



Monthly Brief on Countries under Restrictive Environment

Series #2: Bangladesh, Cambodia, Myanmar & Hong Kong

May 2021

Introduction

ANFREL started publishing the monthly brief on the countries under a restrictive environment in April 2021 to provide an insight into the human rights and democracy situation in these countries. In this issue, we will cover issues related to elections and civil and political rights in Bangladesh, Cambodia, Myanmar and Hong Kong.

Bangladesh

In May, Bangladesh journalist Rozina Islam was arrested under the Official Secrets Act for her reporting on alleged corruption and mismanagement in the public health sector, including the government's response to the COVID-19 pandemic. If convicted under the Official Secrets Act, she could face up to 14 years in prison or death penalty. However, she was granted conditional bail on 23 May after her detention sparked nationwide protests and drew international condemnation.



Police escort Rozina Islam to the court on 18 May 2021 (photo: AFP)

In light of the continuing attacks on the media, nine international NGOs including ANFREL wrote to United Nations High Commissioner for Human Rights Michelle Bachelet on the occasion of World Press Freedom Day to draw her attention to the escalating human rights violations perpetrated by the Bangladesh government, exemplified in part by the increasing crackdown on press freedom and the freedom of expression of journalists, activists, and dissidents. The groups urge her to explore avenues to urge the government of Bangladesh to respect and protect the right to freedom of expression, repeal the Digital Security Act and release all journalists, critics and activists who are in detention for speaking out.

Cambodia

On 5 May 2021, the National Election Committee announced a council election for the newly established Bokor City in Kampot province will be held on 25 July. Political parties intending to contest in the election are asked to apply for party and candidate registration at least 80 days before the election date. The NEC received and accepted registration from four parties by the deadline, including the ruling Cambodian People's Party (CPP), Cambodian Nationality Party (NNP), Cambodian Youth Party (CYP) and FUNCINPEC. Each party has nominated between 26 and 28 candidates for the election.

On the other hand, some political parties have been calling for the postponement of the Commune and Sangkat Council Election next year as they do not have enough time for preparation amid the COVID-19 pandemic. However, the CPP said the ruling party is not interested in requesting the government to postpone the upcoming elections. Previously, the NEC postponed the pilot commune and sangkat council elections scheduled for 23 May and an online consultation meeting with stakeholders scheduled for 21 April due to COVID-19 community outbreak.

Violence against those who are linked to the now-dissolved CNRP continued in recent months. On 12 May, Sin Khon, a former CNRP youth activist, was beaten with metal rods by four men in Phnom Penh in broad daylight. Last month, the 15-year-old son of a former CNRP official was attacked with a brick by unidentified attackers. Former CNRP officials and their families said they are worried that assaults against them will continue and demanded investigations.

A little over a year to the commune and sangkat councils elections, the ruling CPP called on more former opposition senior officials to request for “political rehabilitation” to have their five-year political ban lifted, leaving the CNRP leader Sam Rainsy who is in exile more alone. As of May 25, the 118 CNRP lawmakers have had their political rights restored after seeking rehabilitation from the government, with some of them defected to the CPP. Two more former CNRP leaders, Pol Ham and Phan Chansak have requested “political rehabilitation” this month.

Meanwhile, Prime Minister Hun Sen said to the police force on the National Police Day that “the elections 2022 is the target of an attempted attack by traitorous rebels to destroy the process of this important political event”. Local civil society groups criticised that the ill-defined, forceful accusation was paving the way for potential police repression leading up to the elections.

Myanmar

It has been 15 weeks since the day that the Myanmar military junta staged a coup d'état and seized power. The situation in Myanmar has evolved from bloody crackdown by the military against the peaceful protesters to clashes between civilian defence forces and the junta troops. Across Myanmar, ordinary citizens have taken up any weapons available from air guns to traditional firearms and homemade bombs and arms to resist the violence against the civilians.

Mindat township in Chin State reported more intensified fights between the civil resistance groups and the junta forces. The junta has blocked road access to the town and cut off its water supply, making life very difficult for those living in the town. The clashes also emerged in several places in Kayah state such as Loikaw, Hpasawng, Demoso, and Bawlake townships. Emergency support on food, shelter and medicine were needed in IDPs camps of Kayah as civilians fled their villages.

The clashes between the military and ethnic armed groups such as Kachin Independence Army (KIA) and the Karen National Union (KNU) also continue in Kachin and Kayin states that thousands of civilians fled from their villages due to the fightings and the air raids by the military in ethnic armed controlled areas. CSOs based in Thai-Myanmar border called on the authorities to consider measures for refugees on humanitarian principles and make an effort to monitor, assess the situation closely while providing the access to the humanitarian groups to provide necessary aid to the people in need.

Increasing number of small and medium scale bomb blasts reported all across the country that ANFREL monitored at least 100 blasts reported in Myanmar within the last two weeks left at least 13 people dead and more than 60 injured.

According to the Assistance Association for Political Prisoners (AAPP), as of 24 May, 824 people were killed by the junta since the coup on 1st of February, 4,301 people are currently under detention and 96 are sentenced. 1,841 warrants have been issued. 20 were sentenced to death and 14 to three years imprisonment.

On 21 May, the junta-appointed Union Election Commission (UEC) called for its second meeting with the political parties in Nay Pyi Taw. 59 political parties attended the meeting while popular parties such as the National League for Democracy (NLD), Shan Nationalities League for Democracy and Arakan National Party boycotted the meeting. At the meeting, the junta-appointed election commission chair Thein Soe said they will dissolve the NLD for committing “electoral fraud” and the junta will prosecute NLD leaders as “traitors”.



State Counselor Aung San Suu Kyi, President Win Myint and Nay Pyi Taw Council Chairman Dr. Myo Aung appear in court in Nay Pyi Taw on 24 May 2021 (photo: The Irrawaddy)

On 17 May, ANFREL released the [final comprehensive report](#) of its international election observation mission to the 2020 Myanmar general elections and said “it is its informed opinion that the results of the 2020 general elections were, by and large, representative of the will of the people of Myanmar”.

Earlier, the Committee Representing the Pyidaungsu Hluttaw (CPRH), the body representing the lawmakers of the National League for Democracy (NLD) elected in the 2020 general election formed the National Unity Government of Myanmar (NUG). The NUG also announced the formation of a “people’s defence force” to protect civilians facing violence from the military. In response, the junta declared on 9 May that the NUG, its people’s defence force, and the CPRH as terrorist organisations.

Hong Kong

On 11 March 2021, China's National People Congress (NPC) adopted a resolution to "improve" the electoral system of Hong Kong. The decision authorised the NPC Standing Committee to amend Annexes I and II of the Hong Kong Basic Law, which lay out the election procedures for the territory's Legislative Council (LegCo) and Chief Executive.

After a short and non-inclusive public consultation, the Standing Committee finalised details of the overhaul on 30 March. The Hong Kong government subsequently postponed the LegCo elections again to 19 December 2021, and announced the elections of the Election Committee and Chief Executive to be held on 19 September 2021 and 27 March 2022 respectively.

On 27 May, Hong Kong LegCo passed the bill on the electoral reforms. The changes include expanding the number of legislative council seats from 70 to 90 with 40 of them elected by a largely pro-Beijing election committee, and the number of legislators elected directly by voters will be reduced from 35 to 20.

Under the changes, the Election Committee will also be expanded from 1,200 seats to 1,500 seats, comprising a new sector that will include members from pro-Beijing bodies. A Candidate Eligibility Review Committee will also be introduced to "review and confirm" the application of candidates to the LegCo, the Election Committee, and the position of Chief Executive, making it easy to bar pro-democracy candidates who are deemed as being critical of Beijing.

In addition, the Hong Kong government introduced a new change under the Elections (Corrupt and Illegal Conduct) Ordinance to prohibit any person from inciting another person not to vote, to cast a blank or invalid vote in public activities during an election period. Those who violate the ban may face imprisonment for up to three years. However, the act of "inciting" is vague and broadly defined, making the new provision yet another tool to sanction freedom of expression and civil disobedience.

On 28 April, the Hong Kong LegCo also passed an immigration bill which could restrict freedom of movement in and out of Hong Kong. Under the new immigration bill which is set to come into force in August 2021, Hong Kong immigration officials will have the power to stop any individuals from entering or leaving the city without a court order. Hong Kong civil society groups warned that the new legislation could be used to stop certain pro-democracy activists from leaving the city.



Jailed activist and media tycoon Jimmy Lai received a new prison sentence for participating in an unlawful assembly on 1 October 2019 (photo: AFP)

On 14 May, Hong Kong authorities froze nearly HK\$500 million in assets belonging to jailed activist and media tycoon Jimmy Lai. This was the first use of this new power granted under Hong Kong national security law. Lai is currently serving a 14-month jail sentence for illegal protest and waiting for his trial for the charges under the national security law. On 28 May, he was given more jail time after being convicted together with nine other pro-democracy activists for attending an unlawful assembly held on 1 October 2019.

Earlier on 6 May, pro-democracy activist Joshua Wong was slapped with an additional 10 months of jail sentence for participating in an unauthorised assembly on 4 June last year to commemorate the Tiananmen Massacre. The court also sentenced activists Lester Shum, Jannelle Leung and Tiffany Yuen to four to six months behind bars. Twenty others facing similar charges are due to appear in court on 11 June.