

| Civic space checklist questions (YES/NO) | Freedom of expression | Freedom of peaceful assembly and association | Participation |
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| CROSS-CUTTING: HUMAN RIGHTS PRINCIPLES: EQUALITY, PARTICIPATION AND ACCOUNTABILITY | | | |
| LEGAL AND POLICY LANDSCAPE (existence and quality of national laws, institutions and policies) | <ul style="list-style-type: none"> Does the Constitution recognize freedoms of expression, assembly and association, media freedoms, including access to information and the right to participation, in accordance with international human rights law? What is the scope of limitations to freedoms of expression, assembly and association, media freedoms, including access to information and the right to participation, at the constitutional and legislative level? Can individuals form political parties easily? What is the scope of equality and non-discrimination under the domestic legal order? Does the domestic legal order guarantee universal suffrage, and the right to stand for election? Do they specify permissible limitations? Does the domestic legal order and institutional structure guarantee non-discrimination, access to and administration of justice, independence of judiciary, and fair trial? Does national legislation protect the right to privacy online and offline? Are there any laws or policies specifically referring to the recognition and protection of human rights defenders (HRDs), including journalists or civil society? Is the right to strive, individually or in association with others, for the protection and realization of human rights and fundamental freedoms recognised? Are there laws and policies (including in draft form) that seek to restrict public freedoms that relate to civic space (e.g. internet freedom, restrictive security and cybersecurity laws, terrorism laws, laws and policies regulating the registration/funding of NGOs, etc.)? If yes, in which areas? Do any laws (including tax laws, defamation laws, blasphemy laws etc.) restrict journalists, bloggers, HRDs and others who use the internet to share information and express their opinions beyond the provisions of ICCPR 19 (3)? Are there laws that prohibit incitement to hatred and violence online and offline? Are there constitutional, statutory and/or policy guarantees for public access to information online and offline (SDG 16 target 10)? Does an independent NHRI exist, which complies with the Paris Principles (SDG 16 target A)? Are there any (recent) landmark decisions from national courts protecting freedoms of expression, assembly and association and the right to participation? What is the regulatory framework for surveillance, and how is it implemented in practice? Is the state fulfilling its due diligence obligations with regard to human rights violations committed by non-state actors, including businesses and illegal armed groups, against human rights defenders? Has the State ratified relevant international or regional human rights treaties? Which ones? Does the Constitution provide for the supremacy of international treaties? Can national courts refer to international human rights treaties? | | |
| CIVIC SPACE IN PRACTICE (assess efforts and implementation of laws and policies, including administrative and economic measures) | <ul style="list-style-type: none"> In practice, is there an overall enabling environment for free, diverse and independent newspapers, magazines, radio stations TV broadcasts, and internet sites? And for HRDs to denounce human rights violations and abuse or for promoting human rights? Is media concentration a concern in the country? If so, what are its practical effects? Have any measures been taken against teachers/academics/researchers and/or artists in relation to them exercising their right to freedom of expression? Can individuals express their opinions on every topic and every person? Which topics are subject to specific scrutiny from the authorities? Do the opposition and human rights defenders have means to make their voice heard? Are resources, including budgetary, allocated to promote freedom of expression, independence and plurality of media? What percentage of the population has access to the internet (SDG 17 target 6)/mobile network (SDG 9 target C) and uses the internet (SDG 17 target 8)? Do women have equal access? Are any particular groups, including women, excluded from accessing internet services and mobile networks? Any figures on internet shutdowns and blocking of websites/access to platforms (<i>check out social media platforms' transparency reports</i>)? Are the rules regarding the allocation of radio frequencies and TV channels transparent? Are you aware of any cases of closure of media outlets, and/or censorship by regulatory authorities? Have journalists or any other media personnel filed complaints about interference with their work? And human rights defenders? Have these been investigated and adjudicated by courts or other competent mechanisms? | <ul style="list-style-type: none"> Are you aware of any demonstrations, protests and strikes held recently and whether prior authorization was required? Could they take place without interference, or have there been restrictions on the time, location or others to hold demonstrations? Have there been instances of police's use of force on individuals that lawfully gather? Was the police's use of force necessary and proportionate? If yes, were the responsible law enforcement officers formally investigated? Do you know if police and other relevant law enforcement officers are trained in policing demonstrations in line with human rights standards? Were demonstrators arrested and/or detained? On what legal basis? Were any of them charged? Have people who assembled and joined discussions on-line been tracked, subjected to surveillance and identified by the authorities? Can individuals voluntarily form or join associations without interference, including CSOs, trade unions and political parties? Are you aware of any cases where applications for registration were denied, and any reasons? Are there any re-registration requirements in place after a certain period? Are informal groups/movements able to operate without registration? Are registration requirements and processes overly burdensome? Do associations have access to domestic and foreign funding, and are you aware of any cases where access was restricted or denied? If access to foreign funding is generally provided for, are there prohibitive tax rates in place regarding such funding? Are you aware of any cases of interference in the management of existing associations (e.g. presence of authorities in board meetings) and of their closure? | <ul style="list-style-type: none"> Are elections held regularly, e.g. every 4-6 years? Were elections held recently, independently monitored? By whom? Did election monitoring include representatives of different populations groups? Were the elections assessed as free and fair? Are there cases where representatives of the voting-age population could not exercise their right to vote due to restrictions (including age restrictions) or based on legal capacity on the right to vote? Are there mechanisms, such as public hearings/written commenting options in parliament, to ensure effective participation of civil society in consultations on draft laws and policies? Do all have equal access, including minorities, indigenous peoples, women, youth, persons with disabilities? If not, which groups are excluded? Are public hearings meaningful? If consultations on draft legislation are required, are relevant stakeholders invited and is sufficient time allocated? Are you aware of any cases or complaints regarding the right to political and public participation? Are there any special measures to improve representation of under-represented population groups in legislative, executive, judicial and appointed bodies? Are women and groups at risk of exclusion represented in political parties, and are those groups actually nominated for candidature and decision-making functions following elections? Are you aware of any acts of sexism, harassment or violence against women, members of the LGBTI community, minorities, or indigenous peoples who engage in political and public life? Are there mechanisms and channels for civil society and populations groups to participate in the implementation and |

Violet = online and offline / Green = online / offline

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| | <ul style="list-style-type: none"> Are you aware of media requests for information responded to effectively by the State? Is the right to access to information provided for as a default or is access to information cumbersome? Are you aware of any measures that limit “hate speech”, incitement, intimidation and harassment, “disinformation”, including online and have sanctions been imposed for incitement etc.? Are these concepts clearly defined? Are lawyers able to exercise freedom of expression in court proceedings? Have lawyers been penalized for statements made while defending clients? Is there an independent journalists’ union? Are rules relating to the accreditation of journalists preventing them from reporting on government or legislative affairs? Are you aware of any cases of libel or defamation charges brought against journalists? Is there an effective remedy for violations of freedom of expression, including on-line? Is there a data protection law? Are you aware of particular case brought in this framework? Is there a media authority/body? Is it independent from the government? Are specific groups (e.g. women, LGBTI, minorities, indigenous peoples) specifically or more likely to be targeted for exercising their right to freedom of expression? Are certain groups or individuals placed under surveillance by authorities for exercising their right to freedom of expression? | <ul style="list-style-type: none"> Are you aware of national NGOs who were granted ECOSOC consultative status, and of any cases of rejection of new applications or revocation of consultative status of existing NGOs? Are there any associations (by sector) that were closed, dissolved or suspended recently? Were associations or their members subjected to surveillance by the police, intelligence or other actors? Are you aware of any resources allocated to promote freedoms of assembly and association, specifically funding for NGOs? Is there an effective remedy for violations of freedom of assembly and association, including on-line? Are there any networks of human rights defenders in the country? If yes, are they representative and inclusive? Are women human rights defenders and their organizations, networks and movements able to operate without undue restrictions, including by societal and traditional stigma? | <p>monitoring of and reporting on the SDGs? If yes, which channels and what aspects of the SDGs framework?</p> <ul style="list-style-type: none"> Are there mechanisms to ensure that indigenous peoples’ right to free, prior and informed consent is respected? Is it effective? Are you aware of any State measures to improve civil society participation in UN, international and regional forums, including through fair and transparent accreditation, improving diversity, and removing barriers to such participation? Are you aware of any resources allocated to promote fair, equal, inclusive and diverse participation in national electoral, non-electoral, and decision-making processes, including through technology and online means? Does the information landscape present a plurality of views for an informed public opinion? Is there an effective remedy for violations of the right to participation, including online participation? |
| <p>CIVIC SPACE OUTCOMES</p> <p>(assess outcomes of laws, policies and practices on civic space and civil society actors)</p> | <ul style="list-style-type: none"> Are there cases or complaints regarding restrictions of freedom of expression, including online (reported to UN mechanisms and/or NHRI, and/or reported by NGOs)? Are there reports of censorship or interference by the State or other actors in access to online information? | <ul style="list-style-type: none"> Are there cases or complaints regarding restrictions of freedom of assembly and association, including online (reported to UN mechanisms and/or NHRI, and/or reported by NGOs)? Are there cases of interference, by either State or private companies, with groups organising protests through on-line platforms? Are there cases of interference by the State in the objectives, rules, membership, communications, funding or operations of associations (e.g. property damage, confiscation or seizure, surveillance of the organization’s premises or members, office raids etc.)? Are there restrictions on assemblies during challenging contexts, such as elections, sport events, pride marches, state of emergency, conflict etc.? Do businesses respect the work of associations and trade unions? | <ul style="list-style-type: none"> Are there cases or complaints regarding restrictions on the right to participate in public affairs, in electoral and non-electoral contexts? What kind of restrictions? Do women and members of under-represented groups have seats in (a) the national parliament and (b) local government (SDG 5 target 5)? Does the population believe that decision-making is inclusive and responsive (SDG 16 target 7)? |
| | <ul style="list-style-type: none"> Are there any complaints or reports on online or offline attacks against HRDs, journalists, trade unionists, other civil society actors, including surveillance, harassment, smear campaigns and intimidation and reprisals, and has the State responded to such complaints effectively? Are defenders and civil society activists portrayed as criminals, anti-development, un-patriotic, terrorists etc.? Are there any reported cases of killings, arbitrary detention, torture, enforced disappearance of HRDs, journalists, trade unionists and other civil society actors (SDG 16 target 10) or subjected to any other violation or abuse? Are complaints for such violations registered, investigated and prosecuted? Have those responsible for human rights, such as gender based violence violations and abuses been held accountable? Are there reported cases of reprisals against civil society and HRDs for cooperating with UN? Are HRDs able freely to travel to meetings with UN human rights mechanisms? Are government officials supportive of the work of HRDs in their public rhetoric, or are they undermining their role? Are you aware of HRDs, journalists, trade unionists, or other civil society actors facing criminal, administrative or civil procedures in connection to their work? Does the State keep records of violations and abuse against journalists, HRDs, trade unionists? And of the outcomes of the investigations, prosecutions and punishment of the material and intellectual authors of the violations or abuse? How many end up with a sanction against the perpetrators? Did the State respond effectively to communications by the UN mechanisms (e.g. UN Special Rapporteurs on freedom of expression, freedom of assembly and association, human rights defenders, and treaty bodies) or implement the observations and recommendations by UN mechanisms (special procedures, treaty bodies, Universal Periodic Review)? If yes, then which communications and recommendations? How do existing assessment methodologies and/or indices related to public freedoms (expression, assembly and association) and participation, available from independent sources (e.g. CIVICUS, Art. 19 and Freedom House), assess the situation, especially by sector? Which tools or frameworks you used and how? Do they confirm your assessment/findings? | | |