



Japan NGO Center for International Cooperation

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Thematic Report (International)

# VOTE AND VIRUS

## Electoral Democracy and COVID-19 Pandemic in Asia

[Period Covering From January 2020 until January 2021]

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## Executive Summary

At least 75 nations and territories throughout the globe have determined to delay national and sub-national elections because of C'19, out of which at least 40 nations and territories have determined to delay national elections and referendums. At least 95 nations and territories have determined to maintain national or sub-national elections notwithstanding worries associated with C'19 of which at least 73 have national elections or referendums. At least, 45 nations and territories have held elections that had been to start with postponed because of worries associated with C'19 of which at least 24 have held national elections or referendums.

### A. Pre-pandemic Scenario

Asian social, political, cultural and anthropological contexts demonstrates splendid variety. Nonetheless, the aggregation of social orders and social, financial, and political experiences, have added enormous challenges in the franchise systems. There is no standard and harmonized laws, policies and practices about adhering to the sovereign rights of people in their involvement in the electoral process. Regardless, an extensive number of populace in Asia is denied their individual will as enshrined in several international standards. Moreover, many of the Asian democracies have experienced some degree of democratic erosion. Asian countries face many challenges in its electoral system. Those demanding situations are of political, criminal, seasonal, technical, and procedural nature. Corruption and non-compliance with the election Code of behavior is every other principal trouble overshadowing the elections. Absence of proper tracking system and a lack of punitive measures for legal infringements of the Code of conduct and perpetrators of violence are principal contributing factors to this issue. Eventually, election violations are common which includes while nearly all contenders exceed their accredited campaign cap.<sup>1</sup>

A good number of neo-democracies in South and Southeast Asia (together with the Philippines, Sri Lanka and Thailand) hold to stand harsh challenges or had been careening back and forth between democracy and authoritarianism. While South Korea, Japan, Taiwan, and India are steady instances of liberal and to some extent mature democracies, North Korea, China, Vietnam and Laos, for example, either represent non-democratic systems. Their electoral system may have a few components of competitiveness to exhibit to the rest of the world, yet such provisions do not guarantee the essential global standards and norms and their citizens, in many instances, do not have anything to do with electing their preferred delegates.<sup>2</sup>

The Philippines, Timor Leste, and Mongolia for example have created throughout the most recent decades into moderately steady and dynamic governments elected through periodic elections. While these nations actually face a several challenges in terms of holding free and fair elections, non-compliance with basic notion of credible electioneering is often witnessed. Nevertheless, they have gained steady ground in improving the quality of voting in the recent years. Indonesia's holding of the first democratic elections in quite a while is a significant advance towards democratic development on the planet's third biggest democracy. From that point forward, Indonesia has gained further ground towards a more popular and convincing system. It had led the first and second elections in Aceh area and improved the integrity of constituent cycles in front of the country's latest official races in 2014. The 2014 franchise were largely peaceful and considered by most spectators to be trustworthy and more comprehensive than past races.<sup>3</sup>

In the Philippines, the post-Marcos period saw the need to fortify the democratic institutions. The Constitution embraced after the Marcos regime limited the tenure to just one term and set up different safeguard measures against the emergence of possible repressive regime or undemocratic move. Other constituent changes and common society endeavors throughout the most recent ten years have assisted with making elections more comprehensive and especially limiting the impact of money and muscle during the elections. In 2010, the nation held its first completely automatic voting machine for elections. Despite the fact that worries stay about straightforwardness issues in the utilization of machines, a dominant part of eyewitnesses have recognized that in the years following computerization—planned to diminish danger of human mistake or misrepresentation and accelerate the way toward delivering of results—has in fact assisted with tending to a portion of the

<sup>1</sup> <https://eci.gov.in/faqs/mcc/model-code-of-conduct-r15/>

<sup>2</sup> Ibid

<sup>3</sup> <https://aceproject.org/ace-en/topics/es/onePage>

difficulties that stood up to Philippine races for a long time, including vote suppressing, control of results, and somewhat, political race related viciousness.<sup>4</sup>

In Northeast Asia, Mongolia is another emerging democracy that fills in as a positive model in the area. Since 2009 under the initiative of President Tsakhiagiin Elbegdorj and the Democratic Party, Mongolia has exhibited a solid obligation to reinforcing the nature of democratic administration, elections, and governance in the country. It has additionally as of late tried to take on an unmistakable job in sharing its involvement with advancing popular government. The timeframe following Mongolia's 2016 parliamentary elections—in front of which the public authority changed political race laws from corresponding portrayal back to a democratic framework—has filled in as a trial of the administration's obligation to additional progressing discretionary righteousness.<sup>5</sup>

Timor Leste has shown huge advancements in improving the electoral framework in the course of the most recent ten years notwithstanding being the youngest nation in this region. In the wake of getting support from the UN and the global community since it turned into a sovereign state in 2002 after its freedom from Indonesia, it had the option to effectively hold elections on its own start in 2007. Since this first public political race run by Timorese authorities, the nation has seen an expansion to individuals' rights in the course of the elections and beyond.<sup>6</sup>

Elsewhere in Asia, a few states started advances towards popular electoral system or gained critical ground in inclusive representation in the most recent decade. Afghanistan, Pakistan, Sri Lanka, Myanmar, and Nepal all led unique efforts, yet the empowering voters with informed choice in these nations are yet delicate. Large numbers of these nations have profound social and political disorders thus all face critical difficulties to nurturing the culture of democracy, human rights and freedom.<sup>7</sup>

The historical backdrop of South Asian democracy system has been checkered. The majority of the nations in the sub-region are yet delicate democracies in a generally incipient stage. Sri Lanka and India are in a better position with a record of accomplishment marked by holding periodic elections. In any case, the other six—Afghanistan, Bangladesh, Bhutan, Maldives, Nepal and Pakistan—all went through the democratic exercise not too long ago although Nepal exercised multi-party elections back in 1959. In spite of the sub-regions' record attributing tyranny, derogation of civil and political rights, oppression and brutality, there is growing tendency of heightened public concern towards safeguarding civic space through democratic elections. Afghanistan has attempted to accomplish veritable democracy through free and fair elections after fall of Taliban. After the increases it accomplished throughout the most recent decade, Afghanistan lamentably faces a daunting task pushing ahead with peace and stability. Resurging dangers to security keep on subverting the country's popularity based democratic advancement. Pakistan, a perfect example of light and shadow of democracy, expands unsteadiness over the most recent years because of hostility, rising strict prejudice and radicalism currently advancing to crash the force of democratic reforms.<sup>8</sup>

Perhaps the most praised instances of vote based change in Asia in the most recent decade was Myanmar, which gained memorable ground in progressing from dictatorship to elected government after The in Sein's military government started a cycle of political and financial advancement in 2011. Myanmar's Nov 2015 elections were an achievement for the nation's progress away from military dictatorship. The overall races were viewed as moderately free and reasonable, generally peaceful Another illustration of advancement of democracy is Sri Lanka, where the 2015 elections ended the 10-year rule of President Mahinda Rajapaksa, was viewed as a notable accomplishment by most political pundits and observers. Nepal started a political change in 2006 in the wake of ending 10 years of violent conflict, and holding the Constituent Assembly elections in 2008 and in 2013, which produced a new constitution. Nonetheless, Nepal's electoral system has been tormented by political gridlock and tested by cataclysmic events and political savagery.<sup>9</sup>

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<sup>4</sup> The Fall of the Dictatorship, <https://www.officialgazette.gov.ph>

<sup>5</sup> International Relations and Asia's Northern Tier Sino-Russia Relations, North Korea, and Mongolia Editors (view affiliations), Gilbert Rozman Sergey Radchenko

<sup>6</sup> <https://sustainabledevelopment.un.org/memberstates/timorleste>

<sup>7</sup> Ibid

<sup>8</sup> <https://www.jstor.org/stable/10.1525/as.2009.49.3.403?seq=1>

<sup>9</sup> <https://www.crisisgroup.org/asia/south-asia/nepal/nepal-s-election-and-beyond>

Perceiving the promise and capability of Asian societies and the region becoming stronger in terms of economic progress the region is yet to corroborate its progress with the culture of democracy and human rights. In spite of the diversity in the region, the people of Asia actually share much for all intents and purpose both socially and strategically, and face a large number of the equivalent or comparative difficulties to holding free and fair elections.

## B. During Pandemic Scenario

The status of elections during C'19 pandemic varies from country to country. In terms of electoral democracy, Asian governments have used C'19 to rationalize the rescheduling of elections and election management in their countries, temper with the timing of parliament sittings and its agenda, and use the health pandemic to attack and disassemble rival political parties and their leadership. Additionally, countries that have no electoral democracy have seen an increase in justification of their authoritarian governance. Snap general elections in Singapore (Sim, 2020b) and general elections in Myanmar (Strangio, 2020) garnered disdain for the governments' decision to press on despite health concerns. Indonesia, to the contrary, postponed its regional elections (Ghaliya, 2020), whilst political developments in Malaysia have created uncertainty of its general election (News Agencies, 2020).

In Singapore, the People's Action Party government's tenure was supposed to end in April 2021 - but following the government's advice given to the President, parliament was dissolved and snap elections announced for 10 July 2020 (Sim, 2020a). During the televised national address, Lee Hsien Loong justified the decision, as it would clear the path for the next government to have a fresh mandate. As speculated, this counted in the People's Action Party's (PAP) favour as it was re-elected in July 2020, albeit with reduced seats and fewer constituents due to public anger of its C'19 response mismanagement (The Straits Times, 2020). Voters and opposition parties have pointed out the poor management by the Elections Department, whose authority falls under the Prime Minister's Office. The poorly managed C'19 measures in place resulted in extended voting queues and ultimately further extending the voting day by two hours (Channel News Asia, 2020).<sup>10</sup>

Myanmar has seen similar discontent aimed at its government for pressing on with elections despite C'19 infections gradually increasing in August and Sept 2020 during election campaigning. Its second democratic election, which took place on 8 Nov 2020, drew in an additional variety of concerns. Starting from skepticism around the role of the military in the electoral process (Seinn, 2020) to the Union Election Commission's announcement of C'19 campaigning protocols a day prior to the start of campaigning (Strangio, 2020). The compilation of which led to members of opposition parties calling for postponement of the elections to ensure adequate preparation time and secure health precautions to protect citizens (Mon, 2020). Analysts noted the protocols communicated benefited larger political parties such as the National League for Democracy, who ultimately "obliterated" the competition and won the election (Mahtani, Diamond, 2020). Door-to-door campaigning was only possible for parties with plentiful campaign volunteers, and the parties with the largest social media spaces (again, the National League for Democracy) who reached the largest audience (Mon, 2020). The limitations set on international election observers to monitor the legitimacy of the election were also cast.

Myanmar Electoral Dispute Timeline: On 4 Nov, Myanmar army chief Min Aung Hlaing accuses Aung San Suu Kyi's government of "widespread violations" of pre-voting laws and procedures just ahead of a national election. On 8 Nov, Aung San Suu Kyi's National League for Democracy wins 83 per cent of the seats available to it under Myanmar's constitution. The military-backed Union Solidarity and Development party alleges widespread voter fraud. On 15 Jan , the USDP, having refused to recognize the election results, alleges 94,242 cases of election fraud, including alleged irregularities around voter lists and IDs. On 26 Jan , Major General Zaw Min Tun, the military's spokesperson, warns of a coup the accusations of election fraud are not addressed. On 28 Jan , Myanmar's election commission rejects the military's allegations of election fraud. On 29 Jan . The UN and embassies of several western governments in Myanmar issue statements opposing any attempt by the army to alter the outcome of the election. On 30 Jan , the military says it will protect the 2008 constitution and "act according to the law". On 1<sup>st</sup> of Feb , Myanmar's leader Aung San Suu Kyi and other government officials are arrested, phone and internet services are cut off, and the coup is launched.<sup>11</sup>

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<sup>10</sup> Singapore GE: Parliament dissolved; Writ of Election expected soon, Straitstime.com

<sup>11</sup> Myanmar military launches coup against Aung San Suu Kyi, <https://financialeditorial.com>

The Indonesian government, in contrast, took the opportunity to delay elections by citing health concerns. Criticism directed towards the government have built on their mismanagement of the virus, to include skepticism of the decision to postpone the election 15 President Jokowi signed into order a Regulation in Lieu of Law No. 2/2020 on 4 May 2020 (Adyatama, 2020), which stipulates that under natural and non-natural disasters, elections and their preparation can be postponed until further notice (Adjie, 2020). The decision is perhaps a strategic move that would keep in place the current administration who, in addition to postponing regional elections from 23 Sept 2020 to Dec 2020, has threatened to reshuffle the cabinet due to ministers who have been half-hearted in their C'19 response (News Desk, 2020).<sup>12</sup>

Malaysia's electoral democracy has been further taken aback over the course of the past year starting with the dissolution of the reformist, multi-ethnic, Pakatan Harapan coalition government in Feb 2020 and the reinstitution of the United Malays National Organization (UMNO) which held power on the back of deepening ethnic divide in the country, for over six decades. Building on the uncertainty of introducing a backdoor government, Malaysian citizens have faced speculations of a snap election through the pandemic in 2020. An estimated election budget, from the Prime Ministers' Department (Kanyakumari, 2020), provisions for quarantined voters (Chin, 2020), and statements from the Prime Minister Muhyiddin Yassin, hinting towards a snap general election if Gabungan Rakyat Sabah (GRS) wins the Sabah polls (Bernama/ic, 2020) have been the core motivators.<sup>13</sup> The snap results of the Sabah State Legislative Assembly election, with a majority victory by GRS (News Agencies, 2020), have further increased speculations. Ultimately, these have led up to the PM Muhyiddin Yassin on 28 Nov, announcing the general elections will be held following the end of the pandemic (Reuters, 2020b).<sup>14</sup>

Parliament sittings and elections in Malaysia, the Philippines and Thailand have also been increasingly questioned for their degradation of democracy and gravitation towards autocracy. Malaysian PM Muhyiddin Yassin's reluctance to call parliamentary meetings, for fear of his no-confidence vote being held, reduced confidence in his administration throughout much of 2020. The no-confidence vote, previously presented and approved, has been delayed indefinitely since May, on the grounds that C'19 response was argued as requiring an unhindered administration (Reuters, 2020c). During 2020, Yassin's multiple proposals to declare a State of Emergency were rejected by King Abdullah Sultan Ahmad Shah. These proposals included attempts to pass decisions without the consultation of parliament and the suspension of parliament altogether (Ng, 2020). As a further means to expand his term whilst navigating parliament, the Yassin administration has created its 2021 budget, passed two rounds of vote and is set for the final vote on 15 Dec (Hutchinson, Zhang, 2020). Attempts to pass this budget, continues to risk a no-confidence vote against his government (Augustin, 2020).<sup>15</sup>

In the Philippines, House of Representatives meetings have been conducted over Zoom (House of Representatives, 2020). The decision to continue this approach is speculated to be on the grounds of lawmakers pushing the contested OMNIBUS community quarantine bill with as little friction as possible (Jong, 2020), which was ultimately signed into effect on 22 May 2020 (Inter-Agency Task Force for the Management of Emerging Infectious Diseases, 2020). The South Korean incumbent government scored a large ending, which brought out the most important electoral turnout for parliamentary election in concerning twenty years: 62 per cent. Most of the health and hygiene protocols were meticulously maintained. President Moon Jae-in's political party and its affiliates won a landslide, increasing from one hundred twenty seats to a 180-seat majority within the 300-seat assembly. Singapore's incumbent government lost in common votes, if not in seats although no compromises were witnessed in terms of securing public health. Singapore's July 10 parliamentary elections saw the incumbent government beneath the People's Action Party take 83 of the 93 electable seats within the assembly supported 61.2 per cent supporting votes; the most opposition, the Workers' Party, took 10 seats. This contrasts against the previous 2015 elections, wherever the PAP won 83 seats with sixty 95 per cent of the votes and therefore the WP took six seats.<sup>16</sup>

Legislative elections were postponed twice due to the C'19 pandemic in Sri Lanka. In July, the government issued strict health guidelines regarding election campaigning, including requiring facemasks, establishing social distancing guidelines of one meter, ensuring accessible hand-washing stations and limiting attendance to

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<sup>12</sup> Global overview of COVID-19: Impact on elections, IFES, 05/02/2021

<sup>13</sup> Ibid

<sup>14</sup> Euphoria Dashed: Malaysia's Struggle With Political Transition, Bridget Welsh, 2020

<sup>15</sup> Malaysia declares emergency to curb virus, shoring up government, Rozanna Latiff, Joseph Sipalan, 2020

<sup>16</sup> House likely to hold virtual sessions once it reconvenes on May 4, APR 24, 2020 10:03 AM PHT, Mara Cepeda

300 people for normal rallies and 500 people for rallies with party leaders (IFES 2020). In addition, the guidelines called for a minimum number of voters at polling stations with separate entry and exit points and providing personal protective equipment to election officers (IFES 2020) in preparation for E-Day, the Electoral Commission held mock polls in four constituencies “to ensure the proper functioning of corona virus- safe protocol.” The Electoral Commission extended the duration of polling for people under quarantine orders who had obtained approval from the Ministry of Health.<sup>17</sup>

In Thailand, the handpicked appointments to the Senate by PM Prayut Chan-o-cha’s National Council of Peace have further undermined trust in parliament for Order (NCPO) Junta. The House of Representatives has routinely convened on scheduled dates and rarely postponed or canceled scheduled sessions. This is mainly because the constitution does not allow for House meetings to be deferred (Sattaburuth, 2020). On the sessions’ first day, May 22, however it was communicated that the Speaker of the House now had the authority to cancel future meetings (Sattaburuth, 2020). Considering the political landscape in the country, authority granted to the Speaker of the House, may be abused in the future.<sup>18</sup>

Government is obstructing their political opponents and political parties is another trend within the region that has become known in Cambodia, the Philippines and Thailand. In Cambodia, members from the disbanded CNRP have been arbitrarily arrested for sharing information about C’19 (Thul, 2020b). Alongside the disassembly of the CNRP its leader Kem Sokha has, after two years, faced his treason allegations in court (Associated Press, 2020a). It should be noted that the basis of his supposed treason is consulting with US pro-democracy groups. Consulting with or following an approach deemed different from those in charge has also caused friction elsewhere. Conflict within Duterte’s cabinet in the Philippines has led to investigation into Vice-President (VP) Leni Robrero over her contrarian efforts on C’19 and statements about Duterte’s failed war on drugs. She has sought for transparency and commented that the United Nations should investigate allegations of systematic capital punishment and police cover-ups (Petty, 2020).<sup>19</sup> Not surprisingly, this has led to discontent from Duterte and his cronies who still harass the VP. Increasingly concerning has been Duterte’s failed yet persistent efforts to remove term limits and extend his administration (Castaneda, 2020).<sup>20</sup>

The Future Forward pro-democracy party of Thailand, advocating for progressive civilian-military reform, gained immense support in 2019 (Regan, Olarn, 2020). Fearing its rising appeal, multiple lawsuits were filed amounting to judicial harassment by the authorities and the government’s eminent grise - the army. Such harassment led to the party’s disbandment by the pro-government Constitutional Court in 2020, for accepting financial loans from its founder. This has been convenient for the authoritarian government of Thailand since its biggest political threat had been removed and used as an example for prospective political parties. At the same time, information operations have been conducted by the Thai Army - aiming to counteract criticism directed towards the government, by spreading disinformation, spreading pro-government content and attacking political opponents (Online Reporters, 2020a).<sup>21</sup>

Governments in Vietnam, Laos in Brunei have not seen their power diminish, and have in fact seized the opportunity to increase their position on their single party socialist (Laos and Vietnam) and absolute monarchy (Brunei) political systems. Given that these three states have had low reported C’19 infections, a strong possibility persists that these ‘successes’ would shape the future political landscapes. Should history repeat itself, propaganda will increase with the narrative that democracy is an ineffective form of government. In this event, the role of China should be carefully monitored as it may well further promote anti-democratic tendencies in Southeast Asian states. As seen above C’19 has led to disruptions to planned elections and to parliamentary sittings. Political opponents and parties are also harassed into submission. In non-democratic regimes with no elections, C’19 laws and responses have provided one more tool with which to stifle criticism.<sup>22</sup>

Kazakhstan has held its parliamentary election for the lower chamber of parliament for a five-year term on Jan 10, and the country’s election authority announced 63.3% voter turnout. According to the Central Election Commission, a low voter turnout in the capital Nur-Sultan and the most populated city Almaty were recorded, at 45.1% and 30.3% respectively. Around 12 million registered voters in the country cast ballots. Due to the

<sup>17</sup> Featured Elections Held and Mitigating Measures Taken During C’19 – As of Oct 21, 2020, IFES

<sup>18</sup> <https://www.hrw.org/news/2019/07/24/thailand-new-government-disregards-rights>

<sup>19</sup> Ibid

<sup>20</sup> Cambodia: Covid-19 Spurs Bogus ‘Fake News’ Arrests: Renewed Crackdown on Opposition Supporters, Critics, Human Rights Watch-2020

<sup>21</sup> Future Forward: Thai pro-democracy party dissolved over loan, BBC, Feb 2020

<sup>22</sup> <https://www.lowyinstitute.org/the-interpreter/debate/good-government-bad-government-politics-public-health>

C'19outbreak, voters were checked for body temperatures and got their hands disinfected before entering polling stations nationwide. The election was followed by nearly 400 observers from 30 countries and 10 international organizations, including delegations from the Turkic Council and the Parliamentary Assembly of Turkic-Speaking States. 312 candidates ran for 107 seats in parliament from the ruling Nur Otan party, Ak Zhol Democratic Party, Auyl Party, and the Adal party ([www.aa.com.tr-2021](http://www.aa.com.tr-2021)).<sup>23</sup>

In Nepal, the President dissolved the country's parliament at the request of the PM, who is in the midst of an intraparty feud destabilizing the country. The PM asked the legislative body to be dissolved so he would not have to step down in favor of a rival according to the political agreement that formed the current government in 2017, bringing the country to the brink of a constitutional crisis. Fresh parliamentary elections are scheduled in two phases on April 30 and May 10, 2021 — more than a year early. Multiple writ petitions have been lodged before the Supreme Court demanding reinstatement of the dissolved House.

## Acknowledgement

This cursory reflection of the impact of C'19 on elections in Asia towards the attainment of SDG16 especially reflects on the overall regional situation and practice in general from securing electoral integrity perspectives in particular. We have attempted to unveil dynamics, challenges, instruments, obligations and future course of direction in addressing the ever-challenging issue of restoring culture of democracy, human rights, freedom and open society through credible elections in our context during the onslaught of the deadly pandemic.

The JANIC commissioned this report along with other research themes in an attempt to build on the research conducted in connection with the virtual Kathmandu Democracy Forum held from 4th to 6th Nov 2020. We are truly grateful to JANIC especially for recognizing “electoral democracy” as one of the major issues of critical concern in the region--an integral component of the collaborative research. We are thankful to the competently relentless mentoring from Prof. Anselmo Lee and Aoi Horiuchi who provided continuous guidance and direction to make the research report a coherent, authentic and realistic product.

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<sup>23</sup> Kazakhstan election: Voter turnout around 63%: Low voter turnout in capital Nur-Sultan, most populated city Almaty, according to Central Election Commission, Meiramgul Kussainova, 2021

## Author and Institutional Affiliation

Gopal Krishna Siwakoti, PhD  
President, INHURED International

The Founding President of International Institute for Human Rights, Environment and Development (INHURED International) which enjoys Special Consultative Status, UN-ECOSOC, Dr. Siwakoti is in a high profile leadership position since the inception period of the Asia Pacific Refugee Rights Network (APRRN), including the Durable Solutions Working Group. The Network is a rainbow coalition of more than 400 organizations and individuals working across the region in advancing the rights of refugees and other forced migrants. Esteemed as International Advisor of Platform on Disaster Displacement (PDD) and Statelessness Network Asia Pacific (SNAP), Dr. Siwakoti, besides representing in various UN forums, has also been honored as a guest-lecturer on human rights, transitional justice, forced migration, refugee protection, internal displacement, SDGs, and freedom of elections at various universities in North America, Europe, Asia-Pacific and Africa. As a principal trainer and Senior International Observer at Asian Network for Free Elections (ANFREL), and Secretary General of National Election Observation Committee (NEOC), he has joined several election related exploratory and observation missions primarily in Asia and occasionally in Africa and North America.

Honored by the Swiss Bureau of Statistics under “Who is Who-2000” on “Refugee Protection in South Asia”, he has also been conferred several awards including Person of the Year-2008; Global Nonviolence Advocate-2010 along with National Peace Award-2010. Dr. Siwakoti has championed the cause of refugees and migrants in the region as a front-runner advocate and has been an influential civil society leader for the adoption of the twin Global Compacts for Refugees, and Migration by the UN General Assembly in 2018. His contribution to human rights movement transcends beyond geographic and political borders. He has partaken in struggle for freedom of expression and multi-party electoral democracy since early eighties and became a prisoner of principle for four years. He has authored and edited several books, research reports, films and documentaries on refugees, electoral freedom, transitional justice, human rights, peace, disaster displacement, climate change, safer migration and counter-trafficking.

INHURED International is the parent organization that the author is associated with enjoys Special Consultative Status with ECOSOC of the United Nations. As the name suggests, the organization, with the passage of time, has expanded to one of the leading organizations in terms of spearheading uncompromising safeguards for human rights and rule of law, protection sensitive migration management, refugee response, human security, access to justice and disaster response. Research, education, training, policy advocacy, lobbying and networking at local, national and international levels for the cause of safeguarding human rights are the organization’s key programming approaches.

Remaining within the centre of credo of community resilience through bottom-up approach, INHURED has been working with the economically challenged and disadvantaged rural communities for the past nearly three decades focused on human rights of disadvantaged, deprived and displaced. During this period, based on the five-fold approach of human rights, democracy, peace and justice and migration management, it has successfully implemented numerous programmes and projects to address the crucial problems of the country and people for far-reaching reform in these disciplines. These include human rights-based civic education; gender equality and social inclusion; empowerment of women, children and other vulnerable communities; transitional justice, safe, humane, orderly and regular migration; and disaster displacement. Of late, in considering the escalating plights of conflict and disaster-affected Nepalese people resulting from the continued perpetual poverty, illiteracy, exclusion, dearth in disaster preparedness, discriminatory practices and deficit in culture of tolerance, INHURED has been focusing its programming in the conflict and disaster sectors, including C’19 like pandemic. It has been pursuing an approach of ‘conflict and disaster sensitive rights-based development’ with the intention of creating an enabling environment for informed inclusion of affected population also by ensuring environmentally friendly and socially responsive development with a focus target to alleviate the vicious cycle of discrimination and marginalization the traditionally excluded and vulnerable communities.

## Abbreviation and Acronyms

AALCO	Asian-African Legal Consultative Organization
ADHOC	Cambodian Human Rights and Development Association
ADN	Asia Democracy Network
ANFREL	Asian Network for Free Elections
APHR	ASEAN Parliamentarians for Human Rights
APRRN	Asia Pacific Refugee Rights Network
ASEAN	Association of South East Asian Nations
BIMSTEC	Bay of Bengal Initiative for Multi-Sectoral Technical and Economic Cooperation
BN	Barisan Nasional
C'19	Coronavirus Disease 2019 (COVID-19)
CA	Constituent Assembly
CEDAW	Convention on the Elimination of All Forms of Discrimination against Women
CERD	Convention on the Elimination of All Forms of Racial Discrimination
CMEV	Centre for Monitoring Election Violence
CMW	Convention on Protection of the Rights of All Migrant Workers & Members of Their Families
CNRP	Cambodian National Rescue Party
CoC	Code of Conduct
CoD	Community of Democracy
COERR	Catholic Office for Emergency Relief and Refugees
CPP	Cambodian People's Party
CPRW	Convention on the Political Rights of Women
CRPD	Convention on the Rights of Persons with Disabilities
CSO	Civil Society Organizations
DP	Democratic Party
DRI	Democracy Reporting International
ECE	Economic Commission for Europe
ECN	Election Commission, Nepal
EDR	Electoral Dispute Resolution
EMBs	Election Management Bodies
EPG	Eminent Persons Group
ERA	Election Reform Alliance
EU	European Union
FCRA	Foreign Contribution (Regulation) Act
FCRA	Foreign Contribution (Regulation) Act
FEMBOSA	Forum of the Election Management Bodies of South Asia
FIR	First Information Report
FPTP	First Past the Post
FUNCINPEC	Front for an Independent, Neutral, Peaceful, and Cooperative Cambodia
GBV	Gender-Based Violence
GDI	Gender Development Index
GoN	Government of Nepal
GRC	Governance, Risk and Compliance
HDI	Human Development Index
HDR	Human Development Report
HIV	Human Immunodeficiency Virus
HLPF	High-level Political Forum on Sustainable Development
HoR	House of Representatives

HRC	Human Rights Committee
ICCPR	International Covenant on Civil and Political Rights
ICNL	International Centre for Non-Profit Law
ICT	Information and Communication Technology
ICW	Indonesia Corruption Watch
IDEA	International Institute for Democracy and Electoral Assistance
IDPs	Internally Displaced Persons
IECC	Independent Election Complaints Commission
IFES	International Foundation for Electoral Systems
IOM	International Organization for Migration
ITE	Electronic Information and Transactions
JANIC	Japan NGO Center for International Cooperation
LEMNA	Law on the Election of Members of the National Assembly
LGBTI	Lesbian Gay Bisexual Transgender Intersexual
LGBTIQ	Lesbian, Gay, Bisexual, Transgender, Intersex and Questioning
MERS	Middle East Respiratory Syndrome
MMM	Mixed-Member Majoritarian
MPP	Mongolian People's Party
MPs	Members of Parliament
NA	National Assembly
NCPO	National Council for Peace and Order
NEOC	National Election Observation Committee
NLD	National League for Democracy
OFW	Overseas Filipino Workers
PAP	People's Action Party
PDD	Platform on Disaster Displacement
PPE	Personal Protective Equipment
PR	Proportional Representation
SAARC	South Asian Association for Regional Cooperation
SADRMM	South Asian Declaration on Refugee and Migratory Movements in South Asia
SAR	Special Administrative Region
SCDD	Sub-Committee on Detention and Deportation
SDGs	Sustainable Development Goals
SMC	School Management Committee
SNAP	Statelessness Network Asia Pacific
SNTV	Single Non-Transferable Vote
SPECA	Special Program for the Economies of Central Asia
STV	Single Transferable Vote
TAF	The Asia Foundation
UDHR	Universal Declaration of Human Rights
UEC	Union Election Commission
UMNO	United Malays National Organization
UN ESCAP	Economic and Social Commission for Asia and the Pacific
UNCAC	United Nations Convention against Corruption
UNCT	United Nations Country Team
UNDP	United Nations Development Program
UNESCAP	United Nations Economic and Social Commission for Asia and the Pacific
UNESCO	United Nations Educational, Scientific and Cultural Organization
UNFPA	United Nations Population Fund
UNHCR	United Nations High Commissioner for Refugees

UNHLPF	UN High-level Political Forum on Sustainable Development
UNICEF	United Nations Children's Fund
UNOHCHR	Office of the United Nations High Commissioner for Human Rights
UNSDCF	UN Strategic Development Cooperation Framework
UNSDG	United Nations Sustainable Development Group
UNTAC	United Nations Transitional Authority for Cambodia
UPR	Universal Periodic Review
USDП	Union Solidarity and Development Party
VNR	Voluntary National Report
WDC	Women's Development Committee
WHO	World Health Organization

### **Operational Jurisdiction**

*An increasing number of states are grappling with difficult decisions about postponing or modifying elections to limit the transmission of C'19. Beyond the logistical challenges of effecting such changes, there are legal factors to consider. For instance, many states have legal or constitutionally determined deadlines for transitions of power - and delays to election timelines may require not just operational adaptations, but legal amendment. The opportunity for a society to confirm officials in elected office or remove them, within a constitutionally defined timeframe, is a pillar of democratic values and standards.*

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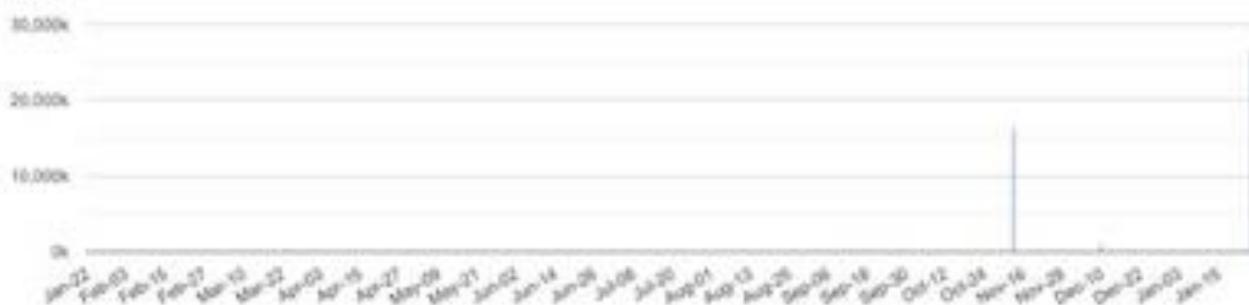
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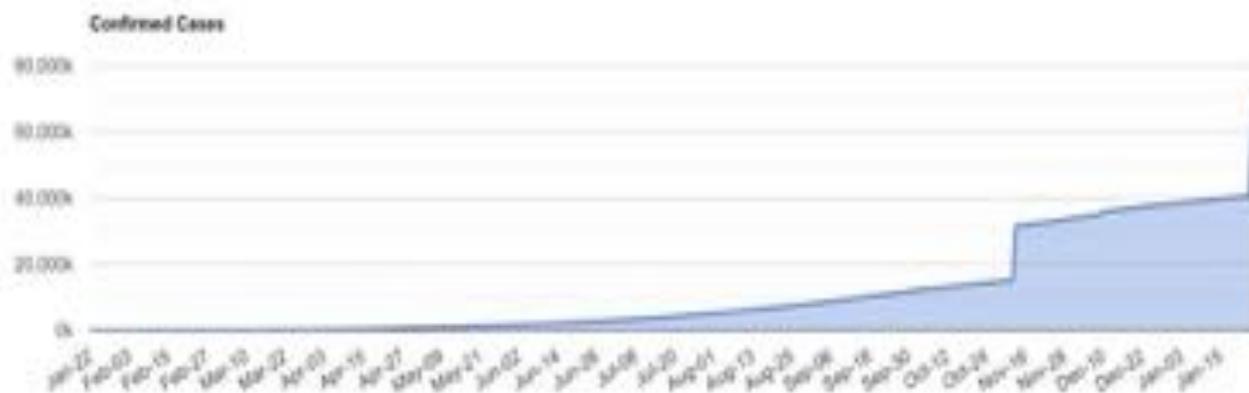
## C'19 Asian Timeline: Data and Trend-Statistical Reflection

Source: <https://coronavirus-updates.live/country/asia>

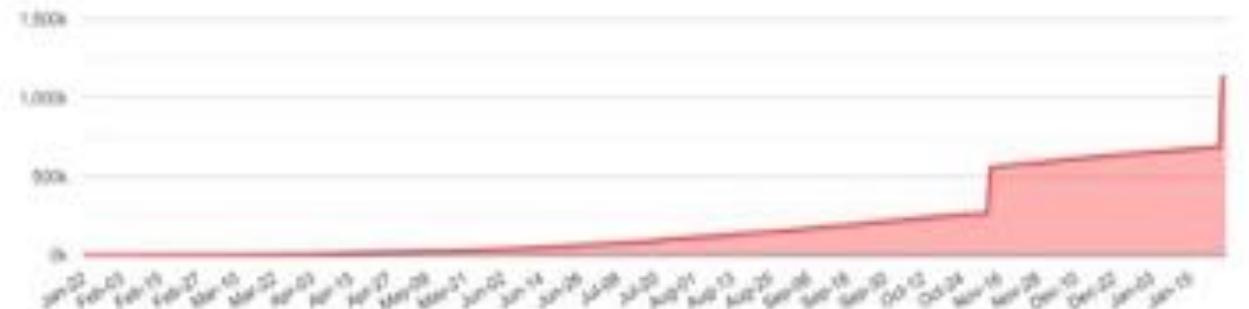
### Asia New Cases



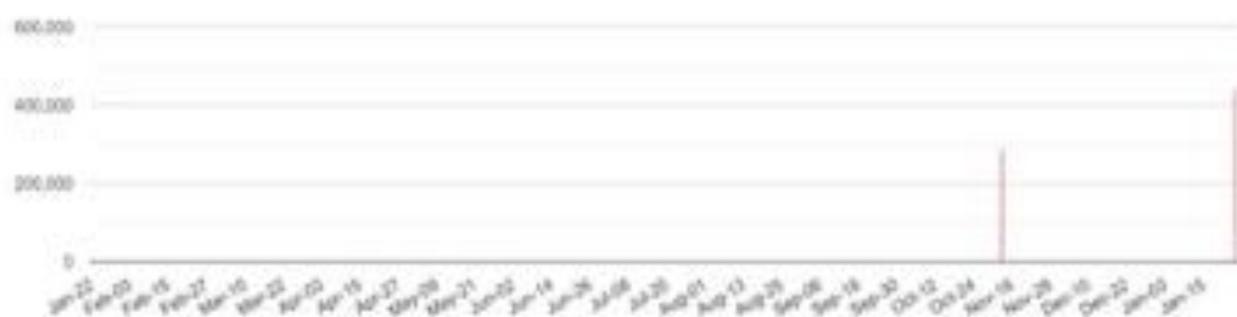
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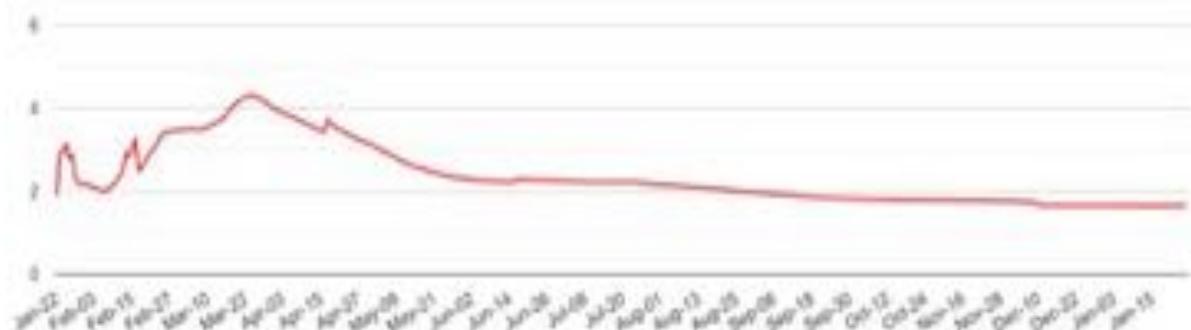
### Total Asia Deaths



## Asia Daily Deaths



## Asia Mortality Rate



## **VOTE AND VIRUS** **[Electoral Democracy and C'19 Pandemic in Asia]**

### **A. POSTPONEMENT OF ELECTIONS IN ASIA-PACIFIC**

- Local government elections in New South Wales, Australia (originally scheduled for Sept 2020) moved to Sept 2021 and Legislative council elections for the divisions of Rosevears and Huon, Tasmania, Australia (originally scheduled for 2 May 2020) moved to 1 August 2020
- Parliamentary By-elections of Bogura-1 and Jashore-6 constituencies, Bangladesh (originally scheduled for 29 March 2020) moved to 14 July 2020. Elections of Chattogram City Cooperation, Bangladesh (originally scheduled for 29 March 2020)
- Legislative Council election, Hong Kong, Special Administrative Region of China (originally scheduled for 6 Sept 2020) moved to 5 Sept 2021
- Referendum, New Caledonia, special collectivity of France (originally scheduled for 6 Sept 2020) moved to 8 Oct 2020
- *Rajya Sabha* (indirect) elections, India (originally scheduled for 26 March 2020) moved to 19 June 2020; *Gram panchayat* elections in Karnataka state and Maharashtra states (originally planned between July and Dec 2020) Rajasthan election of 129 urban local bodies, India (originally scheduled for August 2020) moved to 20 Oct 2020
- Regional (local) elections, Indonesia (originally scheduled 23 Sept 2020) moved to 9 Dec 2020
- Parliamentary By-elections, BatuSapi, Malaysia (originally scheduled 5 Dec 2020)
- Local Council and Women's Development Committee (WDC) elections, Maldives (originally scheduled for 4 April 2020)
- General election, New Zealand (originally scheduled for 19 Sept 2020) moved to 17 Oct 2020
- Parliamentary elections, Kiribati (originally scheduled for 7 April 2020) moved to 14 April 2020
- Local elections, Kyrgyzstan (originally scheduled for 12 April 2020)
- By-elections, Pakistan (originally scheduled for March 2020); Gilgit-balitstan assembly elections, Pakistan (originally scheduled for 2 July 2020) moved to 18 August 2020 but postponed (no confirmed new date)
- Government General Elections, Autonomous Bougainville Papua New Guinea (originally scheduled for June 2020) moved to 12 August - 1 Sept 2020
- By-elections for Central Honiara and North East Guadalcanal Constituencies, Solomon Islands (originally scheduled for June 2020) moved to 18 Nov 2020
- Parliamentary elections, Sri Lanka (originally scheduled for 25 April 2020) moved to 5 August 2020
- Special election for Yona mayor, Guam, territory of the United States (originally scheduled for 28 March 2020) moved to 30 May 2020



**Source:** Global overview of COVID-19: Impact on elections, [www.idea.int](http://www.idea.int)

## B. ELECTIONS HELD AMID C'19

Examples of elections and referendums that proceeded in Feb 2020 include parliamentary elections, Iran (21 Feb 2020); local by-elections in Taiwan (22 Feb 2020); presidential election, Togo (22 Feb 2020); general elections, Slovakia (29 Feb 2020).

Examples of elections and referendums that proceeded in March 2020 include: local elections in Queensland, Australia (29 March 2020); Parliamentary by-elections: Gaibandha-3, Bagerhat-4 & Dhaka-3 and number local government elections, Bangladesh (21 March 2020); parliamentary election rerun in 11 constituencies in Cameroon (22 March 2020); council election, Canada (26 March 2020); municipal elections in the Dominican Republic (15 March 2020); first round of local elections in France (15 March 2020); local elections in Bavaria, Germany (1st round 16 March 2020 and second round 29 March 2020); Legislative elections and constitutional referendum in Guinea (22 March 2020); general elections in Guyana (2 March 2020); *Seanad* general election (partially indirect), Ireland (30-31 March 2020); legislative elections in Israel (2 March 2020); general elections in Mali (29 March 2020); local elections in Hânceşti, Moldova (15 March 2020); six by-elections in Poland (22 March 2020); local elections in Luzern, Switzerland (29 March 2020); *kuomintang* chairperson elections, Taiwan (7 March 2020); parliamentary elections, Tajikistan (1 March 2020); parliamentary by-elections in the single-mandate district No. 179 in the Kharkiv region, Ukraine (15 March 2020); primary elections in Arizona, Florida and Illinois, USA (17 March 2020); General elections in Vanuatu (19 March 2020).

Examples of elections and referendums that proceeded in April 2020 include: local by-elections and lower house by-election, Japan (April 2020); parliamentary elections in Kiribati\*(14 April 2020); parliamentary elections (second round) in Mali (19 April 2020); parliamentary elections in South Korea (15 April 2020); second round municipal elections in Geneva, Switzerland (4 April 2020) by postal voting only; democratic primary elections in Wisconsin, USA (7 April 2020); special congressional election, Maryland, USA (28 April 2020); primary elections\* in Ohio, USA (28 April 2020).

Examples of elections and referendums that proceeded in May 2020 include: local elections in Benin (17 May 2020); Presidential elections in Burundi (20 May 2020); Biennial Election to the Maharashtra Legislative Councils by the members of Legislative Assembly (unopposed), India (21 May 2020); local government election, Cross River State, Nigeria (30 May 2020); general elections, Niue (30 May 2020); general elections in Suriname (25 May 2020).

Examples of elections and referendums that proceeded in June 2020 include: primary elections in 8 states and Washington D.C.\*, USA (2 June 2020); Senate by-elections, Teplice, Czech Republic\* (5-6 June and 13 June 2020); municipal recall vote, Taiwan (6 June 2020); National Assembly Elections, Saint Kitts and Nevis (6 June 2020), primary elections, Georgia, Nevada, North Dakota, South Carolina and West Virginia\*, USA (9 June 2020); *Rajya Sabha*\* (indirect), India (19 June 2020), Parliamentary, provincial and local elections\*, Serbia (21 June 2020), Presidential elections, Kiribati (22 June 2020), Presidential election rerun, Malawi (23 June 2020), primary elections in 6 states, USA\* (23 June 2020), Parliamentary elections, Mongolia (24 June 2020), Presidential elections, Iceland (27 June 2020), Styrian municipal elections, Austria\* (28 June 2020), second round of local elections, France\* (28 June 2020), Presidential elections, Poland\* (28 June 2020), General elections, Anguilla, British overseas territory (29 July 2020).

Examples of elections and referendums that proceeded in July 2020 include: Constitutional nation-wide referendum, Russia\* (1 July 2020); federal by-election, Eden-Monaro, New South Wales, Australia (4 July 2020); state assembly by-election, state of Pahang, Malaysia (4 July 2020); Parliamentary elections, Croatia (5 July 2020); gubernatorial elections, Tokyo, Japan (5 July 2020); Presidential and legislative elections elections, Dominican Republic\* (5 July 2020); Municipal by-elections in Hassi El Ferid, Tunisia\* (6 July 2020); Parliamentary elections, Singapore (10 July 2020); Second round Presidential elections, Poland\* (12 July 2020) Regional elections in Euskadi/Basque and Galicia, Spain\* (12 July 2020); Primary elections and runoffs in Texas, Alabama and Maine, USA\* (14 July 2020); Parliamentary by-elections of Bogura-1 and Jashore-6 constituencies, Bangladesh\* (14 July 2020); Parliamentary elections, North Macedonia\* (15 July 2020), Parliamentary elections, Syria\* (19 July 2020).

Examples of elections and referendums that proceeded in August 2020 include: Legislative Council election, Tasmania\*, Australia (1 Aug 2020); Parliamentary elections, Sri Lanka\* (5 Aug 2020), Nasarawa constituency by-election, Nigeria (8 August 2020), Primary elections, Puerto Rico\*, territory of the USA (9 August 2020), Presidential election, Belarus (9 August 2020), General election, Trinidad and Tobago (10 August 2020), General elections, Autonomous Bougainville, Papua New Guinea\* (12 Aug– 1 Sept 2020), Senate elections, first round, Egypt (11-12 Aug 2020), Special Interest Group Elections, Uganda\* (11, 13, 17 August 2020), Primary elections, Florida and Wyoming\*, USA (18 August 2020), State legislative elections, Northern

Territory, Australia (22 Aug 2020), State of Perak, Malaysia (State Assembly by-election, 29 August 2020); Local snap elections for city council in Riga, Latvia\* (29 August 2020), Parliamentary elections, Montenegro (30 Aug 2020) including local elections in Tivat\*, National referendum, Liechtenstein (30 August 2020), Special elections for Yona Mayor, Guam\*, territory of the United States, (30 Aug 2020).

Examples of elections and referendums that proceeded in Sept 2020 include: Parliamentary elections, Jamaica (3 Sept 2020), local elections in Nucăreni and Tîrnova, Moldova\* (6 Sept 2020), Senate elections, second round, Egypt (8-9 Sept 2020), Parliamentary elections, second round, Iran \* (11 Sept 2020), Local elections, Russia, some local elections were held after being postponed in April and May 2020\* (13 Sept 2020), Local elections, North-Rhine Westphalia, Germany (13 Sept 2020), Edo state election, Nigeria (19 Sept 2020), Regional elections and constitutional referendum, Italy\* (20-21 Sept 2020), Referendum, Falkland Islands\*, UK Overseas Territory (24 Sept 2020), State Assembly elections, Sabah, Malaysia (26 Sept 2020), Local election, Uruguay\* (27 Sept 2020), Referendum, Switzerland\* (27 Sept 2020), Local elections, Romania\* (27 Sept 2020) State and local elections, Saxony and Brandenburg, Germany (27 Sept 2020), Local referendum, Malung-Sälen, Sweden\* (27 Sep 2020), Senate election (*indirect*), France (27 Sept 2020), Rajasthan panchayat elections, India (28 Sept 2020).

Examples of elections and referendums that proceeded in Oct 2020 include: General elections, Bermuda, British Overseas Territory (1 Oct 2020), Regional and Senate elections, Czech Republic (2-3 Oct 2020), Local elections\*, Slovakia (3 Oct 2020), Referendum, New Caledonia\*, special collectivity of France (4 Oct 2020), Parliamentary elections, Kyrgyzstan (4 Oct 2020) General election, Guernsey\*, self-governing British Crown Dependency (7 Oct 2020) Ondo state governorship elections, Nigeria (10 Oct 2020), Presidential elections, Tajikistan (11 Oct 2020), Parliamentary elections, Lithuania (11 Oct 2020), Turkish Cypriot leadership election, Northern Cyprus\* (11 Oct 2020), General Election and Referendum New Zealand\* (17 Oct 2020), Legislative elections, Australia Capital Territory, Australia (17 Oct 2020), Local elections in Coahuila, Mexico\* (18 Oct 2020), Presidential election, Guinea (18 Oct 2020), General elections, Bolivia\* (18 Oct 2020), Presidential elections, Seychelles (22-24 Oct), Local elections, Ukraine (25 Oct 2020) Municipal elections, Cape Verde (25 Oct 2020), Referendum, Chile\* (25 Oct 2020), Saskatchewan provincial elections, Canada (26 Oct 2020), General elections, Tanzania (28 Oct 2020), Parliamentary elections, Georgia (31 Oct 2020), State elections Queensland, Australia (31 Oct 2020), Presidential election, Côte d'Ivoire (31 Oct 2020).

Examples of elections and referendums that proceeded in Nov 2020 include: Presidential election, Moldova (1 Nov 2020), Constitutional Referendum, Algeria (1 Nov 2020), General election, USA (3 Nov 2020), General election, Palau (3 Nov 2020), Gubernational, Puerto-Rico, a territory of the USA (4 Nov 2020), By-elections, Parliamentary elections, Egypt (24-25 Oct and 7-8 Nov 2020), The Gambia\* (7 Nov 2020), Bihar legislative assembly elections, India (28 Oct , 3 and 7 Nov 2020), General elections, Myanmar (8 Nov 2020), Gubernational elections, American Samoa unincorporated territory of the USA (8 Nov 2020), Parliamentary elections, Jordan (10 Nov 2020), General elections, Belize (11 Nov 2020), By-elections, South Africa\* (11 Nov 2020), Local elections, Bosnia and Herzegovina\* (15 Nov 2020), Municipal elections, Brazil\* (15 & 29 Nov 2020), Presidential election (second round), Moldova (15 Nov 2020), By-elections for Central Honiara and North East Guadalcanal Constituencies, Solomon Islands\* (18 Nov 2020), General elections, Burkina Faso (22 Nov 2020), Regional Council and Local Authority elections, Namibia (25 Nov 2020), Municipal elections, Cordovan City, Río Cuarto, Argentina\* (29 Nov 2020).

Examples of elections and referendums that proceeded in Dec 2020 include: Parliamentary elections, Kuwait (5 Dec 2020), Parliamentary elections, Romania (6 Dec 2020), Parliamentary elections, Venezuela (6 Dec 2020). Special health and safety measures were introduced for many of the above elections, except for Guyana, Kiribati, Niue, Slovakia, Tajikistan, Togo and Vanuatu. There were no reported C'19 cases in these countries according to WHO during the time of the election.<sup>24</sup>

**Note:** All elections marked with an asterisk/star (\*) were originally postponed (see Postponed elections due to C'19).

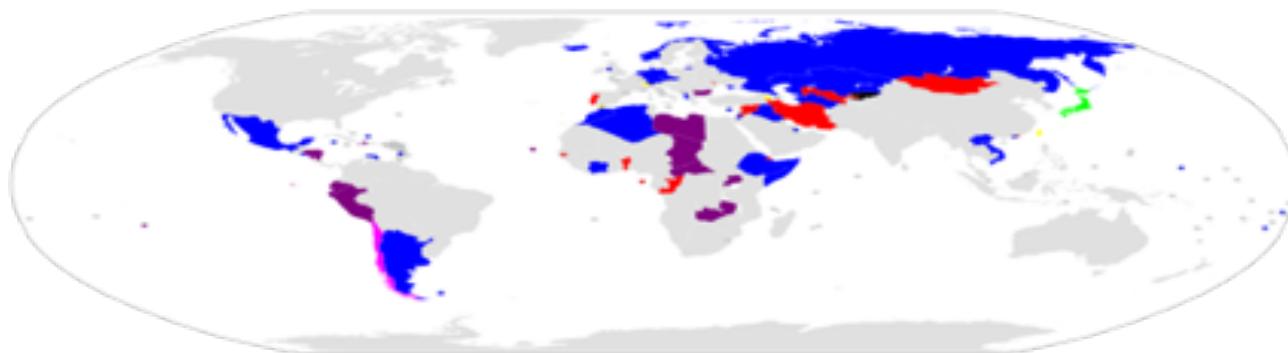
<sup>24</sup> Global overview of COVID-19: Impact on elections, [www.idea.int](http://www.idea.int)



### C. ELECTIONS ON SCHEDULE

(Dec 2020-Nov 2021)

Central African Republic (General election, 27 Dec 2020); Ghana (General election, 7 Dec 2020); Kuwait (5 Dec 2020) Niger (Local elections, 13 Dec 2020); Venezuela (National Assembly, 6 Dec 2020), Kyrgyzstan (Legislative, Presidential, Jan 10, 2021), Kazakhstan (Presidential, Jan 10, 2021), Uganda (Parliamentary, Jan 14, 2021), Ecuador (General, Feb 7, 2021), Somalia (General Feb 8, 2021), El Salvador (Presidential, Feb 28, 2021), Bulgaria (Legislative, Municipal March 28, 2021, Samoa (Parliamentary, April 9, 2021, Chad (General April 10, 2021, Peru (General April 10, 2021, Albania (General, April 25, 2021), Mexico (Parliamentary June 6, 2021), Iran (Gubernatorial, Legislative), June 18, 2021), Zambia (Presidential August 12, 2021), Hong Kong (General, Sept 5, 2021), Honduras (Legislative Nov 2021, Election Date To Be Determined), Nicaragua (General, Nov 7, 2021, Nepal (Parliamentary Elections, April, 2021)<sup>25</sup>



### Electoral Democracy : Asian Outlook

- Prior to the eruption of the C'19 pandemic, countries across Asia and the Pacific faced a variety of democratic challenges. Chief among these were continued political fragility, violent conflict, perennial military interference within the sphere, enduring corruption, deepening autocratization, ethnonationalism, advancing exponent leadership, xenophobia, democratic reversion, shrinking civic space, the unfold of misinformation, and weakened checks and balances. The crisis conditions engendered by the pandemic risk additional entrenching and/or heightening the negative democratic trends evident within the region before the C'19 pandemic.<sup>26</sup>
- Across the region, some governments are indulged in creating the conditions under the excuse of the pandemic to expand their power and curtail individual rights. Observed is the considerably propagated anti-pandemic measures in severing the exercise of basic rights notably freedom of assembly and free speech. Some countries have additionally seen concentrated non-secular polarization and discrimination. Women, vulnerable groups, and ethnic minorities are disproportionately tormented by the pandemic and discriminated against within the social control of lockdowns. There are disruptions of electoral processes, aggressive state police investigation in some countries, and increased influence of the

<sup>25</sup> Global overview of COVID-19: Impact on elections, [www.idea.int](http://www.idea.int)

<sup>26</sup> Taking Stock of Regional Democratic Trends in Asia and The Pacific Before and During the C'19 Pandemic GSoD In Focus Special Brief

military. This is often notably regarding in new and fragile democracies that risk additional erosion of their already fragile democratic bases.

- The pandemic has blessed in disguise a variety of innovations and changes within the democratic forces, like parliaments, political parties, EMBs, CSOs and courts, in shaping the conduct of their work. In an exceedingly number of nations, for instance, ministries, EMBs, legislators, health officers and civil society have developed innovative new on-line tools for keeping the public informed regarding national efforts to combat the pandemic.<sup>27</sup>
- Non-democratic countries like China, Singapore and Vietnam (now Myanmar)—all of that have, as of now, successfully prevented large-scale deaths from C'19. Whereas these countries have all to this point managed to contain the virus with fewer fatalities than within the remainder of the world, but at a high human rights cost.<sup>28</sup>
- The colossal disruption ignited by the pandemic may be a unique chance for democratic learning, adaptation and restoration of democratic order in the region. Strengthening democratic establishments and processes across the region must go hand in hand with curbing the pandemic. Reconstruction of societies and economic structures in its aftermath can likewise need robust and healthy democracies through an open society, capable of handling the herculean tasks ahead.<sup>29</sup>

### **Elections in South Asia**

South Asia as a regional entity presents multiple challenges: the disparate levels of democracy and development between South Asian nations; and therefore the disparities among South Asian nations. Terrorism or, more broadly speaking, the security is an undoubtedly significant and overarching challenge in South Asia now. The prospects for human-rights friendly society governed through democratically elected government is rapidly eroding in the name of tackling terrorism and anti-social elements.<sup>30</sup> A second set of challenges involves piecemeal democratic transition that results in an inadequate development of the institutions of formal democracy. This has proven primarily in Afghanistan, but in addition the Maldives, Pakistan and Nepal too are following the suit, albeit to very different degrees. The third set of challenges involves the failure of establishments to fulfil their democratic mandates, the functioning of judicial systems everywhere South Asia, abuse of power by state authorities, and so on.<sup>31</sup>

A fourth vital project arises from the disparities inside the nature of the South Asian democracies. Sri Lanka has ensured reasonable electoral democracy and a good quantity of political balance with a free press and an independent judiciary, however the switch of power to the people has now no longer been deep enough. The establishments of democracy that had been intended to serve voters have in several instances turn out to be contraptions of misgovernance. Pakistan had a wandering direction to democracy where in periods of formal democracy, the doctrine of governance is usually decided through the military. Nepal's constitutional monarchy for several decades was entirely self-centred grossly ignoring the common good but even after ousting of the monarchy, the decades-long aspiration of republic is still quite fragile. In Bhutan and consequently the Maldives, democracy remains in its infancy however; modern-day moves in Bhutan, the Maldives and Nepal have generated new aspirations. The project for the political leadership of those countries is to consolidate democratic gains via constitutional and institutional safeguards and to make sure that the legitimate pursuits of traditionally marginalized segments of the population are effectively realized. Solely then will the social, financial and political situations would move towards a meaningful transition. In Afghanistan, the forces of ideology and act of terrorism have put the aspiration for genuine election and democratic culture at stake.<sup>32</sup>

Pakistan, Bangladesh, the Maldives and Afghanistan face their existential threats from violent entities and radicalism spearheaded by fundamentalists. The undue ‘investment’ in elections in the name of campaign financing is the most important factor of spike in corruption and mis-governance. More worrisome is the

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<sup>27</sup> Ibid

<sup>28</sup> Ibid

<sup>29</sup> Ibid

<sup>30</sup> Prospects for Democratic Development in South Asia and the European Union’s Role in Democracy Building Dr. Ananya Mukherjee Reed, Associate Professor, Political Science and Development Studies, York University, Toronto, Canada and Professor Kant K. Bhargava, Former Secretary General, SAARC and Fellow, Centre for the Study of Democracy, Queen’s University, Kingston, Canada

<sup>31</sup> Ibid

<sup>32</sup> Ibid

absence of internal democracy in most of the political parties, which severely undermines the bedrock of democracy.<sup>33</sup>

In sum, South Asia region is witnessing reasonably progressive democratic upsurge. Yet, democratic transitions are filled with uncertainties and fragility. Though elections are held with open public participation, the democratic and electoral processes are beset with severe challenges. Issues with violence, corruption, ill governance, the role of money, muscle and clan-politics appear to have eroded the fundamental democratic ingredients in most of the countries in the region.<sup>34</sup> Most nations in the sub-region perform poorly in relation to democratic election strategies and the representation character. Further, accountability and obligation are not but ingrained in the democratic governance of most nations. For instance, in Pakistan, the military has been playing an immoderate position in the country's democratic shape and strategies. Illicit money in politics has performed an overarching position in influencing people's electoral will and the outcome of elections. In the Maldives, that is entirely dependent on tourism, the credibility of elections and stability of government mirrors the prospects of the travel trade.<sup>35</sup>

### **Elections in East and Southeast Asia**

East and Southeast Asia are good examples of mixed setting of their electoral features. Periodic elections are common with few exceptions in the sub-region although quite a few countries are not even close to practicing universal norms and compliance with basic features of a democratic election. Only in the last two decades or so has electoral quality improved in some countries, such as Korea and Thailand. In both these countries, institutional reforms to combat fraud and irregularities and to uphold the integrity of the electoral process turned out to be relatively successful, whereas in other countries, such as Cambodia, Indonesia and the Philippines, low electoral quality is still a rootcause of cronyism and corruption as well as a reason for the lack of professionalism and ethics in parliamentary politics.<sup>36</sup> Over the past two decades, numerous East Asian states have undergone transitions to democracy. One of the most distinctive aspects of democratization has been the way East Asian democracies have sought to manage political change by institutional innovations that aim to influence the development of the region's party systems. These reforms have typically tried to promote more centrist and stable politics by encouraging fewer, and hence larger, political parties. The result is an increasing evolution of the region's electoral and party system constellations toward more majoritarian elections and, in some cases, nascent two-party systems.<sup>37</sup>

Especially, South Korea and Singapore – are examples of successes in holding the elections under exceptionally adversarial circumstances marred by the pandemic: their swift, coordinated responses of testing, tracing, quarantining, and treatment are mostly attributable for flattening the pandemic curves. Further, the two nations have placed in situ several financial recuperation guidelines and packages to effectively navigate the post-pandemic economy with convincing public pledges.<sup>38</sup>

Election results for the two countries differed: whereas the South Korean incumbent government scored a resounding outcome, Singapore's incumbent government witnessed relatively less popular votes, if not in seats. Thus, South Korea's general elections on April 16, 2020, brought out the most important electoral turnout for parliamentary election in 20 years: 62 per cent. President Moon Jae-in's political party and its affiliates won a landslide, increasing from 120 seats to a 180-seat within the 300-seat assembly. Meanwhile, Singapore's July 10 parliamentary elections saw the incumbent government under the People's Action Party took 83 of the 93 electoral seats within the assembly with 61.2 per cent turn out. The largest opposition, the Workers' Party, took 10 seats. This contrasts against the previous 2015 elections, wherever the PAP won 83 seats with 60.95 per cent of the votes and therefore the WP took just six seats.<sup>39</sup>

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33 Prospects for Democratic Development in South Asia and the European Union's Role in Democracy Building Dr. Ananya Mukherjee Reed, Associate Professor, Political Science and Development Studies, York University, Toronto, Canada and Professor Kant K. Bhargava, Former Secretary General, SAARC and Fellow, Centre for the Study of Democracy, Queen's University, Kingston, Canada

34 Ibid

35 Ibid

36 Electoral Politics in Southeast and East Asia: A Comparative Perspective, Aurel Croissant

37 Electoral Systems and Party Systems in East Asia, Benjamin Reilly, Journal of East Asian Studies Vol. 7, No. 2, Special Issue: Party Choice and Partisanship in East Asia (May–August 2007)

38 C'19 and lessons from East and Southeast Asia: A new normal in elections? 23 Sept 2020, Crawford School of Public Policy, ANU College of Asia & the Pacific

39 Ibid

South Korea and Singapore share variety of commonalities, as well as robust economic performance. The two nations were thought of undefeated in containing the pandemic, with similar ways of travel bans, contact tracing, and intensive testing that underpinned their success.<sup>40</sup> Meanwhile, Singapore earned initial wide praise for its prompt enactment of border screening, contact-tracing and extensive testing. In fact, it was held up as a model for controlling the pandemic without a total shutdown; however, the country was subsequently called out for a second wave of C'19, clustered mostly around migrant workers' dormitories that brought to attention the overcrowded and poor living conditions of migrant workers in the country. With 57,500 cases and 27 deaths as of Sept 15, 2020, Singapore has the fifth largest case-numbers in East and Southeast Asia, following the Philippines (266,000), Indonesia (222,000), China (90,100), and Japan (76,000).<sup>41</sup> The conduct of elections in the two countries was also similar: for instance, outdoor rallies were banned and, instead, held virtually, a significant departure from the usual loud, carnival-like campaigns. Polling day itself also saw a number of similarities, including safe-distancing in the voting line, masks, disposable gloves, hand sanitizers, and temperature screenings. In Singapore, the electorate was divided into two-hour slots to cast their ballots, and an election app was launched to help track the voting queue and minimise waiting time. In South Korea, advance voting was extended that led to 26.7% casting their votes in early voting. With these measures and precautions, South Korea has reported zero transmission cases from the E-Day.<sup>42</sup>

## LIST OF TARGET COUNTRIES AND DATA

### Target Countries and Distribution

- |  |           |
|--|-----------|
| 1. Kazakhstan, 2. Afghanistan, 3. Pakistan, 4. India, 5. Nepal, 6. Sri Lanka, 7. Bangladesh, 8. Myanmar, Thailand, 10. Cambodia, 11. Japan, 12. Korea, 13. Philippines, 14. Malaysia, 15. Singapore, Mongolia, 17. Indonesia | 9.<br>16. |
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40 C'19 and lessons from East and Southeast Asia: A new normal in elections? 23 Sept 2020, Crawford School of Public Policy, ANU College of Asia & the Pacific

41 Ibid

42 Ibid

**SELECTED COUNTRIES**  
(Till 31st Jan 2021)

#	Country/ Other	Total Cases	New Cases	Total Deaths	New Deaths	Total Recovered	Active Cases	Serious, Critical	Total Cases/ 1M pop	Deaths/ 1M pop	Total Tests	Tests/ 1M pop	Population
	World	103,218,400	+104,425	2,231,221	+3,321	74,884,497	26,102,682	108,286	13,242.0	286.2			
2	<a href="#">India</a>	10,747,091		154,312		10,423,125	169,654	8,944	7,743	111	196,588,372	141,644	<a href="#">1,387,901,130</a>
1	<a href="#">Afghanistan</a>	55,059	+36	2,404	+4	47,679	4,976	946	1,396	61	250,602	6,355	<a href="#">39,434,463</a>
152	<a href="#">Pakistan</a>	544,813	+1,599	11,657	+34	499,974	33,182	2,125	2,439	52	7,932,196	35,511	<a href="#">223,373,530</a>
142	<a href="#">Nepal</a>	270,959	+105	2,029	+2	266,336	2,594		9,204	69	2,071,007	70,346	<a href="#">29,440,249</a>
16	<a href="#">Bangladesh</a>	535,139	+369	8,127	+16	479,744	47,268		3,231	49	3,651,722	22,046	<a href="#">165,644,274</a>
199	<a href="#">Thailand</a>	18,782	+829	77		11,615	7,090	1	269	1	1,217,873	17,422	<a href="#">69,902,359</a>
34	<a href="#">Cambodia</a>	465	+1			443	22		28		389,799	23,129	<a href="#">16,853,300</a>
166	<a href="#">S. Korea</a>	78,205	+355	1,420	+6	67,878	8,907	229	1,525	28	5,640,820	109,968	<a href="#">51,295,001</a>
121	<a href="#">Malaysia</a>	214,959	+5,298	760	+14	166,049	48,150	313	6,592	23	4,830,428	148,141	<a href="#">32,606,911</a>
94	<a href="#">Indonesia</a>	1,078,314	+12,001	29,998	+270	873,221	175,095		3,918	109	9,238,689	33,570	<a href="#">275,206,268</a>
105	<a href="#">Kazakhstan</a>	186,711	+1,342	2,476		167,914	16,321	221	9,875	131	6,399,596	338,473	<a href="#">18,907,256</a>
188	<a href="#">Sri Lanka</a>	63,293		313		56,277	6,703		2,949	15	1,694,083	78,921	<a href="#">21,465,681</a>
158	<a href="#">Philippines</a>	525,618	+2,103	10,749	+80	487,551	27,318	727	4,760	97	7,820,008	70,815	<a href="#">110,428,130</a>
179	<a href="#">Singapore</a>	59,536	+29	29		59,196	311		10,130	5	6,315,357	1,074,561	<a href="#">5,877,153</a>
134	<a href="#">Mongolia</a>	1,779	+37	2		1,333	444	2	538	0.6	1,036,174	313,148	<a href="#">3,308,896</a>
140	<a href="#">Myanmar</a>	139,864		3,125		124,441	12,298		2,561	57	2,374,068	43,463	<a href="#">54,622,497</a>
103	<a href="#">Japan</a>	383,083		5,546		325,592	51,945	974	3,034	44	6,789,931	53,782	<a href="#">126,249,441</a>

Source: <https://www.worldometers.info/coronavirus>

## Comparative Chart – Thematic Data

Sub-region	Country	Electoral System	Civic Space	Impact of C'19	Electoral Credibility
Central Asia	Kazakhstan	<p>The current Constitution, which was ratified in Sept 1995, provides for a democratic, secular state and a presidential system of government. In 1998, the Constitution was amended and the first election was held in Jan 1999, which resulted in the re-election of President Nazarbayev. Such developments in the democratization of politics have given the country a new identity in the post-Soviet world.</p> <p>When introducing the PS of the elections, the government referred to the “Duverger Law”, according to which the MS (of relative majority) tends to form a bipartisan system, and the PS multiparty system. The sharp transition to PS was justified by the need to develop a multiparty system. As time has shown, parties that are more independent did not appear. On the contrary, the total number of parties had decreased from 10 parties (in 2007) to 6 (in 2019). The experience of other countries shows that the MS does not always lead to a system with two parties, with a few exceptions. “Duverger Law” implies only a generalized probability of such a scenario. The impact of electoral systems on party systems has a lasting effect that is irrefutable. However,</p>	<p>The Kazakh leadership uses a myriad combination of tools to squeeze civil society. Legal and practical forms of repression are compounded by increasing restrictions to independent funding, gradually suffocating independent thinking and activism in Kazakh society. The west should open its eyes to the shrinking space in Kazakhstan and do more to support independent civil society as a counter-weight to the increasing state monopolisation of power.<sup>43</sup></p> <p>CSOs in Kazakhstan are facing the ‘shrinking space’ phenomenon, where the activities of civic actors and groups are restricted and voices deemed to be in opposition, quietened. Despite significant criticism from civil society, the Parliament of Kazakhstan adopted the new Law on the Procedure of Organization and Conducting Peaceful Assemblies on May 20. The President signed the law on May 25. This law was developed by the Ministry of Information and Public Development to implement the president’s order to introduce a notification-based procedure for peaceful assemblies. The new law replaced the current 1995 Law on Organization and Holding of</p>	<p>Economic activities weakened as commodity prices dropped, trade declined, and C'19 preventive measures slowed economic activity. Consumer demand showed moderate growth at 1.2 percent, reflecting growing concerns over C'19 and the restriction measures. C'19 has a negative impact on human capital development. Unequal access to quality education, especially during lockdown, can negatively affect human capital development for the poor. School closures could result in learning loss of more than one-third of a school year and the impact could mean a severe decline. During the pandemic, refugees too suffered from civil liberty and livelihood opportunities due to various restrictive measures adopted by the government. Health system has been stretched beyond the limit and poorest of the poor have been facing with difficulties in accessing required medical service.</p> <p>According to the Decree on the State of emergency of March 15, the capital of Kazakhstan, Nur-Sultan, and the largest</p>	<p>The electoral threshold of 7% for entering the parliament is too high and clearly serves as a barrier to the opposition. Ideally, it is introduced to prevent excessive party fragmentation of the parliament – especially in parliamentary systems – where such redundancy can lead to instability of the government or paralyze regular legislative activity. When twenty parties participate in the elections, it is possible and necessary to establish a minimum percentage of support for passage to parliament, since too much fragmented parliament may be less effective. Since 2007, no more than 7 parties have been participating in parliamentary elections. It is important to note that a high threshold also leads to the loss of votes cast for a party that did not reach a high threshold and eliminates the authorities’ argument about their desire to develop a multi-party system. The rule allowing political parties to form electoral blocs was removed by the 2007 amendments. Since it allowed the opposition to consolidate and put forward a single list of candidates to increase their chances of winning. This restriction can also negatively affect small batches (or just created ones); uniting into blocks, for which, it is the main opportunity to overcome the 7% threshold. Another important mechanism capable of</p>

43 Aina Shormanbayeva, Kazakhstan: a showcase for shrinking civic space, 7 June 2017

	<p>this effect is different in authoritarian countries. Parties are artificial formations created by the authorities from above. They do not represent society; the lists of candidates declared by them are more likely to express the interests of the regime. Moreover, there is no transparency and no clear mechanism for the parties to compile a list of candidates. The situation is aggravated by the fact that, as an alternative, society cannot nominate independent candidates, since there is no place for them in the current PS. It turns out that access to parliament and maslikhats is possible only through membership in a registered political party, which runs counter to international standards for democratic elections.</p> <p>The PS also establishes a closer relationship between the deputies and the party, rather than voters of a particular constituency, as in the majoritarian system.</p>	<p>Peaceful Assemblies, Meetings, Marches, Pickets and Demonstrations. The notification procedure in the law in fact represents a pre-approval requirement, as local authorities have the authority to reject the conduct of peaceful assemblies based on an extensive list of grounds. It appears that although, the government does crack down on some opposition groups and newspapers, the country has a strong basis on which it could move forward to democratisation of the country.<sup>44</sup> One of the most obvious and unfair forms of restrictions on access to elections is the requirement to register a political party. Under the Political Party Act, in order to legally register a political party, it is necessary to collect 40,000 signatures representing all regions of the country (600 each). First one needs to register the organizing committee (10 people) and only after receiving confirmation from the Ministry of Justice to hold a constituent congress for people representing two thirds of the regions.<sup>45</sup></p>	<p>commercial hub, Almaty, were put into quarantine and lockdown on March 16 due to the spread of the infection into Kazakhstan through these cities' borders. The Decree imposes substantial restrictions on movement of people and certain commercial activities.</p> <p>As of April 1, all international flights to Nur-Sultan and Almaty Airports were suspended indefinitely. This has led to the cancellation of scheduled flights from these airports. The President, in the Decree on the State of emergency, the special State Commission (created to deal with the public health emergency); the Chief Sanitary Inspector and local executive bodies have introduced a number of restrictive measures.</p>	<p>distorting or adjusting the competitive electoral environment is the procedure for financing political parties. Since 2009, it has provided financial support to political parties from the state budget. However, it is available only to parties that have passed to the parliament (on the basis of a “punitive system”), thereby creating an advantage for parties in power over applicants. Even taking into account the fact that the allocated funds cannot be used for the needs of the election campaign.<sup>46</sup> These requirements, which include, in fact, double registration, significantly limit the rights of citizens to freedom of association and are a serious barrier to participation in elections. Registration rules are applied in some democracies, but they are completely not burdensome and are stipulated by the system of state financing of political parties, which requires ascertaining the seriousness of intentions.</p>
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44 Mukesh Kumar Mishra, Democratisation Process in Kazakhstan: Gauging the Indicators, India Quarterly, Vol. 65, No. 3 (July-Sept 2009), pp. 313-327 (15 pages), Published By: Sage Publications, Ltd.

45 <https://www.flandersinvestmentandtrade.com/>

46 Grofman and Lijphart, Duverger's Law: Forty Years Later, 'Electoral Laws and their Political Consequences. 1986, p. 70

6 Gallagher, Mitchell, The Politics of Electoral Systems, 2007, p. 547

7 Founding Documents of the Venice Commission on Electoral Law and Political Parties, 2016, p. 127

8 Compilation of Venice Commission Opinions and Reports Concerning Electoral Systems, CDL-PI(2019) 001, 2019, p. 7

9 OSCE 1990 Copenhagen Document, paragraph 7.

10 Founding Documents of the Venice Commission on Electoral Law and Political Parties, 2016, p. 135

South Asia	Afghanistan	<p>The Afghanistan Council applies the SNTV electoral system, under which each eligible voter casts one vote for one individual candidate in his or her multi-member constituency. Article 33 of the Afghanistan Constitution guarantees suffrage which states:</p> <p>"The citizens of Afghanistan have the right to elect and be elected. Law regulates the conditions and means to exercise this right. "The Constitution provides for the election of:</p> <ul style="list-style-type: none"> <li>•A President (every five years)</li> <li>•A National Assembly (Parliament) consisting of the Wolesi Jirga or the House of the People (every five years); and the Meshrano Jirga (House of Elders) (1/3 of its members (34) are elected by District Councils (one per province) for a three-year term, one-third (34) by Provincial Councils (one per province) for a four-year term, and one-third (34) are nominated by the President for a five-year term)</li> <li>•Provincial Councils (every 4 years)</li> <li>•District Councils (every 3 years)</li> <li>•Village Councils (every 3 years)</li> <li>•Municipal Councils (every 4 years)</li> <li>•Mayors (every 4 years)</li> </ul> <p>The rules and procedures for holding elections are contained in the following enabling laws:</p> <ul style="list-style-type: none"> <li>•The Constitution of Afghanistan</li> <li>•Electoral Law</li> <li>•Law on the Structure, Duties and Authorities of the Independent Election Commission and the IECC</li> <li>•Political Parties Law</li> </ul>	<p>CIVICUS, Afghanistan Human Rights Organization, Civil Society and Human Rights Network and People's Action for Change Organization explore the continued insecurity in Afghanistan, which has resulted in the closure of space for civil society, including through targeted attacks on humanitarian workers, protesters and journalists. There have been moves in recent years that hamper the freedom of association. In 2017, Afghanistan sought to introduce restrictions that could require all NGOs to re-register themselves every three years. Violence against women and the desperate situation faced by women human rights defenders in who are subjected to a heightened level of persecution because of their gender and their human rights activism is a common phenomenon. The recent targeted killings of prominent figures including journalists and rights activists have prompted a public outcry accusing the government of failing to protect its citizens despite ongoing peace talks between the government and the Taliban. The Afghan Journalists' Safety Committee said at least seven media personnel have been killed this year, including two journalists killed in separate bombings last month and five journalists have been killed in the past two months. Since early Nov, a series of targeted armed attacks and bombings have claimed the lives of prominent journalists. Among others in civil society women's rights</p>	<p>While implementing activities to mitigate the spread of C'19, humanitarian actors in Afghanistan continue to respond to other ongoing and emerging humanitarian needs. Conflict and natural disasters across the country continue to displace thousands of families, compounding pre-existing vulnerabilities and making them potentially more susceptible to exposure to and transmission of C'19. The C'19 outbreak in Afghanistan is unfolded during the flood season, which is further complicating the response and depleting in-country supplies.</p> <p>According to World Bank, the C'19 crisis is having a devastating impact on the livelihoods of Afghans while undermining the government's revenue collection and its capacity to finance comprehensive programs to save lives, protect the poor, and jumpstart the economy. Economic activity plummeted in the first half of 2020 as lockdowns and social distancing measures to curb C'19 negatively affected the industry and service sectors. Despite continued robust growth in agriculture following the recovery from the 2018</p>	<p>Incidences of multiple voting, proxy voting, voting with fake documents, interference in electoral affairs, limiting journalists and election monitoring boards in the conduct of their tasks, using illegal facilities, threatening and forcing voters, candidates, monitors, and electoral staff, and receiving or giving bribes in the counting of votes are common phenomenon. Voters' lists have been struck by a tremendous level of challenges so far among which the following issues are pre-dominantly dramatic and much more serious. Voters' lists are not well prepared in most centers as they did not contain names of those voters who were registered with that very PC. Biometric devices denied access to a certain number of voters especially to those who had polled in the 2018 Parliamentary elections, implying that the biometric devices' memory chips have not been entirely erased. Some of the polling stations do not even receive any voter list at all. Despite the partially secure polling environment, voters' turnout have reportedly been poor to the optimum in all 34 provinces. Reports have shown that biometric devices in 8 provinces could not function properly. Some ran out of charge, and the power banks did not work either. In exactly 109 polling stations, these biometric devices have been seen to malfunction and print voters' lists in wrong orders. In 24% of the overall polling stations, IEC's biometric unit were not well-familiar with how the devices are operated. Underage recruitments has also been a serious issue in IEC's provincial offices. Taking pictures of female voters has not</p>
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	<ul style="list-style-type: none"> <li>•Law on Assemblies, Strikes, and Demonstrations</li> <li>•Decree on Working Procedure of IEC</li> <li>•Presidential Decree of the Islamic Republic of Afghanistan on Code of Conduct of Security Forces in Election Process (2014)</li> <li>•Presidential Decree on Code of Conduct for Government Department Officials and Staff in 2014 Elections</li> <li>•Presidential Decree on Non-Interference of Government Officials in 2014 Runoff Election Process</li> <li>•Presidential Decree on Code of Conduct for Security Forces in 2014 Runoff Election</li> </ul> <p>The Constitution created the IEC and Independent Election Complaints Commission to administer and supervise the implementation of all electoral processes in the country.<sup>47</sup></p>	<p>activist Freshta Kohistani, Executive Director of Free and Fair Election forum of Afghanistan Yousuf Rashid, the acting health director of the prison Nafeza Ibrahim, and Deputy Governor of Kabul and his secretary were killed in the past three weeks. There are daily attacks against civilians where over 65 persons have lost their lives, including women and children in the capital Kabul in recent weeks including two assaults on educational centres and a rocket attack. At least 31 soldiers were killed in two separate suicide bombings that targeted a military base and a provincial chief. The armed group ISIS claimed three Kabul attacks and no one has claimed responsibility for the rest of the attacks.<sup>48</sup></p>	<p>drought, lower outputs in industry and services, as well as declining revenues due to trade disruptions and weaker tax compliance have put government finances under pressure.<sup>49</sup></p>	<p>been a mandatory principle in a certain number of Polling stations, where women have casted their ballots without going through this formality; and on the hand, there have been PCs where women have retaliated to being photographed and thus have refrained from casting their ballots. During almost all past elections Taliban attacks have been witnessed and heard in provinces and suicide bomb incurred even in Kabul has also been victimized with suicide bombs and magnetic IEDs.<sup>50</sup></p>
India	<p>The Election system in India is a foundation for our successful democracy. The Election Commission in India is a statutory body, which is having the responsibility of conducting elections in state level as in central elections. The election system is not only seen in India, it can be seen in all countries of the world. The election system also decides the successful running of the government also. Even though, it</p>	<p>There has been an increased restriction of space for dissent, particularly after the reelection of PM Narendra Modi. The repressed rating for civic space means that democratic freedoms such as the freedoms of expression, peaceful assembly and association are significantly constrained. Attacks on activists and journalists, while also flagging the use of sedition and “other restrictive laws such as the</p>	<p>On March 24, India's government announced a nationwide lockdown to contain the spread of C'19, closing schools and non-essential businesses, and suspending air and rail travel. India has been hit hard by C'19. The country currently has the second largest number of cases in the world after the United States.</p>	<p>An election in India is usually conducted in a highly transparent process. However, there are certain challenges that still need to be addressed.</p> <p>Money power: Electioneering is an expensive affair in every democracy. The power of money in the electoral system plays a destructive role seriously affecting the periodic elections. It leads to a cycle of corruption and contributes</p>

47 uprdoc.ohchr.org

48 <https://www.hindustantimes.com>

49 [www.worldbank.org](http://www.worldbank.org)

50 FEFA. (2014a). 2014 Elections Observation Report. Kabul: FEFA 5. FEFA. (2019a). Parliament's Perception on Electoral Reforms. Kabul: FEFA

	<p>is a traditional system in India, still it is has applied many changes it itself, and now it is a most developed progressive system.</p> <p>The election system, has many features like adult franchise, reservation in constituencies, nomination system etc. The system is very strong administrative machinery, which conducts elections in periodic wise.</p> <p>India is a constitutional democracy, which is having a parliamentary system of government. The ECI elections deals with the elections relating to all state assemblies, union territories, president and as well as vice president elections. According to the people representative act of 1950, the electoral were created to choose representatives from various constituencies to elect the representatives who are having the power to make the making the government and successful running the administration.</p> <p>The Constitution of India adopted a Parliamentary form of government. Parliament consists of the President of India and the two Houses — Rajya Sabha and Lok Sabha. India, being a Union of states, has separate state legislatures for each state. State legislatures consist of the Governor and two Houses — Legislative Council and Legislative Assembly.</p>	<p>National Security Act and Unlawful Activities Prevention Act" against students, academics and activists to "silence critics of the government.</p> <p>Indian-administered Kashmir, for instance, has been perilous for journalists in recent years, with several instances of physical attacks, including by security forces, assassinations of prominent media voices, and fabricated prosecution of critical journalists, invoking draconian anti-terror and preventive detention provisions too. Other parts of India too have witnessed such media hounding, most recently under the cover of the C'19 lockdown. Enacted changes in its tax laws-2020 that will have detrimental effects on NGOs, albeit require to reregister every five years. The Foreign Contribution (Regulation) Act in 2010 has restrictive clauses have been further tightened and weaponized by the government, resulting in a situation where access to foreign funds is subject to periodic license renewals, caps on how the funds can be used, and, among other things, an undertaking not to engage in religious conversions. A further amendment earlier in Sept 2020 has made it even more difficult for groups to pursue human and minority rights work.<sup>52</sup> In May 2020, the government made it mandatory for all central government officials to use the government-built Aarogya Setu</p>	<p>The economic impact of the 2020 corona virus pandemic in India has been largely disruptive. India's growth in the fourth quarter of the fiscal year 2020 went down to 3.1% according to the Ministry of Statistics.</p> <p>The Chief Economic Adviser to the Government said that this drop is mainly due to the corona virus pandemic effect on the Indian economy. Notably India had also been witnessing a pre-pandemic slowdown, and according to the World Bank, the current pandemic has "magnified pre-existing risks to India's economic outlook".</p> <p>Impact of C'19 has been multiple and not only limited to society at large. From the perspective of the economy both rural and urban have been impacted adversely. As India is recognised as land of diversity, so the impact of C'19 is diverse and countless. Amidst the lockdown in Indian society, multiple issues related to social, educational, economic, political, agricultural, psychological levels and many more have been noticed which has created the devastating impact on the lives of the</p>	<p>mainly to the generation of black money economy.</p> <p>In recent years, the election expenses have increased beyond limits as every political party wanted to spend more than their rivals did. The elections were not as costly in 1952 as they have become today. Political leaders and workers then considered it unethical to work with a desire for any reward. However, the current scenario has changed. The elections in Indian polity are becoming increasingly expensive and the gap between the expenses incurred and how much is legally permitted is increasing over the years.</p> <p>The observers are watching the system that requires unbelievably enormous expenditures collected through dubious means by political parties and their candidates. The Commission is seriously concerned about the growing influence of "black money" in recent elections. Vote buying and inducement of voters are major challenges where black money is used. The menace of black money in elections can be tackled by the strict enforcement of the Anti-Corruption Laws, the Right to Information Act, and effective disclosure norms. Opaque anonymous donations have far more serious repercussions than corporate funding and need to be addressed as stated by the newly appointed Chief Election Commissioner Dr. Nasim Zaidi</p>
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52 <https://caravanmagazine.in/politics/the-erosion-of-civic-space-in-south-asia-minorities-report-2020>

	<p>The country has been divided into 543 Parliamentary Constituencies, each of which returns one MP to the Lok Sabha, the lower house of the Parliament. The Federal Democratic Republic of India has thirty-six constituent units. All the twenty-nine States and two of the seven Union Territories have their own assemblies - Vidhan Sabhas. The thirty one Assemblies have 4120 Constituencies.<sup>51</sup></p>	<p>app on their mobile phones. The app alerts users if a person in their vicinity has tested positive for C'19. The government has also made the app mandatory in virus "containment zones" throughout the country. The app lacks privacy protections, with the use of both Bluetooth and GPS, and with little transparency about how the data will be handled.<sup>53</sup></p>	<p>people.<sup>54</sup> India is likely to be worst affected among the world's major economies even after the pandemic wanes, with output 12% below pre-virus levels through the middle of the decade, according to Oxford Economics. Migrant workers during the C'19 pandemic have faced multiple hardships. With factories and workplaces shut down due to the lockdown imposed in the country, millions of migrant workers had to deal with the loss of income, food shortages and uncertainty about their future. Following this, many of them and their families went hungry. Thousands of them then began walking back home, with no means of transport.<sup>55</sup></p>	<p>in an E-Mail interview by the Indian Express newspaper.</p> <p>Some of the anomalies witnessed in the elections are Use of muscle power; Criminalization of politics and politicization of criminals; Misuse of government machinery; Nuisance candidates of political parties; and, Unclean voter's lists.<sup>56</sup></p>
<b>Nepal</b>	<p>Nepal entered into the current mixed electoral system with the first CA elections held in 2008. Since then there had been three elections- two for the constituent assembly and the last one being the series of local, provincial and federal level elections- after the promulgation of the new Constitution. The local level election is based on the first-past-the-post model whereas the federal and provincial parliamentary elections embrace the components of the</p>	<p>Civil society played a critical role in the dismantling of the Hindu monarchy and the establishment of a democratic republic in 2008. But since around 2010, there have been sustained efforts to curtail civic space. Civic space is rapidly shrinking due to stricter regulations in connection with operation of NGOs. The updated Criminal Code of 2018, which stipulates that journalists could be fined or imprisoned for publishing</p>	<p>Nepal, a landlocked country aspiring to graduate from a Least Developed Country status, stands highly vulnerable to the unfolding C'19 pandemic. Heedful of its vulnerabilities, the Government has enforced a nationwide lockdown and activated its federal, provincial and local level mechanisms to respond to the crisis. Nepal Government has reported over 261K C'19</p>	<p>Despite political tensions and logistical and operational challenges, the voting process in Nepal's elections are generally well-conducted and reflected a serious effort to respect international obligations for genuinely democratic elections. Constraints are witnessed in the areas of violations of the code of conduct, including violence and vote-buying, uncontrolled campaign finance regulation, absence of out of country voting, untimely dispute resolution and weak electoral education. On Dec 20,</p>

51 [https://rajyasabha.nic.in/rsnew/about\\_parliament/rajya\\_sabha\\_introduction.asp](https://rajyasabha.nic.in/rsnew/about_parliament/rajya_sabha_introduction.asp)

53 <https://www.icnl.org/covid19tracker>

54 Abhishek Soni, C'19 and its impact on Indian society, Oct 27, 2020, 15:42 IST

55 <https://www.bbc.com/news/world-asia-india-52360757>

56 <https://timesofindia.indiatimes.com/readersblog/hail-to-feminism/criminalization-of-politics-24324/>

	<p>proportional representation as well. The PR is considered to allow for a more inclusive representation of women and various marginalized groups in the country. The current electoral system has to confront with some allegations that it has weakened the competitive nature of democratic exercise and has widely contributed corruption in the country. The Constitution has specified provisions regarding election, term and qualifications of president<sup>57</sup>, vice-president<sup>58</sup>, members of HoR<sup>59</sup>, member of National Assembly<sup>60</sup>, State Assembly<sup>61</sup> and the Village Executives<sup>62</sup>, the procedure for the election of Speaker and Deputy Speaker of the HoR<sup>63</sup>, and Chairperson and Vice-chairperson of the National Assembly<sup>64</sup> and the composition of the State Assembly<sup>65</sup>. Furthermore, the Constitution has also mandated provisions regarding vote of confidence and motion of no confidence.<sup>66</sup> The Constitution has also enshrined provisions regarding formation of a constitutional bench for the resolution of electoral disputes<sup>67</sup> and also provides for the establishment of the Constituency</p>	<p>“confidential information.” Despite freedom of conscience and faith guaranteed in the constitution, religious conversion remained a touchy subject Nepal, where proselytisation is banned and NGOs receiving foreign funds are not allowed to engage in religious activities. In an alarming move, in 2019, Nepal’s International Development Cooperation Policy directed foreign NGOs to fund development work instead of religious and political institutions.<sup>68</sup> According to ICNL, there have been sporadic threats against journalists by government actors in Nepal for their reporting on the C’19 pandemic. Police have detained reporters for the act of reporting during lockdown on multiple occasions. In at least some cases, the relevant reporters were covering the impact of the pandemic on Nepali society and the government’s handling thereof. Public health workers have threatened a journalist for reporting on the smuggling of medical supplies. One reporter was beaten by soldiers for photographing a lockdown checkpoint. A</p>	<p>cases as of 4 Jan 2021. Meanwhile, the secondary impact of the global pandemic is huge and it is already taking a serious toll on an economy that relies heavily on remittances, imports fueled by remittances, informal labor, and tourism revenues. The persistent drumbeat of positive tests and reported deaths in other countries due to novel coronavirus (C’19) has created widespread concerns. Nepal is starting to suffer the most abrupt and widespread cessation of economic activity due to outbreak of this virus. As per the analysis by the Asian Development Bank, the outbreak of this deadly disease will hit almost every sector of the Nepali economy, shaving up to 0.13 per cent off the gross domestic product and rendering up to 15,880 people jobless. The impact has already started to surface in number of sectors like tourism, trade and production linkages, supply and health. Especially the entire</p>	<p>Nepal’s President Bidya Devi Bhandari dissolved the country’s lower house of the parliament on PM’s recommendation, raising concerns about the future of the country’s constitutional democracy. PM’s decision has been criticised for undermining democratic norms. An overwhelming majority of legal experts declared it to be unconstitutional. Importantly, it has been opposed by a significant section of his own party. PM’s decision follows an extended conflict within his ruling Nepal Communist Party, formed in 2018 after the merger of the erstwhile Maoist party and United Marxist Leninist Party. Anticipating a vote of no confidence by the majority of his own party’s legislators, the PM moved to scrap the house and call for early elections amidst the C’19 pandemic. After a decade-long process of contested constitution-writing, many had hoped that the new government elected in 2017 would mark a path to political stability. The latest development has pushed Nepal from a simmering political crisis to a path of constitutional crisis. While the PM’s decision to dissolve the parliament might appear to be an example of parliamentary politicking, it has deeper implications.</p>
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57 Constitution of Nepal, 2015, art. 63

58 Ibid. arts. 69.

59 Ibid. art. 85.

60 Ibid. arts. 86.

61 Ibid. art. 177.

62 Ibid. art. 215.

63 Ibid. art. 91

64 Ibid. art. 92.

65 Ibid. art. 176.

66 Ibid. art. 100.

67 Ibid. art. 137 (2) (b).

69 <https://caravanmagazine.in/politics/the-erosion-of-civic-space-in-south-asia-minorities-report-2020>

	<p>Delimitation Commission.<sup>68</sup> Review of these provisions show that they do not place unnecessary restrictions on the right to stand elections and are in compliance with prevailing international human rights standards. The Constitution has also ensured affirmative action on representation, while also including a provision for political parties' inclusion of women and minorities to file their candidacies.</p>	<p>parliamentarian threatened a bureau chief for reporting that the parliamentarian's wife had violated lockdown restrictions. Additionally, a leader of an opposition party was at one point phoned and threatened by a politician after reporting that the politician had not cooperated in quarantining someone suspected of carrying the virus.</p>	<p>service industries: tourism, aviation and hospitality sector have been hit hardly by the outbreak. With the launch of visit Nepal 2020 campaign in Jan , the country was in hope to attract two million visitors, but due to the corona pandemic the campaign got cancelled which has shattered the hospitality and tourism related business sector. With this the tourist arrival rate has declined to below 10 percent, from 70 percent before the C'19 outbreak. Tourism sector, being one of the largest.<sup>70</sup></p>	<p>Beyond its impact on the future of Nepal's political stability, it also endangers one of the key gains of post-conflict politics in the country: federalism, one of the main demands of various groups in the years leading up to the new constitution. Nepal's new federal structure represents the most challenging aspect of the implementation of the 2015 constitution. Marginalised groups in particular argued that such a form of government could end Nepal's long history of oppression of their communities.</p>
Pakistan	<p>The federal Parliament is bicameral—the Upper House is called the Senate and the Lower House is called the National Assembly. The Senate comprises equal representation from all provinces and balances the numerical inequality in the National Assembly, in which the provincial seats are determined on the basis of the population. The Senate comprises a total of 104 members—23 each from provinces, eight from FATA, and four from Islamabad Capital Territory. Each of the four Provincial Assemblies elect fourteen Senators on general seats, four on seats reserved for women, four for technocrats including religious scholars, and one for non-Muslims. Senators for FATA are elected by the</p>	<p>A section of government has been always sceptical of CSOs; therefore, action against both international and domestic CSOs started back in 2015, largely through registration laws that were used to curtail their operations or their role in the social and public spheres. A smear campaign has also been going on, particularly against rights-based groups, which has pushed them to justify and maintain their own existence. CSOs also became victims of terrorism, and even though terrorist attacks have gradually decreased since 2015, a recovery from that situation has not come about. Therefore, the July 2018 elections did not do much to change the conditions for the civil society for the better. Owing to these existential threats, during the recent elections,</p>	<p>On 9 May, the Pakistan Tehreek-e-Insaf government almost completely lifted a nationwide lockdown it had imposed in late March. Pakistan subsequently saw a surge in cases, placing it among the top twelve pandemic-affected countries. The government justified the easing of nationwide restrictions on economic grounds; indeed, the lockdown's toll on the most vulnerable, workers and the poor has been brutal. Yet signs of economic recovery since it was lifted are few, while the virus threatens to overwhelm ill-equipped and under-funded health systems. Government's mixed messaging and</p>	<p>Pakistan faces many electoral challenges, including the need to unify and reform a confusing body of laws governing electoral processes.<sup>2</sup> Add to this is the issue of the exclusion of millions of women from participating in electoral processes primarily because of socio-cultural factors. Violation of "One Person, One Vote" principle through skewed delimitation of constituencies, poor representation of citizens' choices through the First-Past-the-Post system, and the takeover of democratic institutions by the economic elite who do not represent the majority are noted. While it has overcome major challenges of power transition in 2013 and is sustaining democracy, overcoming public distrust is not easy and requires significant and continuous investments of time and energy. Constitutional, legal,</p>

68 Ibid, art. 286.

70 [https://www.wto.org/english/tratop\\_e/C'19\\_e/sawdf\\_nepal\\_e.pdf](https://www.wto.org/english/tratop_e/C'19_e/sawdf_nepal_e.pdf)

	<p>members of the National Assembly, which also elects four Senators for ICT—two general members, one woman and one technocrat or religious scholar. The election to the Senate is held on the basis of Single Transferable Vote. The Senators are elected for a six-year term with half of the seats being up for election every three years. The NA comprises 272 directly elected seats, 60 reserved for women, and 10 for minorities. The direct seats are filled through general election held on the basis of adult franchise, with every person of the age of 18 years or above eligible to register and cast a vote. The elections for the Lower House are held on the basis of the FPTP System. The reserved seats are filled on the basis of the proportion of seats won by a political party. The NA is elected for a five-year term. The NA elects the PM, who in turn selects his cabinet of Ministers from among the Members of Parliament to form the federal Cabinet. The PM however, may also appoint advisors who do not have to be MP. Elected for a five-year term, the executive authority of the federal government is exercised in the name of the President. Similarly, the unicameral Provincial Assemblies elect a CM, who in turn selects his cabinet of ministers from among the members of the PA to form the provincial cabinet. The executive authority of the provincial government is exercised in the name of the Governor.</p>	<p>there were few organisations that could participate or even prepare to mobilise opinion around the elections. However, due to popular human rights campaigns in the past and present, all political parties were obliged to incorporate a section on human rights in their election manifestos, which provides space for CSOs engagement in the future. Democratic forces were weakened by prolonged military regimes. The government is inclined to learn from the Chinese model, which is not a democratic one. The media is facing curbs on its freedoms and CSOs are facing severe restrictions including a clampdown on receiving foreign funding, although CSOs are fighting back. Given its tradition of struggle against autocratic regimes, civil society might still make a comeback; however, there is currently a lot of confusion as to how CS space will be reclaimed. Concerning C'19 response, arrests of student protestors is a common phenomenon. Students across Pakistan have been protesting against mandatory online classes because they lack reliable internet service and/or cannot afford devices for online learning. On 25 Jun 2020, arrests of protesters took place in Balochistan and students were charged with organising a rally during a lockdown. The government of Sindh province issued a complete ban on movement and gatherings of any kind for any purpose at any places.</p>	<p>misinformation from some religious leaders mean that many disregard public health advice. The PM's initial downplaying of the pandemic's health risks led to widespread public disregard for social distancing. The removal of restrictions on communal prayers in mosques also increased the risks of new virus clusters. Many clerics advocated religious practices that undercut physical distancing and other preventive measures. The federal government's easing of lockdown measures, despite warnings by the political opposition and medical professionals that transmissions surged, and the further lifting of the lockdown, encouraged public complacency. Though the government urges people to respect social distancing rules, these calls are largely ignored. Many believe that the pandemic is over. The federal government's adoption of what it calls a "smart lockdowns" strategy was not be enough. The strategy entailed removing restrictions in specific areas within cities or regions where the authorities assess that case rates are relatively low and imposing them where they are high. Poor data and low testing rates have hampered efforts to "track, trace and quarantine".</p>	<p>and regulatory changes are essential but not sufficient. The willingness of all electoral actors to adhere to the rules of the game and consistent enforcement of those rules are the most important factors for democratic transformation and deepening. Unless the reforms are seen to be effective and enable the emergence of a representative political class through elections, they will not ultimately earn public trust. Studies suggest public trust in an election system is not an isolated phenomenon but is greatly influenced by their trust in political parties and their leaders, democratic institutions and processes, and public institutions and officials and is severely lacking in all of these components of political trust. The fragmented election-related laws need to be unified for clarity and transparency. The 2018 elections were held at a time when the previous government was facing trials on corruption and other charges, so there was a lot of speculation and allegations of gerrymandering. The government and the opposition agreed to form a parliamentary commission to probe into these allegations. The electoral system is not strong enough to have full transparency of the electoral process. Nevertheless, one can say that there was wide participation by citizens in the recent elections and therefore the continuation of the democratic process presents hopes for building a fuller democracy. The decision of the opposition to become part of parliament has at least ensured that there isn't a political crisis in the immediate post-election phase.</p>
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	<b>Sri Lanka</b>	<p>The PR system introduced under the 1978 Constitution radically departed from the FPTP system practiced since the independence. Under the FPTP system, the country was divided into constituencies that elected candidates nominated by recognized political parties or independent candidates by a simple majority. There were few multi-member constituencies as well. This was a winner-takes-all system and major parties found themselves reduced to very small numbers after losing in an election.<sup>5</sup> The UNP that was in power since 1947 got only eight seats out of 101 in 1956, and SLFP that governed the country between 1970 and 1977 got eight seats out of 168 in the general election held in 1977. Those results did not properly reflect the level of popularity of those parties in the national level either. On the contrary, especially since 1970, FPTP system tended to produce lopsided majorities.<sup>6</sup> In 1970, the SLFP- led coalition obtained only 48% of the total valid votes and it gained 76.7% of the parliamentary seats; In 1977, UNP got 83% of the parliamentary seats by receiving only 50.9% of the total valid votes. The FPTP system was also criticized for being practiced in Sinhala areas with little or no consideration of minority views as it has never been favorable for geographically dispersed minority</p>	<p>The Emergency Regulations have empowered the President to prohibit public processions and meetings likely to disturb public order or promote disaffections. Civic space has been precarious due to its history of violent ethnic conflict that ended in 2009, two recent events have narrowed the scope for civic action: the Easter Sunday terror attacks and the resultant declaration of emergency, and the assumption of power by President Gotabaya Rajapaksa, both in 2019.<sup>72</sup> Arrests for allegedly publishing false information about C'19 were also reported. Christians have faced violent attacks in all South Asian countries, with the most notable recent example being coordinated suicide bombings of churches in 2019. Muslims have suffered resurgent attacks and surveillance as well in recent years. In just the last two years, Sri Lanka witnessed major anti-Muslim riot in which state security forces were allegedly complicit in May 2019. Sri Lanka's inspector general has ordered police to arrest those who "criticize" officials involved in the coronavirus response, or share "fake" or "malicious" messages about the pandemic. Police announced that it would arrest those who disseminate false or disparaging statements about government officials combating the spread of the C'19virus. The next</p>	<p>The Sri Lankan government has issued strict health guidelines for the campaigning for the August 5 parliamentary elections, days after the country's top poll body said it would be "extremely difficult" to conduct the polls as political leaders were defying safety measures to contain the spread of the C'19. The two-page guidelines were issued through a special gazette notification on Friday night, stating that election rallies must be limited to 300 people, which could be expanded to allow 500 people for events <sup>74</sup> attended by party leaders. According to the guidelines, organisers of political rallies must inform the health authorities 24 hours in advance and meeting arrangements should facilitate washing of hands and maintaining one metre distance. All are required to wear face masks at all times. The gazette notification came days after the election commission urged the government to legalise the health guidelines, saying that the political leaders were not adhering to the health measures while campaigning, jeopardising the lives of the people attending the campaign. The guidelines for conducting</p>	<p>After being postponed twice due to the pandemic, the parliamentary elections took place on 5 August 2020. The Electoral Commission of Sri Lanka held a series mock polls between 14 and 24 June to allow the commission to prepare health and safety measures as well as to determine whether extra voting time was necessary. 753,037 Sri Lankans voted by postal ballot of which 705,085 votes were deemed valid. The voter turnout was 75.89 per cent, which is only slightly lower compared to the 2015 parliamentary elections' turnout of 77.66 per cent. However, 6 per cent of all votes cast were deemed invalid.</p> <p>On election day, the country recorded a total of 2839 C'19 infections and 11 deaths. After the 14 days incubation period on the 24 August, the country recorded 2,959 infections and 12 deaths. In order to prevent further spread of the respiratory infection, the Ministry of Health and Indigenous Medical Services and the Election Commission constituted the "Health guidelines for conducting Elections amidst the C'19 outbreak", which applied to all stages of the elections including campaigning, voting, counting, and post-election activities.</p> <p>While citizen election observers were active during this election, this was the country's first national polls in two decades with no international observers present. Although the overall election campaign environment was described as</p>
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72 <https://caravanmagazine.in/politics/the-erosion-of-civic-space-in-south-asia-minorities-report-2020>

74 Ibid

	<p>communities and small parties. According to the PR system introduced by the 1978 Constitution, the country is divided into 22 electoral districts and the EC should annually apportion seats to each and every district based on the number of registered voters. The parliament consists of 225 MPs, 196 of them are directly elected by district proportional vote and the other 29 members, generally identified as national list MPs, are to be nominated by respective political parties based on their national vote share. PR system was unusually applied to the provincial council elections and local government elections at all levels, including Pradeshiya Sabha (village councils), urban councils, and municipalities. According to the PR system, voters simply vote for the party, and then that respective party should allocate seats to its candidates based on their position within the party list. But after the first election held under this system, which was the DDCs election in 1981, it was identified that those who were placed at the bottom of the party list would be discouraged in party politics, knowing that they would not be elected.<sup>71</sup></p>	<p>day, five persons were arrested on charges of posting false and misleading content about C'19 on social media. In March, curfew was announced from 4pm-6am every day. Traveling to and from other districts is completely prohibited (except for individuals who are providing essential services). The order further designates some villages as isolated areas, in which no one is allowed to enter or leave.<sup>73</sup></p>	<p>the elections were announced on June 2 but they were not been legalised through a gazette notification. However, sources in the opposition accused the ruling party of watering down the guidelines to make way for a more relaxed campaigning despite a spike in the cases. According to the guidelines, voters and electoral staff were asked to observe social distancing, wear face masks, sanitize hands and cover coughs and sneezes, and refrain from touching faces, noses and eyes. Voters were also asked to bring their own pens. Initial plans for advance voting for persons under quarantine were dropped after being found in breach of the election law. Instead the Commission decided to extend polling duration for people under quarantine who obtained approval from the Ministry of Health. People in quarantine could only cast their ballot in designated booths between 4 and 5 PM if they had completed the first 14 days of the quarantine process. This disenfranchised about 500 people who had not reached that requirement.<sup>75</sup></p>	<p>generally peaceful and calm, the Centre for Monitoring Election Violence (CMEV) recorded instances of assault. Nevertheless, the incidents appeared to be isolated and did not cause escalation of violence. The compliance of the health guidelines by all political parties was observed to be poor. According ANFREL, rules on social distancing and face masks were inconsistently enforced during election day, Limits on physical campaigning caused more campaigning through traditional and social media. Due to all additional measures to prevent the spread of C'19, the elections cost close to 46 million USD - twice as much as initially expected. Therefore making it the country's most expensive election in history.<sup>76</sup></p>
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71 Ibid.

8 The first parliamentary election under the PR system was held in 1989

9 Wijesinha, op.cit, p 93.

73 <https://www.icnl.org/covid19tracker/?location>

75 <https://www.idea.int/news-media/news/elections-need-be-accessible-ill-during-covid-19-avoid-disenfranchisement>

76 <https://aceproject.org/ace-en/topics>

	<b>Bangladesh</b>	<p>Bangladesh, after its independence, first introduced the parliamentary system of government. It later switched to a single party presidential system on 25 Jan 1975 by banning all other political parties. In 1991, the country reverted to the parliamentary system after the downfall of the military dictatorship of Lt. Gen. H M Ershad in Dec 1990.</p> <p>According to Article 65 of the Constitution, there is a Parliament (known as Jatio Sangsad or the National Parliament) in which, subject to the provisions of the Constitution, the legislative powers of the Republic are vested. The National Parliament consists of 300 members elected, in accordance with law, from single-member territorial constituencies. Besides this, there was a provision for 30 seats reserved exclusively for women members up to the year 2000, who were elected according to law by the Members of Parliament (MPs). There are now 50 reserved seats for women members, who are selected by the MPs based on the proportionate number of seats each political party has won in the elections. This provision for 50 reserved seats for women will continue for ten years from the beginning of the 9th Parliament (in 2009). The Parliament has a tenure of five years, unless dissolved sooner.<sup>1</sup></p>	<p>The recent example of the enforcement of restrictive provisions related to free expression included Bangladesh's Digital Security Act, under which anyone can be penalised for propagating online content deemed to be false, provocative or sensitive. The Digital Security Act, passed in Oct 2018 to replace the often-misused Information and Communication Technology Act, included harsher provisions that have been used to penalize criticism of the government.</p> <p>The law gives the power to security agencies to hold individuals indefinitely in pretrial detention. And, it has created a chilling effect among activists and journalists. Despite repeated calls to bring the law in line with Bangladesh's international commitments to protect freedom of expression, the government has refused to revise the law.</p> <p>A government circular issued in 2019 threatened to cancel the registration certificates of NGOs that used the words "Adivasi" or "indigenous" in their name. Recent examples of governments moving to choke the access of NGOs to foreign funds included Bangladesh's Foreign Donation (Voluntary Activities) Regulation in 2016.<sup>78</sup></p>	<p>The humanitarian vulnerabilities and needs emerging as a result of lockdown measures, and its resulting economic implications will be nuanced for specific clusters of at-risk populations, based both on geographic and dimensions. The impact will also be most pronounced for people who are already suffering from multiple vulnerabilities and deprivations. More people are likely to vulnerable categories due to expected challenges. This includes people marginally above the poverty level falling below the poverty line due to loss of income and employment during this period. People rely on unsustainable, daily wage-earning in order to support themselves and their families. Current situation measures have and will continue to severely affect daily wage earners. Further specific needs and vulnerabilities around gender, disability, age, ethnicity (indigenous groups), returnee migrant workers, income levels and employment type continue to emerge and will increase with time. While it is difficult to predict all downstream impacts of the current situation, early planning and preparation for emerging and known challenges</p>	<p>The conduct of elections has come under massive scrutiny due to obvious erosion on the democratic benchmarks and non-compliance with international standards. In both 2013 and 2019 elections, opposition parties could not effectively campaign for votes, opposition workers were threatened by government agencies, and the EC could not ensure a level-playing field for all parties. Opponents have rejected the election result, citing what they describe as widespread rigging and voter intimidation. The latest election day violence was condemned by Western powers and described a range of other irregularities that marred a vote in which Prime Minister's alliance secured more than 90 % of parliamentary seats. Other issues of critical concern include:</p> <ul style="list-style-type: none"> <li>-Absence of a law regarding the appointment of the Chief Election Commissioner and other Election Commissioners.</li> <li>-Lack of authority of the EC to cancel the membership of an MP even if found disqualified under the eligibility criteria.</li> <li>-Absence of a legal provision for scrutinizing the return of electoral expenses of a candidate.</li> <li>-Absence of a provision for the EC to disclose financial statements of political parties.</li> <li>-Electoral campaigns before the declaration of election schedule are not expressly prohibited in the electoral laws.</li> <li>-Inconsistencies between the Representation of People's Order and the Electoral Code of Conduct, with regard to punitive action in case of violating the</li> </ul>
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78 <https://caravanmagazine.in/politics/the-erosion-of-civic-space-in-south-asia-minorities-report-2020>

		<p>The Election Commission tries to improve the conduct of elections and make it more efficient. According to Article 119 of the Constitution, the superintendence, direction, and control of the preparation of the electoral rolls for elections to the office of President and to Parliament; and the conduct of such elections, are vested in the Election Commission which shall, in accordance with this Constitution and any other law.<sup>77</sup></p>		<p>will be critical for the humanitarian sector to be prepared to mobilise and respond in a timely manner. While the number of C'19 cases have remained relatively low, they are in an upward trajectory (Johns Hopkins data).</p>	<p>Code of Conduct. Furthermore, in the context of the 15th Amendment to the Constitution, there is no mention in the RPO or the Electoral Code of Conduct of the expected roles of Ministers and MPs and this will jeopardize the level playing field during the elections. Some of the reforms mentioned above—which were undertaken by the Presidential Order during 2007-2008 to ensure an election free from influence of power, muscle, and money—were changed or dropped during the passing of the Bill in the 9th Parliament.<sup>79</sup></p>
	<b>Myanmar</b>	<p>The governmental structure consists of 14 constitutionally equivalent states and regions, each of which has an average of 4 to 5 districts, with 74 districts in total. Each district, in turn, has an average of 4 to 5 townships, with a total of 330 townships that consist of wards in urban areas and village tracts in rural areas. The population of each township varies dramatically. It uses the FPTP electoral system with representatives chosen from single-member constituencies. The FPTP system applies to elections in both national parliament states and regional parliaments. There are 224 representatives in the Upper House of the Parliament: 168 elected representatives and 56 military-appointed representatives. There are 440 representatives in the Lower House of Parliament that comprises</p>	<p>Civil society is gravely concerned about laws which unreasonably restrict the right to freedom of expression and assembly and which appear to be increasingly used to criminalise HRDs and censor journalists, as well as the use of reprisals and force against those who promote corporate respect for human rights or protest major development projects. This represents a significant backslide to the minimal progress made in transitioning to democracy. Human rights defenders continue to be repeatedly subject to arbitrary arrest and disproportionate sentencing under oppressive laws. Cases of unfounded charges have been reported. While the elections represent an important milestone in Myanmar's democratic transition, the civic space is still marred by continuing restrictions of the</p>	<p>The economy continues to suffer from the C'19 pandemic, with growth estimated to have slowed sharply to 1.7 % in FY19/20, down from 6.8 % the previous year. The pandemic and associated containment measures have weakened consumption and investment, and disrupted businesses' operations and the supply of labor and inputs. School closures resulting from the C'19 pandemic have affected millions of students. As a result of C'19, the poverty rate could increase from 22.4 percent in FY2018/19 to 27 percent in FY20/21 and return to pre-crisis level in FY21/22 at the earliest. The first wave already forced many poor households to adopt</p>	<p>The general elections were held on 8 Nov 2020. At stake were three-quarters of the members of the two houses of the Parliament as well as of the 14 state and regional parliaments and 29 National Representatives. The preparations for the elections took place amid the country's second wave of C'19 and conflicts between government forces and ethnic armed organizations, resulting in large numbers of refugees and internally displaced persons. Although 24 opposition parties sent a letter to the EMB urging it to reconsider the polls, the elections proceeded as planned. All observer groups expressed their concerns regarding the legal framework at the start, which was deemed undemocratic: reserved seats for the military and discriminatory legal provisions on citizenship, effectively disenfranchised members of ethnic minorities and structurally impact the democratic</p>

77 <http://bdlaws.minlaw.gov.bd/act-367/section-24678.html>

79 A study report of the Transparency International Bangladesh “Towards an Effective Election Commission: Challenges and Way Out”, 23 Sept 2013, page 5. [www.ti-bangladesh.org](http://www.ti-bangladesh.org)

84 World Bank's Myanmar Economic Monitor, Dec 16, 2020

	<p>330 elected representatives &amp; 110 military-appointed representatives. The number of representatives in each of the 14 state and regional parliament elections is based on the number of townships in a given state or region, with each township divided into two constituencies, resulting in having two representatives for each township. To administer the electoral process, the UEC was established. The UEC is a mixed model type of an EMB composed of a constitutionally mandated independent commission, the UEC, and a Secretariat that is supported with resources and personnel from the General Administration Department as well the Ministry of Immigration and Population and various line ministries with offices at the township and ward/village tract administrative levels. The UEC also has several levels of sub-national offices, including those at the ward/village, township, district, and state/region levels. UEC is subject to certain laws, including the Union Election Commission Law, the Political Parties Registration Law, the 3 Parliament Laws, and four by-laws. The UEC issues procedural guidelines and directives based on these laws and by-laws.<sup>80</sup></p>	<p>freedoms of opinion, expression and access to information, and the use of language that could amount to incitement to discrimination, hostility and violence.<sup>81</sup> Government and military leadership's intolerance towards<sup>82</sup> opposing views or criticism of its policies and actions, in the run up to voting was witnessed. Over the past two months before the elections, dozens of student activists had been charged – and four of them sentenced to over six years' imprisonment – under various laws after they called for an end to the conflicts in the northern Rakhine and Chin provinces and for reinstatement of mobile internet services in those areas, as well as for the release of other detained student activists. Myanmar's discriminatory citizenship and electoral laws confer different rights to different classes of citizens, most clearly affecting Muslim minorities who are largely excluded from any citizenship rights, according to OHCHR. There has also been significant disenfranchisement resulting from the UEC's announcement on 16 Oct, that elections would not be taking place in 56 townships, including in Rakhine province. The Commission did not provide public justification for its decision – which curtails the right to political participation in areas with</p>	<p>risky and unsustainable mechanisms to buffer the shock, including reducing their daily food consumption. Even before the second wave hit in late-August, many households were struggling to repay their debts. The ongoing restrictions under the second wave put more households at risk of entering poverty. Nov 2020 election campaigning was also prohibited in areas under a stay-at-home order. Compliance and enforcement of these guidelines were inadequate, which contributed to both a hazardous campaign environment and an unlevel playing field. According to the WHO, the number of confirmed cases of C'19 in Myanmar on election day, 8 Nov, was 60,348 and 1,396 deaths. After 14 days, the number of cases on 22 Nov was 77,848 and 1,722 deaths. This increase is, however, not directly attributable to the conduct of elections and there are numerous intervening factors that account for the spread of C'19.<sup>85</sup></p>	<p>character of the electoral process. Out of a voting population of about 38 million people, some 1.5 million electors have been disenfranchised, particularly the Rohingya. The UEC and MoH and Sports installed additional SOPs for the campaign period in line with the health and safety protocols already in place to mitigate the effect of C'19. These procedures included a maximum of 50 people present at a rally, mandatory face masks, social distance of two meters, temperature and travel history of attendees must have been checked and persons who showed symptoms were not permitted to attend campaign events. To increase voters' participation during the C'19 pandemic, the UEC made extraordinary changes to advance voting. Out-of-constituency advance voting by students, detainees, hospital inpatients, military and their families, and other voters located outside their constituency took place. On election day, electors were able to cast their vote in person at an estimated 43,200 polling stations. Both ANFREL and The Carter Institute witnessed problems with the layouts of polling stations, sometimes leading to problems to adhere to social distancing. Overall, it was concluded that the practice of social distancing was poorly enforced and maintained in many places. In addition, most polling stations were ill-equipped to accommodate persons with disabilities. The voter turnout stood</p>
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80 [https://www.ifes.org/sites/default/files/ifes\\_faqs\\_elections\\_in\\_myanmar\\_2020\\_general\\_elections\\_Nov\\_2020.pdf](https://www.ifes.org/sites/default/files/ifes_faqs_elections_in_myanmar_2020_general_elections_Nov_2020.pdf)

81 Ravina Shamdasani, OHCHR-2020

82 Ibid

85 <https://www.who.int/docs/default-source/searo/whe/coronavirus>

		<p>ethnic minority populations in a discriminatory fashion.<sup>83</sup> The February 1 military coup has gravely damaged the civil society space and democratic freedom.</p> <p>Thousands took to streets across Myanmar for several consecutive days as activists urge workers to stage a general strike and ‘tear down military dictatorship’. Authorities in Myanmar have threatened to take “action” against protesters who break the law as police fired water cannon at peaceful demonstrators in Naypyidaw and thousands of people took to the streets of major cities for a third day to denounce last week’s putsch. A statement read by an announcer on state-run MRTV on Monday said there had been violations of the law and threats of force by groups “using the excuse of democracy and human rights”.</p>	<p>at approx 72%, which is higher in comparison to the elections in 2015 where voter turnout stood at 69.72 %.<sup>86</sup> Interestingly, the military junta, which could not secure sizable seats, did not accept the elections calling it out fraud that triggered state of emergency, curfew and all measures to curb civic freedom. Myanmar’s Union Election Commission (UEC) has officially rejected claims by the country’s military that last year’s election was marred by voter fraud, days after an army spokesperson refused to rule out a coup if its allegations weren’t investigated.</p> <p>In a six-page statement on its Facebook page, the UEC stated that it was investigating 287 complaints, but that on the whole, voting was conducted fairly and transparently on November 8. “In this election, weaknesses and errors in voters lists cannot cause voting fraud,” the commission said.</p>
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83 Ibid

86 <https://www.mmtimes.com/news/election-monitors-commend-myanmar-polling-day-operations.html>



Ali Fowle, <https://www.bbc.com/news/av/world-asia-34381131>

South-East Asia	Cambodia	<p>Cambodia is a one party dominant state with the Cambodian People's Party in power. Cambodia's legislature is chosen through a national election. The general election is held every five years in the fourth Sunday of July. The Parliament of Cambodia has two chambers. The National Assembly has 125 members, each elected for a five-year term by proportional representation. The Senate has 62 members, mostly indirectly elected.<sup>87</sup></p> <p>Since the signing of the 1991 Paris Peace Accords ending decades of civil war and foreign occupation, and with the final elimination in 1998 of armed insurgency groups inside the country, five national elections have taken place in Cambodia in 1993, 1998, 2003, 2008 and 2013. The first national elections were administered by United Nations Transitional Authority for Cambodia in July 1993, the first commune-level election was held in Feb 2002 and the Cambodian Senate was elected for the first time by the elected commune council officials in Jan 2006. Three main political parties have dominated Cambodian politics over the last decade: the Cambodian People's Party, the United Front for an Independent, Neutral, Peaceful, and Cooperative Cambodia and, more recently, the Cambodia National Rescue Party. Although the CPP dominated the elections held on July 27, 2003, it did not win the two-thirds majority required under the constitution to form a government on</p>	<p>Human rights defenders in Cambodia have been subject to constant acts of harassment from the Government that has sought to link them to a fictitious "colour revolution", allegedly led by the former political opposition. Civil society space has further closed since the Government initiated its political crackdown ahead of the July 2018 general election, and defenders currently operate in a repressive environment that is unprecedented in recent history. The main obstacles for the exercise of defenders' work include the harassment of dissenting voices including NGOs and media outlets and journalists, an increasingly oppressive security presence and restrictive legal amendments. As Cambodia's multi-party democracy was being dismantled, independent CS was further repressed and sentenced through abusive charges and judicial processes. The few remaining independent media outlets were shut down or sharply curtailed through the abuse of tax laws and administrative licensing procedures. State interference in, and monitoring of, human rights activities has also become a systematic practice, which has had a chilling effect on civil society. Scores of human rights defenders and other groups have continued to be monitored and questioned by local authorities any time they have held, or intended to hold, human rights trainings or workshops. Local authorities' interference in such gatherings have included the review of lists of</p>	<p>Like all Asian countries, Cambodia is battling social and economic challenges in addition to public health issues in this time of pandemic. The pandemic response by the Royal Government of Cambodia has been highly effective with no COVID related deaths or community transmission so far. The country is however, facing a steep economic downturn and severe social dislocations. Economic growth expected to turn negative to -4.1% and poverty to almost double to 17.6%. Key socio-economic drivers are the external demand shocks faced by Cambodia's leading sectors that have faced substantial declines, particularly in textiles, tourism and construction.</p>	<p>Since 1998 a variety of strategies including fear, violence, intimidation, administrative manipulation, and misuse of state resources have been used by the CPP and Hun Sen to guarantee subsequent electoral victories at local and national <sup>91</sup> levels. The main opposition party CNRP, Civil Society Organizations (CSO)—in particular the Election Reform Alliance (ERA), international donors, and other stakeholders continue to struggle with successive CPP-dominated government to reform the electoral system.<sup>1</sup> More recently, the controversial NEC underwent structural changes and amendments were made to the Law on the Election of Members of the National Assembly (LEMNA). As far as CSOs were concerned, these changes fell well short of expectations.</p> <p>When thinking about Cambodia's electoral challenges, it is difficult to separate them from more general systemic problems with the country's governance structures. Inherently weak and corrupt state institutions which are subservient to the power of the Prime Minister are mobilized at election time in the service of the CPP. The use and abuse of state resources to ensure CPP electoral victories in closely contested polls has been and continues to be a major challenge. Directly related to this is the question of the formation of a new administration after the final results are announced. With the exception of the 2008 polls, all of Cambodia's parliamentary elections, including the UN-organized elections ended in a political deadlock delaying the formation</p>
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<sup>87</sup> Cambodia: The Cambodian People's Party Consolidates Power, Carlyle A. Thayer, Southeast Asian Affairs (2009), pp. 85-101 (17 pages), Published By: ISEAS - Yusof Ishak Institute, <https://www.jstor.org/stable/27913379>  
<sup>91</sup> Ibid

<sup>88</sup> <https://aceproject.org/ace-en/topics/em/electoral-management-case-studies/cambodia>

<sup>89</sup> <https://www.icnl.org/resources/civic-freedom-monitor/cambodia>

<sup>90</sup> <https://unesdoc.unesco.org/ark:/48223/pf0000373583>

<sup>92</sup> Electoral Reform and the Consolidation of Democracy in Cambodia, Tim Meisburger, Regional Director for Elections and Political Processes, The Asia Foundation

	<b>Indonesia</b>	<p>Indonesia's legislative election law was established to govern the election of parliamentarians; the presidential election law was established to govern the election of the president and vice president; and the regional election law was established to elect heads and vice heads of local governments.</p> <p>In addition to the general purpose, each law also has specific goals. Law No. 8/2012 specifically aims to create a healthy, participatory competition with better representation, and to have a clear accountability mechanism, better quality general elections should be organized from time to time. Another goal is to strengthen the legislative branch through the adoption of a simple multi-party system which in turn will strengthen the presidential government system as referred to in the 1945 Constitution.</p> <p>The specific goals are then translated into articles in the body of the law. Firstly, to promote participation, voters can vote directly for legislative candidates, thereby increasing the likelihood of establishing clear accountability by the winners to the voters. Secondly, to make competition healthier and to improve representation, winning candidates are those receiving the most votes. Thirdly, to implement the simple multi-party system and strengthen the presidential government system, the number of seats by constituency has</p>	<p>Quite apart from the economic challenges currently confronting Indonesia, the country's state of human rights is even more worrisome amid the ravages of the C'19 pandemic. Human rights organizations warned about the deteriorating climate of democracy in Indonesia as it began the new year. But the manifold turns of events from the corona-virus pandemic accelerated what was already ripening. In the days following the large protest on Oct 8, the cyber police squad arrested at least eight leaders of the Save Indonesia Coalition, a newly established opposition group consisting of Islamist and nationalist figures. The police charged the detainees with incitement under the 2008 Electronic Information and Transactions (ITE) Law, accusing them of using social media to incite the jobs law protests that the government painted as riots. There was some arson during protests in Jakarta and other cities that was attributed to students without proof. The police also arrested seven administrators of a WhatsApp group, a Facebook page, and an Instagram account used to mobilize and organize the protests. The arrests, which attracted extensive media coverage, were seemingly designed to have a chilling impact on free speech. They also amplify the narrative that those taking part in the street protests against the omnibus law were duped</p>	<p>In the second week of March 2020, Indonesia reported its first case of COVID-19. Since then, the number of C'19 cases in the country has been increasing sharply. On Oct 25, Indonesia reported 350,000 cases, the highest among Southeast Asian countries. The rapid spread of C'19 in Indonesia has wreaked havoc on the economy. Most industrial sectors have been hit hard by the outbreak. Workers in both the formal and informal sectors are losing their jobs. The Government of Indonesia now has the enormous task of formulating policies to mitigate the economic impact of COVID-19. The outbreak, especially in hotspots like Jakarta and West Java, has also triggered waves of migration to other cities. People have been leaving Jakarta and other big cities in Java to return to their families elsewhere in the country. The decision to migrate is often motivated by job loss, coupled with high costs of living. Given that big cities like Jakarta are currently at the epicenter of the pandemic, migration also increases the risk of an outbreak in the migrants' destinations.</p>	<p>Electoral challenges concerning Indonesian elections begin with the numerous laws governing elections. The enactment of 14 electoral laws during the last 15 years has caused complexities in the implementation of elections, resulting in inconsistent applications of law to the electoral system, overlapping authority of election officials, and a complicated law enforcement process.</p> <p>In the organization of the recent elections, there were several implementation issues which can be considered as continuing challenges to Indonesia's electoral democracy. Chief among these are concerns related to voter registration, political party registration, campaign finance and vote buying, transparency in the counting of votes, and media freedom.<sup>97</sup> KPU uses an online voter registration system (Sidalih), making the voter registration process more structured. Every citizen can directly check whether he/she has been added to the voters list. A special voters list (DPK) and additional special voters list (DPKTb) can also help prevent citizens from losing their voting rights. This data collection methodology (DPK and DPKTb), where registration officers at the village level review and regularly update the voters data, is aimed at accommodating unregistered voters in the previous updating process in order to ensure the voters' right to vote.</p> <p>Despite special provisions to facilitate voter registration, there remain many</p>
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<sup>97</sup> [www.mahkamahkonstitusi.go.id](http://www.mahkamahkonstitusi.go.id).

	<p>been reduced from between 3 and 12 seats to between 3 and 10 seats.</p> <p>To participate in national elections in Indonesia, a political party must have any of the following: a seat at the national parliament; a seat at the provincial parliament in more than 50% of the 34 total provinces; a seat at the district/municipality parliament in more than 50% of the total 456 districts/municipalities; or at least get 3% of the election threshold in the last national legislative election. In the 2019 election which will be the first concurrent election for the legislative and presidential election, the requirement for the political party to be able to participate in the election will be the same requirements as in previous elections.<sup>93</sup></p> <p>To participate in the local election, the political party should have: a seat at the provincial parliament; or a seat at the district/ municipality parliament in more than 50% of the total districts/ municipalities in that province; or get the same number of seats in the 2014 election. Given these requirements for the political party to participate in the national and local elections, there is a possibility that the numbers of those participating will be reduced. However, political parties will also have the opportunity to compete even though they have only a seat at the national parliament or get 3% of the</p>	<p>by so-called internet hoaxes and hate speech. According to a recent survey, nearly 70 percent of Indonesians are now afraid to express their opinions. This is by no means a new phenomenon. This latest crackdown coincides with what scholars describe as the authoritarian and illiberal turn of the Widodo administration. The rapid expansion of the internet in Indonesia has led to the proliferation of online transgressions, such as fraud and hate speech, along with heightened politicization in the form of online protests. This crucial development has provided the Widodo regime with the political rationale for building more elaborate IT infrastructure and weaponizing it to silence political dissent.</p> <p>The expansion of Indonesian cyberspace has not translated into a widening of civic space. In fact, government exploitation of IT infrastructure and problematic laws for regulating online civic discourse have brought back the specter of Suharto's New Order to haunt Indonesia. On 3 April, regulation of the minister of health no. 9 of 2020 was issued. This order empowers sub-national leaders of regions impacted by C'19 to impose mandatory school and work vacations, restrictions on religious activities, restrictions on activities in public places or facilities, restrictions on social and cultural activities, and restrictions on public transportation. This order also</p>	<p>Concerns about the spread of the virus are further exacerbated by not all Indonesians having sufficient knowledge about the virus or the recommended measures to prevent infection. Preventing the spread of the corona virus is of the highest concern to the Government of Indonesia, which is rapidly working to develop and implement the appropriate prevention policies. Considering the rapid spread of the virus and its evolving social and economic consequences, the situation in the field is changing continuously. While the pandemic has pushed the government to take quick and strategic decisions to reach all layers of society and address the crisis, optimal policymaking requires real-time information—which is currently limited. Access to real-time data on the impact of C'19 on society and livelihoods will enhance the government's decision-making capabilities. C'19 hit employment hard. The survey informed us that as of Oct 2020, 63 percent of respondents lost their job during the pandemic. This number has been fairly consistent since the survey began and is even higher for those with less education.</p>	<p>cases of voters who are not able to register, duplication of names, inclusion of minors in the list, retention of the names of deceased voters on the list, and existence of names of people who moved to another location but are still registered at their former addresses. Also, the fixed voters list (DPT) still does not take into account voters with disabilities and voters who are in prison. The inaccuracy of the list results in voters being disenfranchised, as rejections of requests to vote at polling stations still occur frequently. The list also can be used as a tool to commit fraud.</p> <p>The increasingly intrusive money politics seems to have become a common mode, as amply demonstrated in recent years. The number of corruption cases involving politicians, party officials, and government officials found to have used government money to finance their political activities, particularly in seizing and retaining power, have been coloring political life. Monitoring by Indonesia Corruption Watch (ICW) showed that campaign finance violations in various forms were committed massively during the legislative elections. Violations included giving money, goods, and services from candidates to the voters and election officials, and misusing government facilities. In many cases of corruption involving politicians and officials, there are many links that are difficult to prove legally, such as in the Hambalang and Century cases which involved (former) party officials and state</p>
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		<p>election threshold in the last national legislative election.<sup>94</sup></p>	<p>activates military for combatting C'19 domestically. Similarly, under the government regulation number 21, under certain circumstances, local authorities are empowered to impose "large scale social restrictions," which entail forced academic and work holidays, restrictions on religious activities, and "general" restrictions on other "activities".<sup>95</sup></p>	<p>Moreover, job losses are affecting all sectors, and especially those working in agriculture and health. Food insecurity remains high since the first wave of the survey. As of Oct , only 24 percent of households reported eating as much as they should in the last week. However, food security for women, particularly those in rural areas of Kabupaten, is improving significantly. Many unemployed people have not yet received government assistance.<sup>96</sup></p>	<p>officials.<sup>11</sup> The power and influence of money in the electoral process in Indonesia seems to become increasingly intrusive and massive. In almost all of the local, legislative, and presidential elections, a number of practices of campaign finance violations and vote buying have been revealed. The election experience shows that the proportional open list system, where the list of candidates from every political party are on the ballot paper, gives candidates control of their campaigns since the role of the party becomes limited. Candidates try to win votes in a variety of ways, including the provision of money and goods.<sup>98</sup></p>
	<b>Hong Kong</b>	<p>Elections in Hong Kong take place when certain political offices in the government need to be filled. Every four years, half of the unicameral Legislative Council of Hong Kong's seventy seats representing the geographical constituencies are returned by the electorate; the other thirty five seats representing the functional constituencies are elected through smaller closed elections within business sectors.<sup>99</sup></p> <p>Hong Kong has a multi-party system, with numerous parties in which not one party often has the chance of gaining power alone. The Chief Executive of Hong Kong is nonpartisan, but has to work with</p>	<p>The extradition bill which triggered the first protest was introduced in April. It would have allowed for criminal suspects to be extradited to mainland China under certain circumstances. Opponents said this risked exposing Hongkongers to unfair trials and violent treatment. They also argued the bill would give China greater influence over Hong Kong and could be used to target activists and journalists. Hundreds of thousands of people took to the streets. After weeks of protests, Carrie Lam eventually said the bill would be suspended indefinitely. Protesters feared the bill could be revived, so demonstrations continued, calling for it to be withdrawn completely. By</p>	<p>Hong Kong was one of the earlier cities affected by COVID-19. The first confirmed patient was diagnosed on 23 Jan 2020, and several more in the next few days. The Hong Kong SAR Government promptly announced that schools would remain closed after the Chinese New Year holidays ended on 27 Jan , and civil servants would work from home. Business companies followed suit.</p> <p>As the news spread, citizens started putting on surgical masks and stepping up hygiene. In the ensuing weeks,</p>	<p>The government announced in July its decision to postpone its Legislative Council elections for one year given the corona virus pandemic. July saw a spike in C'19 infections. The elections were originally scheduled to be held in Sept 2020. Under Hong Kong law, elections can be postponed for a maximum of 14 days given public health and safety risks. Delaying elections by one year required the invocation of emergency powers, an unprecedented act for Hong Kong. Its Chief Executive, has stated "the decision...is purely on the basis of protecting the health and safety of the Hong Kong people and to ensure that the elections are held in a fair and open manner." The decision was made without consultation with government medical</p>

<sup>94</sup> Ibid

<sup>95</sup> Indonesia's Shrinking Civic Space for Protests and Digital Activism, Usman Hamid, Ary Hermawan, 2020

<sup>96</sup> Monitoring the social impact of the COVID-19 pandemic in Indonesia, Colly Windya, 10 Nov 2020

<sup>98</sup><https://aceproject.org/ero-en/topics/electoral-system>

<sup>99</sup> <https://fas.org/sgp/crs/row/IF10500.pdf>

	<p>several parties to form (de facto) a coalition government.</p> <p>The 35 geographical seats and seats of the Legislative Council are returned by proportional representation using the largest remainder method and the Hare quota in each of five constituencies. This system encourages and sustains multiple political parties.<sup>100</sup></p>	<p>then clashes between police and protesters had become more frequent and violent. In Sept, the bill was finally withdrawn, but protesters said this was "too little, too late". On 1 Oct, while China was celebrating 70 years of CP rule, Hong Kong experienced one of its most "violent and chaotic days". Later that month, the territory held local council elections that were seen as a barometer of public opinion. The vote saw a landslide victory for the pro-democracy movement, with 17 of the 18 councils now controlled by pro-democracy councilors.<sup>101</sup> Some protesters have adopted the motto: "Five demands, not one less!" These are: For the protests not to be characterised as a "riot"; Amnesty for arrested protesters; An independent inquiry into alleged police brutality; Implementation of complete universal suffrage; and the withdrawal of the bill, has already been met. Protests supporting the Hong Kong movement have spread across the globe, with rallies taking place in the UK, France, US, Canada and Australia. In many cases, people supporting the demonstrators were confronted by pro-Beijing rallies. Chinese president has warned against separatism, saying any attempt to divide China would end in "bodies smashed and bones ground to powder".<sup>102</sup></p>	<p>quarantine measures were introduced, tourists stopped coming, and public activities were postponed or cancelled. There was some panic-buying of sanitary supplies and daily consumables. Hospitals geared up and stocked personal protective equipment (PPE) in anticipation of rapidly increasing numbers of patients. Throughout the months of Feb and March, the city remained vigilant, and with all these efforts from different sectors I would say that our numbers have been so far been manageable. However, the socioeconomic toll has been significant. Businesses are grinding to a halt, employees are losing jobs, public examinations are affected. Many people are mired in anxiety and gloom, especially as the pandemic seems to be spiraling out of control in overseas countries.<sup>103</sup></p>	<p>advisors, opposition candidates nor the Electoral Affairs Commission. Many have accused the government of using the current state of affairs to suppress democracy and human rights. Over the past year, hundreds of thousands of protesters have called for a return to democracy following increasing concerns over an 'authoritarian' government. In July, 12 pro-democracy candidates were banned from running in the upcoming election. Postponement of the election, it has been suggested, will enable the ruling CCP to manipulate electoral regulations and control national narratives. The decision is supported by the central Chinese government in Beijing. A group of 22 lawmakers under the Hong Kong Bar Association stated that 'Incumbent pro-democracy legislators, who represent 60% of the public's opinion, collectively oppose the postponement and emphasize the responsibility of the SAR government to make every effort to arrange adequate anti-epidemic measures to hold elections in Sept as scheduled.' Foreign governments have also criticized the decision to postpone, with the United States Secretary of State issuing a statement urging Hong Kong authorities to reconsider their decision. It states that 'The elections should be held as close to the Sept 6 date as possible and in a manner that reflects the will and aspirations of the Hong Kong people.'<sup>104</sup></p>
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<sup>100</sup> Ibid

<sup>101</sup> <https://www.bbc.com/news/world-asia-china-49317695>

<sup>102</sup> <https://www.bbc.com/news/world-asia-china-49317695>

<sup>103</sup> COVID-19 Impact: What we know so far – Hong Kong, <https://www.ippf.org/blogs/covid-19-impact-what-we-know-so-far-hong-kong>

<sup>104</sup> On the Postponement of Hong Kong's Legislative Council Elections, Press Statement, Michael R. Pompeo, Secretary of State, August 1, 2020

	<b>Philippines</b>	<p>It has a mixed system: Parallel (Segmented) (PR Lists and Majoritarian constituencies).</p> <ul style="list-style-type: none"> <li>Parallel is a first-past-the-post method in single member constituencies &amp; a proportional method for national party lists.</li> <li>President: Directly elected in a first-past-the-post voting system for a term of 6 years. The President is not eligible for re-election).</li> <li>Parliament:           <ul style="list-style-type: none"> <li>House of Representatives: •Directly Elected (230 seats): Elected in a single-member district plurality system for a term of 3 years.</li> <li>Indirectly Elected (57 seats): 20% of all seats in the House of Representatives are reserved for registered national, regional, and sectoral parties or organizations. Elected in an open party list at-large voting system for a term of 3 years.</li> <li>Senate (24 seats): Elected in a plurality-at-large voting system for a term of 6 years. Half of the Senate is elected every 3 years. Limited to 2 terms.<sup>105</sup></li> </ul> </li> </ul> <p>Election Threshold:</p> <p>2% • Under constitutional provisions, the PR tier must comprise 20 percent of total seats. While the constitution provides for a 250-member House, it also permits the legislature to change that size. Numbers above reflect the</p>	<p>CIVICUS Monitor, a global research collaboration that rates and tracks respect for fundamental freedoms in 196 countries, has downgraded the Philippines from "obstructed" to "repressed" in its People Power Under Attack report 2020. The Duterte government has incrementally chipped away at civic freedoms since it came to power in 2016 but this has further eroded over the last year. In 2020, we have seen systematic intimidation, attacks and vilification of civil society and activists, an increased crackdown on press freedoms and a pervasive culture of impunity take root.<sup>107</sup> The shutdown of a major outlet, ABS-CBN, is shocking, especially during a pandemic when information is critical to saving lives. Threats and attacks against journalists have contributed to self-censorship and have had a chilling effect within the media sector. There are serious concerns that the new anti-terrorism law, which has few safeguards, will institutionalize and facilitate an abuse of power.<sup>108</sup> Referring to "For the Nation to heal one, Act no. 11469 is introduced on 24 Mar 2020 which grants the president numerous broad and exceptional powers to deal with the pandemic. The law also provides in Section 6(6) that "spreading false information regarding the C'19 crisis on social media and other platforms" is punishable by up to two months in</p> <p>Due to its proximity to China, the Philippines is at a far greater risk of witnessing increased cases of the novel corona virus infection compared to other countries. It is also home to hundreds of workers from China working in the Philippine Offshore Gambling Operation (firms offering online gambling services). More than 230,000 migrant Filipinos often referred to as Overseas Filipino Workers (OFW) are also working in China particularly Hong Kong and Macau as household workers. A temporary ban was imposed on the workers from travelling to China or its special administrative regions after the corona virus outbreak on 2 Feb. The ban was lifted on 18th Feb allowing OFWs to return to Hong Kong and Macau. Manila is among the top 30 global cities receiving airline passengers from 18 high-risk cities in China, according to WorldPop which ranked Philippines 14th among the 30 high-risk countries. Chinese nationals account for the majority of the tourist population visiting the country as trade and cultural relations have increased between the two countries in the recent past. The Central Bank of the Philippines noted that the corona virus</p> <p>Almost three decades into the democratic transition, the electoral democracy faces major areas of concern that threaten the very presence of free and fair elections. These are in the areas of election administration, enforcement of election laws, prosecution of election offenders, voter registration, election modernization, political party strengthening, and citizen-voter education. Several authors point to facets of Philippine politics: undeveloped party system, elite dominance and the ideological sameness of candidates, exclusion of those who fail to muster the considerable resources needed to mount a campaign, the subordination of issues to particularistic concerns, elaborate forms of terrorism and fraud, and the cultural baggage of traditional values of power and dependence. A weak party system has benefitted political dynasties composed of families and close allies. The reality of political dynasties effectively excludes marginalized sectors from participating fully in elections and other political processes. The country's legal and policy framework is identified as one major challenge within the electoral system. One particular policy pertains to the rules of the political and electoral contestations. A systemic problem of the political sphere, which also includes the electoral aspect, involves the meaningful participation of the people in a democracy and in the actual decisions on who will be their representatives in the government. This places the election as the essential process of participation by the people in</p>
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105 <https://aceproject.org/epic-en/CDTable?question=ES005&view=country>

107 PH human rights status downgraded to 'repressed' as civic freedoms deteriorate, Dec 8, 2020 2:31 PM Pht, Camille Elemia

108 Ibid

		<p>current apportionment. In the PR tier, members generally represent special "sectoral" minorities, though this constitutional provision was set to expire after three terms from 1987. (The 1987 constitution reserved half of these seats to said groups.) Under a 2009 court ruling related to the 2007 legislative elections, a party represented in one tier may not hold seats in the other, effectively reserving all PR seats to minor parties. The threshold in the PR tier is 2 percent, but no party may hold more than three seats in it. Prior to the 2009 ruling, elections would not necessarily fill all PR seats.)<sup>106</sup></p>	<p>jail and fines of up to one million pesos (\$19,500). On 16 Mar 2020, under proclamation no. 929, State of Calamity, under Section 15(2) of the Constitution, was declared due to the corona virus for six months unless lifted or extended "as the circumstances may warrant." Two more stringent mechanisms namely, Inter-Agency Task Force For The Management of Emerging Infectious Diseases and, Proclamation No. 922 Declaring a State of Public Health Emergency were in place in the same month.<sup>109</sup></p>	<p>outbreak could have a major impact on Philippine economy over the next few months costing the economy \$600m or 0.8% of economic growth if it lasts for six months.<sup>110</sup></p>	<p>daily governance. While the laws guarantee that the electorate's right of suffrage is exercised freely, there is the concern among voters on the outcome of how their votes are going to turn out due to the political culture in the Philippines. Past experiences had witnessed some candidates and their cohorts going outside the democratic rules and resorting to other means of securing votes that encourage election irregularities. One example is using the "guns, goons, and gold" system which involves threatening voters with physical harm and violence or bribing them with money to secure their election win.<sup>111</sup></p>
Singapore			<p>The C'19 (Temporary Measures) Act 2020, among other things, allows the Health Minister to enact "Control Orders" for the purpose of preventing or controlling C'19 transmission, including orders to restrict the movement of or contact between people; limiting access to certain places; and prohibiting or restricting participation in any event or gathering in any premises. Failure to comply with the orders may be punished with a fine of up to \$10,000, and jail for up to six months. Multiple violations of</p>	<p>When the then little-known disease made its way to Singapore in Jan , few could have anticipated the impact on people and businesses. Very quickly, people's normal routines – working in the office, eating out, face-to-face gatherings with loved ones and friends – were changed. Firms had to return to the drawing board to work out contingency plans to stay in business.<sup>114</sup> The economy swiftly slipped into</p>	<p>The 2020 general election was a general election held in Singapore on 10 July 2020 to elect the next Government of Singapore.<sup>117</sup> President Halimah Yacob dissolved Parliament on 23 June 2020 on the advice of Prime Minister Lee Hsien Loong. It elected members of parliament to the 14th Parliament of Singapore since its independence in 1965, using the first-past-the-post electoral system. Voting was mandatory for all who were aged 21 or above as of 1 March 2020.<sup>118</sup> This election was the 18th general election in and the 13th since independence.<sup>119</sup> The</p>

106 <https://www.globalgreens.org/content/electoral-system-philippines>

109 Ibid

110 <https://www.pharmaceutical-technology.com/features/coronavirus-affected-countries-philippines-measures-impact-tourism-economy/>

111 <https://library.fes.de/pdf-files/bueros/philippinen/50071.pdf>

114 IN FOCUS: After COVID-19, where are the Singapore economy, workforce headed? <https://www.channelnewsasia.com/news/business/in-focus-covid-19-singapore-economy-jobs-transformation-13523898>

87 In FOCUS: After COVID-19, where are the Singapore economy, workforce headed? Tang See Kit and Rachel Phua

117 Elections Department (23 June 2020). "Press Release on General Election 2020" (PDF). Archived (PDF) from the original on 25 June 2020. Retrieved 23 June 2020.

118 "Parliamentary Elections (Prescribed Date) Order 2020". Subsidiary Legislation Supplement No. S 157 of 2020 (PDF). Republic of Singapore Government Gazette. Archived (PDF) from the original on 24 June 2020. Retrieved 24 June 2020./Sugam Pokharel; Nectar Gan. "Singapore's ruling party stays in power, but support has waned", CNN.

119 "Singapore's ruling party calls an election". The Economist. The Economist Newspaper Limited. 25 June 2020. Archived from the original on 26 June 2020. Retrieved 27 June 2020.

		<p>the rules will result in a doubled penalty.<sup>112</sup> Similarly, the C'19 (Temporary Measures) (Control Order) Regulation 2020 ban gatherings among any individuals who do not live together. Gatherings in public spaces are also prohibited. The regulations further limit the reasons for which people are allowed to leave their homes. Failure to comply with these rules may be punished with a fine of up to \$10,000, and jail for up to six months. Multiple violations of the rules will result in a doubled penalty. The government maintains strict restrictions on the right to peaceful assembly through the Public Order Act, requiring a police permit for any "cause-related" assembly if it is held in a public place, or in a private venue if members of the general public are invited. The definition of what is treated as an assembly is extremely broad and those who fail to obtain the required permits face criminal charges. Applications for permits for cause-related assemblies are regularly denied. For example, in April Terry Xu's application to hold a one-man silent protest against a law recently passed by parliament was denied. The refusal came even though he proposed to hold it late at night on a weekend in the Central Business District. The</p> <p>contraction, setting a grim record for the second quarter even with nearly S\$100 billion in stimulus, and is now set for its worst-ever recession. With uncertainty about when the C'19 crisis will come to an end, coping with hurtling changes has been the only constant. Economic scarring aside, the pandemic has, among other things, accelerated the adoption of technology - e-commerce, financial technology, video-conferencing, telemedicine or online teaching - as a way of life. These have hit some people and firms harder than others in the form of collapsed businesses and lost jobs, as their activities depend more on close contact, or because of their age and skills.<sup>115</sup> The impact of the C'19 pandemic is severe among migrant workers especially living in the dormitories. Nevertheless, since Singapore does not have any asylum regime, no information on the impact of the pandemic on asylum-seekers and refugees is available. Singapore's economy is likely to take longer to recover from the C'19 crisis than it did in past recessions. Part of the</p> <p>ruling People's Action Party secured its 15th consecutive term in government since 1959, setting the second-longest uninterrupted record among countries with universal suffrage of 66 years if PAP finishes their full term of five years, behind Mexico's Institutional Revolutionary Party which held for 71 years. 192 candidates (including 73 new candidates and one independent candidate) from 11 parties had contested, the most ever in the history of Singapore, surpassing the record set from the 2015 election. There were a record number of female candidates participating in the election,<sup>120</sup> with 28 (three being the Workers' Party-elect including the first female minority candidate Raeesah Khan (also the youngest MP-elect at 26), and one Non-constituency Member of Parliament being Progress Singapore Party's Hazel Poa) out of 40 candidates elected in parliament and making up 29% of the parliament.<sup>121</sup> Two constituencies, Pasir Ris-Punggol GRC and Pioneer SMC, saw a three-cornered fight, with the former being the first multi-cornered contest inside a Group Representation Constituency since the 1992 Marine Parade by-election 28 years prior. This election also marked the second consecutive election not to have a walkover in any constituency.<sup>122</sup> The results saw the ruling People's Action Party winning 83 seats with the Worker's</p>
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<sup>112</sup> Ibid

<sup>120</sup> "Singapore's record 40 female candidates change election discussion". Nikkei Asian Review. Archived from the original on 9 July 2020. Retrieved 9 July 2020.

<sup>121</sup> @mediumshawn (Twitter) (13 July 2020). "Whatever party affiliations you have, this is progress. Hopeful that a large number of the newcomers will go on to become office holders and be Cabinet ministers. Credit: @awarenews #GE2020". Retrieved 13 July 2020. "Singapore to see record number of women enter Parliament after GE2020". CNA. Retrieved 18 July 2020.

<sup>122</sup>Straits Times (30 June 2020). "Singapore GE2020: All 93 seats to be contested at July 10 election; 192 candidates from 11 parties file papers on Nomination Day".

		<p>denial cited the “risk of causing public disorder, as well as damage to property.” In March 2018, the government passed the Public Order and Safety (Special Powers) Act, which provides Singapore’s home affairs minister with sweeping powers if a “serious incident” has been, is being, or is likely to be committed. While the law purports to be aimed at “serious violence and large-scale public disorder,” illustrations in the law of what may be considered a “serious incident” make clear it can be used against peaceful protesters. In April 2018, a parliamentary committee held hearings on dealing with “deliberate online falsehoods” and invited several activists and critics of the government to testify. Those who agreed to appear were harangued and asked questions unrelated to the issue of “fake news.” A number of the witnesses who testified subsequently filed complaints stating that the official record of the hearing seriously misrepresented their testimony.<sup>113</sup></p>	<p>reason is a drop in earnings for businesses and lower incomes for households. Coupled with greater uncertainty, these restrain spending and investment. As a result, the pace of recovery is expected to moderate in the quarters ahead, the central bank added in its twice-yearly macroeconomic review released yesterday. Some pockets of the economy are not expected to recover to pre-pandemic levels even by the end of next year. Citing the travel-related sector and some contact-intensive domestic services as examples, could still fall short of pre-pandemic levels until health risks abate”. It further expects employment recovery to be uneven and slow. On the jobs front, the unemployment rate among Singapore residents is likely to remain high next year, keeping wage growth low. This is unlike during the 2008 global financial crisis, when the rate returned to pre-crisis levels after six quarters.<sup>116</sup></p>	<p>Party winning the remaining ten. WP successfully retained their wards of Aljunied GRC and Hougang SMC and captured the newly created Sengkang GRC, making it the largest representation for opposition-elect in Parliament since 1966,<sup>123</sup> the first time an opposition claimed multiple GRCs since the creation of the scheme in 1988, and also the first time a newly created constituency was won by an opposition on its first attempt.<sup>124</sup> Excluding overseas votes, the PAP’s overall vote share dropped to 61.24% which was the lowest share since the 2011 elections, while the WP’s vote broke its best record for its overall contested vote share for any opposition with 50.49% of the votes, surpassing the previous record held by the Singapore Democratic Party in 1991 with 48.55%. Six candidates, one from a SMC and five from a GRC, had each lost their \$13,500 deposit in the election, the biggest count of candidates since the 1980 election. As a result of the election, two non-constituency seats were taken up by two members, Poa and Leong Mun Wai, both from the new PSP, for achieving the best-performing non-elected result at West Coast GRC, which was confirmed on 14 July.</p>	
	<b>Thailand</b>	<p>In 1997, Thailand had adopted its most democratic Constitution (sometimes referred to as “The</p>	<p>On 25 March 2020, an order was issued under Thailand’s 2005 decree on administration in emergency</p>	<p>Thailand’s economy is expected to be impacted severely by the C’19 pandemic, shrinking by at</p>	<p>From their beginning, Thai political parties have been mostly formed by military personalities and have</p>

113 <https://www.hrw.org/world-report/2019/country-chapters/singapore>

116 Singapore likely to take longer to recover from Covid-19, The Strait Time, Ovais Subhani, Oct 29, 2020

123 Twitter (11 July 2020). “The ten seats won by WP in #GE2020 marks the first time we’ve had that many fully elected opposition MPs since Jan 1966 when there were 10 Barisan MPs. Barisan merged with WP in 1988, so in a way, history has come full circle. #historynerd”. Archived from the original on 11 July 2020. Retrieved 11 July 2020.

124 “GE2020: PAP wins with 61.24% of vote; WP claims two GRCs including new Sengkang GRC”. CNA. Retrieved 27 July 2020.

	<p>Peoples' Constitution" because it was drafted by representatives who were elected by the people and the process involved public participation more than other constitutions. That Constitution included many significant democratic and human rights principles and brought change to the country's overall situation in areas such as education, human rights, checks and balances, and electoral advancement. However, the 1997 Constitution was abrogated by the military following the 2006 coup. When the military took control in 2014, the 2007 Constitution was abrogated and replaced by an interim charter.<sup>3</sup> The military has also taken over the national administration in the form of a body called the National Council for Peace and Order (NCPO). The current Prime Minister, together with the National Legislative Assembly that he created and with the military personnel whom he appointed to office, assumed absolute power, which was codified in the 48-article interim charter they imposed on the country. Currently, all political activities are prohibited unless permitted by the NCPO. Heavy control and censorship over both mass media and social media is enforced. From the initial election in 1933 until the present, Thailand has changed its electoral system mainly in response to constitutional changes. Since a major change in the electoral system in 1997, the voting system has been</p> <p>situations. The ministerial decree among other things bars "reporting or spreading of information regarding C'19 which is untrue and may cause public fear, as well as deliberate distortion of information which causes misunderstanding and hence affects peace and order or public morals." The decree empowers authorities to order journalists and media groups to "correct" reports deemed incorrect, and allows authorities to pursue charges against journalists under the Computer Crimes Act, which allows for five-year prison penalties for violations. The decree also bans all gatherings. This has resulted in infringement of the freedom of assembly, disinformation, curbing press freedom, expression, and access to information.</p> <p>Thailand's government is facing a sustained protest campaign that has brought thousands of people, mostly young, out on the streets to demand the resignation of Prime Minister Prayuth Chan-ocha and his cabinet, constitutional changes drafted by representatives of the people, and reform of the monarchy under the constitution.</p> <p>Thailand's youth were among thousands on the streets of Bangkok in series of biggest anti-government protests the capital has seen in years, despite a coronavirus ban on large</p>	<p>least 5 percent in 2020 and taking more than two years to return to pre-C'19GDP output levels.<sup>126</sup> The C'19pandemic shocked the economy especially in the second quarter of 2020 and has led already to widespread job losses, affecting middle-class households and the poor alike. While Thailand has been successful in stemming the tide of C'19infections over the last three months, the economic impact has been severe. The tourism sector, which makes up close to 15 percent of Thailand's GDP, has been hit hard, with a near cessation of international tourist arrivals since March 2020.xports are expected to decline by 6.3 percent in 2020, the sharpest quarterly contraction in five years, as demand for Thai goods abroad remains weakened by the global slowdown. Household consumption is projected to decline by 3.2 percent as movement restrictions and dwindling incomes limit consumer spending, especially in the second quarter of 2020. As Thailand starts to ease mobility restrictions, domestic consumption, Thailand's traditionally strongest driver of growth, may pick up in the second half of 2020 and in 2021, but economic recovery will be</p>	<p>traditionally been coalitions of factions rather than (democratic) political entities held together by an ideology or political leaning. The organizational and ideological weakness and relatively shallow social base of the parties have been the focus of many studies. Until now, Thailand has had no established political tradition in which parties are organized from the grassroots on the basis of policies. None of the parties truly represents a political ideology or genuinely represents people's politics. Most parties use top-down governance and are subject to patriarchal management. In fact, it is not an exaggeration to compare their structure to that of a business mogul's business. It is a common practice for Thai political parties to have "owners" who control the party by passing on key positions in the party to family members. Ordinary members normally have no input into the party's policy direction, which results in some internal conflicts because parties do not represent the genuine needs of their members or involve their members in the parties' activities.</p> <p>Vote buying, both in cash and in kind, has been a big topic at election time for decades and it recently became one of the reasons used by the opposition to boycott the 2014 election. Vote buying has been seen as a major problem since around 195727 as a part of a system of clientelism and patronage politics.</p>
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126 Press Release June 30, 2020, Major Impact from COVID-19 to Thailand's Economy, Vulnerable Households, Firms: World Bank Report

	<p>amended an average of every one or two elections. Constitution drafters, when drafting a new constitution, mainly focus on a few issues, for instance, to reduce vote buying and corruption, reduce big parties' domination, or allowing more opportunities for small parties. Thai academics have criticized the frequent changes to the voting systems, asserting that they will not change the voters' behavior as each voting system needs to be practiced in at least three consecutive elections in order to observe changes in voters' behaviors or the political party system. During the period 1997-2011, Thailand adopted three different voting systems, hoping to reform elections and improve the political situation. Until 1997, Thailand used a multi-member district system, but under the 1997 Constitution, the country went to a mixed-member majoritarian (MMM) system. The main reasons for this change were to control campaign finance and reduce money spent on elections, and to encourage a system of two strong parties, which would lead to a strong executive. In the 2011 election, the MMM system was used with different proportions: 375 single-seat constituencies and 125 party list seats elected from a single national constituency using the proportional representation system.</p>	<p>gatherings. They say they will continue protesting if their three main demands are not met - for parliament to be dissolved, for the constitution to be rewritten, and for authorities to stop harassing critics.</p> <p>Government responses included filing criminal charges using the Emergency Decree; arbitrary detention and police intimidation; delaying tactics; the deployment of military information warfare units; media censorship; the mobilisation of pro-government and royalist groups who have accused the protesters of receiving support from foreign governments or non-governmental organizations (NGOs) as part of a global conspiracy against Thailand; and the deployment of thousands of police at protests. The government ordered university chancellors to prevent students from demanding reforms to the monarchy and to identify student protest leaders. Protests since Oct , when the King had returned to the country from Germany, resulted in the deployment of the military, riot police, and mass arrests.<sup>125</sup></p>	<p>gradual and uncertain. In the baseline, the Thai economy is projected to grow by 4.1 percent in 2021 and by 3.6 percent in 2022, which represents a slow recovery to pre-COVID GDP output levels by mid-2022. The shape of the recovery is subject to considerable downside risks, including weaker global growth, feeble tourism, and continuing trade and supply chain disruptions. "The strength of the economic recovery will depend in part on an effective policy response, in particular effective support to vulnerable households and firms. As the recovery phase begins, a key challenge will be how to help people who lost their jobs reconnect with the labor market. Active labor market measures, such as wage-subsidies targeted to individuals in the most vulnerable sectors, and for on-the-job training to promote reemployment should be explored. An estimated 8.3 million workers will lose employment or income by the C'19crisis, which has put many jobs, in particularly those related to tourism and services, at risk.<sup>127</sup></p>	<p>Electoral violence has been another major concern throughout Thailand's electoral history. Thailand is among many countries that have encountered a certain level of electoral violence. Tracing back to its 1975 elections, Thailand's cases of violence, while diminishing through the succeeding electoral years, continue to the present period. Not surprisingly, the level of electoral violence tends to escalate during periods of political turmoil between the two main opposing factions. It has been taking many forms—from individual attacks on opponents to blocking electoral processes, including preventing voters from going to the polls.</p> <p>Thai citizens can also be disqualified from voting for reasons of insanity, mental infirmity, becoming Buddhist priests, monks or member of the clergy, or being detained pursuant to a court-issued warrant or legal order. With a majority Buddhist population, Thailand does not allow Buddhist monks and nuns, as members of the clergy, to cast votes. Unlike in Sri Lanka and the Philippines, where monks and priests, respectively, are allowed to.</p> <p>The media in Thailand have been perceived as highly politicized and biased throughout pre-election and post-election periods, especially during the past 10 years.<sup>128</sup></p>
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<sup>125</sup> Turbulent Thailand, Thailand latest: Government bans protests after COVID uptick-2020, <https://asia.nikkei.com/Politics>

<sup>127</sup> Ibid

<sup>128</sup><https://www.civicus.org/index.php/fr/component/tags/tag/south-korea>

	<b>Korea</b>	<p>Mixed: - simple majority direct vote in the 253 single-member constituencies.</p> <p>- proportional representation for 47 seats. These seats are divided proportionately among the political parties based upon their votes obtained in the districts, on condition that they have obtained at least 3% of the total valid votes cast or secured five district constituency seats or more.<sup>129</sup></p> <p>Vacancies of district constituency seats arising between general elections are filled through by-elections, on condition that there remains at least one year in the term of the Assembly member to be replaced. Vacancies of proportional representation seats are filled by the "next-in-line" candidates of the political party concerned. Voting is not compulsory.</p> <p>Elections are held on a national level to select the President and the National Assembly. Local elections are held every four years to elect governors, metropolitan mayors, municipal mayors, and provincial and municipal legislatures.<sup>130</sup></p> <p>The president is directly elected for a single five-year term by plurality vote. The National Assembly has 300 members elected for a four-year term, 253 in single-</p>	<p>There are serious concerns that the authorities are intimidating activist groups that work on human rights issues in North Korea, with two organisations having their registration revoked while over 200 are facing reviews and inspections. The authorities also attempted to restrict protests due to the C-19 pandemic. Two protest organisers have been charged. The government has displayed worryingly illiberal tendencies in its handling of groups that it views as standing in its way, such as North Korean human rights and escapee groups, who have faced increasing pressure to stay silent and cease their advocacy. The government has also moved to exercise ever more control over state prosecutors. The Minister of Justice has attacked prosecutors who dared to investigate charges of corruption and abuse of power against the government, claiming a conspiracy to undermine President Moon.<sup>132</sup> Another worrying trend is the populist tactic by ruling party politicians, notably lawmaker Lee Jae-jung, of using the internet to whip up supporters to engage in cyberbullying against reporters. The Infectious Disease Control and Prevention Act No. 14286 which was amended following the MERS epidemic in 2016 and again in 2020, gives the minister of health extensive legal authority to collect private data, without a warrant, from individuals</p>	<p>The first national level C'19 election has conducted successfully in South Korea on 15th of April, 2020 that can be a model for an election during a pandemic. Drastic measures implemented in the polling stations to ensure the voter's safety and contain the possibility of virus spread. Voters were required to stand at least one meter apart, cover their faces with a mask, hand sanitizer and disposable gloves were provided at the entrance while voting booths disinfected frequently. Temperature checks took place in each polling station and anyone higher than 37.5 Celsius was directed to special booths. The whole process was able to attract the public trust in a scale that 66.2% of the voters turned up to vote. Highest number of the voter turnout after 28 years in South Korean election history. The administration has been praised domestically and internationally for its handling of the outbreak. South Korea has managed to lower its daily number of new infections to around 50 and keep the fatality rate under 2% through steps such as widespread testing, effective quarantine policies and an emphasis on social distancing. Analysts say the government's</p>	<p>On April 15, South Koreans headed to the polls amid C'19 to elect 300 members of the National Assembly. Held just weeks before President Moon Jae-in's three year anniversary of a single five-year term, the general elections, similar to midterms elections in the United States, can be characterized as one that will test public confidence in his leadership as well as determine the political makeup of the nation's unicameral legislature for the next four years.</p> <p>Party politics in South Korea even during "normal" times can be confusing, full of twists and turns with continuous splits and mergers rebranded under new party names and logos. Lat year's legislative elections appear all the more convoluted, held under new regulations and unprecedented circumstances due to the coronavirus outbreak. The impact of the coronavirus outbreak</p> <p>The April elections was largely dominated and affected by challenges that coronavirus poses: not only public opinion on how the Moon government tackled the pandemic and mitigating its economic fallout, but also ensuring absentee voting for the quarantined, early voting to increase voter turnout, and sanitizing thousands of voting stations to prevent them from becoming new vectors of the virus. Unlike past general elections in which presidential approval ratings plunged during an outbreak of</p>
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129 [http://archive.ipu.org/parline-e/reports/2259\\_B.htm](http://archive.ipu.org/parline-e/reports/2259_B.htm)

130 Ibid

132 Ibid

		<p>seat constituencies and 47 members by proportional representation. Each individual party willing to represent its policies in the National Assembly is qualified on the legislative (general) election if: i) the national party-vote reaches over 3% on proportional contest or ii) more than 5 members of the party are elected from each of their first-past-the-post election constituencies.<sup>131</sup></p>	<p>already confirmed or suspected of having an infectious disease. The Act also allows authorities to send the whereabouts of certain patients to all smart phones in the patients' vicinity via an emergency text. The Act also allows authorities to "restrict or prohibit performances, assemblies, religious ceremonies, or any other large gathering of people." Introduced on 4<sup>th</sup> March, 2010, the Amendments To Infectious Disease Control and Prevention Act No. 14286 Allows the government to criminally prosecute suspected patients who refuse to get tested for the virus with a fine of up to 3,000. The amendment also significantly increases the potential penalty for breaking quarantine to up to one year of imprisonment or a fine of \$10,000 for the offense.<sup>132</sup></p>	<p>management of the pandemic has overshadowed other issues, such as failed economic policies, corruption scandals, and the lack of a breakthrough in talks with North Korea. The UFP, for its part, says that it is the public and health care workers who should get the credit for the deft handling of the pandemic, not the governing party. To ensure the election is conducted safely, infected patients will be allowed to vote at hospitals, treatment centers or from home. All 14,000 voting stations and overseas will be disinfected and equipped with hand sanitizers, and people will have their body temperatures checked.<sup>134</sup></p>	<p>Middle East Respiratory Syndrome (MERS) in 2015, President Moon's approval rating rose to nearly 55 percent recently, a 16-month high on the back of the flattening curve of the coronavirus.</p> <p>Though initially criticized for not closing its borders to China, South Korea's aggressive and innovative approach in containing the virus has won much praise at home and abroad.<sup>135</sup></p>
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<b>NorthEast Asia</b>	<b>Japan</b>	<p>Japan is a multiparty parliamentary democracy. The ruling Liberal Democratic Party (LDP) has governed almost continuously since 1955, with stints in opposition from 1993 to 1994 and 2009 to 2012.<sup>136</sup></p> <p>The parliament, or Diet, has two chambers. The more powerful lower house, the House of Representatives, has 465 members elected to maximum</p>	<p>Political rights and civil liberties are generally well respected. Outstanding challenges include ethnic and gender-based discrimination and claims of improperly close relations between government and the business sector. Freedom of religion is guaranteed by the constitution, and there are no substantial barriers to religious expression or the expression of non-belief. Academic freedom is</p>	<p>The C'19 pandemic has had a severe impact on countries all over the world, and Japan is no exception. With the increasing number of confirmed cases, the Japanese government declared a state of emergency in April and implemented strict public health measures. As economic activity became significantly constrained, private</p>	<p>Legislative elections in Japan are free and fair. In July 2019, elections for upper-house seats were held, in which the LDP-led coalition retained 71 seats out of the 124 contested. In addition to the 70 uncontested seats it already held, the ruling coalition now controls a comfortable majority of 141 seats, although it is short of the two-thirds supermajority required to revise the constitution. The opposition</p>
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131 <https://www.electionguide.org/elections/id/2619/>

133 <https://www.icnl.org/covid19tracker/?location=&issue=24&date=&type=>

134 <http://www.businesskorea.co.kr/news/articleView.html?idxno=44213>

135 South Korea's Parliamentary Elections: Key Variables and Their Implications, Soojin Park, April 10, 2020

136 <https://freedomhouse.org/country/japan/freedom-world/2020>

	<p>four-year terms through a mixture of single-member districts and proportional representation. The upper house, the House of Councillors, has 245 members serving fixed six-year terms, with half elected every three years using a mixture of nationwide proportional representation and prefecture-based voting. The prime minister and his cabinet can dissolve the House of Representatives, but not the House of Councillors. The lower house can also pass a no-confidence resolution that forces the cabinet to either resign or dissolve the House of Representatives. Prime Minister is appointed by parliament. In the House of Councillors (Sangiin), 96 members are elected through an open-list proportional representation system to serve 6-year terms and 146 members are elected by single non-transferable vote to serve 6-year terms*. In the House of Representatives (Shugiin), 300 members are elected by plurality vote in single-member constituencies to serve 4-year terms and 180 members are elected through a closed-list proportional representation system to serve 4-year terms. Every three years, 121 members are up for re-election through a mixed system that includes proportional representation and prefectoral district elections where constituencies correspond to prefectoral or</p>	<p>constitutionally guaranteed and mostly respected in practice, but education and textbooks have long been a focus of public and political debate. While there is not a national curriculum or single official history text, the Ministry of Education's screening process has approved textbooks that downplay Japan's history of imperialism and war atrocities.<sup>139</sup></p> <p>On 7 April 2020, the PM declared a "state of emergency" in Tokyo and six other major metropolitan areas, under Article 32 of the Act on Special Measures. The declaration does not impose restrictions on movement, but allows governors to request that individuals remain home and recommend to organizers that they cancel events. Violators are not subject to penalty unless they fail to comply with orders related to storing and shipping medical supplies.</p> <p>The new declaration of state of emergency is not meant for restricting civic space but to preserve economy. Under the state of emergency, which comes into effect at midnight and will remain in place until at least Feb. 7, Tokyo is asking restaurants to close at 8 p.m., for citizens to stay at home, and for businesses to let staff work from home.</p>	<p>consumption for April declined by about 20 percent from last year. New cases of infection decreased sharply thanks to the public health measures, and the state of emergency was lifted at the end of May. The total number of confirmed deaths is less than 1,000 in Japan, and economic activity has resumed gradually. That said, given the significant economic downturn, Japan's economy is likely to remain in a severe situation for the time being. Thereafter, as the impact of C'19 wanes globally in the second half of the year, Japan's economy is likely to improve, mainly on the back of pent-up demand and the effects of macroeconomic measures.<sup>140</sup></p> <p>There are significant uncertainties over the outlook for the economy. The C'19 pandemic continues on a global basis, and concern about a second wave of the virus has increased recently. Under these circumstances, there is a risk that the second-round effects of C'19 may push down the economy considerably.</p> <p>The measures, which will be in place for a month – but possibly longer – will be less strict than</p>	<p>Constitutional Democratic Party (CDP) won 17 seats, and smaller parties and independents captured the remainder. Japan's electoral laws are generally fair and well enforced. Campaigning is heavily regulated, which typically benefits incumbents, although the rules are applied equally to all candidates. Mal apportionment in favor of the rural districts from which the LDP draws significant support has been a persistent problem.<sup>143</sup></p> <p>In 2018, a new redistricting law was passed to increase the number of upper house seats allocated to an urban prefecture. Districts will be revised again in 2020 after the census is conducted. Parties generally do not face undue restrictions on registration or operation. In 2017, liberal and left-leaning lawmakers who broke away from the opposition Democratic Party (DP) formed the CDP, which became the leading opposition party after that year's lower house elections. Some new parties gained seats in the 2019 upper-house elections, including the populist Party to Protect the People from the NHK, and the Reiwa Shinsengumi.<sup>144</sup></p> <p>Citizens enjoy equal rights to vote and run in elections regardless of gender, ethnicity, religion, sexual orientation, or gender identity. Women remain underrepresented in government. In the</p>
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<sup>139</sup> Ibid

<sup>140</sup> Haruhiko Kuroda: The impact of COVID-19 on the Japanese economy and the Bank of Japan's response, <https://www.bis.org/review/r200803b.htm>

<sup>143</sup> <https://freedomhouse.org/country/japan/freedom-world/2020>

<sup>144</sup> Ibid

	<p>metropolitan boundaries. In the first tier, 48 seats are allocated on a nationwide basis by the D'Hondt method, an open list proportional representation system. In order to secure a seat a candidate must obtain enough votes equal to or greater than one-sixth of the total number of valid votes, divided by the number of contested seats in the district. In the second tier, there are 47 constituencies (or prefectures) with magnitudes ranging from 2 and 10 seats. 73 members are elected from these districts or constituencies using the Single Non-Transferable Vote (SNTV) system. 29 members typically run in single-seat districts (their fellow district representative is not running) and 44 members run in 18 multi-member districts consisting of anywhere between 2 and 5 seats. Under SNTV, electors vote for one candidate in a multi-candidate race, and the candidates with the largest number of votes in each district, up to the number of seats to be filled, are elected to office.<sup>137</sup></p> <p>In the PR tier, there are 11 multi-member districts consisting of anywhere between 6 and 29 seats. Candidacy in both tiers is permitted, however, candidates are only allowed to run in the proportional representation block in which their single-seat constituency is located.</p>	<p>The PM has called the restrictions "limited and concentrated," as his government, like all others, struggles to balance protecting public health against maintaining the economy.</p>	<p>lockdowns seen in other countries, and unlike during Japan's first state of emergency in the spring, schools and non-essential businesses will not be asked to close. In addition, sports events will be allowed to go ahead, with the cap for spectators revised down to 5,000 people or 50% of capacity, whichever is smaller. Gyms, department stores and entertainment facilities will be asked to shorten their opening hours.<sup>141</sup></p> <p>An estimated 150,000 bars and restaurants in Tokyo and the three neighbouring prefectures of Kanagawa, Chiba and Saitama – which together account for about 30% of the country's population of 126 million – will be asked to stop serving alcohol at 7pm and to close an hour later. People will be encouraged to avoid non-essential outings after 8pm. Companies will be asked to step up remote working provision with the aim of reducing commuter traffic by 70%.<sup>142</sup></p>	<p>latest upper house election in 2019, 28.1 percent of all candidates and 22.6 of winning candidates were women, both record highs in Japan. In May 2018, the Diet passed a nonbinding measure to promote gender-balanced assemblies, urging parties to nominate equal numbers of male and female candidates.<sup>145</sup></p> <p>Calls to postpone elections until after the current state of emergency due to the coronavirus were growing in late April after a Shizuoka by-election for a Diet seat saw a record low turnout of just 34.1 percent.</p> <p>With the ruling Liberal Democratic Party opposed to postponement despite growing pressure from coalition partner Komeito and with experts skeptical about the quick introduction of internet voting, how to ensure that upcoming elections have a high turnout if the state of emergency is still in place remains a tough question.</p> <p>As of the end of April, 15 political races around the country had been held under the national state of emergency, including 14 local elections. There were record low turnouts in 10 of them, including the Shizuoka campaign. Voluntary restrictions by the political parties on electioneering meant candidates and their supporters avoided holding large rallies, shaking voters' hands and the kinds of personal contact that are the normal</p>
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137 <https://www.electionguide.org/elections/id/1044/>, IFES-2020

141 The C'19 pandemic has had a severe impact on countries all over the world, and Japan is no exception. With the increasing number of confirmed cases, the Japanese government declared a state of emergency in April

142 Japan's PM declares state of emergency in Tokyo amid Covid crisis, <https://www.theguardian.com/world/2021/jan/07/japans-pm-declares-state-of-emergency-in-tokyo-amid-covid-crisis>

145 Ibid

	<p>Candidates running in single-member districts must secure one-sixth of valid votes to win a seat.</p> <p>The country is divided into 295 electoral districts, and voters in each district choose an individual candidate to represent them. The remaining 180 seats are elected by proportional representation. For this purpose, the country is partitioned into 11 larger electoral blocs.<sup>138</sup></p>		<p>practice to get the vote out. This made the Shizuoka by-election especially difficult not only for the candidates but also their major party supporters in Tokyo.</p> <p>Large rallies, hand-shaking events and stump speeches in the streets with lots of people packed together were, by mutual agreement among all candidates, not held out of deference to public health concerns. Instead, the top LDP, Komeito and opposition party leaders posted video messages on websites and social media, and all candidates relied more heavily than usual on phone banks.<sup>146</sup></p> <p>At polling stations, voters were asked to disinfect their hands, put on gloves before voting and practice social distancing.<sup>147</sup></p>
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138 <https://www.ny.us.emb-japan.go.jp/en/c/2015/04-Apr/japaninfo-2015-04/06.html>

146 Should Japan vote during the pandemic? <https://www.japantimes.co.jp/news/2020/05/05/national/politics-diplomacy/japan-vote-coronavirus-pandemic-elections/>

147 <https://www.japantimes.co.jp/>

## THEMATIC REPORT

### List of Specific Issues under the Theme

- |   |                             |
|---|-----------------------------|
| 1. Delimitation of Electoral Constituencies | 2. The Legal Framework      |
| 3. Voter Registration                       | 4. Electoral Education      |
| 5. Political Financing                      | 6. Campaign Financing       |
| 7. Code of Conduct                          | 8. Electoral Administration |
| 9. Out of Country Voting                    | 10. Electoral Justice       |

### Analysis of the Chosen Issues from C'19 Lens

As International IDEA's "Elections and C'19" Technical Paper illustrated, the spread of communicable illnesses which includes C'19 has implications at the timing and management of elections. Regardless of the reality that the quantity of instances are often low, the spread of C'19 is continually something to take care of given instances of resurgence during a number of global locations. Consequently, "EMBs must understand and have a glance at the feasibility of imposing any new requirements without compromising the integrity or legitimacy of an election." Accordingly, any election, big or small, taking area at a couple of level during the pandemic must take preventive and mitigating measures to stay faraway from spreading the sickness similarly through the electoral method, which commonly entails the interplay of masses in restrained areas.<sup>148</sup>

The limitation that warrants any C'19 election not to compromise the integrity or legitimacy of an election, due to the fact the Technical Paper recommended, may be a key interest for whether or now not an election want to preserve or be postponed. The organization considers that the pandemic brings three fundamental constraints to elections: regulations on freedom of movement and assembly; health-related dangers for voters and officials; and operational headaches and delays. As such, there are several challenges for the integrity of elections to be managed beneath C'19, which includes imitations on campaigning; boundaries on voter get right of access to; impediments to the transparency of the electoral system; risks for the legitimacy of the final effects of the elections; and delivered financial and administrative pressures. One among the cascading consequences of the C'19 pandemic has been its effect on democracies. A few countries have driven beforehand with elections — Sri Lanka, for instance, simply held their already postponed legislative elections on August 5. Days earlier than that, but, Hong Kong, announced it would postpone its legislature elections by way of a year, citing the impact of C'19.<sup>149</sup>

Health and safety apprehensions remain as dominant aspect in identifying whether or not elections should be conducted while the pandemic grapples the society. As International IDEA's global review on the impact of C'19 on elections suggests, two in three countries scheduled to keep elections in 2020 have determined to do away with them. Among more than 50 countries which have long beyond in advance to maintain elections at some stage in the pandemic, 9 of them are in Asia i.e.: Mongolia, Malaysia, Japan, and Singapore. These four nations held elections of various degrees and therefore, magnitudes over a 3-week span from past due June to early July: Mongolia held its parliamentary elections on June 24; observed via a country assembly by way of-election on July four in Pahang, Malaysia; a gubernatorial election in Tokyo, Japan on July 5; and ultimately, the parliamentary elections in Singapore on July 10. While those elections aren't the same in scope, it's nonetheless exciting to have a quick look on them how they were performed, given the equal threats the pandemic poses for the health and safety of citizens and election officers alike.<sup>150</sup>

148 Elections and Covid-19, International IDEA Technical Paper 1/2020

149 Ibid

150 Ibid

## Legitimacy Jeopardies

### Indian Election: Hybrid of Credibility Test

According to a sample study conducted by not-for-profit organization Janaagraha, it is seen that out of every 100 voters 41 voters (41%) had some kind of error enlisted in their voters card. The errors ranged from errors in addresses, age, name, location among, many others. The study was conducted keeping in mind two approaches, the list-centric research, wherein the voters sampled were as per the voters list and the citizen-centric research where random citizens were selected against the voters list. The study was limited to Delhi only. In the list-centric approach it was seen that 11% of the sampled voter's addresses were missing, 21% of the voters on the list have shifted to another location, and 7% voter's credentials such as name, age, location, relatives name, etc. were missing from the list.

In the citizen-centric research, it was found that 49% of the voters were omitted from the list and were unable to vote, 28% were registered elsewhere and were residing in Delhi, 8% of the voters have applied but were not updated on the list and around 12% were not sure if they have applied for the voters card or not. This clearly shows the discrepancies existing in the system which often leads to poor voter turnout.<sup>2</sup>

The Election Commission has started close monitoring of such news items through district level scrutiny. The Commission has also proposed to the Ministry of Law & Justice for the amendment in the Representation of the People (RP) Act, 1951 to provide that publishing and abetting the publishing of "Paid News" for furthering the prospect of election of any candidate or for prejudicially affecting the prospect of election of any candidate be made an electoral offence with punishment of a minimum of two years imprisonment. The Law Commission has also recently recommended that paid news be made an electoral offence by any person including a company and also be classified as a corrupt practice under RP Act including disclosure of political advertisement. The issue is pending decision of the national government.

**Casteism:** During elections, political parties try to attract the support base of different caste groups by making several offers in such a situation different caste groups take full benefit to pressurize political parties to represent them by offering seats to their candidates. If the caste group is dominant and the political party is an important one, this interaction is all the more important. Caste nonetheless, play an important role as political parties are deeply divided on caste lines rather than on the basis of ideology. The dominance of caste is majorly present at lower level where candidates of regional parties are chosen on the basis of 'caste, creed, and community.' Thus, one can say that, "Caste based politics and casteism are eroding the 'unity' principle in the name of regional autonomy." (Prasad, 2013)<sup>3</sup>

**Communalism:** Caste and religion have in recent years emerged "as rallying points to gain electoral" support. Unfortunately, there is a tendency to play upon caste and religious sentiments and field candidates in elections with an eagle eye on the caste equations and communal configurations. Constitutional Amendment Bill (80th Amendment Bill) and Representation of the People (Amendment) Bill 1993 were introduced to separate politics from the lines of caste, community, and language. But in spite of that, there have been clashes and conflicts during elections and specifically on the lines of caste. The adoption of the principle of "Secularism" thus seems to be a misfit.

The validity of the polls is most usually measured via the percentage of voter turnout in a given election from diverse section of the society. That is the number of citizens out of the entire wide variety of registered electorates, which have determined to use their sovereign right to franchise. The lower the turnout, the less legitimate the results, especially if the turnout is less than 50 percent.<sup>151</sup> This has been one of the essential issues of elections held in any given timeline during the pandemic, given the physical segregation necessities and the questionable self-assurance of the electorate in confidently leaving their homes to visit polling stations.<sup>152</sup> Some countries opted for optional voting. Such arrangements, including postal voting and advance voting, had been used in Queensland of Australia, Bavaria of Germany and South Korea to ensure maximum voter turnout in assessment to preceding elections.<sup>153</sup> Nevertheless, irrespective of in which, most voters nonetheless cast their votes in person at polling stations. It shows that there is no clean and clear pattern on voter turnout. Every context appears to be stimulated by using manner of more than one variable elements. An important thing to endure is developing coping strategies with the severity for example at the lowest degree of pandemic in South Korea duration of the election. One way of determining that is

<sup>151</sup> <https://www.sciencedirect.com/topics/social-sciences/voter-turnout>

<sup>152</sup> <https://aceproject.org/ace-en/topics/ei/onePage>

<sup>153</sup> Taking Stock of Global Democratic Trends Before and During the COVID-19 Pandemic, International IDEA, Dec 2020

via close and meticulous appraisal of the nature and form of the C'19 graph at the time when the election is going to happen so that an appropriately viable decision regarding the modalities can be taken.<sup>154</sup>

South Korea has been noted as one of the most glaring examples because turnout was the highest since 1992 and the country by then had the most comprehensive health and safety protocols in place. However, it is observed that by the time the elections took place, the curve had already flattened. This was the opposite of Australia, France, and Iran, where at the time of their elections, the curve was on the rise. All these elections suffered considerably lower turnouts.<sup>155</sup> Noticeably, these three elections were held at the beginning of the pandemic; at that time, postponing elections was perhaps the better decision. Mongolia and Singapore experienced higher turnouts, while Malaysia and Japan had lower turnouts, albeit not significantly.<sup>156</sup> It should also be noted that the latter two countries had sub-national elections, which might have led to some voters staying home and averting the risk. These four elections were held when the curve was flat and as such had less of a negative effect on voter confidence and willingness to leave their homes. It is therefore advisable to avoid holding elections while the curve is on a steep rise, like what Japan and Australia are experiencing today. This requires decision makers to predict the future; through models created by epidemiologists, simulations can be done to help make informed decisions.<sup>157</sup>

South Korea has been stated as one of the maximum pivotal examples due to the fact turnout became the best since 1992 and the nation through then had placed the most comprehensive health and safety procedures. However, it has been observed that by the actual moment the South Korean elections happened, the curve had already flattened in contrary to Australia, France, and Iran, in which during their elections, the spike was growing.<sup>158</sup> Such elections have suffered considerably lower turnouts. Exceedingly, these three elections have been held at the start of the pandemic; at that point, deferring the elections by few months perhaps would have been the wise move. Mongolia and Singapore generated higher turnouts, whilst Malaysia and Japan had slided-down turnouts, though not considerably. It ought to also be cited that the latter two nations had sub-national elections, which might have led to some voters staying home and warding-off the danger. Those four elections were held when the curve became flat and as such had much less of a negative effect on voter confidence and willingness to leave their houses. It's far therefore advantageous to reschedule elections while the curve is on a steep rise, like what Japan and Australia experienced soon afterwards. This calls for the policy-makers to effectively foresee the future scenario through scientific facts and reach to a convincing conclusion that is in favor of the public health and electoral integrity.<sup>159</sup>

## Money and Management

Soared but not hoax expenses in organizing elections at some point of the pandemic are considerable. Such a situation demands non-conventional gadgets such as gloves, face shields, hand sanitizers, and disinfectants, which have not been on standard lists of electoral materials.<sup>160</sup> Malaysia and Singapore determined to establish more polling stations to lessen crowding, which of course did come at a monetary and resource-demanding form. Of the four highlighted Asian nations, they all are either middle- or rapidly emerged high-income economies. Although those additional expenses were not of heavy price, the Mongolian President interestingly did advise postponing the elections to use the cash-asset in pandemic response and save the nation from a potential danger of financial recession.<sup>161</sup>

It is also vital to assess the impact of C'19 on campaign finance on political parties and candidates. We can always convincingly argue that the campaign expenditure during C'19 elections is drastically less due to absence of rallies, little or no face-to-face interactions, and the shift to on-line campaigns. However, at the same time a counter-argument may prevail that the expenditure technically shifts from offline to online campaign approach. There are innovative methods of using the fund even online or other tools, thus the honesty and integrity of the contestants depends on their actual motif whether they want to be abide by the standard procedure or indulge in violating the law with clandestine approach. If “offline” campaigns are restricted, campaigning, alongside its spending, will sincerely shift on-line. The concerned EMBs and related authorities must ensure that law, which includes reasonable cap on expenses and materials, and its effective enforcement, directs such a campaign.<sup>162</sup>

154 Democracy in the Time of C'19: South Korea's Legislative Election, Published: April 23, 2020, Dongwoo Kim

155 What Democracy Looks Like: Protecting Voting Rights in the US during Covid-19 Pandemic, Human Rights Watch, Sept 22, 2020

156 Analyzing Mongolia's June 24 Parliamentary Elections: What Lies Ahead? International Republican Institute

157 Worldometers.info; accessed on July 30, 2020

158 Emerging COVID-19 success story: South Korea learned the lessons of MERS, ourworldindata.org/covid-exemplar-south-korea

159 Ibid

160 With Masks, Sanitizer & Gloves, South Koreans Go to the Polls, William Gallo, April 15, 2020

161 Adhy Aman, Elections in a Pandemic: Lessons From Asia, The Diplomat, August 05, 2020

162 Ibid

## Distant and Digital Campaigning

Deceitful political party, be it non-digital or digital, funding possess greatest threats to democratic and economic progress. Corrupt election financing compromise asset of democracy, which erodes development dream. Opaque financial transaction discourages inclusive participation, development and encourages cynicism. In many elections, money determines division more than on ideological, economic, social, factional and ethnic fronts.<sup>163</sup> Thus, if the digital campaigning is not properly regulated, the rising campaign cost will result in search for additional new income streams beyond official radar. The need for social/physical segregation for the duration of the C'19 pandemic has raised the need for innovative outreach campaign methods to be evolved as opposed to the candidates providing typical slogan engineering and old-school type marketing campaign processes like mass rallies, public conferences, corner speech, and fundraising activities. Remote and on-line election candidature also can be seen as restrictive for every candidates and electorate alike because of the obligation for maintaining physical and technological boundaries, which they are not accustomed to. With a sudden shift in the traditional modality, it requires additional resources for gadgets, proper technological expertise and realistic outreach catering techniques with pre-known consequences also by keeping acceptable democratic norms and standards without undermining the notion of informed and unrestricted choice of the people through free expression of their free will.<sup>164</sup>

## Interface between Franchise and Freedoms

Even during the most convenient time, running elections, and running in elections, might be a mammoth undertaking. From the democratic and political importance of the task, to its logistical complexity, there is no such things as an easy election. Elections are at the center of how we define modern democracy, but elections themselves do not equate to democracy. For a functioning democracy to exist, and a legitimate electoral process more specifically, there also possesses to be, at minimum, adequate protection of core democratic rights just like the freedoms of speech, assembly, and association. There also should be, more broadly, respect for the rule of law, which we'll simplify somewhat as: an acceptance among the political classes that constraints on political power don't seem to be just acceptable but desirable; that the common individual knows where they stand and what is going on to happen if they break the law; that those with political power are equally subject to the law; which law is applied impartially and not used as a partisan tool against opponents or critics. Where these criteria are not met, elections could also be run with admirable efficiency or innovation, but cannot ultimately be deemed fully free and fair.<sup>165</sup>

Even during the apex of conducive atmosphere, managing elections, and running in elections, is always a herculean task. From the democratic and political prominence of the mission, to its logistical complexity, there may be no things like an easy and comfortable electioneering. Elections are on the center of how we outline modern-day culture of democracy, but elections themselves do not equate to democracy. For a functioning democracy to exist, and a legitimate electoral technique more in particular, there also possesses to be, at minimal, adequate protection of fundamental democratic rights much like the freedoms of speech, assembly, and affiliation.

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163 Enhancing Clean Politics for Democratic Development, Gopal Krishna Siwakoti, PhD, National Election Observation Committee (NEOC)

164 Sri Lanka: Campaigning during the pandemic, Democracy Reporting International, 2020

165 Adhy Aman, Elections in a Pandemic: Lessons From Asia, The Diplomat, August 05, 2020

## PROBLEMS IDENTIFICATION

### Context Setting

The recent years saw political rights and civil liberties declined overall in Asia, as authoritarian rulers showed their disdain for democratic values through practices ranging from fabricated criminal cases against opposition leaders to mass persecution of religious and ethnic minorities. In several countries, repressive governments rounded on their perceived enemies after securing new terms through elections. The Philippines, which experienced a two-point decline on Freedom House's 100-point scale, solidified majorities for allies of President Rodrigo Duterte, who has overseen a campaign of extrajudicial killings. Prosecutors launched sedition cases against an array of critical politicians, clergymen, and civil society activists. Soon after Gotabaya Rajapaksa, the brother of Sri Lanka's former authoritarian ruler, was elected president himself, there were reports of a crackdown on journalists and law enforcement officials who had investigated the Rajapaksa family for alleged corruption and human rights violations. While Sri Lanka's overall score remained unchanged, its corruption score worsened. Indian Prime Minister Narendra Modi's discriminatory moves against the political rights of Muslims during the year followed the BJP's general election victories in the spring, contributing to a four-point decline.<sup>166</sup>

Thailand held its first elections since a military junta took control in 2014, enabling its return to Partly Free status, but opposition parties' relatively strong showing even in a fundamentally unfair electoral system prompted further repression by authorities. For example, the state filed spurious charges against key opposition leaders later in the year, and prodemocracy activists faced physical attacks.<sup>167</sup>

Conditions in other countries deteriorated in advance of elections due in 2020. Myanmar was downgraded to Not Free as armed conflicts between the military and ethnic rebel groups intensified. Members of the Rohingya minority who remained in the country after years of persecution and mass expulsions continued to face the risk of genocide, according to UN investigators. Singapore passed a "fake news" law that was quickly invoked to silence the opposition and other government critics, resulting in a score decline for freedom of expression.<sup>168</sup> Meanwhile, autocratic states with no competitive elections found new ways to oppress their citizens and consequently suffered declines in their scores. As China assailed the rights of its Muslim minorities, the sultanate of Brunei activated a new penal code derived from Islamic law that prescribed the death penalty for crimes such as sex outside of marriage.<sup>169</sup>

### Campaigning Constraint

The concern of spreading the disorder through the vote casting technique naturally inhibits the possibility for C'19 patients to forge their votes, given their need to be isolated. Indeed, healthful however prone citizens — consisting of those elderly 65 and above in addition to those at the lower rungs of the social ladder — also are at great risk.<sup>170</sup> The South Korean elections gave the instance of establishing unique polling stations for these patients, wherein election officials hired greater protection precautions. Singapore followed suit through additionally setting up such unique polling stations and by using booking the first four hours for the elderly, with combined outcomes.<sup>171</sup> With only a few lively C'19 instances at some stage in the elections, Mongolia did not set up such polling stations, however put in region a specific protocol in case a symptomatic voter changed into detected upon access to a polling station, wherein they could be isolated by health officers without delay. Malaysia had a similar method to Mongolia. One exquisite lesson from the South Korean elections turned into the fact that nearly half of in their overseas voters were not able to vote because of regulations imposed by their host countries given the severity of the outbreak there. Voting became due to take place in 166 South Korean missions overseas, but it turned into suspended in 91 of them. For Singapore, however, even under ordinary circumstances, OCV was most effectively accomplished in 10

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166 Freedom in the World 2020: A Leaderless Struggle for Democracy, Freedom House

167 Thailand: Structural Flaws Subvert Election, Human Rights Watch, 2019

168 Ibid

169 Ibid 20

170 Adhy Aman, Elections in a Pandemic: Lessons From Asia, The Diplomat, August 05, 2020

171 Elections need to be accessible for the ill during COVID-19 to avoid disenfranchisement: Erik Asplund, Bor Stevense, Toby James and Alistair Clark, 29/10/2020

diplomatic missions abroad. This issue caused some Singaporean citizens living abroad desiring to provide for more polling stations and for the adoption of extra special voting arrangements, consisting of postal and/or online voting. Regardless of the quantity of disenfranchised diaspora, ensuring OCV a success is fundamental to guarantee civil and political rights to every citizens regardless of their habitat.<sup>172</sup>

### **Compromised Transparency**

Conventionally, elections are monitored by deploying domestic and international observer organizations to make sure the processes are lawful and meet the requirements for an election performed with integrity. For C'19 elections, the scenario could be specific. Global travel regulations have prevented full-scale election observation missions from being conducted. For domestic observers, the need for physical distancing is an inevitable inhibitor from carefully following voting and counting procedures. These have not, however, faded the spirits and backbone of an observer organization in Mongolia including young humans underneath the “Coalition for truthful Elections.” previous to election day, they protested the constraints imposed through officers in 30 polling stations, who would only permit them to have a look at for two to 4 hours out of the 14-hour voting period. In the long run, 23 of the polling stations relented and allowed observers to stay the complete time. In Malaysia, regulations on observers do exist, but no longer so much on Election Day itself. The number of observers allowed was substantially restrained for all procedures up until the polling day. For polling day, aside from the same old masks and contact tracing recording, [there were] no regulations.

In many of the politically ‘significant’ elections, the practice of the deployment of domestic and foreign observers is common to make sure the electoral process is lawful and meet the basic benchmarks for an election accomplished with credibility and integrity. For C'19 era elections, the state of affairs in relation to the conduct of elections has become uniquely different. International travel regulations and mandatory quarantine have prevented full-scale election monitoring missions from being deployed.<sup>173</sup> From ANFREL’s perspective, this has been experienced in the case of elections held in Sri Lanka, Korea, and Myanmar. For domestic observers too, the need for physical distancing is an inevitable inhibitor from carefully following the entire cycle of electioneering. Unnecessarily tougher regulation has dwindled the spirits and resolution of an observation mission in Mongolia where one of the election observation groups protested the limitations imposed in 30 polling stations since they were allowed to observe only 3 to 4 hours on the E-Day. Ultimately, 23 of the polling stations relented and allowed observers to live the whole time. In Malaysia, rules on observers do exist, however not so much on Election Day itself. The quantity of observers allowed changed into substantially restricted for all tactics up until the polling day.<sup>174</sup>

## **FACTS AND FIGURES**

172 Securing the Vote: Protecting American Democracy, <https://www.nap.edu/read/25120/chapter/1>

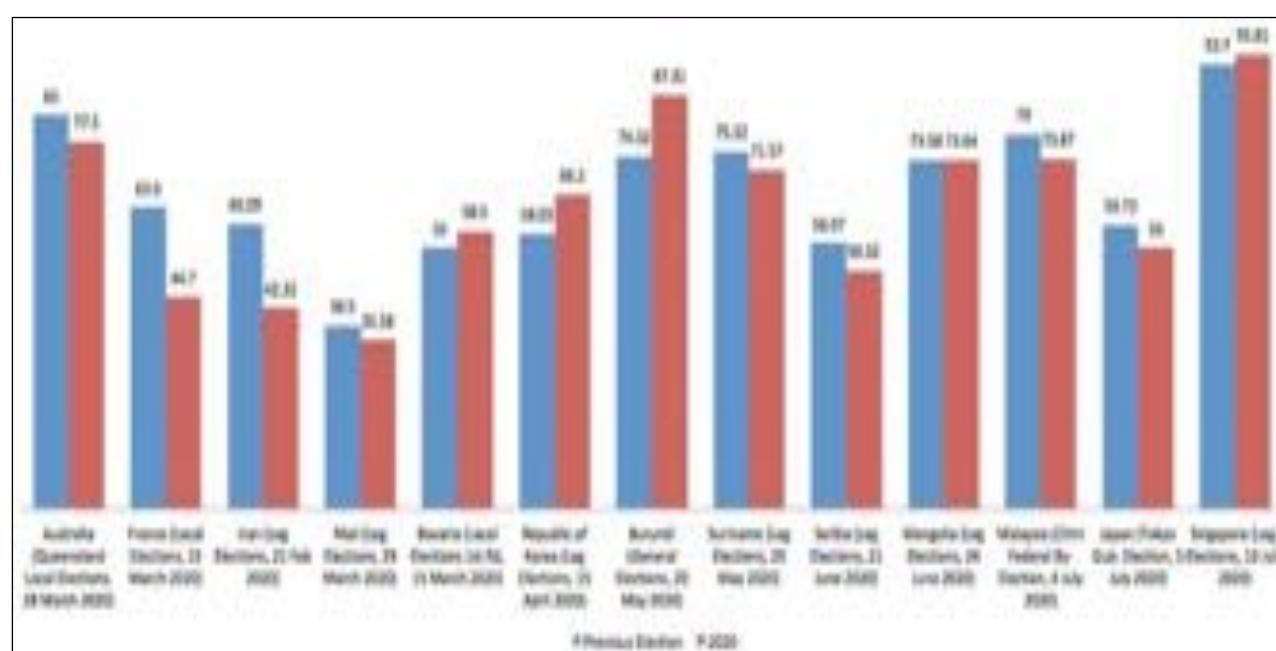
173 Adhy Aman, Elections in a Pandemic: Lessons From Asia, *The Diplomat*, August 05, 2020

174 Ibid

## Asia Pacific Outlook

National and subnational elections in Asia and the Pacific, 2020			
	National	Subnational	Total
Held on schedule	Australia Singapore Japan Kuwait Mongolia Sri Lanka Singapore South Korea Taiwan Thailand Vanuatu	Australia (+ 3 regions) China Malaysia (+ 3 regions)	100
Upcoming or rescheduled	American Samoa Macau Philippines	Australia (+ 4)	10
Postponed (so far)	Cameroon Papua New Guinea Philippines Solomon Islands New Caledonia New Zealand Samoa	Australia Bangladesh Government of Singapore China India (+ 3 states/territories)	100
Postponed and rescheduled	Hong Kong Kosovo/Kosovska Mitrovica	Australia Indonesia New Zealand	10
Postponed with no set date	Pakistan	China Kyrgyzstan Nigerian	10
Total	44	44	100

Source: International IDEA's Election Database. Data as of 12 March 2020. Data subject to change.



Voter turnout in notable C'19 elections since Feb. 2020. (Source: International IDEA Voter Turnout Database and other sources)

## REPRESENTATIVE CASE STUDIES

### Case Study 1: Reflection of India's State Elections

Roughly 15 million people voted in 94 constituencies across 17 districts of Bihar in the biggest phase of the assembly elections on Tuesday with a provisional turnout of 54.44%, marking a tough day for election officials who worked round-the-clock to ward off the C'19 threat. Assembly bypolls for 54 seats in 10 seats also passed off peacefully, and the voting percentage ranged from a low of 53% in Uttar Pradesh to a high of 87% in Nagaland. The most crucial among the bypolls is in Madhya Pradesh, where 28 seats are up for grabs in the 230-member assembly.

In Bihar, the provisional turnout was 1.73 percentage points less than the 2015 assembly polls (56.17%) in these constituencies. It was also lower than the first phase (55.69%) in 71 constituencies on Oct 28.

The electoral exercise going on in the country was by far the largest exercise in the world amid the pandemic...the voter turnout in the first phase had been exceptionally good. The voter turnout further continued and the confidence level had been much more in this phase. State capital Patna recorded the lowest voter turnout at 48.23%. Patna's Digha constituency, the largest assembly segment in terms of electorate (450,000), recorded the lowest voter turnout at 34.5%, followed by Bankipur at 35.9% and Kumhrar at 36.4%. Muzaffarpur district topped with the highest provisional turnout of 59.98%, followed by West Champaran at 59.69%, and Begusarai at 58.82%, according to information shared by the chief electoral officer.

Voting was largely peaceful, barring isolated instances of stone-pelting and clashes in Saran and Muzaffarpur. Police detained as many as 62 people across the state and seized 726 illegal firearms. Polling began at 7am, but the time for conclusion was extended by one hour till 6pm to facilitate C'19 patients and those with symptoms to exercise their franchise during the final hour. The process concluded early in Maoist-hit areas. Stakes were also high in Madhya Pradesh, which saw roughly 70% voting with sporadic incidents of violence reported from some areas in the Gwalior-Chambal region, resulting in bullet injuries to four persons. In the 2018 assembly elections, 73.39% polling was reported from these constituencies.

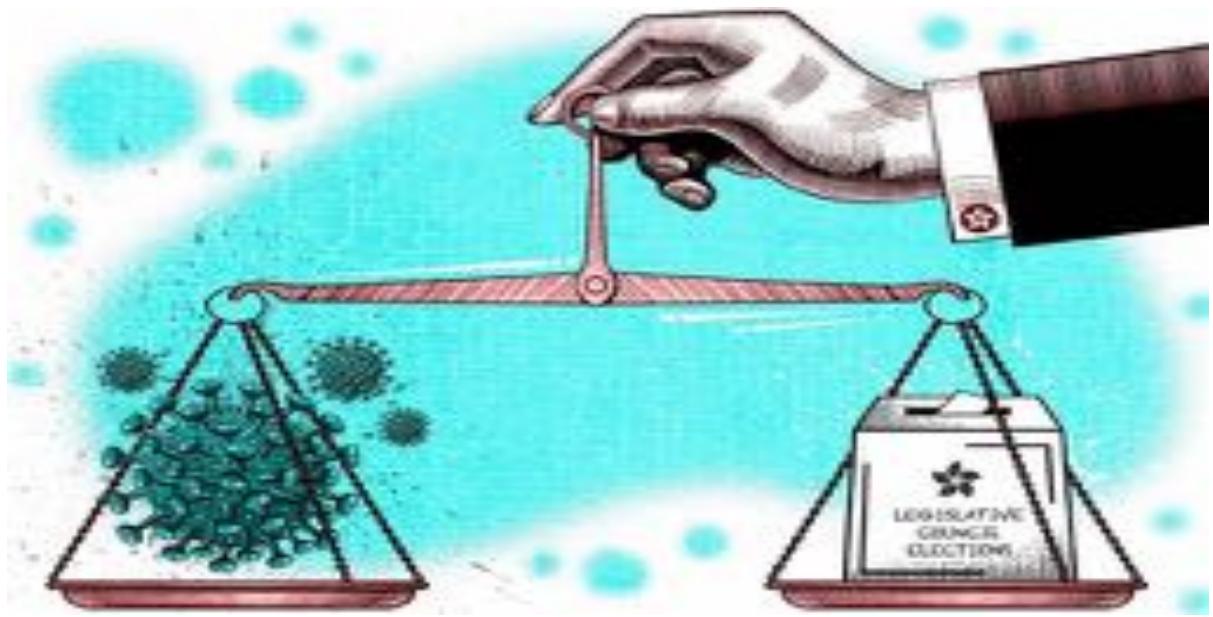
The polling was peaceful. The incidents of violence mainly took place away from the polling centres. The voter turnout was good in view of Covid situation.



PC: Santosh Kumar/ Hindustan Times

### Case Study 2: Hong Kong in Turmoil

"If we look around the world at where elections are being postponed to a later day what's important is for the government to build a political consensus, meaning to get both the pro-government parties and candidates as well as the opposition parties and candidates involved to agree to this very important decision, to make sure that the decision is credible," says Kenneth Chan a political scientist at Hong Kong Baptist University who initiated the Election Observation Project. "This didn't happen in Hong Kong." Instead, the political opposition slammed the decision as an attempt to stymie their electoral momentum. They had hoped the contest would allow them to translate their landslide win at neighbor-level polls last year into their first majority at the more powerful Legislative Council. In mid-July, over 600,000 people participated in the pro-democracy camp's primaries despite government's warnings that they might be illegal.



### Case Study 3: Indonesian Franchise

In early May, the Indonesian government postponed Sept. 23 elections in 270 regions until Dec. In total, the decision affects the elections of nine governors, 37 mayors and 224 district chiefs. According to the government regulation mandating the postponement, the elections could be postponed again upon the approval of the government, House of Representatives, and General Elections Commission. Indonesia's Election Commission had previously delayed election preparations after organizers tested positive for the coronavirus.

The postponement took time to become official. In late March, Indonesia's House of Representatives Commission in charge of regional autonomy, the Ministry of Home Affairs, the General Elections Commission, the Elections Supervisory Agency, and the Election Organization Council agreed to postpone the elections. However, there was a delay in announcing the postponement as the groups searched for a legal mechanism to justify the postponement. According to the country's Regional Election Law, district and local bodies hold a complete monopoly over their elections. In April, a senior official said a government regulation in lieu of law was the best way to circumvent the issue, according to the *Jakarta Globe*.

All election activity has been postponed until June. The election commission has 15 preliminary stages to prepare for an election. As of mid-April, five had been completed.

Source: *The Coronavirus Is Delaying Elections Worldwide*, Jacob Wallace, Darcy Palder, May 22, 2020, 6:00 AM, Updated June 5, 2020, 12:15pm EDT



#### Case Study 4: Sri Lanka in a Dramatic Transition

After the president called for a snap parliamentary election on April 25, Sri Lanka's Election Commission postponed the polls until June 20. In a bid to gain legislative control, Sri Lanka's president, Gotabaya Rajapaksa, dissolved the country's parliament in March. With the new election date, major opposition parties in the parliament called on the president to reconvene the party in an order to avoid a constitutional crisis—the country's constitution mandates the parliament be summoned no later than three months after a dissolution has been proclaimed. When the president refused, four major opposition parties petitioned the Supreme Court to review the change in election date and argued that the elections should not be held during the pandemic as the virus would restrict campaigning.

Sri Lanka has had a run of constitutional crises in recent years. In 2018, then-President Maithripala Sirisena dissolved parliament and appointed the current president's brother Mahinda Rajapaksa as prime minister. Gotabaya Rajapaksa is also hoping to gain enough support in parliament after these elections to implement electoral reforms that would replace the country's proportional representation electoral system, which allows minority parties to gain seats in the House.

Source: *The Coronavirus Is Delaying Elections Worldwide*, Jacob Wallace, Darcy Palder, May 22, 2020, 6:00 AM, Updated June 5, 2020, 12:15pm EDT



#### South Korea: An Innovative Model?

South Korea was one of the first countries to hold an election during the pandemic, voting for 300 members of its National Assembly on April 15, 2020. By most counts, the election can be considered a model for other countries. In addition to effectively containing the virus early on, the government encouraged the use of pre-existing special voting arrangements (SVA) such as early voting and expanded voting by mail, as well as made special polling facilities available in hospitals and medical centers for those who became ill after SVA application deadlines had passed. Officials communicated extensively about the measures they were taking so that citizens would feel safe about participating. They made resources available to hold elections safely, and were fortunate that by the time election day arrived, South Korea's virus curve had been low for about one month, which also gave citizens confidence about voting, resulting in the highest voter turnout in three decades.

## LINKAGE TO SDGs AND HUMAN RIGHTS STANDARDS

### SDGs Validation with Elections

Elections are an integral part of this global push towards a better tomorrow. Sustainable Development Goal 16: “Peace, Justice and Strong Institutions” offers specific guidelines to tackle imperative challenges such as building effective, accountable and inclusive institutions; guaranteeing election integrity and trust; and ensuring responsive, inclusive, participatory and representative decision-making at all levels. Electoral Management Bodies together with other election stakeholders must work together to shape the future of elections and strengthen democracy. They can have a great impact around the world by:

- Developing inclusive political processes to improve citizen participation, voice and accountability through electoral processes, civic engagement, and women’s political participation; with a special focus on groups experiencing significant marginalization, including persons with disabilities, LGBTIQ, and indigenous peoples;
- Building responsive and accountable institutions to deliver equitable public services and inclusive development at the central and local levels;
- Reducing inequality between women and men in positions of power and decision-making, in public and private institutions
- Giving individuals a legal right to access information, as part of a more transparent and open government that protects open data, whistleblowers, and asset declarations
- Guaranteeing capacity development and electoral education in fields such as electoral policy renovation, out-of-country voting, election technology and electoral assistance.

## The relationship between the SDGs and targets, and the GSoD Indices



Goal (Target)	Indicators	Attribute	Sub-attribute	Subcomponent
<b>1.Endpoverty Target1.3</b> Implement nationally appropriate social protection systems and measures for all, including floors, and by 2030 achieve substantial coverage of the poor and the vulnerable	1.3.1 Proportion of population covered by social protection floors/systems, by sex, distinguishing children, unemployed persons, older persons, persons with disabilities, pregnant women, newborns, work-injury victims and the poor and the vulnerable	2.Fundamental Rights	2.3.Social Rights and Equality	2.3.Basic Welfare
<b>2.Zero hunger Target2.1</b> By 2030, end hunger and ensure access by all people, in particular the poor and people in vulnerable situations, including infants, to safe, nutritious and sufficient food all year round	2.1.1 Prevalence of undernourishment 2.1.2 Prevalence of moderate or severe food insecurity in the population, based on the Food Insecurity Experience Scale (FIES)	2.Fundamental Rights	2.3.Social Rights and Equality	2.3.B.Basic Welfare



Goal (Target)	Indicators	Attribute	Sub attribute	Subcomponent
<b>3. Good health and well-being for all Target 3.8</b> Achieve universal health coverage, including financial risk protection, access to quality essential health-care services and access to safe, effective, quality and affordable essential medicines and vaccines for all	<b>3.8.1</b> Coverage of essential health services (defined as the average coverage of essential services based on tracer interventions that include reproductive, maternal, newborn and child health, infectious diseases, non-communicable diseases and service capacity and access, among the general and the most disadvantaged population) <b>3.8.2</b> Proportion of population with large household expenditures on health as a share of total household expenditure or income	2.Fundamental Rights	2.3.Social Rights and Equality	2.3.B.Basic Welfare



<b>4. Quality education Target4.2</b> By 2030, ensure that all girls and boys have access to quality early childhood development, care and pre-primary education so that they are ready for primary education	<b>4.2.1</b> Proportion of children under 5 years of age who are developmentally on track in health, learning and psychosocial well-being, by sex <b>4.2.2</b> Participation rate in organized learning (one year before the official primary entry age), by sex	2.Fundamental Rights	2.3.Social Rights and Equality	2.3.A.Social Group Equality 2.3.B.Basic Welfare 2.3.C.Gender Equality
<b>Target 4.5</b> By 2030, eliminate gender disparities in education	<b>4.5.1</b> Parity indices (female/male, rural/urban, bottom/top wealth quintile and			



and ensure equal access to all levels of education and vocational training for the vulnerable, including persons with disabilities, indigenous peoples and children in vulnerable situations	others such as disability status, indigenous peoples and conflict-affected, as data become available) for all education indicators on this list that can be disaggregated
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5. Gender equality	<b>5.1.1</b> Whether or not legal frameworks are in place to promote, enforce and monitor equality and non-discrimination on the basis of sex	2. Fundamental Rights	2.3. Social Rights 2.3.C. Gender Equality
<b>Target 5.1</b> End all forms of discrimination against all women and girls everywhere	<b>5.5.1</b> Proportion of seats held by women in national parliaments and local governments <b>5.5.2</b> Proportion of women in managerial positions		
<b>Target 5.5</b> Ensure women's full and effective participation and equal opportunities for leadership at all levels of decision-making in political, economic and public life			



Goal (Target)	Indicators	Attribute	Sub-attribute	Subcomponent
10. Reduced inequalities <b>Target 10.3</b> Ensure equal opportunity and reduce inequalities of outcome, including by eliminating discriminatory laws, policies and practices and promoting appropriate legislation, policies and action in this regard	<b>10.3.1</b> Proportion of the population reporting having personally felt discriminated against or harassed within the previous 12 months on the basis of a ground of discrimination prohibited under international human rights law	2. Fundamental Rights	2.3. Social Rights and Equality	2.3.A. Social Group Equality 2.3.C. Gender Equality
11. Sustainable cities and communities <b>Target 11.3</b> By 2030, enhance inclusive and sustainable urbanization and capacity for participatory, integrated and sustainable human settlement planning and management in all countries	<b>11.3.1</b> Ratio of land consumption rate to population growth rate <b>11.3.2</b> Proportion of cities with a direct participation structure of civil society in urban planning and management that operate regularly and democratically	5. Participatory Engagement	5.4. Local Democracy	
16. Peace, justice and strong institutions <b>Target 16.1</b> Significantly reduce all forms of violence and related death rates everywhere	<b>16.1.1</b> Number of victims of intentional homicide per 100,000 population, by sex and age <b>16.1.2</b> Conflict-related deaths per 100,000 population, by sex, age and cause <b>16.1.3</b> Proportion of population subjected to physical, psychological or sexual violence in the previous 12 months <b>16.1.4</b> Proportion of	2. Fundamental Rights	2.2. Civil Liberties	2.2.A. Freedom of Expression 2.2.B. Freedom of Association and Assembly 2.2.C. Freedom of Religion 2.2.D. Freedom of Movement 2.2.E. Personal Integrity and Security

population that feel safe walking alone around the area they live

<b>Target16.3</b> Promote the rule of law at the national and international levels and ensure equal access to justice for all	<b>16.3.1</b> Proportion of victims of violence in the previous 12 months who reported their victimization to competent authorities or other officially recognized conflict resolution mechanisms  <b>16.3.2</b> Unsentenced detainees as a proportion of overall prison population	2. Fundamental Rights  4. Impartial Administration	2.1. Access to Justice  4.2. Predictable Enforcement
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Goal (Target)	Indicators Attribute	Sub attribute	Subcomponent	
<b>Target16.5</b> Substantially reduce corruption and bribery in all their forms		<b>16.5.1</b> Proportion of persons who had at least one contact with a public official and who paid a bribe to a public official, or were asked for a bribe by those public officials, during the previous 12 months  <b>16.5.2</b> Proportion of businesses that had at least one contact with a public official and that paid a bribe to a public official, or were asked for a bribe by those public officials during the previous 12 months	4. Impartial Administration	• Absence of Corruption
<b>Target16.6</b> Develop effective, accountable and transparent institutions at all levels		<b>16.6.1</b> Primary government expenditures as a proportion of original approved budget, by sector (or by budget codes or similar)  <b>16.6.2</b> Proportion of the population satisfied with their last experience of public services	4. Impartial Administration  5. Participatory Engagement	4.2. Predictable Enforcement  5.1. Civil Society Participation  5.4. Local Democracy
<b>Target16.7</b> Ensure responsive, inclusive, participatory and representative decision-making at all levels		<b>16.7.1</b> Proportions of positions (by sex, age, persons with disabilities and population groups) in public institutions (national and local legislatures, public service, and Judiciary) compared to national distributions  <b>16.7.2</b> Proportion of population who believe decision-making is inclusive and responsive, by sex, age, disability and population group	1. Representative Government  3. Checks on Government  5. Participatory Engagement	1.1. Clean Elections 1.2. Inclusive Suffrage 1.3. Free Political Parties 1.4. Elected Government  3.1. Effective Parliament 3.2. Judicial Independence 3.3. Media Integrity  5.1. Civil Society Participation 5.2. Electoral Participation 5.3. Direct Democracy 5.4. Local Democracy





Goal (Target)	Indicators	Attribute	Sub-attribute	Subcomponent
<b>Target 16.10</b> Ensure public access to information and protect fundamental freedoms, in accordance with national legislation and international agreements	<p><b>16.10.1</b> Number of verified cases of killing, kidnapping, enforced disappearance, arbitrary detention and torture of journalists, associated media personnel, trade unionists and human rights advocates in the previous 12 months</p> <p><b>16.10.2</b> Number of countries that adopt and implement constitutional, statutory and/or policy guarantees for public access to information</p>	<p>2. Fundamental Rights</p> <p>3. Checks on Government</p> <p>5. Participatory Engagement</p>	<p>2.2. Civil Liberties</p> <p>3.3. Media Integrity</p> <p>5.1. Civil Society Participation</p>	<p>2.2.A. Freedom of Expression</p> <p>2.2.B. Freedom of Association and Assembly</p> <p>2.2.C. Freedom of Religion</p> <p>2.2.D. Freedom of Movement</p> <p>2.2.E. Personal Integrity and Security</p>

## MAJOR CONTENTION AND CHALLENGES

### General Potential Areas of Debate and Discourse

#### Discourse #1: Delimitation of Electoral Constituencies

*Contextual Reference:* Scientific, transparent and practical electoral districting is the inspiration for a truthful election. Electoral constituency delineation generally refers to the procedure of drawing electoral district barriers. However, it can also be used to denote the method of drawing vote-casting areas (additionally referred to as polling regions, districts or election precincts) for the purposes of assigning citizens to polling centers. The periodic delimitation of electoral constituencies is important in any democratic and fair representation system. If electoral barriers are not periodically adjusted, population inequities expand across districts resulting in unfair representation character. Accordingly, electoral limitations have to be periodically re-drawn to deal with demographic landscape to prevent from gerrymandering with a giant threat to credible electioneering within the long run. In some nations in Asia, this type of delimitation is done without appropriate consultation and consideration of the prerequisite as stated above.<sup>175</sup>

#### Discourse #2: Legal Frameworks

*Contextual Reference:* A complete (covering all main components of electioneering), consistent, open, transparent and democratic regulatory framework is vital asset of constitutional, legislative, regulatory, jurisprudential and managerial policies that together establish the rights of citizens to take part in all phases and degrees of the election in conformity with global benchmarks. Such a framework is normally derived from international human rights instruments, regional protocols and agreements around freedom of elections. Apart from election to the public officials, citizens have to be allowed to talk about the law drafting process, governmental decisions and resolutions apart from the parliamentary procedure with informed discussion. The central additives of customary franchise such as periodic elections, secrecy of ballot, opportunity for expression of free will and access to governance without discrimination are key to adoption of a legal framework based on democratic values. Non-compliance with the above standards will trigger hazard of compromising the freedom of elections and potential dangers of derogated electoral procedure.<sup>176</sup>

#### Discourse #3: Voter Registration

*Contextual Reference:* The first and foremost factor to determine electoral risk among the technical electoral themes is the voter registration process. A clean voter roll is the source of a clean election. Voter registration, an inalienable part of universal adult franchise, establishes the eligibility of individuals to vote. As one of the costlier, time-consuming and complex aspects of the electoral process, it often accounts for a considerable portion of the budget, staff time and resources of an election management authority since voter roll is a round the year process. If conducted well with proactive outreach by the concerned authority, voter registration is key to confer legitimacy to the process. The entire electoral process may be perceived as illegitimate should the registration system be flawed and dirty. Any forms of deliberate and insensitive practice of disenfranchisement of a huge section of eligible voters both within and outside of the country will obviously pose a serious risk of developing feeling of exclusion, isolation thereby potential dis-ownership of hard-earned democratic process in a given country.<sup>177</sup>

#### Discourse #4: Electoral Education

*Contextual Reference:* Uninformed and uneducated citizenry is one of the biggest risks in electoral regime. Voter education takes place to not only assist the election administration in its task of delivering a free, fair, efficient and cost-effective election; it includes a process of preparing informed citizenry with sovereign choices and options. Gone are the days simply to offer basic voter information that every voter must have in order to arrive prepared at the voting station and vote on the dedicated polling day. Broader civic education combined with electoral education and human rights safeguards are vital to prepare sovereign voters. Attitudes, behaviors, and knowledge among citizens that stimulate and consolidate democracy are the core thrust behind empowerment of citizens through electoral education not only to reduce the risks of spoilt votes but at the same time empower voters means ensuring of effective organization and activism by citizens in support of parties and/or causes, that is essential to a peaceful, free, fair and credible election, including acceptance of results and tolerance of the competition and opposition. The current voter education package in most of the countries is

<sup>175</sup> <https://aceproject.org/ace-en/topics>

<sup>176</sup> Assessment of Electoral Risks in Nepal, NEOC-2019

<sup>177</sup> Ibid

limited to voter information which covers purely logistic aspect of elections such as information about the date of e-day, type of ballot papers, polling stations and centers, method of voting etc.<sup>178</sup> There's no connectivity with empowering a voter to make him/her able to choose the candidate with informed choice. It does not offer the civic educator a comprehensive toolbox for outreach with comprehensive education. Uninformed, uneducated and marginalized population means they have absolutely no say in the democratic

#### Discourse #5: Political Financing

*Contextual Reference:* Clean, open and transparent financial integrity is key to run any political party to continue to stabilize public trust and confidence. Financial management is a delicate issue and a slight deviation could damage the entire credibility of a political party. Today, in the context of many Asian countries, the values and principles that are important to election integrity are at stake in the area of political finance. In several contexts, political financing is mostly funneled through secret channels instead of transparent source and means. The financing of political parties in terms of their economic resources at the disposal of the party and for the achievement of their mission has not been explicitly regulated in many domestic laws. The regulation of political party funding has no solid constitutional status. Enactment of clear laws and regulations; establishment of independent political finance regulator; oversight powers of political finance regulator in the areas of disclosure, audits and investigations; and enforcement powers of political finance regulator in the areas of material incentives, administrative and civil and criminal are missing components to ensure integrity of the political parties. The absence of proper monitoring and control over political finance from the viewpoint of ethics, fairness, equity, accountability, transparency and accessibility is reflected in the election integrity throughout the electoral process. Such a precarious context warrants for an enormous electoral risk against the mandatory notion of a 'leveled playing field' in electoral contest. The ultimate results are that the voters will lose confidence with political parties in question and the risk of the culture of democratic practice derails becomes eminent.<sup>179</sup>

#### Discourse #6: Code of Conduct

Compliance with the electoral Code of Conduct (CoC), a set of written rules that govern the behavior of public officials or private individuals or organizations, is one of the most neglected electoral components in several Asian countries. The CoC for political parties is usually a voluntary agreement on rules of behavior for political parties and their supporters during an election campaign. Especially in transitional contexts, where the rule of law is not yet fully developed and trusted, the goal of establishing a code of conduct has been to help political parties agree on accepted rules of the game and increase confidence in the electoral process. CoC that involve encouraging or requiring political parties and candidates to meet regularly during the election campaign can contribute to avoiding violent conflicts and increase public support for the democratic process. Political parties are more likely to feel bound by commitments into which they have freely entered, and therefore may be more likely to fulfill those commitments. Although compliance with the CoC is generally a voluntary act founded on moral authority, gross violation of such CoC should constitute legal liability, which is sadly a state of absenteeism in Nepal.<sup>180</sup>

Although the electoral laws and directives provide for the CoC that apply to electoral officials, security organs, other public officials carrying out election-related responsibilities, political parties, candidates, observers, CSOs and the media, prevalent unethical behavior especially among political parties and candidates is rampant. Although technically, it has been considered to be binding, individuals and entities subject to violation of such codes have rarely been held legally accountable for their actions with sanctions and punitive action for non-compliance. Due to obvious and multiple incidences of non-compliance with the CoC, it has been hard to keep the election campaign within acceptable limits, thereby it has posed serious risk of exacerbated tension between political parties/candidates and/or their supporters with occurrences of rift and even violence, disorder and disruptions during the campaign period and thereafter. This has triggered a high level of risks of deeply entrenched frustration among public and other 'conventional' electoral contestants, which has also triggered security related risks.<sup>181</sup>

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178 NEOC Election Observation Comprehensive Report-2017

179 Performance Accountability and Combating Corruption, Edited by ANWAR SHAH-2020

180 Ibid

181 Assessment of Electoral Risks in Nepal, NEOC-2019

## **Discourse #7: Campaign Financing**

Clean, open and transparent financial integrity is key to run any political party to continue to stabilize public trust and confidence. Financial management is a delicate issue and a slight deviation could damage the entire credibility of a political party. Today, in many Asian nations, the values and principles that are important to election integrity are at stake in the area of campaign finance. Development of policy goals, adoption of a legal/regulatory framework, implementation, enforcement, and definition of the role of the public has to become a critical agenda. The financing of political parties in terms of their economic resources at the disposal of the party and for the achievement of their mission has not been explicitly regulated in the law in most of the countries. The regulation of political party funding has no solid constitutional status. It also brings the question of transparency of political party organizations. Enactment of clear laws and regulations; establishment of independent political finance regulator; oversight powers of political finance regulator in the areas of disclosure, audits and investigations; and enforcement powers of political finance regulator in the areas of material incentives, administrative and civil and criminal remain major risks to ensure integrity of the political parties. The deficiency of ethics, fairness, equity, accountability, transparency and accessibility are deeply associated risk factors. In several contexts, the campaign financing is mostly funneled through secret channels instead of transparent source and means, which is another big risk from financial health perspective of the nation as a whole.<sup>182</sup>

## **Discourse #8: Electoral Administration**

Proper electoral management is key to consolidate democratic institutions. Election management is beyond technical administration; thus, it encompasses both the entity responsible for governing elections and the various mechanisms, roles and functions this entity may have. From only being responsible for the polling, conducting and tabulating of votes, the responsibilities of the EMBs are extended to also include registration of political parties, oversight of campaign finance, design of the ballot papers, resolution of electoral disputes, and civic and voter education. Since the EMBs are ultimately responsible for safeguarding the legitimacy of democratic institutions and the peaceful transitions of power, they need to ensure that all aspects of any electoral contest meet global norms and follows the fundamental guiding principles of elections, including independence, impartiality, integrity, transparency, efficiency, professionalism and service-mindedness.<sup>183</sup>

Various risk factors are associated due to the absence of the provision for an open and competence-based election process of the officials to ensure objective independence of the EMBs. Since elections in the recent years have taken place using ‘fast track’ process, the elements of deficiency in electoral administration in ensuring key universal principles and good practices to promote professional, impartial and accountable administration has to some extent contributed to erode the expected autonomy of the EMBs especially due to the governments’ high-handedness. This has raised speculation about its sterling administrative performance to serve in the best interest of the voters through effective, independent and self-governing approach.<sup>184</sup>

## **Discourse #9: Electoral Justice/Dispute Resolution**

There has been increasingly priority focus on election disputes worldwide in recent years. In Asian context too, political controversy and sense of distrust surrounding the complaints and appeals procedures is prevalent. Electoral disputes have been potential factors to grossly undermine the integrity of the electoral process and lead to social and political conflict which may lead to a massive civil strife in the absence of an effective election related grievance redress mechanism EDR should be considered as an integral part of the electoral justice which covers all stages and phases of electioneering rather than merely confining to post-election dispute management. In Asia, EDR has become a less intensity agenda in the electoral process. Although complaints are received but investigations are rarely done, and adjudication is tediously slow. Transparent mechanism for verification of final results and certification, acceptance for adjudication of serious complaints, an appropriated is put ere solution mechanism which operates in an impartial and non-partisan manner, settlement of court disputes without undue delay, a timeframe for constitution of parliament prescribed by a legislation and a complainant with a reasonable case able to pursue the case without unreasonable personal or financial risk that are key to a competent EDR process, have been either deficient or entirely missing. In the overall in-action and absence of political will among key actors in ensuring faster and effective EDR with legality, certainty, objectivity, impartiality, authenticity, clarity and justice, often the EDR has been just a showcasing process

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182 Political Integrity, <https://www.opengovpartnership.org/policy-area/elections-political-finance/>

183 Assessment of Electoral Risks in Nepal, NEOC-2019

184 Assessment of Electoral Risks in Nepal, NEOC-2019

resulting in gross public distrust in the election administration, government and the designated mechanism. This has resulted in substantial risks in ensuring credibility of the election process, including security related hazards.<sup>185</sup>

#### Discourse #10: Out of Country Voting

The right of expatriates to vote in elections in their countries of origin varies depending on the legislation of an expatriate's country of origin. Some countries grant their expatriate citizens unlimited voting rights, identical to those of citizens living in their home country. Other countries allow expatriate citizens to vote only for a certain number of years after leaving the country, after which they are no longer eligible to vote. Other countries reserve the right to vote solely to citizens living in that country, thereby stripping expatriate citizens of their voting rights once they leave their home country. Rapid globalization of political, personal and professional life, the spread of democracy throughout the world and an increase in migration have all contributed to an increasing interest in voting rights for migrant workers, diplomats, members of the security institutions serving overseas and other people who are temporarily or permanently absent from their own country, including refugees. The ability of these people to exercise their right to vote when an election in their home country takes place has long been an issue in electoral design and management with progressive success.<sup>186</sup>

There is no external voting law in most of the countries although millions of eligible voters live out of country as both migrant workers and other forms of diaspora. Generally speaking, to proceed with external voting is a herculean task with full of challenges and risks. Comparative review of different contexts, types of election to which external voting applies, determining persons eligible to out of country voting, voting procedures in use for external voting, political representation for external voters are important factors to consider. Accordingly, legal framework of out of country voting, structural problems of external voting, entitlement to out of country voting entitlement to out of country voting conditions for entitlement to vote, registration of external electors also needs to be taken into account.<sup>187</sup> Finally, arrangements concerning the host country issues in terms of legality and negotiating with host countries, data collection and costs factor, special political and logistical requirements and "e-voting" should form solid homework before entering into external voting regime. In the beginning, perhaps, it can be done through introducing registration in various viable spots and mechanisms with advance voting facility. Isolation and constant non-participation of a considerable section of eligible voters, who are mostly contractual migrant workers and the source of a major remittance economy, is a considerable risk of exclusion of millions of eligible voters to fragile democracies. Such an unequal treatment of the country's own citizens will not only erode legitimacy of transnational citizenship but also pose an irreparable risk of total alienation from the democratic development of the nation.<sup>188</sup>

## C'19 AND ELECTORAL INTEGRITY

### 1. Monitoring: Impact of the C'19 on Democracy and Civic Space

#### Regional Reflection

The International Centre for Non-Profit Law (ICNL) has identified 75 new measures by governments responding to the C'19 pandemic in 25 countries in Asia and the Pacific. These include legislative actions (passage of laws and regulations, orders/decrees), executive orders/decrees, and other practices that have not been codified, such as policies criminalizing the spread of information about C'19. We outline examples of measures being used to address C'19 that affect civic freedoms below.<sup>189</sup> 16 countries have either taken legislative action to address the corona virus whereas 15 countries have fully or partially prohibited gatherings. Many national and provincial governments in the region have enacted states of emergency, often issued as executive orders or proclamations. ICNL has counted 29 declarations of a state of emergency (including provincial issuances), national health emergency, or national disaster in 21 countries. Recorded are 37 other executive measures not arising to a state of emergency (including the prohibition of gatherings, imposing curfews, surveillance, penalties for misinformation, among others). As expected due to the nature of the public

185 [https://aceproject.org/ace-en/topics/lfb/lfb02/mobile\\_browsing/onePag](https://aceproject.org/ace-en/topics/lfb/lfb02/mobile_browsing/onePag)

186 Out of Country Voting, A Case Contemplation from Nepal, Gopal Krishna Siwakoti, PhD, 27 – 28 Nov 2019, Bangkok

187 Ibid

188 Out of Country Voting: Options, Risks and Opportunities, Ian Smith, International Foundation for Electoral Systems, May, 2018

189 Corona virus and Civic Space, [www.icnl.org](http://www.icnl.org)

health crisis around C'19, many of these measures heavily curb free movement and peaceful assembly, either outright banning all gatherings, or limiting gatherings to smaller crowds.<sup>190</sup>



Source: [www.re liefweb.int](http://www.re liefweb.int)

190 Ibid

Below are general observable trends arising from governments' responses to the pandemic, which are likely to unduly affect the work of civil society and other stakeholders.<sup>191</sup>

- Limited oversight on scope and use of emergency measures
- Securitization and abuse of force
- Free expression and disinformation restrictions
- Increased harassment of vulnerable communities, minorities, journalists, and activists
- Surveillance and privacy concerns
- Limits on public participation
- Administrative barriers, shifting narratives

## 2. Assessment : Response to C'19in Terms of Democracy and Civic Space

### Stakeholder Response

**Positive Government Practices:** Despite the multitude of concerning measures implemented by governments in Asia-Pacific, a number of states have stood out not only in the region but also globally for implementing positive regulatory measures around civic space during C'19. These include:

- Reducing barriers to funding or project approval
- Providing for government oversight
- Transparency and access to information
- Minimizing government detention of persons
- Safeguarding free and fair elections

**CSO response:** Amidst closures of civic space, including extensive bans on gatherings and assembly, CSOs have been actively engaged, not only not only in providing essential services and support in the fight against C'19 but in continuing to advocate for civic freedoms. Below are some examples of CSO responses and

**Dissolution of House of Representatives in Nepal  
Joint Statement of Nepalese Civil Society Organizations  
29 Dec 2020**

*Being an indispensable partner of democratic movement and a pillar of democratic system, civil society and civil society organizations of Nepal have been closely observing the actions of the government, political parties and other concerned actors. Nepalese civil society organizations are deeply concerned about the recent dissolution of the House of Representatives and announcement of the date for the midterm elections in May 2021 by the President Ms. Bidhya Devi Bhandari upon the recommendation by the Prime Minister Mr. K.P. Sharma Oli.*

*It is our conclusion that this particular move is indeed a misfortune with a serious impact on values and norms of democracy as well as is entirely in contrary to the interest and aspiration of Nepalese peoples. It is an unexpected shock and surprise to the ordinary citizens whilst the nation is already affected by health, financial and social crisis. Victimizing the parliament and pushing the country towards instability because of intra-party feud for the sake of power rivalry within the ruling party cannot be justified under any pretext.*

*We speculate that the ongoing action of the political parties after the dissolution of the parliament is gradually moving towards erosion of the historical achievements gained by Nepalese peoples through a long struggle. We aren't prepared to simply accept any acts and interventions in opposition to the values and norms of democracy and its mounted principles.*

*Therefore, we appeal to all the political parties to pursue meaningful dialogues with standing on the foundation of the constitution and democracy and to come out with concrete political solutions. We also appeal to the government and the concerned authorities to swiftly act towards avoidance of possible criminal and violent activities, and to safeguard fundamental rights of the citizens.*

strategies to C'19 regulatory measures: a) Monitoring & tracking threats b) Awareness-raising c) Domestic advocacy d) International advocacy e) Counter-narratives f) Litigation

While much attention has fallen on the actions of states, positive and negative, there has been far less acknowledgement of the vital role played by civil society. Even in difficult conditions of restricted civic space, there was a rapid and vital civil society response. Civil society met needs, defended rights and forged new paths for civic action. In country after country, a diverse range of civil society groups scrambled to meet the needs of

191 Ibid

communities most affected by the crisis. Often civil society stepped in where others failed to act, working to fill gaps left by states and businesses. Much of civil society's responses focused on mitigating the impacts of state policies that imposed lockdowns and halted many aspects of daily life, which affected vulnerable and excluded groups first and worst. Lockdowns, curfews and other emergency restrictions were often imposed hurriedly, with little preparation and mostly with no consultation with civil society, and consequently had unforeseen impacts. While many states offered support in response to the dramatic slowdown of economic activity, schemes were often inadequate, leaving many people still struggling. They often failed to take into account the needs of particular excluded groups. For example, many people working in the informal economy could not access support measures that only recognised formal labour; people lacking official identity documents, including undocumented migrants, often did not qualify for assistance; women, among others, were marginalized by support schemes that targeted men as heads of households.<sup>192</sup> Civil society worked to compensate for these deficits by providing vital support and information. Alongside responses to meet essential needs, civil society worked to defend the rights of those whose access to rights was further hampered. Among people affected were women who became much more exposed to gender-based violence (GBV) while locked down at home, ethnic, racial and religious minorities and LGBTQI+ people who were slurred as sources of contagion, and people living on the streets or in informal settlements, who were most at risk of both contagion and punishment for violating emergency regulations. Civil society worked to monitor and expose rights violations and campaign and advocate for policies that better served excluded groups. Civil society also sought to hold states accountable for decisions made in responding to the pandemic, including major but often opaque decisions on procurement and the use of resources.<sup>193</sup>

Many states worked to restrict the ability of CSOs to act, while privileging private sector allies. Nevertheless, repeatedly, in the face of these challenges, civil society adopted a can-do mindset, mounting a positive response characterized by flexibility, creativity and innovation. CSOs redeployed staff and financial resources to serve urgent needs. CSOs that normally prioritize advocacy for rights rapidly reoriented to providing essential supplies and services, including food, healthcare and cash support, to help sustain communities. CSOs that normally work closely with communities found other ways of serving people who could no longer be physically reached. Everywhere, CSOs became trusted sources of information and enemies of misinformation. Alongside the redeployment of existing CSOs, numerous new neighborhood-level mutual help groups quickly formed, tapping into and enabling local resilience. Protests for rights went online or found alternate ways of gathering that respected physical distancing and embraced creative means of expressing dissent.<sup>194</sup>

## Fines and Prison Terms

Country	Law	Offense Amounts (US\$)	Prison Terms (months)
Burundi	Decree 34, Chapter 14B of the Public Order Act	1,000,000 (Health-related)	36 months
Cambodia	Public Health Law (Article 5)	1,000,000 (Health-related)	32 months
Indonesia	2008 Electronic Communication and Telecommunications Law	1,000,000 (Dissemination, Disseminating Information, False News)	36 months
Lao PDR	I. Article 129 of the Criminal Code II. Decree 307	I. 1,000,000-10,000,000 (Health-related) II. 10 years	40 months
Malaysia	Dec 30th 2020 of the Communications and Multimedia Act of 1998	1,000,000-3,000 (Dissemination of false information)	12 months

<sup>192</sup> Ibid

<sup>193</sup> Solidarity in the Time Of C'19 Civil society responses to the pandemic, CIVICUS 2020

<sup>194</sup> Ibid

<b>Myanmar</b>	i. Article 66(d) of the Telecommunications Law ii. Article 506 (2) of the Penal Code	i. Unspecified ii. Unspecified	i. 30 months ii. 24 months
<b>Philippines</b>	Anti-Fake Content Act (Proposed)	U.SNL 100 (Fake news)	72 months
<b>Timor-Leste</b>	Digital Defamation Law (proposed)	Unspecified	72 months
<b>Singapore</b>	An amendment to Online Misinformation and Manipulation Act	UOB 14(2)(b) (Fake news)	12 months
<b>Thailand</b>	Computer Crime Act of 2007	(64) 100 (Fake news)	60 months
<b>Vietnam</b>	Fake News Decree	U.SAVOC (Fake news, defamation)	Unspecified

Source: C'19 and Democracy in Southeast Asia, Building Resilience, Fighting Authoritarianism

## SPECIFIC CASE DEMONSTRATION

### 1. Response from UN & Multilateral Resources

- UN experts warn of closing digital space amid C'19 pandemic, UN Human Rights Office of the High Commissioner (July 30, 2020)
- Statement on C'19 Emergency Derogations, UN Human Rights Committee Statement (April 30, 2020)
- Joint statement on safety of journalists and access to information during the C'19 crisis, Groups of Friends (April 17, 2020)
- State responses to C'19 threat should not halt freedoms of assembly and association, UNSR Clément Vooule (April 14, 2020)
- UN Human Rights Treaty Bodies call for human rights approach in fighting C'19 (March 24, 2020)
- C'19: States should not abuse emergency measures to suppress human rights (March 16, 2020)

## 2. Response from the Governments

### Case Study 1: India's turn toward Hindu nationalism

The first major step was the central government's unilateral annulment of the semiautonomous status of Jammu and Kashmir, India's only Muslim-majority state. Federal authorities replaced the state's elected institutions with appointees and abruptly stripped residents of basic political rights. The sweeping reorganization, which opponents criticized as unconstitutional, was accompanied by a massive deployment of troops and arbitrary arrests of hundreds of Kashmiri leaders and activists. Restrictions on freedom of movement and a shutdown of mobile and internet service made ordinary activities a major challenge for residents. As a result, Indian Kashmir experienced one of the five largest single-year score declines of the past 10 years in *Freedom in the World*, and its freedom status dropped to Not Free.

The government's second move came on August 31, when it published a new citizens' register in the northeastern state of Assam that left nearly two million residents without citizenship in any country. The deeply flawed process was widely understood as an effort to exclude Muslims, many of whom were descended from Bengalis who arrived in Assam during the colonial era. Those found to be undocumented immigrants were expected to be placed in detention camps. However, the Bengali population that was rendered stateless included a significant number of Hindus, necessitating a remedy that would please supporters of the ruling BJP.

That remedy was provided by the third major action of the year, the Dec passage of the Citizenship Amendment Law, which expedites citizenship for adherents of six non-Muslim religions from three neighboring Muslim-majority countries. In effect, India will grant Hindus and other non-Muslims special protection from persecution in Bangladesh, Pakistan, and Afghanistan, but Muslims—including those from vulnerable minority sects or from other neighboring states like China and Sri Lanka—will receive no such advantage. Home Affairs Minister Amit Shah has pledged to repeat the Assam citizens' register process nationwide, raising fears of a broader effort to render Indian Muslims stateless and ensure citizenship for non-Muslims.

These three actions have shaken the rule of law in India and threatened the secular and inclusive nature of its political system. They also caused the country to receive the largest score decline among the world's 25 largest democracies in *Freedom in the World 2020*. Tens of thousands of Indians from all religious backgrounds have taken to the streets to protest this jarring attack on their country's character, but they have faced police violence in return, and it remains to be seen whether such demonstrations will persuade the government to change course.



## Case Study 2: Hong Kong Trouble Timeline

<p>The Chief Executive, who serves a five-year term, is chosen by a 1,170-member election committee. Some 200,000 “functional constituency” voters—representatives of 40 industry and social sectors, made up of those directly elected and their controlled members, and the remaining 900 composed of Legco members, Hong Kong delegates to the NPC, religious representatives, and living members of the Chinese People’s Congress Consultative Conference (CPPCC), in Chinese government positions both at home and abroad.</p> <p>In 2017, Carrie Lam, a former deputy to outgoing chief executive Leung Chun-ying and Beijing’s key local candidate, was chosen as Hong Kong’s fourth—and final executive, with 777 election committee seats, more than enough to meet financial secretary Jane Tsang, nominated over 600 votes despite being the most transparent claim as pro-HK opinion polls. As in the past, the selection process featured no record majority of Legco members for central government representatives of the Legco in 10 years, 35 are elected by functional constituency voters, 15 are chosen through direct elections in their geographical constituencies, and the remaining four are directly elected after nominations by major Hong Kong 18-member councils from among their own members. Members serve five-year terms.</p> <p>In the September 2019 elections, a pro-democracy movement emphasizing freedom and self-determination refused to compete with existing pro-Beijing and pro-governmental parties. Candidates from this movement won’t go out of the zone (territorial) boundaries captured six seats. Other pro-democracy parties took 21 seats, while pro-Beijing parties won all 45 independent from the remaining ones.</p> <p>Authorities have responded to the new opposition by raising qualification rules, forcing out some lawmakers, and making it increasingly difficult for localist and pro-democracy candidates to win office. In October 2019, after several localist and pro-democracy Legco members offered their offices of office as a form of protest, the newly elected members—Lam Yiu-chung, Wong Yan-kit, and Ngai Chi-cheng—were removed. The NPC in December issued an unusual Basic Law interpretation that forbids requiring voters to take “solemnly and solemnly,” with the high courtmen affirmed the two representatives’ disqualification. In August 2017, Hong Kong’s Court of Final Appeal upheld the decision.</p> <p>In July 2017, a court gave the government’s request to remove four other Legco members who made critical statements during their 2016 associations’ commemorations—Matthew Lau Kwok-chung, Lee Siu-ki, Edward Ng Chiu-pui, and Leung Kwok-hung—back through their seats had been accepted by the Legco in the spring. Of the four, only Leung indicated that he’d approach his decision, meaning his reelection to fill their seats would be postponed. By October, the remaining four seats left vacant by such rejections were filled in March 2018, and pro-democracy candidates recaptured only two of those seats.</p> <p>In May 2018, Lau withdrew her appeal, citing the financial and time-consuming toll of the lengthy proceedings, and her later nomination for another election in November to fill the now-vacant seat she was disqualified by the Electoral Affairs Commission (EAC), citing her past advocacy on behalf of such democratization for Hong Kong. Meanwhile, the Court of Appeal rejected Lau’s application in February 2018, letting committee seats for legal aid to appeal to the Court of Final Appeal instead. In addressing the local council seats in December 2018, pro-democracy candidates won a record-breaking total of 100 council seats, or a remarkable 70 percent that year. Pro-democracy candidates have won 10 seats, down from 30 in the previous election. The public saw the highly voted former pro-democracy Legco’s district council elections. The elections were, however, hampered by the EAC’s “childish demands” related to constituency, whereby the “one person, one vote” principle was violated by giving each voter two votes under the “double seat” under the Basic Law, but only incremental changes to the electoral system have been permitted since. Since August 2019, the introduction of universal suffrage for the Legco and chief executive has made a consistent standard of procedures. Likewise, the systems which already favored pro-democracy and pro-democracy candidates in many offices has given more freedom to determine rules in recent years. Ahead of the 2020 Legco elections, the EAC required all candidates to either renounce their Hong Kong unconstitutional “four cardinal” basic law principles. That EAC interpretation of its responsibilities of its functionaries for failure to comply, pressuring them into resigning. The NPC in 2019 Basic Law interpretation concerning “secrecy” and “elements” in confirming informed the EAC’s authority for such future candidates on similar grounds.</p> <p>In 2019, the EAC disqualified pro-democracy from participating in local council elections on grounds that he had provided “self-determination,” a decision denied by the participant on that year’s protest movement.</p>
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## Other Key Government Policy and Practices

- Emergency measures are shifting power to the executive branch, eroding democratic checks and balances: Some C’19 emergency measures are not only empowering the executive branch of government—an understandable response to a crisis—but are weakening the other branches. As a result, civil society organizations in many countries are unable to bring lawsuits to challenge COVID-inspired laws and practices that infringe rights.
- Governments are declaring “war” on C’19, securitizing the response to justify measures that restrict civic freedoms: Many countries referred to the “global war” against the C’19 pandemic. Some leaders are presenting themselves as wartime presidents; others have deployed the military to enforce emergency measures. As was the case with post-9/11 “war on terror” rhetoric, casting C’19 as a national security threat makes it easier to defend extraordinary government measures that infringe rights and freedoms, and undermines civil society’s ability to push back.
- Governments are using C’19 responses to justify authoritarian rule, undermining democratic norms: Some governments claim that an authoritarian approach is the best way to defeat the pandemic. Some governments portray their authoritarian response as appropriate, and have likewise touted a strict, top-down and tech-enabled approach as not only necessary, but ideal for protecting public health—even at the cost of individual rights.

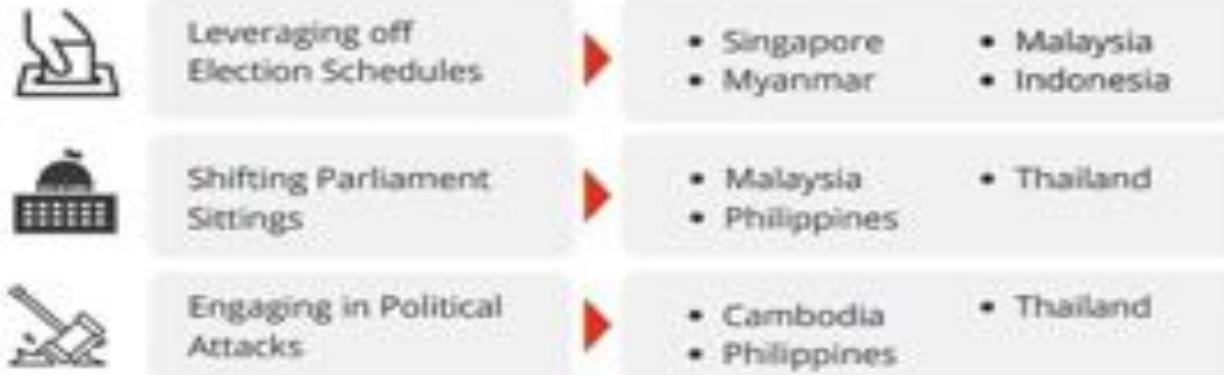
## Legislative and Executive Measures Affecting NGOs/CSOs<sup>195</sup>

- Limited Oversight on Emergency Measures: Many emergency measures that have been instituted in Asia lack sunset clauses, or clear limitations of power in line with international standards requiring a proportionate, necessary, non-discriminatory, and time-limited approach to any derogations from fundamental rights in times of emergency.
- Securitization and Abuse of Force: Governments have seized upon the crisis to further securitize their response, including by deploying military forces and weapons technology to control civilian populations.
- Free Expression and Disinformation Restriction: Instead of harnessing the power of technology to strengthen the response to the pandemic, at least 14 governments in the region have cracked down on speech and dissent through “fake news” or disinformation charges, often applied to those critical of the government’s

195 <https://www.icnl.org/post/analysis/government-responses-to-C'19-in-asia-and-the-pacific>

response. d) Increased Harassment of Activists: Governments have seized upon the C'19 crisis to clamp down on human rights activists and journalists including arrests of a number of high-profile human rights activists. e) Surveillance and Privacy Concerns: The development of various tracking and tracing technologies around C'19 has raised numerous issues including policies related to individuals' data and movements that raise privacy concerns. f) Limits on Public Participation: The C'19 crisis is shifting power away from the legislature towards the executive branch, resulting in concerns around executive overreach. There are ongoing access to justice issues due to court closures and limitations, and a resulting lack of judicial oversight.

### Eroding Electoral Democracy



**Source:**C'19and Democracy in Southeast Asia, Building Resilience, Fighting Authoritarianism

### **Other Regressive Moves**

Analysis coordinated towards government and legislative pioneers for their fumble of C'19was smothered all through 2020. 'Counterfeit News' laws were utilized to excuse analysis as deception; unclear dis-and mis-data laws prompted self-assertive capture of people for practicing their opportunities of articulation; laws and arrangements set up to address C'19were utilized to sensor and breaking point the media's revealing of governments' inaction; all while nosy forces award specialists the capacity to obstruct sites and terrorizing strategies struck dread into protesters prompting self-restriction. Forcing counterfeit news laws as a way to dishonor analysis from common society has been a typical methodology in Southeast Asian states. Cambodia proposed counterfeit news laws in 2018 with enactment that specifies a discipline of up to US\$123,000 and jail term of as long as six years (Lamb, 2020). This enactment has been utilized, considerably, to pre-emptively smother government pundits and activists who contradict its absolutist administration in 2020 (Sochua, 2020).

Under the 2008 Electronic Information and Transactions Law (EIT) set up in Indonesia (Yudhoyono, H. Susilo Bambang, 2008), the spread of slanderous, startling or bogus data can be met with six (defamation) to twelve (frightening data) a prolonged imprisonment as well as a severe fine of US\$70,000 (criticism) to US\$130,000 (frightening data). The 2016 change of the law saw the spread of both types of data as mentioned above possibly bring about a most extreme long-term jail sentence as well as a fine of up to US\$52,000 (Molina, 2016). Most of analysis coordinated towards the public authority has been based on its helpless reaction to COVID-19, which has prompted Indonesia having the most elevated diseases and passing in the district (Laosana, 2020).

Such a reproach has not been met by much control from the state organs; anyway, one should consider the effect of these inordinate monetary outcomes, which have constrained the observers to restrict their assessment and self-restraint. In Laos, people who spread 'counterfeit news' through online media have been warned with "severe measures" when they cause false impressions and social unsettling (Kang, 2020). The subjectivity in these terms is in itself is troublesome as it very well may be applied to almost any social communication outlets. The mix of 'Article 59 of the Criminal Code' (ICJ, 2001) and Decree 327 (LPDR, 2014) force a prison term of a maximum of five years as well as penalty or up to US\$1,100. Laws encompassing deceptive news have been applied in Myanmar as a way to contain the spread of deceptive information by arrest warnings. (Lintner, 2020).

In addition, the public authorities in Myanmar have curtailed the free dissemination of data by restricting web access in the Rakhine and Chin states in connection with spreads of C'19data (OHCHR, 2020c). Following an identical action, the Philippines security force have randomly arrested opposition for getting down on deficient government activity as 'fake news' (Aspinwall, 2020b)—a common derogatory approach used by many regimes. Besides arrests, what is viewed as 'fake news' is totally in the prerogative interpretation of the public authority and no doubt –may change in accordance with the context (Aspinwall, 2020b). Government has additionally proposed the formation of the "Anti-False Content Act". The creation and spread of 'bogus' or 'misinfluencing' piece of information that creates havoc, will be met with a fine of up to US\$6,1000 or detainment of as long as six years (Babele, 2020). In Singapore, the Protection from Online Falsehoods and Manipulation Act (POFMA) has made a comparable problem that suffocates prospect of articulation and discourse (Singapore Legal Advice, 2020). Should an individual share or elevate data viewed as a lie, he/she might be punished with a fine of US\$14,000 or potentially 12 months detention.

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*Feb 1, 2021: An abrupt military takeover in the country was announced the same day Myanmar's Parliament was to convene with new members sworn in after the Nov elections. The military has claimed the election was tainted by fraud but an election board rejected those claims as lacking evidence. Leaders of the NLD and civil society activists have been arbitrarily detained. Phone lines have been severed and social media outlets are shuttered. The military's actions show utter disdain for the democratic elections held in Nov and the right of Myanmar's people to choose their own government. The concurrent arrests of prominent political activists and human rights defenders sends a chilling message that the military authorities will not tolerate any dissent.*

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For a Facebook post in which he shared false information about the operating hours of convenience stores, a Singaporean taxi driver was charged in April, and jailed for four months since May (Reuters, 2020f). As written, for 'non-individuals' a fine of up to US\$540,000 is applicable. In both events, claiming that sharing the misinformation was done unknowingly may void these penalties, although the Part 3 Directions can still be used to impose these penalties if it is in the public's interest. 'Fake news' fines have also been introduced in Vietnam following an influx in discontent amongst residents and citizens alike. Not only does the legislation cover fake news, but also slander. Spread of fake news and slanderous information can lead to a fine of US\$900 (Nguyen, Pearson, 2020), as seen by the fines given to two social media users in August who shared, unbeknownst to them, false information about a C'19infection (Tuoi Tre News, 2020). The government may also impose penalties on sharing banned publications.

The Vietnamese government has also expanded its censorship tactics to include social media companies. Since April 2020, the government has pressured Facebook to sensor antiestablishment social media posts, with which the company complied (Pearson, 2020). The government in Nov once again increased its demands from Facebook to increase its censorship, thereafter threatening to shut down its operations entirely, for not submitting. Legislation established pre-C'19has also become the government's censorship crutch. Concerning Malaysia, section 223 of the Communications and Multimedia Act of 1998 has a similar concept (The Commissioner of Law Revision, Malaysia, 2016). Spreading information online that is "offensive" or "annoy[ing]" to anyone can lead to conviction and fines of up to US\$11,100 or a prison term of one year. A Malaysian taxi service businessperson, for his Facebook comments criticizing the government's prosecution of movement restriction violators, was charged in May and had bail set at US\$3,300 or ten months imprisonment (Khairulrijal, 2020). This defamation law grants the government freedom from reprimand whilst censoring any- and virtually all those who criticize their actions.

In Myanmar, the 'Telecommunication Law - Article 66(d)' outlines three year's imprisonment (Burma Campaign UK, 2013) and 'Penal Code Article 506(b)' two years imprisonment for defamatory actions (Union Attorney General's Office, 2016). Whereas in Thailand, the government has relied on its legal frameworks that have pre-C'19restricted criticism. Under the Computer Crime Act of 2007, dissemination of false information will be fined up to US\$3,300 and or imprisonment of up to five years (Chulanont, 2007). In June 2020, Timor-Leste's Minister of Justice announced his intention to reintroduce defamation laws (International Federation of Journalists, 2020) similar to the country's infamous 2014 Criminal Defamation Law (International Federation of Journalists, 2016). Article 187-A of the proposed law outlines that defamation of public officials and political parties will result in an unspecific fine amount and up to one year imprisonment (Nolan, 2020).

The consequences of stating facts or opinions alike through social media, which offend a current/previous government member or any public official, can lead to three years in prison.

Various countries have criminal defamation laws. These overreaching laws, as seen in Malaysia as well, should not have severe consequences for simply offending someone with a factual statement, especially as these have been used to censor government's critics. Concerning the financial and detainment ramifications resulting on outspoken and otherwise unknowing citizens, a trend has become apparent. In states with economic prosperity, financial fines tend to be higher in relation to the incarceration time (Singapore, Malaysia) whilst jail time in less economically prosperous states is more extended (Indonesia). Sedition laws have also been referenced from the governments of the Philippines, Thailand and Brunei whilst censoring their dissidents; whilst Malaysia, Myanmar and Singapore also have the legislation in place to protect itself should the need arise. In April, a group of activists unsatisfied with the C'19relief provided by the government, travelled to the Bulacan province in Manilla to distribute food packages to those in need. Upon their arrival at the province's checkpoint, followed by the inspection from police officers, resulted in a variety of charges. These individuals now stand accused of violating the C'19emergency laws, and incitement to commit sedition (ABS-CBN News, 2020). Thailand's sedition charge further deters any forms of public dismay which may "raise unrest and disaffection" (Siam Legal, 1956), as used to prosecute Thai-youth pro-democracy protesters since August (Ratcliffe, 2020b). These effectively stall the possibility of future liberty in autocratic states.<sup>196</sup>

**JOINT STATEMENT: MYANMAR: STOP THE COUP, LET ELECTION TRIBUNALS DO THEIR JOB**  
(Endorsed by 47 Organizations coordinated by ANFREL)

On 1 February, the armed forces of Myanmar (Tatmadaw), ostensibly acting on allegations of voter fraud in the general elections of 8 November 2020, detained numerous government officials, including State Counsellor Daw Aung San Suu Kyi, President U Win Myint, and Union Election Commission (UEC) Chair U Hla Thein, as well as pro-democracy activists and politicians from the ruling National League for Democracy (NLD) and other parties.

The Tatmadaw subsequently announced that it would seize power, declare a one-year state of emergency, and install Vice-President and retired general U Myint Swe as acting president. It was also announced that new elections would be held after the state of emergency under a new election commission, which was later appointed on the night of 2 February.

The undersigned election or human rights monitoring organizations condemn the military coup in Myanmar and call for the immediate release of all detained politicians, government officials, and activists. The Tatmadaw must restore power to the civilian-led government, and seek redress of election-related complaints through the due process of law established under the 2008 Constitution.

Indeed, Myanmar's Constitution and election laws provide a mechanism to resolve disputes in the form of election tribunals. The military-backed Union Solidarity and Development Party (USDP), which has repeatedly made claims of vote-rigging and irregularities in the recent general elections, has like any other stakeholder the legal right to formally contest election results. It certainly has done so, filing 174 complaints out of the 287 received by the UEC.

Election observers were looking forward to seeing all election-related complaints and potential evidence presented and addressed in tribunal proceedings. According to our information, the UEC was about to proceed with the appointment of election tribunals when the military intervened. Election dispute resolution is an integral part of any electoral process, which rests on the fundamental premise that all sides act in good faith.

Therefore, the Tatmadaw must back down from its coup attempt and instead engage in a peaceful and transparent election dispute resolution process. The road to a fully realized democracy is long and arduous, but it is important that all stakeholders commit to upholding and protecting democratic norms. A repeat of what transpired after the 1990 general elections would mark a stark return to authoritarianism and will not be accepted by the people of Myanmar and the international community.

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## SWOT ANALYSIS: SECURING DEMOCRATIC ELECTIONS

Coverage	Strength	Weakness	Opportunity	Threat
Democracy and Human Rights	<p>Asia is a region of incredible diversity. Yet despite the variety of cultures and social, economic, and political experiences, there is strong support for democracy in many countries across the region. While not all Asians may share the same idea or opinion of liberal democracy, most—if not all—share a desire to live in freer societies led by governments that are responsive and accountable to the will of the people. Over the last decade, a number of Asian countries have taken commendable steps to strengthen electoral democracy.</p>	<p>Democracy remains fragile in many countries due to poverty and inequality coupled with political instability. Long-standing ethnic and religious conflicts drain national resources and women's rights are threatened throughout much of the region. Underlying these challenges is a lack of good governance—effective state institutions, functioning legal systems, and mechanisms to ensure political accountability.</p>	<p>With democratization in the Philippines, Thailand and more recently Indonesia, the ASEAN model of elite-centric regional socialization has been challenged. Displacement of traditional patterns of regional elite socialization has been offset by potential gains such as advances in regional conflict management, transparency and rule-based interactions. Growing civil society interest and action for systematic civic monitoring initiative is witnessed. Use of modern technology in electoral process resulting in smart and swift processing is on the rise.</p>	<p>Incidents of hate speech, political and electoral violence, electoral over-spending, and abuse of the media, suppression of voters and non-compliance with code of conduct are some of the common threats. Tendency of coup de'ta and abrupt dissolution of parliament are notorious examples. Insecurity, lack of trust, problems maintaining peace, possibility of conflict between stakeholders are barriers and obstacles to further democratization. The diminished space for civil society specifically in the wake of the pretext of the C'19 impact is experienced quite harmful.</p>
Civic Engagement	<p>More and civil society groups represented by human rights defenders are successfully forging harmony across the region through regional alliance-building and soliciting international cooperation and solidarity for broader advocacy free and fair elections.</p>	<p>Incidences of sharp division among civil society actors, forced cooptation with the regimes, struggle exhaustion and donor fatigue-triggered resource scarcity are causing weak advocacy and non-results-oriented performance in some societies.</p>	<p>CSOs have been the redeeming feature to achieve democratic space towards upholding electoral integrity as strong allies for other frontline like-minded democratic forces and peoples movements through monitoring and observation of electoral processes.</p>	<p>Emergence of authoritarian approach of the regimes under the guise of the public mandate as an elected power, the space for meaningful civic engagement is being curtailed and grossly negated in several countries. CSOs working on human rights and electoral sanctity are targeted with harassment and humiliation.</p>
Electoral Integrity	<p>Emerging practices of democratic principles of universal suffrage and political equality as reflected in international standards and agreements coupled with professional, impartial, and transparent human</p>	<p>Incumbent advantage enshrined in electoral laws regulating candidate registration and voting district boundaries; non-regulation of political finance in order to reduce the</p>	<p>Development of international and regional mechanisms and standards such as Inter-Parliamentary Union Declaration on Criteria for Free and Fair Elections, Forum of Electoral Management Bodies in</p>	<p>Deep-seated problems of violence and conflict, corruption and clientelism, vote rigging and fraud in some countries combined with lack of transparency and availability of information on election</p>

	rights-based election observation is an iconic strength towards consolidation of democratic institutions despite eminent threat from different quarters.	influence of money in elections; non-transparency of the electoral process; discouraging of nonpartisan domestic election monitoring and advocacy are some of the key drawbacks.	South Asia (FEMBOSA), Bangkok Declaration on Free and Fair Elections and Series of Asian Stakeholder Forums have opened up a new corridor for larger advocacy with structured agenda for electoral integrity.	financing and insufficient accountability mechanism in case of violation of law and weak monitoring system as well as weak implementation of laws on violators have been triggering imminent electoral risks.
<b>SDGs Attainment</b>	A large majority of the States have established institutional and policy mechanisms for advancing towards the implementation of the SDGs with monitoring bodies and voluntary reporting endeavor in which human rights and democracy are brought within the development radar.	The agenda for attaining SDGs by formally incorporating democracy and inclusive representation with dedicated resources is yet to hit the ground which is still confined to the casual schedules of a very few law/policy-makers, bureaucrats and CSOs.	The drive for SDGs attainment blended with CSO watchdog initiative has forged connectivity with social, economic, legal and political spheres to navigate the road to 2030 with the notion of 'no one should be left behind' in which democracy, human rights and inclusive representation are key cross-cutting components.	The pandemic is likely to be a major obstacle towards the effective attainment and realization of the SDGs (especially 16) due to soaring economic crisis, widening social disparity, and foreseeable political upheavals leading to holding of fast-track elections, undue cancellation or indefinite postponement of elections.
<b>Coping with C'19</b>	Panicked, states in the region have swiftly allocated resources and attempted to develop pandemic response expertise and general public awareness in responding disaster of this nature also with cooperation from international community in which holding timely elections are considered as part of the response (in some countries).	There have not been adequate preparedness, resources, laws and policies, political will in place to effectively address the sudden pandemic due to which the response has been tediously slow, weak and often non-transparent which has led the electoral sanctity has been in a jeopardy.	The pandemic could be considered also as a blessing in disguise to build back better with the development of infrastructures and capacity building of health sector and local governance with enhanced public resilience and geared sensitivity towards democratic elections with fully informed citizenry.	Due to massive economic disparity and variation in family/individual's resource capacity, the doctrine of 'survival of the fittest' applies in terms of tracking, tracing, treatment, and marginalized are on the lowest step of the ladder. Massive depletion of external funding is seemingly hurting the accepted universal norms of right to health and public participation in responding the crisis in an atmosphere of democratic freedom.

## CHALLENGES AND PROPOSALS FOR STRATEGIC ACTION

### Unveiling the Ground Reality

The conduct of elections was already in a jeopardy when the pandemic started hitting the world. Nevertheless, many thought that it would not last long thus, it with no major effects on the scheduled elections with a severe impact. At the beginning of the pandemic, we already started reading in March and April, the electoral calendar was dominated by postponed elections, many uncertainties and questions around the possibility of safe elections with acceptable voter turnout without leading to further spreading of the virus; highhandedness of the incumbents; protected absence of elections leading to legitimacy deficits; recovery effort as well as credibility of elections if held amidst the pandemic. The uncertainty of whether to hold elections or not was closely monitored by many concerned stakeholders which confirmed that since last Feb roughly 70 countries and sub-national entities decided to either hold or postpone their elections.

In less than half a year, the discussion shifted. The world saw a clear trend from postponing towards holding elections, although with mitigation measures. Many examples of resilient and resourceful election management bodies and citizens who have adapted to new conditions in short timeframes were noted. Efforts were put to build consensus around decisions about the electoral process, energies to strengthen special voting arrangements, efforts to effectively communicate the safety measures adopted, have resulted in high voter turnout and renewed trust in the electoral system. Despite this, many governments have ignored due process and attempted to use this pandemic to play fast and loose with electoral rules, to extend their time in office, thereby leading to political polarization and compromised electoral processes.<sup>197</sup> The first lesson is the importance of political consensus in sustaining decisions made on the electoral calendar and procedures. The decision to hold or postpone elections in the midst of a pandemic should have been based on public health considerations, considerations related to low voter turnout and the potential damage to democratic legitimacy, and of course considerations on the constitutional provisions supporting such decisions.<sup>198</sup>

Considerations also need to be given to how, when and where to cast the vote – in other words the duration of the voting period, the location of voting centers, and of course the necessary measures to protect electoral integrity and the sanitary precautions during the pandemic. Each of these decisions is a potential source of political friction and of efforts to undermine the legitimacy of the electoral result. It is therefore essential that all these decisions be supported by broad political agreements. This was the case in the successful parliamentary election last April in South Korea, but it was not, for example, in Poland. There, the government's attempt to ram down the throat of Parliament a half-baked proposal to go for a fully postal Presidential election in a matter of weeks, while curtailing the prerogatives of the electoral authorities, ended up in an acrimonious political discussion and in a decision to postpone the election, which finally took place in late June and July.<sup>199</sup>

The following are the major areas of intervention for fundamental reforms in the field of strengthening electoral democracy in the region both during normal and adversarial circumstances:

#### Independent and Credible Election Bodies

A country's electoral management model is an important factor in EMB behavior to ensure freedom of elections. EMB behavior also depends on the electoral framework, political and social expectations, and the cultural environment within which each EMB operates. Influences include the political commitment to allow an EMB to act freely and impartially, the range of powers and functions given to an EMB, the qualifications of members or staff for appointment and their terms of office, the way in which members and/or staff are selected and appointed, the oversight and accountability framework, and whether the EMB has a legal personality and is thus able to sue and be sued. There appears a common perception that the election management bodies are partial to the party in power and therefore compromise their independence and neutrality. Further, lack of transparency has been noted in most of the countries. Perceptions of bias on the part of the election body impact on its credibility and ultimately affect the integrity of the election itself. Best practices will tell us that the greater the participation and involvement of civil society in the recruitment, selection, and appointment of election officials; the more independent, impartial, and credible the election management body becomes. The participation of civil society de-politicizes the process. Conversely, when the

<sup>197</sup> Issues, Challenges and Protocols for Conducting Elections, International IDEA, 2020

<sup>198</sup> Ibid

<sup>199</sup> Ibid

EMB is purely a creation of the appointing power, the perception that the election body is beholden to the appointing power cannot be avoided.

### **Enduring Electoral Reform**

Democratic electoral politics is relatively new to many of the countries. Hence, a big room for growth and improvement in their legal framework can be appreciated. All decried the unrestrained use of money in their elections. The unlawful use of state resources by the party in power is likewise a common complaint normally from opposition parties. The most abused state resource during the campaign is the state owned media, which is normally used as a propaganda tool by the party in power. Some countries have provisions in their electoral codes that violate the notion of a level playing field.<sup>200</sup>

The delimitation of constituencies in Malaysia is grossly malapportioned showing it favors the ruling party. Partisan commune officials resulting in disenfranchisement of many opposition voters do voter registration in Cambodia. Then there is the need for the new democracies such as Afghanistan and Myanmar to improve their electoral systems and procedures and provide adequate training to their polling staff to ensure orderly balloting. For instance, Afghanistan has yet to provide the polling stations with a voters list. Myanmar may need to introduce a new voter registration system and not depend on the inaccurate “family books” to generate its voters lists. Hence, a campaign finance law is needed in countries that do not have one, like Sri Lanka and Afghanistan, and a stronger compliance should be enforced in those that have through proper reporting and monitoring. The role of money unfortunately determines the results of the elections to the detriment of qualified candidates that do not have the financial resources to wage a decent campaign. A good campaign finance law must prescribe not only limits on expenditures but also rules that govern political contributions to avoid cases of conflict of interest later on. Similarly, this will also prevent the entry of dirty money into the campaign funds of candidates and political parties.<sup>201</sup>

### **Building Strong Political Parties**

With the exception of few countries in the region, many countries do not have strong political parties in the real sense. In the Philippines, politicians change parties as often as a new president comes to power. To some, political parties are a vehicle to get elected. To others, it is simply an expression of the members’ common self-interests while some sees it as the embodiment of the “persona” of the head of the party, a conduit for patronage. It is no surprise that political parties last only as long as the political life of the head of the party. In some countries, political parties rarely articulate programs of government or issues that concern the well-being of the governed. Nor do they espouse certain ideologies that would define them from each other. Political parties are necessary institutions in a vibrant democracy. More so in Asia which has several ethnic groups within one country. Strong political parties with proper chain of command, political doctrine and high visibility from the centre to the grassroots level can serve as means to define and articulate policies and programs of government that will promote the interest of diverse groups.<sup>202</sup>

### **Responding to Electoral Violence**

Electoral violence – understood as coercive force, directed towards electoral actors and/or objects, that occurs in the context of electoral competition – can occur before, during or after elections and it can target a variety of actors, including candidates, activists, poll workers, election observers, journalists and voters. Recent analysis of patterns and trends in electoral violence have found that it is a global phenomenon affecting mainly electoral authoritarian or hybrid states, particularly those in Asia. Moreover, election stakeholders—the media, election bodies, and domestic monitoring groups—compete to have the most “impressive” score sheet of acts of violence. How many were killed, injured, threatened, coerced, properties destroyed, etc. There is a need to go beyond keeping a score sheet. The challenge is to determine the root causes of electoral violence so that it can be prevented.<sup>203</sup>

Pre-election violence occurs in hotly contested races, i.e., when family rivals, clans, and ethnic groups battle it out for supremacy in their respective turfs. The campaign gets heated with incendiary language that instigates their followers into violence. In other cases, the contending parties fiercely fight for political power because those who wield power get to control the economic activity in their area. The competition is reduced to a game of winner-takes-all. Post-election violence is normally linked with perceived cheating in the election. Too often, a finger is pointed at the election body as the culprit or at least complicit to the fraud. Mere suspicion is enough

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<sup>200</sup> Electoral Challenges in Asia Today, ANFREL, 2016

<sup>201</sup> Ibid

<sup>202</sup> Ibid

<sup>203</sup> Ibid

to trigger violence. A good number of countries are able to draft a working code of conduct that governs their activities during the election period. A decisive election body assisted by a determined security force can enforce a code of conduct and mitigate, if not prevent, violence. When the political rivals participate in the drafting, they feel co-ownership of the code and they normally abide by it. Interventions designed to prevent and/or mitigate electoral violence include a range of activities targeted at electoral actors: police training, security planning, electoral management body capacity building, peace messaging, codes of conduct and stakeholder for a and grassroots peace advocacy by civil society groups.<sup>204</sup>

### **Inclusion of Women and Minorities**

Women and ethnic minorities are inadequately represented in public life. Too often, this is due to cultural and religious reasons. Even in countries that have adopted a quota system for women in parliament, there are not enough candidates to fill up the quota as shown in Afghanistan in their last parliamentary election. Similarly, ethnic minorities although reservation system exists, are too often sidelined by the major parties at the local elections. The recent election in Nepal and Myanmar are an example. There are no easy remedies to improve the participation of women and minorities. The challenge is to provide them with capacity building programs to prepare and empower them to assume public office. Legislation may be counterproductive. Women who found themselves ill prepared to perform the tasks of being member of parliament have proved this. Hence, little steps have to be taken gradually and incremental success will prove more lasting.<sup>205</sup>

### **The Use of Modern Technology**

The use of technology in elections is bound to increase with time and there is need for increased expertise in the planning and management of election technology. There is a need to use a holistic approach to the application of technology in the management of elections: from the EMB institutional re-engineering (strategic planning and organizational development) to its operational responsibilities such as boundary delimitation; voter registration; voter and civic education; staff training; campaign monitoring; balloting; vote count and results announcement; and even stakeholder liaison and public outreach. The biggest challenge in the use of ICT in elections is how to ensure a sustainable, appropriate, cost-effective and transparent use of technology, particularly in post-conflict elections and in fragile and emerging democracies. As a general rule, the level of technological upgrades suitable for a given country should always be directly related not only to its capacity, but also to the trust and independence enjoyed by its EMB. Such elements are decisive to the acceptance of the use of ICT by the public and, as a consequence, influence the level of trust in the electoral process.<sup>206</sup>

The next lesson has to do with unique voting arrangements and the need to permit various modalities to exercise the sovereign right to vote. The traditional method of crowding thousands and thousands of voters, polling station individuals, party observers and representatives, and independent observers into balloting facilities within a few hours affords obvious public health risks within the midst of the pandemic. Nevertheless, unique balloting arrangements, together with early voting, mobile voting, mail voting and on-line voting must be assessed primarily based on their capability to uphold the integrity, transparency and legitimacy of the elections. Introducing them too rapid and without diverse and inclusive stakeholder buy-in would compromise the credibility of an election. Affordable timelines and ideally already existing legal and policy frameworks and prior revel in with special balloting preparations have established crucial success elements in some countries. Similarly, clear, broadly disseminated communication and protocols to inform the electorate the new modalities have emerged as essential and have also proven to be favorable for electoral turnout all through the pandemic.<sup>207</sup>

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<sup>204</sup> Ibid

<sup>205</sup> Ibid

<sup>206</sup> Ibid

<sup>207</sup> Ibid

## Pandemic and Elections: Major Challenges

- *Physical constraints: Physical constraints placed on campaigners in reaching the public, due to restrictions such as physical distancing, which have precluded, or at least limited, the usual campaigning activities such as rallies, public meetings, debates, and in-person leafletting.*
- *Campaigners' technology skills: Disparities in knowledge of, and access to, online technologies: across both campaigners and the public.*
- *Regulators' technology skills: Disparities in knowledge of, and access to, online technologies among electoral regulators in different states, and within states.*
- *Public disengagement: Concerns about public disengagement from the process – which in some cases may entail the intensification of a pre-existing trend of disengagement.*
- *Degraded information landscape: The dramatic impact of the pandemic on the media landscape in many states, especially local media, and the resulting 'deliberation deserts'.*
- *Misinformation: The increasing prevalence of online misinformation during the pandemic (the 'infodemic') and how this complicates the task of reaching voters (for campaigners) and ensuring the public vote on an informed basis (for electoral regulators and government).*

## Analytical Findings

The pandemic compelled to adopt measures that lessen the dangers of contagion, which variety from the supply of masks and other protective materials, to the opening of more voting facilities and the extension of the balloting length. The demand for proper elections means willingness to provide more economic and human assets to the electoral authorities. Like such a lot of other things, successful elections in the long run rely upon controlling the pandemic. Keeping elections underneath quarantine situations is inherently impossible. Moreover, the evidence shows that the moment of the contagion curve in which a country is discovered has a decisive impact on electoral participation. While the context is different in every country, a number of lessons can be gleaned from the information that has been collected from those elections that have been held since the pandemic began.

- ✓ First: It is critical that there be an inclusive political consensus around the decisions related to holding elections, including when, where and how to hold them, as well as the measures needed to address pandemic concerns. This consensus will need to be reached among entities that may not be accustomed to working together, such as the EMBs, the ruling party, and the opposition since holding election during the pandemic is not business as usual.
- ✓ Second: A careful and well-thought planning has proved viable in holding elections. The experience in the region shows that the earlier the planning begins for holding elections the better outcome would be. Rushing new measures can not only confuse voters, but also give the appearance of manipulation of the process.
- ✓ Third: Countries with SVA have gained confidences in terms of conforming massive voter turnout and avoiding last minute logistics nightmare. Such practices suggest that a serious thought must go into SVA, including voting by mail, early voting, and mobile voting and other modern technologies. Again, these cannot be rushed, as it is important to establish protocols to ensure that the integrity of the election process is protected.
- ✓ Fourth: Effective communication by using proper information, education and communication tools with transparent approach is vital to ensuring confidence in the entire process. Voters (and even non-voting population) must be educated with broader electoral education on any new methods of voting that are available to them and understand what safety protocols will be required of them if they go to the polls to vote under pandemic conditions.
- ✓ Fifth: Since the pandemic has restricted the candidates and political party leadership in physically involved in securing political finance to be dedicated to campaign financing, the creation of conducive environment to enable the contenders to obtain legitimate financial resources is an important obligation of the state machinery.

- ✓ Sixth: The timing of a postponed election must be carefully considered in active and meaningful consultations with all stakeholders. If C'19 cases have been rising as an election approaches, it will likely affect turnout, while the opposite will likely mean increased turnout. In order to meet the safety requirements for holding an election during a pandemic and to provide alternative methods of casting a ballot is very important. The inclusion of civil society in consultation and planning process has been proved vital.
- ✓ Seventh: It cannot be assumed that all elections will have lower voter turnout than in the past. Voter turnout was actually higher in approximately one-third of the elections held during the C'19 pandemic, compared with the average turnout in those countries' elections from 2008-2019.
- ✓ Eighth: Amid the pandemic conditions, staring at the polling day has been complex, but viable. Since people are genuinely concerned about their health resulting in many eligible voters determining not to compromise their safety by exposing themselves in the public, SVA and improved communication can help increase voter turnout even under these challenging circumstances.
- ✓ Ninth: There has been severe effect of the pandemic on elections in Asia disenfranchising a huge population from this process. Since the region is a continent with a great range of overseas migrants, thus, organizing out of country voting capacity was already hard for prior to the pandemic warranting an alternative mechanism to ensure the notion of universal franchise.
- ✓ Tenth: Election observation is possible to conduct, though embedding long-term observers is much more difficult than observing the day of elections. For long-term observation, it is necessary to train local observers so that they are able to provide impartial assessments of the legitimacy of an election. Additionally, as international observation missions cannot be deployed in any respect or are best deployed in a totally restrained scale, it is miles possibly that independent and higher skilled domestic observers will gain prominence.
- ✓ Eleventh: It is far important to be privy to the chance for disinformation concerning elections mainly in a time when the populace is overwhelmed by using the massive amount of data and records - often contradictory – associated with the pandemic.
- ✓ Twelfth: Electoral justice and election dispute resolution are always contentious affairs in the region. The havoc of the pandemic has probably compromised the integrity of election in some cases due to fast-track model of elections and results announcement. A number of political parties have additionally suggested loss of sufficient facts on filing their grievances and an absence of confidence within the proceedings and appeals system.

## STRATEGIC ACTIONS

### **Proposal and Recommendations:**

#### **1. Recommendations for Election Management Bodies**

- Focus on proactive communication strategies to effectively counter disinformation objectives, not to counter individual narratives, given the likely volume. They should comprehensively emphasize steps taken to increase public health measures, which could also involve setting up hotlines – including on social media – to field public inquiries. Such measures should be staffed and publicized appropriately.
- Increase voters' understanding of what to expect at all election stages through focused voter education campaigns by ensuring inclusive of underrepresented groups and include the steps to be taken to ensure public health during elections, relevant rule changes, good practices for protection during voting and the availability of alternative voting channels.
- Effectively tackle misinformation, disinformation and hate speech, which can go viral quickly, and damaging narratives may require an informed and expeditious response from election authorities.
- Consider linking communication channels with those of public health officials, and other relevant state institutions and agencies, where they are reputable and trusted by citizens. This could involve cobranded content across various media (including TV, radio, print and social media).
- Ensure that those responsible for the administration of the election are trained and act impartially by ensuring the registration of voters, updating of electoral rolls and balloting procedures, with the assistance of national and international observers, as appropriate.

- Encourage parties, candidates and the media to accept and adopt a Code of Conduct to govern the election campaign and the polling period by ensuring the integrity of the ballot through appropriate measures to prevent double and multiple voting and fraud
- Maintain proper counting protocols of counting and announce the election results and facilitate any transfer of authority ensure that voters are able to cast their ballots freely, without fear or intimidation

## **2. Recommendations for Civil Society Organizations**

- Increase their monitoring functions to enhance transparency, accountability and inclusion in representation model and characters.
- As online campaigning increases in importance, bring attention to the abuse of state resources, discrimination, and disinformation and hate speech, and raise public awareness about abuses.
- Counter hate-speech messaging and better inform and educate communities of the Benefits of tolerance and social cohesion. This could involve targeted programs addressing violence in elections, especially violence directed at women, and dispelling blame ascribed to minorities.
- Develop an electoral risk-monitoring tool to map and track incidences of electoral violence for early warning strategies.
- Ensure, through national programs of broader civic education the right to vote, right to be elected and the right to access to the government and resources.

## **3. Recommendations for Corporate Social Responsibility**

- Curbing blind pursuit of business profit to prevent socially harmful reaction
- Refraining from corporate policies that may incline to political preference
- Blocking undue policy lobbying as it constitutes a grey area of illicit political finance
- Exposing clandestine political financing since it will pose risks to democratic development
- Ensuring source-disclosed funding to refrain from compromises/overriding nation's interest
- Promoting ethical business interest beyond vested political and profiteering agenda

## **4. Recommendations for Political Parties and Candidates**

- Independently or in compliance with local laws, regulations and codes of conduct, political parties and candidates should commit to running campaigns free of hate speech and disinformation.
- Political parties and candidates should advocate for and comply with political advertising disclosure and campaign finance requirements and hold their counterparts in other political parties to the same standard.
- Political parties and candidates should proactively provide voter information and share changes to voting process by building public health messaging responsive to C'19 into their voter outreach plans.

## **5. Recommendations for International Donors and Technical Assistance Providers**

- Provide comparative perspective and, where appropriate, exert diplomatic pressure to discourage the adoption of legislation and regulations that criminalize misinformation, disinformation and hate speech in ways that disproportionately threaten freedoms of expression and the press
- Support legal and regulatory reform efforts that protect marginalized groups and promote inclusion in the electoral arena.
- Support civil society organizations with technical and financial means to enhance their capacity for quality and professional election monitoring endeavor.

## **6. Recommendations for Social Media Platforms**

- Ensure that election interference and hate speech that violate their community standards are prioritized for reporting and effective action, especially as content moderation efforts are disrupted due to surges in C'19 content and staffing issues at content moderation centers.
- Continuously integrate diverse feedback into how election interference and hate speech violations are defined in their community standards and guidelines, including feedback on how to protect the integrity of the post-electoral period.
- Continue working with EMBs and public health authorities to widely disseminate trusted public health and election information. This should include stepping up efforts to verify official accounts and supporting individuals and groups that expose misinformation and disinformation.

## **7. Recommendations for national/regional governments**

- Take advantage of this crisis to make improvements in election processes, especially with regard to inclusion, but also with regard to improved communication, strengthening political consensus, and better use of resources.
- Review and updating norms and laws related to emergency decrees and health and safety restrictions to make sure the transparency and integrity of elections are still protected.
- Make use of the research and comparative data that exists related to elections that have been held during the pandemic, and incorporating it into decision-making.
- Identify those new elements of holding elections during a pandemic that should be maintained after this crisis is over, such as the use of SVA to achieve the highest level of inclusion possible, full transparency and communication about election processes, and the use of local election observers.
- Encourage international NGOs to coordinate their efforts to support the holding of inclusive, transparent, legitimate, and safe elections during this and future health crises.
- Provide for the holding of legislative elections at regular intervals with no excuse of incumbent's benefit by establishing a neutral, impartial and/or balanced mechanism for the management of elections
- Establish an effective impartial and non-discriminatory procedure for the registration of voters by laying down by law clear criteria for the registration of voters, such as age, citizenship and residence, and ensure that such criteria are applied without discrimination
- Lay down by law the regulations governing the formation, registration and functioning of political parties and where appropriate in the circumstances, provide for or regulate the funding of political parties and electoral campaigns, with a view eventually to promoting equality of opportunity
- Establish the conditions for competition in legislative elections on an equitable basis with equal levelled playing field by ensuring that electors have a free choice by maintaining the viability of political parties, for example, by public funding and/or guaranteed free time in the media
- Take the necessary policy and institutional steps to ensure the achievement of democratic goals and the progressive strengthening of democratic traditions, for example, by establishing a neutral, impartial or balanced mechanism for the management of elections.
- Ensure freedom of movement, assembly, association and expression are respected, with particular reference to the holding of political rallies and meetings and guarantee that parties and candidates are free to communicate their views to the electorate, and that they enjoy equality of access to State and public service media, which should also provide non-partisan coverage of election campaigns
- Ensure that permissible restrictions on candidature, the creation and activity of political parties and campaign rights should not be applied so as to violate the principle of non-discrimination on grounds of race, color, sex, language, religion, political or other opinion, national or social origin, property, birth or other status.

## **8. Proposals to TDF 2021**

- Creation of a regional CSO task Force for constant monitoring of the situation on C'19and electoral process in the region as it presents serious dangers for the integrity of the right to vote. Incumbent governments might make use of the crisis to justify delaying elections without cause; or they might hold elections without sufficient preparation and precaution, so that voters have to choose between protecting their health and exercising their democratic rights.
- Advocating that the country parliaments and election management bodies in the region strengthen alternatives to voting in person, where a country has proper legal frameworks and safeguards. More than ever, the scale, reach and targeting ability of disinformation is a threat that must be proactively addressed in advance of and during elections.
- Working towards forming or assisting existing international observation mission to support domestic observers, including making available resources and training, and connection to best practices as well as international advocacy since local observers do act more widely and more smartly, ensuring that their breadth and scope of knowledge is put at the service of election integrity.
- Remaining vigilant on incidences of disincentives and restrictions in place to limit micro-targeting of particular voters and candidates based on their race, gender, ethnicity, religion, sexual orientation or any context-specific characteristics that can be used to discriminate against a group and raising the issue in international forums.
- Formulating comprehensive strategy for election observation to human rights safeguards to political process since irregularities happen years before voting day requiring a shift in both operations and mind-set towards longer political processes is needed.

- Calling on the states in the region to draft a standards electoral benchmarks to be adopted in normal and extra-ordinary circumstances such as disasters and C'19 like pandemic keeping in view the direction towards striking appropriate balance between guaranteeing safeguards of the culture of democracy and public health.
- Preparing a Regional Yearbook as a performance ‘report card’ on the compliance and non-compliance by the states in the region concerning observance of basic tenants of democratic elections based on the norms relating to universal suffrage, adult franchise, periodicity, secrecy of ballot, expression of the free will of people.

#### **Attaining Goal 16: SDGs-2030**

- Promoting credible electioneering in terms of constitutional, legal, policy framework and practice as bedrock of human rights-friendly, peaceful and inclusive governance for sustainable development
- Using of ERMT to curb general electoral violence and promote peace and justice at all levels and triers of elections --one of 17 Goals that make up 2030 Agenda
- Reducing electoral violence against women and minorities in any forms-physical or psychological-through proper strategy towards attaining the Goal 16 of SDGs
- Exploring lasting solutions to social and political conflict and insecurity relating to electoral management and ensuring proper electoral dispute resolution mechanisms.
- Strengthening rule of law, promoting human rights, inclusion of transitionally marginalized section of the society in all tiers of representation through affirmative approach
- Ensuring access to justice by building effective accountable institutions at all levels for human rights-based clean politics
- Ensuring SDGs interface with overseas contractual labor migration governance and development to ensure universal adult franchise and access to government and resources by all without discrimination.

#### **PROJECTED ADVOCACY ACTION CALENDAR**

<b>Main Activities</b>	<b>Year-1</b>		<b>Year-II</b>		<b>Year-III</b>		<b>Year-IV</b>
	$\frac{1}{2}$ year						
1) International Advocacy through UN Human Rights Council, OHCHR, & UNHLPF for Electoral Integrity as per International Norms							
2) Regional Advocacy through APFSD & TKDF							
3) Sub-regional Advocacy at ASEAN, APFSD, SAARC, BIMSTEC for Incorporation of Elections and SDG16 Agenda as Their Business							
4) National Advocacy/Lobbying for Electoral Law and Policy Reforms through Country Parliaments							
5) National Advocacy/Lobbying through NHRIs and EMBs for Human-Rights Based Monitoring of Electoral Process in Conjunction with SDG16							
6) CSO Engagement on Networking, Alliance-building, Training & Campaign for Capacity Development							
7) Engagement with Local Governments for Decentralized Dedicated Budgeting and Actions							

The End

## ANNEXURE

### **1. List of International Indices on the chosen theme**

- a. Asia and the Pacific SDG Progress Report 2020, UN ESCAP, Asia-Pacific Sustainable Development Goals Outlook, Asian Development Bank Publication, March 2017
- b. Eradicating Poverty and Promoting Prosperity in a Changing Asia-Pacific ADB Publication | March 2017
- c. Asia and Pacific SDG Progress Report
- d. The age of Sustainability: just transitions in a complex world
- e. Achieving energy security in Asia: diversification, integration and policy implications
- f. Energy, environmental and economic sustainability in East Asia: Policies and Institutional reforms
- g. EU Human Rights Promotion in Central Asia
- h. Transformation towards Sustainable and Resilient Societies in Asia and the Pacific, ADB Publication | March 2018
- i. Coronavirus Disease 2019 (C'19) Situation Report-82
- j. Asia Pacific Journal of Regional Science
- k. The Future is Now Science for Achieving Sustainable Development, Global Sustainable Development Report, 2019
- l. Voluntary National Reviews Reports: What do they (not) reveal? Department of Economic & Social Affairs, CDP Background Paper No. 50, July 2020
- m. Progressing National SDGs Implementation, The Fourth Edition in an annual series commissioned by civil society organizations, 2019

### **1. Government Reports on election and C'19**

One of the cascading effects of the C'19 pandemic has been its impact on democracies. Some countries have pushed ahead with elections — Sri Lanka, for example, just held their already postponed legislative elections on August 5. Days before that, however, Hong Kong, announced it would postpone its Legislative Council elections by a year, citing the impact of COVID-19. Health and safety concerns remain as dominant factor in deciding whether elections should be conducted during the pandemic. As International IDEA's Global Overview on the impact of C'19 on elections shows, two in three countries scheduled to hold elections in 2020 have decided to postpone them. Among more than 50 countries that have gone ahead to hold elections during the pandemic, nine of them are in Asia. This article looks at four: Mongolia, Malaysia, Japan, and Singapore.

These four countries held elections of varying levels and therefore, magnitudes over a three-week span from late June to early July: Mongolia held their parliamentary elections on June 24; followed by a State Assembly by-election on July 4 in Pahang, Malaysia; a gubernatorial election in Tokyo, Japan on July 5; and finally, the parliamentary elections in Singapore on July 10. While these elections are not the same in scope, it is still interesting to examine them and compare how they were conducted, given the similar threats the pandemic poses for the health and safety of voters and election officials alike. As International IDEA's "Elections and COVID-19" Technical Paper illustrated, the spread of communicable diseases such as C'19 has implications on the timing and administration of elections. Even though the number of cases may be low, the spread of C'19 is always something to be cautious of given instances of resurgence in a number of countries. Consequently, "electoral management bodies (EMBs) must identify and assess the feasibility of implementing any new requirements without compromising the integrity or legitimacy of an election." Therefore, any election, large or small, taking place during the pandemic must take preventive and mitigating measures to avoid spreading the disease further through the electoral process, which typically involves the interaction of hundreds or thousands of people in confined areas.

The caveat that requires any C'19 election not to compromise the integrity or legitimacy of an election, as the Technical Paper suggested, is a key consideration for whether an election should proceed or be postponed. International IDEA considers that the pandemic brings three major constraints to elections: restrictions on freedom of movement and assembly; health-related risks for voters and officials; and operational complications and delays. As such, there are several challenges for the integrity of elections to be managed under COVID-19, including limitations on campaigning; limitations on voter access; impediments to the transparency of the electoral process; risks for the legitimacy of the outcome of the elections; and added financial and administrative pressures.

Retrieved from:<https://thediplomat.com/2020/08/elections-in-a-pandemic-lessons-from-asia>

## **2. COVID-19, Election Governance, and Preventing Electoral Violence**

The C'19pandemic has had a global impact on the conduct of elections, with countries and territories across every region affected. Governments and electoral authorities have responded with innovative practices—but the challenges posed by the pandemic have also revealed gaps and weaknesses that must be addressed. Lessons from the C'19era can help with preparedness for future challenges such as holding elections in the wake of natural disasters or in highly polarized contexts.

The Briefing takes a look at how countries have handled elections during the pandemic so far, exploring options for ensuring good election governance and preventing electoral violence. It also examines decisions about postponing elections or holding them as scheduled, as well as changes to the campaigning and voting processes due to public health measures. It also addresses impact on turnout, lessons on the conduct of credible elections during COVID-19, lessons for preventing election-related violence, and approaches to combat electoral misinformation and disinformation.

(<https://www.idea.int/news-media/news/covid-19-election-governance-and-preventing-electoral-violence>)

## **3. Concluding Observations & reports on election& democracy by treaty bodies &special procedures**

The 3 Nov general elections were competitive and well managed despite legal uncertainties and logistical challenges. In a highly polarized political environment, acrimonious campaign rhetoric fueled tensions. Measures intended to secure the elections during the pandemic triggered protracted litigation driven by partisan interests. Uncertainty caused by late legal challenges and evidence-deficient claims about election fraud created confusion and concern among election officials and voters. Voter registration and identification rules in some states are unduly restrictive for certain groups of citizens. The media, although sharply polarized, provided comprehensive coverage of the campaign and made efforts to provide accurate information on the organization of elections. Arrangements put in place by the election administrators, including for early and postal voting, together with committed civic engagement, allowed for high voter participation despite challenges posed by C'19pandemic. Counting and tabulation is ongoing and should continue in accordance with the law and OSCE commitments. Baseless allegations of systematic deficiencies, notably by the incumbent president, including on election night, harm public trust in democratic institutions. On 3 Nov, federal elections were held for the president and vice-president, 35 of 100 senators, and all 435 representatives. The U.S. Constitution and its amendments establish a framework for federal elections, with additional federal laws buttressing the protection of voting rights and providing minimum standards for voter registration, election technologies and the regulation of campaign finance. At the federal level, there have been no election-related legislative changes since the last elections, despite previous recommendations. Several bills relating to electoral security, the Senate did, not pass voter registration and online advertisements, as well as proposed amendments of the Voting Rights Act. The C'19pandemic led to a plethora of amendments at the state level in order to protect the health of voters and election administration officials. However, almost all these changes were challenged in courts and several emergency rulings that were issued during the weeks prior to Election Day led to last minute procedural amendments. There was an unprecedented volume of litigation over voting processes in the months before the elections, with over 400 lawsuits filed in 44 states, some still before the courts a few days before elections. The legal uncertainty caused by this ongoing litigation placed an undue burden on some voters wishing to cast their ballots and on election administration officials.

The majority of lawsuits focused on issues arising from the health crisis, such as the expansion of early voting, extension of deadlines for the receipt of postal ballots, placement of drop boxes for absentee ballots, signature requirements for postal ballots, and limitations on those qualifying for absentee ballots. Circuit courts reversed, suspended or rendered void several state or district court decisions that aimed to minimize C'19related health risks of in-person voting, following protracted litigation seeking to maintain previous arrangements despite new challenges. There was a widespread perception that federal judges often voted on election-related matters along partisan principles. States are responsible for administering elections with duties often delegated to some 10,500 jurisdictions across the country. Election officials worked under difficult circumstances due to the pandemic and in a highly politicized environment. For these elections, USD 400 million in emergency funds was distributed to the states in order to address election-related issues stemming from the pandemic. The allocated federal funds alone were not sufficient to address the additional strain aggravated by the

unprecedented rise in online voter registration and postal voting, and officials at all levels acknowledged that election.

#### Infrastructure is generally underfunded

Private organizations and individuals provided additional substantial grants to election administration bodies. The majority of election administrations noted that the recruitment of a sufficient number of poll workers was a significant challenge, which was addressed through comprehensive initiatives in some jurisdictions, but remained of concern in others. The numbers of polling stations for these elections were reduced by 21,000 nationwide or some 20 per cent. Despite these numerous and compounding challenges, the work of the election administration at all levels enjoyed general confidence. Legislation and practices deprive some categories of citizens of their right to vote. More than 4.5 million citizens residing in District of Columbia and U.S. territories, 90 per cent of whom are ethnic and racial minorities, lack full representation in the Congress. Despite some changes in state laws to reverse felony disenfranchisement, an estimated 5.2 million citizens are effectively disenfranchised due to a criminal conviction, with about half of them having already served their sentences. These restrictions on voting rights of felons and ex-felons contravene principles of universal suffrage, and the principle of proportionality in the restriction of rights, as provided for by OSCE commitments and other international standards. Voter registration is active, conducted most often at the county level, with minimum conditions set by federal law. Sixteen states implemented ‘automatic voter registration’, five more than in 2018. Voter registration deadlines were extended in some states in order to overcome challenges arising from the C’19pandemic. Online voter registration was available in 40 states, providing an effective and accessible voter registration modality during the pandemic. However, some citizens, such as Native Americans and persons from economically disadvantaged groups, had more difficulties in accessing voter registration modalities both online and in person.

Voter identification remained a politically divisive issue, contrasting an emphasis on the protection of electoral integrity with concerns that photo identification documents are not readily available to all categories of voters. Voters were required to show some sort of identification document in 34 states, 18 of which require photo ID. In the remaining 16 states and the District of Columbia, verification is done through other methods, including checking of signatures or asking for personal information. Efforts to ensure the integrity of the vote are important, but should not lead to the disenfranchisement of eligible voters. Four presidential candidates were registered in a sufficient number of states to feasibly be elected, including the incumbent President Donald Trump, nominated by the Republicans, and former Vice President Joe Biden, nominated by the Democrats. An additional 80 presidential candidates, including 27 women, appeared on various state ballots. There were 151 candidates, including 42 women, competing for the 35 Senate seats and 1,113 candidates, including 340 women, competing for the 435 House seats. Eleven candidates for the House stood unopposed. Some states eased signature requirements for candidate registration of smaller parties due to the C’19pandemic, but smaller parties, such as the Greens and Libertarians, continue to face significant obstacles to ballot access in parts of the country. The campaign was characterized by deeply entrenched political polarization, which often eclipsed policy and party-platform discussions. Since May, more than 12,000 protests, the vast majority of which were peaceful, took place to denounce police violence and demand racial justice. However, on a number of occasions protests and counter-protests turned violent and resulted in numerous injuries and some fatalities. The C’19pandemic not only presented numerous challenges to the organization of the elections but also significantly impacted the conduct and content of the campaign. Starting from 12 Oct , the U.S. Senate held a hearing to confirm on 26 Oct a U.S. Supreme Court Justice, in a process that became one of the central topics in the campaign.

Election observation is regulated by state law, but some states leave it to the discretion of election officials. The elections were extensively observed by partisan and non-partisan observers which increased the transparency of the process, however, a number of states and counties do not allow citizen non-partisan and international observers inside polling premises. Concerns of intimidation by persons outside of polling stations acting as poll watchers incited to do so by accusations that there would be widespread voter fraud, were raised in the run up to the elections. Due to the C’19pandemic, election officials in several jurisdictions limited the number of observers permitted. Legal restrictions on presence of international observers are in place in at least eighteen states, which is not in line with OSCE commitments. While the presence of IEOM observers was welcomed in the majority of states where observers were deployed, state election officials in three out of 30 states visited declined to meet with them or share their views.

## **1. Summary of the latest SDGs Reports on the chosen theme and region**

- Considering relatively weak performance, Asia needs to accelerate progress towards all SDGs of the 2030 Agenda. On its current trajectory, seemingly, the region is unlikely to achieve any of the 17 SDGs by 2030. To live up to the ambition of the 2030 Agenda, accelerated progress is required on all fronts. For three Goals, the situation is deteriorating, and urgent action is needed to reverse course. Progress has been made towards some SDGs in the region, but the rate of progress is insufficient. Steps have been taken towards ending poverty (Goal 1) and ensuring all have access to quality education and lifelong learning (Goal 4). Measures are underway to achieve affordable and clean energy (Goal 7).
- Yet even where good progress has been made, it is too slow for these goals to be met by 2030. For instance, while the best progress has been registered for delivering quality education (Goal 4), quicker progress is needed towards the Goal's underlying targets. For more than half the SDGs, progress is stagnant or heading in the wrong direction in the region. Little progress has been towards ending hunger (Goal 2), supporting industry, innovation and infrastructure (Goal 9), reducing inequalities (Goal 10), building sustainable cities and communities (Goal 11), combating climate change (Goal 13), protecting life below water (Goal 14) and life on land (Goal 15), or towards supporting peace, justice and strong institutions (Goal 16). For three Goals, the situation has deteriorated. Negative trends have been registered when it comes to providing clean water and sanitation (Goal 6), ensuring decent work and economic growth (Goal 8), and supporting responsible consumption and production (Goal 12). Urgent action is needed to strengthen environmental protection. Natural resource management must be improved in Asia and the Pacific.
- Targets related to sustainable food production, populations suffering from water scarcity, the generation and use of renewable energy, the management of chemicals and wastes, and the protection of biodiversity all register negative trends. Hazardous waste generation, the reduction in forest areas, and the permanent water body extent are the three SDG indicators, which are predicted to regress the most by 2030, compared to 2015.
- With the exceptions of North and Central Asia, all sub-regions in Asia need to reverse existing trends on climate action. Asia needs to strengthen its means of implementing the 2030 Agenda (Goal 17). Lack of progress towards SDG 17 could undermine progress towards all other SDGs. Goal 17 seeks to strengthen global partnerships and means of implementation to achieve the ambitious targets of the 2030 Agenda. Its underlying targets focus on measuring tax revenues, debt sustainability, statistical capacity, technology transfer, international cooperation, trade conditions and policy coherence on sustainable development. Progress in all these areas is necessary to ensure we have the means to finance, target and implement policy solutions to achieve sustainable development.
- In 2018, all SDG Targets under Goal 17 need to be accelerated in the region. Failing to do so could jeopardize the achievement of all other SDGs. The sub-regions of Asia are making progress on different goals and face different challenges. East and North-East Asia is leading other sub-regions in its progress towards no poverty (Goal 1) and zero hunger (Goal 2). South and South-West Asia is ahead in its effort to achieve good health and well-being (Goal 3), decent work, and economic growth (Goal 8). South-East Asia has made the greatest progress towards quality education (Goal 4), affordable and clean energy (Goal 7) and industry, innovation and infrastructure (Goal 9).
- All Asian sub-regions need to reverse existing trends for at least three Goals. - North and Central Asia is regressing on gender equality (Goal 5), decent work and economic growth (Goal 8) and sustainable cities and communities (Goal 11). - South and South-West Asia is regressing on clean water and sanitation (Goal 6), responsible consumption and production (Goal 12) and climate action (Goal 13). - South-East Asia is regressing in decent work and economic growth (Goal 8), climate action (Goal 13), and peace, justice and strong institutions (Goal 16). - East and North-East Asia is regressing in sustainable cities and communities (Goal 11), climate action (Goal 13) and life on land (Goal 15).
- Insufficient data remains a challenge in the region. The lack of reliable data to effectively measure progress towards the SDGs remains one of the region's biggest challenges. Despite a significant increase in the availability of SDG indicators since 2017, data gaps remain for two thirds of the global SDG indicators. Economic data is generally more plentiful than in the social and environmental domains. Nearly one-quarter of all SDG Targets lacking evidence relate to the environment.
- There is also a wide gap in data availability across sub-regions, with South and South-West Asia registering the best data availability and the Pacific the worst. Surveys are key source of country-level data for the SDG indicators, but data availability from surveys is much lower than administrative

sources. Surveys often only provide data intermittently and our analysis finds data availability is the highest when it can be sourced from administrative data. Increased use of these data sources could help overcome the difficulty of obtaining data from survey responses, as this data can be produced at a lower cost, more rapidly and at a higher frequency. There is also scope for the region to make greater use of alternative data sources to complement traditional sources and build a more accurate picture of progress towards the SDGs.

## 2. Summary of the latest Human Development Reports on the chosen theme & region

- According to new UNDP report, 2019, human development in Asia-Pacific region advances dramatically, but unevenly. The region has witnessed the steepest rise globally in human development. It leads the world in access to broadband internet and is gaining on more developed regions in life expectancy, education, and access to health care. Yet it continues to grapple with widespread multidimensional poverty, and may be vulnerable to a new set of inequalities emerging around higher education and climate resilience. These are among the key findings of the 2019 Human Development Report, released by the UNDP and entitled “Beyond income, beyond averages, beyond today: inequalities in human development in the 21st Century.”
- The Human Development Report (HDR), which pioneers a more rounded way to measure countries' progress beyond just economic growth, says that as the gap in basic standards is narrowing, with an unprecedented number of people escaping poverty, hunger and disease, the necessities to thrive have evolved. The next generation of inequalities is opening up, particularly around technology, education, and the climate crisis as a new face of inequality. The HDR sets out, inequality is not beyond solutions. The report analyzes inequality in three steps: beyond income, beyond averages, and beyond today, proposing a battery of policy options to tackle it.
- Progress along a jagged trajectory According to the report's Human Development Index (HDI), no other region has experienced such rapid human development progress. South Asia was the fastest growing region (46 percent growth over the period 1990- 2018), followed by East Asia and the Pacific at 43 percent. Of all countries on the HDI, Thailand had the second-highest increase after Ireland, moving up 12 ranks during 2013 - 2018.
- Indonesia and the Philippines both joined the ranks of countries with high human development. South Asia also saw the greatest leap in life expectancy and years of schooling. Beyond these gains in basic standards and capabilities, however, the picture becomes more complex. Describing the ‘next generation’ of inequalities likely to drive achievement further along the development spectrum, the report notes for example that in countries with very high human development, subscriptions to fixed broadband are growing 15 times faster and the proportion of adults with tertiary education is growing more than six times faster than in countries with low human development.
- The region is in the vanguard of technological transformation. From 1987 to 2007 little changed in the global ranking of installed bandwidth potential, but at the turn of the millennium things started to change, with the expansion of bandwidth in East and North Asia. China leads the world in installed bandwidth, and East Asia is projected to share with North America about 70 percent of the global economic benefits tied to artificial intelligence by 2030.
- Tertiary education rates lag significantly behind wealthier countries, with only 25 percent of the tertiary school-aged population in South Asia and 44 percent in East Asia and the Pacific enrolled in higher education. Moreover, although millions throughout the region have escaped multidimensional poverty, the incidence of multidimensional poverty varies enormously across countries – from 0.8 percent in the Maldives to 56 percent in Afghanistan.
- Out of the 1.3 billion multidimensional poor, 661 million are in Asia and the Pacific, which shares almost half of the multidimensional poor living in 101 countries of the world. South Asia alone shares more than 41 percent of the total number of multidimensional poor. Despite India's significant progress on the multidimensional poverty front in the past decade, it accounts for 28 percent of the 1.3 billion multidimensional poor. Four in ten people in South Asia still lack access to sanitation facilities.
- The report warns that the poorest communities remain vulnerable to climate change. Poor people are expected to be more exposed to droughts for warming scenarios above the 1.5°C rise in temperature in several countries in Asia. The rural poor in poor countries are at risk of a double shock: a negative impact on livelihoods and spikes in food prices resulting from drops in global yields. The rapid transformations in the region have brought us to an inflection point. While many have escaped poverty, many others remain without the opportunities or basic resources to access a decent life.

- Social exclusion, gender bias hinder progress the report finds that despite progress, group-based inequalities persist on the Indian subcontinent, especially affecting women and girls. The HDI reveals marked contrasts between South Asia and the wider region. East Asia and the Pacific ranks second highest on the Gender Development Index (GDI), with the Republic of Korea first in the region on the GDI. Yet worldwide among regions, South Asia has the widest gender gap on the HDI. While Singapore has the region's lowest incidence of intimate partner violence against women, the report states that a staggering 31 percent of women in South Asia have experienced intimate partner violence.
- Inequalities persist at the household level as well, the report says. Over 22 percent of under-five children in South Asia experience nutritional inequality at home – where one child in the household is malnourished while a sibling is not. In Pakistan, over a third of children under age five experience such intra-household inequality. In addition, while more than 10 percent of South Asian girls are out of school and living in a multi-dimensionally poor household (compared to 9 percent of boys), that average includes wide variation among countries: in Afghanistan, it is 44 percent of girls, compared to 25 percent of boys.
- The report recommends policies that look at but also go beyond income, anchored in lifespan interventions starting even before birth, including through pre-labour market investments in young children's learning, health and nutrition. Such investments must continue through a person's life, when they are in the labour market and after. The report also argues that taxation cannot be looked at on its own, but must be part of a system of policies, including policies for public spending on health, education, and alternatives to a carbon-intensive lifestyle.
- Averages hide what is really going on in society, says the HDR, and while they can be helpful in telling a larger story, much more detailed information is needed to create policies to tackle inequality effectively. Averages can be particularly misleading in the context of the Asia-Pacific region, which includes countries spanning the full spectrum of human development groups, from low to very high. Looking beyond today, the report asks how inequality may change in future, particularly through the lens of climate change and technological transformation – two forces that seem set to shape human development outcomes into the next century. The report demonstrates both the seriousness and complexity of the challenge of inequality. It gives us a much broader understanding of the factors shaping unequal life chances, from birth and through life. That wider picture is critical to mitigating inequality on a lasting basis, and achieving fair and inclusive growth.
- The Asia-Pacific Countries with Special Needs Development Report examines how small island developing States can leverage ocean resources for their sustainable development. It shows that these economies are not on track to reach most of the Sustainable Development Goals and that accelerated action is needed to reach them, especially given that the economic and social impacts of the C'19 pandemic will be hard felt by the people in the Asia-Pacific region. It examines how small island developing States should take full advantage of their blue economy to foster their development, focusing on two sectors, fisheries and tourism, which are important in small island developing States and which both rely on ocean resources.
- This report puts forward pertinent policy recommendations to strengthen the development role of fisheries and tourism. It highlights that scaling up action for oceans is required for Small Island developing States to make progress towards implementing the 2030 Agenda for Sustainable Development. Enforcing international frameworks, norms and standards is one element that will contribute to such progress; ensuring greater regional cooperation is another one. Just as the policy, response to the current C'19 pandemic underscores the importance of coordinated and evidence-based policy measures, grounded in strong political will and commitment to sustainability, regional cooperation can help protect fisheries and enable recovery of coastal fisheries. It can also be linked to tourism by promoting a common branding for the Pacific sub-region and leveraging tourism to foster further sustainable development.

### **3. Summary of the latest UPR reports on the chosen theme and region**

- Asia region generally does not demonstrate an encouraging picture on overall human rights safeguards and promotion. The situation varies from countries to countries. The UPR process has definitively validated the notion that the international community has a say on the situation of human rights and free and fair elections in each state in the region; state sovereignty no longer provides immunity from scrutiny. States are accountable for the way they promote and protect human rights by upholding basic tenants of democratic elections. In this regard, it should be noted that authoritarian states increasingly

tend to defend the UPR within UN forums, presenting it as a guarantee of objectivity and impartiality and as non-confrontational.

- During the 24th session of the Human Rights Council (Sept 2013), the representative of Laos said that the UPR was “the only legitimate mechanism” at the international level. Protection in Asia the legitimacy of the expert bodies (treaty bodies, special procedures) and of the Human Rights Council, which adopts “selective” resolutions while promoting the UPR, which is a diplomatic mechanism to which all states must submit. However, the UPR validates the idea that human rights are a legitimate matter of inter-state relations. By accepting the UPR, the Asian states that are most protective of their sovereignty become involved in a process that weakens their traditional position and strengthens the universality of human rights. There are many and many types of barriers to greater influence from the international human rights system in Asian countries; but not all of them are specific to Asia.
- The obstacles are first and foremost political. There are regimes in Asia that have drawn red lines which, when crossed, lead to the locking out of the UN system. These red lines affect what these regimes see as their vital interests. Freedom of expression, pluralism of the press and free assembly represent threats to the survival of the regimes in China, Laos or Vietnam. A number of taboo subjects are also seen as a threat, the ethnic structuring of state institutions in Malaysia, for example. Finally, the international human rights system has to contend with the impunity from which benefit the elites and the members of the military in many Asian countries. What results from this type of situation is a lack of cooperation with UN mechanisms, namely special procedures (denial of access, failure to respond or to substantively respond to communications, rejection of reports) and treaty bodies (refusal to enter into meaningful dialogue, rejection of observations and recommendations), and tension within diplomatic forums such as the Human Rights Council.
- **ASEAN Human Rights Declaration:** The Association of South East Asian Nations is an inter-governmental organization, which was established in 1967. The ten members of ASEAN are Brunei, Cambodia, Indonesia, Laos, Malaysia, Myanmar, Philippines, Singapore, Thailand and Viet Nam. Since 15 Dec 2008, ASEAN has been governed by the ASEAN Charter, which is a legally binding treaty. In Nov 2012, the ASEAN Heads of State adopted the legally non-binding ASEAN Human Rights Declaration. Article 16 of the Declaration states that “Every person has the right to seek and receive asylum in another State in accordance with the laws of such State and applicable international agreements.” However, ASEAN members have been reluctant to put asylum seeker issues on ASEAN’s formal agenda because of the perception that it would involve a breach of the Charter principle of non-interference in the internal affairs of member states.
- The Asia Pacific region is far from achieving either protection in law or protection in practice from systematic and gross violation of human rights in several instances. This is not reflected in any of the UPR documents produced by the governments. Most governments in Asia lack any law or policy, and many might be said to fall into the category of antagonistic to human rights and civic space and this scenario hardly reported in the UPR rounds. As a result, human rights safeguards in practice is given particular importance among the NGOs working in this region. As a result, civil society organisations have documented hundreds of examples of abuses and irregularities in elections and inaction on the part of the governments in question and the issue is seldom considered as an agenda of the regional bodies such as ASEAN and SAARC. Finding realistic and practical solutions; effective or clever solutions, to the challenges to electoral integrity in Asia and this warrants coverage, as part of the UPR is vital.

#### 4. Summary of latest VNR reports on SDGs-Goal 16 & 17 on chosen theme and region

- In 2019, there was a special focus on the transformative potential of SDG 16, due to the review of SDG 16 by the High-level Political Forum on Sustainable Development (HLPF). While governments have a leading role to play, the achievement of SDG 16 depends on a ‘whole of society’ approach. To this end, the report evaluates VNR and spotlight reports submitted to the HLPF 2019 for a selected group of countries, including from Asia. In view of the 2030 Agenda’s core principles to enhance participatory, inclusive and multi-stakeholder approaches, the analysis looks at whether spotlight and VNR reports relate to one another, and if so how. It identifies the main commonalities and differences between the perspectives of governments and civil society.
- The assessment of the reporting on SDG 16 in spotlight and VNR reports indicates that a wide spectrum of approaches has been adopted in the areas analyzed; i) key features – SDG 16 reporting, ii) mainstreaming of SDG 16, iii) stakeholder engagement, iv) statistics and data and v) follow-up and iv)

next steps. While spotlight and VNR reports both cover a wide range of information, reporting structures differ significantly. Moreover, there was little overlap in terms of the specific content reported in the countries considered. The difference in structures makes it difficult to compare reports. Although many guidelines have been drawn up for both VNR and spotlight reports, greater harmonization and/or integrated reporting approaches would make it easier to assess progress from the perspectives of governments and civil society respectively. The analysis revealed more in-depth reporting on SDG 16 in spotlight reports than in VNR reports. One exception was reporting on specific mainstreaming efforts including legislative measures and policies adopted, and institutional structures established.

- While these all contribute to achieving certain aspects of SDG 16, little information is provided on overall strategic approaches to achieving SDG 16, including interlinkages and/or trade-offs with other SDGs. While spotlight reports generally provide more detailed information on the broader connections of SDG 16 and SDG 16+, more analysis, investment and action is needed to accelerate the implementation of SDG16 and the agenda as a whole. This impression is reinforced by several global SDG assessment reports. In terms of stakeholder engagement, governments and CSOs should continue their efforts to get a broad range of stakeholders involved on a consistent basis. Some good practices are presented in the reports, but ongoing and meaningful stakeholder engagement is required to ensure that all voices are heard, as well as enhancing policy coherence and addressing the lack of awareness of SDG 16 that has also been identified as a problem in various global SDG progress and assessment reports. Continued investment is needed. This is partly because some spotlight reports focus specifically on SDG 16.
- Both regarding further mainstreaming of SDG 16 as well as repeated reporting, useful recommendations are provided in many of the spotlight reports. In some countries, post-HLPF feedback is provided by civil society, which can help make reporting more systematic. To ensure continuity between reporting and review processes, mechanisms and approaches must provide for comparability and knowledge sharing between VNR and spotlight reports. In view of the 2030 Agenda's emphasis on inclusive, participatory, multi-stakeholder and partnership approaches, taking account of stakeholder perspectives can help advance the realisation of SDG 16 at the national and local level. In addition, in response to the findings of recent global assessments of the progress made on the SDGs as a whole and SDG 16 in particular, reporting should be inclusive. Spotlight and VNR reporting can be mutually beneficial. CSO perspectives can inform VNR processes and vice versa. Given the knowledge generated by the two reporting processes, ways of leveraging their findings ought to be considered. Institutionalization or a more structured approach to VNR and spotlight reporting on SDG 16 could strengthen inclusive, participatory, multi-stakeholder and partnership approaches. This means that VNR and spotlight reports for a country should not be produced in a vacuum, but that each should benefit from the knowledge generated by both processes. Given the current non-official status of spotlight reporting, and in view of the investment and value involved in these reporting processes, there is a need to explore ways of better utilizing and sharing inputs and feedback.
- One option would be to establish a platform or a database for spotlight reports, particularly on SDG 16. In the context of enhanced integration of VNR and spotlight reporting, contributions from other relevant stakeholder groups could also be included. Linking not only government and civil society reporting but also feedback from the private sector, to give one example, would facilitate a comprehensive follow-up and review of all main stakeholder groups. This would foster inclusive monitoring and implementation of the 2030 Agenda and support the transformation required to achieve sustainable development.
- Key Findings: In 2019, 79% of countries reported on leaving no one behind in terms of a dedicated chapter or robust information in their VNR report. All VNR reports except one indicated women, children and youth are at risk of being left behind. VNR reports also mentioned people with disabilities (96%), poor people (94%) and migrants and refugees (70%). Data to leave no one behind remains a recognized challenge with only nine countries noting efforts to leave no one behind are informed by existing data. Countries most commonly cited the need for more disaggregated data by gender, age and disability. Only 36% of countries highlighted embedding leaving no one behind or efforts to address inequality and social exclusion as part of overarching development plans.
- In 2019, 21% of countries recognized that leaving no one behind is a key challenge in 2030 Agenda implementation overall. While reporting on awareness raising improved in 2019, countries continue to take ad hoc approaches to awareness raising with only four pointing to the creation of a communications strategy. Reporting on localization improved at just under 75%, up from 65% in 2018.

A greater proportion of countries, 28%, pointed to the integration of the 2030 Agenda into local plans in 2019, an improvement over 13% in 2018. All countries except one reported on contributions by non-state actors however, individual VNR reports continue to portray narrow perceptions of the roles that civil society organizations and reporting on the role of parliamentarians (23%), the private sector (53%) and academia (28%) declined in 2019 compared to 2018. Though financing and resource mobilization are the most commonly cited challenge to implementation noted by member states (53%), nearly 75% of countries reporting in 2019 have not costed 2030 Agenda implementation.

- 30 countries, or 64%, reported information on budgeting with 14 indicating plans to incorporate the SDGs into budgeting processes and 16 noting having already done so. Reporting on the means of implementation improved overall for information on domestic resources and technology as well as lessons learned (51%) and challenges (96%). Declines were seen for reporting on international public finance (77%), trade (60%), systemic issues (47%), best practices (38%) and learning from peers (4%). In 2019, more countries provided information on follow-up and review at the national level (85%) and data availability (76%) compared to 2018. While increased reporting in these areas is welcome, countries provided limited reference to when, how and to whom national reporting will occur. Only five countries referred to the role of parliament.

## 5. Short description of the assessment of democracy in chosen region/countries though international monitoring reports

### CIVICUS Monitoring

- The People Power Under Attack 2019 and subsequent reports in 2020 show that the assault on civil society and fundamental freedoms has persisted in Asia. In this region, out of 25 countries, four are rated as closed, eight repressed and ten obstructed. Civic space in South Korea and Japan is rated as narrowed, while Taiwan is the only country rated open.
- CIVICUS research shows that there continues to be a regression of civic space for activism across the region. The percentage of people living in Asian countries with closed, repressed or obstructed civic space is now at 95 percent. The CIVICUS Monitor is particularly alarmed by the regression of fundamental civic rights, such as the freedom of speech, assembly and association, in two countries in this region: India and Brunei.
- India, the world's largest democracy, has been downgraded to 'repressed'. Of specific concern are attacks on activists and journalists – some who have been assaulted or killed just for doing their job. The CIVICUS Monitor is also concerned about the use of restrictive laws to stifle opposition voices: students, activists and academics have all been silenced by stringent legislation. Another repressive law being enforced by the Indian government is the Foreign Contribution Regulation Act (FCRA), which has been used to stop foreign funding and investigate NGOs that are critical of the government. The clampdown on civic space in Kashmir since August is also extremely worrying.
- Since Narendra Modi came to power, there has been a systematic crackdown on critics in India including activists, journalists and students. Over the last year, his government has increased its use of restrictive laws to silence dissent while NGOs and activists are facing various restrictions including having their funding cut off and subjected to smear campaigns.
- Brunei has also been downgraded to 'repressed'. While fundamental freedoms have been curtailed in the country for years, the revised Sharia (Islamic) penal code that was enacted in April 2019 has further increased these restrictions by imposing the death penalty for various offences including insulting the Prophet Mohammed and punishments against individuals for publications against Islamic beliefs. Brunei's new penal code further shrinks the already restrictive civic space in the country. The international community must not turn a blind eye to this and instead call on the authorities to repeal the array of restrictive laws.
- CIVICUS reveals that censorship is the most common civic space violation in Asia, occurring in 20 countries. China continues to be the main offender as it expands its censorship regime, blocking critical outlets and social media sites. This was demonstrated in the run up to the 30th anniversary of the Tiananmen Square massacre and during the anti-government protests in Hong Kong, when the government blocked domestic coverage of these events and employed an army of internet trolls to disrupt social media narratives and control public discourse.
- Censorship has been used in many other countries in the region, including Bangladesh, Thailand and Pakistan. In Bangladesh, the authorities blocked news outlets and websites that were critical of the state. In Thailand, censorship increased before the elections in March 2019 - international outlets were

cut off and journalists were targeted. Journalists were also targeted in Pakistan, many were harassed or criminalized when they attempted to report the mass mobilization of ethnic Pashtuns demanding their rights.

- The second most common civic space violation in Asia is the use of restrictive laws to stifle democratic and political rights - this has been documented in 18 countries. Criminal defamation laws are commonly used in this region to repress activists and opposition members. Such laws were used in Bangladesh with scores of critics and journalists prosecuted under the draconian Digital Security Act. Malaysia's criminal defamation laws were used to stamp out online criticism of religion and the monarchy, and in the Philippines, anyone who dared to criticize President Duterte now faces sedition and other charges.
- Governments in Asia are increasingly adopting China's authoritarian tactics to hold on to power or control the narrative. Censorship is on the rise with states blocking news outlets and social media sites, shutting down the internet and attacking journalists exposing abuses of the state. This is often coupled with the use of restrictive legislation such as defamation laws as a weapon to silence public debate or prevent activists and journalists from revealing inconvenient truths.
- The harassment of activists and journalists in Asia is a well-documented trend noted by the CIVICUS Monitor, occurring in 18 countries. In China, activists are routinely placed under surveillance, house arrest, or detained. Vietnamese activists are also placed under strict surveillance. In Cambodia, members of the opposition Cambodian National Rescue Party (CNRP) are routinely threatened or attacked.
- The CIVICUS Monitor is particularly alarmed by harassment and attacks of protesters in Hong Kong. Civic space is rapidly shrinking in Hong Kong since mass protests against a proposed extradition bill began in June 2019. There have been reports of excessive and lethal force by the security forces, as well as evidence of torture in detention.
- The Hong Kong police's heavy-handed crowd-control tactics on the streets has been televised for the world to see. They have engaged in a disturbing pattern of unlawful tactics against protesters including arbitrary arrests and violence against those arrested, some of which amount to torture. There must be an independent, impartial investigation aimed at delivering justice for these grievous abuses.
- Despite this bleak picture across Asia, there are some bright spots. The Maldives repealed an anti-defamation law; Malaysia scrapped its repressive Anti-Fake News Act and Taiwan historically voted to legalize same-sex marriage.

a. Freedom House

- In states that were already authoritarian, earning Not Free designations from Freedom House, governments have increasingly shed the thin façade of democratic practice that they established in previous decades, when international incentives and pressure for reform were stronger.
- More authoritarian powers are now banning opposition groups or jailing their leaders, dispensing with term limits, and tightening the screws on any independent media that remain. Meanwhile, many countries that democratized after the end of the Cold War have regressed in the face of rampant corruption, ant liberal populist movements, and breakdowns in the rule of law. Most troublingly, even long-standing democracies have been shaken by populist political forces that reject basic principles like the separation of powers and target minorities for discriminatory treatment.
- Some light shined through these gathering clouds in 2018. Surprising improvements in individual countries—including Malaysia, Armenia, Ethiopia, Angola, and Ecuador—show that democracy has enduring appeal as a means of holding leaders accountable and creating the conditions for a better life.
- Even in the countries of Europe and North America where democratic institutions are under pressure, dynamic civic movements for justice and inclusion continue to build on the achievements of their predecessors, expanding the scope of what citizens can and should expect from democracy. The promise of democracy remains real and powerful. Not only defending it but also broadening its reach is one of the great causes of our time.

b. Democracy Index

- In the 2019 Democracy Index, the average global score for democracy fell from 5.48 in 2018 to 5.44 (on a scale of 0-10). This is the worst average global score since the index was first produced in 2006. The 2019 result is even worse than that recorded in 2010, in the wake of the global economic and financial crisis, when the average global score fell to 5.46.

- In the 2019 Democracy Index, three regions stood still in terms of their average scores, as gains in some countries and categories were erased by setbacks in others. Asia and Australasia and eastern and western Europe all failed to make headway in the Democracy Index in 2019.
- In 2019, some 68 countries experienced a decline in their total score compared with 2018, but almost as many (65) recorded an improvement. The other 34 stagnated, with their scores remaining unchanged compared with 2018. There were some impressive improvements and some dramatic declines, with Thailand registering the biggest improvement in score and China the greatest decline. Thailand moved out of the “hybrid regime” category into the “flawed democracy” category, while Senegal moved in the opposite direction, from being a “flawed democracy” to a “hybrid regime”.

### International IDEA

#### a) *Positive Developments*

- Asia and the Pacific has experienced a significant democratic expansion in the past four decades. The number of democracies has doubled (from 7 to 15) and there has been a reduction of non-democracies (from 14 to 10). This expansion has been driven by democratic transitions, with 12 countries becoming democracies for the first time since 1975. Two of these countries (Malaysia and Myanmar) made the transition in the last four years. Sri Lanka, one of the region’s five pre-1975 democracies, returned to democracy in 2015, after its second hybrid hiatus.
- Malaysia, one of the region’s two most persistent hybrid regimes (together with Singapore), transitioned to democracy for the first time after the 2018 elections ended the ruling party’s 60-year monopoly on power.
- The older democracies in Asia and the Pacific have proven resilient. Of the seven extant democracies in 1975, five have remained so uninterruptedly until today: Australia, India, Japan, New Zealand and Papua New Guinea. Of the 12 countries that became democracies after 1975, all but two remain democracies, and half have not had any undemocratic interruptions.
- Of all the early third-wave democracies (i.e. those that transitioned between 1975 and 2000), the Republic of Korea (South Korea) and Taiwan have made the most democratic advances. Of the newer democracies, Timor-Leste stands out for its democratic gains. These are the only third-wave democracies that have high levels of Representative Government.
- The region’s democracies come in many shapes and forms. Only Australia, New Zealand, South Korea and Taiwan have high performance on all five of their democratic attributes, followed by Japan, which performs high on four attributes. The most common performance (40 per cent of the region’s democracies) is mid-range on all attributes.

#### b) Challenges to Democracy

- Half of the countries in Asia and the Pacific do not have democratically elected governments. Some countries in the region have suffered from deepening autocratization in recent years. For example, Cambodia, which never fully transitioned to democracy, ultimately became a non-democratic regime in 2018. After the Middle East and Africa, Asia is home to the largest number of countries that have never experienced democracy at any time in their history (40% of countries in the region).
- Despite advances in gender equality in some countries in the last decades, progress in Asia and the Pacific has not kept the same pace as the rest of the world. Significant challenges remain to achieve gender equality and SDG 5.5 on political representation of women. Efforts are needed to increase the representation of women, not only in new democracies but also in countries such as Japan and South Korea.
- Recent attacks on institutions central to the integrity of functioning democracies constitute a significant challenge to democracy in Asia and the Pacific. Threatened institutions include the judiciary, court systems, electoral commissions, parliaments and institutions fighting corruption.
- Despite some recent advances in reducing corruption (SDG 16.5), almost half of all countries in Asia and the Pacific still suffer from high levels of corruption. This situation is compounded by weak judicial systems lacking capacity to combat corruption.
- There have been attempts throughout the region to undermine civic space, freedom of speech and a free media in recent years. In Cambodia, for example, the shrinking of civic space has occurred in a context of deepening autocratization, while in Thailand a similar shrinkage occurred after the democratic breakdown in 2014. In other countries, it has occurred in contexts of democratic backsliding and erosion, explained by the rise of nationalist political parties, and justified by arguments of national sovereignty, law and order, national security and responses to terrorism.

- SDG 16 target that presents most cause for concern is SDG 16.10, with Media Integrity, & Freedom of Association & Assembly, having seen more countries declining than advancing since 2015.

## **6. Electoral Transparency: Eight Keys to Integrity**

Asian Electoral Stakeholder Forum III, Kuta, Bali, Indonesia, August 23 – 24, 2016

### *Preamble*

Reaffirming that the holding of periodic, free, and fair elections based on secret ballots and universal suffrage is the true expression of the sovereignty of the people;

Adhering to the principles enshrined in the Bangkok Declaration on Free and Fair Elections and to the rights and principles proclaimed in the Universal Declaration of Human Rights, the International Covenant on Civil and Political Rights, and the Universal Declaration on Democracy;

Committed to strengthening utilization of the Indicators of Democratic Elections adopted at the 2nd Asian Electoral Stakeholders Forum held in Dili, Timor-Lest on March 18-19, 2015;

Recognizing that confidence in electoral integrity depends on the transparency of all aspects of the electoral process and that both election management bodies and civil society have important roles to play in assuring electoral integrity;

Now, therefore, we, Asian electoral stakeholders representing both election management bodies (EMBs) and civil society organizations (CSOs), resolve to enhance electoral integrity by working together in a spirit of cooperation between EMBS and CSOs to implement each of the Eight Keys to Integrity:

### **Electoral Transparency: Eight Keys to Integrity**

**Transparent EMB's:** The laws and procedures for appointment of EMB members and the operation of EMBS must be clearly written. The public must be able to observe all aspects of EMB operations.

**Transparent campaign fundraising:** Laws and regulations must require full and timely disclosure of the sources of all monies raised by candidates, political parties and independent groups seeking to influence the outcomes of referenda and/or electoral campaigns for office.

**Transparent campaign spending:** Laws and regulations must require full and timely disclosure of the use of all monies raised by candidates, political parties and independent groups seeking to influence the outcomes of campaigns for political office and/or referenda.

**Transparent public access to campaign finances:** The public must have full internet access to EMB files containing campaign finance data, with all files maintained in a form which can be readily analyzed by any member of the public with basic computer skills.

**Transparent voter registration:** The process by which the voter list is compiled, checked, updated and maintained must be open to observation by the public. Full internet access to the voter registration list, including corrections on a real-time basis, must be guaranteed to the public.

**Transparent observation:** National and international election observers must be free to observe all parts of the election process, including but not limited to, advance voting, polling on election day, vote tabulation, and all other functions discussed in the "Eight Keys to Integrity".

**Transparent election results:** An announcement at each polling station of the results of the voting at that polling station must be made on the same day that voting is held, followed by prompt posting of all results on the EMB's web site.

**Transparent election complaint process:** There must be widespread dissemination of the procedures for filing complaints of election violations, followed by the ability of the public to access complaints shortly after they are filed and to be apprised promptly of the disposition of each complaint.

Adopted at the third Asian Electoral Stakeholder Forum on August 23-24, 2016 held at Kuta in Bali, Indonesia.

### **Bangkok Declaration on Free and Fair Elections**

## Preamble

1. The holding of periodic, genuine, free, and fair elections based on secret ballots and universal suffrage is the true expression of the sovereignty of the people. Free and fair elections are a precondition of democracy and they promote social, political and economic development.
2. Asia is a big continent, with vast geography, a wide variety of political systems, and great human diversity. This Declaration has been drafted with the participation of election stakeholders from across East Asia, South Asia and Southeast Asia.
3. The Bangkok Declaration on Free and Fair Elections recognizes and reaffirms the rights and principles proclaimed in the Universal Declaration of Human Rights, the International Covenant on Civil and Political Rights, and the Universal Declaration on Democracy.
4. These rights and freedoms are universal and they apply fully and equally in Asia.
5. The principles for ensuring free and fair elections are also universal. The Declaration herein acknowledges and endorses the International Parliamentary Union's Declaration on Criteria for Free and Fair Elections, and reaffirms its pertinence in Asia.
6. While each country in Asia has its own unique set of challenges with regard to elections, the articles of the Declaration are meant to highlight the most pressing and the most common electoral concerns in Asian countries. Despite what are at times vast differences, there are also elements of shared history, cultural heritage, religious tradition and social and political development that bind the continent, or at least parts of it, together. With its elements of commonality, it is possible to identify a distinct set of challenges with regard to the holding of free and fair elections in Asia.
7. The objective of the Bangkok Declaration on Free and Fair Elections is to identify the most significant and widespread barriers to free and fair elections in Asia and strengthen the resolve of the Asian people to address them by involving all relevant national, regional and international stakeholders.
8. The issues and challenges discussed in this Declaration do not attempt to be comprehensive. The Bangkok Declaration is not a catalogue of principles for the conduct of free and fair elections, nor is it a declaration of democratic rights and freedoms. It is a statement of resolution by the Asian electoral community and other stakeholders to work collectively in their respective spheres to overcome some of their shared challenges, and it is intended to be an organic document.
9. While this document is non-binding, the signatories to this Declaration nevertheless recognize and resolve to address, where they exist in their respective countries, the electoral challenges discussed.

## Section I: Pre-Election Period

### LEGAL FRAMEWORK

#### Article 1 – EMB Independence

1. The fearless independence of election management bodies (EMB) must be guaranteed by a state's Constitution and other legal frameworks.
2. The appointment of EMB members should be fully transparent and depoliticized. EMB members should be removable only for a cause defined clearly in law.
3. Secretariat staff must be able to perform their functions free of outside interference.
4. Fiscal autonomy is a prerequisite for the independence of an EMB. Relevant budget making bodies should ensure that EMBs are provided with a stable, adequate and timely source of funding that allows them to fulfill their mandates effectively and independently over the course of the election cycle.

#### Article 2 – Universal Franchise

1. Prohibiting certain groups of people from voting erodes the legitimacy of elections as the true expression of the people. Electoral laws must consider that universal franchise is upheld in accordance with each country's context.
2. Citizens of voting age must be guaranteed the right to vote, regardless of their religious, ethnic or social status.

## TRAINING AND EDUCATION

#### Article 3 – Access to Voter Information

1. Voter education is necessary to allow voters to make informed choices and participate fully in elections. Lack of access to voter education can lead to disenchantment with the electoral system and limits the ability

- of citizens to exercise their rights to free expression, peaceful assembly and free association. EMBs and other stakeholders must ensure that voter education is widespread, inclusive and accessible.
2. EMBs and other stakeholders must ensure that appropriate voter education is accessible to all election stakeholders, including those persons who cannot read, those who speak minority languages and those who are underprivileged or often underrepresented in the political process.
  3. EMBs and other state entities must share the responsibility for conducting voter and civic education that lasts throughout the electoral cycle. Similarly, civil society, political parties and candidates, and other stakeholders should contribute to this effort.

#### Article 4 – Training of Election Officials

1. A lack of adequate training for election officials and polling station workers can create problems at every stage of the electoral cycle, from poorly prepared voter lists to mistakes in the vote counting process. EMBs must ensure that election staff are provided with appropriate, updated training that is thorough and of high quality.
2. The training provided to election officials and polling station workers should cultivate a culture of integrity, transparency and accountability and equip them with a thorough understanding of election rules and procedures, inform them of their roles and responsibilities, and nurture an attitude of professionalism and civic responsibility.
3. Although election technology can be highly beneficial, it can also lead to unintentional errors or vote manipulation when not properly understood and used by election staff. Especially when new election technology is introduced, EMBs must ensure that staff are fully trained and knowledgeable about how to operate it properly.

#### PREPARATION OF THE VOTER LIST

#### Article 5 – Facilitating Voter Registration

1. In countries with active voter registration systems, barriers to voter registration, including the type and availability of documents required for registration, the number and location of registration centers, confusing and lengthy multi-step processes, and restrictive voter registration calendars, can all prevent eligible citizens from being added to the voter list. EMBs should promote the highest possible rate of registration by conducting voter registration in a way that is inclusive, convenient, and accessible to all.
2. Where active registration is required, if the window for registration is set too early in the electoral cycle, when interest and understanding is low, there is the risk that people will miss the deadline. EMBs should ensure that voters understand the deadline for registration and that there is sufficient time to register all potential voters.

#### Article 6 – Accuracy of the Voter List

1. Inaccuracies in the voter list, including errors of both inclusion and exclusion, seriously undermine the legitimacy of elections and public confidence in the electoral process. The EMB or other body responsible for the list should strive to maintain a voter list that is complete, current and accurate.
2. Problems with the voter list such as multiple registrants, dead people, children and underage voters, fictitious names, non-residents and missing names are all too common. The accuracy of the voter list should be maintained using a rigorous and transparent auditing system which includes pre-election checking and updating, updates based on proper objections of voters, and a post-election evaluation.

### Section II: Election Period ELECTORAL CAMPAIGN

#### Article 7 – Oversight for Campaign Finance

1. Fair elections demand that there be adequate oversight of campaign finance. Governments and lawmakers must ensure that there exists a rigorous legal framework that fairly regulates political donations and campaign expenditures and allows for transparency of donations and expenditures.

- Even where strong laws exist to oversee campaign finance, implementation can be lax, partial or ineffective. EMBs and governments must ensure that the laws are fully and fairly implemented, monitored and enforced. It is essential that violators be punished for their actions in accordance with the law.

#### Article 8 – Vote Buying

- Vote buying is the most blatant, and in some countries among the most common, form of election fraud. It is a crime in most countries in Asia, and countries must devote the necessary resources to prevent, monitor, investigate and punish it.
- Increasingly sophisticated and discreet methods of vote buying make it difficult for anti-vote buying initiatives to succeed. Political determination and strong public support is essential for success.
- Initiatives to combat vote buying must include rigorous voter education campaigns, strict oversight of campaign finance, thorough investigations of alleged vote buying, and prosecution of offenders conducted without exception.

#### Article 9 – Impartial Coverage by the Media

- Using state-run media to provide favorable coverage to the ruling party can seriously tilt the election playing field and destroy confidence in the legitimacy of the electoral process. State media should provide equitable space and time to all political parties and candidates and be fair in their coverage of opposition parties.
- In a democracy, it is the media's civic and moral duty to act as a fair observer of public life. Private media should strive to provide fair-minded coverage and analysis throughout the electoral cycle.

#### Article 10 – Election Violence

- A peaceful election environment is a necessary pre-requisite for legitimate elections. Used at any point throughout the election cycle, physical force, threats and intimidation seriously undermine the quality and legitimacy of elections. Election-related threats or violence must be urgently dealt with using all necessary social, political and legal actions.
- Violence can only be prevented if the causes are first determined and the warning signs are recognized as they appear. Efforts to preempt election-related violence should begin early and tackle both the causes and the symptoms of violence.

#### Article 11 – Use of Government Resources

- When government resources are used to promote political interests during an election, the campaign process cannot be fair and the legitimacy of the result is called into question. Electoral laws must prohibit the unfair use of government resources for partisan political purposes at any time.
- By themselves, laws against the misuse of government resources during an election are not enough. Governments must ensure that compliance is monitored, the law is enforced, and offenders are prosecuted.

#### Article 12 – Codes of Conduct

- Codes of conduct are valuable tools in promoting fair and transparent electoral campaigns. They can take the form of broad guidelines for all electoral stakeholders to follow, or they can be focused on the activities of a particular group such as the media, political parties, or election observers. Codes of conduct should be used to demonstrate the appropriate roles and responsibilities of the various election stakeholders in a free and fair election.
- Without proper awareness and adherence, codes of conduct are of no use. Thorough measures should be employed to educate election stakeholders about codes of conduct and persuade them of the need to follow them.
- Compliance with codes of conduct should be monitored and unethical behavior should be exposed. Where a violation of a code of conduct constitutes a breach of electoral law, it must be prosecuted to the full extent of the law.

#### Article 13 – Military and Police Interference

- With their power, organization and resources, security forces that act in a partisan manner are likely to do irreversible damage to the quality of an election and to the perceived legitimacy of the winning candidates. Strong measures are required to ensure that security forces remain strictly impartial and non-partisan.

2. Interference can be direct, as in the case of intimidation, or less direct, as in the case of personnel being used to support campaigns or senior officers endorsing candidates. Military and police forces should remain entirely neutral at all times, and even subtle forms of interference should be investigated and prosecuted.

## VOTING OPERATIONS AND ELECTION DAY

### Article 14 – Polling Station Management

1. Even when it is entirely unintentional, mismanagement at the polling station has the potential to deny people their democratic rights and skew the results of an election. The most common problem is a lack of training, so EMBs should ensure that polling station staff are thoroughly trained on the layout, the rules, and the procedures that must be followed in order to ensure a fair election. Multi-sectoral efforts and support should be encouraged for the improvement of polling station management.
2. Even when polling station staff are well prepared for the task, if they do not receive the proper logistical support, they are unable to do their jobs properly. EMBs should ensure that polling station staff receive voting materials and other resources that are complete, authentic, and on time.

### Article 15 – Enfranchising Minorities, Marginalized People and Persons with Disabilities

1. Certain groups of people face a heightened risk of being disenfranchised. In different ways, minorities, marginalized people and others facing particular challenges, including internally displaced persons (IDP), internal migrants, stateless people, homeless people and persons with disabilities, are at risk of being dispossessed of their right to vote by a number of systemic barriers. EMBs and other stakeholders should take affirmative measures to encourage the full participation of minorities, marginalized people and persons with disabilities.
2. For minority groups that live in remote locations, such as in mountains, forests or islands, the nearest registration center or polling station can be very far away, and the costs of travelling long distances and forgoing work can be enough to prevent potential voters from engaging in the election process. Minority groups can also suffer from lack of access to voter education, either because of their remoteness, a lack of access to media, or because campaigns are often not conducted in their native language. Efforts must be made to guarantee that minority groups can participate fully in the election process by ensuring that they have access to registration centers, polling stations, and voter education.
3. Since IDPs have often lost their identification cards and registration documents along with their registered addresses, they can have particular difficulty in exercising their right to vote. Internal migrants can face similar barriers when they are not readily able to register in their new place of residence. In both cases, governments must ensure that people are empowered to vote in their new locations by issuing new identification documents, updating the voter lists, and then conducting thorough voter education campaigns to inform people of their right to vote.
4. Persons with physical, sensory or intellectual disabilities can face a distinct set of barriers including lack of access to voter education, inaccessible registration centers and polling stations, and voting materials and procedures in inaccessible formats. Persons with disabilities encounter unique barriers as voter education must be in accessible formats such as sign language, Braille and large print. Persons with disabilities also encounter barriers to securing identification cards due to discrimination and lack of accessible information. Every citizen has the right to vote, and accommodations must be made for all persons with disabilities, including ensuring that the election law does not discriminate against persons with disabilities. Planning and budget should be allocated by EMBs for voter education, voter registration, casting a ballot at the polling station in secret, and, where it is authorized, advance voting and mobile ballot boxes.

### Article 16 – Voters Living Abroad

1. Many Asian countries have large numbers of citizens living outside of the country that nevertheless play an important role in the politics and the economy of their home country. Despite this, citizens living abroad often do not have the chance to vote due to the cost or complexity of overseas voting systems.
2. Where the financial and technical resources exist, countries should strive to allow citizens to vote from abroad with as little difficulty and inconvenience as possible. Opportunities to vote from abroad should be expanded wherever feasible.

### Article 17 – Participation of Women

1. In many countries, women are still disadvantaged in the electoral process. Cultural practices, an unfair playing field or running for office in a male dominated area all tend to disadvantage women. EMBs and other stakeholders must ensure that election laws do not disadvantage women. Rather, they should take positive action to encourage women to participate fully in the electoral process.
2. According to local custom in some places, women are expected to vote the way that their husbands or male elders tell them to. In some cases, male heads of household are even permitted to cast votes on behalf of their wives and family. Using voter education, training for polling station staff and any other means available to them, EMBs must ensure that all women are able to exercise their democratic right to vote according to their own choices.

#### Article 18 – Accreditation of Observers

1. Transparency is a hallmark of truly democratic elections. Domestic and international election observers can enhance the credibility and legitimacy of an election. Well---trained, dedicated and non---partisan election observers are a key tool for promoting the quality and integrity of the entire electoral process, and accreditation allows them to function more effectively. EMBs, subject to their prevailing laws, should ensure that all well---trained and non---partisan observer groups are permitted to observe all stages of election processes including observing the entire polling and counting processes at any polling station.
2. When accreditation is given inconsistently or only at the last minute, it is difficult for election observation groups to properly conduct the complex planning required for a mission to observe the pre---election process as well as the election day and post---election activities. EMBs should set out clear rules for timely accreditation of domestic and international observers and apply them fairly and consistently.

#### Article 19 – Effective and Professional Observers

1. If election observation organizations lack the objectivity, professionalism, or adequate resources necessary to operate independently and effectively, their contribution to the transparency and legitimacy of the election will suffer. Election observation organizations should therefore work to ensure that all observers deployed are well---trained, independent, and objective and that they have adequate capacity to perform their duties in conformity with internationally accepted standards.
2. Observers that have adequate training, capacity, independence and objectivity encourage the conduct of free and fair elections. However, unfit observers may fail to perform their responsibilities satisfactorily, and, moreover, may even distort the public's perception of elections. While being welcoming of legitimate election observers, EMBs should insist on high standards such as those declared by the Global Network of Domestic Election Monitors (GNDEM) in the Declaration of Global Principles For Non---Partisan Election Observation And Monitoring By Citizen Organizations for the domestic and international election observation organizations they accredit.

#### Article 20 – Printing, Counting, Consolidating, Transporting and Storing Ballots

1. Management of the vote counting process is one of the most critical functions during an election, and a fair and open process is an absolute prerequisite for a legitimate election. The process of printing, counting, consolidating, transporting and storing ballots, both before and after voting, must be fully transparent to the public, political party agents and election observers.
2. The transparency of vote counting and consolidation is particularly essential, and without it, the final vote count can be manipulated. Observation groups and political parties should ensure that observers are trained and deployed to observe these processes, and EMBs must ensure that they are given the access to do so.

#### Section III: Complaints and Electoral Dispute Resolution

##### Article 21 – Electoral Complaint System

1. An effective electoral complaint system is an essential tool for fighting fraud and mismanagement at each stage of the electoral cycle. EMBs must ensure that the process for filing a complaint is clearly spelled out in advance of elections as well as readily accessible to, and known by, the public. The system must be managed fairly, transparently, and in a way that encourages those with complaints to come forward.
2. When election stakeholders have insufficient information about how to file electoral complaints, they are effectively excluded from the electoral complaint and oversight process. EMBs should use voter education to ensure that every election stakeholder understands the electoral complaint process.

##### Article 22 – Timely and Impartial Dispute Investigation and Resolution

1. A fair and neutral system of dispute resolution is critical for the integrity of an election. When mechanisms for handling disputes are deficient, citizens and candidates feel that their voices are not being heard and lose confidence in the election process and its results. Where dispute resolution bodies are subject to political influence or corruption, the dispute resolution process can be manipulated. Governments must ensure that the bodies with the responsibility to investigate and make decisions on electoral disputes are independent, impartial, professional and sufficiently financed.
2. Undue delays in the resolution of cases can be used to manipulate the dispute resolution process and deny the application of justice. Whether delays are due to insufficient capacity, or whether they are politically influenced, they undermine the legitimacy of the entire dispute resolution process. Within the framework of the electoral cycle, reasonable time limits should be set for the resolution of cases to avoid unnecessary delays. These time limits must be rigorously but fairly enforced.

#### Call to Action

1. We therefore call upon the people of Asia, as well as their governments, election management bodies, political parties, candidates, civil society organizations, observer groups, the media and all other election stakeholders to strengthen their commitment to addressing these common challenges. As members of the Asian electoral community, we call upon all election stakeholders in Asia to work together to build and ensure free and fair elections across the region.
2. The issues and challenges included in this Declaration are neither comprehensive nor ubiquitous, as each country in Asia has its own unique set of challenges with regard to elections. We nevertheless urge the electoral community in each country to work towards improvement by focusing attention on those articles that are relevant in their own contexts.
3. Furthermore, with such great diversity in Asia, not all issues can be resolved in the same way. We call upon the electoral community in each country to use as a foundation the universal principles referenced in this Declaration and documented in other instruments such as the International Covenant on Civil and Political Rights and the Declaration on Criteria for Free and Fair Elections. We urge them to utilize and benefit from the rich electoral experience found across Asia.
4. But we are ever cognizant of the fact that each country's electoral challenges exist within its own unique and complex context. Countries can benefit most from this Declaration by recognizing that as we resolve to address our common challenges as members of the Asian electoral community, the solutions must still fit the unique nature of country-specific problems.

We believe that free, fair, transparent, peaceful and democratic elections are possible in all countries across Asia. As members of the Asian electoral community, we hereby resolve to work towards making this a reality.

#### Endorsing Groups/Individuals

- 1) KIPP Indonesia --- Independent Election Monitoring Committee of Indonesia
- 2) JPPR Indonesia --- The People's Voter Education Network
- 3) BadanPengawasPemilihanUmumRepublikIndonesia(Bawaslu Indonesia)
- 4) Women Caucus for Politic (Timor---Leste)
- 5) National Election Monitoring Alliance (NEMA) Nepal
- 6) Open Forum for Democracy Foundation (PoliWatch) Thailand
- 7) Center for Korean Women and Politic (CKWP)
- 8) The National Citizens' Movement for Free Elections (NAMFREL)
- 9) Women Social Progress (Mongolia)
- 10) Institute for Political and Electoral Reform (IPER)
- 11) CNE (Commission National on Elections), Timor---Leste
- 12) General Election Commission of Mongolia (GEC)
- 13) Human Security Alliance (Thailand)
- 14) Perludem (PerhimpunanuntukPemiludandemokrasi), Indonesia
- 15) Fair Election Monitoring Alliance (FEMA) Bangladesh
- 16) National Election Observation Committee (NEOC) Nepal
- 17) Neutral and Impartial Committee for Free and Fair Elections in Cambodia (NICFEC)
- 18) The Committee for Free and Fair Elections in Cambodia (COMFREL)
- 19) Odhikar, Bangladesh
- 20) Free and Fair Election Network [FAFEN], Pakistan
- 21) People's Action for Free and Fair Elections (PAFFREL), Sri Lanka

- 22) Indonesian National Election Commission, Komisi Pemilihan Umum (KPU)
- 23) Free and Fair Election Foundation of Afghanistan, FEFA, Afghanistan
- 24) Pusat KOMAS, Popular Communications For Human Rights in Malaysia
- 25) Parish Pastoral Council for Responsible Voting (PPCRV, Philippines)
- 26) The Commission on Elections (COMELEC, Philippines)
- 27) AGENDA General Election Network for Disability Access
- 28) Citizen Congress Watch (CCW, Taiwan)
- 29) LOKNITI Programme for Comparative Democracy
- 30) InterBand (Japan)
- 31) Technical Secretariat for Election Administration (STAE), Timor-Leste

#### Observing Organizations

- 32) IFE (Instituto Federal Electoral) Mexico
- 33) High National Election Commission --- Libya

\*\*\*The End\*\*\*\*