The Development of Rights and Liberties in North African Countries according to" the Freedom in the World Index" Since 2011

تطور الحقوق و الحريات في دول شمال افريقيا وفقا لمؤشر الحرية منذ 2011

Bahi Samir
Department of Political Sciences,
University of Biskra .Algeria
s.bahi@univ-biskra.dz

Zanouda Mouna
Department of Political Sciences,
University of Biskra .Algeria
m.zanouda@univ-biskra.dz

Abstract:

Since 2011, several North Africa countries have witnessed political transformations that impacted the political, security, and economic situation in the region and affected human rights and liberties. Despite the promises made by the ruling political regimes, the state of human rights continues to degrade, declining and deteriorating. This situation is confirmed in different official reports of international organizations, such as Freedom in the World reports. Therefore, this paper aims to examine the evolution of freedom indicators in North African countries based on the annual reports of the Freedom House .

Keywords : North African countries, human rights, liberties, freedom indicators.

ملخص:

منذ سنة 2011 شهدت العديد من دول شمال إفريقيا تحولات سياسية مختلفة أثرت على الوضع السياسي و الأمني و حتى الاقتصادي بالمنطقة و هو ما اثر بدوره على مستوى حقوق الإنسان و الحريات فيها. و رغم الوعود التي تعهدت بها الأنظمة السياسية الحاكمة بالمنطقة إلا أن وضعية حقوق الإنسان ما زالت في تراجع و انحسار. و هو ما تجمع عليه مختلف التقارير التي تضعها المنظمات الدولية المتخصصة في هذا الشأن، على غرار تقارير الحرية في العالم. و عليه تهدف هذه الورقة إلى استقراء تطور مؤشرات الحرية لدول شمال إفريقيا وفقا للتقارير المعدة سنويا من قبل مؤسسة دار الحرية .

الكلمات المفتاحية: دول شمال إفريقيا، حقوق الإنسان، الحريات، مؤشر الحرية.

Auteur correspondant: Bahi Samir

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Introduction:

Human rights is considered one of the key indicators of democracy and the governance of political systems. International standards define human rights as olitical, civil, economic, and social rights and liberties. Their purpose is to protect individuals and provide for their well-being, regardless of their nationality, religion, gender, or ethnicity.

Arab region has witnessed a significant deterioration in human rights conditions in several states, particularly since 2011. Political transformations have adversely affected the region's economic and security situations, making these countries vulnerable to external interventions under the guise of humanitarian aid. This perspective is widely supported by specialized international reports on human rights and freedoms, such as the "Freedom Index" by the Freedom House.

This report assesses various indicators (25 indicators) related to political and civil rights, inspired primarily by the Universal Declaration of Human Rights, which recognizes these rights as universal for all individuals, regardless of their affiliation.

Therefore, the study focuses on the following question: **How have the situation of rights and liberties evolved in the North African countries according to the Freedom Index since 2011?**

In order to answer the previous issue, the study adopted a descriptive-analytical approach to examine the state of rights and liberties in Arab countries since 2011, primarily relying on data from the Freedom House reports titled "Freedom in the World" from 2011 up to the 2023 report.

Section one : the concept of rights and liberties according to the Freedom Index:

A)Human rights definition :

Human rights and liberties refer to all the inherent and obligatory rights that every individual should enjoy, regardless of their gender, affiliation, or religion. Thus, their most significant characteristic internationally is their universal nature. In general, human rights encompass the entirety of natural rights and fundamental liberties that an individual possesses as a human being, regardless of their gender, religion, or affiliation. These rights protect their freedom and dignity and constitute a collection of original natural rights that have existed since the creation of humankind and have evolved with civilization. They stem from the necessity of mutual respect between individuals[1].

Human rights include civil, political, economic, and cultural rights. These rights have evolved over generations, resulting changes in their nature and scope, as follows :

First Generation: includes civil and political rights, the most important of which are the right of every individual to freedom and safety, liberation from slavery and servitude, freedom of thought and expression, freedom of belief, and the right to political participation...

Second Generation: It encompasses economic, social, and cultural rights, the most important of which are the right to work, the right to social security, and the right to education...

Third Generation: Concerns solidarity rights, which means the need to provide global frameworks and mechanisms that ensure and protect the mentioned human rights. It also relates to some modern issues facing humanity, such as the right to self-determination, the right to development, and the right to a clean environment...[2] These rights are protected by international laws and standards, and they ensure the dignity, equality, and freedom of individuals, regardless of their race, nationality, religion, or other characteristics.

B)The international legal framework for human rights of "Freedom Index" :

All of these rights are encompassed within the framework of several international treaties and agreements, especially the Universal Declaration of Human Rights in 1948, the International Covenant on Civil and Political Rights in 1966, and the International Covenant on Economic, Social, and Cultural Rights in 1966.

These agreements and international covenants represent a fundamental source for assessing human rights and freedom indicators for numerous organizations and research institutions, similar to the Freedom index launched specifically by Freedom House[3]. Annually, Freedom House issues reports that deal with freedom-related matters worldwide, including the **"Freedom Index"**, which serves as an observatory for political and civil liberties in various regions around the globe. The publication of this report began in 1973[4].

The "Freedom Index" relies on a set of indicators (25 indicators in total) related to political and civil rights, primarily inspired by the Universal Declaration of Human Rights, which is considered to be universal rights for every individual regardless of their background.5

These indicators are divided into two categories: 10 indicators for political rights and 15 indicators for civil liberties. They are presented in the form of questions that experts answer and assign a score from 0 to 4 points to each indicator for each country or region. A score of 0 represents the lowest degree of freedom, while a score of 4 represents the highest degree of freedom.

The report focuses on political and civil rights; the questions concerning political rights are divided into three subcategories: electoral process (3 questions), political pluralism and participation (4), and government functioning (3).As for civil liberties, questions are divided. into four subcategories: freedom of expression and belief (4 questions), associational and organizational rights (3), rule of law (4), and personal autonomy and individual rights (4)6.

Countries are globally ranked based on the total scores they receive in political rights and civil liberties. Each country or region is assigned two evaluations, one for political rights and the other for civil liberties. Countries are then classified into

ratings from 1 to 7. 1 representing the highest level of freedom and 7 indicating the lowest and narrowest degree of freedom. Within a specific scoring system, countries are classified, and their freedom status is categorized into three main conditions: free, partially free, or not free.7

It's noteworthy that the report's methodology focuses primarily on analyzing the state of political and civil rights without delving into other types of human rights, such as economic, cultural, and solidarity rights. Nonetheless, the report is considered a reliable source for research and academic studies, especially due to its emphasis on the relationship between human rights and the consolidation of democracy.

Section two : Rights and liberties indicators in North African Countries since 2011:

North African Countries have recorded varying estimations of political rights and civil liberties according to the Freedom Index since 2011. The Arab region in North African area has witnessed a political transformations, since the so-called Arab Spring, this fact have highlighted the importance of investigating the status of rights and liberties in the Arab region during this period.

At the beginning of 2011, citizens across the Middle East and North Africa rose up in protest for political and economic shifts8 and called for change towards better conditions. They demanded more liberties, respecting political and economic human rights. As a result, the political systems in the region promised to pay more attention to human rights and liberties as part of their efforts to draft new constitutions or reform plans. This will be examined through the reports of Freedom Index since 2011.

A) The global ranking of North African Countries according to the Freedom Index:

First of all, the study focuses on the global ranking and classification of North African Countries in general based on the Freedom Index. relying on the series of reports issued by Freedom House under the title "Freedom Index" starting from the report of 2012 to the report of 2023.

According to the mentioned reports, North African Countries have been classified into three categories: Free countries (F), Partially Free countries (PF), and Not Free countries (NF). It is worth noting that a significant observation regarding the classification of North African Countries within this framework is that most of them fall under the category of not Free countries, as indicated in the following table:

Table 01: Evolution of North African Countries Classification according to the Freedom Index since 2011

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country	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021	2022	2023
Tunisia	PF	PF	PF	F	F	F	F	F	F	F	PF	PF
Algeria	NF	NF	NF	NF	NF	NF	NF	NF	NF	NF	NF	NF
Sudan	NF	NF	NF	NF	NF	NF	NF	NF	NF	NF	NF	NF
Western Sahara	NF	NF	NF	NF	NF	NF	NF	NF	NF	NF	NF	NF
Libya	NF	PF	PF	NF	NF	NF	NF	NF	NF	NF	NF	NF
Egypt	NF	PF	NF	NF	NF	NF	NF	NF	NF	NF	NF	NF
Morocco	PF	PF	PF	PF	PF	PF	PF	PF	PF	PF	PF	PF
Mauritania	NF	NF	NF	NF	NF	NF	NF	NF	PF	PF	PF	PF

Source: Freedom in the world reports from 2012 to 2023

According to the data in the table, for the free countries category, it is almost non-existent in North African Countries, except for Tunisia. Tunisia is the only North African Countrie that has obtained this specific classification since 2015 until the year 2021, it can be considers as an exception, especially considering that it was previously classified as a Not Free country. This progress in the field of rights and liberties was attributed in the 2015 report to the positive political outcomes achieved by the new Tunisian regime, particularly regarding the progressive new constitution in January 2014910, as well as the legislative and presidential elections held in late 2014, which were seen as embodying the new democratic principles in the country.

However, this progress did not last long, as Tunisia was reclassified as partially Free in the 2021 report due to the decision of Tunisian President Kais Saied to dissolve the elected government, suspend the parliament, and impose restrictions on civil liberties11.

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As for the Partially Free countries, which are characterized by limited respect for political rights and civil liberties, often facing environments of corruption, weak rule of law, and ethnic and religious conflicts. Regarding the North African context, there are countries that have been classified as Partially Free before 2011, such as Morocco. There are also countries that were initially classified as Partially Free but later improved their rights and freedom situation, leading to their reclassification as Free countries. Tunisia was the only case since 2015, as mentioned earlier.

Additionally, there are countries that were initially classified as not Free but later experienced improvements in their rights situation, leading to their reclassification as partially Free. For example, Egypt in 2013 (after Mohamed Morsi came to power through what was considered legitimate elections) and Libya in 2013–2014 (following the General National Congress elections during that period, which included various political factions and witnessed an improvement in civil liberties and freedom of expression)12. However, these countries later reverted to the classification of not Free once again.

In addition, the studied reports included two Arab cases that transitioned from being not-free countries to partially-free countries. As well as for the case of Mauritania, which was classified as a Partially Free country in the 2020 report following the presidential elections that brought the president, Mohamed Ould Ghazouani, to power in June 201913. This marked the first peaceful transfer of power after a long history of military coups in the country.

For the not Free countries, this category is dominant in North African cases, with approximately 5 countries being classified as not Free in the latest report of the organization14. Most of these countries have held this classification before 2011.

B) The status of rights and freedoms in North African countries since 2011:

Concerning the status of rights and liberties in north African countries, according to the reports issued by Freedom House, it would be obvious that the conditions of rights and liberties in the region have not achieved the expected improvement since 2011. The following table illustrates the scores obtained by each country in the Freedom Index reports from 2011 to 2023:

Table 02: Evolution of political rights and civil liberties indicators for North African countries since 2011

Country	2012		2013		2014		2015		2016		2017		2018		2019		2020		2021		2022		2023	
	PR	CL	PR	CL	PR	CL	PR	CL	PR	CL	PR	CL	PR	CL	PR	CL	PR	CL	PR	CL	PR	CL	PR	CL
Tunisia	3	4	3	4	3	3	1	3	1	3	1	3	2	3	2	3	2	3	2	3	3	3	4	3

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Algeria	6	5	6	5	6	5	6	5	6	5	6	5	6	5	6	5	6	5	6	5	6	5	6	5
Western Sahara	7	7	7	7	7	7	7	7	7	7	7	7	7	7	7	7	7	7	7	7	7	7	7	7
Libya	7	6	4	5	4	5	6	6	6	6	7	6	7	6	7	6	7	6	7	6	7	6	7	6
Egypt	6	5	5	5	6	5	6	5	6	5	6	5	6	6	6	6	6	6	6	6	6	6	6	6
Morocco	5	4	5	4	5	4	5	4	5	4	5	4	5	5	5	5	5	5	5	5	5	5	5	5
Mauritania	6	5	6	5	6	5	6	5	6	5	6	5	6	5	6	5	5	5	5	5	5	5	5	5

Source: Freedom in the world reports from 2012 to 2023

PR: Political Rights CL: Civil Liberties

The first observation can be montioned is that most North African countries received high scores indicating severe restrictions on political and civil liberties, ranging from 5 to 7. These scores represent the highest levels of repression of liberties and rights. In addition, several North African countries received the maximum score of 7 for both political rights and civil liberties, indicating a complete lack of respect for rights and liberties over extended periods. As a result, these countries have been classified under the category "Worst of the Worst" according to the index evaluations.

In the latest report for 2023, Syria, Saudi Arabia, Yemen, Somalia, and Libya in North Africa have been categorized as the "worst of the worst" countries, which indicates a high level of liberties restrictions in such countries.[15]

Section three : **Obstacles to promoting rights and freedoms in Arab countries in North Africa** :

Promoting rights and liberties in North African countries is an urgent demand, especially within the current state of instability experienced since 2011. Several North African countries, including Tunisia, Libya, and Egypt, witnessed significant political transformations that led to the overthrow of existing political regimes. Subsequently, they embarked on rebuilding their political systems, although to varying degrees.

Both Tunisia and Egypt witnessed the formulation of new constitutions at the beginning of 2014, along with presidential and parliamentary elections that paved the way for peaceful transfers of power. However, Egypt continues to face more challenges due to the developments and complexities following the removal of

former President Mohamed Morsi and the rise to power of current President Abdel Fattah el-Sisi, who has sought to tighten his grip on the country's governance.

On the other hand, Libya remains deeply troubled in its state-building process, primarily due to profound state failure within the nation. The country continues to struggle with rebuilding its state institutions.

Furthermore, the rest of North Africa countries witnessed political transformations with a reformist character through a series of constitutional, political, and legal amendments. One notable example is Algeria, which held a vote on a new constitution on November 1, 2020, in fulfillment of one of the crucial electoral promises of President Abdelmadjid Tebboune, who came to power through presidential elections in 2019, succeeding Abdulaziz Bouteflika.

However, observations of the human rights and freedom situation in North Africa since 2011 prove that the situation has not changed for the better, as initially hoped after the Arab Spring. Despite years passing since the Arab Spring period, popular protests have not ceased in many Arab countries, reflecting the dire state of rights and liberties in those states.

In 2019, various protests erupted in the region, including in Egypt, Morocco, the Western Sahara, Tunisia, and Algeria. The protesters called for an end to corruption, improvements in living and working conditions, and greater respect for social and economic rights. Some also demanded gender equality.[16]

In contrast, political participation rates in elections in North African countries have shown a significant gap between people and their governments. Three countries in the region, namely Egypt, Algeria, and Tunisia, witnessed municipal, parliamentary, or presidential elections during 2017–2018 with notable voter abstention.

In Tunisia, two-thirds of the electorate refrained from participating, while independent lists achieved the highest percentages. In Egypt, the announced participation rates in the presidential elections for the renewal of President Sisi's term in March 2018 were stated as 41%, but there were doubts cast upon this number, with some estimating the actual participation to be no more than 10%[17].

In Algeria, despite being a significant national event, the presidential elections in December 2019 witnessed a low voter turnout, reaching only 39.8%. More recently, popular participation in the constitutional referendum held in November 2020 did not exceed 23.7%. These numbers indicate a substantial disconnect between the people and their governments in the region.

Beyond that, these countries' systems continued their repressive policies against protesters. One of the most prominent examples is the crackdown on protesters witnessed in Egypt during the events of August 2013, known as the Rabaa massacre. Security forces dispersed a sit-in by the "Muslim Brotherhood" group in Rabaa Al-Adawiya Square, protesting against the ousting of the former Islamist Egyptian President, Mohamed Morsi. According to estimates by Human Rights Watch in a

statement published on their website, security forces "killed at least 817 protesters within a few hours," making it "the largest mass killing in modern Egyptian history.[18]"

Further, during 2019, North African countries witnessed campaigns of repression against journalists and restrictions on freedom of expression. Authorities used various methods to suppress protests. Amnesty International documented credible allegations of excessive or unnecessary use of force by security forces against peaceful protesters, including the use of rubber bullets, tear gas, and the deployment of security forces wielding batons.

According to a report by Amnesty International, in Egypt, security forces arbitrarily arrested thousands of protesters and detained many of them, subjecting them to security-related charges. Egyptian government also sought to hinder communication networks; and blocked electronic messaging applications to prevent further protests[19].

In Libya, human rights remain the least of the concerns for both individuals and the Libyan authorities amid the complex political and security situation. The right to security and the right to a dignified life have become the core demands of the Libyan people. On the other hand, the 2018 annual report of the Arab Organization for Human Rights documented dozens of military clashes that resulted in significant human losses. Additionally, thousands of prisoners and detainees were recorded in both official and unofficial detention centers, many of whom have been held for years without trial. Moreover, serious forms of crime, such as abduction and ransom demands, have become widespread.[20]

For Algeria, despite being classified as a "non-free" country according to the report's standards. It has witnessed significant progress in human rights situation. Since the establishment of political pluralism in the 1989 constitution and the subsequent political reforms introduced in 2011, including a range of important. These include laws on political parties, associations, expanding opportunities for women in electoral councils, media laws, and election laws[21].

Additionally, several national institutions have been established to oversee human rights situations, such as the National Observatory for Human Rights and the National Advisory Commission for the Promotion and Protection of Human Rights[22]. The National Human Rights Council was also created with the aim of "monitoring, evaluating, supervising, and driving the goals of promoting and protecting human rights.[23]"

The Algerian Constitution of 2020 also includes provisions for various political, civil, economic, and social rights of citizens. Its preamble emphasizes adherence to human rights as outlined in the Universal Declaration of Human Rights and the international

agreements ratified by Algeria[24]. However, despite all these efforts, the reality on the ground has revealed numerous legal and practical shortcomings and obstacles.

Economically, the economies of North African countries have witnessed unstable economic conditions that have impacted the trajectory of rights and liberties in the region. These countries continue to suffer from budget deficits, indebtedness, and inflation. This is particularly evident in the Arab economies, which are characterized by a lack of diversity and weak local industries and rely heavily on oil revenues for many nations. This dependence makes them vulnerable to global oil prices.

The "Arab Economic Outlook" report for the year 2018, issued by the Arab Monetary Fund, indicates that Arab economies experienced economic developments in the period following 2013, leading to a tangible increase in budget deficits and rising debt levels. The combined budget surplus achieved by Arab countries, which was 1% of the gross domestic product (GDP) in 2013, turned into a deficit, reaching 5.11% of GDP in 2015. Additionally, the public debt-to-GDP ratio for borrowing Arab countries nearly reached 100% during the year 2016[25].

Perhaps the COVID-19 crisis that emerged at the end of 2019 exacerbated the economic recession experienced by the Arab and global economies as a whole. This pandemic had significant impacts on economic and social levels worldwide and in North Africa. Reports indicated that the Gross Domestic Product (GDP) of Arab countries contracted by 11.5% at the beginning of 2020, resulting in a loss of $221 billion in the same year. The average per capita GDP at current prices declined from around $6,695 in 2019 to approximately $5,863 in 2020. This contraction translated to a decrease of about 6% in the average per capita GDP at constant prices.[26]

The 2022 Arab Economic Report issued by the Arab Monetary Fund stated that the Middle East and North Africa region witnessed a 3.4% decline in GDP. The COVID-19 pandemic worsened the structural challenges faced by the countries in the region, along with the significant decline in oil prices, which affected all aspects of economic life in oil-exporting nations. .(Arab Monetary Fund,2022 :09) Given that the region is one of the world's largest oil producers, this situation contributed to the economic contraction in the area. Additionally, unfavorable internal conditions in some countries further deepened the level of contraction experienced by the region's economies[27].

Eventually, these economic indicators have inevitable repercussions on poverty rates and low wages, which are in turn connected to human rights and liberties. The Second Arab Multidimensional Poverty Report indicated that extreme poverty increased to 10.6% in the Arab region in 2020 as a result of the pandemic's impact, compounded by the war in Ukraine, leading to a significant rise in extreme poverty rates. Levels surpassed those recorded both before and after the COVID-19 pandemic, reaching 13% in 2022 and 13.2% in 2023.[28](Arab League,2023 :26)

Conclusion:

In conclusion, despite the high hopes placed on the political systems in the post-Arab Spring period since 2011, the state of human rights has not improved as expected. According to the Freedom Index in its editions since 2011, the situation of rights and liberties has not changed significantly, with most countries still classified as not free, except for some cases.

Various reports from regional and international organizations concerned with human rights have indicated that the human rights situation in the countries in North Africa is deteriorating, particularly due to the ongoing political and security crises in the region. These crises had an impact on economic and social conditions, making the demands for the right to a dignified life and living in a secure environment among the most essential and significant demands of Arab peoples. These demands continue to be raised in the slogans of popular protests, which remain the only outlet for Arab societies.

Recomendations :

Accordingly, it would be essential, at the end, to emphasize the necessity of improving human rights conditions in North African countries. This can be achieved through the following key conditions:

- Continuing the path of reforms through further political and constitutional reforms that enhance various human rights.
- Ensuring the judiciary's independence from other executive and legislative authorities in law and practice.
- Contributing to raising political awareness and promoting a culture of human rights with the participation of various stakeholders.
- Strengthening the role of civil society institutions in exercising oversight and accountability over any human rights violations.
- Furthermore, we highlight the essential role that civil society institutions must play as oversight mechanisms and third-party contributors in the process of activating and embodying human rights.

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