

Freedom of Association Under Threat

The New Authoritarians'
Offensive Against Civil Society

November 17, 2008

Special Report



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Against Civil Society



2008

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Editor and Overview Essay Author:

Arch Puddington

Introduction Author:

Douglas Rutzen

Writers:

Sarah Cook (China)
Jake Dizard (Colombia, Venezuela)
Sanja Kelly, Chris Janiec (Algeria)
Astrid Larson (Malaysia, Pakistan)
Mariam Memarsadeghi (Iran)
Katrina Neubauer (Kazakhstan, Uzbekistan)
Robert Orrtung (Russia)
Mark Rosenberg (Zimbabwe)
Hani Sabra (Egypt)

Copy Editing:

Julia Breslin
Tyler Roylance

Managing Editor:

Elizabeth Floyd

Data Compilation and Charts:

Katrina Neubauer

Web Design:

Eliza Bonner

Introduction

by Douglas Rutzen
President, International Center for Not-for-Profit Law

The Spanish philosopher José Ortega y Gasset once commented, “A revolution only lasts fifteen years.” This statement proves prescient as we consider the “Associational Revolution” that emerged in Central Europe and the former Soviet Union in 1989.¹ In 2004, fifteen years and five days after the Velvet Revolution in Czechoslovakia, Ukrainian citizens embarked on the “Orange Revolution.”

Authoritarian leaders took notice. Alyaksandr Lukashenka of Belarus famously warned, “There will not be any rose, orange, or banana revolutions in our country.” At the same time, Zimbabwe’s Parliament adopted a law prohibiting nongovernmental organizations (NGOs) from receiving foreign funding for governance and human rights activities. The “Associational Counterrevolution” had begun.

In 2005, the counterrevolution gained prominence when the Russian government proposed its own notorious NGO law. The same year, Belarus, Eritrea, Uzbekistan, and other countries enacted restrictive legislation. Autocrats seemed emboldened by a decline in U.S. “soft power” resulting from the “war on terror” and the war in Iraq, as well as U.S. exposure to human rights criticism due to abuses including those at Abu Ghraib. It was a politically convenient moment for authoritarian rulers to advance plans to consolidate power.

Restrictions gained momentum from an unlikely source: ongoing efforts to promote the effectiveness of foreign aid. In March 2005, the international community endorsed the Paris Declaration on Aid Effectiveness. Soon thereafter, many governments introduced restrictive measures to “coordinate” foreign assistance. This was particularly apparent in certain Latin American countries, such as Bolivia, Peru, and Venezuela.

At the same time, autocrats touted variants of Vladimir Putin’s theory of “Managed Democracy,” which often morphed into “Managed Civil Society.” Two models appeared. In some countries, civil society organizations were given latitude to operate, provided they stayed away from politics, broadly defined. In others, the government sought to fully co-opt civil society, quashing those groups that resisted.

Confronted by these and other initiatives, civic space quickly contracted. According to Freedom House’s data, 43 countries showed a decline in their freedom of association scores between 2004 and 2007. But a trend analysis tells only part of the story. For example, Libya, Syria, Eritrea, and Saudi Arabia were stably restrictive, receiving the lowest possible score throughout this period.

As we mark the 60th anniversary of the Universal Declaration of Human Rights, the present report illustrates the need to reaffirm and protect the freedom of association. It helps citizens hold their governments accountable. It enables the meaningful exercise of other rights that

¹ Lester Salamon, “The Rise of the Nonprofit Sector,” *Foreign Affairs* 74, no. 3 (July/August 1994): 109.

depend on collective action, such as workers' rights and the freedom of religion. And it enables people to join together in social clubs, cultural groups, and other associations, helping to ensure that everyday life is not a solitary endeavor.

The Universal Declaration emerged from an era featuring financial crises, the rise of populist antidemocratic movements, unimaginable suffering, and global war. Against this backdrop, the founders of the United Nations sought to share one lesson with future generations confronting challenging times: human dignity and rights are the “foundation of freedom, justice, and peace in the world.”² I commend Freedom House for its dedication to this principle and for raising awareness about the growing threats to freedom of association around the world.

² Preamble to the Universal Declaration of Human Rights.

Freedom of Association Under Threat: The New Authoritarians' Offensive Against Civil Society

by Arch Puddington

Freedom of association is the foundation of a strong civil society and an essential component of pluralistic democracy, along with free and competitive elections, freedom of expression, freedom of religion, and the rule of law. Freedom of association has also played a significant role in a number of the democratic transformations that took place during the past several decades, including in the Philippines, Ukraine, Serbia, and South Africa. The fact that freedom of association is thriving today in the former communist countries of Eastern and Central Europe—which endured four decades under a system that regarded practically any activity outside state control as a threat and vigorously persecuted independent organizations dedicated to expanding the horizons of liberty—illustrates the fundamental changes that have swept the globe since the end of the Cold War. Similarly, Latin America, a region where not so long ago voices of peaceful dissent were silenced through torture, exile, or death squads, has made significant strides in the last two decades.

Unfortunately, a new wave of authoritarianism has emerged in the last several years. Among its principal targets is civil society. Democratic political parties, human rights organizations, women's advocates, independent trade unions, groups that investigate corruption or monitor abuse by security services, organizations that seek legal reform, groups that champion minority rights or religious freedom—those, in other words, who seek to provide ordinary people with a voice or an influence on public policy—have come under growing pressure from regimes that are determined to marginalize or eliminate all perceived sources of opposition and dissent. The result has been a notable reversal for freedom of association in much of the world.

This study, *Freedom of Association Under Threat: The New Authoritarians' Offensive Against Civil Society*, shows that in recent years associational rights have declined in practically every region of the world, the only exceptions being Western Europe and sub-Saharan Africa. Associational rights are under particular duress in the Middle East and North Africa and in the former Soviet Union. At the same time, the study shows that in the past several years the most pronounced declines have occurred in the Asia-Pacific region and Latin America. In some instances, the declines are modest and may not pose a threat to a country's long-term democratic prospects. In a disturbing number of cases, however, the study points to setbacks that stem from deliberate policies of the state and therefore present serious challenges to the development of free institutions. The study also finds that the rights of trade unions, historically a bulwark for associational rights, are faring poorly in authoritarian settings and in some democracies as well.

This campaign to restrict civil society runs counter to the dominant political and cultural trends of the 21st century, which have included greater freedom of movement within states and globally, expanded access to information, and greatly enhanced international trade relations. To be sure, many of the regimes that have passed laws to impede the work of nongovernmental organizations (NGOs) have also taken steps to muzzle the press and freedom of expression. But

while the development of the internet and other technologies have hampered the authoritarian state's efforts to suppress press freedom, the evidence thus far suggests that repressing associational rights may prove a less formidable challenge.

Freedom of Association: A Core Right

Freedom of association is a core right that is enshrined in the Universal Declaration of Human Rights, included in several United Nations covenants, embedded in the charters of regional bodies like the Organization of American States (OAS) and the Organization for Security and Cooperation in Europe (OSCE), and incorporated into the agreements on worker rights adopted by the International Labor Organization.

In an era in which existing political parties have suffered a loss of credibility in many societies, freedom of association is especially important as a means of strengthening NGOs, trade unions, and other institutions that give voice to popular causes, constituencies, and ideas.

The fact that the setbacks to associational rights are so often due to calculated state action is the most disturbing finding of this study. In response to the democratic gains in states that experienced protest-driven “color revolutions,” the regimes in Russia, China, Uzbekistan, Venezuela, Zimbabwe, Belarus, Iran, and elsewhere have taken steps to suppress groups that could form the vanguard of similar protests. Indeed, in societies where political parties have already been cowed and the independent press silenced, civil society is the only entity that prevents an authoritarian leadership from achieving the total destruction of pluralism and the very possibility of political choice.

What This Study Examines

This study assesses the state of associational rights both globally and on a regional basis. Through an analysis of data drawn from *Freedom in the World*, the report on global political rights and civil liberties published annually by Freedom House, *Freedom of Association Under Threat* looks at the global trajectory of associational rights and examines the techniques developed by authoritarian regimes in their attempts to weaken civil society. The analysis is derived from a combination of *Freedom in the World* data sets and interpretive reports on 12 countries where associational rights have been under duress.

Perhaps the most vivid sign of pressure on civil society is the fact that 43 countries, or more than 20 percent of the world total, saw their scores for freedom of association in *Freedom in the World* decline between 2004 and 2007. Among those countries are a number of the world's more notable authoritarian states, including Russia, Zimbabwe, Venezuela, and Iran. Also exhibiting a decline is a group of countries in which political freedom, though under varying degrees of stress, has made some progress: Pakistan, Mexico, the Philippines, Nigeria, and Malaysia. While some countries did register freedom of association gains, including a number from sub-Saharan Africa, they tended to be smaller and less geopolitically significant states than those showing a decline.

To be sure, most countries, including most authoritarian states, tolerate the existence of NGOs that carry out noncontroversial humanitarian missions. Indeed, some countries welcome the emergence of an active, albeit depoliticized, NGO sector on the grounds that these entities may provide essential social services that the state cannot or is not interested in delivering. However, a number of countries are placing intense pressure on organizations that serve a political or quasi-political role, or that raise difficult policy issues for the state. Organizations that defend human rights advocates, press for women's equality, monitor the judiciary or the police, represent religious minorities, speak for university students, or defend journalists are the principal targets of authoritarian campaigns to limit the role of civil society.

Where the old totalitarian model—under which any initiative outside the realm of the state or dominant party was deemed impermissible—no longer obtains, many authoritarian governments likewise eschew the associated tactics of violence in repressing NGOs. As the narrative reports in this study make clear, today's authoritarians employ techniques of repression that are much more sophisticated than those used in the past. The officers of NGOs are seldom arrested, placed on trial, sent to gulags, exiled, or murdered, though all these things do happen from time to time. Today's authoritarians instead rely on legalistic or bureaucratic methods to hobble civil society.

They direct the tax police to conduct repeated investigations of NGO or trade union finances; they enact laws that make it difficult or impossible for civil society institutions to raise funds; they impose draconian fines on NGO directors; they discover code violations in the buildings where NGO offices are situated; they adopt rules that prevent global NGOs from establishing local chapters. A measure that has proved especially effective in throttling the finances of local NGOs is a blanket prohibition on contributions by sources outside the country. Funding from sources in the United States or Europe is critical to the existence of NGOs in the many countries that lack the indigenous capacity to sustain civil society groups and have little or no tradition of philanthropy. Furthermore, even in countries where a wealthy class has developed, local businessmen may be reluctant to provoke the wrath of the political leadership by making contributions to controversial causes. And because the drive against associational rights is conducted largely without violence, it evokes little notice from the outside world.

What the Data Show

On a superficial level, the assault on freedom of association can be demonstrated by the sheer number of laws and regulations that have been adopted within the past decade for the purpose of placing NGOs and trade unions under stricter state control. A number of the countries profiled in this study—Russia, Egypt, Venezuela, Zimbabwe, and Kazakhstan, to name just a few—have passed laws that increase the penalties for violation of NGO regulations, place hurdles in the way of NGO funding, outlaw NGO involvement in quasi-political activities, or give the state the authority to directly oversee NGOs' internal affairs.

Data drawn from *Freedom in the World* illustrate the seriousness of the problem and identify the countries and regions where the decline is most severe. Through analyses of *Freedom in the World* scores for the year 2007 and data-set comparisons for the years 2004–07, the study shows a decided setback for freedom of association in much of the world, deterioration in a number of

strategically significant countries, and a concentration of decline in countries that already rank among the leading authoritarian states.

To analyze the level of associational rights, this study looked at scores for the category Associational and Organizational Rights in *Freedom in the World*. These scores in turn are determined by the sum of the scores for three subindicators:

1. Freedom of assembly, demonstration, and open public discussion
2. Freedom for nongovernmental organizations
3. The right of trade unions to exist independent of the state and the existence of effective collective bargaining

In providing scores for a country's performance on freedom of association indicators, Freedom House examines a wide range of issues, focusing particularly on the political and legal framework that undergirds associational rights. Among the most critical issues are the fairness of registration laws, legal or bureaucratic obstacles to NGO funding, whether donors or funders are subject to harassment or reprisal, the ability of organizations to get permission to hold protests or rallies, and the right of unions to be established without governmental interference. (See Appendix I for a full list of issues that are considered in scoring for freedom of association.)

Regional Comparison

According to the *Freedom in the World* methodology, the highest possible score in the Associational and Organizational Rights category is 12. (See Appendix II for a complete list.) As Table A shows, Western Europe has the highest score of the various global regions; indeed, the countries of "old Europe" register a near-perfect score for associational freedoms. The region with the second-highest collective score is Central and Eastern Europe, which includes the three Baltic states, the Visegrad countries, and the Balkans. Given the relatively recent emergence of democracy in these postcommunist societies, their robust level of associational rights ranks among the most positive findings of this study. By contrast, the non-Baltic former Soviet Union registers one of the lowest scores, 4.17, only slightly higher than the Middle East and North Africa (MENA), at 3.72.

Table A. Regional Comparison of Average Freedom of Association Scores from *Freedom in the World* for Year 2007

Average Freedom of Association Score in Descending Order*	
Region	Average Freedom of Association Score
Western Europe	11.72
CEE (With Baltic Countries)	10.81
Americas	9.66
Asia-Pacific	7.10
Sub-Saharan Africa	6.73
FSU (Non-Baltic Countries)	4.17
MENA	3.72

**Score out of 12 possible points; higher number indicates greater level of freedom*

What about regional trajectory? As Table B indicates, the most important regional developments between 2004 and 2007 are in sub-Saharan Africa and Asia-Pacific. Sub-Saharan Africa is notable for its impressive improvement in associational rights, with 18 countries showing gains and just seven suffering declines. Most regions, by contrast, showed modest levels of decline, the most pronounced being in the Asia-Pacific region, with five countries showing gains and 12 showing backward movement. There is particular cause for disappointment in the record of deterioration in the MENA region. While much of the area was already faring quite poorly, six of the 18 countries showed new declines during the period examined.

Table B. Regional Developments between 2004 and 2007

Countries With Changes in Overall Freedom of Association Score By Region		
	Gains	Declines
Americas	6 countries	10 countries
Asia-Pacific	5 countries	12 countries
CEE (including Baltics)	2 countries	2 countries
FSU (non-Baltic)	2 countries	4 countries
MENA	3 countries	6 countries
Sub-Saharan Africa	18 countries	7 countries
Western Europe	2 countries	0 countries

Looking at the record for 2007 alone, one observes an especially sharp decline in freedom of association scores on a global scale. In all, 10 countries showed improvements in this area, while twice that number registered declines. As Table C indicates, both the Asia-Pacific region and Latin America showed significant declines for 2007, with seven countries moving in a negative direction in both regions.

Table C. Regional Developments between 2006 and 2007

Countries With Changes in Overall Freedom of Association Score By Region		
	Gains	Declines
Americas	2 countries	7 countries
Asia-Pacific	2 countries	7 countries
CEE (including Baltics)	1 country	0 countries
FSU (non-Baltic)	0 countries	2 countries
MENA	1 country	0 countries
Sub-Saharan Africa	3 countries	4 countries
Western Europe	1 country	0 countries

The record for 2007 also shows notable decline in two subregions. First, four countries in South Asia registered reductions in freedom of association: Afghanistan, Bangladesh, Pakistan, and Sri Lanka. Likewise, four Andean countries suffered declines: Bolivia, Colombia, Peru, and Venezuela. In a related minitrend, three of the Latin American countries with leftist-populist governments moved in a negative direction on associational rights: Bolivia, Nicaragua, and Venezuela.

Methods of Control

While the countries profiled in this report employ different techniques to keep their civil societies in check, most are driven by a common attitude of suspicion toward the nongovernmental sector. NGOs that are involved in human rights defense, monitoring the policies and performance of the government, or some form of quasi-political work are regarded as potentially dangerous adversaries.

The tactics used to control NGOs in these countries do not involve assassinations or mass arrests, but rather entail subjecting civil society groups to an intense regimen of bureaucratic scrutiny and harassment. Under the terms of a 2006 law, for example, government officials in Russia have the right to examine NGO records, including both financial documents and internal policy papers. State representatives have the right to attend meetings that are, by any reasonable definition, meant to deal with internal matters, including fund raising and discussions of institutional mission. The law gives the state the authority to suspend NGOs on broadly worded and rather vague grounds that could be applied arbitrarily to any organization that clashed with Kremlin policies. The state can quash any project of an NGO or shutter branch offices of groups running projects in different regions of the country.

The new authoritarian regimes seldom if ever wage all-out war against the nongovernmental sector as a whole. Instead they differentiate between civil society groups, showing forbearance toward groups whose democratic credentials or ambitions are limited, while cracking down on liberal and reformist NGOs, and those that directly challenge the leadership's grip on power.

Egypt, for example, is tolerant toward some groups with an Islamist identification—though not those advancing strident antiregime agendas. Egypt also permits organizations that oppose its peace treaty with Israel to conduct protest demonstrations, but it has frequently acted to shut down NGOs and think tanks that advocate democratic reform, and jail democratic activists and the political candidates of parties with a secular, democratic orientation. Taking a similar stance, Russia is more tolerant of groups with a communist or nationalist orientation than it is of liberal, democratic organizations. This approach is apparently designed to create conditions in which the only visible alternative to the ruling authorities is a collection of radicals harboring dangerous ideologies.

The threat of instability and terrorism provides a ready justification for crackdowns on NGOs. The regimes of Russia, Egypt, Algeria, and Uzbekistan, among others, often cite an antiterrorism rationale when imposing blanket restrictions on civil society, often with popular support. At the same time, these campaigns against legitimate, nonviolent NGOs have often had the unintended effect of strengthening extremist organizations, which are conditioned to a clandestine and illicit existence in ways that nonviolent NGOs are not.

In some countries, oversight of NGOs is administered, in whole or in part, by security forces. In Algeria, for example, NGOs must get approval from the Ministry of the Interior and Solidarity. Algeria has denied entry visas to members of many foreign NGOs, effectively preventing them from establishing projects in the country.

Some governments tolerate NGO activity in potentially controversial areas like the environment while restricting it in other sectors. Russia, for example, allows thousands of civil society organizations to function, including some that challenge certain government policies, while zeroing in on organizations whose missions involve human rights generally, elite corruption, police abuse, election monitoring, the Chechnya conflict, and appealing cases of Russian citizens to the European Court of Human Rights.

Similarly, while the administration of Iran's President Mahmoud Ahmadinejad has denounced NGOs as an instrument of Western influence and shut down several of the most prominent human rights organizations, other civic groups remain a force in Iranian society. And despite the care which the Chinese government takes to control organizations that it regards as threats to Communist Party rule, the nongovernmental sector continues to expand, and now includes a number of organizations that are willing to challenge regime policies in areas like public health and the environment.

Trade Unions Under Pressure

While authoritarian regimes have not singled out trade unions for the kind of special attention reserved for NGOs, organized labor has endured a difficult time since the end of the Cold War, and conditions have worsened in a number of countries in the past several years.

The problems encountered by workers who want to be represented by unions that are independent of state control, or who seek the benefits of collective bargaining, differ in significant respects from the hurdles encountered by other elements of civil society. Unions, in

fact, face intense pressures throughout the world, including in countries where freedom of association is widely respected. The United States provides the most vivid example of a country in which unions face a hostile climate despite a history of otherwise strong adherence to associational rights and civil liberties generally. The United States has a flourishing civil society, in which thousands of organizations, representing every conceivable constituency or program, are able to thrive. Yet the United States also has a legal environment that severely hampers the ability of workers to form unions, achieve bargaining rights, and engage in collective contract negotiations with management. The result is that while 35 percent of the private workforce was unionized in the mid-1950s, the unionization figure for the private sector in 2007 was 7.5 percent, a shockingly low rate for a developed country.

To be sure, it is unclear to what degree the unfriendly legal and political atmosphere has retarded union membership. Union numbers are in decline in much of the democratic world, including in West European countries with strong social-democratic traditions. In fact, in countries like Germany and the United Kingdom, union membership has declined at a steeper rate than in the United States. Union strength has ebbed due to global economic trends, especially technological advances that have made entire industries obsolete, and the pressures on labor costs that derive from economic globalization and the rise of China, India, and other low-wage countries. Put simply, in an era in which political leaders believe that wages must be held in check due to global competition, many governments have moved to limit the power of organized labor.

In their policies towards unions, authoritarian leaders are motivated in part by concerns that a labor movement functioning outside the control of the state or dominant party might complicate their economic objectives. But they also fear the role of unions as an instrument of democratization. The rulers of countries like Russia, China, and Egypt are aware that it was an independent union, Poland's Solidarity, that toppled the initial domino in a process that led to the collapse of communist rule in Eastern Europe. More recently, unions have played significant parts in the freedom struggles of countries like Zimbabwe and Iran, and have contributed to the expansion of free institutions in several other countries in Africa.

In maintaining control over organized labor, former communist countries and those that retain a Leninist system of political control (like China) have a built-in advantage due to their tradition of total state/party domination of the trade union movement. Thus while unions in the countries of the former Soviet Union theoretically have the right to independent action, the laws and regulations discourage the existence of unions outside the national, party-controlled labor federations that survived from communist times. Variations on the Soviet model have also been embraced by governments in the Middle East and Africa, especially in settings where one-party rule is the norm.

The countries profiled in this study have poor to very poor records of adherence to labor rights. Among the noteworthy features or trends of their labor policies are the following:

- In one Latin American country, Colombia, the labor situation conforms to an all-too-familiar historical pattern for the region, whereby union activists are the targets of violent right-wing campaigns like those waged by Central American death squads two decades ago. At the other extreme, Venezuela's President Hugo Chavez has resorted to the tried

and true Marxist tactic of establishing parallel unions in an effort to bring the labor movement under his political control.

- In Middle Eastern countries that previously adhered to “Arab socialism” development models, the old tradition of dominant-party control over the labor movement lives on. In Egypt, for example, unions must be affiliated with an umbrella federation that functions as an appendage of the ruling party and controls union elections.
- Some governments have adopted laws making it illegal for local unions to accept foreign financial assistance, a potentially significant measure given the long history of European and especially American union support for workers’ struggles in developing countries and authoritarian settings.
- The absence of genuine unions almost certainly contributes to job-site deaths and injuries. Thus in China, where toothless, state-controlled unions prevail, thousands of workers die each year in factory and mining accidents.
- In a number of countries, the right to strike is severely circumscribed through various laws and regulations. Nonetheless, there is some evidence that worker unrest is increasing in societies with traditions of labor repression. Incidents of worker unrest have risen notably in China over the past decade, motivated by issues like dangerous working conditions, layoffs, and unpaid wages.

Conclusion

Freedom usually progresses in a halting fashion, with a step backward for every two steps forward. But there are reasons to believe that the current round of restrictions on freedom of association is not a passing phenomenon that will automatically correct itself in the near future. First of all, the decline in associational rights has taken place in a constellation of countries that are determinedly authoritarian, often rich in natural resources, and deeply involved in the global economy. Second, a number of these regimes have made the stifling of dissent and independent action a major political priority. They have approached the challenge of limiting freedom with tactical and strategic sophistication, and they have made it clear that the suppression of civil society is a long-term project.

How then should those who cherish freedom and appreciate the essential democratizing role of NGOs, human rights organizations, and trade unions respond? While it is not the intention of this report to advance a laundry list of policy recommendations, the findings do suggest a number of appropriate responses to the new authoritarians’ war on civil society.

1. There is an urgent need to shine the spotlight of publicity on the persecution of civil society and the campaign against freedom of association. While the media are quick to protest actions against press freedom and religious organizations are vigilant in identifying the repression of belief, relatively little has been said about the assaults on associational rights. Democratic governments have a special responsibility to issue

formal and public protests against state policies that threaten civil society in cases where other forms of diplomacy fail to provoke reform.

2. Trade unions in Europe and the United States should play a more vigorous role in supporting unions that are under duress and publicizing instances of worker abuse. The American labor movement has a long and worthy history of involvement in helping beleaguered unions in developing societies. The current deterioration in global trade union conditions call for a renewal of that tradition.
3. The repression of associational rights should be raised consistently by democratic governments at all the relevant international forums, including the UN Human Rights Council and regional entities like the OSCE and OAS.
4. The democratic community should differentiate between the methods employed by the majority of authoritarian states in suppressing civil society and the declines in associational rights in countries that are struggling to consolidate free institutions. The problems afflicting Mexico or even Nigeria are different in significant ways from current developments in Iran or Belarus.
5. The world should be reminded that leaders who persecute dissent and restrict freedom of association, no matter how effective their efforts may appear, are betraying their weakness rather than showcasing their strength. China's pre-Olympic campaign against dissent was not a reflection of self-assurance. Nor are accusations from Russia's Vladimir Putin that NGOs receiving foreign assistance are "traitors," or the claims of Iran's Mahmoud Ahmadinejad that human rights groups are instruments of Western imperialism. Political leaders who are confident of their legitimacy do not find it necessary to wage war against peaceful organizations that seek democratic reform and popular participation.

Algeria

While the Algerian constitution guarantees freedom of assembly and association, the exercise of those rights is severely curtailed by government conduct and a state of emergency that has been in effect since 1992.

Freedom of Association

The main statute controlling nongovernmental organizations (NGOs) is the Associations Law of 1990, which is often criticized for its restrictive nature. The law stipulates that there must be at least 15 founding members for each organization, and if an association is suspended, the founding members may face financial penalties or even prison. Moreover, the law grants the government significant discretion in rejecting applications for registration. Any organization whose founders have “demonstrated conduct contrary to the interests of the fight for national liberation” can be denied registration. The vagueness of this stipulation leaves it particularly open to abuse, and the Ministry of Interior (MOI) has denied recognition to several NGOs that are critical of government policies. The MOI can also refuse to register any group charged with disturbing public order, and it has rejected some applications on security grounds without providing evidence to support the decisions.

Civil society organizations report significant administrative delays in obtaining approval for their registrations, which in practice can take months or even years. Furthermore, the government frequently fails to provide written confirmation of the registration, exposing NGOs to the risk of arbitrary closure when they are unable to prove their legal status. However, some associations that were refused official recognition continue to operate. SOS Disparus, an NGO calling for an investigation regarding the thousands of Algerians who vanished during the 1990s, is one such group. In February 2007, a conference it organized in conjunction with other Algerian and international organizations was forced to relocate after security forces banned it and international participants were denied visas.

For Algerian NGOs to get funding from foreign sources, they must obtain authorization from the MOI and the Ministry of National Solidarity, a task which has proven extremely difficult. Visiting members of international NGOs often face obstacles when seeking visas. The groups affected include Freedom House, whose U.S.-based staff applied for visas twice in 2007 and were rejected both times. Moreover, visa delays prevented Amnesty International from hosting a conference on violence against women in March 2006, and the National Democratic Institute (NDI) was forced to cancel scheduled events on electoral systems and youth leadership in June of the same year due to visa problems.

Worker Rights

The right of recognized unions to bargain collectively is respected, and approximately two-thirds of the Algerian workforce belong to unions, but certain restrictions impede truly free collective bargaining. New unions must be approved by the Ministry of Labor (MOL), which can invalidate a union’s legal status if its aims are judged to be contrary to the established system, public order, or good morals. The MOL must approve applications within 30 days. Trade unions are not allowed to receive foreign funding or associate with political parties, and they may be

dissolved by the courts if found to be engaged in illegal activities. The law protects workers against discrimination by employers based on their union membership.

Algerian workers have the right to strike, but the Law on Industrial Relations stipulates that a 14-day waiting and arbitration period must elapse before a legal strike can be mounted. The government can offer to mediate during this period, and when it does intervene, its decisions are binding on both sides. In recent years, strikes have taken place within the construction, medical, education, and other sectors. Algeria's state of emergency allows the government to order public- and private-sector workers to return to their jobs in the event of an unauthorized or illegal strike.

The right of unions to form coalitions is respected in law but hindered in practice by administrative delays. Some 50 autonomous unions have been created since 1990, but the MOL has refused to recognize many of them. The Autonomous Unions Confederation has tried unsuccessfully to obtain recognition since 1996.

The General Union of Algerian Workers (UGTA) is an umbrella trade union federation made up of national unions specialized by sector. The comparatively limited effectiveness of competing unions creates an incentive for Algerians to join the UGTA, which has strong ties to the government.

Freedom of Assembly

Citizens and organizations must obtain permits from local authorities to hold public meetings, but approval is often delayed to impede the events' publicity and impact. In addition, permission has been refused to groups advocating positions that are unfavorable to the government. For example, groups opposing President Abdelaziz Bouteflika's 2005 Charter for Peace and National Reconciliation had difficulty obtaining permits, and in May 2007, the Democratic and Social Movement was prevented from holding a public discussion regarding its boycott of legislative elections.

The government banned demonstrations in the capital following violent prodemocracy protests by nearly one million people in 2001. Gendarmes, riot police, and other security forces allegedly used violent means to break up both authorized and unauthorized protests in and outside of Algiers.

On June 28, 2006, young men in Tiaret province protested the lack of water, gas, and paved roads, resulting in riots that lasted three days. The violence left 34 people injured, and 67 were arrested for vandalism. Subsequent protests led to the release of 57 youths who had been detained during the unrest. Violence was also used to prevent a protest in support of the Palestinian and Lebanese people—led by the Movement for a Society of Peace—in Algiers in July 2006. In 2007, protests were reportedly broken up in El Oued, Ain Talout, Oran, and Boussaada.

China

Among the most noticeable trends in China in recent years have been the expansion of the nonprofit sector and an increasing boldness on the part of informal networks of citizens to call for political reform and rights protection. However, this has prompted increasing repression of such groups by the ruling Chinese Communist Party (CCP). Restrictions on freedom of association and assembly intensified beginning in 2005, as party leaders grew wary of the role that nongovernmental organizations (NGOs), lawyers, and labor activists might play in fomenting a “color revolution” or stirring dissent in the run-up to the 17th National Party Congress in 2007 and the Olympic Games in 2008.

Freedom of Association

Despite the recent growth of the nonprofit sector, freedom of association remains severely restricted in China. Domestic and foreign NGOs must register with the government, and they require the sponsorship of a government agency to do so. There is also a limit of one registered NGO per sector in each region. According to official statistics, over 300,000 NGOs are registered, but most domestic groups are actually “government-organized NGOs,” or GONGOS. The more independent entities generally choose to avoid contact with the authorities or to disguise themselves as companies, though technically this is illegal. New regulations for fund-raising foundations were adopted in 2004, but they maintain restrictions including a mandatory minimum endowment level that is beyond the reach of organizations lacking government support. According to the new law, foreign foundations are prohibited from fund-raising inside China.

All registered NGOs, and many unregistered groups, do not challenge the CCP’s authority but rather supplement the work of the state, especially at the local level. Their work focuses on medical or educational service provision, poverty alleviation, and some environmental protection.

Vaguely worded laws bar NGOs from engaging in activities such as advocating nonparty rule, “damaging national unity,” or “upsetting ethnic harmony.” As a result, NGOs face suspicion and closure if they adopt an investigatory and critical stance on issues like HIV/AIDS or environmental damage. They are effectively prohibited from addressing “sensitive” topics such as the rights of petitioners, Uighur Muslims, or adherents of the banned Falun Gong spiritual group.

Government policies on NGO activity pass through alternating and unpredictable periods of relative openness and repression, creating an uncertain atmosphere in which both domestic and international groups carefully choose their programs and self-censor public statements to avoid offending the authorities. While it is normal practice in China for security agencies to monitor NGOs’ communications and visit their offices, many have reported heightened surveillance in the past year. Some groups, like China Orchid AIDS Project and the Empowerment and Rights Institute, have had their offices raided and their documents and hard drives confiscated. In many cases staff members were interrogated or detained. In addition to formal closure, several organizations have reported attacks by armed thugs who were apparently hired by the authorities.

Party officials are particularly suspicious of NGOs whose publications promote networking within the civil society sector, and three such organizations were shut down in 2007.

In an incident that many perceived as a warning sign to foreign NGOs, China Development Brief was closed in July 2007 after 12 years in the country. According to founding editor Nick Young, the office was closed after he refused an offer from the Public Security Bureau to copublish the group's newsletter.

The government's attitude toward civil society initiatives in the aftermath of the May 2008 earthquake in Sichuan followed similar patterns. The authorities, finding it expedient to "outsource" certain tasks, encouraged an unprecedented mobilization of Chinese citizens for grassroots aid activity, but NGO coalitions seeking to formalize their status and citizen initiatives deemed overly critical of the CCP encountered the usual restrictions. The Sichuan Union Relief Office, which had been coordinating the work of over 100 NGOs in the earthquake zone, announced at the end of May that it would discontinue its efforts because it had been unable to register as an NGO and received harassing visits from police. In July, parents urging an investigation into the shoddy construction of school buildings that had collapsed in the quake were coerced into abandoning their campaign in exchange for financial compensation. Huang Qi, a local activist who had posted criticism of government relief efforts online and sought to assist the parents, was arrested in July, apparently on charges of possessing "state secrets."

Worker Rights

Independent trade unions are illegal, and enforcement of labor laws is poor. By law, all unions must belong to the state-controlled All-China Federation of Trade Unions (ACFTU), which functions more as an arm of the CCP used to control workers than as a genuine vehicle for representing their interests. ACFTU officials often hold senior management positions in state-owned enterprises, and in recent years the unions have attempted to expand into private companies, including foreign multinationals such as Wal-Mart and McDonald's. Collective bargaining is legal in all industries but does not occur in practice. In June 2007, the National People's Congress passed a Labor Contract Law meant to crack down on sweatshops, protect workers, and empower the CCP-controlled unions. The degree of enforcement remains to be seen, however, and some labor monitoring groups have questioned the law's ability to significantly improve workers' conditions without additional structural changes, such as the creation of an independent judiciary, instatement of the right to strike, and the establishment of genuinely representative unions to negotiate collective contracts. Human Rights in China reported in December 2007 that many companies had been firing employees and rehiring them under new contracts to circumvent protective provisions of the law before it took effect on January 1, 2008.

Advocates of independent unions are harassed, detained, and jailed for their efforts. Due to poor enforcement of labor laws, employers frequently ignore minimum-wage requirements and fail to comply with health and safety standards. Consequently, factory and coal-mining accidents kill tens of thousands of Chinese workers each year. Although workers lack the legal right to strike, there has been growing unrest in recent years. From 1995 to 2006, the number of labor disputes rose by 13.5 percent, with most involving layoffs; dangerous conditions; or unpaid wages, benefits, or unemployment stipends. Strike leaders are often arrested, while the workers are frequently granted partial concessions.

Though the days of peasant associations have passed, other sectors of society remain under party control through "mass organizations" similar to the ACFTU. These include the All-China Lawyers Association (ACLA), which in recent years has taken steps to rein in reform-

mindful members' engagement with human rights cases. In 2006, the ACLA issued a series of "Guiding Opinions on Lawyers Handling Mass Cases" that, according to Human Rights Watch (HRW), severely limit lawyers' ability to represent protesters and plaintiffs filing collective lawsuits. In July 2007, the Beijing Municipal Lawyers Association dissolved its Committee on Constitutional and Human Rights Affairs after members repeatedly undertook sensitive rights cases and exerted increasing domestic influence. Several lawyers who had publicly offered to represent Tibetans detained during protests in March 2008, or who had defended Falun Gong adherents in court, encountered difficulties renewing their licenses in May.

Freedom of Assembly

Article 35 of the constitution guarantees the right to freedom of assembly, but Article 51 states that its exercise "may not infringe upon the interests of the state." In practice, assembly rights are severely restricted. Permission to protest is required by law, but applications are almost always denied, and in some cases applicants have been arrested simply for lodging a request. Nevertheless, workers, farmers, and others have held thousands of public protests in recent years over wrongdoing by local officials, especially land confiscation and fatal police beatings. In some cases, security agencies or hired thugs use excessive force to suppress this unrest, as when 70 young men reportedly used knives and clubs to attack villagers resisting eviction in Hubei province in January 2008. In other cases, officials tolerate demonstrations as an outlet for pent-up grievances. The CCP sometimes even agrees to protesters' demands, as when 20,000 local residents in Xiamen took to the streets in 2007 and successfully halted plans to build a chemical plant. Whatever the immediate response, protest leaders are usually arrested and may face long prison terms, often on vague charges of "gathering a crowd to disturb social order."

The government has been particularly intolerant of protests in regions populated by Tibetans and Uighur Muslims. Security agents suppressed peaceful marches by monks in Lhasa on March 10, 2008, the anniversary of a 1959 uprising, and four days later the city was shaken by riots in which some Tibetans attacked local Han Chinese and burned Han-owned businesses and government sites. Protests, a majority of them reportedly peaceful, soon spread to nearby provinces with large Tibetan populations. The authorities reported that 19 people were killed on March 14 in Lhasa, and according to overseas Tibetan groups, at least 140 Tibetans were killed as the security agencies cracked down. Chinese forces moved swiftly to establish a lockdown, confiscating communications equipment and barring entry to foreign journalists, and subsequently detained thousands of Tibetans in raids on monasteries and private homes. As of July 2008, at least 40 people had received prison sentences ranging from two years to life. Several hundred others were released, but thousands more remained in incommunicado detention and at risk of torture. Separately, security forces conducted large-scale arrests in Xinjiang after hundreds of residents, many of them women, protested on March 23 in the city of Hetian against the detention of political prisoners, the torture of Uighur detainees, and the general lack of religious freedom.

Given the restrictions on freedom of association and assembly, several alternative methods have emerged for Chinese citizens to air grievances. Among these is the millennia-old tradition of petitioning the central government over instances of local injustice. According to Chinese official statistics, the number of petitions increased from 4.8 million in 1995 to 12.7 million in 2007. However, a 2005 report by HRW found that the vast majority of appeals are left unresolved, while petitioners regularly face harsh treatment, including sentences to "reeducation

through labor” (RTL) camps. Despite new petitioning regulations passed in 2005, 71 percent of respondents to a 2007 survey by the Chinese Academy of Social Sciences said they had been beaten, and 64 percent reported being detained at some point during the petition process. Beijing authorities demolished an area known as the petitioners’ village ahead of the 17th Party Congress, forcing out some 4,000 people, and detained hundreds of petitioners in and around the city in the run-up to the Olympics. Despite official designation of certain parks as protests zones during the games, applications to demonstrate in these locations were reportedly refused.

The submission of mass open letters to China’s leaders has developed as a variation on the petitioning tradition. A number of these letters, signed by prominent scholars and activists, have urged human rights improvements ahead of the Olympics, and in October 2007 a letter signed by more than 12,000 petitioners from 30 provinces called for reforms including the abolition of the RTL camp system. Over 40,000 farmers in Heilongjiang province issued a statement online in December 2007 to claim ownership of state farmland, and in May 2008 some 150,000 unemployed teachers signed an open letter urging better protection of welfare benefits. The government’s response has generally been to ignore such appeals and imprison the organizers. Many have been sentenced to RTL camps, including Liu Jie, initiator of the letter urging the camp system’s abolition.

Another substitute protest mechanism that has emerged in recent years is a loosely organized network of lawyers, legal academics, and activists known as the *weiquan*, or “rights defense” movement. The group has sought to uphold constitutional rights through litigation, online publication of abuses, and a 2006 relay hunger strike that drew participants from 29 provinces. However, they have faced a gradually intensifying crackdown in the past two and a half years. Prominent members—including AIDS activist Hu Jia, attorney Gao Zhisheng, blind legal activist Chen Guangcheng, and blogger Guo Feixiong—have been placed under house arrest, abducted, tortured, and in several instances sentenced to long prison terms for “inciting subversion of state power.” Illustrating the scale of the recent crackdown on political dissent, the Dui Hua Foundation reported that in 2006, Chinese prosecutors “approved the arrest of 604 individuals on charges of ‘endangering state security,’ more than double the number for 2005 and the highest number of such arrests since 2002.”

Colombia

Colombia's state of internal conflict, the most prolonged of any country in the Western Hemisphere, has dramatically affected nearly all aspects of politics and civil society. In addition, its status as the world's top producer of cocaine has resulted in massive financial flows to both left-wing rebels, particularly the Revolutionary Armed Forces of Colombia (FARC), and their right-wing paramilitary nemeses, formerly known as the United Self-Defense Forces of Colombia (AUC). The government, for its part, attempts to battle the insurgency and—with varying degrees of urgency—contain the paramilitaries and drug traffickers, all while maintaining a democracy that is relatively well-institutionalized for a country with an internal conflict. Given the sharpness of the ideological differences that characterize the conflict, civil society groups with any political leanings, often including nongovernmental organizations (NGOs) and trade unions, have inevitably been drawn into the line of fire. With the FARC now weakened and the paramilitaries largely demobilized, hopes are high that Colombia is moving toward a less violent equilibrium. The government's success in halting violence directed at NGO workers and trade unionists, and in punishing the perpetrators, will serve as a fundamental test of the country's progress.

Freedom of Association

Colombia's highly active NGO sector has played an indispensable role during the nation's long years of conflict. The groups have monitored the violence, assisted internally displaced people and other victims, investigated illegal links between various powerful figures, and publicized Colombia's trauma internationally. For this they have paid a very high price. While the government does not impose notably onerous registration requirements, place harsh restrictions on NGO financing, or apply pressure to donors and funders, Colombian NGOs suffer from a number of other grave threats. The most serious problems are intimidation and violence. Scores of NGO workers have been killed after falling under the suspicion of the guerrillas or, more commonly, paramilitaries for working with victims of the conflict or expressing the "wrong" ideological sympathies. Other NGO workers have received threats, had their offices burglarized, or been displaced from their homes. The government has taken some important steps in recent years to minimize these problems, establishing a large-scale protection program for threatened civil society activists. In addition, there are fewer threats to NGOs overall than during the worst years of fighting, and some NGO workers forced into exile have since returned. However, violence and threats continue, particularly against investigators of corruption and the drug trade, and the level of impunity remains extremely high.

The government has at times subjected NGO workers to questionable arrests for terrorism-related offenses, which marks them as enemies in the eyes of paramilitaries or local mafias. In recent years the rhetoric of President Alvaro Uribe and his advisers has often exacerbated the stigmatization of NGO workers. For example, in February 2007 the president accused unnamed individuals of exchanging guerrilla camouflage for civilian clothing. In the following days, dozens of NGOs received death threats from "next generation" paramilitary factions (those that regrouped after the AUC's demobilization).

Worker Rights

Unions in Colombia are legal but operate under severe constraints. Less than 5 percent of the workforce is unionized, and 60 percent of the labor pool works in the informal sector. The technical process of establishing a union is relatively straightforward under Colombian law. However, unions claim that there has been a substantial rise in applications denied for arbitrary or capricious reasons under the Uribe administration. Collective bargaining is permitted but has slowed in recent years for two main reasons. The first is that public-sector workers, who represent an ever-increasing share of the unionized sector, are barred from negotiating collective bargaining agreements. The second is the proliferation of subcontractors, cooperatives, and other business structures that provide greater labor flexibility to employers. The right to strike is available, but the efficacy of striking is limited by the government's ability to refer disputes to arbitration after 60 days. Vocal labor activists, especially organizers and strike leaders, commonly face retaliation, including dismissal.

The most fundamental limitation on union rights is violence. With more trade unionists murdered than in any other country, the level of bloodshed in Colombia's union sector has long been notorious. Since 1986, over 2,500 union members have been killed, although the count of 39 (or 26 according to government figures) in 2007 represented the lowest annual total in decades and a number significantly lower than during the peak in the 1990s. Impunity remains the norm for these killings, with 95 percent of documented cases left unsolved.

The rise in killings of trade unionists corresponded to the rise of the paramilitaries in the 1980s and 1990s, and these groups are considered responsible for over 60 percent of the murders. Another 30 percent are blamed on the guerrillas, who assassinate union members in struggles for ideological and economic control. The remaining killings are perpetrated by a variety of actors, including members of the security forces. The government has at times described many of the murders as the result of either common crime or guerrilla infiltration of unions. However, the unions claim that a substantial majority of murders and threats occur in the context of labor strife and note that many of those killed are union leaders. Unions and human rights groups also assert that spurious legal charges and rhetorical stigmatization of unionists by state officials have served to heighten the threat.

The problem of violence has brought intense international scrutiny upon the Colombian labor sector. In 2006, the International Labor Organization (ILO) and the Colombian government reached an agreement to establish a permanent ILO office in the country, which opened in early 2007. Also in 2006, the government formed a special unit within the prosecutor's office to focus on union slayings. Thirteen prosecutors and 78 investigators were assigned to the unit, which had achieved convictions in 82 cases by the end of 2007. Nonetheless, unions and human rights groups state that not enough masterminds are being prosecuted and that far greater resources will be required if the state is ever to make serious inroads on the backlog of union murder cases.

Freedom of Assembly

Peaceful protests are permitted in Colombia, but the sensitive nature of political expression in many parts of the country sometimes limits citizens' ability to protest without fear of violence. Urban protests have increased in recent years as the level of danger in cities has declined. In particular, the ability and willingness of Colombians to march in protest against violence and the actions of the irregular armed groups has increased significantly. However, in

smaller provincial towns and zones that are still under the sway of guerrillas and paramilitaries, residents have little or no ability to protest. Demonstrations that threaten to turn violent are at times broken up by the security forces.

Egypt

Egypt's ruling National Democratic Party (NDP) uses judicial measures and intimidation to curtail political dissent and the exposure of human rights abuses. The Emergency Law that has been in place almost continuously since the 1967 Arab-Israeli war virtually guarantees that abuses remain unpunished. The government of President Hosni Mubarak, who took office following the 1981 assassination of President Anwar al-Sadat and was reelected in the country's first multicandidate presidential election in 2005, continues to crack down on opposition groups and critics. Among other instances of repression, authorities arrested as many as 1,000 members of the Muslim Brotherhood, Egypt's largest opposition movement, between March 2006 and March 2007. The NDP further consolidated its authority in March 2007 by successfully passing a referendum that enshrines aspects of the Emergency Law in the constitution. Among other provisions, the amendments blunted judicial oversight of elections and confirmed a ban on religion-based political parties.

Freedom of Association

Although Article 55 of Egypt's 1971 constitution guarantees freedom of association, this right is heavily restricted in practice. Nongovernmental organizations (NGOs) face burdensome registration requirements and other regulations, as well as harsh penalties for violations. NGO activities are currently governed by Law 84/2002 on Nongovernmental Organizations (Law 84), which allows for continued government control over the associational sphere. The measure was enacted without substantial consultation between the government and civil society. Law 84 grants the Ministry of Social Affairs the authority to regulate the associational sector and allows the minister to dissolve NGOs by decree. All nonprofit groups with 10 or more members are required to register with the Ministry of Social Affairs; failure to do so may result in criminal penalties of up to one year in prison for a group's members. NGOs, particularly those involved in human rights advocacy, are frequently denied registration, and they bear the legal burden when filing a court case to dispute the decision. NGOs that are unable to register often continue to operate, although they face the threat of closure and are not eligible for the benefits available to registered NGOs, such as tax breaks and discounts on utilities.

Article 11 of Law 84 prevents NGOs from engaging in politics, trade union affairs, or any other activities that may threaten national unity or violate public order. Furthermore, the Ministry of Social Affairs is empowered to determine whether an NGO's activities are illegal, and members face criminal rather than civil penalties for violating the law. NGOs are required to obtain permission from the Ministry of Social Affairs before forming a legal affiliation with a non-Egyptian organization. The ministry also has the power to dismiss a fledgling group's prospective board members, and NGOs must submit the minutes of annual meetings to the ministry.

Laws governing the financing of NGOs leave human rights organizations vulnerable to punishment on political grounds. Organizations are required to notify the Ministry of Social Affairs prior to the use of funds from local sources, and Article 17 of Law 84 also requires that they obtain permission before receiving foreign funds. Moreover, NGOs must provide authorities with a detailed accounting of their expenditures and income, including donations. According to an April 2007 article by Mohamed Agati in the *International Journal of Not-for-Profit Law*,

NGOs that receive or distribute funds in violation of this rule are subject to closure and fines as high as \$4,000, and their members may face up to six months in prison.

The government generally allows international NGOs to operate in the country. In 2005, for example, the National Democratic Institute, the International Republican Institute, and the International Foundation for Electoral Systems (IFES) established offices in Egypt. In June 2006, however, the Ministry of Foreign Affairs forced these organizations to halt operations while their registration was pending. According to the U.S. State Department, they were still not registered by the end of 2007.

During 2007, several NGOs were closed for violating laws on freedom of association. On March 29, the authorities closed the Cairo headquarters and the Naj Hamadi and Mahalla branches of the Center for Trade Union and Worker Services (CTUWS), an organization that educates workers about their rights and reports on labor issues. The group was accused of provoking illegal strikes. The CTUWS has been repeatedly denied registration as an NGO and has consequently been listed as a civil company since 1990. In August 2007, the government once again rejected the organization's application on security grounds. Separately, on September 8 the authorities closed the Association for Human Rights Legal Aid (AHRLA), a local group that provides assistance to torture victims, on charges that they had used unauthorized foreign funds. According to AHRLA staff, officials had repeatedly stonewalled their request for permission to use the foreign funds.

Members of NGOs also faced intimidation and arrest because of their work. On October 12, 2007, a court sentenced the CTUWS's general coordinator, Kamal Abbas, and his lawyer, Mohamed Helmy, to a year in prison on charges of defamation and slander following a story in the CTUWS's newsletter about a possible corruption case involving an NDP member.

Worker Rights

Although Article 56 of the constitution guarantees the right to unionize, labor rights in Egypt are heavily restricted. Workers are not required to join a union, according to the U.S. State Department. However, all unions must join one of the country's 23 official industrial federations. Those federations in turn are required to join the NDP-affiliated Egyptian Trade Union Federation (ETUF), which controls elections for trade union leaders. Unions cannot organize in firms with fewer than 50 employees. Government intervention in unions' administrative and financial matters is common. The 2003 Unified Labor Law does, however, provide for collective bargaining, and negotiations may be started by any of the concerned parties.

Theoretically, the right to strike is also protected by the law, but strikes are not permitted in practice. To gain approval for a strike, trade union leaders are required to give 10 days' notice and secure approval from two-thirds of the ETUF's board of directors. Strikes are prohibited during mediation and while collective bargaining agreements are still valid, and sectors that are deemed vital to national security or service provision are barred from striking altogether. Such sectors include transportation and bakeries, even though these fall outside the International Labor Organization's definition of essential sectors.

Although there were no authorized strikes in 2007, unauthorized strikes have been common in recent years, since most workers have yet to benefit from the growth fueled by economic liberalization. During 2007, workers in several sectors went on strike to demand improved wages; the government's response was a mixture of intimidation and acquiescence to the workers' demands. When over 20,000 workers at a textile factory in Mahalla al-Kubra

mounted a strike in late September, the factory's board filed a complaint that the strike had hurt profits, and police detained five strike leaders for a day.

Freedom of Assembly

Article 54 of the constitution guarantees citizens the right to hold public meetings, processions, and gatherings "within the limits of the law." However, permission from the Ministry of the Interior is required and generally denied. Public gatherings that do occur draw large deployments of riot police. The law guarantees the right to private assembly without the need for prior notification, but this right is occasionally restricted in practice. Furthermore, the Emergency Law bans activities such as blocking traffic and distributing leaflets and posters.

Throughout 2007, authorities restricted public assembly as part of a larger effort to limit political expression and criticism of the government. In keeping with its crackdown on the Muslim Brotherhood, the government banned the movement's annual meeting. On March 25, police briefly detained 17 protesters demonstrating against the referendum that incorporated aspects of the Emergency Law into the constitution. Police broke up a July 22 protest by Bedouins in Rafah against a possible government plan to clear buildings in the vicinity of the Gaza Strip. Eight days later, police forcefully dispersed Bedouins demonstrating against the government's refusal to recognize their claims to land ownership and the detention without charge of their community's members; 15 protesters were injured in the violence. The Ministry of the Interior also prevented some meetings held on private property and at universities, including an instance in October when police blocked students from gathering on campuses during student elections.

Iran

While the 1979 Iranian revolution was fueled by mass participation and a yearning for freedom, it resulted in the establishment of an authoritarian theocracy that is unaccountable to the people. However, civil society enjoyed a period of growth during the early years of the reformist Mohammad Khatami's presidency (1997–2005), and by the late 1990s, Iranians from every walk of life began to exercise the reform era's budding freedom of association. The hitherto prohibited notion of an open society was overtly embraced, and Khatami ushered in government funding and other measures to support volunteer activity, nongovernmental organizations (NGOs), and civic groups.

However, Khatami's policies and the groundswell of support they received were threatened from their inception. Backed by the Supreme Leader, hard-liners blocked liberalization efforts and unleashed vigilante organizations such as the Basij and Ansar-i Hezbollah to violently suppress civic gatherings and demonstrations, particularly those of the rising student movement. By 2000 the regime had closed over 100 reformist publications and begun a campaign of surveillance and intimidation aimed at activists, human rights defenders, and NGO workers. The 2005 election of Mahmoud Ahmadinejad as president consolidated the hard-liner backlash against government reform and a strong civil society.

Freedom of Association

Today, freedom of association in Iran is under routine and heavy assault, with the regime particularly wary of potential collaboration between Iranian civil society activists and their international counterparts. Nevertheless, civic groups are arguably more active and independent now than at any time since the revolution. The internet and other mass media have provided new means of collaboration and information sharing, paving the way for a more developed civic struggle involving a diverse range of Iranian groups. Civic organizations have become more self-reliant and resilient due to heightened government pressure on civil society and the media, new infringements on everyday social liberties, worsening economic conditions, and a general lack of faith in Ahmadinejad's administration. While reformist organizations have lost their allies in government ministries, they are better able to muster grassroots support and international backing for their struggles. Successful grassroots campaigns that have gained international solidarity include the Campaign for One Million Signatures in support of women's legal equality and those by labor groups such as the Vahed bus drivers' union.

Registration and legal requirements for NGOs are restrictive, inconsistently enforced, and poorly coordinated among government ministries. In 2003, the Ministry of the Interior and a group of leading NGOs drafted a law designed to ameliorate government regulation and support civic organizations, but the parliament rejected the legislation. Instead, a cabinet decree was issued in 2005 to increase government surveillance of NGO activity. While the decree does streamline registration, it also subjects NGOs—the majority of which are community-based social service organizations—to more government monitoring and prohibits participation in political activity.

Ahmadinejad describes NGOs as a “Western” phenomenon and a risk to national security. He has attempted to supplant their efforts using government-controlled Islamic councils and has withdrawn government funding that was provided under Khatami. NGOs have little recourse to the courts if authorities violate their rights. Severe infringements on freedom of

expression prevent civic groups from openly criticizing state policies and holding government officials accountable. For example, watchdog efforts regarding conditions in prisons or the systematic persecution of the Baha'i religious minority are rare and draw heavy penalties. After Ahmadinejad's election, two of the most prominent NGOs in Iran were shut down: the Center for the Defense of Human Rights, led by Nobel Peace Prize winner Shirin Ebadi, and the Organization for the Defense of Prisoners' Rights, led by Emad Baghi. Baghi remains imprisoned on charges of working against national security.

Recent international events have exacerbated the regime's fear of civic activity. In particular, the government is suspicious of U.S. government funds dedicated to the promotion of democracy and human rights in Iran, and officials are unnerved by the interest that young Iranians have shown in the success of nonviolent civil rights movements in countries like Ukraine and Serbia. The Iranian government has used state media to respond with a sophisticated propaganda effort against the theories, history, and personalities associated with nonviolent social movements, and it has warned citizens against working with foreign NGOs, universities, and think tanks. Government authorities explained the imprisonment of prominent Iranian Americans in 2007 as an effort to prevent another "Velvet Revolution."

Worker Rights

Free trade unions do not exist in Iran, despite the country's membership in the International Labor Organization (ILO) and ratification of ILO Convention 87, which calls for freedom of association and the right to organize. The right to collective bargaining is denied, and workers are not protected by the right to mediation and arbitration. Authorities rarely enforce child-labor laws, and children are forced to work in unsafe conditions. Unions that do exist are closely monitored by the state, including Workers' House, the official state union. Ahmadinejad's administration has increased surveillance of unions and has become involved in their elections. In August 2006, for example, the Ministry of Labor banned polls for the Trade Union of Journalists, though the group had conducted such elections six times previously.

Strikes and work stoppages—most notably by transport workers, teachers, and factory employees—are common but illegal and typically suppressed. Demonstrations by Workers' House are also controlled, and the group was prohibited from holding a gathering to mark International Labor Day in 2003. The Teachers' Union has organized strikes and rallies protesting low wages for years, and a series of rallies in 2007 resulted in the arrest of the union's secretary general and numerous teachers throughout the country. Mansur Osanlu, head of the Vahed bus drivers' union, spent most of 2006 and 2007 in prison for organizing a bus drivers' strike in December 2005 that resulted in the imprisonment of hundreds of bus drivers, union organizers, and their families.

Freedom of Assembly

Article 27 of the constitution grants the right to peaceful assembly but limits this right to "public gatherings and marches...that are not detrimental to the fundamental principles of Islam." Permits for holding demonstrations are routinely denied to activists, and women's rights advocates claim particular discrimination, reporting an especially cumbersome and erratically enforced process. Open discussions at universities as well as gatherings at concerts and other cultural events are frequently attacked by the Basij or Ansar-i Hezbollah. Protesters, especially

students and ethnic minorities demanding human rights, risk public beatings and humiliation as well as routine surveillance, intimidation, prolonged interrogation sessions, torture, and imprisonment, including solitary confinement in cramped, unsafe conditions. Activists accused of organizing protests are often forced to give televised confessions about supposed collusion with foreign enemies.

Kazakhstan

Oil and gas development has spurred significant economic growth in the Central Asian state of Kazakhstan since it gained independence from the Soviet Union in 1991. However, democratic development has not made the same gains. Kazakhstan has been ruled by President Nursultan Nazarbayev since before independence, and in May 2007 he secured constitutional amendments that exempt him from term limits, clearing the path for him to become president for life. Nazarbayev's Nur Otan party secured all seats in the August 2007 parliamentary elections, further consolidating his grip on power.

Despite the constitutional guarantee of freedom of association, there are restrictions that limit the activities of nongovernmental organizations (NGOs) and independent unions as well as the ability of citizens to criticize the government. Nazarbayev's strategy for the associational sector has been one of co-option, encouraging close ties between associations and government institutions. Of the nearly 4,000 NGOs registered as of 2005, approximately 800 were active, and fewer than 10 percent were involved in the fields of human rights, civil liberties, and minority protection.

Freedom of Association

Freedom of association is enshrined in Article 23 of the constitution, but NGOs face registration and other legal requirements that limit their freedom in practice. Membership associations, including religious groups, are required to have 10 members to register at the local level; to register at the national level, they must have branches in over half of the country's regions. These organizations must register with the Ministry of Justice (MOJ) and with local MOJ offices in every region in which they are active. Associations are required to clearly define the scope of their activity, and actions beyond this scope can result in fines or suspension. Participation in unregistered associations can incur punishments that range from fines to imprisonment.

In addition to a constitutional ban on the formation and functioning of public associations engaged in "undermining security of the state" or committing a "violation of the integrity of the Republic," the 2005 Law on Extremism established harsh punishments for terrorist activities and financing. In recent years, the government has banned several radical Islamist groups, including Hizb ut-Tahrir (HT), the Jamatt of Central Asian Mujahedin, and the Islamic Movement of Uzbekistan (IMU), which is considered a terrorist organization by the U.S. government. In May 2007, a court sentenced 10 alleged members of banned terrorist groups to between 2 and 25 years in prison, and a closed trial of 30 alleged HT members began in August 2007.

Amendments to the Election Law in 2005 imposed additional limits on international NGOs, banning foreigners and foreign NGOs from affecting electoral results or assisting in the promotion or election of candidates, which could hamper the activities of NGOs that promote democracy.

The financial framework governing NGOs has undergone significant changes in recent years, although the lack of clarity in certain aspects of the law remains detrimental. Article 5.2 of the constitution bars the state from financing public associations, but the 2005 Law on State Social Contracts permits the government to hire NGOs to provide social services. In 2005, as much as \$3.5 million was disbursed through such contracts, and the sum is expected to increase yearly. However, there are no clear guidelines on how state funds are to be awarded to NGOs,

creating the potential for corruption and political bias in the contracting process. Furthermore, in cases where there are no local NGOs to compete for contracts, local authorities have reportedly established NGOs specifically to receive the funds. Some analysts believe that the government's intention in permitting contracts for NGOs was to reduce the sector's reliance on foreign donors. However, given that the majority of contract funds have gone to NGOs operated by the government in recent years, independent NGOs still rely on foreign funding.

There have been several positive developments in the financial framework for NGOs. Under the tax code in effect since 2002, NGOs are exempt from paying taxes on earnings from economic activities and are entitled to pay lower property taxes. Since January 2007, NGOs have not been required to pay taxes on funds received through state contracts, and in 2006 the government reduced the registration fee for NGOs from about \$150 to about \$60.

NGOs involved in sensitive issues, such as human rights, have faced harassment from the government because of their work. These groups have experienced difficulties in registering and securing office space, and have been subject to a higher frequency of audits. In 2005, for instance, at least 30 such NGOs were investigated on charges that they had funneled aid money from foreign donors to opposition parties.

Worker Rights

Although Article 24.1 of the constitution guarantees freedom of labor, this right is restricted in practice. Kazakhstan's largest union organization, the Federation of Trade Unions, is a collection of Soviet-era unions that is still affiliated with the government. Although independent unions exist, they have not been effective in shaping labor outcomes. Trade unions are required to apply with the MOJ to obtain legal status. The financing of Kazakh unions by foreigners is prohibited by law.

Article 24.3 of the constitution guarantees workers the right to strike, but this right is also restricted in practice. Generally, workers are permitted to strike only if arbitration has been unsuccessful, and they must give their employers 15 days' notice. Moreover, the government has established a list of organizations that must obtain special permission to strike because they provide essential services. Collective bargaining is allowed, provided that agreements do not reduce protections granted to workers in contracts or by law.

Freedom of Assembly

The constitution's Article 32 guarantees citizens the right to peacefully assemble and hold meetings, rallies, and demonstrations. However, the authorities can curtail this right in the name of state security and public order. In April 2005, the government banned demonstrations during elections, specifically from the day before voting starts until the official count is announced by the electoral commission, which can take as long as 10 days. The maximum punishment for violating this ban is a fine amounting to between 10 and 15 times the average monthly wage of a Kazakhstan citizen. In addition, organizations and individuals seeking to hold a demonstration must first gain the permission of local authorities, and reports indicate that requests are frequently denied.

Participants in peaceful demonstrations are often intimidated or arrested in an effort to curb criticism of the government. In 2007, demonstrators were primarily targeted for publicly objecting to the May constitutional amendments. On May 24, journalist Sergei Duvanov was

arrested and later fined for “organizing unsanctioned gatherings” after he led some 30 demonstrators in central Almaty to protest the amendments. On May 29, police detained journalist Yekaterina Belyayeva in Almaty for holding a sign that was critical of the amendments. Authorities on June 8 arrested several members of Socialist Resistance, a youth movement, for holding an unapproved rally to oppose the government and ruling party.

Malaysia

Although Malaysia signed the Association of Southeast Asian Nations (ASEAN) Charter in 2007, pledging to uphold human rights and democratic principles, freedom of association and assembly came under duress in the country that year. Crackdowns worsened in the run-up to the 2008 general elections as the government became increasingly intolerant of criticism. Several organizations were denied permits to assemble and were met by police violence when they convened illegally. Also during the year, legislative amendments further restricted migrant workers' rights and workers' ability to form trade unions.

Freedom of Association

Nongovernmental organizations (NGOs) are required to register with the government under the Societies Act of 1996. The act defines a society as any club, company, partnership, or association of seven or more people, including businesses, schools, trade unions, and political parties. The Registrar of Societies (RoS) may deny registration to organizations that it suspects of having unlawful purposes. The Communist Party and the Socialist Party of Malaysia have both been denied registration on the grounds that they pose a threat to national security. The RoS also retains the right to revoke registration of any existing society for violating the act.

The activities of some NGOs were restricted in 2007. In June, two activists from the human rights group Suaram were arrested for distributing leaflets during a rally in Johor Bahru in support of a proposed Independent Police Complaints and Misconduct Commission.

Student associations are prohibited from engaging in political activity and must register with the authorities under the University Colleges Act. The 2007 Youth Societies and Youth Development Act requires youth groups to register with the Youth and Sports Ministry.

Worker Rights

According to the Malaysian Trade Union Congress (MTUC), overall trade union membership has increased, but it has sharply declined in relation to workforce growth. Participation levels dropped from 9.3 percent in 1995 to 7.8 percent in 2006. The MTUC organized several rallies in 2007 in an unsuccessful attempt to push through a minimum-wage bill, as Malaysia does not provide a minimum wage.

Under the 1959 Trade Union Act (TUA), certain categories of workers are restricted from joining unions, including those in the electronics sector (the country's largest industry) and public-sector workers who are considered to be "confidential, managerial and executive." Amendments restricting workers' rights were made in 2007 to both the TUA and the Industrial Relations Act (IRA). The IRA amendments lowered compensation caps for wrongful-termination suits, and the TUA amendments created additional procedural requirements for trade unions. Failure to comply with the new procedures results in the automatic denial of a trade union's recognition, with no possibility of appeal. The director general of trade unions has the power to refuse or withdraw registration arbitrarily.

In March 2006, the U.S. government began talks with Malaysia on a free trade agreement. Concerns were raised in 2007 over protection for workers' rights and a lack of transparency during the negotiations. In January, Malaysian trade unions teamed up with the

U.S.-based AFL-CIO labor federation to oppose the trade pact, arguing that it would further weaken workers' rights under the IRA and the TUA.

Migrant workers are barred from joining trade unions and are not protected under the Employment Act of 1955. Work permits tie them to a single employer, which increases the possibility of abuse and causes them to fear retaliatory deportation if they complain about their employer. New legislation introduced in 2007 would confine migrant workers to their workplace and living quarters, further exacerbating their vulnerability to abuse. Previous protests by migrant workers outside their countries' diplomatic missions have usually led to deportation. In February 2006, several Indian migrant workers were beaten by police during a demonstration outside India's high commission that was aimed at seeking assistance for unpaid wages and other employment abuses.

Freedom of Assembly

Police suppressed freedom of assembly throughout 2007 as the government grew wary of criticism ahead of the 2008 elections. Crackdowns began in January as protesters staged the first in a series of four demonstrations against highway toll hikes. Several arrests were made during each demonstration, and the detainees included opposition leaders, who were prosecuted under the Official Secrets Act. In September, two unarmed protesters were shot by police at a rally organized by the Coalition for Clean and Fair Elections (BERSIH), an alliance of opposition political parties and civil society groups. Police used water cannons and tear gas to disperse the crowd of demonstrators.

The most severe crackdowns of the year came in November during two of the country's largest demonstrations in over a decade. On November 10, approximately 30,000 people demanded free and fair elections at a rally organized by BERSIH. Malaysian law requires permits for public gatherings of five people or more (except for picket lines), and police tried to prevent the rally by denying permission to organizers and setting up roadblocks. When that failed, police used chemical-laced water and tear gas to disperse the protesters.

On November 25, a rally was organized by the Hindu Rights Action Force (HINDRAF) in an attempt to submit a memorandum about discrimination against ethnic Indians to the British high commission. Unrest has increased over the years in Malaysia's Indian community, whose members complain of religious bias and the preferential treatment ethnic Malays receive in the job market. Three HINDRAF leaders were arrested prior to the November rally and charged under the Sedition Act. Nevertheless, up to 40,000 people convened for the demonstrations throughout Kuala Lumpur, and police used chemical-laced water and tear gas to disperse the crowd. Some 400 protesters were arrested, and 99 were charged under the Police Act for illegal assembly, since HINDRAF had been denied a permit for the rally. Prime Minister Abdullah Badawi threatened to detain protesters without trial under the draconian Internal Security Act (ISA), and HINDRAF leaders fled the country shortly after the rally. Five leaders of the group were ultimately detained under the ISA.

On December 9, lawyers and activists were arrested during an illegal march marking International Human Rights Day. Edmond Bond, the Bar Council Human Rights Committee chairman, was arrested for trying to prevent officials from destroying Human Rights Day banners. BERSIH members, including Suaram leaders, were arrested on December 11 for convening in front of the Parliament building with a memorandum protesting a proposed bill that would extend the incumbent Election Commission chief's term.

Pakistan

The Pakistani constitution provides safeguards for freedom of association and workers' rights, but the situation on the ground reflects the government's as well as extremists' determination to undermine many of these protections. In 2007, there were attacks on the autonomy of nongovernmental organizations (NGOs), threats against union leaders and laborers, and violence against political protesters and activists. Most notably, President Pervez Musharraf ushered in several weeks of mass arrests and intense violence by declaring a state of emergency on November 3, effectively dismantling the constitution and the judiciary for political gain. Thousands of people protesting the October presidential election and emergency rule were arrested or killed in crackdowns throughout November and December.

Freedom of Association

NGOs have existed in Pakistan since its separation from India in 1947. They are not required to register with the government, but choosing not to register limits the benefits they are eligible to receive and the type of work in which they can engage. Despite this, less than half of the 100,000 or more NGOs in Pakistan are registered. Unregistered NGOs have reduced funding capabilities, and they are often disqualified from receiving government grants. Private and international funding is generally unrestricted for NGOs, regardless of their registration status.

At the beginning of 2007, the Ministry of Social Welfare and Special Education launched a code of conduct that was widely protested by the NGO community. The code gives the government powers to regulate NGO activity, alter the groups' staff or management, and freeze the assets of noncompliant organizations.

Several NGOs came under attack in 2007. According to the United Nations' IRIN news service, at least seven NGOs were bombed in North-West Frontier Province alone. Drivers and staff members were also beaten up or threatened in the province. In Pakistani-administered Kashmir, up to 49 NGOs and international offices, including a UN office, suspended their activities in earthquake-affected Bagh district in May due to threats and physical violence, temporarily halting projects worth over \$82 million. Several NGOs were targeted by Islamist groups for employing female staff members. NGOs and religious and community leaders in Bagh reached a resolution in June, when they agreed to accept the international code of conduct followed by NGOs worldwide. With respect to NGO operations in areas of Baluchistan that were struck by Cyclone Yemyin in June, Pakistani bureaucratic obstacles significantly delayed the import of goods for the relief effort. The rules particularly affected materials needed for NGO infrastructure in the area and supplies that came from India. In addition, the government hampered relief efforts by requiring that relief materials be sent through government agencies.

Worker Rights

Workers' rights are protected in several articles of the constitution, including Article 17, which covers the right to form trade unions. The constitution grants unions the right to collective bargaining and the right to strike, but in 2000 the government imposed a ban on outdoor political meetings, processions, and strikes. In 2006, the National Coalition against Bonded Labour was formed to combat the ongoing problem of forced labor, particularly in Sindh province. According to news reports, bonded laborers often sell their organs, particularly their kidneys, in

order to escape servitude. This led the Sindh Institute of Urology and Transplantation to issue the Transplantation of Human Organs and Tissues Ordinance of 2007. The ordinance, which took nearly 15 years to pass, aims to promote a culture of organ donation in order to put an end to the exploitation of the poor for their organs.

Freedom of Assembly

In an effort to preserve his political power, Musharraf called a state of emergency on November 3, 2007, suspended the constitution, imposed a media blackout, and fired the entire Supreme Court. Hundreds of lawyers across the country took to the streets in protest, defying a ban on public gatherings. The police responded with violence and arrests. Two labor leaders, along with several hundred lawyers and journalists, were arrested at a November 5 rally. The labor leaders face the death penalty for their actions, and their arrests caused several other leaders to go into hiding. On November 8, a trade union leader was charged with treason for making antigovernment speeches in Karachi. The crackdown has limited the ability of unions and workers to act freely and without intimidation.

Musharraf had launched a heavy attack against freedom of association and assembly even prior to emergency rule. He suspended Chief Justice Iftikhar Chaudhry for “misuse of office” on March 9. The move sparked weeks of protests by the country’s lawyers and the political opposition, and police beat and detained hundreds of the demonstrators. In May, with the backing of thousands of lawyers and civil servants, Chaudhry attempted to address the Sindh High Court Bar Association but was met by the Muttahida Qaumi Movement, a major coalition partner of the government. The group tried to prevent Chaudhry from entering Karachi, and 42 people died in the ensuing clash. Musharraf reinstated Chaudhry in July, only to oust him again in November when he dismantled the judiciary.

In September, dozens of activists were arrested during a protest against the Supreme Court’s dismissal of legal challenges to Musharraf’s bid for reelection. Separately, hundreds of activists from the opposition Pakistan Muslim League (N) party were arrested in anticipation of the arrival of former prime minister Nawaz Sharif, who returned to the country after seven years of exile. In October, former prime minister Benazir Bhutto of the Pakistan Peoples Party also returned to the country, after eight years of self-imposed exile. Her welcome rally was marred by two explosions that killed over 100 people and wounded several hundred more. In December, Bhutto was assassinated as she addressed thousands of supporters at an election rally in Rawalpindi. She was reportedly struck by gunfire, and a suicide bomb aimed at her vehicle killed at least 20 of her supporters. A wave of violence hit the nation after her death.

Thousands of lawyers, journalists, human rights activists, and political opposition party members were arrested, teargassed, and beaten throughout November in protests led by the lawyers. Most were detained under the Maintenance of Public Order Ordinance of 1960 or the Anti-Terrorism Act of 1997. Although roughly 1,800 people were arrested according to official figures, opposition groups said the number was closer to 3,500; hundreds of those detained were lawyers. Although the mass arrests acted as a deterrent in some regions, lawyers continued to organize and defy emergency rule. Musharraf soon announced Ordinance 69, which, according to Human Rights Watch, was created to end the independence of the Pakistani judiciary and bar associations at both the local and national levels. The ordinance essentially allowed the government to disbar any lawyers who were involved in antigovernment activity or whom

officials deemed undesirable. Though emergency rule ended on December 15, many of those arrested remained in custody at year's end.

Russia

During the eight years of his presidency, Vladimir Putin systematically attacked the rights of Russian citizens to form politically oriented nongovernmental organizations (NGOs), address labor concerns through trade unions, and demonstrate openly against government policies. These crackdowns came as part of a larger campaign against democracy. Unfortunately, the downward trajectory has continued even as Putin shifts to the post of prime minister and Dmitry Medvedev takes over as president.

Freedom of Association

The government restricts autonomous NGOs while promoting organizations that carry out state policies. The 2006 law on NGOs imposes onerous registration and other requirements on civic organizations and interest groups, making it extremely difficult for them to function. The legislation grants extensive authority and discretion to the Registration Service, a unit of the Justice Ministry, to demand documents from NGOs, deny or revoke their registrations, and conduct intrusive inspections at their offices. Paperwork is sometimes rejected over miniscule, superficial errors under a provision covering documents that are prepared “inappropriately.” Another rule allows dissolution of an NGO if it receives two warnings for the same violation, and there is apparently no statute of limitations for warnings. The government also uses vaguely worded antiextremist legislation, amended most recently in 2007, to target groups it opposes. The most frequent victims of bureaucratic disfavor are organizations that criticize state policies, particularly on topics such as Chechnya, human rights, election monitoring, law enforcement oversight, migrant and refugee policy, appeals to the European Court of Human Rights, and corruption among the ruling elite. The authorities have even pursued groups that assist other NGOs in complying with the complex new regulations. A gay rights group in Tyumen was reportedly denied registration in December 2006 on the grounds that its goals threatened “spiritual public values” and undermined state security by reducing the population. Reports from the Moscow Helsinki Group claim that the authorities have closed 2,300 of the approximately 216,000 groups operating in Russia at the end of 2007.³

There are few domestic funding sources for NGOs because Russia has no established culture of philanthropy, and businesses and wealthy individuals are afraid of funding groups that might offend the authorities. Consequently, many human rights NGOs receive funding from abroad, despite Putin’s public disapproval of this practice. The 2006 NGO law was particularly damaging to groups that relied on foreign funding, imposing extensive reporting requirements that often overwhelmed their capacity to engage in substantive activities. Foreign NGOs operating in Russia are required to submit detailed annual reports on their upcoming projects and expenditures, with quarterly updates and advance notice of any changes. The Registration Service can use this information to prohibit specific projects. A new NGO can be denied registration if its founders include foreigners whose presence in Russia is deemed “undesirable.”

In addition, the Kremlin has begun to provide funding for NGOs, favoring groups like Nashi, which work to ensure that Russian youth support government policies and reject any calls to participate in grassroots prodemocracy movements. State funding for NGOs is channeled

³ “NKO Exodus: the Number of Nonprofits in Russia Has Declined Sharply,” *Nezavisimaya Gazeta*, December 28, 2007; Nikolaus von Twickel, “NGOs Buried by Mountain of Paper,” *Moscow Times*, August 24, 2007.

through the Public Chamber, a consultative body formed in 2005 to provide a formal interface between the state and civil society. However, to a certain extent the chamber serves more as a buffer that blocks direct consultation, and as a means of co-opting or marginalizing independent groups. One-third of its 126 members are appointed by the president; those members choose the second third, and the resulting total chooses the remainder.

Members of NGOs face considerable harassment for their work, including spurious criminal allegations, tax investigations, fire inspections, and arbitrary charges of engaging in extremist activities.⁴ The authorities selectively enforce laws in a manner detrimental to NGOs, confiscating computers that allegedly contain pirated software while paying little attention to threats of violence against activists. At least one activist was imprisoned in a psychiatric ward for reporting on abuses in this area. In another case, the director of a media-related NGO was charged with failure to declare about \$12,400 in currency—slightly over the \$10,000 legal limit—upon returning from a trip abroad, and the authorities parlayed the relatively minor infraction into a crippling investigation that forced the group's closure. Foreign staff members have had difficulty obtaining visas and are often questioned by security officials while in Russia.

Worker Rights

Workers have great difficulty setting up and supporting free trade unions. Many are pressured to join the official Federation of Independent Trade Unions (FNPR), which works closely with both the Kremlin and company managers. According to FNPR figures, half of the Russian workforce is unionized, and 90 percent of that segment belong to the FNPR. Small, independent unions encounter obstacles in forming and working to meet their members' needs, and Registration Service officials have argued that the 2006 NGO law applies to unions as well, meaning they are subject to similar interference by the authorities. Small or autonomous unions, including craft unions, are also disadvantaged by labor laws that allow only one bargaining agreement for each enterprise, negotiated by a union representing a majority of the employees.

Current legislation makes it almost impossible to hold a strike legally. For example, the duration of a strike must be declared when workers vote on it, and strikes can only be called to resolve a specific bargaining dispute, ruling out sympathy or protest actions and strikes to demand union recognition. Furthermore, employers can hire replacement workers during strikes, and in the event of an illegal strike, union property can be confiscated to compensate the employer. Nevertheless, there were numerous labor actions across Russia in 2007, and the trend seems to be increasing as inflation raises the cost of living and wages fail to keep pace.⁵ At the Ford manufacturing plant in Leningrad Oblast, workers launched the first open-ended strike since Putin came to power, holding out for 25 days.⁶ In other cases, workers have mounted work-to-rule actions or called in sick en masse to avoid restrictions on formal strikes. Actions such as the Ford strike resulted in better pay for workers.⁷

⁴ Human Rights Watch, "Choking on Bureaucracy: State Curbs on Independent Civil Society Activism," February 2008, <http://www.hrw.org/reports/2008/russia0208/>.

⁵ See the week-by-week analysis at the Institute of Collective Action, <http://www.ikd.ru/taxonomy/term/13>, and Tai Adelaja, "Russians Turn to Grass-Roots Unions—and Strikes—to Protect against Inflation," *International Herald Tribune*, November 28, 2007.

⁶ Boris Kagarlitsky, "A New Era for Labor Unions," *Moscow Times*, December 6, 2007; <http://www.ford-profsoyuz.ru/content/view/479/1/>.

⁷ Boris Kagarlitsky, "Labor Movement and Civil Society," Eurasian Home, February 19, 2008, http://www.tni.org/detail_page.phtml?act_id=17955.

The authorities harass strike leaders, and union officials have been denied access to members' workplaces. One of the organizers of an August 2007 AvtoVAZ strike was detained, and two union officials lost their jobs after a postal strike in St. Petersburg. Other organizers have faced similar reprisals. Influential managers are able to mobilize law enforcement agencies against protesting workers, and often refuse to disclose wage data and other information to unions attempting to mount collective bargaining efforts. The law largely protects such data as commercial secrets. Meanwhile, the country's estimated one million illegal migrant workers are frequently forced to work without pay, with their passports held by employers or labor brokers.

Freedom of Assembly

Russian citizens currently face great restrictions on the freedom of assembly. One study found that authorities had banned or dispersed almost every public protest across Russia during the first nine months of 2007.⁸ While the law allows such demonstrations, the requisite permit procedures make protest actions extremely difficult in practice. Organizers must request permits at least five days in advance, and even when a protest is approved, officials often assign alternate sites in remote areas. The authorities frequently deny permission for protests by groups that are critical of the regime, while allowing progovernment marches by organizations that receive state funding. Participants in unapproved demonstrations now face up to 15 days in jail, whereas previously they usually had to pay fines.

Marches sponsored by opposition groups are met with overwhelming police force and result in injuries to demonstrators. In some cases, as with a May 2007 gay rights demonstration in Moscow, counterdemonstrators attack protesters while police stand by, and victims are arrested for provoking the clashes. The state-controlled media typically portray opposition protesters as hooligans or extremists without relating their messages, and government officials actively warn citizens to avoid planned demonstrations. Hotels and other private venues refuse to accommodate controversial events, apparently under pressure from authorities. Opposition gatherings have been plagued by power outages and other disruptions.

A series of "dissidents' marches" organized by Other Russia, a coalition of opposition and civic groups, drew police beatings and arrests in several cities in 2007. Activists were systematically detained on dubious charges while traveling to planned marches, and supporters were arrested for distributing leaflets about the events. In November, the authorities arrested prominent protesters including opposition leaders Boris Nemtsov, who was released the same day, and Garry Kasparov, who was held for five days after a summary court hearing. The arrest of such well-known figures sends a clear warning to potential participants and supporters. Another organizer, Artyom Basyrov, was arrested one day before a November protest in Yoshkar Ola and confined to a psychiatric hospital for one month.

⁸ Andrei Kuzenko, "Demokratiyu ne puskayut na ulitsu [They do not allow democracy on the street]," *Kommersant*, October 12, 2007.

Uzbekistan

President Islam Karimov has ruled Uzbekistan with an iron fist since before the country gained independence from the Soviet Union in 1991, turning it into one of the most repressive post-Soviet states. The human rights situation remained dire in 2007 despite the government's efforts to repair ties with the European Union and reduce dependence on Russia. Although the constitution barred Karimov from running for reelection when his last seven-year term ended in January 2007, he remained in office and secured a new term in the December 2007 presidential election after running as the Liberal Democratic Party's candidate. None of Uzbekistan's elections since 1991 have met international standards for fairness. Authorities cracked down more intensely on freedom of association following the May 2005 massacre at Andijon, in which security forces opened fire and killed hundreds of predominantly peaceful demonstrators.

Freedom of Association

Article 34 of the constitution guarantees citizens the right to form public associations, unions, and political parties, but this right is severely restricted in practice. Nongovernmental organizations (NGOs), particularly those that promote human rights and democracy, face the constant threat of suspension by the authorities. Members of NGOs also risk harassment, detention, and imprisonment for engaging in activities that the government deems threatening.

NGOs in Uzbekistan face onerous registration requirements and legal restrictions. Over the past few years, the government has closed more than 300 local NGOs. The remaining organizations were forced to join a government-controlled umbrella group, the National Association of Nongovernmental Noncommercial Organizations. All organizations are required to register with the government, but new groups are allowed to operate for six months while registration is pending. In 2007, the government refused to register several human rights NGOs, including the Human Rights Society of Uzbekistan and Mothers Against the Death Penalty and Torture. Although these organizations still operate, it is difficult for them to rent office space and hold bank accounts because of their lack of legal recognition.

NGOs are required to submit quarterly reports to the Ministry of Justice (MOJ) describing their activities and face the threat of closure if they fail to do so. In January 2007, Karimov enacted legislation that identified NGOs' rights, permitting activities that are in accordance with their charters and are not prohibited by law. Article 57 of the constitution prohibits associations from using force to change the existing constitutional system and undermining the sovereignty, territorial integrity, or security of the state. Uzbek laws also criminalize membership in organizations that the government considers to be terrorist groups, such as the radical Islamist group Hizb ut-Tahrir (HT). Akromiya, a group whose stated aim is to promote Islamic business practices, has also been harassed.

During 2006, the local offices of more than a dozen U.S.-based NGOs were closed, including the American Bar Association, the Central European and Eurasian Law Initiative, Counterpart International, Crosslink Development, Freedom House, the Partnership in Academics and Development, the Urban Institute, and Winrock International. In February 2007, Mercy Corps left the country after the termination of its contract. Human Rights Watch left in July after its only remaining staff member was not reaccredited by the government. None of the foreign-funded NGOs that have been forced to close since 2006 were reopened in 2007. As part of the general crackdown on NGOs in recent years, the authorities have also closed many foreign

religious charities, both Christian and Muslim. As of 2006, the only Muslim charity still permitted to operate was the Committee of Muslims of Asia, which was subject to considerable government oversight.

In April 2007, the government passed a law allowing NGOs that had been engaged in socially significant activity for at least a year to receive state funding through contracts, grants, and subsidies. However, the funds are only available to NGOs registered with, and effectively controlled by, the government. In addition to submitting reports on their activities, NGOs are required to submit quarterly financial reports to the MOJ, and must pay exceedingly high taxes. Only groups that provide humanitarian assistance are exempt from paying some taxes; all others are subject to several different taxes, including social insurance and income taxes.

Karimov's regime has severely restricted the ability of foreign donors to fund local NGOs. A 2004 banking decree prevents NGOs engaged in human rights or political advocacy from obtaining foreign funds. International organizations are also prevented from providing grants to local NGOs.

Members of NGOs that are active in promoting human rights and democracy are frequently detained or imprisoned because of their work. Amendments made to the administrative code in 2005 impose severe fines for conducting or facilitating illegal NGO activities. In April 2007, a court sentenced Gulbahor Turayeva, a member of the medical nonprofit Anima-kor, to six years in prison for distributing allegedly subversive materials. Her sentence was suspended in June after she publicly expressed regret for her actions. In May 2007, Umide Niyazova, a former Human Rights Watch employee, was sentenced to seven years in prison for distribution of foreign money to NGOs and possession of banned literature. Her sentence was suspended the same month after she admitted to distributing illegal publications.

Worker Rights

Although Article 34 of the constitution provides for the right to form unions, workers do not possess this right in practice. Unions in Uzbekistan are all affiliated with the government. The law provides for collective bargaining, but given the government's involvement in union activities, this is not an independent process. Organized strikes are rare, and the law does not specifically address whether citizens have the right to strike. The use of child labor is common, particularly during the peak of the cotton-harvesting season between September and November, when both students and teachers are sent to pick cotton.

Freedom of Assembly

Freedom of assembly is limited in practice, despite being protected by Article 34 of the constitution. The police frequently use force to prevent or break up demonstrations, and protesters face harassment, detention, and imprisonment for their actions. The authorities have the power to ban demonstrations or rallies in the interest of state security, and demonstration permits are routinely denied. Amendments to the criminal and administrative codes in 2005 increased punishments for violating assembly laws and facilitating unapproved demonstrations, for instance by providing space or other material support.

In 2007, the police on a number of occasions detained protesters and dispersed demonstrations that were critical of the status quo. On January 2, police in Tashkent broke up a demonstration by human rights activists demanding the release of political prisoners, and on

January 31, police detained six protesters attempting to petition the Supreme Court chairman. The authorities placed numerous activists under house arrest in advance of a rally scheduled for March 8, International Women's Day, that was aimed at supporting jailed female activists.

Venezuela

From 1958 to 1998, Venezuela's political system emphasized stability while concentrating power in the hands of political elites. Civil society was permitted to operate, but decisions were generally made through a process of elite bargaining. Since the election of current president Hugo Chavez in 1998, the country has experienced massive increases in political activism and polarization. The new, highly ideological regime is dedicated to a "revolutionary" political project, and it typically categorizes civil society groups into "friends" and "enemies." The shake-up of the previously ossified system and Chavez's attempts to impose hegemonic rule have had a major impact on freedom of association in the country. Nongovernmental organizations (NGOs) have faced significant pressure from the state through a variety of mechanisms. The trade union movement has broadened, but its independence is constantly threatened by the government's demands for loyalty and ideological conformity. While protests remain common, the government frequently discriminates between the protest rights of government supporters and those of the opposition.

Freedom of Association

NGOs face increasingly difficult working conditions in Venezuela. The Chavez government is quick to equate criticism with conspiracy, and NGOs that speak out against the regime face legal pressure, public opprobrium by government-aligned figures, and occasional threats and intimidation.

Although the constitution includes strong protections for civil society, the National Assembly began to consider a draft Law of International Cooperation in 2006 that could have led to onerous restrictions on NGO registration and financing. Under the proposed law, the executive branch would be empowered to draft formal regulations regarding registration, auditing processes, and donations. During debate on the bill, certain National Assembly members explicitly linked the law to an effort to "unmask" supposedly counterrevolutionary NGOs. This provoked concern among both domestic and international organizations, including the Inter-American Commission on Human Rights. The bill passed a first reading in the National Assembly in June 2006, but it had not moved forward as of mid-2008. Separately, several Supreme Court decisions have found that organizations receiving financing from foreign sources cannot be considered part of Venezuelan civil society. A December 2007 referendum regarding a package of 69 constitutional amendments also had the potential to negatively affect NGOs. One of the amendments would have banned "associations with political purposes" from accepting foreign funds. This ambiguous phrasing, combined with the government's evident disdain for some NGOs, left many groups fearful of the referendum, but the package was narrowly rejected by voters.

High-profile legal cases have been lodged against NGO workers, the most prominent of which involves the leaders of Sumate, a prodemocracy NGO that received financing from the U.S. National Endowment for Democracy. The Sumate activists were charged with treason in 2005, but the cases have been dormant since 2006. NGOs also face denunciations by government-linked figures, often on television. The leaders of the prominent human rights groups COFAVIC and the Venezuelan Prison Observatory are among the victims of such abuse, and many denounced activists have reported subsequent death threats. The local human rights group PROVEA has noted a clear shift in attitude toward NGOs and human rights defenders

since political polarization peaked in 2004, with the government increasingly opting to actively denigrate and discredit activists rather than respond defensively to their criticisms.

Worker Rights

Historically, the trade union movement, under the umbrella of the Confederation of Venezuelan Workers (CTV), formed one of the pillars of Venezuela's elitist, consensus-based political system. However, the CTV lacked internal democracy, and Chavez's rise to the presidency created pressure for elections within the confederation. Its 2001 election ended unsatisfactorily and led to cleavages both within the CTV and between the CTV and the government. By 2002 the confederation had fully joined the opposition movement, and the government began to encourage new unions to compete with CTV-linked groups at both the company and national level. The National Workers' Union (UNT) was formed in 2003 for this purpose, and many unions joined the new umbrella group. However, the government does not enjoy absolute support from the UNT. On the contrary, autonomy has remained a divisive issue, with the leader of the UNT's main faction, Orlando Chirino, strongly in favor of maintaining independence from the government.

In 2007, Chavez explicitly stated that all unions should submit to the revolutionary project. This attempt to degrade union autonomy led Chirino to call for abstention from the controversial constitutional referendum that year. When the amendment package was narrowly defeated, Chirino lost his job at PDVSA, the state-controlled oil firm, in a move that heralded further factionalism within the trade union movement.

According to the constitution and labor legislation, workers enjoy the right to form trade unions of their choice, conduct peaceful strikes, and engage in collective bargaining. In practice, these rights are limited either legally or, more often, by political considerations. The National Electoral Council is constitutionally tasked with monitoring the internal elections of unions, a practice that the International Labor Organization (ILO) has criticized as undue government interference. The ILO has also found fault with the fact that collective bargaining is only permitted for unions representing a majority of workers in an industry, even though some industries lack such a union. In addition, the emergence of several new modes of management, including cooperatives, comanaged enterprises, and proposed workers' councils, has led to overlapping functions and confusion regarding the role of unions.

New unions have proliferated under Chavez. To some degree this reflects new dynamism, but it also signals state-encouraged parallel unionism. One effect of the surge in new unions is a substantial increase in violence within certain sectors, particularly within the construction industry. This stems from mounting competition among unions for control of jobs, which the unions may then legally distribute to their members, often for a fee. Scores of union members have been slain in such disputes in recent years, and in August 2007 the government initiated a dialogue in an attempt to halt the battles. In its 2007 report, the Inter-American Commission on Human Rights requested that the government pay greater attention to the problem.

Unions are also used to transmit government directives on voting and political participation to the rank and file. During the 2006 presidential campaign, oil minister and PDVSA chief Rafael Ramirez suggested that all PDVSA employees who did not wish to vote for Chavez should leave the company.

The right to strike is embedded in the constitution, with a partial exception for public-sector workers. However, unions and human rights groups have expressed concern that the right

to strike is limited in practice by 2005 amendments to the penal code. The changes significantly increased penalties for pot-banging and blocking transportation routes, both of which are traditional forms of protest in Venezuela.

Freedom of Assembly

Venezuelan citizens make ample use of the right to protest, and peaceful demonstrations are generally allowed. According to the law, organizers need only to inform the authorities 24 hours in advance of a planned event. However, PROVEA noted in its 2007 report that government officials have increasingly justified the blocking of protests by claiming that the protesters lack permission. Moreover, Venezuela's political polarization has led to many instances in which initially peaceful protests resulted in violent confrontations between government and opposition supporters. Violence peaked between early 2002 and mid-2004, and while deaths and injuries during protests subsequently declined, the authorities have stepped up repression of demonstrations in recent years. The same penalties that affect the right to strike are increasingly applied to protesters.

PROVEA described a sharp rise in suppressed protests in 2007, including a 300 percent increase in the number of injuries sustained during demonstrations, many caused by beatings, rubber bullets, and tear gas. The group also reported a 250 percent increase in the number of cases in which charges were brought against protesters, a sign of the ongoing criminalization of protest. Student-led actions in particular tend to turn violent and are the most frequently suppressed. A spike in student protests in the period surrounding the closure of popular television station RCTV in 2007 led to an increase in student arrests, some of which were arbitrary. The arrested protesters were reportedly subjected to harsh treatment while in confinement.

Zimbabwe

Political rights and civil liberties in Zimbabwe, including freedoms of assembly and association, have been largely eviscerated in recent years. President Robert Mugabe and his Zimbabwe African National Union–Patriotic Front (ZANU-PF) party have ruled the country since its independence in 1980. Following the defeat of a state-sponsored constitutional referendum in 2000, Mugabe’s government began a brutal and ongoing crackdown on the political opposition and independent civic associations. The country has since suffered a number of deeply flawed and violent elections, the passage of restrictive laws and security codes, thousands of politically motivated arrests and beatings, and the forced displacement of hundreds of thousands of people during a politically driven “slum clearance” campaign. In 2000, the government’s implementation of an accelerated land-reform program (including the seizure of thousands of white-owned commercial farms) precipitated the collapse of Zimbabwe’s once-robust economy, resulting in five-digit hyperinflation as well as severe shortages of basic foodstuffs and consumer goods by 2007. The situation deteriorated precipitously in 2008, with March elections marred by violence and a June presidential runoff featuring only one candidate, Robert Mugabe.

Freedom of Association

Nongovernmental organizations (NGOs) in Zimbabwe are severely restricted. The Private Voluntary Organizations (PVO) Act, originally introduced by the Rhodesian government and revived in 2002, sets out registration and funding requirements for NGOs. Civic organizations must register with the Ministry of Labor and Social Welfare, and the minister appoints a PVO Board, which has extensive powers to scrutinize organizations’ officers, finances, and activities. Organizations in violation of board standards may be fined, their registration revoked or amended, or their members imprisoned. In 2005, the finances of scores of NGOs were investigated by interministerial teams that included representatives of the Central Intelligence Organization. Parliament in 2004 passed the Non-Governmental Organizations Act, which bars the registration of foreign NGOs engaged in “issues of governance,” including human rights organizations, and bans domestic “governance” NGOs from receiving foreign funding. The act also expanded the definition of NGO to include religious and environmental organizations and private trusts, and created an NGO Council with more oversight powers than the PVO Board. Mugabe declined to sign the act at the time, but many of its provisions have been enforced.

The government routinely uses the state-owned media to threaten NGOs believed to be aligned with Western interests or the political opposition. In April 2007, the government threatened to deregister all NGOs with ties to Western countries, though no action was taken. Members of politically oriented NGOs are routinely arrested, imprisoned, and assaulted. Security forces have at times prevented humanitarian agencies from delivering aid in rural areas; in June 2008, the government ordered a halt to all nongovernmental humanitarian work, including the distribution of food aid.

Worker Rights

The right to collective labor action is limited under the Labor Relations Amendment Act (LRAA), which allows the government to veto collective bargaining agreements that are deemed harmful to the economy. Although strikes are allowed in all but “essential” industries, they require onerous notification and arbitration procedures and are often declared illegal. Managers in all sectors are prevented from striking. The 2005 Labor Amendment Act prevents public-sector employees from joining or forming unions or engaging in collective bargaining, though these restrictions are not enforced. All unions must register with the Ministry of Public Service, Labor, and Social Welfare.

The independent Zimbabwean Congress of Trade Unions (ZCTU) has led resistance to Mugabe’s rule and was a driving force behind the formation of the Movement for Democratic Change (MDC), the main opposition bloc. The ZCTU has consequently become a target for repression, and its members have been routinely harassed both inside and outside the workplace. In recent years, several hundred ZCTU members have been arrested at demonstrations and meetings, and in 2007, security forces raided ZCTU offices during a countrywide crackdown on the political opposition. The government has created a rival trade-union umbrella organization, the Zimbabwe Federation of Trade Unions, to try to undermine the ZCTU, sometimes using violent tactics.

Freedom of Assembly

Freedom of assembly is severely restricted under the 2002 Public Order and Security Act (POSA). The act obliges organizers to give police seven days’ notice prior to any public meeting, and failure to do so can result in both criminal and civil charges. While the advance notice provisions do not explicitly require police permission, security forces routinely use POSA to declare meetings and demonstrations illegal, arrest and detain demonstrators, impose arbitrary curfews and bans, and obstruct public gatherings with roadblocks and riot police. Consequently, thousands of opposition activists (mostly from the MDC), members of civic organizations (particularly the National Constituent Assembly and Women of Zimbabwe Arise), and trade unionists have been arrested in the past five years.

Security forces have killed several demonstrators and routinely beat protesters and detainees. A series of ZCTU-led demonstrations in 2006 led to the arrest of 500 people across the country, including almost the entire ZCTU leadership. A number of the union leaders, president Lovemore Matombo and secretary-general Wellington Chibhebhe among them, were severely beaten while in custody. In 2007, police violently dispersed a large prayer meeting organized by the Save Zimbabwe Campaign in Harare; the meeting occurred during a three-month ban on political gatherings. Over 50 people were arrested, and many were badly beaten on site or in police custody, including MDC leader Morgan Tsvangirai and National Constituent Assembly leader Lovemore Madhuku. One MDC leader, Gift Tandare, was shot dead. During the election period in 2008, the government blocked opposition rallies, repeatedly detained MDC leaders, and mounted a systematic campaign of violence in which dozens of activists were apparently killed and many more were beaten or driven into exile.

Appendix I.

Associational and Organizational Rights Methodological Questions from *Freedom in the World*

1. Is there freedom of assembly, demonstration, and open public discussion?

- Are peaceful protests, particularly those of a political nature, banned or severely restricted?
- Are the legal requirements to obtain permission to hold peaceful demonstrations particularly cumbersome and time consuming?
- Are participants of peaceful demonstrations intimidated, arrested, or assaulted?
- Are peaceful protestors detained by police in order to prevent them from engaging in such actions?

2. Is there freedom for nongovernmental organizations? (*Note: This includes civic organizations, interest groups, foundations, etc.*)

- Are registration and other legal requirements for nongovernmental organizations particularly onerous and intended to prevent them from functioning freely?
- Are laws related to the financing of nongovernmental organizations unduly complicated and cumbersome?
- Are donors and funders of nongovernmental organizations free of government pressure?
- Are members of nongovernmental organizations intimidated, arrested, imprisoned, or assaulted because of their work?

3. Are there free trade unions and peasant organizations or equivalents, and is there effective collective bargaining? Are there free professional and other private organizations?

- Are trade unions allowed to be established and to operate free from government interference?
- Are workers pressured by the government or employers to join or not to join certain trade unions, and do they face harassment, violence, or dismissal from their jobs if they do?
- Are workers permitted to engage in strikes, and do members of unions face reprisals for engaging in peaceful strikes? (*Note: This question may not apply to workers in essential government services or public safety jobs.*)
- Are unions able to bargain collectively with employers and able to negotiate collective bargaining agreements that are honored in practice?
- For states with very small populations or primarily agriculturally-based economies that do not necessarily support the formation of trade unions, does the government allow for the establishment of peasant organizations or their equivalents? Is there legislation expressly forbidding the formation of trade unions?
- Are professional organizations, including business associations, allowed to operate freely and without government interference?

Appendix II.

Global Freedom of Association Score by Region from *Freedom in the World* for the Year 2007, in Descending Order. Optimal Score is 12.

The Americas

Bahamas	12
Barbados	12
Canada	12
Chile	12
Dominica	12
St. Kitts & Nevis	12
St. Lucia	12
Uruguay	12
Argentina	11
Belize	11
Costa Rica	11
Dominican Republic	11
Ecuador	11
Panama	11
St. Vincent & Grenadines	11
Suriname	11
Trinidad & Tobago	11
USA	11
Bolivia	10
Brazil	10
Guyana	10
Antigua & Barbuda	9
Grenada	9
Jamaica	9
Mexico	9
El Salvador	8
Guatemala	8
Honduras	8
Paraguay	8
Peru	8
Nicaragua	7
Colombia	6
Haiti	6
Venezuela	6
Cuba	1

Asia-Pacific

Australia	12
Kiribati	12
Tuvalu	12
Marshall Islands	11
Micronesia	11
Nauru	11
New Zealand	11
Palau	11
South Korea	11
Taiwan (ROC)	11
Vanuatu	11
India	10
Japan	10
Mongolia	10
Samoa	10
Indonesia	9
Papua New Guinea	9
Solomon Islands	9
Philippines	8
Sri Lanka	8
East Timor	7
Bangladesh	6
Cambodia	6
Nepal	6
Malaysia	5
Thailand	5
Tonga	5
Afghanistan	4
Fiji	4
Maldives	4
Pakistan	4
Bhutan	3
Brunei	3
Singapore	3
China (PRC)	2
Vietnam	2
Laos	1
Burma	0
North Korea	0

Central/Eastern Europe
(With Baltic Countries)

Croatia	12
Czech Republic	12
Estonia	12
Hungary	12
Latvia	12
Poland	12
Slovakia	12
Slovenia	12
Bulgaria	11
Lithuania	11
Romania	11
Serbia	11
Montenegro	10
Albania	8
Bosnia-Herzegovina	8
Macedonia	7

Former Soviet Union
(Non-Baltic Countries)

Ukraine	10
Georgia	7
Kyrgyzstan	7
Moldova	6
Armenia	5
Kazakhstan	4
Russia	4
Tajikistan	4
Azerbaijan	3
Belarus	0
Turkmenistan	0
Uzbekistan	0

Middle East and North Africa

Israel	12
Lebanon	8
Algeria	6
Kuwait	6
Morocco	6
Jordan	5
Yemen	4
Bahrain	3
Iraq	3
Oman	3
United Arab Emirates	3
Egypt	2
Iran	2
Qatar	2
Tunisia	2
Libya	0
Saudi Arabia	0
Syria	0

Sub-Saharan Africa

Benin	12
Mauritius	12
Namibia	12
South Africa	12
Cape Verde	11
Ghana	11
Botswana	10
Sao Tome & Principe	10
Senegal	10
Burkina Faso	9
Kenya	9
Mali	9
Seychelles	9
Guinea-Bissau	8
Liberia	8
Madagascar	8
Malawi	8
Mauritania	8
Niger	8
Nigeria	8

Sierra Leone	8
Zambia	8
Congo (Brazzaville)	7
Lesotho	7
Mozambique	7
Tanzania	7
Angola	6
Central African Republic	6
Comoros	6
Gabon	6
The Gambia	6
Togo	6
Uganda	6
Burundi	5
Congo (Kinshasa)	5
Djibouti	5
Guinea	5
Chad	4
Cote d'Ivoire	4
Cameroon	3
Ethiopia	3
Rwanda	3
Sudan	3
Swaziland	3
Zimbabwe	2
Equatorial Guinea	0
Eritrea	0
Somalia	0

Western Europe

Austria	12
Belgium	12
Cyprus	12
Denmark	12
Finland	12
France	12
Germany	12
Iceland	12
Ireland	12
Italy	12
Liechtenstein	12
Luxembourg	12
Malta	12
Monaco	12
Netherlands	12
Norway	12
Portugal	12
San Marino	12
Spain	12
Sweden	12
Switzerland	12
United Kingdom	12
Andorra	11
Greece	11
Turkey	7