



Rights: Civil Society Space – AII Findings

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Six in practice indicators (65-70) within the Rights subcategory (2.1) assess the ability of workers and citizens to organize freely to exercise their rights. The first two of these indicators (65-66) focus on union rights. The next one (67) focuses on free association, assembly and the ability of citizens to gather to publicly express dissent. The following three (68-70) assess the space within which NGOs can operate.

Trade Unions Findings

- Workers continue to face significant obstacles to organize themselves into trade unions free from intimidation or violence.** No countries earned full marks on this indicator, and almost half (47%) earned low scores of 0 or 25. In many cases, those organizing trade unions report being bullied and sometimes terminated, particularly in the private sector. In the lowest scoring countries, threats and intimidation can be much more serious. For instance, in Tanzania, the 2013 research reported threats against organizers, while in 2014, the situation deteriorated and earned a 0 score, due to the leader of a workers association being kidnapped and tortured after organizing a strike.
- Corporations increasingly fail to observe labor laws and uphold human rights.** The research reports a significant deterioration in average scores from the 2014 to the 2015 report – indeed, the largest deterioration among all 110 indicators. No countries earned full marks in indicator 66, while a full 80% earned very low scores of 0 or 25. Some common issues reported include corporations ignoring wage requirements and especially workplace safety and health standards. The situation reported in Mali seems to be true for many of the countries assessed – there is a disregard for worker rights in many sectors, and workers have a legitimate fear that attempting to claim such rights would lead to sacking. On the positive side, Tunisia is an example of a country with a relatively high score of 75, due to a very active Labor Control body (“Inspection du Travail”) that conducts corporate inspections and ably holds corporations accountable.

Civil Society Space Indicators

65. In practice, workers are not restricted from organizing themselves through trade unions.

66. In practice, corporations observe labor laws and recognize and uphold human rights.

67. In practice, citizens are able to associate freely.

68. In practice, the government does not create obstacles for existing non-government organizations (NGOs) or put in place barriers for establishing new ones.

69. In practice, no NGO employees were killed, imprisoned, interrogated, threatened or physically harmed in the past year.

70. In practice, no NGOs have been shut down or harassed with unwarranted administrative burdens, investigations or sanctions in the past year as retribution for their work.



Association and Assembly Rights Findings

- **The situation with freedom of association is better than with worker rights, even if scores were generally lower in the 2015 round of research.** Several countries scored well (19) and provided examples of citizens being allowed to assemble and express dissent without any harassment. For example, Botswana earned a 100, with the research noting large public rallies expressing strong dissent and critique of the current regime held in the run up to the October 2014 election were allowed to move forward without hindrance. Similarly, Sao Tome and Principe scored a 100, with the research providing a number of examples of citizens exercising their right to public dissent through free anti-government demonstrations.
- **However, almost half (47%) of the assessed countries earned low scores of 25 or 0.** In these cases, the governments restrict citizen assembly when they express dissent. For example, in Cameroon the research reported an increase in government repression of the civic space, with hunger strikers being arrested, public demonstrations being banned, and police being sent to break up attempted gatherings of the opposition. In another example, in Angola, an individual was shot posting leaflets advertising a demonstration; the demonstration went forward, and the government responded with helicopters, tear gas, and mounted police, breaking up the protest, and arresting 292 demonstrators. Likewise, a later demonstration in May 2014 was suppressed by a disproportionate police force who ‘violently subdued’ a small number of peaceful demonstrators.

NGO Findings

- **In practice, NGO’s generally face less restrictions, obstacles, and threats barring them from their work than unions and other entities. The three indicators covering NGO freedom all scored** with an average continental score of 50 or higher. In fact, 10 countries earned 100 scores in each of these indicators (Sao Tome and Principe, Cape Verde, Mauritius, Botswana, Ghana, Namibia, Senegal, Cote d’Ivoire, Burkina Faso, and Swaziland), and only four countries earned 0 (Sudan, Eritrea, Libya and Uganda). In Namibia, although there is a bit of friction between NGOs critical of the government and the current administration, there were no obstacles for existing NGO’s, or barriers for establishing new ones.
- **On the other hand, onerous registration and discretionary denial of attempted registration continue to limit NGOs, with 65% of countries unable to earn a score above 25.** For instance, in Equatorial Guinea a coalition of NGOs has been denied registration on vague grounds since 2012, and in 2014 another organization’s request for registration was neither granted nor responded to. According to the research, the biggest obstacle is the requirement of prior approval from the Ministry of Interior and Local Corporations, without which the notary public cannot certify the creation of any NGO. On the other side of the spectrum, 18 countries earned the maximum. Liberia, for example, has a one-stop shop for the registration of all organizations, whether NGOs or businesses, with no



difference in the requirements for registration and the process is generally quick and completed in less than a week.

- **In almost half of the countries (25) no incidents of NGO employees being killed, imprisoned, threatened or harmed due to their work were reported. However, in 21 countries multiple cases were reported.** For instance, in Niger, there were reports of NGO officials from several NGOs being arrested and interrogated about their work, while other NGO officials were smeared by the state media and then jailed. In Zambia, some NGO officials have faced threats of deregistration from the government, backed up by verbal threats and intimidation – and some times actual violence – from state-sponsored cadres.
- **In 22 countries there were no incidents of NGOs being shut down, or harassed with targeted administrative burdens, investigations or sanctions due to their work, but 11 countries reported incidents.** In Sudan the government shut down three separate NGOs during the period of study, while in Egypt over 1,000 NGOs had their assets frozen by the government. Even in countries there wasn't direct targeting of such burdens or sanctions, there other methods have been employed by governments to control NGOs. For example, in Equatorial Guinea, NGO funding is distributed only to NGOs favorable to the government, while in Cape Verde, the research notes similarly that the government can create obstacles to funding.

Observations

- In 2015, the highest scoring countries over these six indicators included Sao Tome and Principe, Cape Verde, Mauritius, Botswana, Tunisia, Ghana, Namibia and Senegal. The lowest scoring countries were Sudan, Eritrea, Zimbabwe, Libya, Algeria, Equatorial Guinea, Somalia, Angola, Egypt and Uganda.
- Five of these six indicators exhibited generally deteriorating scores from 2014 to 2015. The most substantial deteriorations were found in #65 and #66 on worker rights, where average scores declined by 12.5 and 15.74, respectively. Additionally, indicator #67 on freedom of association and assembly deteriorated substantially, with the average score declining by -9.72.
- The only indicator to show a slight improvement from 2014 to 2015 was indicator #69 on reports of NGO employee harassment.

It is important to note that aggregate scores mask very substantial - and very informative – country-level differences that can be found in the disaggregated data. An interested user benefits from exploring the data in detail, focusing on individual indicators and the country context described in the researcher's comment and sources. The indicators are designed to be granular in order to provide actionable information for each country covered, so should be viewed individually for the clearest view of each country's performance - and opportunities for improvement.

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Table 1: Rights: Civil Society Space

	#65	#66	#67	#68	#69	#70	Average
Sudan	0	0	0	0	0	0	0.0
Eritrea	0	25	0	0	0	0	4.2
Zimbabwe	0	25	0	0	0	25	8.3
Libya	25	25	0	0	0	0	8.3
Algeria	0	25	0	25	0	0	8.3
Equatorial Guinea	0	25	0	0	0	50	12.5
Somalia	25	0	0	25	0	25	12.5
Angola	0	25	0	0	0	50	12.5
Egypt	25	25	0	25	0	0	12.5
Uganda	50	25	0	0	0	0	12.5
Mauritania	25	0	25	25	0	50	20.8
Burundi	25	25	25	50	0	0	20.8
Ethiopia	25	25	0	0	75	0	20.8
Zambia	50	25	25	0	50	0	25.0
South Sudan	50	25	25	25	0	75	33.3
Chad	50	0	50	25	75	0	33.3
Gabon	25	25	25	25	50	50	33.3
Djibouti	0	0	25	25	100	50	33.3
The Gambia	75	50	0	0	25	50	33.3
Rwanda	25	50	0	50	50	25	33.3
Niger	50	0	75	50	0	25	33.3
Congo DRC	50	25	50	50	0	50	37.5
Tanzania	0	0	25	50	100	50	37.5
Morocco	25	25	50	25	100	0	37.5
Kenya	50	25	50	50	0	75	41.7
Guinea	25	25	50	50	0	100	41.7
Cameroon	50	0	0	25	100	100	45.8
Mali	50	0	50	100	0	100	50.0
Sierra Leone	25	25	75	50	100	25	50.0
Nigeria	50	25	50	100	0	75	50.0
CAR	50	0	50	100	0	100	50.0
Seychelles	0	50	0	50	100	100	50.0
South Africa	50	25	50	75	0	100	50.0
Congo Brazzaville	25	25	25	75	100	75	54.2
Guinea-Bissau	50	25	50	100	50	75	58.3
Togo	50	25	25	50	100	100	58.3
Swaziland	25	50	0	100	100	100	62.5
Madagascar	50	50	50	100	100	25	62.5
Lesotho	25	25	50	75	100	100	62.5
Mozambique	50	25	50	50	100	100	62.5
Burkina Faso	25	25	50	100	100	100	66.7
Liberia	50	25	75	100	50	100	66.7
Benin	50	25	50	75	100	100	66.7
Cote d'Ivoire	25	25	50	100	100	100	66.7
Malawi	50	25	50	75	100	100	66.7
Comoros	50	50	50	100	100	75	70.8
Senegal	50	25	75	100	100	100	75.0
Namibia	50	25	75	100	100	100	75.0
Ghana	50	50	75	100	100	100	79.2
Tunisia	50	75	75	100	100	75	79.2
Botswana	50	25	100	100	100	100	79.2
Mauritius	50	50	75	100	100	100	79.2
Cape Verde	75	50	50	100	100	100	79.2
Sao Tome and Principe	50	50	100	100	100	100	83.3