CODEBOOK for the Database of State Restrictions of Civil Society

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The State Restrictions of Civil Society Database codes types and, for some variables, frequencies of restrictions imposed by governments and their formal agents (police, secret service) or informal agents (government-sponsored militias) on civil society organizations, with a focus on human rights defenders.

According to the United Nations Office of the High Commissioner of Human Rights, human rights defenders are "people who, individually or with others, act to promote or protect human rights." Human rights defenders in the US State Department Reports are individual activists, domestic civil society organizations (including NGOs), international civil society organizations (INGOS), UN agencies, (branches of) inter-governmental institutions and organizations, such as the EU or MERCUSOR, trade unions, and national human rights institutions, such as the ombudsman.

We do not include journalists and media agencies if the report does not explicitly mention that they work towards improving the human rights situation. We note that there are specialized databases for restriction on journalists.

The Database uses information from U.S. State Department Reports in Section 4 or 5, on "Governmental Attitude Regarding International and Nongovernmental Investigation of Alleged Violations of Human Rights". The reports are available online (here and here, and, from prior to 2000, here).

GENERAL CODING INSTRUCTIONS

1) For each variable, the excel spreadsheet contains a coding column and an evidence column. Put in the first column the appropriate coding value and in the second (evidence) column the text excerpt that provides evidence for your coding value choice.
2) If there is no evidence for a variable, leave the field blank and write "no evidence" in the corresponding evidence column.
3) Use the comment field to put comments about your coding choices.

VARIABLES

COUNTRY

Name of the country.

YEAR

Year of report.

ALL_BANNED

The report mentions banning or closing down all organizations defending human rights and/or there are no independent <u>domestic</u> organizations allowed to operate. Some international organizations might still be able to operate but all domestic organizations are banned. If the report states that there were no human rights defenders in the country, we infer that the government banned all organizations defending human rights. If all banned is coded 1, then SOME_BANNED is also coded 1.

1 = yes

"No independent domestic organizations to monitor HR conditions or to comment on status of such rights." "No access for UN HR commission" (North Korea 2013).

"All official NGOs had to be sponsored by government agencies, although the government piloted new registration procedures in Shenzhen, Shanghai, and Beijing during the year to remove the requirement that NGOs must have a government sponsoring agency to register" (China 2011).

Inference: There are no official NGOs without government affiliation.

0 = no

SOME_BANNED

The report mentions one or more NGOs or INGOs as banned but there is no 'blanket' ban on all groups.

1 = yes

"The government maintained that legislation did not allow branches of foreign NGOs to operate legally in the country" (Algeria 2010).

"Mpalabanda, a civil society organization formerly based in Cabinda, remained banned; its registration was rescinded in 2006" (Angola 2008).

0 = no

ACTIVITIES_RESTRICT

ACTIVITIES_RESTRCT is coded if there are any of the below mentioned government-imposed restrictions on human rights organizations. In other words, if at least one of the variables for specific restrictions or harassment are coded 1, then ACTIVITIES_RESTRICT is 1. However, cooptation (COOPT=1) and government control of national human rights institutions are not considered a form of restriction.

1 = yes

0 = no

TRAVEL_RESTRICT

TRAVEL_RESTRICT is coded if the government or its agents restrict movement <u>within</u> its territory. If the report mentions restrictions on travel to the country, TRAVEL_RESTRICT is not coded. Instead, this information is coded for the variables VISA_DIFFICULTIES and VISA_DENIED.

1 = yes

   "(D)ifficulty in obtaining visas and government passes" (Iraq 2011).

0 = no

VISIT_RESTRICT

The report indicates that government authorities deny or restrict NGOs and other organizations access to government facilities, e.g. prisons, and government-protected sites.

1 = yes

   "The government facilitated visits by a number of international human rights NGOs and generally cooperated with such organizations; however, none were permitted access to military prisons" (Guinea, 2008).

   "Although the Ministry of Justice has denied the ombudsman access to prisons since 2005, the ombudsman's office otherwise provided an effective means for citizens to address human rights and religious freedom problems. While it could not inspect prisons, the office was granted adequate resources to perform its other functions" (Greece 2008).

   "For example, in December forces loyal to Gbagbo repeatedly blocked attempts by UN investigators to examine the sites of an alleged mass grave in Abidjan." (Cote d'Ivoire 2010).

   "Civil society organizations faced difficulties in contacting detainees, and prison authorities undermined civil society work in the prisons" (Angola 2012).

"The government denied accreditation to observe the 2011 national elections to the domestic observation groups IPADE and Hagamos Democracia." (Nicaragua 2011).

Inference: VISIT_RESTRICT=1 because elections take place in government facilities.

"While the regime permitted Arab League monitors to enter the country, it restricted their access and movement. The majority of participating Arab countries pulled their monitors from the mission due to the government's impediments to the monitors' efforts and the continued killing of civilians and other human rights violations" (Syria 2011).

"UN Special Envoy Gambari visited the country in March and August. ... As in previous visits, he was granted a supervised meeting with Aung San Suu Kyi and several members of the NLD's CEC" (Myanmar/Burma 2008).

Inference: The meeting with the human rights activist was supervised and, therefore, restricted.

"Then Shwe denied Secretary-General Ban's request to meet with Aung San Suu Kyi, who was on trial at the time" (Myanmar/Burma 2009).

0 = no

"The ONDHLF, established in May 2010, investigated and monitored prison and detention center conditions; however, it lacked resources to implement an action plan" (Niger 2011).

Inference: This is not coded as VISIT_RESTRICT=1 because the NGO's lack of resources and not the government imposes the restriction.

"The government cooperated with the May 18-27 visit of a delegation from the CPT to monitor conditions in detention centers, prisons, and other facilities for persons incarcerated" (Norway, 2011).

FUNDING_INT

FUNDING_INT is coded if the report mentions legislation limiting the sources of funding of domestic organizations defending human rights or other types of restrictions on funding from external sources for domestic human rights defenders.

1 = yes

"The law allows authorities to close and NGO for accepting what it considers illegal forms of foreign assistance" (Belarus 2013).

"The government tended to be suspicious of independent organizations, and it increased scrutiny of NGOs with financial and other links overseas" (China 2011).

Inference: China does restrict NGOs to accept overseas funding, since if they do they are even more closely monitored.

"One of the government bodies responsible for registering NGOs, routinely demanded assets legally belonging to donors upon project conclusion" (South Sudan 2013).

Inference: South Sudanese government claims back donor funds, thereby restricting NGO funding from external sources.

"Government officials sometimes made generic criticisms of local NGOs that accepted funding from international sources" (Sri Lanka 2010).

Inference: NGOs refuse foreign funding for fear of upsetting the government.

0 = no

FUNDING_DOM

FUNDING_DOM is coded 1 if the report mentions restrictions on domestic sources of funding or other types of material resources or if the reports states that the government takes away financial or economic privileges. Funding or material resources can be restricted through the introduction of legislation, e.g. when an organization ceases to benefit from lower renting prices. Funding or material resources can also be restricted due to government (agents') practice, e.g. when the government confiscate an organization's property. The variable does not code funding shortages of organizations for reasons that are not related to initiatives by governments.

1= yes

"Prior to the closure, the government sometimes prevented NGO travel by restricting fuel supplies (Eritrea 2011).

Note: TRAVEL_RESTRICT should be also coded 1.

0 = no

"It allows NGOs to conduct a range of activities throughout the country on behalf of its members and engage in fundraising to support not-for-profit activities" (Ukraine 2013).

VISAS_DIFFICULTIES

VISA_DIFFICULTIES is coded 1 if the report mentions any difficulties to obtain visas to enter the country, including visa denial.

1 = yes

"Difficulties obtaining visas and government passes" (Iraq 2011).

"The government sometimes restricted international NGOs' ability to operate through delays in project registration and visa refusals" (Bangladesh 2012).

"On April 12, border officials detained three Amnesty International delegates at the Conakry airport for several hours. The delegates were allowed to leave after the police had searched their bags and confiscated materials relating to Guinea's human rights situation" (Guinea).

0 = no

VISAS_DENIED

VISAS_DENIED is coded 1 if the report mentions that the government refused to issue visas to international organizations or took any other measures to prevent international organizations defending human rights from entering the country.

1 = yes

"The government sometimes restricted international NGO's to operate through delays in project registration and visa refusals." (Bangladesh 2012).

"Prevented UN special rapporteur on HR in DPRK, Marzuki Darusman from entering the country. No access for UN HR commission." (Korea 2013).

"In June the mandate of the UN Independent Expert expired and was not renewed" (Burundi 2011).

"The government expelled the activist country director of Helvetas" (Laos 2012).

0 = no

REGISTRATION_PROBLEMS

REGISTRATION_PROBLEMS is coded 1 if the report mentions difficulties or refusal in formally registering human rights defending organizations or any rules and regulations that prevent human rights defending organizations from registering. This includes problems to register as CSO instead of foreign agent or commercial organization.

1 = yes

"The government refused to register numerous NGO's" (Belarus 2013)

"NGOs which proposed undertaking projects in northern and eastern areas address such matters as psychosocial counseling, good governance training for local citizens, and legal aid often had difficulty in obtaining government work permits" (Sri Lanka 2010).

Inference: Work permits are a form of registration.

0 = no

CENSOR

CENSOR is coded 1 if the report mentions that the government is restricting or censoring public communication (in print, radio/TV, online media) or that human rights defenders and human right defending organizations self-censor their publications and communications for fear of negative consequences.
1 = yes

"They (NGO's) also practice some self-censorship" (Bangladesh 2012).

0 = no

"Numerous domestic and international HR groups operated without government restriction, investigating and publishing their findings on HR cases" (Israel 2012).

HARASS_AMOUNT

HARASS_AMOUNT records the extent (severity and frequency) of harassment, threats and intimidation carried out by government agents against international and domestic human rights defending organizations and human rights activists. Demanding bribes should also be mentioned as a form of harassment. Government's inability to protect human rights defenders is <u>not</u> evidence does not count as evidence for government harassment unless the report suggests that the government or its agents were complicit (see examples below for clarification).

0 = none

1 = some

"Domestic and international human rights organizations faced threats and harassment from local officials. These took the form of restrictions on and disruptions of gatherings sponsored by NGOs, verbal intimidation, threats of legal action, and bureaucratic obstruction" (Cambodia 2013).

Example for government complicity: "Several NGOs reported that the government and police at times refused to protect them from so-called provocateurs who threatened, harassed, and attacked NGO activists" (Azerbaijan 2009).

Example for government complicity: "A number of NGOs, human rights workers, and trade unionists reported threats or intimidation by unidentified persons, many with reputed links to organized crime, private security companies, and "social cleansing" groups, and complained that the government did little to investigate these reports or to prevent further incidents." (Guatemala, 2010).

2 = frequent/systematic, generally

"Repeated intrusive inspections and arrest and torture of locally engaged staff members" (Iraq 2011).

"HRW, Odhikar, MSF, ACF, Handicap International, and the Bangladesh Center for Workers' Solidarity (BCWS) reported numerous credible instances in which the government impeded their work" (Bangladesh 2012).

HARASS_TYPE

HARASS_TYPE records as text the types of harassment against human rights defenders.

OPEN ANSWER

"Cancel projects, restrictive operating requirements, intimidating remarks, threats of arrest for sedition" (Bangladesh 2012).

ARREST

ARREST codes the extent to which human rights defenders are arrested for reasons related to their work as human rights defenders.

0 = none

1 = some

2 = frequent/systematic

"Representative of INGO arrested in Tahrir Sq (Baghdad) on October 21 2011. Released 4 days later without being charged" (Iraq 2011).

"In November 2012, the unregistered human rights NGO Vyasna was forced to abandon its office of 12 years which was confiscated as part of the court sentence against its imprisoned leader, Ales Byalyatski" (Belarus 2013).

SURVEIL

SURVEIL is codes the extent to which a government and/or government agents control and monitor the activities of human rights defenders and human right defending organizations. This surveillance includes monitoring, investigating, recording, site visits and inspections.

0 = none

1 = some

2 = frequent/systematic

"Authorities...subjected them to frequent inspections and threats of deregistration, and reportedly monitored their correspondence and telephone conversations" (Belarus 2013).

"The government's monitoring of the movements of foreigners, its frequent interrogation of citizens concerning contacts with foreigners, its restrictions on the freedom of expression and association of citizens, and its practice of arresting citizens who passed information about government human rights abuses to foreigners [...] Some international NGOs and UN agencies were required to have a government representative accompany them on field visits to other areas of the country, at the NGOs' or UN's expense, although this rule was not consistently enforced" (Myanmar/Burma 2008).

KILLING

KILLING is coded 1 if the report mentions the murder of human rights defenders or members of human rights defending organizations.

1 = yes

0 = no

COOPT

COOPT is coded 1 if the report mentions that NGOs or other human rights organizations were coopted by the government. Co-optation refers to government activities of paying staff members of this organizations, influencing the appointment of executive members of the NGO, and so forth. By definition, national human institutions, e.g. the ombudsman, cannot be coopted because they are part of the state. The variable INDEPENDENCE_HR_INSTIT codes cases in which the government tries to influence national human rights institutions.

1 = **yes**

"Farouk Ksentini, president of the CNCPPDH, was appointed by the president and paid by the government. The CNCPPDH publishes an annual report that provides measured criticism of the government" (Algeria 2011).

0 = no

"The governments' North Korean HR Committee denied the existence of any HR violations in the country" (North Korea, 2013).

Inference: This is an example for influence over national human rights institutions.

Other_Restrictions

OTHER_RESTRICTIONS is an open text variable which records in brief any types of restrictions which cannot be recorded under the existing categories.

OPEN TEXT

E.g. travel abroad restricted: "The Government restricts the ability of members of NGOs to attend conferences abroad" (Kuwait 1999).

ORG_STATUS

ORG_STATUS is a nominal variable which records the types of organizations defending human rights that face government-sponsored restrictions. Please type in the letters for each type of restricted organization separated by comma.

INGO = international non-governmental organization
NGO = non-governmental organization
NHRI = national human rights institutions, ombudsman

IGO = UN or other inter-governmental organizations
TU = trade unions
CSO = civil Society actors that defend human rights but cannot be subsumed under NGOs, e.g. umbrella organizations and individual activists

ORG_STATUS_OPEN

ORG_STATUS_OPEN1 records the status of human rights organizations, then cannot be classified under ORG_STATUS. Always record the name if you have chosen CSO above.

OPEN TEXT

IMPORTANT CODING NOTES

1. If there is a mid-year change in political leadership (for example through elections, a coup, etc.), then code the restrictions against NGO as committed by the old incumbent.
2. If authority in the country is contested in a given year, then code the de-jure authority. For example, we code the Islamic State of Afghanistan for the civil war period between 1996 to 2001 as the relevant government authority. However, if the official government has fled the country and does no longer control territory, then we code the de-facto authority as government authority.
3. Journalists without linkages to human rights groups or other non-governmental organizations do not serve as reference for coding restrictions.
4. State Department reports do not include the USA. For the USA, Amnesty International country report for the USA was used. For 2013 USA data, the AI 2014/15 report was all that was available. It covered developments in 2013 and 2014.
5. If the section on 'Governmental Attitude Regarding International and Nongovernmental Investigation of Alleged Violations of Human Rights' makes reference to another section, please go to this section. If the evidence from this section is relevant to your coding decision, copy-paste it into the corresponding evidence field.
6. If a report contains evidence of armed group violence against NGOs or INGOs, then this is usually not coded as any form of government restriction. However, if there is also evidence that the government is unwilling to protect NGOs or INGOs or the armed group is affiliated with the government (PGM) then this is coded under ACTIVITIES_RESTRICT and HARASS.