



# Monthly Brief on Countries under Restrictive Environment

Series #3: Bangladesh, Cambodia, Myanmar & Hong Kong

June 2021

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## 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. As usual, we will cover issues related to elections and civil and political rights in Bangladesh, Cambodia, Myanmar and Hong Kong.

## Bangladesh

Bangladesh saw the continuation of the government's crackdown on the right to freedom of expression. On 28 May 2021, police arrested a Bangladeshi engineer, Shahnewaz Chowdhury, after he expressed his opinion in his Facebook post on the coal-fired power plant in Banshkhali by saying a coal-fired power plant is environmentally destructive and criticizing incidents that allegedly led to the killing of 12 people during protests in the plant, he called on the youth to 'resist injustice and support development through fearless writing'.

He was arrested under the Digital Security Act in which he could face up to 10 years in prison. This shows that the Digital Security Act has continued to unduly penalise people from all walks of life solely for exercising the right to freedom of expression and expressing dissents online. The government of Bangladesh has been called to immediately drop the case against Shahnewaz Chowdhury and unconditionally release him and all those accused solely for exercising their right to freedom of expression.

Similarly, enforced disappearances have continued in recent months in Bangladesh. On 10 June 2021, a renowned Bangladeshi Islamic preacher, Md Afsanul Adnan, along with three of his companions disappeared on their way to Dhaka. The disappearance is believed to have a connection with a recent case of state-sponsored enforced disappearance.

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## Cambodia

On 1 June 2021, National Election Committee (NEC) chairman Sik Bunhok, announced his resignation from the position due to health problems. The resignation was officially approved by Cambodia National Assembly's Permanent Committee on 4 June. The National Assembly then officially approved Prach Chan, who was nominated by the ruling Cambodian People's Party (CPP) as the new NEC chairman.

Prach Chan is the former governor of Battambang and Tbong Khmum provinces and currently a CPP lawmaker and chairman of the National Assembly's Commission on Human Rights, Complaints and Investigation. Therefore, opposition parties, civil society groups and members of the public raised doubts about his independence and experience in managing electoral affairs due to his close ties with the ruling CPP and accusations of corruption against him.

On the other hand, the NEC urgently canceled the first-ever "2021 Mock Commune Council Election" which was scheduled to be held on 20 June. The planned commune-level mock election was canceled after an official request from Prime Minister Hun Sen over the concern of COVID-19 community transmission in Cambodia. However, the NEC said it will still hold the 2022 Commune/Sangkat Council Elections as scheduled on 5 June 2022.

As the ruling CPP called on more former opposition CNRP senior officials to undergo "political rehabilitation", the Ministry of Interior has also been continuously approving the registration of political parties in order to allow these political parties to contest in the upcoming elections. On 21 June, the Ministry of Interior approved the proposal to establish the Cambodian National Heart Party (CNHP) with Siem Plouk as the party's leader. Some senior CPP officials openly supported the formation of new parties and they are confident that the new parties will not win over the ruling CPP.

Prosecution and violence against those who are linked to the now-dissolved CNRP continue to be prevalent. On 4 June, seven women faced violence by 30 to 40 security personnel when they were handing a petition to the UN Human Rights office for the release of incarcerated members of CNRP and activists. On 24 June, Kak Sovanchhay, the 16-year-old son of an opposition CNRP activist, was arrested by police on suspicion of "inciting social unrest" and is now detained in Prey Sar Prison. Human Rights groups consider the arrest of the opposition official's son, who is a minor, to be a serious violation of children's rights.

The government also continued the crackdown on freedom of expression and association. Yuong So Da, a school teacher living in Pailin was sentenced to one year in prison for "incitement to commit a felony" after criticizing the Cambodia-Vietnam Friendship Monument. On 16 June, Phnom Penh Police arrested four young environmental activists, namely Sun Ratha, Ly Chandaravuth, Seth Chhiv Limeng, and Yim Leanghy, with charges in connection with

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alleged conspiracy and insulting the king. The arrest came after they spoke out about environmental and natural resources issues. Local and international human right organizations, as well as some embassies expressed their concern over this continuous violation of the rights to freedom of expression in Cambodia, called for their release and called on the Cambodian government to immediately drop baseless conspiracy and charges of “insulting the king”.



Mother Nature activists, Sune Ratha (left) and Yim Leanghy (right) were brought to the Phnom Penh Municipal Court on 20 June 2021 (photo: RFA Khmer).

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## Myanmar

It has been more than four months since the military staged the coup in Myanmar. Protests continued in different parts of Myanmar and its unsettled situation continued. The clashes between the junta forces and the ethnic armed organizations (EAOs) also emerged across the country with a large number of casualties on both sides every day.

The UN Office for the Coordination of Humanitarian Affairs (OCHA) reported that an estimated 230,000 people have been internally displaced in Myanmar as of June since the coup. Most of the recent IDPs are from Kayah and Kayin states, where EAOs and the Myanmar military are engaged in armed fighting. Thousands are also displaced in Chin, Shan and Kachin states.

According to the Assistance Association for Political Prisoners (AAPP), 884 people have been killed by the junta and 5,210 people are currently under detention as of the end of June<sup>1</sup>. However on 30 June, the junta released more than 2,000 prisoners, including peaceful protesters and journalists who had been detained for months.

On 4 June, Senior General Min Aung Hlaing met with Brunei's second Minister for Foreign Affairs Erywan Pehin Yusof and ASEAN Secretary General Lim Jock Hoi in Nay Pyi Taw. The general told the ASEAN envoys that elections will only come after the country returns to "normal". Two weeks later, the coup leader told news media *Russia 24* in an interview during his trip to Russia that the elections will be held in around two years<sup>2</sup>.

On the other hand, the junta's propaganda newspaper, Myanma Alinn Daily published an article on 17 June about Thailand's electoral system and the parliaments crafted by the Thai military after the 2014 coup, an indicator that the Myanmar junta is considering enacting a similar system in future elections.

On 7 June, the court announced that it will complete the hearing of the five cases against ousted state counsellor Aung San Suu Kyi in Nay Pyi Taw within 180 days. She has another charge under the Official Secrets Act in Yangon and was slapped with a new charge under the anti-corruption law on 10 June, bringing the number of legal cases against her to seven. NLD's detained Magway Regional chief minister, Dr. Aung Moe Nyo was sentenced to two-year imprisonment on an incitement charge, becoming the first government head to be convicted since the coup.

More detailed weekly updates on the post-coup situation in Myanmar compiled by ANFREL can be accessed at <https://myanmar.anfrel.org/en/news>.

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<sup>1</sup> <https://aappb.org/?p=16219>

<sup>2</sup> <https://www.thestar.com.my/aseanplus/aseanplus-news/2021/06/27/039myanmar-elections-will-definitely-be-held-in-around-two-years039-says-senior-general>

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## Hong Kong

A little over six months prior to the Legislative Council Elections, the human rights and democracy situation in Hong Kong continues to deteriorate.

For the second consecutive year, Hong Kong police banned the annual candlelight vigil in Victoria Park to commemorate the Tiananmen Square Massacre. As many as 7,000 police officers were deployed to enforce the vigil ban and carried out stop and search operations. Despite the closure of the park, hundreds of people gathered around the park with their candle and mobile phone flashlight to mourn the victims of June 4. At least six were arrested according to the police. On the same day, Chow Hang-tung, vice chair of the Hong Kong Alliance in Support of Patriotic Democratic Movements of China that organises the annual vigil, was arrested for publicising unlawful assemblies. Its chairman Lee Cheuk-yan is currently in jail for an illegal assembly.

On the second anniversary of the 12 June 2019 protest outside the Legislative Council that saw violent clashes between pro-democracy protesters and police during the anti-extradition bill protest movement, rallies were held in over 50 cities around the world. While pro-democracy protests remain banned in Hong Kong, some small groups gathered to commemorate the protest's anniversary. As a result, at least four people were arrested, and two student activists Wong Yat-Chin and Alice Wong were picked up by police a day before for allegedly publicising an unauthorised assembly.

On 16 June, the South China Morning Post reported that according to government sources, at least 150 Hong Kong district councillors will be disqualified for taking part in the pro-democracy primaries held last year when they are vetted in July under the new oath-taking legislation<sup>3</sup>. The new legislation that was introduced last month in line with the National Security Law grants the authorities new powers to disqualify district councillors who are deemed "unpatriotic". Removing those councillors would slash the total number of about 350 opposition representatives in district councils by nearly half.

On 17 June, 500 police officers raided the offices of pro-democracy newspaper the Apple Daily, alleging its reports breached the National Security Law. The police also arrested five executives and editors, and froze its assets of HK\$18 million (USD2.3 million). Two of them were later charged under the National Security Law. Following the crackdown, the paper announced its closure and publication of its last edition 24 June due to the untenable environment in the city. The one million copies sold out in a few hours as Hong Kongers rushed to purchase the last edition of the territory's sole remaining pro-democracy newspaper.

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<sup>3</sup> <https://www.scmp.com/news/hong-kong/politics/article/3137560/national-security-law-least-150-hong-kong-district>

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Later on 27 June, the police arrested another former Apple Daily senior journalist at the airport on an alleged national security offence. Fung Wai-kong became the seventh Apple Daily staffer to be arrested on grounds of national security in a few weeks. His arrest led to the confirmation of the existence of a watch list, compiled by the Hong Kong national security police, of residents to be arrested if they try to leave the territory<sup>4</sup>.

Also in June, researchers from the Human Rights Measurement Initiative (HRMI) released their findings for the year 2020, in which Hong Kong shows a steep decline from 2019. The tracker's data shows for instance that Hong Kong scores only 2.6 out of 10 for freedom from arbitrary arrest, below countries such as Vietnam and Papua New Guinea. Meanwhile, the freedoms of assembly and association, opinion and expression, and participation in government scored respectively 2.7, 2.8 and 2.3 out of 10 versus 4.1, 4.2 and 3.6 just a year before<sup>5</sup>.



Apple Daily staff shine smartphone lights from their office rooftop and shout thanks to supporters down on the street on their last day of operations on 23 June 2021. (photo: Apple Daily)

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<sup>4</sup>

<https://www.scmp.com/news/hong-kong/law-and-crime/article/3139082/hong-kong-national-security-police-have-watch-list>

<sup>5</sup> <https://hongkongfp.com/2021/06/24/hong-kongs-human-rights-record-worsened-sharply-in-2020-database/>