



Monthly Brief on Countries under Restrictive Environment

Series #6: Bangladesh, Cambodia, Myanmar & Hong Kong

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Introduction

ANFREL started publishing the monthly brief on the countries under a restrictive environment in April 2021 to provide insight into these countries' human rights and democracy. This brief covers democracy and civil and political rights issues in Bangladesh, Cambodia, Myanmar, and Hong Kong.

Bangladesh

In Bangladesh, the first phase of Union Parishad (UP) elections was held in 160 UPs on 20 September amid violence and irregularities. The second phase of UP elections, which will involve 848 UPs, will be held on 11 November. There are a total of about 4,500 UPs in the countries.

Meanwhile, the Election Commission of Bangladesh also announced its plans to hold a by-election for Sirajganj-6 parliamentary constituency and elections to 10 municipalities on 2 November, and Zila Parishad elections in January 2022¹.

The ruling Awami League revealed that it is working to train 100,000 “online army” to counter the opposition’s “rumours” on social media. With the next national elections expected to be held in 2023, the party said it would unleash its trained “online army” to flood Bangladesh with the news about the party’s “good deeds”².

As the incumbent Election Commission is scheduled to serve out of its tenure in February 2022, the issues on forming a new commission have been raised again. According to Article 118(1) of the constitution, the appointment of the chief election commissioner and up to four election commissioners shall be made by the president, subject to the provisions of any law made. However, questions are raised as such a law on the appointment does not exist³. Currently, the president formed a 12-member search committee to recommend names to him for the appointment.

¹ <https://www.newagebd.net/article/150455/elections-to-848-ups-nov-11>

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<https://www.trtworld.com/magazine/bangladesh-s-ruling-party-to-unleash-online-army-to-stifle-opposition-50130>

³ <https://www.newagebd.net/article/149953/bangladesh-election-commission-formation-law-still-uncertain>

Cambodia

In the lead-up to the 2022 Commune and Sangkat Council Elections, eligible voters who had yet to register are invited to register themselves from 30 September to 12 October. As the elections will be held next year, the National Election Committee (NEC) expects 1.6 million newly registered voters, compared to just over 500,000 last year.

The NEC has also been sending out invitations to registered voters to check and verify their details on the voter list from 12 October to 30 November. Meanwhile, the registration of local and international observers to observe the new voter registration and to check the vote list is open from 12 September to 2 February.

The NEC announced on 14 September that there will be six new communes along with an additional 50 commune council seats, making it a total of 1,652 communes and 11,622 commune council seats for the elections scheduled for 5 June 2022. According to the NEC, the purpose of creating new communes is “to reflect the geographical, economic and demographic realities of Cambodia”⁴.

On 17 September, the Ministry of Interior approved the registration of the Cambodia Reform Party, a splinter of the court-dissolved Cambodia National Rescue Party (CNRP). However, the Ministry refused the registration of another splinter National Heart Party (CNHP), giving the party 15 days to fulfil the criteria stated in the Law on Political Parties. There are other four new parties formed by former CNRP leaders, namely the Khmer Will Party (KWP), the Cambodia National Love Party (CNLP), Kampucheaniyum Party (KP) and the Khmer Conservative Party (KCP). Later on 23 September, another two opposition parties FUNCINPEC and the Khmer National United Party (KNUP) agreed to merge in order to win seats in the upcoming elections.

Freedom of expression in Cambodia continues to be under threat. According to a joint statement by 28 local CSOs on 21 September⁵, Prime Minister Hun Sen has warned analyst Dr. Meas Nee who made critical comments on Cambodia's foreign policy and revealed that an arrest warrant had been issued to another analyst Dr. Seng Sary for his Facebook post. The groups called on the Cambodian government to cease intimidation of critical voices and uphold the freedom of expression.

On 9 September, the court convicted and sentenced seven former opposition members in absentia for Facebook posts accusing Prime Minister Hun Sen of hiding COVID-19 deaths in 2020. The seven former members of the dissolved CNRP who are all currently living overseas were sentenced to 18 months in prison and USD 500 fines. More than 130 defendants are

⁴ <https://www.phnompenhpost.com/national/six-new-communes-and-50-new-seats-2022-elections>

⁵ https://cchrcambodia.org/media/files/press_release/853_jotaae_en.pdf

currently facing trials for charges like incitement in Cambodian courts, many of whom are activists, former politicians, and supporters linked to the CNRP⁶.

⁶ <https://vodenglish.news/seven-cnrp-members-convicted-for-covid-19-posts-from-march-2020/>

Hong Kong

Hong Kong held the Election Committee Subsector Elections on 19 October, the first election since the sweeping electoral reforms being introduced this year. The overhauled election committee has 1,500 seats and is now empowered to elect 40 of 90 Legislative Council members in the city.

Among the 1,500 seats in the committee, only 364 seats were elected from 412 candidates through this election. The remaining seats were either filled by appointment, by ex-officio members, or were elected without competition. Due to the fact that many seats saw a walkover, only fewer than 5,000 among the 7,971 registered voters were invited to the polls.

The elections faced several criticisms other than the more undemocratic system under the new electoral reforms. Between 5,000 and 6,000 police officers were deployed for duty on election day while only up to 4,800 voters were expected to cast ballots, which is deemed as intimidation. Besides, the election officials took nearly 14 hours to tally some 4,380 ballots after the polls, leading many to question the hold-up. Chair of the Electoral Affairs Commission Barnabas Fung apologised for the

As a result, a total of 1,488 committee members were formed, as some members represent more than one subsector. Among them, only one is not from the pro-establishment camp. It is almost confirmed that all forms of governance in Hong Kong are now under Beijing's firm control in the coming years.

In September, three Hong Kong Alliance leaders, Lee Cheuk-yan, Albert Ho and Chow Hang-tung, were charged with subversion under the National Security Law. Both Lee and Ho, who are serving jail sentences for other protest-related charges, did not apply for bail. Chow made a bail application but was denied by the court.

Under the continuous pressure and crackdowns in the National Security Law era, another 12 civil society groups announced their dissolution in September, including the Hong Kong Alliance in Support of Patriotic Democratic Movements of China, China Human Rights Lawyers Concern Group, Student Politicism, etc. According to The Stand News' record, at least 49 groups have disbanded since January this year⁷.

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<https://www.thestandnews.com/politics/%E8%A7%A3%E6%95%A3%E9%A6%99%E6%B8%AF%E5%9C%8B%E5%AE%89%E6%B3%95%E4%B8%8B-%E8%87%B3%E5%B0%91-49-%E7%B5%84%E7%B9%94%E4%BB%8A%E5%B9%B4%E5%AE%A3%E5%B8%83%E8%A7%A3%E6%95%A3%E5%81%9C%E9%81%8B>

Myanmar

Myanmar's National Unity Government (NUG) declared on 7 September a people's "defensive war" against the junta, calling on all citizens to "revolt against the rule of military terrorists led by coup leader Min Aung Hlaing in every corner of the country" and declared Myanmar to be under a state of emergency. The acting President expressed confidence that the international community would back the NUG's declaration of war against the junta, as it was a necessary step. The NUG has also prepared evidence of junta war crimes and massacres and submitted them to the United Nations Human Rights Council.

The junta will put ousted leader Aung San Suu Kyi on a new trial on four charges of corruption beginning on 1 October in Nay Pyi Taw, adding to the ongoing cases that could see her jailed for decades. The Special Court in Nay Pyi Taw has set a date for the sentencing of three defendants, including Aung San Suu Kyi, under Section 505(b) of the Criminal Code.

The junta-appointed Union Election Commission has scrutinised the Union Solidarity and Development Party (USDP) and the Union Betterment Party (UBP) at the Union Territory election sub-commission office in Ottarathiri township regarding party funds and property, savings, maintenance and usage.

The Union Solidarity and Development Party (USDP) said that a total of 253 USDP members, their family members and party supporters had been killed over the past seven months. It also said the collected signatures, photo and video evidence of killings, and other crimes committed by the NLD, NUG and CRPH would be sent to local and foreign relevant departments.

According to the annual report of Freedom House, Myanmar's ranking on the Net 2021 fell by 14 points, dropping in one year from 31 to 17, the steepest decline recorded in one year. Myanmar's junta has shut down phones and the internet in nearly two dozen townships in Kachin, Chin states and Sagaing, Mandalay and Magway regions to block the flow of information in areas where armed clashes between the military and People's Defense Force (PDF) have intensified in recent weeks. Total arrests of journalists and media staff reached 102 after two more journalists, former Mizzima News editor-in-chief and a journalist from the Channel Mandalay news agency were arrested by the junta in September. 48 journalists/news staff remain in detention.

According to the Assistance Association for Political Prisoners (AAPP), 1,146 people have been killed by the junta as of 30 September. 6,921 people are currently under detention and 312 are sentenced. 312 people have been sentenced to death and 1,984 are evading arrest warrants. 312 people have been sentenced in person, of them 26 have been sentenced to death. 1,989 are evading arrest warrants.

Myanmar's National Unity Government (NUG) also says a total of 1,710 junta soldiers were killed and more than 630 wounded during 1,171 shootouts and assassinations involving ethnic armed groups and civilian resistance fighters over the past three months.

Protests continued in different parts of Myanmar despite the crackdown by the junta over the month. The clashes between the junta forces and the civil resistance fighters or Ethnic Armed Organizations also emerged in all states and regions except Rakhine State.

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