiji | Fiji |
| | Malaysia | Malaysia |
| | South Korea | South Korea |

| FALLING SCORES | | |
|---|---|---|
| 1 year | 5 year | 10 year |
| Hong Kong | India | India |
| | Hong Kong | Hong Kong |
| | Philippines | Bangladesh |
| | Pakistan | Pakistan |
| | Thailand | Nepal |

* Countries in the Bottom 5 and Falling Scores tables are organised in descending order with the worst performers at the top.

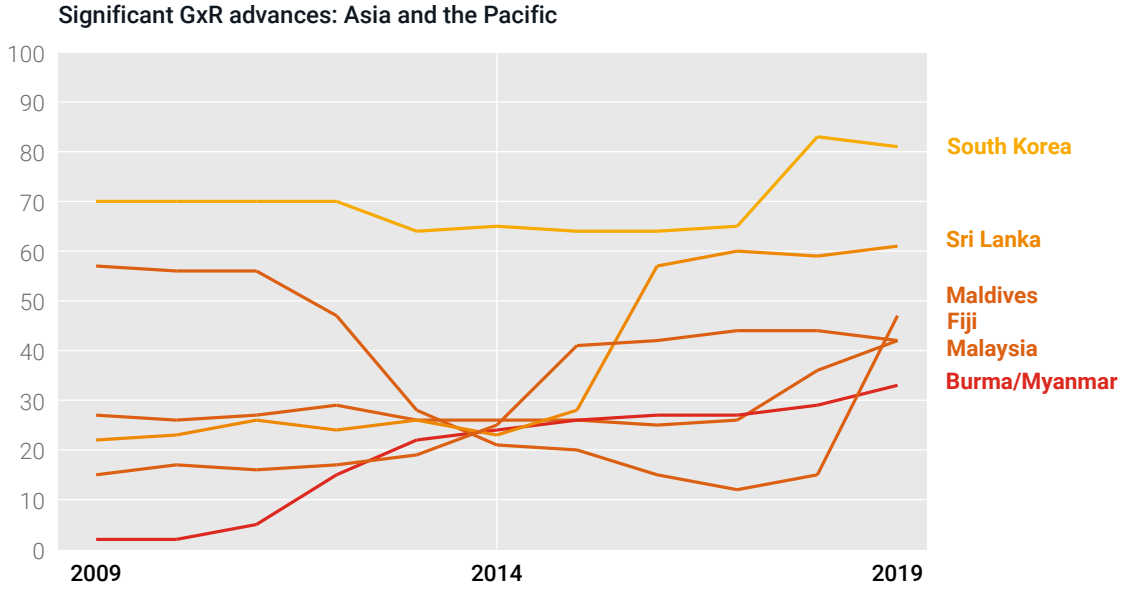



*Figure 34: Asia and the Pacific: countries with significant advances in GxR scores 2009–2019*

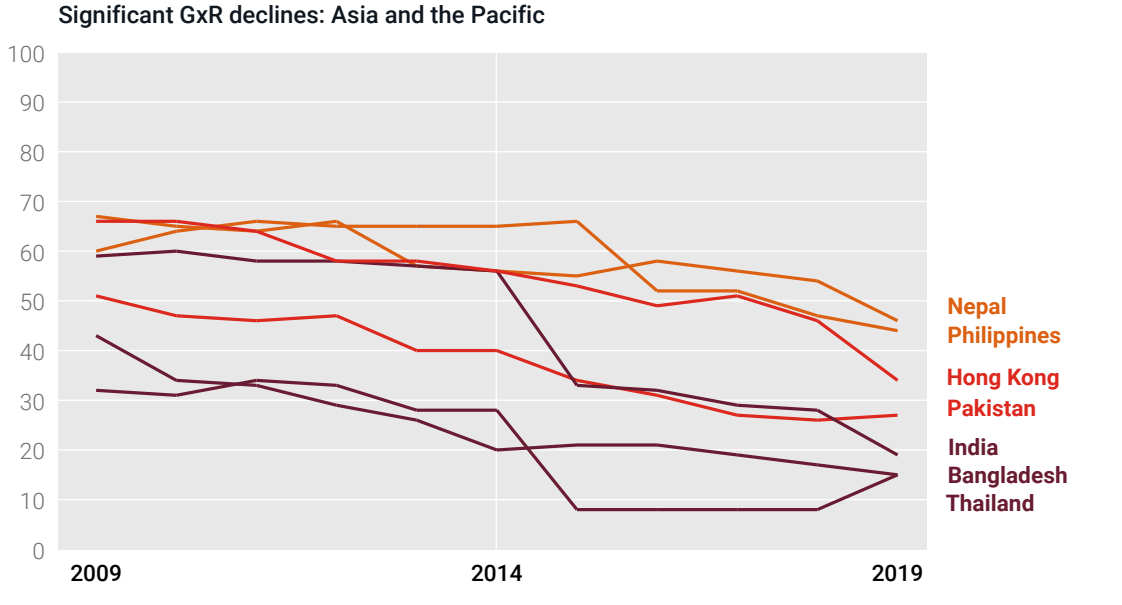



*Figure 35: Asia and the Pacific: countries with significant declines in GxR scores 2009–2019*

4.1

# 2020 hindsight on Asia and the Pacific

Authoritarian leaders across the region target communicators and human rights defenders (HRDs) with lawsuits and prosecutions, impeding their work, crippling outlets and organisations with fines, and putting some in prison.

Southeast Asia has become a global hotspot for strategic lawsuits against public participation (SLAPP), which continue to rise in number. Sedition and criminal defamation laws are among the more common laws used, along with religious insult, national security, and public order provisions. Private sector actors in particular have adopted SLAPP as the weapon of choice against those who oppose operations. There were at least 127 cases of judicial harassment against HRDs in the region between 2015 and 2019.

In February 2019, **Singaporean** (GxR score 25) HRD Jolovan Wham was fined and sentenced to prison for 16 days for exercising his right to peaceful assembly in a blatant attempt to silence an outspoken activist (Wham had previously been convicted on spurious charges of contempt of court). **Indonesian** (GxR score 53) authorities detained 22 activists on treason charges in August 2019 for peaceful expression. Similarly, in **Cambodia** (GxR score 8), Rama Ramanthan, a spokesperson for the Citizens Action Group on Enforced Disappearance, was arrested and questioned by police in a classic example of the routine harassment to which rights defenders in Cambodia are subjected.

In **Thailand** (GxR score 15), poultry company Thammakaset continued to file new criminal and civil charges against more than a dozen former employees and HRDs relating to whistleblowing and documenting of labour rights violations.

Rights defenders, particularly environmental defenders, are at risk of more than lawsuits. In the **Philippines** (GxR score 44), a country consistently identified as one of the worst places in Asia for attacks on environmental rights defenders, there was a rise from 30 killings in 2018 to 43 during 2019, 26 of which were related to agribusiness. The relentless vilification of defenders by the government and widespread impunity for crimes against environmentalists may well be driving this increase.

There was a surge of litigation against journalists during 2019, and 28% of journalists had legal issues affect their place of work. Maria Ressa, Editor and Founder of outlet Rappler, was arrested and charged in the **Philippines** (GxR score 44) in February, facing multiple cases of cyber libel in attempts to intimidate the press and other critics of the Duterte government. Ressa was found guilty in June 2020 and faces six years in prison (pending appeal).

In **Cambodia**, former Radio Free Asia journalists Uon Chhin and Yeang Sothearin faced lengthy criminal proceedings throughout the year on an arbitrary and baseless espionage charge. The

pair have previously been charged 'supplying a foreign state with information prejudicial to national defence' and alleged production of pornography.

The wasted time and resources, as well as fear and self-censorship caused by these lawsuits is silent and difficult to measure, but poses a serious threat to expression in the region.

**Thailand,** one of the big advancers of the last decade, held elections in 2019 which were structurally rigged in a severely restricted environment: military rule was officially ended, but the election installed a former military leader with a military-backed party. The trajectory came to a new climax in March 2020 when the Constitutional Court dissolved the Future Forward Party and banned party leaders from politics. Until its dissolution, the Future Forward Party was the third largest party in Parliament.

The Prime Minister, General Prayut Chan-ocha has continued with the same disregard for human rights which marked military rule. Hundreds of dissidents are being prosecuted, and pro-democracy activists have been subject to violent attacks.

Similarly, the promised democratic opening promised by the Pakatan Harapan government in **Malaysia** (GxR score 42) faltered, and progress was not consolidated. The government's commitment to transparency and reform waned after it took power, and 2019 was marked by broken promises and echoes of old tactics, including the use of the Sedition Act to suppress dissent. The government also reneged on promises to ratify human rights treaties after pressure from conservative groups. In February 2020, the Pakatan Harapan government collapsed after the withdrawal of a coalition partner, giving way to a conservative government and dashing hopes for reform.

**Bangladesh**'s (GxR score 15) government proved increasingly repressive – the landslide victory of the Awami League in the controversial 2018 election, itself characterised by repression, has emboldened the authorities in their clampdown on human rights. Journalists faced pressure to self-censor or risk arrest. For example, the editor of the *Daily Star* newspaper was sued in each of Bangladesh's 64 districts for a single story in a coordinated attempt to silence the outlet.

**India** (GxR score 19) continues its path to autocracy. After months of violently suppressed demonstrations, the Citizenship Amendment Act was passed in December 2019, cementing Prime Minister Narendra Modi's exclusionary Hindu Nationalist policies into law. Authorities use sedition and criminal defamation laws to stifle dissent. Journalists increasingly self-censor in an environment of harassment and increasing detention for critical reporting. Immediately following Modi's arrival to power in 2014, India's GxR saw a huge drop, marking the start of an ongoing decline into the **in crisis** category, into which India dropped in 2019 (Figure 36).

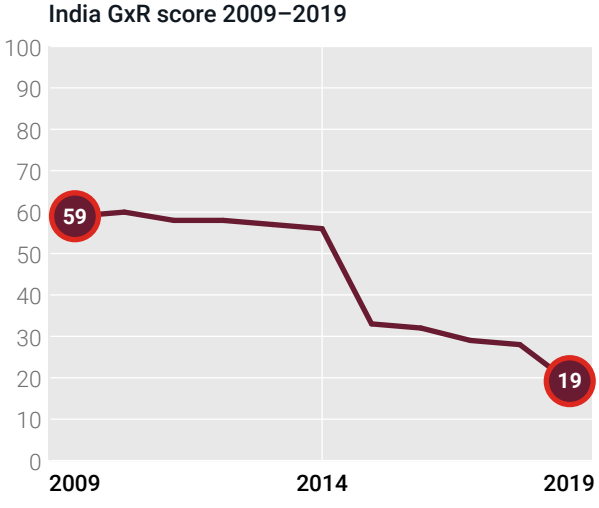



*Figure 36: India: GxR score 2009–2019*

Ethnic and religious nationalism is a growing issue in the region, seen at its most deadly in Myanmar but also visible in Malaysia, India, Sri Lanka, and China, where abuses against the Uighur Muslims continue, with worsening reports and allegations of slave labour.

**China** (GxR score 3) is in the bottom five scores for seven of the GxR indicators. As the world's worst abuser of online freedoms, it has continued as before in relation to appalling human rights violations and tightly controlled state media, for example the 2019 commemorations of the Tiananmen Square massacre were censored online.

China's disregard for human rights extends well beyond its borders: its expanding group of 'cheerleader states' depends on its aid or business, and it uses its influence economically, as well as in the Security Council veto, to push back against human rights all over the world. China's treatment of Hong Kong is discussed in Chapter 1.4.

4.2

# Online expression repressed and penalised

From 'fake news' laws to social media regulation, Asia and the Pacific is seeing a spate of new laws which enable both censorship and persecution of those who express and organise online.

Some of this legislation is draconian, violating freedom of expression standards; other laws are overbroad or simply archaic, and are intentionally wielded by regimes against expression and dissent in order to create a sense of fear and inspire self-censorship, as well as to silence dissent and criticism.

Proliferation of **'Fake News' Laws** across the region was marked in 2019. **Singapore**'s Protection of Online Falsehoods and Manipulation Act was passed in May and is a particular cause for concern: a single government minister can declare information 'false' and the content can be ordered for removal, even from WhatsApp and Signal. The Act's provisions are vague and broad, and could be used to restrict a wide range of speech protected by international human rights law, including criticism of public officials and the expression of controversial or minority opinions.

A 'fake news monitoring hub' was set up in **Thailand** in 2019 to monitor social media accounts which 'mislead people' or 'damage the public image' of Thailand. There are serious concerns that the centre will be used to surveil, target, and silence critics. There are also dedicated 'fake news monitoring' operations in **Vietnam** and **Indonesia**. **India**'s draft misuse of social media platforms and spreading of 'fake news' law, introduced in 2019, threatens serious violations of the right to expression as well as to privacy.

In January 2019, **Cambodia**'s Hun Sen announced the resubmission of the cybersecurity bill and a 'fake news' law to the National Assembly. The new Information Technology Bill, which creates new offences and prison sentences, is even more draconian than the Electronic Transactions Act it replaces.

The Mass Communications Bill duplicated similar provisions, with further penalties, for vaguely defined crimes based on expression. There is also a regulation which prohibits online activities 'intended to cause turmoil in society'. These can include sharing photos of police abuse against protesters, calling for peaceful demonstration, and political campaigning. Penalties are severe.

**Bangladesh**'s Digital Security Act was passed in October 2018 to replace the Information and Communication Technology Act: instead of reforming the regime, it criminalises a wide range of speech and gives the government sweeping blocking powers. In 2019, the number of recorded cases initiated under the Act was 63; in the first six months of 2020, 113 cases were recorded. A total of 208 people have been accused on the grounds of simple expression of opinion, 53 of whom are journalists.

**2020 update: There has been a surge of arrests under this Act during the coronavirus crisis – journalists, activists, and others who criticise the Bangladesh Government for its lack of preparedness and poor response to the pandemic.**

As well as laws designed to restrict freedom of expression, some archaic laws are strategically misapplied in order to punish those who speak out or offend.

**Nepal**'s Electronic Transactions Act, designed to address online fraud, was used to arrest journalists and bloggers, including YouTube comedian Pranesh Gautam, who published a negative review of a film. In the first six months of 2019, there were 180 cybercrime cases in Nepal; in 2018, there were 132 registered for the whole year.

In **Myanmar** (GxR score 33), prominent filmmaker and HRD Min Htin Ko Ko Gyi was sentenced to one year in prison in August 2019 for criticising the military's role in politics in Facebook posts. Despite his advanced age and liver cancer, he was denied bail.

In **Malaysia**, the Court of Appeal in Putrajaya rejected artist and HRD Fahmi Reza's appeal against an earlier conviction under the Communications and Multimedia Act of 1998.

In **Pakistan** (GxR score 27), journalist Rizwan Razi was arrested and detained for one day by the cybercrime wing of the Federal Investigation Agency after criticising officials of the judiciary and the military on Twitter.

In **Singapore**, activist Jolovan Wham and opposition politician John Tan were fined in April 2019 for 'scandalising the judiciary'. Wham was convicted for a Facebook post stating that 'Malaysia's judges are more independent than Singapore's for cases with political implications'. Tan was convicted for posting that Wham's prosecution 'only confirms that what [he] said is true'. In September 2019, Prime Minister Lee Hsien Loong sued Terry Xu, editor of *The Online Citizen*, which is one of few alternative news outlets, for civil defamation.

**Thailand**'s Computer-Related Crime Act was used to criminalise criticism throughout 2019. Activist Anurak Jeantawanich was charged with cybercrime in April 2019 for Facebook posts accusing the junta of manipulating the general election to allow Prayut Chan-ocha to hold onto power. In February 2019, three leaders of the Future Forward Party were also charged with cybercrimes over Facebook posts which claimed the junta had bribed opposition politicians to join Prayut's side in the election. Those who post content which ridicules the military or Prime Minister have also been harassed online by Thai authorities.

**Vietnam**'s (GxR score 10) Cybersecurity Law came into effect in January 2019. It gives authorities wide discretion to censor, as well as requiring service providers to take down content that authorities consider offensive within 24 hours of receiving the request. Authorities claim that Facebook complies with up to 75% of its requests to restrict content, and that Google complies with up to 85% of requests under the law.

Vietnamese bloggers face regular harassment and intimidation under various laws: 2019 saw at least 14 trials, with sentences ranging from five to nine years, for 'making, storing, disseminating or propagandising information, materials and products that aim to oppose the State of the Socialist Republic of Vietnam'.

Authorities convicted and sentenced rights activists Nguyen Ngoc Anh to six years in prison in June 2019 and Nguyen Nang Tinh to 11 years in prison in November 2019, both for their posts on Facebook. Meanwhile, veteran blogger and activist Pham Van Diep was sentenced to nine years in jail for posting, liking, and sharing information on Facebook 'that aims to oppose the State of the Socialist Republic of Vietnam'.

Activists and bloggers also face physical violence by officials and vigilantes who seem to enjoy impunity. Authorities block access to websites, frequently shut blogs, and require Internet service providers to remove content or social media accounts deemed politically unacceptable.

4.3

# Myanmar: Crisis continues amid denial and defence

Even as the international community investigates Myanmar's military for abuses against the Rohingya Muslims, repression of ethnic minorities continues while Aung San Suu Kyi failed to commit to human rights and the military continued to harass and sue critics and communicators.

## FACT**FILE**

**Capital city**
Nay Pyi Taw

**Population**
54 million

**GDP per capita**
USD1,300

**GxR score**
33

**Rated**
Highly Restricted

**Country ranking**
112/161

Freedom of Expression and Information are guaranteed under the 2008 Constitution: Chapter VIII, 354.

Myanmar has not ratified the International Covenant on Civil and Political Rights (ICCPR).

While over the last decade, Myanmar's GxR score has risen substantially, its progress has entirely ceased and is now replaced with an ethnic nationalism marked by persecution of dissent, ongoing violence, and prosecution of journalists.

The great hopes put in Myanmar's new leadership under Aung San Suu Kyi were dashed in 2019, as she defended the actions of the army at the UN's highest tribunal.

The army (the same military which kept her under house arrest for 15 years) is accused of genocide and crimes against humanity in persecution of the Rohingya Muslims. Aung San Suu Kyi denies well-evidenced allegations that the army had systematically killed civilians, raped women,

and torched houses. She has consistently failed to move towards a united Myanmar; instead pursuing repression and violating human rights.

Aung San Suu Kyi and her government have repeatedly refused to cooperate meaningfully with investigators' pursuit of accountability for rights violations, despite the UN finding sufficient evidence to call for an investigation of senior military officials for crimes against humanity and genocide against ethnic Rohingya Muslims.

Evidence indicates ongoing persecution of the remaining Rohingya people in northern Rakhine State. Restrictions on humanitarian and media access in both Rakhine and Chin States limit access to information, but the UN warned that the conflict is being used as a pretext to carry out attacks against Rohingya civilians, and to cause further displacement. The military has also weaponised sexual violence and gender-based violence to terrorise and attack ethnic minorities, including rape and gang rape, against women and children.

In June 2019, the authorities shut down mobile operators in nine townships in the Rakhine and Chin States; over the border, Bangladesh subsequently imposed a blackout on refugee camps holding Rohingya who had fled Myanmar (see Chapter 1.5).

The Rosenthal report, released in September 2019, describes the UN's failure to stop, mitigate, or even draw attention to violence that the UN Independent International Fact-Finding Mission found the year before.

Those who criticise the Myanmar Government or investigate state crimes, including those against the Rohingya, continue to be persecuted and prosecuted, often through criminal proceedings, which saw a concerning rise during 2019.

In 2019, more than 250 people faced such lawsuits, nearly half of which were filed under Article 66(d) of the Telecommunications Law. Increasingly, overzealous government attempts to control hate speech using criminal penalties also serve as a restriction on the right to freedom of expression.

The Supreme Court ruled to uphold the conviction of Wa Lone and Kyaw Soe Oo, Reuters journalists who helped expose a 2017 massacre of Rohingya civilians in Rakhine State by Myanmar army soldiers. Wa Lone and Kyaw Soe Oo were arrested in December 2017 shortly after being handed a set of official documents by police officers in a set-up operation aimed at obstructing their reporting on human rights violations in Rakhine State.

Prosecutions often use one of the following restrictive laws:

- Article 66(d) of the Telecommunications Law;
- Articles 33 and 34(d) of the Electronic Transactions Law;
- The Unlawful Associations Act of 1908;
- The Official Secrets Act of 1923;
- The Peaceful Assembly and Peaceful Procession Law; or
- Penal Code sections 124A (sedition), 295A (insulting religion), 499–500 (defamation) and 505 (incitement).

In August 2019, filmmaker Min Htin Ko Ko Gyi was sentenced to one year in prison with hard labour for criticising the military on Facebook – on charges of publication or circulation of statements 'with intent to cause, or which is likely to cause, any officer, soldier, sailor or airman, in the Army, Navy or Air Force to mutiny or otherwise disregard or fail in his duty as such'. He has repeatedly been denied bail to seek medical care.

The armed forces are a huge force for censorship in the country: the military has filed 52 lawsuits violating freedom of expression between 2015 and 2019, nearly half of which have targeted online expression.

Defamation law is a key tool wielded by the military to silence criticism. On 18 September 2019, the ruling party National League for Democracy (NLD)'s Mandalay region office filed defamation charges against Aung Pyae San Win and Swam Ka Bar for posting memes on a satirical Facebook page about the Mandalay chief minister. The same week, the

chairman of the NLD's Maubin township branch filed a criminal complaint against cartoonist Naing Zaw Oo (known as 'Ahtee'), alleging that he defamed the NLD and its local branch in social media posts criticising the local party's record.

In April and May 2019, seven members of a theatre group were arrested for work that was considered critical of the military. Five were sentenced to one year in prison. All seven defendants face additional charges of 'defaming' the military and two years in prison. Others currently facing charges include the editor of local media outlet *The Irrawaddy* and members of a group that put on a satirical slam poetry performance critical of the military.

Protesters are required to gain authorities' approval two days before an event under the Peaceful Assembly and Peaceful Procession Law. Activists Paulu and Seng Nu Pan were sentenced in September 2019 to 15 days in prison for a performance commemorating the anniversary of the end of a ceasefire. Paulu received an additional three months for contempt of court after presenting the judge with a set of broken scales – symbolising the broken justice system.

Another emerging concern for ethnic minority communities and vulnerable populations in Myanmar is the extractive industry and land confiscation. The involvement of military-backed conglomerates in extractive industries and other economic enterprises has given rise to a host of transparency concerns. Revenues flow from extractives projects to the armed forces, armed organisations, and state-owned enterprises, driving conflict and undermining rule of law, as well as facilitating human rights abuses.

Chapter 5

# Europe and Central Asia

**BigTech have too much power over the free flow of information and no accountability to balance this power. Social Media Councils are a key solution – they are a voluntary, compliance model for the oversight of content moderation based on international human rights law.**

## In 2019, a third of individuals living in Europe and Central Asia were living in a country **in crisis**; half of the regional population lives in an **open** expression environment (Table 17).

Europe and Central Asia has the largest range of scores of any region: the stark differences in scores is reflected in the broad variety of government structures and legal systems.

While the spread of countries across the categories is much the same as it was a decade ago, the proportion of the region's population now living in a country **in crisis** is significantly larger, having risen from 8% to 33% since 2009. The bulk of this change happened between 2012 and 2014, with the number not having changed since then; Russia's drop into the lowest category in 2013 explains the 2012–2013 shift.

The number of countries living in an **open** environment is also significantly smaller than it was 10 years ago, though that changed happened largely between 2016 and 2017.

Between 2009 and 2019, 13 countries in Europe and Central Asia saw significant decline, representing more than 364 million people.

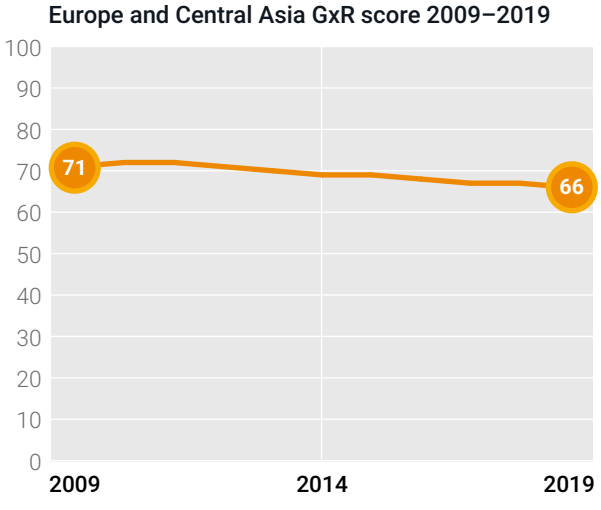



*Figure 37: Europe and Central Asia: GxR score 2009–2019*

*Table 17: Europe and Central Asia: countries and population in each GxR category*

| GxR score | GxR rating | Number of countries | % Regional population |
|---|---|---|---|
| 0–19 | In Crisis | 7 | 33% |
| 20–39 | Highly Restricted | 1 | 1% |
| 40–59 | Restricted | 5 | 7% |
| 60–79 | Less Restricted | 10 | 9% |
| 80–100 | Open | 26 | 50% |

**Countries per expression category: Europe and Central Asia**

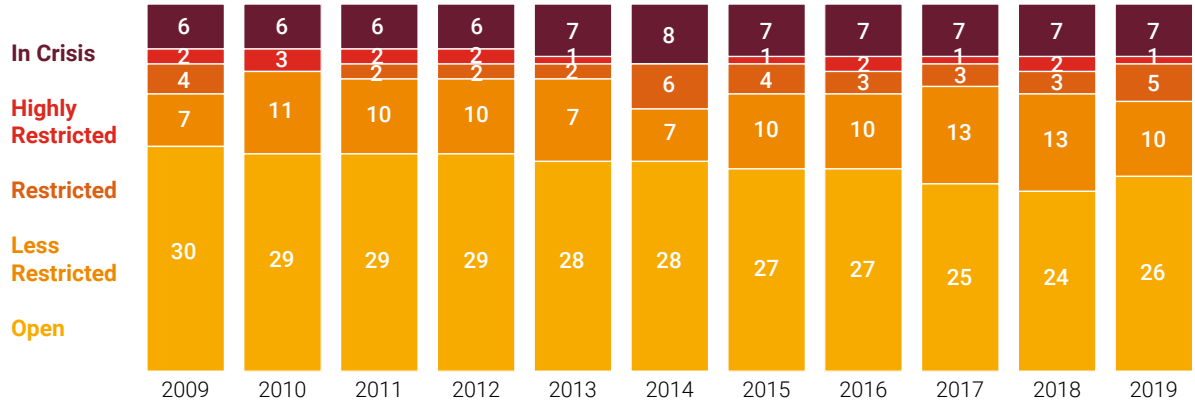



*Figure 38: Europe and Central Asia: countries in each expression category 2009–2019*

**% Population per expression category: Europe and Central Asia**

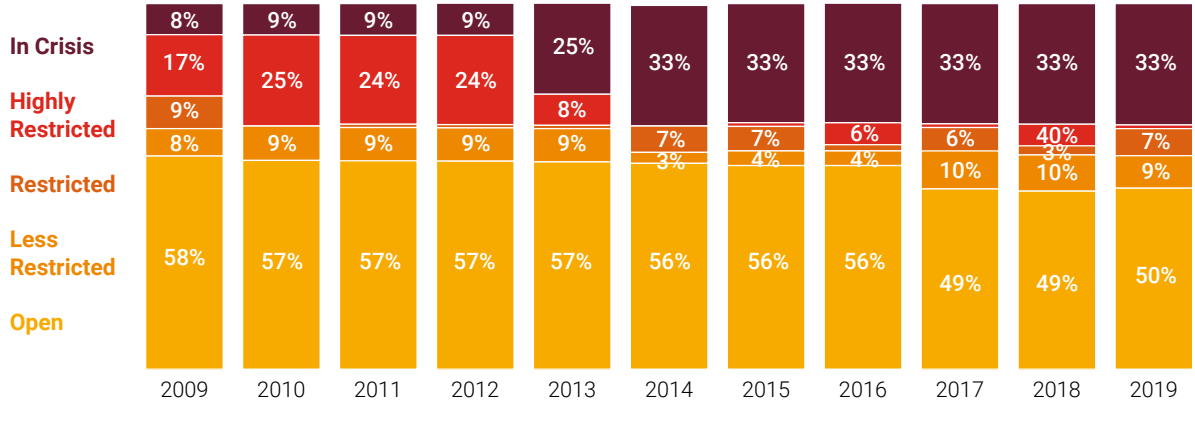



*Figure 39: Europe and Central Asia: percentage of the population living in each*

*Table 18: Europe and Central Asia: GxR highs and lows, rises and falls*

| TOP 5 | GxR score |
|---|---|
| Denmark | 93 |
| Switzerland | 91 |
| Norway | 91 |
| Sweden | 91 |
| Finland | 91 |

| BOTTOM 5 | GxR score |
|---|---|
| Turkmenistan | 1 |
| Tajikistan | 4 |
| Turkey | 6 |
| Uzbekistan | 9 |
| Azerbaijan | 9 |

| RISING SCORES | | |
|---|---|---|
| 1 year | 5 year | 10 year |
| Armenia | Armenia | Armenia |
| | North Macedonia | Moldova |
| | | Kyrgyzstan |
| | | Georgia |

| FALLING SCORES | | |
|---|---|---|
| 1 year | 5 year | 10 year |
| None | Poland | Ukraine |
| | Croatia | Turkey |
| | Hungary | Hungary |
| | Bosnia and Herzegovina | Serbia |
| | Serbia | Poland |

* Countries in the Bottom 5 and Falling Scores tables are organised in descending order with the worst performers at the top.

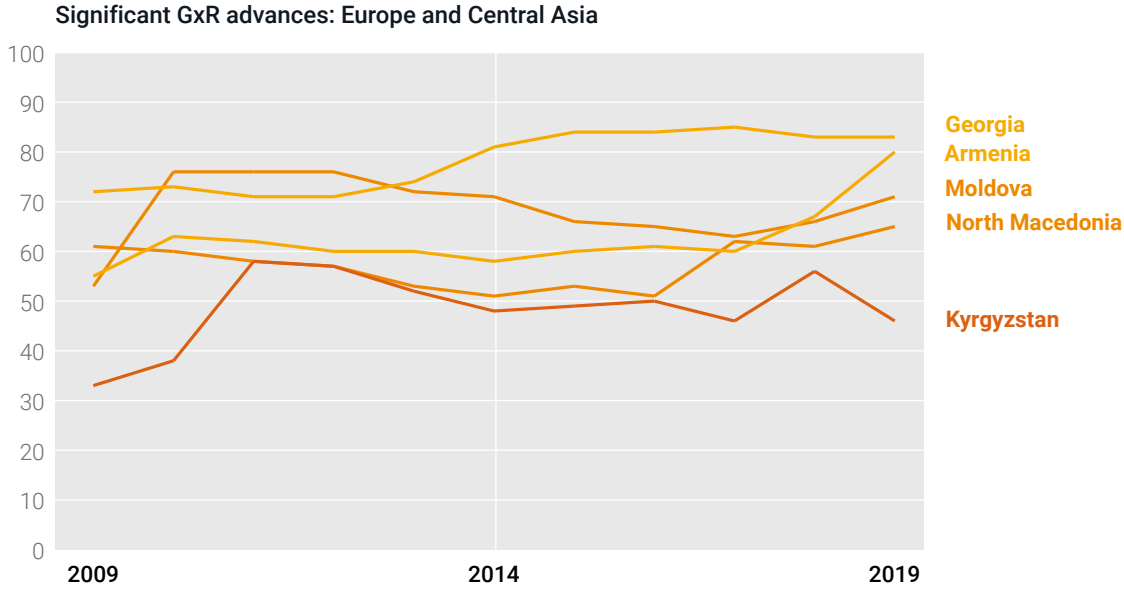



*Figure 40: Europe and Central Asia: countries with significant advances in GxR scores 2009–2019*

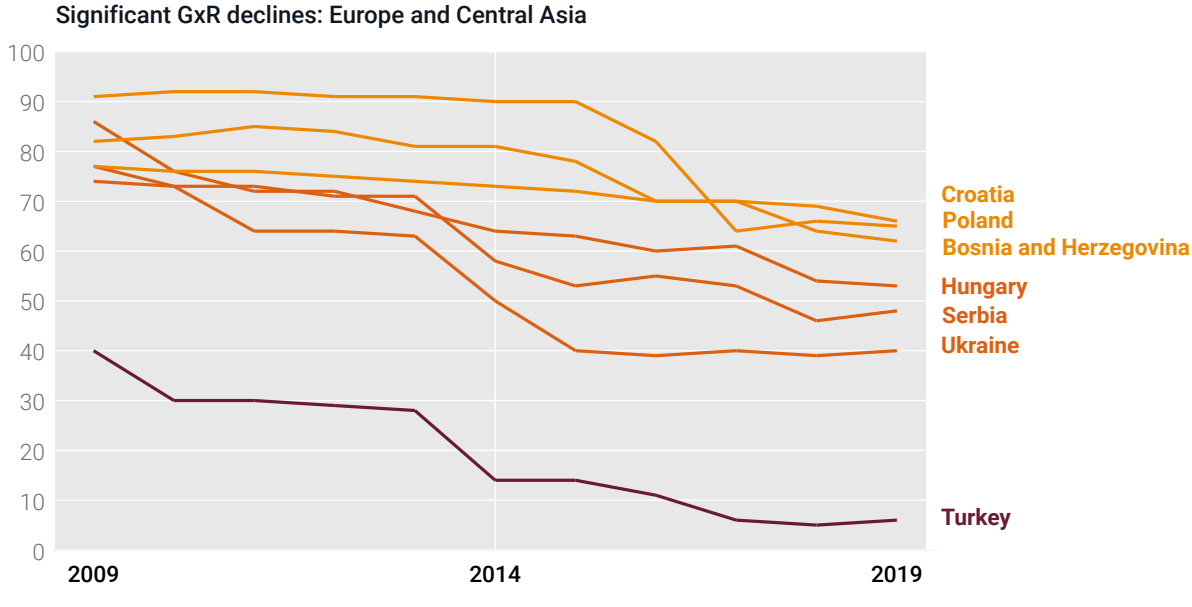



*Figure 41: Europe and Central Asia: countries with significant declines in GxR scores 2009–2019*

5.1

# 2020 hindsight on Europe and Central Asia

The chasm between international commitments made by governments and the reality faced by journalists in Europe is growing.

The Council of Europe recorded 142 serious threats to media freedom in 2019, and there were at least 105 journalists behind bars at the end of the year, 91 of them in **Turkey** (GxR score 6) (see Chapter 5.3).

In 2019, there was rising violence against journalists across Europe, accompanied by high levels of impunity and stigmatising rhetoric from public officials. Anti-press speech is worse than ever, particularly in Central and Eastern Europe. ARTICLE 19's press mission to Albania (GxR score 63) revealed a toxic pattern of smear tactics and attacks. The right to report on protests is also being violated in countries regionwide.

> "Press freedom in Europe is more fragile now than at any time since the end of the Cold War."
>
> Council of Europe

**Two journalists were killed** in Europe in 2019: Lyra McKee was shot while covering a demonstration in Northern Ireland (UK GxR score 82) and Vadym Komarov died following an attack in Ukraine (GxR score 40). Impunity is shielding perpetrators in at least 22 cases of journalist killings across eight countries. Those who masterminded the murder of journalist Ján Kuciak in Slovakia (GxR score 82) in 2018 have still not been brought to justice.

More than a year after the **assassination of journalist Daphne Caruana Galizia** in Malta (GxR score 74), the Parliamentary Assembly of the Council of Europe adopted a resolution on 26 June 2019 condemning the continued impunity and broader systemic rule of law shortcomings in Malta and calling for the establishment of a public inquiry within three months. Finally, after two years of advocacy by the Caruana Galizia family and advocacy groups including ARTICLE 19, the government finally announced a public enquiry.

However, concerns persist about political interference and witness tampering in the criminal case. The inquiry and investigations eventually led to arrests and resignations: Prime Minister Joseph Muscat himself stepped down in January 2020.

Physical attacks on journalists continue in the region: investigative journalist Ivan Golunov was hospitalised after being beaten by police in Russia (GxR score 14). **HRDs** in Europe also face rising risks: the body of Russian LGBTQI+ activist Yelena Grigoryeva was found on 20 July 2019, close to her home in St Petersburg. She had reportedly received death threats in relation to her activism.

**Political control of information** is increasing: state and oligarchic media ownership is on the rise as public service media are eroded, with reduced funding, political interference, or transformation into state media. Some governments, that of the UK for example, have made efforts to undermine public trust in public service media, and have limited their appearances on those media,

thereby minimising opportunities to be held to account. Judicial orders and regulatory decisions to **block websites** also rose during 2019.

Strategic lawsuits against public participation (**SLAPP**) are increasingly used to undermine the efforts of journalists and activists working on the effect of the private sector on communities and the environment, as well as those working on corruption. Charges range from national security to defamation, and are an abuse of the justice system, and are costly to the public as well as to the communicators being targeted.

Daphne Caruana Galizia had 48 civil libel suits against her at the time of her death, and SLAPP continue to be taken posthumously against her estate, her son, Matthew Caruana Galizia, and other journalists investigating her murder. There are over a thousand ongoing lawsuits against journalists in Croatia, and many in UK, France, and Belgium, filed by politicians, public figures, and corporations.

**State capture** marches on in the East, as Hungary (GxR score 53) and Poland (GxR score 65) continue down the path to autocracy. Since 2010, the Hungarian Government under populist strongman Viktor Orbán has systematically dismantled media independence, achieving a degree of media control unprecedented in an EU Member State. During ARTICLE 19's 2019 press freedom mission, journalists reported a coordinated system of censorship and content control not seen since the fall of the Communist regime.

Orbán's arrival to power in 2010, when he was elected Prime Minister, is clearly reflected in Figure 42 with a dramatic drop followed by years of subsequent 'Orbanisation' of Hungary's scores.

In **Poland**, the right to freedom of expression has been eroded since the Law and Justice Party (PiS) won the overall majority in the 2015 parliamentary elections, bringing in another of Europe's populist strongman, President Andrzej Duda (Figure 43). Comparable to Hungary's autocratic trajectory, watchdogs have been eroded, followed by attacks on democratic institutions. In 2019, PiS won another parliamentary election and secured a further four-year term.

EU sanctions (invocation of Article 7) were imposed after moves by the regime to undermine the independence of the judiciary. The sanctions proved inconsequential. The new European Commission has yet to take decisive action.

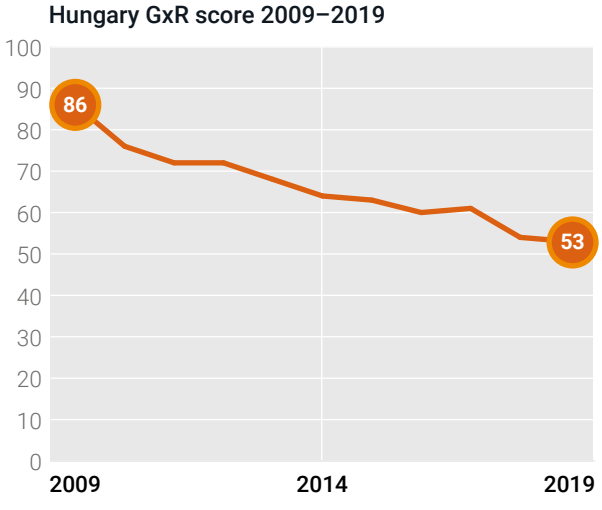



*Figure 42: Hungary: GxR score 2009–2019*

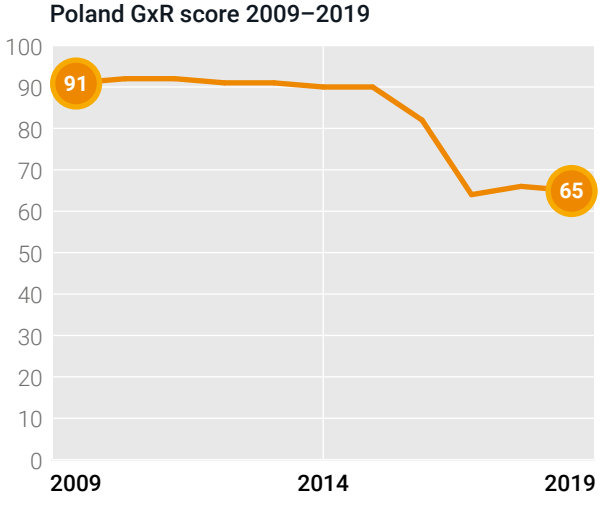



*Figure 43: Poland: GxR score 2009–2019*

PiS has intentionally reshaped the Polish environment for expression with a view to control and restrict information, including the transformation of the public broadcaster into a pro-government broadcaster. Critical outlets are harassed and criminalised: 50 criminal and civil cases have been brought against *Gazeta Wyborcza* alone (a leading daily newspaper) by state or state-controlled institutions, including Jaroslaw Kaczyński, the leader of the ruling party.

The government of **Tajikistan** (GxR score 4) has shut down independent media outlets and periodically blocked online news sources and social media platforms, as well as paralysing civil society through onerous registration requirements and financing. **Azerbaijan**'s (GxR score 9) authorities maintain similarly rigid control of mainstream and online media.

**Belarus** (GxR score 23) brought media under control through registration demands: as of January 2019, only five media websites had been granted official registration. Authorities continued to deny registration to independent groups and opposition parties on arbitrary pretexts. This repression increased exponentially in the run-up to and aftermath of the August 2020 elections.

**Kazakhstan** (GxR score 18) has continued to introduce restrictive measures to silence critical voices. In May and June 2019, particularly around Victory Day celebrations on 9 May and presidential elections on 9 June, government authorities banned and broke up peaceful protests and detained participants. Access to independent news websites and social media platforms was also blocked and for almost an hour on 9 June the country experienced a full Internet shutdown.

**Kyrgyzstan** (GxR score 46) has continued to see a deterioration in freedom of expression and freedom of the media. Restrictive legislation is used to limit both offline and online expression and access to information, with incitement legislation in particular having a chilling effect on critical voices. Investigative reporting on government corruption has resulted in legal, digital, and physical attacks on independent media organisations and their journalists.

**Uzbekistan**'s (GxR score 9) new legislation and amendments to existing legislation and their implementation continue to impact freedom of the media in the country by limiting expression and access to information.

In **Turkmenistan** (GxR score 1), the lowest score in Europe and third-lowest score globally, the state controls all print and electronic media. Foreign media outlets have almost no access to the country. The state continues to limit and tightly control Internet access.

5.2

# Regulating hate and dangerous speech

Throughout Europe in 2019, a discussion opened around 'hate speech' and the need to tackle it. The energy around the discussion is a clear positive step, but many of the measures being taken raise serious concerns for freedom of expression, as well as failing to tackle the root causes of division and exclusion.

**"Hate speech and hate crimes are direct threats to human rights, to sustainable development and to peace and security. We hear troubling, hateful echoes of eras long past. Poisonous views are penetrating political debates and polluting the mainstream."**

António Guterres, UN Secretary-General, January 2019

The term 'hate speech' captures a very broad range of expression, including some lawful expression. It is defined as any expression of discriminatory hate towards people. There are thus various forms of hate speech, only some of which – the most severe and dangerous forms – should be criminalised. The UN's 'Rabat Plan of Action' establishes a clear threshold at which states must limit hate speech: incitement to hostility, discrimination, or violence. See ARTICLE 19's *Hate Speech Explained* for more information.

'Hate speech' is a serious human rights concern. It is a tool often used to silence and intimidate minorities, and to scapegoat whole groups in society while stifling dissent. The outbreak of the COVID-19 pandemic gave rise to a new wave of hate speech and discrimination globally, from scapegoating, stereotyping, and stigmatisation to the use of derogatory language. Whether used by politicians or spread by media outlets or online, hate speech can create environments conducive to violence and human rights violations against minority groups.

However, many approaches across the globe are not only ineffective in tackling 'hate speech', but also threaten the freedom of expression in their attempts to legislate on the issue.

**"Addressing hate speech does not mean limiting or prohibiting freedom of speech. It means keeping hate speech from escalating into something more dangerous, particularly incitement to discrimination, hostility and violence, which is prohibited under international law."**

António Guterres, UN Secretary-General, June 2019

There are serious deficiencies in many national frameworks on hate speech in Europe: many are incompatible with international freedom of expression standards. Due to vagueness around its definition, regulation of hate speech is also a growing human rights concern.

'Hate speech' is an emotive concept with no universally accepted definition in international

human rights law. Broadly framed hate speech laws are frequently misapplied to target minority and dissenting expression, restricting expression in an excessive and disproportionate way.

Approaches too often place responsibility on the private sector by asking social media platforms to identify and remove hate speech. These bodies are not sufficiently accountable to be taking on this key role in the regulation of the online space and the protection of vulnerable groups. Many of these initiatives may also increase reliance on artificial intelligence and automated systems, which can be unreliable for 'terrorist speech' or 'hate speech', that require nuanced, contextual assessment.

Despite having one of the world's top scores, **Germany** (GxR score 90) is heading in the wrong direction through the adoption of the Network Enforcement Act (NetzDG Law). The NetzDG Law embodies the issue with poor approaches, outsourcing censorship to private bodies: online platforms face fines of up to €50m (USD58.7m) if they do not remove 'obviously illegal' hate speech and other postings within 24 hours of receiving a notification. This amounts to censorship by delegation, with no reference to international human rights standards, and no rule of law (see Chapter 1.7).

The shortcomings of this law reach beyond Germany's borders. Since it came into force in 2018, 13 countries, including the Philippines, Vietnam, Russia, Singapore, and Venezuela have already cited the NetzDG Law to justify their own regressive measures. Other European and Central Asian countries have developed legislation along the same lines, including the UK and France.

The **UK**'s (GxR score 82) Online Harms White Paper in 2019, for example, proposed the same regulatory framework for everything from illegal content, such as child pornography, to the more amorphous 'cyber-bullying'. Justifying new measures with a raft of 'online harms' (not all of which constitute illegal acts) from hate speech to terrorism, the government launched plans to impose an ill-defined 'duty of care' on online publishers, including social media platforms, non-profit organisations, file-sharing sites, and cloud-hosting providers. Fines would be significant, and the law could impose criminal liability.

Hate speech has become a serious issue in **Italy** (GxR score 87) in recent years, and Italy's political elite have shown acceptance of, and even open support for, hate and discrimination in public discourse. Political parties and movements have regularly delivered incendiary and racist statements against migrants, often echoed in biased media reporting on diversity and minority groups, particularly against the migrants and refugees arriving from different countries, struggling for integration.

In May 2019, the Italian Regulator for the postal, telecoms, and media sectors (AGCOM) issued a regulation on hate speech. As with many approaches to hate speech, this regulation defines the act too broadly, leaving the regulation open to ambiguity and thus abuse. The regulation also only defines a small number of groups as being subject to discriminatory hate speech, rather than using the list of protected characteristics recognised under international human rights law.

Protected groups should include, at the least: race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth, indigenous origin or identity, disability, migrant or refugee status, sexual orientation, gender identity, or intersex status.

**Spain**'s (GxR score 87) Penal Code (Article 510) also criminalises hate speech beyond the requirements of international law: it fails to include a requirement for intention to incite discrimination or violence, as well as failing to require proof that consequences are likely to flow from the expression. Incitement to violence or discrimination may be proscribed legitimately, incitement to hatred, as such, should not be.

The same article criminalises individuals who publicly deny, trivialise, or glorify genocide and crimes against humanity. This may seem a legitimate attempt to protect vulnerable or historically attacked groups, but limitations on expression of opinion on historical events are a violation of freedom of expression standards.

**"By demanding that writers, journalists and citizens give only a version of events that is approved by the government, states are enabled to subjugate freedom of expression to official versions of events."**

Frank La Rue, UN Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression, September 2012

Promisingly, in 2020, **France**'s (GxR score 82) Constitutional Court (the country's highest court) struck down provisions of 'The Avia Bill' – a bill on hate speech. The provisions were too broad and would have swept up legal speech in their restrictions. The Bill required that online posts deemed hateful must be taken down within 24 hours of being reported – the fines for failures were severe. Laws like this encourage social media platforms like Facebook and Twitter, in their haste and fear of sanctions, to over-regulate in order to play it safe – and remove perfectly legal speech.

Where repressive state mechanisms are particularly prone to stringent controls that are tantamount to censorship, self-regulation can be a key tool to tackle hate speech. In **Belarus**, for example, hate speech is a pervasive problem, but there was cause for hope in 2019 through the efforts of the Commission on Ethics of the Belarusian Association of Journalists' work towards ethical journalism through self-regulation. This new model presents a new opportunity and perhaps a new avenue for confronting hate in Europe.

There is also good news at the global level. The UN has launched its Strategy and Plan of Action on Hate Speech, which aims to enhance UN efforts to address root causes and drivers of hate speech, and to enable effective UN responses to the impact of hate speech on societies. Additionally, after a hiatus, **the Istanbul Process** – a group of countries who united around the UN Human Rights Council's Resolution 16/18, was reinvigorated in 2019, working to promote tolerance and inclusion, and end violence and discrimination based on religion or belief.

**2020 update: In 2020, a consultation for the new EU Digital Services Act launched: it will be closely bound up with the way hate speech is treated in the region, and ARTICLE 19 will be monitoring and advocating around the Act.**

5.3

# Turkey: The slide continues

Turkey has had one of the most dramatic collapses of democracy and freedom of expression in the last decade. Although the State of Emergency was lifted in 2018, there has been no improvement as President Erdoğan moves towards total state capture. Journalists and activists are behind bars, media outlets shuttered, and civil society under threat.

## FACT**FILE**

**Capital city**
Ankara

**Population**
83 million

**GDP per capita**
USD9,400

**GxR score**
6

**Rated**
In Crisis

**Country ranking**
148/161

Freedom of expression is guaranteed under Article 26 of the Constitution of Turkey 1982: Part Two, Chapter Two, VIII, Article 26.

Turkey ratified the International Covenant on Civil and Political Rights (ICCPR) in 2003.

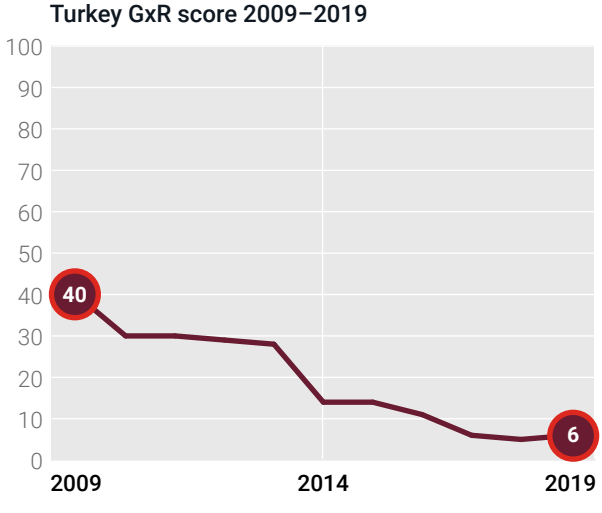



*Figure 44: Turkey: GxR score 2009–2019*

Turkey has had Europe's second biggest decline (and the fourth biggest global decline) over the last decade. The drop in 2014 is clear – it was the year in which Recep Tayyip Erdoğan became President (though he had been in office since 2003 in other capacities (Figure 44). This also coincided with the crackdown following the Gezi Park protests and increasing tension between Erdoğan's party and the Gulen movement.

The other big drop in score came in 2016, after an attempted coup was used by the regime as a pretext for clamping down on dissent of all kinds, often using emergency legislation or decrees under the State of Emergency which was declared.

ARTICLE 19 joined a press freedom mission to Turkey in 2019: the findings paint a bleak picture. The press freedom environment, as well as the wider democratic environment, has continued to spiral into autocracy, even after the State of Emergency was lifted in July 2018.

An estimated 90% of the country's media are currently owned by pro-government groups. Interference in media regulation has increased, with public broadcaster TRT and broadcast regulator RTÜK brought under executive control in 2018.

Under State of Emergency Decrees, at least 170 media outlets were closed between 2016 and 2018, including publishing houses, newspapers, magazines, news agencies, TV stations, and radio stations over claims they spread terrorist propaganda. Only 21 of these have been able to reopen, some of them only on the basis that they agree to major changes in their management boards. Many independent outlets have been permanently silenced through liquidation and expropriation of their assets.

Around 1,700 associations and foundations were also closed during the State of Emergency, using executive decrees: the majority remain closed.

New press card regulations introduced in December 2018 enabled authorities to revoke cards on spurious grounds: within three months of the new regulations, 14,759 permanent press cards and 5,691 temporary press cards had been cancelled. On 1 August 2019, powers were extended to online expression: a regulation was published requiring all online content providers and online news sites to obtain a licence from RTÜK.

**"Such measures as mass liquidations of media outlets on the basis of the emergency decree laws, without individualised decisions, and without the possibility of timely judicial review, are unacceptable in light of the demands of international human rights law, and extremely dangerous."**

European Commission for Democracy through Law (Venice Commission)

By the end of 2019, access to 408,494 websites had been blocked. In the past, Turkey has also blocked Twitter, YouTube, Facebook, WhatsApp, and Wikipedia. Social media is closely monitored and thousands of people face investigations and trials over their social media posts deemed critical of government actions or political leaders.

Content blocking and broadcasting restrictions have been most widespread in relation to coverage of the conflict in the south-east of the country. At times, these restrictions have amounted to a complete blackout on coverage of the conflict.

Social media continues to be closely monitored by the Turkish state. Forty-four thousand social media accounts were investigated in 2019, and legal action was taken against 23,000 accounts. In 2020, Turkey proposed new legislation which restricts expression on social media.

The continued conflation – by government, prosecutors, and courts – of journalistic work with terrorism provides a convenient premise to crack down on critical voices. The crackdown against the media continues – more than 90 journalists and media workers are imprisoned in Turkey and hundreds more are on trial on manifestly unfounded terrorism charges. Many journalists remain under travel bans.

The existence of a terrorist threat is weaponised to crack down on dissent of all types – journalists, opposition politicians, activists, and HRDs – using vaguely worded laws to capture all kinds of dissent under the definition of terror.

Turkey has the second lowest score in the world for the 'freedom of academic and cultural expression' indicator. Around 6,000 academics were dismissed from their posts on terrorism charges in the aftermath of the attempted coup. At least 706 academics, who signed the 2016 peace appeal criticising security operations in south-eastern Turkey faced prosecution for 'making propaganda for a terrorist organisation'.

## Expression on trial and behind bars

Between 1 April 2019 and 1 April 2020, 103 journalists were arrested: 28 ended up in prison. Many trials from the last five years are ongoing, with lengthy pre-trial detention and routine violations of due process.

After more than three years of pre-trial detention, writer and prominent government-critic **Ahmet Altan** was convicted and sentenced to ten years and six months in prison for 'aiding and abetting a terrorist organisation'. At his re-trial in November, he was released. One week later, he was rearrested after the Istanbul Chief Public Prosecutor's Office objected to his release.

The process against Altan has been marred by suggestions of political interference by the executive. This latest development illustrates the revolving door system of arrests, releases, and rearrests of journalists on baseless charges in the country.

**"Since the very beginning of this trial you have been trying to do the impossible, you have been trying to prosecute thought. For the past three years I have been facing a judiciary that is drenched in blood, committing suicide. What a sorry sight it is."**

Ahmet Altan's statement in the first hearing of his re-trial

In November 2019, 14 journalists and executives from the daily ***Cumhuriyet* newspaper** (Turkey's oldest independent newspaper) were convicted of 'aiding and abetting terrorist organisations' and given sentences of between four and eight years.

Similarly, after more than two years in detention, **civil society leader and publisher Osman Kavala** was acquitted in the Gezi Park Trial in February 2020, but new charges were brought hours after his acquittal. The Gezi Park Trial has been an ongoing attempt by the Turkish authorities to falsely link environmental protests that took place in 2013 to the attempted 2016 coup against the Turkish Government.

Reporter and editor for the socialist Etkin News Agency Isminaz Temel was charged with membership of a terrorist organisation in September 2019. She faces 10–15 years in prison.

Taner Kılıç, Honorary Chair of Amnesty International Turkey, and İdil Eser, former Director of Amnesty International Turkey, are on trial alongside nine other HRDs for 'membership of a terrorist organisation'. They were all sentenced to multiple years in prison in July 2020.

Even beyond these trumped-up trials for 'terrorism', politicised prosecutions are widespread and spurred by anything from journalism to protest. Revealing corruption is a particularly dangerous activity in Turkey. In January 2019, Pelin Ünker, finance desk editor for newspaper *Cumhuriyet*, was convicted of insulting a public official and libel for reporting on the Paradise Papers, which implicated the Speaker of the Parliament and former Prime Minister Binali Yıldırım and his sons. Ünker was sentenced to more than a year in prison.

Journalist Fatih Polat was charged with insulting the President after an article which touched on the murky relationship between members of President Erdoğan's family and certain businessmen. There has been a dramatic rise in the number of prosecutions and convictions on criminal charges of 'insulting the President' since Erdoğan's first election as President in 2014.

On 26 September 2019, academic **Bülent Şık** was sentenced to one year and three months in prison for 'disclosing official secrets' and for revealing public health risks in a *Cumhuriyet* newspaper article published in 2018. His study linked contamination of water and soil with toxic materials in the Western Thrace region of Turkey with high cancer rates in the area.

Artists are also under fire in Turkey. For acting in a stage version of *V For Vendetta*, **Nazlı Masatçı** was sentenced to one year and six months in prison in February 2019, charged with 'disseminating propaganda on behalf of a terrorist organisation'.

Musician **Alpay** is currently under investigation for allegedly 'praising members of terrorist organisations and demeaning the state'. During a concert on 22 March 2019, Alpay showed photographs of three revolutionaries executed in 1972, and teenager Berkin Elvan, who was killed by a tear gas capsule during the Gezi Park Protests.

2020 also saw investigation by the Turkish authorities into several novelists, including the writer Elif Shafak, who addressed subjects such as sexual abuse in their novels.

The shift from a parliamentary to a presidential system after 2017's constitutional referendum resulted in the removal of guarantees of political and judicial oversight over the executive. The adoption of Presidential Decrees profoundly restructured the system of government, bringing ministries and public agencies under presidential control and empowering the President to appoint heads of regulatory bodies.

Since the coup attempt, around one-third of judges – more than 4,000 – have been removed. The judiciary is now presided over by a nominating body under executive control. Added to this was a wave of tens of thousands of cases, which constitute part of the post-coup-attack crackdown, which has rendered the judiciary unfit for its task: courts systematically accept trumped-up indictments, detaining and convicting without real evidence of criminal activity.

Chapter 6

# The Middle East and North Africa

**Free, pluralistic, and diverse media landscapes enable media to be critical of public and private powers, which, in turn, help people remain informed and engaged in society.**

The regional score saw a significant rise in the wake of the Arab Spring, but the gains of the popular movements of 2012 have largely been lost, with scores dropping back to nearly their 2009 level (Figure 45).

In 2019, 72% of individuals in the Middle East and North Africa region live in a country where expression is **in crisis**. None of the countries in the region are considered an **open** environment.

The number of countries and population percentage living in expression environments **in crisis** reduced significantly in 2012 and 2013, after the movements of the Arab Spring, but by 2019, the numbers of countries and population **in crisis** was the highest for a decade, below 2009 levels.

Libya appears on lists for both advances and declines, having seen a huge leap in score in 2012, followed by a consistent and steady decline since that year (Figures 48 and 49).

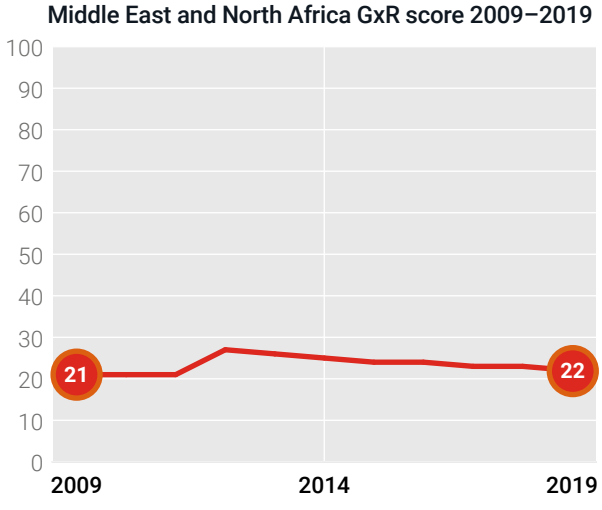



*Figure 45: Middle East and North Africa: GxR score 2009–2019*

*Table 19: Middle East and North Africa: countries and population in each GxR category*

| GxR score | GxR rating | Number of countries | % Regional population |
|---|---|---|---|
| 0–19 | In Crisis | 10 | 72% |
| 20–39 | Highly Restricted | 6 | 22% |
| 40–59 | Restricted | 1 | 5% |
| 60–79 | Less Restricted | 2 | 2% |
| 80–100 | Open | 0 | |

**Countries per expression category: Middle East and North Africa**

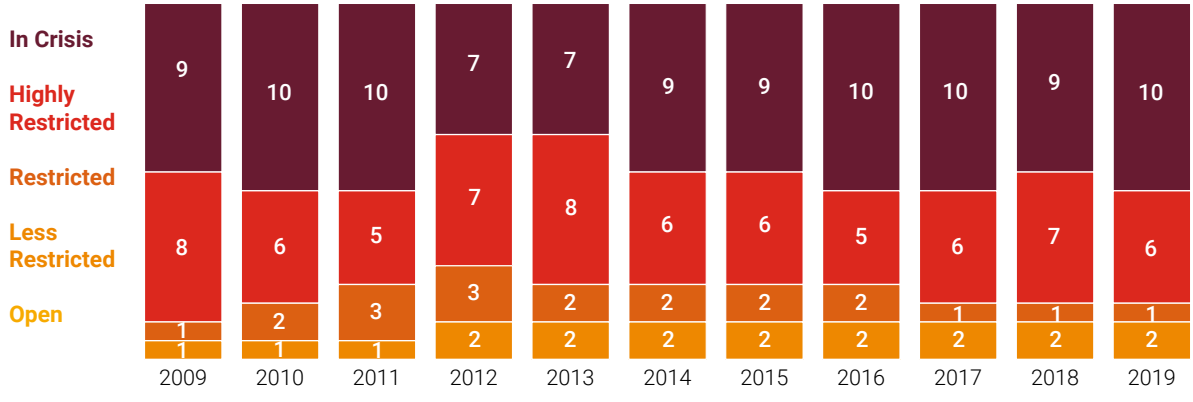



*Figure 46: Middle East and North Africa: countries in each expression category 2009–2019*

**% Population per expression category: Middle East and North Africa**

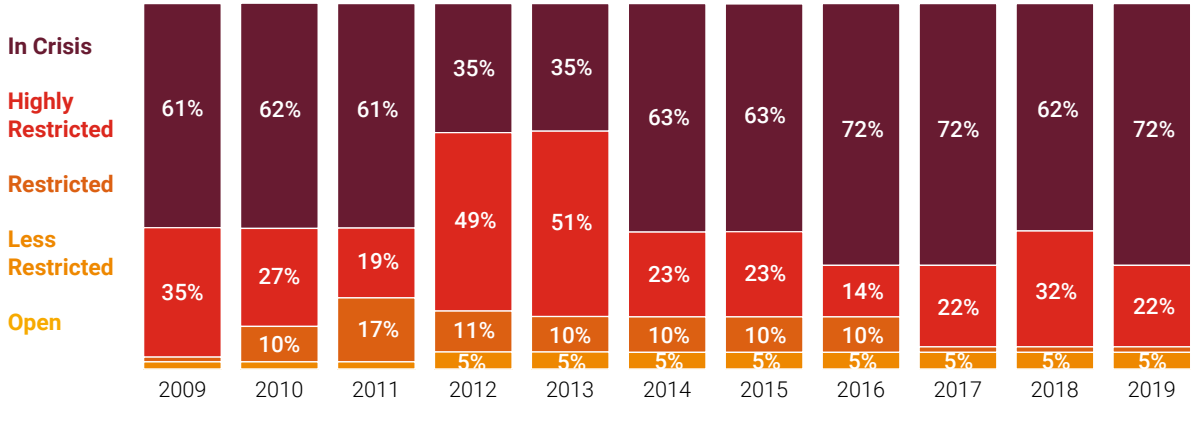



*Figure 47: Middle East and North Africa: percentage of the population living in each expression category 2009–2019*

*Table 20: Middle East and North Africa: GxR highs and lows, rises and falls**

| TOP 5 | GxR score |
|---|---|
| Tunisia | 75 |
| Israel | 67 |
| Lebanon | 42 |
| Morocco | 37 |
| Iraq | 36 |

| BOTTOM 5 | GxR score |
|---|---|
| Syria | 1 |
| Bahrain | 3 |
| Saudi Arabia | 3 |
| Yemen | 4 |
| UAE | 5 |

| RISING SCORES | | |
|---|---|---|
| 1 year | 5 year | 10 year |
| None | None | Tunisia |
| | | Libya |

| FALLING SCORES | | |
|---|---|---|
| 1 year | 5 year | 10 year |
| None | Yemen | Yemen |
| | Libya | Bahrain |

* Countries in the Bottom 5 and Falling Scores tables are organised in descending order with the worst performers at the top.

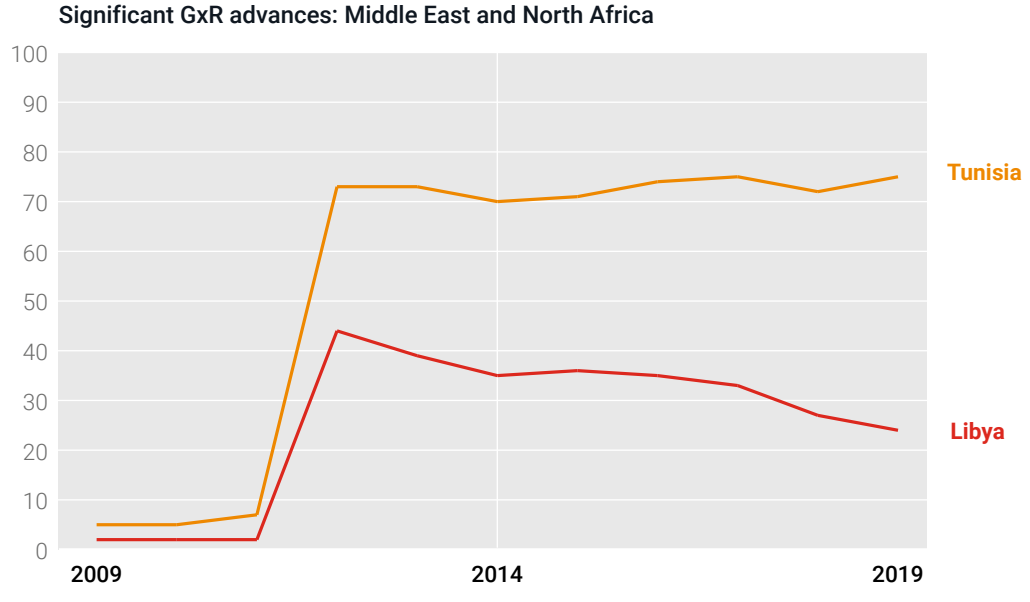



*Figure 48: Middle East and North Africa: countries with significant advances in GxR scores 2009–2019*

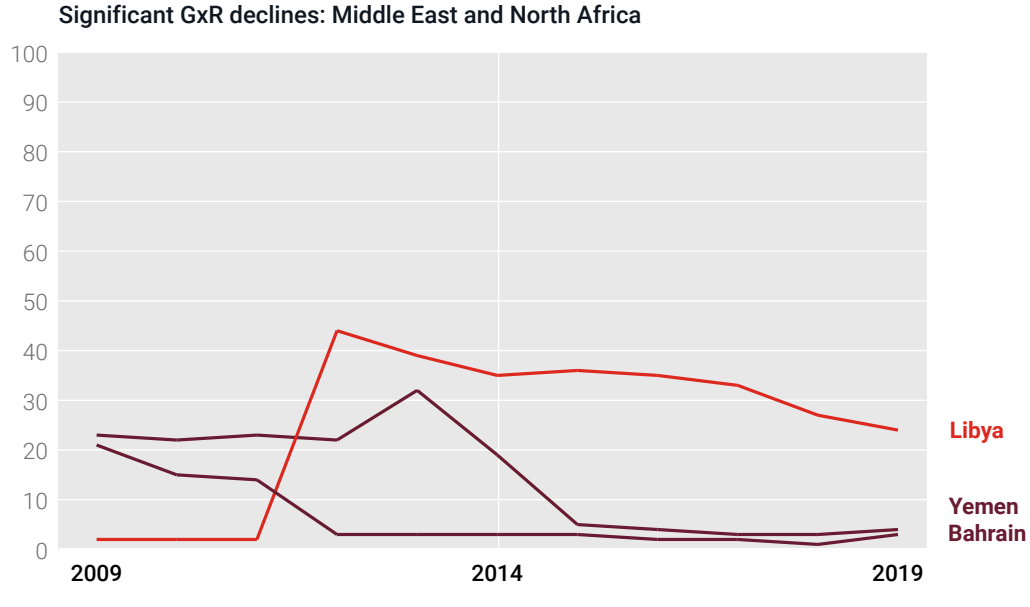



*Figure 49: Middle East and North Africa: countries with significant declines in GxR scores 2009–2019*

6.1

# 2020 hindsight on the Middle East and North Africa

Journalists continue to be put behind bars and forced disappearance of HRDs continues in the Middle East and North Africa. Targeted killings took place in Iraq, Libya, Sudan, Syria, and Yemen, and defenders died as a result of prison conditions in Algeria, Iran, Sudan, and the United Arab Emirates.

Both new and old measures are wielded against communicators and activists of all descriptions. As in several other regions, the Middle East and North Africa saw a proliferation of **'Fake News' draft laws**, **decrees, and policies**, including the United Arab Emirates, Morocco, Algeria, Tunisia, and Egypt.

The '**implementation gap**' is particularly acute in this region: states continue to commit to UN resolutions and action, while silencing dissent on their own soil. Only days after the adoption of a UN Human Rights Council (UN HRC) resolution on the safety of journalists in September 2018, Saudi Arabia (GxR score 3), a Member State, sent a hit squad to its consulate in Istanbul to murder **journalist Jamal Khashoggi**.

Accountability in the case of Khashoggi remains elusive after a trial which exonerated Crown Prince Mohammed bin Salman's inner circle of involvement in the murder. Dr Agnès Callamard, the UN Special Rapporteur on extrajudicial, summary or arbitrary executions, investigated the killing and published her findings in June 2019: she called the verdict 'the antithesis of justice'. The trial scapegoated those who carried out the murder but shielded from justice those who planned and ordered it.

As Saudi Arabia claims to be reforming, while in fact silencing its own citizens, Iran (another UN Member State) continues to deny its own human rights crisis while continuing to systematically suppress freedom of expression and information, association and peaceful assembly, online and offline. The **United Arab Emirates** (GxR score 5) declared 2019 the 'Year of Tolerance', but its score demonstrates how little this meant in practice.

In 2019, **popular uprisings** against unemployment, lack of public services, and corruption broke out across the region and were met with violent measures and mass arrests (see Chapter 1.4). Movements continue to show their strength to remove those in power, though changing the structures of power themselves proves a bigger challenge (see Chapter 6.3).

These movements were particularly notable in this regional context where the stakes are extremely high: the **right to protest** is virtually non-existent

in many places in the region, with bans, criminal charges, and violent repression of protests. The Saudi Arabian Government executed 37 citizens, mostly protesters from Shia backgrounds, on 23 April 2019, using counter-terrorism law. The victims' families were not notified of the executions.

**Egypt** (GxR score 6) implemented constitutional amendments which increased the powers of its already-notorious security force, the National Security Agency, which routinely carries out systematic enforced disappearances and torture with impunity. Over 160 activists or perceived dissidents were arrested or prosecuted by authorities for voicing criticism before the constitutional referendum in April 2019. In June 2019, authorities arrested and searched the homes of activists accused of terrorist activity (see Chapter 1.8).

In April, news and political websites were blocked, and security forces continued to harass media outlets throughout 2019. In November, outlet Mada Masr was raided by security forces in civilian clothes following a report about the President's son: journalists were detained, and materials seized. Editor Shady Zalat was arrested at home in the middle of the night and detained by authorities, before being released on the side of Cairo's Ring Road highway. A new Non-Governmental Organisation (NGO) Law, approved in August 2019, prohibits NGOs from research, surveys, or opinion polls without government approval.

**Tunisia** (GxR score 75 – the highest scorer in the region, as well as the biggest advancer over the last decade) continued to consolidate its gains since the Arab Spring, holding elections in 2019. Progress, however, has slowed and some missteps have been taken in legislative proposals.

While **Israel** (GxR score 67) sits in the regional top five, freedom of expression in Palestine (GxR score 29) suffers at the hands of its occupation policies: 2019 saw an increase in overall violations of media freedom, 44% of which were carried by the Israeli Occupation Forces. Many of these attacks are acts of physical violence: a well-marked journalist lost an eye covering a protest at the hands of Israeli soldiers. There were more violations perpetrated by various Palestinian authorities (constituting 29% of the total number).

A further 27% of the year's offences were carried out by social media companies: social media companies and networks have been suppressing Palestinian online content and media freedoms, on instruction from the Israeli State, which has been escalating since 2016 when Facebook started to implement agreements with the occupying Israeli State. Israel has control over critical aspects of the information and communications technology sector, making it impossible for Palestinians to develop an independent network, as well as enabling surveillance.

Ongoing US sanctions on **Iran** (GxR score 6) exacerbated an economic crisis, increasing corruption and significantly raising the cost of living. After a fuel hike in November 2019, protests broke out across the country: the authorities responded with violence – snipers were reported shooting into crowds. The authorities also shut down the Internet, hiding their abuses and preventing communication between protesters (see Chapter 1.5).

**Bahrain**'s (GxR score 3) 10-year slide continues: authorities have banned independent media and dissolved political opposition groups, as well as cracking down on critical commentary online.

Ongoing domestic and international **armed conflicts** in the region, as well as humanitarian crises, create near-impossible environments for freedom of expression in a number of countries.

6.2

# Expression behind bars: Detentions, abuse, and silence

Journalists, dissenters, and rights defenders are behind bars on trumped-up charges from national security to 'fake news', often in dangerous conditions, without due process, or in 'preventative detentions'. Women face particularly abusive treatment during arrest, detention, and trial.

There were marked waves of arrests in Egypt, Iran, Oman, and Morocco in 2019, while Saudi Arabia continued to prosecute and detain dissenters – particularly women – on the more extreme charges possible.

The stakes are particularly high in many countries in the region, where **death penalties** are still in place. Saudi prosecutors in 2019 continued to seek the death penalty on charges that related to nothing more than peaceful activism and dissent, including for Saudi cleric Salman al-Awda, whose charges alleged ties with the Muslim, as well as Hassan Farhan al-Maliki on vague charges relating to his religious ideas.

Eight environmental activists in Iran spent a year in arbitrary detention after being arrested for conservation work. They were brought to trial on 30 January 2019, and charged with 'espionage' and 'spreading corruption on earth' under the Islamic Penal Code, the latter of which carries a possible death sentence. The trial is proceeding on the basis of a forced confession made by one of the activists, which has since been retracted; there is also evidence of their torture in detention.

**Life sentences** for journalism and activism are common in places like Bahrain, which has around 4,000 political prisoners, many serving life sentences for peaceful participation in the 2011 revolution. A court in 2019 also upheld the sentence of prominent HRD Nabeel Rajab. Over a dozen prominent Saudi activists convicted on charges arising from their peaceful activities are serving long prison sentences.

Activists in the United Arab Emirates who had completed their sentences as long as three years ago continued to be detained throughout 2019 without a clear legal basis. Activist Ahmed Mansoor remains in prison, sentenced to 10 years for exercising his right to free expression.

As well as long sentences and unfair trials, the **arrest itself is too often carried out without due process**, serving as an effective way to harass and silence human rights defenders and communicators. Lawyer Mahienour El-Masry was forced into a van by plain-clothes police officers outside the Cairo State Prosecution Office, then subjected to 15 days of 'preventative detention' in an undisclosed location, without formal charges.

**Women HRDs (WHRDs) and their lawyers** were harassed in Egypt, Morocco, Iran, and Saudi Arabia, among others, with a range of tactics employed to scare and punish, making an example of women who speak out or defend those who do.

Dozens of prominent women's rights defenders are behind bars in Saudi Arabia, with at least 20 intellectuals and writers arrested in April and November 2019 alone. The trial of a group of WHRDs, including Loujain al-Hathloul and Aziza al-Yousef, who were campaigning for women's right to drive and an end to male guardianship laws, began in March 2020. The Specialized Criminal Court (which deals with terrorism cases) in Riyadh, opened separate trials in June against human rights activists Nassima al-Sadah and Samar Badawi, but did not release the charges.

In March 2019, Iranian WHRD and lawyer Nasrin Sotoudeh was sentenced to 33 years in prison and 148 lashes – the longest sentence handed to any rights defender in 2019. She represented WHRDs who protested against compulsory veiling in Iran, for which women have also been sentenced from 10 to over 30 years in prison – often for removing their hijab or encouraging other women to do so.

Iran is the biggest jailer of women journalists, which doesn't show signs of changing. A revolutionary court sentenced Masoud Kazemi, editor-in-chief of the monthly *Sedaye Parsi* political magazine, to 4.5 years in prison on 3 June 2019 for 'spreading misinformation' and 'insulting the Supreme Leader and other officials'. She is banned from working as a journalist for two years.

Moroccan journalist Hajar Raissouni was sentenced to a year in prison on fabricated charges of abortion and premarital sex, both illegal in the country. The charges likely relate to her work on detentions around the 'Hirak' protests in Morocco's Rif region in 2016 and 2017. She was subjected to gynaecological examination without her consent, and interrogation about her personal life. She was later pardoned, but not acquitted.

**In prison, WHRDs are discriminated against even further**, and suffer gendered forms of mistreatment and torture. Bahraini defenders Hajer Mansoor, Najah Yusuf, and Medina Ali were subjected to reprisals in Isa Town Prison after their cases were raised by the UN and the UK Parliament. Yusuf was raped in prison after protesting against the regime's hosting of the 2019 Formula 1 Grand Prix.

Many of Saudi Arabia's jailed WHRDs were detained incommunicado, with no access to their families or lawyers during the first three months of detention. They were also subjected to smear campaigns by state media. Some of the activists were subjected to electric shocks, flogging, sexual threats, and other forms of torture, leaving some unable to walk or stand properly with uncontrolled shaking. At least one has attempted suicide multiple times.

6.3

# Algeria: A dictator unseated, a regime unmoved

In a moment of great hope, a popular movement unseated Algeria's dictator in 2019. After 20 years, Abdelaziz Bouteflika was removed from power. However, the authoritarian structures which upheld his dictatorship and their political elite remained in place.

## FACTFILE

**Capital city**
Algiers

**Population**
43 million

**GDP per capita**
USD3,900

**GxR score**
16

**Rated**
In Crisis

**Country ranking**
129/161

Article 48 of the Algerian Constitution guarantees freedom of expression.

Algeria ratified the International Covenant on Civil and Political Rights (ICCPR) in 1989.

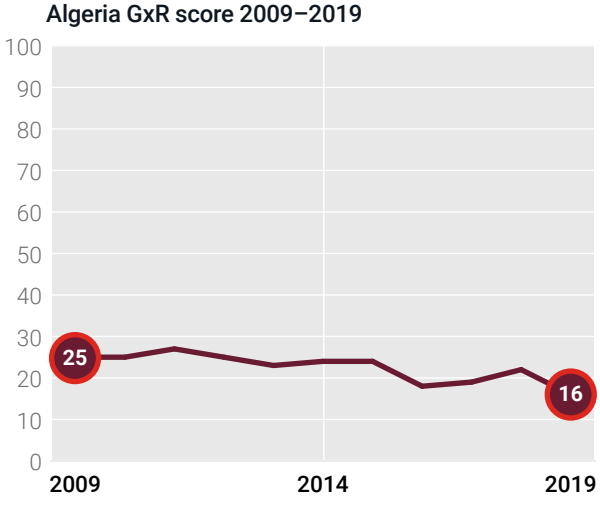



*Figure 50: Algeria: GxR score 2009–2019*

Despite the fall of a dictator and elections, Algeria's authorities continue to violate human rights, continuing the old practices of the old regime. Algeria is among the region's biggest decliners over the last decade, dropping six points in 2019 – a significant proportion of its previous score.

Bouteflika's suitability for the presidency had been in question for some years, particularly after a stroke in 2013. Frequently hospitalised, he rarely spoke in public and made very few written statements.

In February 2019, Bouteflika announced that he was running for a fifth term, sparking the biggest protests in Algeria's post-independence history. Algerians took to the streets in their hundreds of thousands calling for Bouteflika to withdraw his bid for presidency.

Despite a long-standing ban on demonstrations, protesters were on the streets each Friday in a movement that came to be known as 'the Hirak'. Protests evolved and incorporated various movements and demographics over the following months, from demonstrations by journalists against censorship, to lawyers marching on the constitutionality of a fifth term, to a general strike including oil and gas workers.

The protests were mostly peaceful, with women and families forming a strong part of the movement. Regardless, protesters faced riot-control and arbitrary arrest.

On 1 April 2019, Bouteflika announced he would step down at the end of the month, but Algerians continued to protest and he soon lost military support. He was gone by 2 April. Much of the old regime, its leaders, and the military structure which underpinned it, however, were still in place.

Protests continued to grow, demanding further resignations and reforms before elections were held. Protests demanded a redistribution of power and the deconstruction of the system of elite control with ties between politicians, military, and business interests. Some progress was made: the ousted President's brother was arrested and charged in May 2019, along with two intelligence chiefs. However, structural reform remained elusive.

Protests were met with more and more arrests, violence, and repression, with widespread beatings and use of tear gas. More than a hundred people were arrested and detained in connection to the protests, and held on vague and baseless charges like 'undermining the integrity of the national territory', 'inciting assembly', and 'undermining the morale of the army'.

Journalists were also regularly arrested, including Khaled Drareni, from outlet RST, and Sofiane Merakchi, who works for France24. Tarek Amara and Intissar Chelly, Tunisian journalists, were arrested and deported in April 2019.

Malik Riyahi was fined and forced to pay thousands of US dollars in damages to the police because he published photos of the police crackdown on marching students. Author Anouar Rahmani was arrested for satirical Facebook posts about the former President and the former chief of the army.

At least five independent news sites were blocked during protests; journal *Jeune Afrique*'s May 2019 edition was blocked for its feature about the Chief of the Army entitled 'The man who would threaten the revolution'. Countless journalists and media houses in Algeria also endured surveillance.

The authorities also blocked social media accounts, websites, and other media they deemed dissenting. The 'Algeria Stand Up' (Algérie – Debout!) Facebook group with more than 60,000 members was hacked and shut down by the state. YouTube and Google services were blocked by state-run Algeria Telecom and other Internet providers after a political opposition video was posted.

The public demanded meaningful reform before elections took place, but they were called regardless, and yet another crackdown was exacted on the population amid the controversy. The five candidates

who stood in December's elections were all part of the political establishment, and most were former ministers who had served under Bouteflika.

Ahmed Gaid Salah – army chief of staff, deputy defence minister, and widely considered Algeria's leading decision-maker after the presidential resignation – gave the security forces full authority to protect the electoral process from the 'conspiracy'. He repeatedly depicted protesters as a criminal gang with malevolent intentions.

In September 2019, leading opposition figure Karim Tabbou was arrested by military intelligence for 'harming national interest and recruiting mercenaries on behalf of foreign powers'. Within days, police also arrested Samir Belarbi and Fodil Boumala, Hirak leaders, and charged them with 'compromising the integrity of the national territory' and 'distribution of documents harmful to the national interest'.

Abdelouahab Fersaoui, President of the Association Rassemblement Action Jeunesse, was arrested on 10 October by security agents at a sit-in in Algiers and placed in pre-trial detention.

The number of spoiled ballots exceeded the number of votes for three of the five candidates and, even based on official figures (which many believe were inflated), turnout was the lowest of any Algerian presidential election since independence.

In December 2019, Abdelmajid Tebboune was elected. He was a member of the old establishment who had held various offices under Bouteflika. The elections were seen as controversial and many Algerians rejected the outcome.

New waves of protests met the new President, and continued into 2020, along with the relentless campaign of mass arbitrary arrests and crackdown on activists and protesters. Though Tebboune announced constitutional reform, there has been neither consultation nor transparency, and violations of the right to freedom of expression continue on a huge scale.

At least 69 activists, among them Hirak political and civil society figures such as Karim Tabbou and Samir Belarbi, remain in detention solely for expressing their views online or for participating in peaceful protests. Reports of arrests against journalists, bloggers, and others expressing dissent has intensified since the coronavirus pandemic began. New revisions to the Penal Code are also of particular concern because they impose limits on democratic debate and NGOs, and criminalise 'fake news' and defamation.

**Countries with large-scale protests have leapt upwards in freedom of expression and democratic scores. Protest can force societies open, compel elites and power-holders to listen, and reform the relationship between people and government entirely.**

ANNEX 1:

# Methodology

# Indicators for the GxR metric

| | |
|---|---|
| **v2mecenefi** | Internet censorship efforts |
| **v2xcl_disc** | Freedom of discussion for men and women |
| **v2mecenefm** | Government censorship efforts |
| **v2meslfcen** | Media self-censorship |
| **v2clacfree** | Freedom of academic and cultural expression |
| **v2cscnsult** | CSO consultation |
| **v2dlengage** | Engaged society |
| **v2cltrnslw** | Transparent laws with predictable enforcement |
| **v2meharjrn** | Harassment of journalists |
| **v2clkill** | Freedom from political killing |
| **v2csreprss** | CSO repression |
| **v2cseeorgs** | CSO entry and exit |
| **v2csprtcpt** | CSO participatory environment |
| **v2psparban** | Party ban |
| **v2clrelig** | Freedom of religion |
| **v2smgovfilprc** | Government Internet filtering in practice |
| **v2smgovshut** | Government Internet shut down in practice |
| **v2smgovsmcenprc** | Government social media censorship in practice |
| **v2smregcon** | Internet legal regulation content |
| **v2smgovsmmon** | Government social media monitoring |
| **v2smregapp** | Government online content regulation approach |
| **v2smarrest** | Arrests for political content |
| **v2caassemb** | Freedom of peaceful assembly |
| **v2cafexch** | Freedom of Academic Exchange |
| **v2smdefabu** | Abuse of defamation and copyright law by elites |

# Methodology for analysis

## Developing the GxR metric

The complete V-Dem dataset includes more than 600 indices and indicators that measure different aspects of democracy worldwide. In addition to the original V-Dem dataset, we incorporate measures from The Digital Society Survey, which V-Dem incorporates along with various other democracy indices and indicators. In producing this *Global Expression Report*, ARTICLE 19 worked with V-Dem to select the 25 indicators that best matched our broad and holistic view of freedom of expression. These indicators were included in a Bayesian measurement model for countries with available data from 2000 to 2019 in order to create our metric, the GxR.[1,2]

V-Dem draws on theoretical and methodological expertise from its worldwide team to produce data in the most objective and reliable way possible. Approximately half of the indicators in the V-Dem dataset are based on factual information obtainable from official documents such as constitutions and government records. The remainder consists of more subjective assessments on topics like democratic and governing practices and compliance with de jure rules. On such issues, typically five experts provide ratings for the country, thematic area, and time period for which they have expertise.[3]

To address variation in coder ratings, V-Dem works closely with leading social science research methodologists and has developed a Bayesian measurement model that, to the extent possible, addresses coder error and issues of comparability across countries and over time. V-Dem also provides upper and lower point estimates, which represent a range of probable values for a given observation. When the ranges of two observations do not overlap, we are relatively confident that difference between them is significant. V-Dem is continually experimenting with new techniques and soliciting feedback from experts throughout the field. In this sense, V-Dem remains at the cutting edge of developing new and improved methods to increase both the reliability and comparability of expert survey data. V-Dem also draws on the team's academic expertise to develop theoretically informed techniques for aggregating indicators into mid- and high-level indices.

The GxR was produced for 161 countries with point estimates that fall between 0 and 1. Throughout the report, we calculate actual score change as well as the percentage score change across our key time periods. We rescaled this value and rounded the value to report GxR as an integer (0–100) for ease of interpretation. Countries are placed in categories for the expression continuum based on these final integers. However, the percentage score changes that we report are calculated from the original scale values (vs. reported rounded integers).

## Key periods analysed

We looked at GxR score changes over time across three time periods: the last year (2018–2019), the last five years (2014–2019), and the last 10 years (2009–2019). For each timeframe, we identified countries with meaningful and holistic improvement or deterioration, defined by a significant score change over the period.

## Significant declines/ advances in expression

We identified countries that had significant changes in their score (declines/advancements in expression) based on movement outside the upper and lower bounds over the specified period (i.e. when the two intervals did not overlap, or the prior year's observation fell outside the confidence interval for the current year). After identifying countries that met these criteria, we restricted our final list to those countries with an actual score change greater than +/–10.

## Country and population data

Our final data file contained 161 countries (after combining Gaza and West Bank to report results for Palestine), with at least one year of data between 2000 and 2009. Populations for Gaza and West Bank were not reported separately by the World Bank. Results for Palestine were calculated using population weights based on data from Palestine's 2007 Census and the CIA's 2020 estimate for both regions. We used the 2007 population for 2009–2010, the average of the 2007 population and 2020 estimate for 2011–2019, and the 2020 estimates for each region for 2016–2019.

For our analyses, population data was pulled from the World Bank database. Populations reported for 2009–2018 are based on actuals while 2019 is based on the World Bank 2019 projection. Eritrea is missing estimated population data for 2019 and Taiwan is not represented in the Word Bank data. The 2019 global population for the countries represented by our GxR data is 7,615,981,000 (based on 2019 projection totals).

## Overall scores and country rankings

For each country we provided an overall score based on point estimates from the Bayesian measurement models:

| GxR score | GxR rating |
|---|---|
| 0–19 | In Crisis |
| 20–39 | Highly Restricted |
| 40–59 | Restricted |
| 60–79 | Less Restricted |
| 80–100 | Open |

Both globally, and for each region, we sorted the countries by their freedom of expression for 2019. Those top and bottom country lists are provided at the beginning of each section.

## Indicators of GxR and measures related to the requirements for meaningful change

The V-Dem dataset contains several versions of the variables coded by country experts. For our analyses, we used the model estimates for each indicator. This version of the indicators is a point-estimate from the V-Dem measurement model that aggregates the rating provided by multiple country experts, taking disagreement and measurement error into account. This score is on a standardised interval scale and represents the median values of the distributions for each country-year. The scale of measurement model is similar to a normal z-score (e.g. typically between –5 and 5, with 0 approximately representing the mean for all country-years in the sample); however, it does not necessarily follow a normal distribution. To ease the interpretation of these values in our report, we shifted the scale to bring the variables to a (mostly) positive scale (0–10) by adding 5 to each value. We identified the top and bottom countries on each indicator of GxR by sorting the countries on their separate indicator scores.

Most of the indicators of GxR (24 of 25) use this scaling. However, freedom of discussion for men and women, as well as some of the metrics used to measure the requirements for meaningful change (e.g. Liberal Democracy Index, Civil Liberties Index, etc.) are indices developed from multiple V-Dem variables. These indices are on a 0–1 scale and are reported consistent to that scaling throughout the report.

## Changes in key GxR indicators related to changes in expression

For each of our three time periods (2018–2019; 2014–2019; 2009–2019), we identified the key indicators whose score changes during the period were significantly related to the changes

in the GxR score during the same period. First, regression models were developed for each period to examine the relationship between the percentage change in the indicators (holding all else constant) to the percentage change in GxR for each period. We then conducted a Johnson's Relative Weights analysis to quantify the relative importance of correlated predictor variables in the regression analysis (i.e. the proportion of the variance in the change in GxR accounted for by the change in our indicator variables). We identify in the report indicators that were both statistically significant in the regression model and contributed to more than 5% to the overall model fit (based on standardised dominance statistic).

Additionally, we identified countries that have seen significant declines or advancements in the individual indicators of GxR over a period of five years (2014–2019). These countries were identified using methodology like that described above used to identified countries with significant change in GxR scores over time. Due to the differing scales across our indicators, however, we did not restrict countries on the list based on actual score change like was done with GxR.

## Exploring the relationship between GxR and the requirements for meaningful change

In this report, we also examined the requirements for meaningful change in freedom of expression. For these analyses, we looked at a correlation matrix to explore the relationships between GxR and three key elements for change: access to information (i.e. media function); enabling environment and structures; and equitable access to those environment and structures. This allowed us to determine the strength of those relationships and how they moved together. We performed pairwise correlation to understand the strength and direction of the linear relationship between the change in the measures over each of our key time periods and the change in GxR score during the same period. Because we ran multiple pairwise tests on a single set of data, we employed the Bonferroni correction to reduce the chances of obtaining false–positive results (Type I errors).

# Endnotes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3 M. Coppedge, J. Gerring, C. H. Knutsen, S. I. Lindberg, J. Teorell, K. L. Marquardt, J. Medzihorsky, D. Pemstein, N. Alizada, L. Gastaldi, G. Hindle, J. v Römer, E. Tzelgov, Y-t. Wang, and S. Wilson. "V-Dem Methodology v10," Varieties of Democracy (V-Dem) Project, 2020.

ANNEX 2:

# GxR Data

# Full country list with GxR scores

| Rank | Country | Region | 2019 population | 2019 GxR | Expression category |
|---|---|---|---|---|---|
| 1 | Denmark | Europe and Central Asia | 5,812,000 | 93 | Open |
| 2 | Switzerland | Europe and Central Asia | 8,573,000 | 91 | Open |
| 3 | Norway | Europe and Central Asia | 5,353,000 | 91 | Open |
| 4 | Canada | Americas | 37,386,000 | 91 | Open |
| 5 | Sweden | Europe and Central Asia | 10,238,000 | 91 | Open |
| 6 | Finland | Europe and Central Asia | 5,524,000 | 91 | Open |
| 7 | Belgium | Europe and Central Asia | 11,481,000 | 90 | Open |
| 8 | Estonia | Europe and Central Asia | 1,322,000 | 90 | Open |
| 9 | Germany | Europe and Central Asia | 83,102,000 | 90 | Open |
| 10 | Latvia | Europe and Central Asia | 1,906,000 | 89 | Open |
| 11 | Portugal | Europe and Central Asia | 10,251,000 | 89 | Open |
| 12 | Ireland | Europe and Central Asia | 4,927,000 | 89 | Open |
| 13 | New Zealand | Asia and the Pacific | 4,880,000 | 88 | Open |
| 14 | Uruguay | Americas | 3,462,000 | 88 | Open |
| 15 | Netherlands | Europe and Central Asia | 17,266,000 | 88 | Open |
| 16 | Costa Rica | Americas | 5,048,000 | 87 | Open |
| 17 | Spain | Europe and Central Asia | 46,826,000 | 87 | Open |
| 18 | Chile | Americas | 18,952,000 | 87 | Open |
| 19 | Italy | Europe and Central Asia | 60,299,000 | 87 | Open |
| 20 | Iceland | Europe and Central Asia | 355,000 | 86 | Open |
| 21 | Austria | Europe and Central Asia | 8,890,000 | 86 | Open |
| 22 | Czech Republic | Europe and Central Asia | 10,652,000 | 86 | Open |
| 23 | Jamaica | Americas | 2,948,000 | 85 | Open |
| 24 | Cyprus | Europe and Central Asia | 1,199,000 | 84 | Open |
| 25 | United States of America | Americas | 328,621,000 | 84 | Open |
| 26 | Lithuania | Europe and Central Asia | 2,762,000 | 83 | Open |
| 27 | Slovenia | Europe and Central Asia | 2,074,000 | 83 | Open |
| 28 | Georgia | Europe and Central Asia | 3,718,000 | 83 | Open |
| 29 | Argentina | Americas | 44,901,000 | 83 | Open |
| 30 | France | Europe and Central Asia | 67,114,000 | 82 | Open |
| 31 | United Kingdom | Europe and Central Asia | 66,822,000 | 82 | Open |
| 32 | Greece | Europe and Central Asia | 10,673,000 | 82 | Open |
| 33 | Slovakia | Europe and Central Asia | 5,449,000 | 82 | Open |
| 34 | Japan | Asia and the Pacific | 126,097,000 | 82 | Open |
| 35 | Vanuatu | Asia and the Pacific | 300,000 | 82 | Open |
| 36 | South Korea | Asia and the Pacific | 51,636,000 | 81 | Open |
| 37 | Armenia | Europe and Central Asia | 2,958,000 | 80 | Open |
| 38 | Australia | Asia and the Pacific | 25,278,000 | 80 | Open |
| 39 | Taiwan | Asia and the Pacific | | 79 | Less Restricted |
| 40 | Peru | Americas | 32,510,000 | 79 | Less Restricted |
| 41 | Mongolia | Asia and the Pacific | 3,225,000 | 78 | Less Restricted |
| 42 | Papua New Guinea | Asia and the Pacific | 8,776,000 | 75 | Less Restricted |

| | | | | | |
|---|---|---|---|---|---|
| **43** | Tunisia | Middle East and North Africa | 11,695,000 | 75 | **Less Restricted** |
| **44** | Dominican Republic | Americas | 10,739,000 | 74 | **Less Restricted** |
| **45** | Botswana | Africa | 2,304,000 | 74 | **Less Restricted** |
| **46** | Malta | Europe and Central Asia | 486,000 | 74 | **Less Restricted** |
| **47** | El Salvador | Americas | 6,454,000 | 74 | **Less Restricted** |
| **48** | Ghana | Africa | 30,418,000 | 73 | **Less Restricted** |
| **49** | Senegal | Africa | 16,296,000 | 72 | **Less Restricted** |
| **50** | Paraguay | Americas | 7,045,000 | 71 | **Less Restricted** |
| **51** | Bulgaria | Europe and Central Asia | 6,972,000 | 71 | **Less Restricted** |
| **52** | Moldova | Europe and Central Asia | 2,699,000 | 71 | **Less Restricted** |
| **53** | Sierra Leone | Africa | 7,813,000 | 71 | **Less Restricted** |
| **54** | Timor-Leste | Asia and the Pacific | 1,293,000 | 71 | **Less Restricted** |
| **55** | Romania | Europe and Central Asia | 19,328,000 | 70 | **Less Restricted** |
| **56** | Namibia | Africa | 2,495,000 | 70 | **Less Restricted** |
| **57** | Liberia | Africa | 4,937,000 | 70 | **Less Restricted** |
| **59** | Israel | Middle East and North Africa | 9,028,000 | 67 | **Less Restricted** |
| **60** | South Africa | Africa | 58,558,000 | 67 | **Less Restricted** |
| **61** | The Gambia | Africa | 2,348,000 | 67 | **Less Restricted** |
| **62** | Bolivia | Americas | 11,513,000 | 66 | **Less Restricted** |
| **63** | Ecuador | Americas | 17,374,000 | 66 | **Less Restricted** |
| **64** | Croatia | Europe and Central Asia | 4,062,000 | 66 | **Less Restricted** |
| **65** | Kosovo | Europe and Central Asia | 1,857,000 | 65 | **Less Restricted** |
| **66** | Poland | Europe and Central Asia | 37,928,000 | 65 | **Less Restricted** |
| **67** | North Macedonia | Europe and Central Asia | 2,083,000 | 65 | **Less Restricted** |
| **68** | Benin | Africa | 11,801,000 | 64 | **Less Restricted** |
| **69** | Guatemala | Americas | 17,581,000 | 64 | **Less Restricted** |
| **70** | Albania | Europe and Central Asia | 2,867,000 | 63 | **Less Restricted** |
| **71** | Honduras | Americas | 9,746,000 | 62 | **Less Restricted** |
| **72** | Bosnia and Herzegovina | Europe and Central Asia | 3,301,000 | 62 | **Less Restricted** |
| **73** | Sri Lanka | Asia and the Pacific | 21,757,000 | 61 | **Less Restricted** |
| **74** | Malawi | Africa | 18,629,000 | 59 | **Restricted** |
| **75** | Haiti | Americas | 11,263,000 | 59 | **Restricted** |
| **76** | Montenegro | Europe and Central Asia | 622,000 | 58 | **Restricted** |
| **77** | Mali | Africa | 19,658,000 | 58 | **Restricted** |
| **78** | Ivory Coast | Africa | 25,717,000 | 57 | **Restricted** |
| **79** | Burkina Faso | Africa | 20,321,000 | 56 | **Restricted** |
| **80** | Kenya | Africa | 52,574,000 | 56 | **Restricted** |
| **81** | Mozambique | Africa | 30,366,000 | 54 | **Restricted** |
| **82** | Madagascar | Africa | 26,969,000 | 53 | **Restricted** |
| **83** | Indonesia | Asia and the Pacific | 270,626,000 | 53 | **Restricted** |
| **84** | Hungary | Europe and Central Asia | 9,748,000 | 53 | **Restricted** |
| **85** | Lesotho | Africa | 2,125,000 | 52 | **Restricted** |
| **86** | Nigeria | Africa | 200,964,000 | 50 | **Restricted** |
| **87** | Colombia | Americas | 50,339,000 | 49 | **Restricted** |
| **88** | Gabon | Africa | 2,173,000 | 48 | **Restricted** |
| **89** | Serbia | Europe and Central Asia | 6,953,000 | 48 | **Restricted** |

| | | | | | |
|---|---|---|---|---|---|
| **90** | Maldives | Asia and the Pacific | 531,000 | 47 | **Restricted** |
| **91** | Kyrgyzstan | Europe and Central Asia | 6,435,000 | 46 | **Restricted** |
| **92** | Nepal | Asia and the Pacific | 28,609,000 | 46 | **Restricted** |
| **93** | Niger | Africa | 23,311,000 | 46 | **Restricted** |
| **94** | Brazil | Americas | 211,050,000 | 46 | **Restricted** |
| **95** | Philippines | Asia and the Pacific | 108,117,000 | 44 | **Restricted** |
| **96** | Lebanon | Middle East and North Africa | 6,856,000 | 42 | **Restricted** |
| **97** | Fiji | Asia and the Pacific | 890,000 | 42 | **Restricted** |
| **98** | Bhutan | Asia and the Pacific | 763,000 | 42 | **Restricted** |
| **99** | Malaysia | Asia and the Pacific | 31,950,000 | 42 | **Restricted** |
| **100** | Tanzania | Africa | 58,005,000 | 41 | **Restricted** |
| **101** | Ukraine | Europe and Central Asia | 44,391,000 | 40 | **Restricted** |
| **102** | Guinea | Africa | 12,771,000 | 40 | **Restricted** |
| **103** | Central African Republic | Africa | 4,745,000 | 39 | **Highly Restricted** |
| **104** | Angola | Africa | 31,825,000 | 39 | **Highly Restricted** |
| **105** | Morocco | Middle East and North Africa | 36,472,000 | 37 | **Highly Restricted** |
| **106** | Mauritania | Africa | 4,526,000 | 37 | **Highly Restricted** |
| **107** | Iraq | Middle East and North Africa | 39,310,000 | 36 | **Highly Restricted** |
| **108** | Zambia | Africa | 17,861,000 | 36 | **Highly Restricted** |
| **109** | Afghanistan | Asia and the Pacific | 38,042,000 | 35 | **Highly Restricted** |
| **110** | Togo | Africa | 8,082,000 | 35 | **Highly Restricted** |
| **111** | Hong Kong | Asia and the Pacific | 7,508,000 | 34 | **Highly Restricted** |
| **112** | Burma/Myanmar | Asia and the Pacific | 54,045,000 | 33 | **Highly Restricted** |
| **113** | Jordan | Middle East and North Africa | 10,102,000 | 31 | **Highly Restricted** |
| **114** | Palestine – Combined | Middle East and North Africa | 4,690,000 | 29 | **Highly Restricted** |
| **115** | Cameroon | Africa | 25,876,000 | 29 | **Highly Restricted** |
| **116** | Ethiopia | Africa | 112,079,000 | 29 | **Highly Restricted** |
| **117** | Kuwait | Middle East and North Africa | 4,207,000 | 28 | **Highly Restricted** |
| **118** | Pakistan | Asia and the Pacific | 216,565,000 | 27 | **Highly Restricted** |
| **119** | Uganda | Africa | 44,270,000 | 26 | **Highly Restricted** |
| **120** | Singapore | Asia and the Pacific | 5,710,000 | 25 | **Highly Restricted** |
| **121** | Libya | Middle East and North Africa | 6,777,000 | 24 | **Highly Restricted** |
| **122** | Belarus | Europe and Central Asia | 9,478,000 | 23 | **Highly Restricted** |
| **123** | Democratic Republic of the Congo | Africa | 86,791,000 | 23 | **Highly Restricted** |
| **124** | Sudan | Africa | 42,813,000 | 20 | **Highly Restricted** |
| **125** | India | Asia and the Pacific | 1,366,418,000 | 19 | **In Crisis** |
| **126** | Somalia | Africa | 15,443,000 | 18 | **In Crisis** |
| **127** | Kazakhstan | Europe and Central Asia | 18,493,000 | 18 | **In Crisis** |
| **128** | Rwanda | Africa | 12,627,000 | 17 | **In Crisis** |
| **129** | Algeria | Middle East and North Africa | 43,053,000 | 16 | **In Crisis** |
| **130** | Thailand | Asia and the Pacific | 69,626,000 | 15 | **In Crisis** |
| **131** | Chad | Africa | 15,947,000 | 15 | **In Crisis** |
| **132** | Bangladesh | Asia and the Pacific | 163,046,000 | 15 | **In Crisis** |
| **133** | Eswatini | Africa | 1,148,000 | 14 | **In Crisis** |

| | | | | | |
|---|---|---|---|---|---|
| **134** | Russia | Europe and Central Asia | 144,369,000 | 14 | **In Crisis** |
| **135** | Zimbabwe | Africa | 14,645,000 | 13 | **In Crisis** |
| **136** | Republic of the Congo | Africa | 5,381,000 | 12 | **In Crisis** |
| **137** | Vietnam | Asia and the Pacific | 96,462,000 | 10 | **In Crisis** |
| **138** | Azerbaijan | Europe and Central Asia | 10,036,000 | 9 | **In Crisis** |
| **139** | Uzbekistan | Europe and Central Asia | 33,360,000 | 9 | **In Crisis** |
| **140** | Cambodia | Asia and the Pacific | 16,487,000 | 8 | **In Crisis** |
| **141** | Venezuela | Americas | 28,516,000 | 8 | **In Crisis** |
| **142** | Oman | Middle East and North Africa | 4,975,000 | 7 | **In Crisis** |
| **143** | Qatar | Middle East and North Africa | 2,832,000 | 7 | **In Crisis** |
| **144** | Nicaragua | Americas | 6,546,000 | 6 | **In Crisis** |
| **145** | Egypt | Middle East and North Africa | 100,388,000 | 6 | **In Crisis** |
| **146** | Iran | Middle East and North Africa | 82,914,000 | 6 | **In Crisis** |
| **147** | Burundi | Africa | 11,531,000 | 6 | **In Crisis** |
| **148** | Turkey | Europe and Central Asia | 83,430,000 | 6 | **In Crisis** |
| **149** | United Arab Emirates | Middle East and North Africa | 9,771,000 | 5 | **In Crisis** |
| **150** | South Sudan | Africa | 11,062,000 | 5 | **In Crisis** |
| **151** | Cuba | Americas | 11,333,000 | 4 | **In Crisis** |
| **152** | Yemen | Middle East and North Africa | 29,162,000 | 4 | **In Crisis** |
| **153** | Tajikistan | Europe and Central Asia | 9,321,000 | 4 | **In Crisis** |
| **154** | Equatorial Guinea | Africa | 1,356,000 | 4 | **In Crisis** |
| **155** | Saudi Arabia | Middle East and North Africa | 34,269,000 | 3 | **In Crisis** |
| **156** | China | Asia and the Pacific | 1,397,295,000 | 3 | **In Crisis** |
| **157** | Bahrain | Middle East and North Africa | 1,641,000 | 3 | **In Crisis** |
| **158** | Syria | Middle East and North Africa | 17,070,000 | 1 | **In Crisis** |
| **159** | Turkmenistan | Europe and Central Asia | 5,942,000 | 1 | **In Crisis** |
| **160** | Eritrea | Africa | | 1 | **In Crisis** |
| **161** | North Korea | Asia and the Pacific | 25,666,000 | 0 | **In Crisis** |

# Countries experiencing significant declines in expression

**2018–2019**

| Country | Region | 2018 expression category | 2019 expression category | Actual score change (Over 1 year period) | Percentage change (Over 1 year period) |
|---|---|---|---|---|---|
| Brazil | Americas | **Less Restricted** | **Restricted** | -18 | -28% |
| Benin | Africa | **Open** | **Less Restricted** | -15 | -19% |
| Hong Kong | Asia and the Pacific | **Restricted** | **Highly Restricted** | -12 | -25% |
| Gabon | Africa | **Less Restricted** | **Restricted** | -11 | -19% |
| Colombia | Americas | **Less Restricted** | **Restricted** | -11 | -18% |
| Ghana | Africa | **Open** | **Less Restricted** | -11 | -13% |

**2014–2019**

| Country | Region | 2014 expression category | 2019 expression category | Actual score change (Over 5 year period) | Percentage change (Over 5 year period) |
|---|---|---|---|---|---|
| Brazil | Americas | Open | Restricted | -39 | -46% |
| India | Asia and the Pacific | Restricted | In Crisis | -37 | -66% |
| Nicaragua | Americas | Highly Restricted | In Crisis | -27 | -81% |
| Poland | Europe and Central Asia | Open | Less Restricted | -25 | -28% |
| Hong Kong | Asia and the Pacific | Restricted | Highly Restricted | -22 | -39% |
| Philippines | Asia and the Pacific | Less Restricted | Restricted | -21 | -33% |
| Colombia | Americas | Less Restricted | Restricted | -20 | -29% |
| Nigeria | Africa | Less Restricted | Restricted | -17 | -26% |
| Niger | Africa | Less Restricted | Restricted | -16 | -26% |
| Tanzania | Africa | Restricted | Restricted | -16 | -28% |
| Togo | Africa | Restricted | Highly Restricted | -16 | -31% |
| Yemen | Middle East and North Africa | In Crisis | In Crisis | -16 | -80% |
| Croatia | Europe and Central Asia | Open | Less Restricted | -15 | -19% |
| Benin | Africa | Less Restricted | Less Restricted | -15 | -19% |
| Gabon | Africa | Less Restricted | Restricted | -14 | -22% |
| Zambia | Africa | Restricted | Highly Restricted | -13 | -27% |
| Pakistan | Asia and the Pacific | Restricted | Highly Restricted | -13 | -33% |
| Burundi | Africa | In Crisis | In Crisis | -13 | -69% |
| Thailand | Asia and the Pacific | Highly Restricted | In Crisis | -13 | -46% |
| Cameroon | Africa | Restricted | Highly Restricted | -12 | -28% |
| Guinea | Africa | Restricted | Restricted | -11 | -22% |
| Hungary | Europe and Central Asia | Less Restricted | Restricted | -11 | -17% |
| Libya | Middle East and North Africa | Highly Restricted | Highly Restricted | -11 | -32% |
| Burkina Faso | Africa | Less Restricted | Restricted | -11 | -16% |
| Bosnia and Herzegovina | Europe and Central Asia | Less Restricted | Less Restricted | -10 | -14% |
| Serbia | Europe and Central Asia | Restricted | Restricted | -10 | -18% |

**2009–2019**

| Country | Region | 2014 expression category | 2019 expression category | Actual score change (Over 5 year period) | Percentage change (Over 5 year period) |
|---|---|---|---|---|---|
| Brazil | Americas | Open | Restricted | -43 | -48% |
| India | Asia and the Pacific | Restricted | In Crisis | -40 | -68% |
| Nicaragua | Americas | Restricted | In Crisis | -35 | -85% |
| Ukraine | Europe and Central Asia | Less Restricted | Restricted | -34 | -46% |
| Turkey | Europe and Central Asia | Restricted | In Crisis | -34 | -85% |
| Hungary | Europe and Central Asia | Open | Restricted | -33 | -39% |
| Hong Kong | Asia and the Pacific | Less Restricted | Highly Restricted | -32 | -48% |
| Zambia | Africa | Less Restricted | Highly Restricted | -29 | -45% |
| Serbia | Europe and Central Asia | Less Restricted | Restricted | -29 | -38% |
| Bangladesh | Asia and the Pacific | Restricted | In Crisis | -27 | -64% |
| Poland | Europe and Central Asia | Open | Less Restricted | -26 | -29% |
| Burundi | Africa | Highly Restricted | In Crisis | -25 | -81% |
| Pakistan | Asia and the Pacific | Restricted | Highly Restricted | -25 | -48% |
| Venezuela | Americas | Highly Restricted | In Crisis | -23 | -74% |
| Nepal | Asia and the Pacific | Less Restricted | Restricted | -21 | -31% |
| Yemen | Middle East and North Africa | Highly Restricted | In Crisis | -20 | -83% |
| Bahrain | Middle East and North Africa | Highly Restricted | In Crisis | -18 | -87% |
| Cambodia | Asia and the Pacific | Highly Restricted | In Crisis | -18 | -68% |
| Tanzania | Africa | Restricted | Restricted | -18 | -30% |
| Cameroon | Africa | Restricted | Highly Restricted | -17 | -37% |
| Thailand | Asia and the Pacific | Highly Restricted | In Crisis | -16 | -52% |
| Croatia | Europe and Central Asia | Open | Less Restricted | -16 | -20% |
| Philippines | Asia and the Pacific | Less Restricted | Restricted | -16 | -27% |
| Bosnia and Herzegovina | Europe and Central Asia | Less Restricted | Less Restricted | -14 | -19% |
| Uganda | Africa | Restricted | Highly Restricted | -14 | -36% |
| Russia | Europe and Central Asia | Highly Restricted | In Crisis | -14 | -50% |
| Togo | Africa | Restricted | Highly Restricted | -14 | -29% |
| Benin | Africa | Less Restricted | Less Restricted | -13 | -17% |
| Nigeria | Africa | Less Restricted | Restricted | -13 | -21% |
| Mauritania | Africa | Restricted | Highly Restricted | -12 | -25% |
| Ghana | Africa | Open | Less Restricted | -12 | -14% |
| Albania | Europe and Central Asia | Less Restricted | Less Restricted | -11 | -15% |
| Romania | Europe and Central Asia | Open | Less Restricted | -11 | -14% |
| Bolivia | Americas | Less Restricted | Less Restricted | -11 | -14% |
| Bulgaria | Europe and Central Asia | Open | Less Restricted | -11 | -13% |

| | | | | | |
|---|---|---|---|---|---|
| Montenegro | Europe and Central Asia | Less Restricted | Restricted | -11 | -16% |
| Malta | Europe and Central Asia | Open | Less Restricted | -11 | -13% |
| Afghanistan | Asia and the Pacific | Restricted | Highly Restricted | -11 | -24% |
| Liberia | Africa | Open | Less Restricted | -11 | -13% |
| Maldives | Asia and the Pacific | Restricted | Restricted | -10 | -18% |
| South Africa | Africa | Less Restricted | Less Restricted | -10 | -13% |

# Countries experiencing significant advances in expression

**2018–2019**

| Country | Region | 2014 expression category | 2019 expression category | Actual score change (Over 5 year period) | Percentage change (Over 5 year period) |
|---|---|---|---|---|---|
| Maldives | Asia and the Pacific | In Crisis | Restricted | 32 | 217% |
| Mali | Africa | Restricted | Restricted | 17 | 40% |
| Sudan | Africa | In Crisis | Highly Restricted | 13 | 184% |
| Armenia | Europe and Central Asia | Less Restricted | Open | 13 | 20% |

**2014–2019**

| Country | Region | 2014 expression category | 2019 expression category | Actual score change (Over 5 year period) | Percentage change (Over 5 year period) |
|---|---|---|---|---|---|
| The Gambia | Africa | In Crisis | Less Restricted | 59 | 732% |
| Sri Lanka | Asia and the Pacific | Highly Restricted | Less Restricted | 38 | 161% |
| Maldives | Asia and the Pacific | Highly Restricted | Restricted | 26 | 128% |
| Ecuador | Americas | Restricted | Less Restricted | 26 | 65% |
| Armenia | Europe and Central Asia | Restricted | Open | 22 | 38% |
| Ethiopia | Africa | In Crisis | Highly Restricted | 18 | 153% |
| Fiji | Asia and the Pacific | Highly Restricted | Restricted | 17 | 71% |
| Angola | Africa | Highly Restricted | Highly Restricted | 17 | 80% |
| Malaysia | Asia and the Pacific | Highly Restricted | Restricted | 16 | 63% |
| South Korea | Asia and the Pacific | Less Restricted | Open | 15 | 23% |
| North Macedonia | Europe and Central Asia | Restricted | Less Restricted | 14 | 27% |
| Sudan | Africa | In Crisis | Highly Restricted | 13 | 162% |

**2009–2019**

| Country | Region | 2014 expression category | 2019 expression category | Actual score change (Over 10 year period) | Percentage change (Over 10 year period) |
|---|---|---|---|---|---|
| Tunisia | Middle East and North Africa | In Crisis | Less Restricted | 70 | 1300% |
| The Gambia | Africa | In Crisis | Less Restricted | 55 | 476% |
| Sri Lanka | Asia and the Pacific | Highly Restricted | Less Restricted | 39 | 182% |
| Burma/Myanmar | Asia and the Pacific | In Crisis | Highly Restricted | 31 | 1983% |
| Fiji | Asia and the Pacific | In Crisis | Restricted | 27 | 189% |
| Armenia | Europe and Central Asia | Restricted | Open | 25 | 45% |
| Libya | Middle East and North Africa | In Crisis | Highly Restricted | 22 | 1285% |
| Moldova | Europe and Central Asia | Restricted | Less Restricted | 18 | 34% |
| Ethiopia | Africa | In Crisis | Highly Restricted | 18 | 155% |
| Malaysia | Asia and the Pacific | Highly Restricted | Restricted | 14 | 53% |
| Ecuador | Americas | Restricted | Less Restricted | 14 | 26% |
| Angola | Africa | Highly Restricted | Highly Restricted | 14 | 53% |
| Kyrgyzstan | Europe and Central Asia | Highly Restricted | Restricted | 13 | 39% |
| Sudan | Africa | In Crisis | Highly Restricted | 13 | 174% |
| Georgia | Europe and Central Asia | Less Restricted | Open | 11 | 16% |
| South Korea | Asia and the Pacific | Less Restricted | Open | 11 | 15% |

# Indicators driving changes in freedom of expression

Regression results for the change in freedom of expression: 2018–2019 (standard deviation from the mean in parentheses)

| | | | |
|---|---|---|---|
| **Constant** | Constant | 0.027 | * |
| | | (0.010) | 0.011 |
| **Internet censorship efforts** | v2mecenefi | 0.315 | * |
| | | (0.157) | 0.047 |
| **Freedom of discussion for men and women** | v2xcl_disc | 1.385 | |
| | | (0.879) | 0.118 |
| **Government censorship efforts** | v2mecenefm | 0.782 | *** |
| | | (0.139) | 0.000 |
| **Media self-censorship** | v2meslfcen | 0.282 | |
| | | (0.159) | 0.079 |
| **Freedom of academic and cultural expression** | v2clacfree | 0.267 | |
| | | (0.167) | 0.114 |
| **CSO consultation** | v2cscnsult | -0.070 | |
| | | (0.133) | 0.599 |
| **Engaged society** | v2dlengage | 0.087 | |
| | | (0.160) | 0.586 |
| **Transparent laws with predictable enforcement** | v2cltrnslw | 0.099 | |

| | | | |
|---|---|---|---|
| | | (0.139) | 0.479 |
| **Harassment of journalists** | v2meharjrn | -0.168 | |
| | | (0.187) | 0.371 |
| **Freedom from political killing** | v2clkill | 0.239 | |
| | | (0.148) | 0.110 |
| **CSO repression** | v2csreprss | 0.432 | ** |
| | | (0.135) | 0.002 |
| **CSO entry and exit** | v2cseeorgs | 0.356 | |
| | | (0.180) | 0.051 |
| **CSO participatory environment** | v2csprtcpt | 0.382 | * |
| | | (0.161) | 0.019 |
| **Party ban** | v2psparban | 0.573 | *** |
| | | (0.155) | 0.000 |
| **Freedom of religion** | v2clrelig | 0.051 | |
| | | (0.146) | 0.727 |
| **Government Internet filtering in practice** | v2smgovfilprc | 0.040 | |
| | | (0.139) | 0.777 |
| **Government Internet shut down in practice** | v2smgovshut | 0.026 | |
| | | (0.071) | 0.718 |
| **Government social media censorship in practice** | v2smgovsmcenprc | 0.157 | |
| | | (0.138) | 0.258 |
| **Internet legal regulation content** | v2smregcon | 0.067 | |
| | | (0.135) | 0.623 |
| **Government social media monitoring** | v2smgovsmmon | 0.224 | * |
| | | (0.100) | 0.028 |
| **Government online content regulation approach** | v2smregapp | 0.162 | |
| | | (0.115) | 0.1662 |
| **Arrests for political content** | v2smarrest | 0.221 | * |
| | | (0.090) | 0.015 |
| **Freedom of peaceful assembly** | v2caassemb | -0.038 | |
| | | (0.174) | 0.826 |
| **Freedom of Academic Exchange** | v2cafexch | 0.361 | |
| | | (0.549) | 0.512 |
| **Abuse of defamation and copyright law by elites** | v2smdefabu | 0.069 | |
| | | (0.135) | 0.613 |
| R-squared | | 0.844 | |
| Adjusted R-squared | | (0.806) | |
| No. observations | | 128 | |

***p*<0.05, ****p*<0.01, *****p*<0.001

Importance based on relative weights: Change in freedom of expression 2014–2019

| | General dominance statistics: Epsilon-based regress | | | |
|---|---|---|---|---|
| | Number of obs = | 126 | | |
| | Overall Fit Statistic = | 0.8564 | | |
| | | Dominance Stat. | Standardized Domin. Stat. | Ranking |
| **v2meharjrn** | Harassment of journalists | 0.075 | 0.088 | 1 |
| **v2smregcon** | Internet legal regulation content | 0.064 | 0.075 | 2 |
| **v2mecenefm** | Government censorship efforts | 0.058 | 0.068 | 3 |
| **v2smgovfilprc** | Government Internet filtering in practice | 0.056 | 0.065 | 4 |
| **v2xcl_disc** | Freedom of discussion for men and women | 0.054 | 0.064 | 5 |
| **v2clkill** | Freedom from political killing | 0.053 | 0.062 | 6 |
| **v2meslfcen** | Media self-censorship | 0.046 | 0.054 | 7 |
| **v2csprtcpt** | CSO participatory environment | 0.043 | 0.050 | 8 |

Regression results for the change in freedom of expression 2009–2019 (standard deviation from the mean in parentheses)

| | | | |
|---|---|---|---|
| **Constant** | Constant | 0.099 | |
| | | (0.054) | 0.074 |
| **Internet censorship efforts** | v2mecenefi | 1.717 | *** |
| | | (0.327) | 0.000 |
| **Freedom of discussion for men and women** | v2xcl_disc | -1.911 | |
| | | (2.869) | 0.507 |
| **Government censorship efforts** | v2mecenefm | 0.000 | |
| | | (0.464) | 1.000 |
| **Media self-censorship** | v2meslfcen | 0.976 | * |
| | | (0.442) | 0.030 |
| **Freedom of academic and cultural expression** | v2clacfree | -0.727 | |
| | | (0.438) | 0.100 |
| **CSO consultation** | v2cscnsult | 1.043 | * |
| | | (0.392) | 0.009 |
| **Engaged society** | v2dlengage | 0.658 | |
| | | (0.475) | 0.169 |
| **Transparent laws with predictable enforcement** | v2cltrnslw | -0.820 | |
| | | (0.433) | 0.062 |
| **Harassment of journalists** | v2meharjrn | -0.143 | |
| | | (0.432) | 0.741 |
| **Freedom from political killing** | v2clkill | 0.160 | |
| | | (0.374) | 0.669 |
| **CSO repression** | v2csreprss | -0.307 | |
| | | (0.688) | 0.656 |
| **CSO entry and exit** | v2cseeorgs | 1.306 | * |
| | | (0.579) | 0.026 |
| **CSO participatory environment** | v2csprtcpt | 0.812 | * |
| | | (0.390) | 0.040 |
| **Party ban** | v2psparban | 0.786 | |
| | | (0.491) | 0.113 |
| **Freedom of religion** | V2clrelig | 0.456 | |
| | | (0.479) | 0.343 |
| **Government Internet filtering in practice** | v2smgovfilprc | 0.033 | |
| | | (0.414) | 0.936 |
| **Government Internet shut down in practice** | v2smgovshut | 0.726 | |
| | | (0.471) | 0.127 |
| **Government social media censorship in practice** | v2smgovsmcenprc | 0.038 | |
| | | (0.399) | 0.925 |
| **Internet legal regulation content** | v2smregcon | 1.675 | *** |
| | | (0.417) | 0.000 |
| **Government social media monitoring** | v2smgovsmmon | -0.522 | |
| | | (0.412) | 0.208 |
| **Government online content regulation approach** | v2smregapp | 0.166 | |
| | | (0.499) | 0.741 |
| **Arrests for political content** | v2smarrest | -0.009 | |
| | | (0.330) | 0.979 |
| **Freedom of peaceful assembly** | v2caassemb | 0.867 | |
| | | (0.442) | 0.053 |
| **Freedom of Academic Exchange** | v2cafexch | 0.437 | |

| | | | |
|---|---|---|---|
| | | (0.532) | 0.557 |
| **Abuse of defamation and copyright law by elites** | v2smdefabu | -0.899 | |
| | | (0.532) | 0.094 |
| R-squared | | 0.950 | |
| Adjusted R-squared | | (0.937) | |
| No. observations | | 121 | |

***p*<0.05, ****p*<0.01, *****p*<0.001**

Importance based on relative weights: Change in freedom of expression 2009–2019

| | | | | |
|---|---|---|---|---|
| | General dominance statistics: Epsilon-based regress | | | |
| | Number of obs = 121 | | | |
| | Overall Fit Statistic = 0.9501 | | | |
| | | Dominance Stat. | Standardized Domin. Stat. | Ranking |
| **v2mecenefi** | Internet censorship efforts | 0.097 | 0.102 | 1 |
| **v2smregcon** | Internet legal regulation content | 0.083 | 0.087 | 2 |
| **v2cseeorgs** | CSO entry and exit | 0.072 | 0.076 | 3 |
| **v2csprtcpt** | CSO participatory environment | 0.067 | 0.070 | 4 |
| **v2psparban** | Party ban | 0.059 | 0.062 | 5 |
| **v2smgovfilprc** | Government Internet filtering in practice | 0.054 | 0.057 | 6 |
| **v2smgovsmcenprc** | Government social media censorship in practice | 0.052 | 0.055 | 7 |
| **v2csreprss** | CSO repression | 0.051 | 0.053 | 8 |

| V-Dem tag | Indicator name | Indicator question | Responses |
|---|---|---|---|
| **v2mecenefi** | Internet censorship efforts | Does the government attempt to censor information (text, audio, or visuals) on the Internet? | **0 (1):** The government successfully blocks Internet access except to sites that are pro-government or devoid of political content.<br>**1 (2):** The government attempts to block Internet access except to sites that are pro-government or devoid of political content, but many users are able to circumvent such controls.<br>**2 (3):** The government allows Internet access, including to some sites that are critical of the government, but blocks selected sites that deal with especially politically sensitive issues.<br>**3 (4):** The government allows Internet access that is unrestricted, with the exceptions mentioned above. |

| V-Dem tag | Indicator name | Indicator question | Responses |
|---|---|---|---|
| **v2xcl_disc** | Freedom of discussion for men and women | Are men/women able to openly discuss political issues in private homes and in public spaces? | **0:** Not respected. Hardly any freedom of expression exists for men. Men are subject to immediate and harsh intervention and harassment for expression of political opinion. 1: Weakly respected. Expressions of political opinions by men are frequently exposed to intervention and harassment.<br>**2:** Somewhat respected. Expressions of political opinions by men are occasionally exposed to intervention and harassment.<br>**3:** Mostly respected. There are minor restraints on the freedom of expression in the private sphere, predominantly limited to a few isolated cases or only linked to soft sanctions. But as a rule there is no intervention or harassment if men make political statements.<br>**4:** Fully respected. Freedom of speech for men in their homes and in public spaces is not restricted. |
| **v2mecenefm** | Government censorship efforts | Does the government directly or indirectly attempt to censor the print or broadcast media? | **0:** Attempts to censor are direct and routine.<br>**1:** Attempts to censor are indirect but nevertheless routine.<br>**2:** Attempts to censor are direct but limited to especially sensitive issues.<br>**3:** Attempts to censor are indirect and limited to especially sensitive issues.<br>**4:** The government rarely attempts to censor major media in any way, and when such exceptional attempts are discovered, the responsible officials are usually punished. |
| **v2meslfcen** | Media self-censorship | Is there self-censorship among journalists when reporting on issues that the government considers politically sensitive? | **0:** Self-censorship is complete and thorough.<br>**1:** Self-censorship is common but incomplete.<br>**2:** There is self-censorship on a few highly sensitive political issues but not on moderately sensitive issues.<br>**3:** There is little or no self-censorship among journalists. |

| V-Dem tag | Indicator name | Indicator question | Responses |
|---|---|---|---|
| **v2clacfree** | Freedom of academic and cultural expression | Is there academic freedom and freedom of cultural expression related to political issues? | **0:** Not respected by public authorities. Censorship and intimidation are frequent. Academic activities and cultural expressions are severely restricted or controlled by the government.<br>**1:** Weakly respected by public authorities. Academic freedom and freedom of cultural expression are practiced occasionally, but direct criticism of the government is mostly met with repression.<br>**2:** Somewhat respected by public authorities. Academic freedom and freedom of cultural expression are practiced routinely, but strong criticism of the government is sometimes met with repression.<br>**3:** Mostly respected by public authorities. There are few limitations on academic freedom and freedom of cultural expression, and resulting sanctions tend to be infrequent and soft.<br>**4:** Fully respected by public authorities. There are no restrictions on academic freedom or cultural expression. |
| **v2cscnsult** | Civil society organisation (CSO) consultation | Are major civil society organisations routinely consulted by policymakers on policies relevant to their members? | **0:** No. There is a high degree of insulation of the government from CSO input. The government may sometimes enlist or mobilize CSOs after policies are adopted to sell them to the public at large. But it does not often consult with them in formulating policies.<br>**1:** To some degree. CSOs are but one set of voices that policymakers sometimes take into account.<br>**2:** Yes. Important CSOs are recognized as stakeholders in important policy areas and given voice on such issues. This can be accomplished through formal corporatist arrangements or through less formal arrangements. |
| **v2dlengage** | Engaged society | When important policy changes are being considered, how wide and how independent are public deliberations? | **0:** Public deliberation is never, or almost never allowed.<br>**1:** Some limited public deliberations are allowed but the public below the elite levels is almost always either unaware of major policy debates or unable to take part in them.<br>**2:** Public deliberation is not repressed but nevertheless infrequent and non-elite actors are typically controlled and/or constrained by the elites.<br>**3:** Public deliberation is actively encouraged and some autonomous non-elite groups participate, but it is confined to a small slice of specialized groups that tends to be the same across issue-areas.<br>**4:** Public deliberation is actively encouraged and a relatively broad segment of non-elite groups often participate and vary with different issue-areas.<br>**5:** Large numbers of non-elite groups as well as ordinary people tend to discuss major policies among themselves, in the media, in associations or neighbourhoods, or in the streets. Grass-roots deliberation is common and unconstrained. |

| V-Dem tag | Indicator name | Indicator question | Responses |
|---|---|---|---|
| **v2cltrnslw** | Transparent laws with predictable enforcement | Are the laws of the land clear, well publicised, coherent (consistent with each other), relatively stable from year to year, and enforced in a predictable manner? | **0:** Transparency and predictability are almost non-existent. The laws of the land are created and/or enforced in completely arbitrary fashion.<br>**1:** Transparency and predictability are severely limited. The laws of the land are more often than not created and/or enforced in arbitrary fashion.<br>**2:** Transparency and predictability are somewhat limited. The laws of the land are mostly created in a non-arbitrary fashion but enforcement is rather arbitrary in some parts of the country.<br>**3:** Transparency and predictability are fairly strong. The laws of the land are usually created and enforced in a non-arbitrary fashion.<br>**4:** Transparency and predictability are very strong. The laws of the land are created and enforced in a non-arbitrary fashion. |
| **v2meharjrn** | Harassment of journalists | Are individual journalists harassed —i.e. threatened with libel, arrested, imprisoned, beaten, or killed — by governmental or powerful nongovernmental actors while engaged in legitimate journalistic activities? | **0:** No journalists dare to engage in journalistic activities that would offend powerful actors because harassment or worse would be certain to occur.<br>**1:** Some journalists occasionally offend powerful actors but they are almost always harassed or worse and eventually are forced to stop.<br>**2:** Some journalists who offend powerful actors are forced to stop but others manage to continue practicing journalism freely for long periods of time.<br>**3:** It is rare for any journalist to be harassed for offending powerful actors, and if this were to happen, those responsible for the harassment would be identified and punished.<br>**4:** Journalists are never harassed by governmental or powerful non-governmental actors while engaged in legitimate journalistic activities. |
| **v2clkill** | Freedom from political killing | Is there freedom from political killings? | **0:** Not respected by public authorities. Political killings are practiced systematically and they are typically incited and approved by top leaders of government.<br>**1:** Weakly respected by public authorities. Political killings are practiced frequently and top leaders of government are not actively working to prevent them.<br>**2:** Somewhat respected by public authorities. Political killings are practiced occasionally but they are typically not incited and approved by top leaders of government.<br>**3:** Mostly respected by public authorities. Political killings are practiced in a few isolated cases but they are not incited or approved by top leaders of government.<br>**4:** Fully respected by public authorities. Political killings are non-existent. |

| V-Dem tag | Indicator name | Indicator question | Responses |
|---|---|---|---|
| **v2csreprss** | CSO repression | Does the government attempt to repress civil society organisations? | **0:** Severely. The government violently and actively pursues all real and even some imagined members of CSOs. They seek not only to deter the activity of such groups but to effectively liquidate them. Examples include Stalinist Russia, Nazi Germany, and Maoist China.<br><br>**1:** Substantially. In addition to the kinds of harassment outlined in responses 2 and 3 below, the government also arrests, tries, and imprisons leaders of and participants in oppositional CSOs who have acted lawfully. Other sanctions include disruption of public gatherings and violent sanctions of activists (beatings, threats to families, destruction of valuable property). Examples include Mugabe's Zimbabwe, Poland under Martial Law, Serbia under Milosevic.<br><br>**2:** Moderately. In addition to material sanctions outlined in response 3 below, the government also engages in minor legal harassment (detentions, short-term incarceration) to dissuade CSOs from acting or expressing themselves. The government may also restrict the scope of their actions through measures that restrict association of civil society organizations with each other or political parties, bar civil society organizations from taking certain actions, or block international contacts. Examples include post-Martial Law Poland, Brazil in the early 1980s, the late Franco period in Spain.<br><br>**3:** Weakly. The government uses material sanctions (fines, firings, denial of social services) to deter oppositional CSOs from acting or expressing themselves. They may also use burdensome registration or incorporation procedures to slow the formation of new civil society organizations and side-track them from engagement. The government may also organize Government Organized Movements or NGOs (GONGOs) to crowd out independent organizations. One example would be Singapore in the post-Yew phase or Putin's Russia.<br><br>**4:** No. Civil society organizations are free to organize, associate, strike, express themselves, and to criticize the government without fear of government sanctions or harassment. |

| V-Dem tag | Indicator name | Indicator question | Responses |
|---|---|---|---|
| **v2cseeorgs** | CSO entry and exit | To what extent does the government achieve control over entry and exit by civil society organisations into public life? | **0:** Monopolistic control. The government exercises an explicit monopoly over CSOs. The only organizations allowed to engage in political activity such as endorsing parties or politicians, sponsoring public issues forums, organizing rallies or demonstrations, engaging in strikes, or publicly commenting on public officials and policies are government-sponsored organizations. The government actively represses those who attempt to defy its monopoly on political activity.<br>**1:** Substantial control. The government licenses all CSOs and uses political criteria to bar organizations that are likely to oppose the government. There are at least some citizen-based organizations that play a limited role in politics independent of the government. The government actively represses those who attempt to flout its political criteria and bars them from any political activity.<br>**2:** Moderate control. Whether the government ban on independent CSOs is partial or full, some prohibited organizations manage to play an active political role. Despite its ban on organizations of this sort, the government does not or cannot repress them, due to either its weakness or political expedience.<br>**3:** Minimal control. Whether or not the government licenses CSOs, there exist constitutional provisions that allow the government to ban organizations or movements that have a history of anti-democratic action in the past (e.g. the banning of neo-fascist or communist organizations in the Federal Republic of Germany). Such banning takes place under strict rule of law and conditions of judicial independence.<br>**4:** Unconstrained. Whether or not the government licenses CSOs, the government does not impede their formation and operation unless they are engaged in activities to violently overthrow the government. |
| **v2csprtcpt** | CSO participatory environment | Which of these best describes the involvement of people in civil society organisations? | **0:** Most associations are state-sponsored, and although a large number of people may be active in them, their participation is not purely voluntary.<br>**1:** Voluntary CSOs exist but few people are active in them.<br>**2:** There are many diverse CSOs, but popular involvement is minimal.<br>**3:** There are many diverse CSOs and it is considered normal for people to be at least occasion-ally active in at least one of them. |
| **v2psparban** | Party ban | Are any parties banned? | **0:** Yes. All parties except the state-sponsored party (and closely allied parties) are banned.<br>**1:** Yes. Elections are non-partisan or there are no officially recognized parties.<br>**2:** Yes. Many parties are banned.<br>**3:** Yes. But only a few parties are banned.<br>**4:** No. No parties are officially banned. |

| V-Dem tag | Indicator name | Indicator question | Responses |
|---|---|---|---|
| **v2clrelig** | Freedom of religion | Is there freedom of religion? | **0:** Not respected by public authorities. Hardly any freedom of religion exists. Any kind of religious practice is outlawed or at least controlled by the government to the extent that religious leaders are appointed by and subjected to public authorities, who control the activities of religious communities in some detail.<br>**1:** Weakly respected by public authorities. Some elements of autonomous organized religious practices exist and are officially recognized. But significant religious communities are repressed, prohibited, or systematically disabled, voluntary conversions are restricted, and instances of discrimination or intimidation of individuals or groups due to their religion are common.<br>**2:** Somewhat respected by public authorities. Autonomous organized religious practices exist and are officially recognized. Yet, minor religious communities are repressed, prohibited, or systematically disabled, and/or instances of discrimination or intimidation of individuals or groups due to their religion occur occasionally.<br>**3:** Mostly respected by public authorities. There are minor restrictions on the freedom of religion, predominantly limited to a few isolated cases. Minority religions face denial of registration, hindrance of foreign missionaries from entering the country, restrictions against proselytizing, or hindrance to access to or construction of places of worship.<br>4: Fully respected by public authorities. The population enjoys the right to practice any religious belief they choose. Religious groups may organize, select, and train personnel; solicit and receive contributions; publish; and engage in consultations without undue interference. If religious communities have to register, public authorities do not abuse the process to discriminate against a religion and do not constrain the right to worship before registration. |
| **v2smgovfilprc** | Government Internet filtering in practice | How frequently does the government censor political information (text, audio, images, or video) on the Internet by filtering (blocking access to certain websites)? | **0:** Extremely often. It is a regular practice for the government to remove political content, except to sites that are pro-government.<br>**1:** Often. The government commonly removes online political content, except sites that are pro-government.<br>**2:** Sometimes. The government successfully removes about half of the critical online political content.<br>**3:** Rarely. There have been only a few occasions on which the government removed political content.<br>**4:** Never, or almost never. The government allows Internet access that is unrestricted, with the exceptions mentioned in the clarifications section. |

| V-Dem tag | Indicator name | Indicator question | Responses |
|---|---|---|---|
| **v2smgovshut** | Government Internet shut down in practice | Independent of whether it actually does so in practice, does the government have the technical capacity to actively shut down domestic access to the Internet if it decided to? | **0:** The government lacks the capacity to shut down any domestic Internet connections.<br>**1:** The government has the capacity to shut down roughly a quarter of domestic access to the Internet.<br>**2:** The government has the capacity to shut down roughly half of domestic access to the Internet.<br>**3:** The government has the capacity to shut down roughly three quarters of domestic access to the Internet.<br>**4:** The government has the capacity to shut down all, or almost all, domestic access to the Internet. |
| **v2smgovsmcenprc** | Government social media censorship in practice | To what degree does the government censor political content (i.e. deleting or filtering specific posts for political reasons) on social media in practice? | **0:** The government simply blocks all social media platforms.<br>**1:** The government successfully censors all social media with political content.<br>**2:** The government successfully censors a significant portion of political content on social me-dia, though not all of it.<br>**3:** The government only censors social media with political content that deals with especially sensitive issues.<br>**4:** The government does not censor political social media content, with the exceptions mentioned in the clarifications section. |
| **v2smregcon** | Internet legal regulation content | What type of content is covered in the legal framework to regulate Internet? | **0:** The state can remove any content at will.<br>**1:** The state can remove most content, and the law protects speech in only specific, and politically uncontroversial contexts.<br>**2:** The legal framework is ambiguous. The state can remove some politically sensitive content, while other is protected by law.<br>**3:** The law protects most political speech, but the state can remove especially politically controversial content.<br>**4:** The law protects political speech, and the state can only remove content if it violates well-established legal criteria. |

| V-Dem tag | Indicator name | Indicator question | Responses |
|---|---|---|---|
| **v2smgovsmmon** | Government social media monitoring | How comprehensive is the surveillance of political content in social media by the government or its agents? | **0:** Extremely comprehensive. The government surveils virtually all content on social media.<br>**1:** Mostly comprehensive. The government surveils most content on social media, with comprehensive monitoring of most key political issues.<br>**2:** Somewhat comprehensive. The government does not universally surveil social media but can be expected to surveil key political issues about half the time.<br>**3:** Limited. The government only surveils political content on social media on a limited basis.<br>**4:** Not at all, or almost not at all. The government does not surveil political content on social media, with the exceptions mentioned in the clarifications section. |
| **v2smregapp** | Government online content regulation approach | Does the government use its own resources and institutions to monitor and regulate online content or does it distribute this regulatory burden to private actors such as Internet service providers? | **0:** All online content monitoring and regulation is done by the state.<br>**1:** Most online content monitoring and regulation is done by the state, though the state involves private actors in a limited way.<br>**2:** Some online content monitoring and regulation is done by the state, but the state also involves private actors in monitoring and regulation in various ways.<br>**3:** The state does little online content monitoring and regulation, and entrusts most of the monitoring and regulation to private actors.<br>**4:** The state off-loads all online content monitoring and regulation to private actors. |
| **v2smarrest** | Arrests for political content | If a citizen posts political content online that would run counter to the government and its policies, what is the likelihood that citizen is arrested? | **0:** Extremely likely.<br>**1:** Likely.<br>**2:** Unlikely.<br>**3:** Extremely unlikely. |
| **v2caassemb** | Freedom of peaceful assembly | To what extent do state authorities respect and protect the right of peaceful assembly? | **0:** Never. State authorities do not allow peaceful assemblies and are willing to use lethal force to prevent them.<br>**1:** Rarely. State authorities rarely allow peaceful assemblies, but generally avoid using lethal force to prevent them.<br>**2:** Sometimes. State authorities sometimes allow peaceful assemblies, but often arbitrarily deny citizens the right to assemble peacefully.<br>**3:** Mostly. State authorities generally allow peaceful assemblies, but in rare cases arbitrarily deny citizens the right to assemble peacefully.<br>**4:** Almost always. State authorities almost always allow and actively protect peaceful assemblies except in rare cases of lawful, necessary, and proportionate limitations. |

| V-Dem tag | Indicator name | Indicator question | Responses |
|---|---|---|---|
| **v2cafexch** | Freedom of academic exchange | To what extent are scholars free to exchange and communicate research ideas and findings? | **0:** Completely restricted. Academic exchange and dissemination is, across all disciplines, consistently subject to censorship, self-censorship or other restrictions.<br>**1:** Severely restricted. Academic exchange and dissemination is, in some disciplines, consistently subject to censorship, self-censorship or other restrictions.<br>**2:** Moderately restricted. Academic exchange and dissemination is occasionally subject to censorship, self-censorship or other restrictions.<br>**3:** Mostly free. Academic exchange and dissemination is rarely subject to censorship, self-censorship or other restrictions.<br>**4:** Fully free. Academic exchange and dissemination is not subject to censorship, self-censorship or other restrictions. |
| **v2smdefabu** | Abuse of defamation and copyright law by elites | To what extent do elites abuse the legal system (e.g. defamation and copyright law) to censor political speech online? | **0:** Regularly. Elites abuse the legal system to remove political speech from the Internet as regular practice.<br>**1:** Often. Elites commonly abuse the legal system to remove political speech from the Internet.<br>**2:** Sometimes. Elites abuse the legal system to remove political speech from the Internet about half the time.<br>**3:** Rarely. Elites occasionally abuse the legal system to remove political speech from the Internet.<br>**4:** Never, or almost never. Elites do not abuse the legal system to remove political speech from the Internet |

# Figure captions

# Table captions


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