



Monthly Brief on Countries under Restrictive Environment

Series #11: Bangladesh, Cambodia, Hong Kong & Myanmar

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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

Following the passage of the “Appointment of the Chief Election Commissioner and Other Election Commissioners Bill-2022” in January, a six-member search committee was formed to recommend names to the president for the appointments of a new election commission.

The search committee met with 60 eminent persons from across the country and asked registered political parties to submit suggestions of people they would want to see appointed. It collected a total of 322 names for consideration before submitting the list of ten names to the president. Although civil society groups such as Transparency International Bangladesh and Shujan demanded the ten names be made public for the sake of transparency, the search committee did not disclose the names.

A new five-member election commission was later appointed in February, headed by former senior secretary of defense and law professor Kazi Habibul Awal. The other four election commissioners are former district and sessions judge Rashida Sultana, Brig Gen (retired) Md Ahsan Habib Khan, former EC secretary Md Alamgir, and former energy and mineral resources division senior secretary Anisur Rahman.

Cambodia

The National Election Committee (NEC) has stated that it expects to spend \$43 million on the Commune and Sangkat council elections in June, which is a decrease from \$52 million in 2017. According to the NEC, the cost has been reduced as a result of the development of technology that allows documents to be transmitted online rather than in person.

Earlier, the NEC said it will introduce three softwares to be used in the June elections that manage the election candidates, certify the identities of voters without ID cards, and check, verify, and total the results of the elections respectively¹.

¹ <https://www.phnompenhpost.com/national/nec-introduce-new-software-elections>

Despite expecting a weak opposition challenge in the upcoming Commune and Sangkat council elections, the ruling Cambodian People's Party (CPP) has released a "11-point manifesto" that would be circulated during its campaign across the country. Meanwhile, some newly formed opposition parties, including the Cambodia Reform Party (CRP), the Candlelight Party (CP, formerly Sam Rainsy Party), the Grassroots Democratic Party (GDP), the Kampucheaniyum Party, and the People Purpose Party (PPP), are attempting to form a coalition to challenge the CPP in the 2023 National Assembly elections².

The CP is said to have emerged as the main opposition party to challenge the CPP in the upcoming Commune and Sangkat Council elections as it plans to register candidates in all 1,652 communes across the country. It also claimed that it has recruited 90% of nearly 500 former commune chiefs of the court-dissolved Cambodia National Rescue Party (CNRP)³.

Electoral watchdog the Committee for Free and Fair Elections in Cambodia (COMFREL) said political rights remain under threat of interference from local authorities, and requested the government do more to ensure the upcoming commune elections are free and fair. It also called on the government to consider voter registration for 3 million migrant workers⁴. Currently, there is no mechanism for overseas migrant workers to vote in the elections.

Hong Kong

The election for Chief Executive, which was originally scheduled for 27 March, has been postponed until 8 May as the Hong Kong government said it needs to concentrate all of its efforts on combating the COVID-19 pandemic. The Legislative Council (LegCo) elections were previously postponed from 2020 to 2021 for the same reason.

In February, two Hongkongers pleaded guilty to inciting others to cast invalid votes in the LegCo elections by sharing a social media post by former lawmaker Ted Hui. They became the first to be sentenced under the Elections (Corrupt and Illegal Conduct) Ordinance after the electoral system overhaul last year. They will be sentenced on 15 March and face a fine up to HK\$50,000 and one year in jail⁵.

² <https://www.khmertimeskh.com/501025757/dpp-denies-being-part-of-planned-opposition-coalition/>

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<https://www.khmertimeskh.com/501026471/secret-weapon-cp-recruits-ex-commune-chiefs-to-become-strongest-opposition/>

⁴ <https://cambojanews.com/civil-society-groups-call-on-the-government-to-ensure-election-is-free-and-fair/>

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<https://hongkongfp.com/2022/02/16/2-plead-guilty-to-inciting-others-to-cast-blank-or-invalid-votes-in-hong-kongs-patriots-only-legislative-polls/>

The month of February also marked the anniversary of 47 pro-democracy activists being charged under the National Security Law for taking part in the pro-democracy primaries in July 2020. Their case has been adjourned to late April as the court will be closed due to the COVID-19 pandemic. Most of them are still in jail pending trial, with only 14 are currently on bail.

Myanmar

The junta-appointed Union Election Commission (UEC) announced in February that it would investigate the membership, funds, and activities of Yangon-based political parties, including the National League for Democracy (NLD), National Unity Party, 88 Generation Students Party and the Shan Nationalities League for Democracy from 14 to 25 February 2022. The junta-appointed UEC said it has conducted investigations on a total of 67 political parties based in Shan, Kachin, Kayin, Mon, Rakhine, Sagaing, Tanintharyi, Bago, Mandalay and Ayeyawady and 24 parties based in Yangon.

The junta-appointed UEC also published a report entitled “Findings of the Investigation into Electoral Fraud and Irregularities in the 2020 General Election.” The Irrawaddy reported that the junta distributed copies of the report to Buddhist monasteries in early 2022 and the report attempts to justify the junta’s allegations of voting irregularities in the 2020 general election, citing figures, charts and photos⁶. Junta appointed UEC has continuously failed to provide evidence for the over 11 million instances of fraud in voter registration.

The junta has threatened political parties in Myanmar of potential disbandment if they do not comply with its order to submit their financial accounts for inspection by 9 March 2022. The junta-appointed UEC said that if the parties do not comply with the instruction, they would face legal action under Section 24 (c), (d) and (e) of the Registration of Political Parties Law. These provisions of the law carry potential punishments of a three-year suspension, having their operations halted and disbandment.

The UEC has instructed the National League for Democracy (NLD), the Shan Nationalities League for Democracy (SNLD) and two other parties to appear before 14 February to verify their financial accounts and expenses. Both the NLD and SNLD did not comply and the UEC issued them a warning on 23 February 2022.

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<https://www.irrawaddy.com/opinion/guest-column/myanmar-junta-appointed-uecs-report-on-2020-election-ignores-history-facts-and-the-law.html>