



Monthly Brief on Countries under Restrictive Environment

Series #8: Bangladesh, Cambodia, Myanmar & Hong Kong

November 2021

Introduction

This monthly brief intends to provide an update on democracy and election-related issues in selected countries and territories under a restrictive environment.

Bangladesh

In Bangladesh, the second phase of the union parishad (UP) elections was held in 846 UPs on 11 November and the third phase was held in 1,007 UPs on 28 November. The Election Commission of Bangladesh also announced that the fourth and fifth phase of the UP elections will be held on 23 December 2021 and 5 January 2022 respectively¹.

Deadly clashes took place between supporters of different parties since the first phase of the elections in June and September, leaving at least 58 dead and several hundred injured as of the end of November². In addition, a newly-elected UP member was hacked to death the day after the elections in Rangpur Division, northern Bangladesh³. There are also several occasions that the defeated candidates are attacked after the elections⁴.

As the incumbent EC will complete its five-year term in February 2022, concerns were raised about the absence of laws on the appointment process. On 28 November, Law Minister Anisul Huq told the parliament that a bill on the formation of the EC will be placed in the next or later parliament session⁵. However, the new EC will still be formed through a search committee formed by the president like the previous two commissions.

¹ <https://www.thedailystar.net/news/bangladesh/elections/news/5th-phase-elections-january-5-2904006>

² <https://www.thedailystar.net/news/bangladesh/elections/news/polls-violence-5-lives-lost-5-dists-2905906>

³ <https://www.thedailystar.net/news/bangladesh/elections/news/member-elect-hacked-death-2229081>

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<https://www.thedailystar.net/news/bangladesh/elections/news/post-election-violence-attack-defeated-chairman-candidates-house-munshiganj-2905861>,

<https://www.tbsnews.net/bangladesh/defeated-chairman-candidate-dies-netrokona-day-following-polls-336313>

⁵

<https://www.thedailystar.net/news/bangladesh/governance/news/law-formation-election-commission-soon-anisul-huq-2904821>

Cambodia

The National Election Committee (NEC) signed a joint memorandum of understanding with the ministry of interior and ministry of national defence to protect security, safety and public order in the election process from 2021 to 2024⁶.

On 21 November, Sin Khon, a young activist of the dissolved Cambodia National Rescue Party (CNRP) was brutally murdered in Phnom Penh. The opposition activist's family and friends said that they believe he was targeted in a political assassination, rejecting public statements by police that he was killed after getting into an argument with a motorcycle repairman and his brother while drunk⁷.

In November, the Thai government arrested and deported three activists connected to the CNRP, all of whom were UNHCR-recognised refugees. The deportation has been criticised by civil society groups for blatantly violating their rights as refugees and raised concern among those who have sought political asylum in Thailand⁸.

In the lead up to the commune and sangkat elections in June 2022, there have been talks to unite the opposition parties to challenge the ruling Cambodian People's Party (CPP). However, the efforts had made little progress, raising concerns that the opposition parties are not ready or not capable of merging before the elections. The idea was first initiated by former CNRP lawmaker and the founder of the Cambodia Reform Party (CRP) Ou Chanrath, who has said their current situation is not strong enough to defeat the ruling party⁹.

⁶ <https://www.phnompenhpost.com/national/nec-signed-memo-ministries-vote-security>

⁷ <https://cambojanews.com/sin-khons-friends-and-family-claim-murder-was-politically-motivated/>

⁸ <https://cambojanews.com/civil-society-groups-decry-deportation-of-cnrp-asylum-seekers/>

⁹ <https://www.khmertimeskh.com/50977500/opposition-unification-looking-unlikely-for-commune-elections/>

Hong Kong

The Hong Kong Legislative Council (LegCo) elections are scheduled to be held on 19 December 2021. Following the nomination period from 30 October to 12 November, one of the 154 registered candidates has been disqualified by the Candidate Eligibility Review Committee, a new vetting mechanism designed to screen the candidates. The disqualified candidate's candidacy was invalidated as he was a part-time government employee¹⁰.

Among the 153 candidates approved, 35 are running for the 20 geographical constituency seats that are directly elected by general voters. Meanwhile, 68 candidates will contest 30 functional constituency seats elected by special interest groups and 51 candidates are competing for 40 Election Committee constituency seats that will be selected by the 1,500-member body¹¹.

Major pro-democracy parties did not put forward any candidates in the LegCo elections, as many pro-democracy figures are in jail, in self-exile or have quit politics. According to the South China Morning Post, only three of the 153 candidates refer to themselves as “pro-democracy” and are calling for universal suffrage¹².

The November survey by the Public Opinion Research Institute (PORI) reported the lowest voter enthusiasm since records began in 1991, with only 52 percent of the respondents willing to show up to cast their ballots on 19 December compared to more than 80 percent in recent elections¹³. Following the survey, PORI was attacked by Beijing-aligned media for “inciting and misleading” citizens and Commissioner of the Independent Commission Against Corruption (ICAC) Simon Peh said that authorities will need to assess the legality of the questionnaires deployed by PORI ahead of the LegCo elections¹⁴.

¹⁰

<https://hongkongfp.com/2021/11/19/hong-kong-vetting-committee-approves-election-candidate-who-used-protest-slogans-disqualifies-1-of-154/>

¹¹ <https://www.info.gov.hk/gia/general/202111/19/P2021111900580.htm>

¹²

<https://www.scmp.com/news/hong-kong/politics/article/3157625/hong-kong-elections-only-3-legislative-council-candidates>

¹³

<https://www.scmp.com/news/hong-kong/politics/article/3157120/hong-kong-elections-more-half-voters-unable-name-candidates>

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<https://hongkongfp.com/2021/11/30/some-opinion-survey-questions-could-breach-hong-kong-law-anti-graft-chief-warns/>

Myanmar

In November, the junta-appointed Union Election Commission (UEC) conducted a three-day conference in Yangon to discuss amending Myanmar's electoral system to Proportional Representation (PR) from the current first-past-the-post electoral system.

According to UEC sources, a total of 113 persons including 93 from 53 political parties and 20 civilians attended the conference. Junta-appointed UEC chair Thein Soe said that the current election system is outdated, the majority of the countries are practising PR, and that PR creates an opportunity for minority parties, ethnics, women and individuals to get a chance to be elected depending on the ratio of votes¹⁵.

The junta-appointed UEC also filed charges against 16 people, including Myanmar's ousted leader Aung San Suu Kyi, President Win Myint, former UEC Chair Hla Thein and UEC members Myint Naing and Than Htay over their alleged electoral fraud in the 2020 general elections. This is the first time that the junta filed a case against the UEC chair and members who were detained following the military coup.

The junta-appointed UEC announced the removal of the National Development and Peace Party from the list of registered political parties on 16 November, citing section 19 (a) of the Political Party Registration Law. Meanwhile, it said that the investigation of the National League of Democracy (NLD) over abiding political party registration law has not concluded and no decision has been reached to abolish the party¹⁶.

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

¹⁵ <https://elevenmyanmar.com/news/uec-chairman-says-that-majority-of-the-countries-practice-pr-system>

¹⁶

<https://elevenmyanmar.com/news/uec-member-investigation-to-nld-over-abiding-political-parties-registration-law-has-not-yet>