

PARLIAMENTARIANS AT RISK

Reprisals against MPs in
Southeast Asia in 2023

 ASEAN PARLIAMENTARIANS
FOR HUMAN RIGHTS

 Hanns
Seidel
Foundation





APHR is a regional network of current and former parliamentarians who use their unique positions to advance human rights and democracy in Southeast Asia. We seek to help create a region where people can express themselves without fear, live free from all forms of discrimination and violence, and where development takes place with human rights at the forefront.

Our members use their mandate to advocate for human rights inside and outside of parliaments, regionally and globally. They work closely with civil society, conduct fact-finding missions, and publish recommendations and opinions on the most important issues affecting the region.

APHR was born out of the recognition that human rights issues in Southeast Asia are interconnected, and from the desire of progressive legislators to work together across borders to promote and protect human rights.



The Hanns Seidel Foundation (HSF) is a German Political Foundation. It is mandated by the German Parliament to promote democratic and sustainable structures worldwide. This mandate involves strengthening institutions, individuals, procedures and standards, as well as building the requisite attitudes, towards that end.

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Cover page description
Move Forward Party's former leader and election winner, Pita Limjaroenrat answer media inquiries during a press conference after a court hearing at the Thai Parliament in Bangkok, Thailand, 31 January 2024
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Protesters flash the three finger salute to mark the second anniversary of Myanmar's 2021 military coup, outside the Embassy of Myanmar in Bangkok, Thailand, 01 February 2023.
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EXECUTIVE SUMMARY

In 2023, parliamentarians in Southeast Asia continued to face threats and harassment. Myanmar remains the worst country when it comes to jailing members of parliament (MPs), with all 74 of those detained in the region being held there.

But Myanmar is not the only place where harassment against lawmakers takes place, and governments in many Southeast Asian countries have continued to use judicial harassment in particular against opposition lawmakers.

It is a tactic APHR has documented in the region for many years, and which is intended both to intimidate dissenting voices, and act as a burden on those parliamentarians' time and resources, hindering their ability to do their work as elected representatives of the people.

Sexist rhetoric also continues against female lawmakers in the region, again continuing a trend that has taken place for many years.

APHR continues to call on governments in the region to take concrete steps to prevent gender-based harassment from occurring in the future, including by holding perpetrators to account.

Two countries - Thailand and Cambodia - held elections in 2023, but in neither of those countries were citizens freely allowed to vote for the political leadership they wanted, either due to physical and judicial intimidation against MPs, or through non-democratic state apparatus preventing the will of the people from being fulfilled.

The latter was the case in Thailand where the Move Forward Party, the most popular party in the election, was prevented from forming a government by unelected senators.

 **74 MPs**
DETAINED IN MYANMAR

Former Philippine senator Leila De Lima talks to journalists after a trial court hearing in connection to case witnesses in Muntinlupa City, Metro Manila, the Philippines, 28 November 2023.
©EPA-EFE/ROLEX DELA PENA



There was some good news when it came to the human rights of parliamentarians in 2023 when Senator Leila de Lima was freed from prison after most of the falsified drug charges against her were dropped. However, APHR remains concerned that she has been freed on bail, and calls for all charges against her to be immediately and unconditionally dropped.

Despite the change of government in Malaysia judicial harassment continues, including through draconian laws such as the Sedition Act, which APHR has called to be repealed.¹ The act - which has previously been used against opposition parliamentarians - can carry a punishment of three to seven years in prison for vaguely worded offenses, including acting with “seditious tendency” against the government.

Judicial harassment is also a tactic that continues to be used in the Philippines, as is the dangerous tactic of “red tagging”, which is used mainly against left-leaning lawmakers. As mentioned above, the atrocious human rights record under the military junta in Myanmar continues, with dozens of lawmakers from the National League for Democracy (NLD) - which resoundingly won the 2020 election - still being held in prisons around the country. APHR also documented at least one new arrest of an NLD MP in 2023.

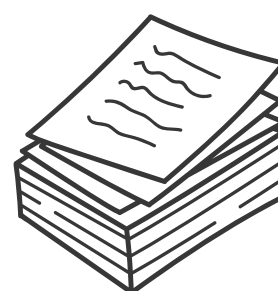
1. **ASEAN Parliamentarians for Human Rights**, Southeast Asian MPs call Malaysian government to repeal repressive laws, protect parliamentarians and human rights defenders, 26 february 2023, available at <https://aseanmp.org/2023/02/26/southeast-asian-mps-call-malaysian-government-to-repeal-repressive-laws-protect-parliamentarians-and-human-rights-defenders/>

METHODOLOGY

This briefing is based on an extensive desk review of existing literature, including reports by civil society organizations, various United Nations bodies and other human rights groups, as well as academic research and credible media reports. It is also based on interviews with current and former lawmakers throughout the region.

APHR has, where relevant, relied on analysis of official court documents and police records in documenting the cases. APHR wishes to thank those lawmakers and others who contributed to this briefing by offering their time and insights. On occasion, names of those interviewed have been withheld to protect their safety.

This briefing is part of APHR's efforts to document attacks on lawmakers in Southeast Asia and to ensure that lawmakers can exercise their mandates free of interference. It builds on previous reports including *Death Knell for Democracy: Attacks on Lawmakers and the Threat to Cambodia's Institutions* (March 2017), *In the Crosshairs of the Presidency: Attacks on Opposition Lawmakers in the Philippines* (June 2019), *Parliamentarians at Risk: Reprisals against Opposition MPs in Southeast Asia* (September 2020), *Parliamentarians at Risk: Reprisals against Opposition MPs in Southeast Asia* (December 2021) and *Parliamentarians at Risk: Reprisals against Opposition MPs in Southeast Asia* (March 2023).



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THAILAND



Authorities in Thailand have continued their trend of using judicial harassment against opposition MPs, in particular progressive parties that have proven a threat to the entrenched political establishment at elections.

Thailand's military also continues to play an outsized role in the country's politics, notably through the unelected Senate, which has the power to choose the country's leaders and veto any meaningful changes to the country's laws.

Voters in Thailand went to the polls in May 2023, to elect 500 members of the House of Representatives (the 250 members of the more powerful Senate are chosen by the military). After decades of military interference in its politics – most recently with the 2014 military coup, then the transition to a military-dominated, semi-elected government following the highly flawed 2019 election – the Thai people made a clear call for change, with the Move Forward Party winning the most seats.

Move Forward – the successor of the Future Forward Party, which was dissolved by Thailand's Constitutional Court following the 2019 election – had called for drastic changes to Thailand's entrenched political system, including to the military and the economy. It was a message that resonated, particularly with young people, with Move Forward winning 151 seats – this was 10 more than its nearest challenger, the Pheu Thai Party.

Move Forward was headed by **Pita Limjaroenrat**, a 42-year-old businessman, who after the election was able to form a coalition with other pro-democracy parties. However, that partnership was blocked by military-appointed members of the Senate, and Pita was prevented from becoming prime minister. The Pheu Thai Party then aligned with conservative, pro-military parties, and in August 2023, its candidate, businessman Srettha Thavisin, was sworn in as prime minister.



Many Thais are understandably angry that their votes seem to count for nothing.

Thailand’s constitution must be reformed, and any new government must make it one of their first priorities.



Charles Santiago

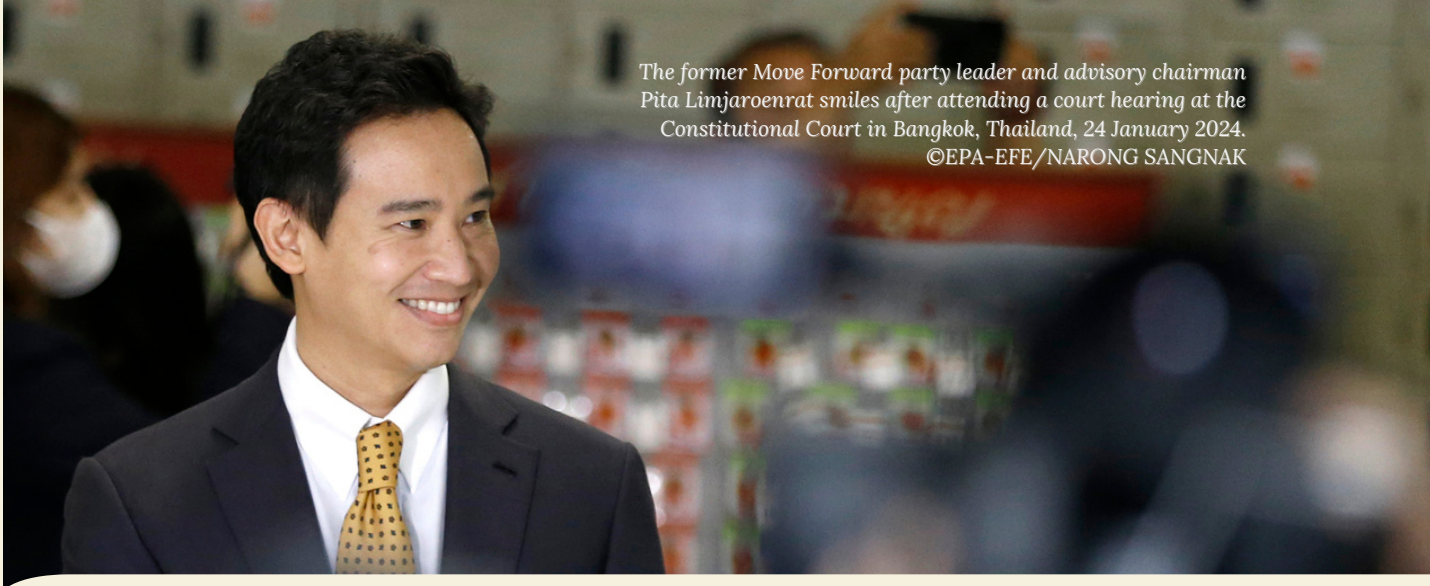
APHR Co-Chair
Former Malaysian MP



As Charles Santiago, APHR’s co-chairperson and a former Malaysian member of parliament, said at the time, the actions of military-appointed Senators showed “their utter disregard and lack of respect for the will of the people, which was communicated very clearly in the ballot box”. “Many Thais are understandably angry that their votes seem to count for nothing. Thailand’s constitution must be reformed, and any new government must make it one of their first priorities,” he said.²

As well as being prevented from becoming prime minister, a campaign of judicial harassment has also been pursued against Pita, and the Move Forward Party, part of a pattern that has been used against progressive politicians in recent years – most notably members of Future Forward, Move Forward’s predecessor.

2. **ASEAN Parliamentarians for Human Rights**, *The people of Thailand deserve, and voted for, a real democracy*, Southeast Asian parliamentarians say, 19 July 2023, available at <https://aseanmp.org/2023/07/19/the-people-of-thailand-deserve-and-voted-for-a-real-democracy-southeast-asian-parliamentarians-say/>



The former Move Forward party leader and advisory chairman Pita Limjaroenrat smiles after attending a court hearing at the Constitutional Court in Bangkok, Thailand, 24 January 2024.
©EPA-EFE/NARONG SANGNAK

➤ Pita Limjaroenrat: A campaign of judicial harassment

When Thailand held a general election in May 2023, Move Forward Party, a progressive party calling for widespread changes to the country's political order, emerged as the surprise winner.

Days after the vote, the Election Commission announced that Move Forward had won 112 constituency and 39 party list seats, for a total of 151 in the 500-seat House of Representatives. The Pheu Thai Party came second with 141 seats in the new parliament, followed by Bhumjaithai with 71. Parties aligned with the military, which had ruled the country in various forms since launching a coup in 2014, performed comparatively poorly.

Move Forward - a success of the Future Forward Party, which had been dissolved in 2020 - was headed by Pita Limjaroenrat, a 42-year-old businessman who had harnessed social media to gain widespread popularity, and won on a promise of drastic reforms to the country's political order. Pita had initially said he was confident of being able to form a coalition government, having established an alliance with several other parties, including Pheu Thai, but those plans were ultimately scuppered when Move Forward failed to secure the votes of unelected senators, all 250 of whom were appointed by a previous military government.

In order to become Prime Minister, Pita had needed the votes of more than half of the 750 members of parliament's two chambers (500 elected MPs and 250 unelected senators), but secured only 324 votes, 51 short of the required 375. Months later, businessman Srettha Thavisin, from Pheu Thai, became the country's new prime minister after the party formed a new alliance, including with pro-military parties.

APHR has raised concerns about the systemic problems that are entrenched within Thailand's current political and legal frameworks, which not only hinder the full representation of the people's will but also curtail fundamental freedoms.³

As well as being denied the premiership, Pita has also been subjected to a campaign of judicial harassment, similar to that conducted against his predecessor Thanathorn Juangroongruangkit, who had led the Future Forward Party before its 2020 dissolution. Two court cases were opened against Pita while he was negotiating to form a coalition government.

In July 2023 he was suspended as an MP over allegations he had violated election law by owning shares in a media company, iTV, while contesting the election. Pita's defense had been that he inherited the shares from his father, and that the company has not been operational since 2007, therefore negating any potential political influence. His lawyers also argued that the share portion of 0.00035% was "insufficient to exert any influence over the company's policies or actions".⁴

In January 2024, the charges were dropped and Pita was reinstated as an MP, but the case had a major impact on his ability to do his job as an elected representative of the people, by stifling time and money. Another case against Pita also brought potentially even more serious charges against him and his party.

In March 2024, the Election Commission asked the country's Constitutional Court to dissolve Move Forward, citing the party's election campaign promise to amend the country's strict lese-majeste law, which prohibits criticism of the country's powerful monarchy.⁵

It came after a ruling by the Court in January that said Move Forward had violated the constitution with its plans to change the lese-majeste law, also known as article 112 of the criminal code. The ruling found that the party's proposed amendments to article 112 constituted an attempt to destroy Thailand's constitutional monarchy.⁶ If the party is dissolved - a decision on which has not been made at the time of writing - its leaders, including Pita, could be banned from politics for 10 years.

3. **ASEAN Parliamentarians for Human Rights**, Southeast Asian lawmakers urge Thailand's new government to fulfill promise of change, pave the way for genuine democracy that respects rights of all, 25 August 2023, available at <https://aseanmp.org/2023/08/25/southeast-asian-lawmakers-urge-thailands-new-government-to-fulfill-promise-of-change-pave-the-way-for-genuine-democracy-that-respects-rights-of-all/>

4. **Bangkok Post**, Pita survives media shareholding case, 24 January 2024, available at <https://www.bangkokpost.com/thailand/politics/2729909/pita-survives-media-shareholding-case>

5. **Bangkok Post**, EC asks court to dissolve MFP, 19 March 2024, available at <https://www.bangkokpost.com/thailand/politics/2760696/ec-asks-court-to-dissolve-mfp>

6. **Bangkok Post**, Ruling strikes at MFP's heart, 1 February 2024, available at <https://www.bangkokpost.com/thailand/politics/2734130/ruling-strikes-at-mfps-heart>



Rukchanok Srinork (L) walks next the chairman of the party advisory committee Pita Limjaroenrat (R) as they arrive to hear the verdict in her trial over charges of lese majeste, at the Criminal Court in Bangkok, Thailand, 13 December 2023. ©EPA-EFE/NARONG SANGNAK

A similar campaign of judicial harassment is occurring towards other Move Forward members and allies. Also in 2023, in December, **Rukchanok “Ice” Srinork**, a Move Forward Party MP, was sentenced to six years in prison – then later released on bail – under the country’s strict royal defamation laws, and for violating the Computer-Related Crimes Act.

The charges were related to posts she made on Twitter (now X) in July and August 2021. One post accused the government of using Covid-19 vaccine distributions to promote the monarchy’s image, which the court considered defamatory. She also shared a graphically worded post, made by other users, that the court said had displayed “great malice” towards His Majesty the King.⁷

Rukchanok – who won her seat in Bang Bon, near Bangkok, in the 2023 election – was released on 500,000 baht bail on the condition that she not reoffend.⁸

Another Move Forward Party MP, **Chonticha “Lookkate” Jangrew**, is facing criminal charges since her tenure as a political and student activist before joining the MFP. In February 2023, the Criminal Court finally granted Jangrew and other activists permission to remove their Electronic Movement anklets, which they had been wearing for nearly a year. She stated that she had to wear it “even before any verdict had been made” against her.⁹

7. **Bangkok Post**, *Opposition MP sentenced to jail for lese majeste*, 13 December 2023, available at <https://www.bangkokpost.com/thailand/politics/2704633/opposition-mp-sentenced-to-jail-for-lese-majeste>
 8. **Thai PBS World**, *Rukchanok granted bail after conviction on lese majeste charges*, 13 December 2023, available at <https://www.thaipbsworld.com/rukchanok-granted-bail-after-conviction-on-lese-majeste-charges/>
 9. **Khaosod English**, *“I’M DEFINITELY NOT GOING TO MISS IT.” CHONTHICHA JANGREW REMOVED HER EM*. 2 February 2023, available at <https://www.khaosodenglish.com/politics/2023/02/02/im-definitely-not-going-to-miss-it-chonthicha-jangrew-removed-her-em/>



No one can deprive me of my right to engage in political work.



Pannika Wanich

APHR Member
Former Thailand MP



Chonticha Jangrew was one of the 14 students arrested by the police in June 2015 during the protest commemorating the anniversary of the Thai military coup. After spending 12 days in detention, Chonthicha and her peers were released from jail on July 8, 2015; however, the charges against them remained in place. In June 2023, the Court scheduled a hearing for violations of Section 112 of the Criminal Code due to a letter she wrote containing language deemed offensive to the monarchy in June of the previous year.¹⁰

Also in 2023, Thailand's Supreme Court upheld a complaint against **Pannika Wanich** that ensured she was banned from standing for political office for life. Pannika had been elected as an MP for Future Forward in the 2019 election, but was one of more than a dozen senior members banned from politics for 10 years.

In 2019, a complaint was made to the National Anti-Corruption Commission (NACC) over posts published on Pannika's personal Facebook account – they included a number of photos, including one taken at her university graduation in 2010, in which she appears to be pointing at a portrait of the late King Bhumipol Adulyeaj. The complainant claimed that Pannika had breached the “ethical standards” for someone who holds public office.

The NACC upheld the complaint, saying Pannika had breached ethical standards while serving as an MP because she had failed to remove the posts or prevent public access to them. It then sought a ruling by the Supreme Court, which ultimately agreed. After the ruling Pannika said that “no one can deprive me of my right to engage in political work”, and that she would continue her work under the Progressive Movement banner.¹¹

10. **Bangkok Post**, Move Forward MP-elect claims 112 case 'rushed', 3 June 2023, available at

<https://www.bangkokpost.com/thailand/politics/2584056/move-forward-mp-elect-claims-112-case-rushed>

11. **Sebastian Strangio in The Diplomat**, 21 September 2023, available at <https://thediplomat.com/2023/09/thai-court-bans-progressive-politician-from-political-office-for-life/>, see also APHR response <https://twitter.com/ASEANMP/status/1705162323135262915?t=4qKDHfHWOJ5kwud0ofYctA&s=19>



CONCLUSION

The new government of Prime Minister Srettha Thavisin should fulfill his promise of change after years of democratic deterioration and human rights violations in Thailand.¹² Years of political instability in Thailand - largely driven by the role the military plays in politics - has contributed to this drastic demise in democratic freedoms, as well as a huge wealth gap.

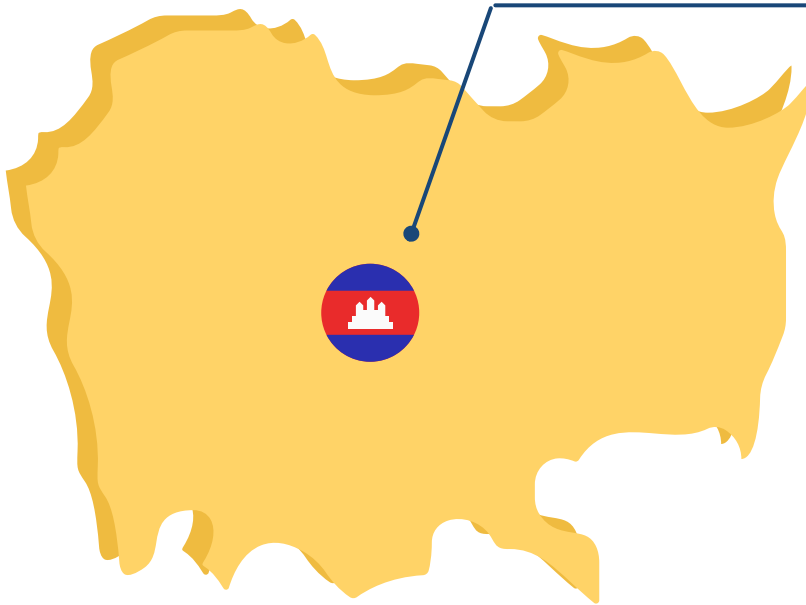
The new government must take immediate action to usher in a new era of progress, one that is inclusive, promotes social cohesion, and respects all human rights. Drastic reform is also needed to Thailand's political order, highlighted by the fact the most popular party in the 2023 general election was unable to form a government.

One of the biggest hindrances to democratic freedoms in Thailand is the presence of the 250-person Senate that is effectively appointed by the Royal Thai Military. These senators were able to prevent the Move Forward-led coalition from forming a government that the people had voted for - it also has the power to block any changes to the country's constitution, since one-third of all senators must approve any amendments.

The government must initiate drastic reforms in order to restore and rebuild democracy and its institutions, put an end to the role the military plays in politics, address economic inequalities, and provide redress to all injustices committed against the people. It is also troubling to see that, despite the change of government, the practice of intimidating and harassing opposition MPs and parties continues.

12. **Reuters**, *Thailand PM Srettha promises new era of change, to promote unity*, 23 August 2023, available at <https://www.reuters.com/world/asia-pacific/thailand-pm-srettha-promises-new-era-change-promote-unity-2023-08-23/>

CAMBODIA



The Cambodian government continues to intimidate and harass opposition political parties - mostly recently the Candlelight Party, a successor to the dissolved Cambodia National Rescue Party (CNRP) - to the point that they were effectively disqualified from running in a highly flawed election in 2023.

Through the use of repressive laws, intimidating rhetoric and attacks on press freedom, authoritarian leader Hun Sen also ensured that, rather than being an opportunity for the Cambodian people to freely elect their leaders, he used it to strengthen his grip on power, eventually handing power to his son.

Long-term opposition politicians also continued to face judicial harassment in Cambodia, including a number of APhR members in exile, while **Kem Sokha** - a former leader of the CNRP - was given a harsh decades-long sentence on politically-motivated charges. Consistent with recent elections in Cambodia, the 2023 vote was another farce, intended only to bolster the grip on power held by Hun Sen - the autocratic strongman who has ruled since 1985 - and his allies.

Only three parties participated in the vote, and the country's largest opposition party, the Candlelight Party, was barred from participating on dubious administrative grounds weeks before the election took place. Also in the weeks leading up to the election, Hun Sen's regime launched relentless attacks against human rights defenders and opposition parties. The vote could not be considered remotely close to free or fair, and offered the Cambodian people no real choice in who their leaders should be.

Hun Sen apparently gave up power after the July vote, but in reality this power was handed to his son, Hun Manet, continuing the family legacy of rule in a country where democratic freedoms have drastically shrunk at the hands of Hun Sen in recent years.

Despite seeming to step back from power, Hun Sen remains head of the ruling Cambodian People's Party (CPP), which has effectively established a one-party state in Cambodia. He also serves as Senate president.¹³ Hun Sen's years-long onslaught against any form of political opposition also continued in 2023, both with his fierce targeting of the Candlelight Party – a successor of the CNRP, which was dissolved in 2017 on bogus charges – and a decades-long prison sentence given to former opposition leader Kem Sokha, also on politically-motivated charges.¹⁴

Months before the previous election in Cambodia, in 2018, the use of the country's courts to dissolve the CNRP meant that Hun Sen's CPP ran unopposed, granting the party all 125 seats in the National Assembly. Pursued under politically-motivated charges,¹⁵ many CNRP MPs are now operating in exile, and have been unable to return to Cambodia.

Hun Sen has used this position of power to strengthen his own standing, as well as target critical voices. With practically no legislative oversight in recent years, the government has introduced a number of new repressive laws. In 2020, this included the Law on Public Order, which included provisions that undermined human rights through regulating public spaces and public behavior on the pretext of maintaining “public order”.



Cambodian Prime Minister Hun Sen gives a speech during a ceremony in Phnom Penh, Cambodia, 03 August 2023.
©EPA-EFE/KITH SEREY

13. **The Guardian**, Cambodia: son of long time ruler Hun Sen becomes PM in historic transfer of power, 22 August 2023, available at <https://www.theguardian.com/world/2023/aug/22/who-is-cambodia-pm-hun-manet-hun-sen-son-transfer-of-power>

14. **ASEAN Parliamentarians for Human Rights**, Dissolution of opposition party renders Cambodian elections illegitimate, <https://aseanmp.org/2020/11/09/dissolution-of-opposition-party-cambodia/>

15. **VoA**, Large Numbers of Opposition MPs Fly Out of Cambodia, 5 October 2017, available at <https://www.voanews.com/a/opposition-out-of-cambodia/4057473.html>

The Sub-decree on the Establishment of the National Internet Gateway, passed in February 2021, also proposed vast powers to the government to control internet traffic in and out of the country, block any online connection and access personal data without consent. Its enforcement is currently on hold, but if passed it will be yet another tool used by the government to restrict civil liberties in Cambodia.¹⁶

Under Hun Sen's watch, the government in Cambodia has also effectively wiped out independent media in recent years, with at least 32 radio broadcasters and 17 independent media websites closed down between 2017 and 2018.¹⁷

The year 2023 saw yet another independent media outlet – VOD, or the Voice of Democracy – shut down by Hun Sen's government. In March, Hun Sen announced he was shutting down VOD – which had reported independently on developments in Cambodia, both in English and Khmer – saying it had “hurt” his government's reputation, over an article it published about Cambodian aid being given in response to an earthquake in Turkey.

VOD had offered an apology for the confusion caused by the article, but Hun Sen ordered for the media outlet's license to be revoked.¹⁸



Under Hun Sen's watch, at least **32 radio broadcasters** and **17 independent media websites** closed down between 2017 and 2018.

Numerous organizations wrote to Hun Sen urging him to immediately restore the license, saying the revocation of VOD's license would “represent a grave step backwards for both press freedoms and the rule of law in Cambodia”.¹⁹ Hun Sen paid no attention to these calls. He continued to use this authoritarian playbook in the build-up to the 2023 election.

In the months before the vote, Hun Sen threatened anyone who criticized the CPP with physical violence or legal action.²⁰

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16. **Prashanth Parameswaran**, *The Diplomat*, What's in Cambodia's New Internet Gateway Decree?, 24 February 2021, available at <https://thediplomat.com/2021/02/whats-in-cambodias-new-internet-gateway-decree/>, for the full SubDecree, see https://digitalreach.asia/wp-content/uploads/2021/06/Cambodia_NIG_English.pdf
 17. **International Federation of Journalists**, *Charting Cambodia's Declining Press Freedom*, available at <https://www.ifj.org/actions/ifj-campaigns/charting-cambodias-declining-press-freedom>
 18. **The Guardian**, Dictator Hun Sen shuts down Cambodia's VOD broadcaster, 13 February 2023, available at <https://www.theguardian.com/world/2023/feb/13/dictator-hun-sen-shuts-down-cambodias-vod-broadcaster>
 19. **Reporters Without Borders (RSF)**, *RSF joins press freedom and civil society organisations in condemning Cambodian government's decision to revoke independent media VOD's licence*, 13 February 2023, available at <https://rsf.org/en/rsf-joins-press-freedom-and-civil-society-organisations-condemning-cambodian-government-s-decision>
 20. **ASEAN Parliamentarians for Human Rights**, *Southeast Asian MPs denounce threats made by Hun Sen against the opposition in Cambodia ahead of general elections*, 12 January 2023, available at <https://aseanmp.org/2023/01/12/southeast-asian-mps-denounce-threats-made-by-hun-sen-against-the-opposition-in-cambodia-ahead-of-general-elections/>

“I want to ask you, there are only two ways: one is **the legal system**, another one, **the stick**. Which one do you want out of those two?”

Hun Sen
January 2023

In a speech in January 2023, Hun Sen reportedly offered his opponents the “choice” between accepting the rulings of the country’s courts – which the CPP has long controlled – or violence. “I want to ask you, there are only two ways: one is the legal system, another one, the stick. Which one do you want out of those two?” he was reported as saying.

He issued another warning to his critics. “You speak of rights to freedom of expression. I can respond by mobilizing people at your location, [and] follow you to your house.” He also said that if his temper is “not controlled” opposition groups will be “split up”. Continuing the attacks on the political opposition, Hun Sen also ensured that the CNRP’s successor, the Candlelight Party, could not run in the election.²¹

The Cambodian National Election Committee (NEC) also rejected the registration of the Candlelight Party on administrative grounds, stating that they did not have a registration document from 1998. This prohibited the party from running.

As well as this not being a requirement for the 2022 commune-level elections – in which the Candlelight Party won a fifth of all votes, despite being subjected to severe harassment – the document in question reportedly disappeared in 2017 when authorities raided the CNRP’s headquarters as part of its crackdown on that party.²² This manufactured bureaucratic obstacle was clearly designed to prevent the Candlelight Party from competing in the elections by any means possible, essentially making this another unopposed election for the CPP.

Further restrictive measures were introduced before the vote, including an amendment to the Election Law that prohibited those abstaining from voting in the election from running as candidates in future polls. Another amendment imposed criminal liability on citizens who disrupt or boycott the vote.²³ To add to this culture of repression and fear, numerous Candlelight Party members and supporters were also arbitrarily arrested and harassed in the run-up to the elections. A number of incidents occurred in July, weeks before the vote.

21. **Human Rights Watch**, *Cambodia: Renewed Attacks on Political Opposition*, 24 April 2023, available at <https://www.hrw.org/news/2023/04/24/cambodia-renewed-attacks-political-opposition>

22. **Reuters**, *Cambodia poll body disqualifies sole opposition party from July election*, 15 May 2023, available at <https://www.reuters.com/world/asia-pacific/cambodia-poll-body-disqualifies-sole-opposition-party-july-election-2023-05-15/>

23. **ASEAN Parliamentarians for Human Rights**, *Southeast Asian MPs condemn Cambodian government’s use of bureaucratic stonewalling, violence to block fair election participation*, <https://aseanmp.org/2023/05/16/southeast-asian-mps-condemn-cambodian-governments-use-of-bureaucratic-stonewalling-violence-to-block-fair-election-participation/>

On July 13, **Khem Monykosal**, a Candlelight Party member, fled Cambodia due to fears of arrest, according to Human Rights Watch (HRW). Monykosal told HRW that ruling party officials asked him on four separate occasions to “surrender to the Cambodia People’s Party”. He said that the officials gave him the choice of being reinstated in a government job, or facing legal action from two pending court cases. After Monykosal refused the officer, his home was raided by police, who reportedly left a handwritten note saying a mobile phone was taken on the prosecution’s order.²⁴

Also in July, **Tithia Sum**, a Candlelight Party member and United States citizen, fled Cambodia after receiving notice of an arrest warrant against him. He has been accused of using social media to “insult the king and ... incite social unrest in Cambodia” under the charge of lese majeste, which carries a prison term of up to five years and fine of up to US\$2,500.²⁵ Unsurprisingly then amid this atmosphere, the CPP claimed a “landslide” victory. Official results showed that the party took 120 of the 125 available seats. Months after the vote Hun Sen formally handed power to his son, Hun Manet, although Hun Sen remained leader of the ruling CPP. Despite the attempts by Hun Sen to portray it as such, the 2023 election in Cambodia was not remotely close to free or fair.



**CPP WON
120
FROM 125
AVAILABLE
SEATS**

In its pre-election assessment mission report, the Asian Network for Free Elections (ANFREL) noted that the clear bias of the NEC combined with a deteriorating political situation compromised “the integrity and credibility of the electoral process”. It found that the Cambodia election “will continue to fall short of being free and fair”, finding “significant flaws in all aspects”.²⁶

APHR has a similar takeaway from the 2023 election, and believes it was only an election in the loosest sense of the word. In effect, the election was a coronation for Hun Sen and his cronies. Such elections have increasingly become the tools of authoritarian leaders to consolidate their power, undermining elections as one of the core pillars of democracy.

In March 2023, **Kem Sokha**, the former president of the CNRP, was also sentenced to 27 years imprisonment for “conspiring” with a foreign power, in a trial that had been delayed for several years.²⁷ Throughout his trial rights groups, including APHR, expressed concern, including about the use of questionable or unfair judicial processes within Cambodia’s highly politicized courts, for charges that should never have been brought in the first place.²⁸

24. **Human Rights Watch**, *Cambodia: Harassment, Arrests of Opposition Activists*, 19 July 2023, available at <https://www.hrw.org/news/2023/07/19/cambodia-harassment-arrests-opposition-activists>

25. **UCA News**, *Cambodia govt renews attacks on opposition ahead of poll*, 5 June 2022, available at <https://www.ucanews.com/news/cambodia-govt-renews-attacks-on-opposition-ahead-of-poll/102027>

26. **Asian Network for Free Elections (ANFREL)**, *ANFREL PRE-ELECTION ASSESSMENT MISSION REPORT: 2023 CAMBODIAN GENERAL ELECTION*, 5 July 2023, available at <https://anfrel.org/anfrel-pre-election-assessment-mission-report-2023-cambodian-general-election/>

27. **Reuters**, *Cambodian opposition figure Kem Sokha sentenced to 27 years of house arrest*, 3rd March 2023, available at <https://www.reuters.com/world/asia-pacific/cambodian-opposition-figure-kem-sokha-sentenced-27-years-treason-2023-03-03/>

28. **See for example, APHR response** https://twitter.com/ASEANMP/status/1631565303779065856?t=Re3nM_4cmb4oeIU9C0HEbg&s=19

He was accused of trying to overthrow the government with the backing of the United States, based on a video in which Kem Sokha allegedly said he had received advice from the US on how to build up an opposition movement.

In October, four former opposition parliamentarians in exile - **Sam Rainsy, Mu Sochua, Eng Chhai Eang, and Ho Vann**, the last three who are APCR members - were sentenced to eight years in prison, and given a five-year ban from running for office, for alleged incitement and conspiracy to commit treason.²⁹

The charges were in relation to a series of Facebook comments about whether Cambodians should temporarily stop paying loans during the Covid-19 pandemic, as well as another set of Facebook comments about high-ranking Cambodian officials buying citizenships in Cyprus. Eight other opposition activists were also found guilty in the same case and sentenced to five years' imprisonment.



Cambodia's Prime Minister Hun Manet addresses the 78th session of the United Nations General Assembly at United Nations Headquarters in New York City, New York, USA, 22 September 2023. ©EPA-EFE/SARAH YENESEL

29. **ASEAN Parliamentarians for Human Rights**, Prison sentences for opposition members demonstrate that Hun Manet is following in his father's footsteps, Southeast Asian MPs say, 27 October 2023, available at <https://aseanmp.org/2023/10/27/prison-sentences-for-opposition-members-demonstrate-that-hun-manet-is-following-in-his-fathers-footsteps-southeast-asian-mps-say/>

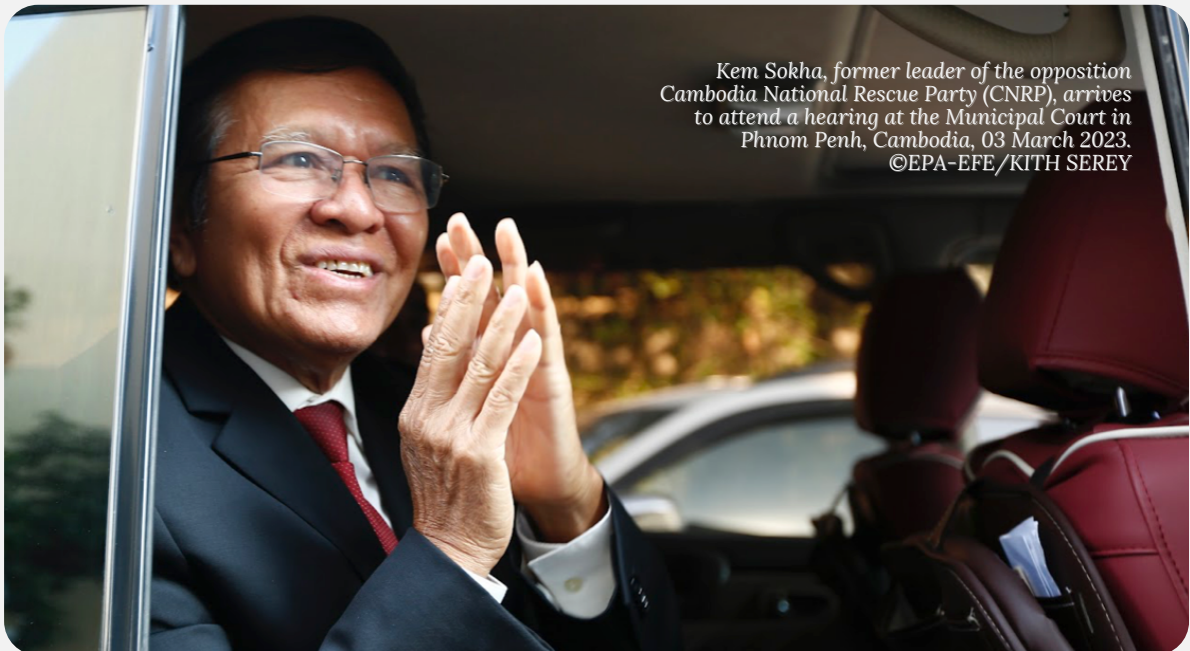


CONCLUSION

Human rights in Cambodia continue to drastically deteriorate under the watch of Hun Sen, and now his successor and son, Hun Manet. Proper opposition political parties have not been allowed to operate in Cambodia since Hun Sen took action to thwart the Cambodia National Rescue Party (CNRP) following its success in elections in the early 2010s.

The latest incarnation of the CNRP, the Candlelight Party, was subjected to similar tactics, and not allowed to run in the 2023 election, paving the way for the Cambodian People's Party (CPP) to effectively establish a one-party state. It is a situation that has led to a drastic erosion in human rights and fundamental freedoms in Cambodia.

The politically-motivated cases against former senior CNRP members are also concerning, most notably in 2023 the decades-long jail term given to Kem Sokha on trumped up charges. The charges against him and other CNRP members must be immediately and unconditionally dropped, and those in exile should be allowed to return and re-start their political activities free from interference.



*Kem Sokha, former leader of the opposition Cambodia National Rescue Party (CNRP), arrives to attend a hearing at the Municipal Court in Phnom Penh, Cambodia, 03 March 2023.
©EPA-EFE/KITH SEREY*

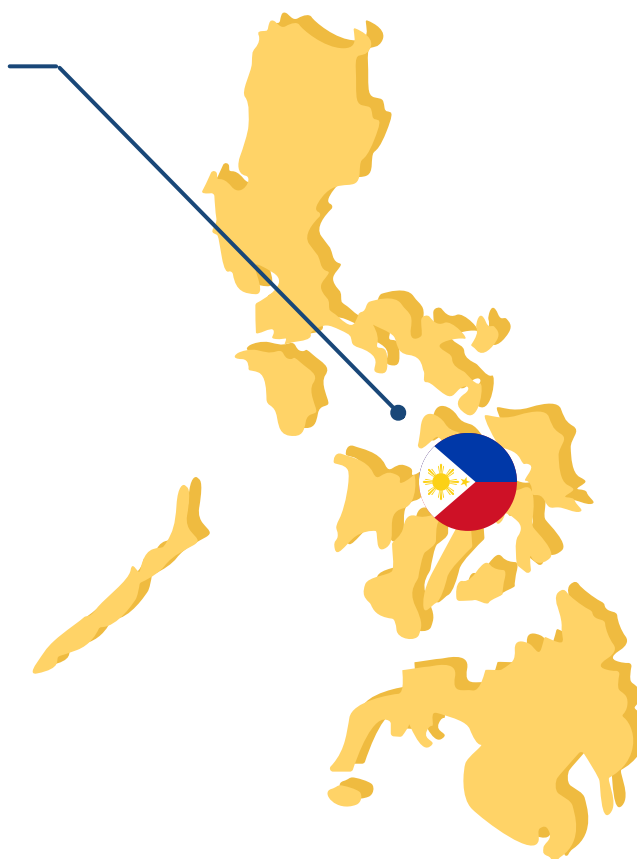
THE PHILIPPINES

Opposition MPs also continue to face harassment in the Philippines, in particular through the dangerous use of “red-tagging”, including from a government agency, the National Task Force to End Local Communist Armed Conflict (NTF-ELCAC).

Former Senator **Leila de Lima** was also freed from prison having been held there for years on politically-motivated charges, although concerns about human rights continue, despite the change of government.

After an election held in May 2022, Ferdinand “Bong Bong” Marcos Jr – the son of the late dictator Ferdinand Marcos – came to power, replacing Rodrigo Duterte. Duterte had become infamous in particular for his notorious “war on drugs”, which led to the deaths of thousands of Filipinos, mainly the urban poor, and which rights groups have said could have amounted to crimes against humanity. Duterte also pursued a campaign of harassment against opposition voices, including MPs, in particular Senator Leila de Lima – one of the most vocal opponents of his drugs war – who was jailed for several years on falsified drugs charges.

Marcos has promised to protect human rights in the country, but there are still concerns, including around the continued use of “red-tagging”, in which political activists, journalists, and others are accused of being communists. Those targeted are often physically attacked. As Human Rights Watch has reported, the so-called drugs war also continues, although at a lower rate than during the Duterte administration.³⁰



30. **Human Rights Watch**, *Philippines: Marcos Failing on Rights*, 28 June 2023, available at <https://www.hrw.org/news/2023/06/28/philippines-marcos-failing-rights>



Nobel Peace Prize laureate Maria Ressa, the CEO of online news site Rappler, comes out of the regional trial court in Pasig City, Metro Manila, Philippines, 12 September 2023. ©EPA-EFE/ROLEX DELA PENA

There were some positive steps when it came to human rights in the Philippines in 2023, including the acquittal of Nobel Prize-winning journalist **Maria Ressa** on tax evasion charges, ending an almost five-year legal battle.³¹

Also in 2023, **former senator de Lima**, who is an APHR member, was finally released from prison, where she had been held since her arrest in February 2017 on politically-motivated drugs charges. However, she remains on bail for the third and final drug charge against her. APHR calls on all charges against her to be dropped.

Despite these positive developments, APHR remains concerned about continued attacks against MPs in the Philippines.

31. **Al-Jazeera**, Nobel laureate Maria Ressa acquitted in Philippines tax evasion case, 12 September 2023, available at <https://www.aljazeera.com/news/2023/9/12/nobel-laureate-maria-ressa-acquitted-in-philippines-tax-evasion-case>



Former senator Leila De Lima (C) reacts after attending a court hearing in Muntinlupa city, Metro Manila, Philippines, 13 November 2023. ©EPA-EFE/FRANCIS R. MALASIG

Leila de Lima: ‘Duterte intended for me to be forgotten’



In November 2023, Leila de Lima was released after being held in prison in the Philippines for almost seven years on falsified drug charges. She has been one of the fiercest critics of former President Rodrigo Duterte, in particular his drug war, in which thousands were killed, many by the Philippines National Police.³²

Previously the country’s secretary of justice, before becoming a senator in 2016, de Lima spoke out against a similarly violent, albeit more localized, campaign Duterte conducted when he was Mayor of Davao before becoming president. Shortly after taking office in 2016 Duterte promised to “destroy” de Lima, and in 2017 she was arrested on drug charges she denies and which the UN and rights groups, including APHR, have deemed politically motivated.³³

She has now been acquitted on two of the three charges against her, and placed on bail for the third. Although she said the Philippines government has appealed against one of the acquittals she received, she is confident of all charges being dropped because “no other important evidence has been presented by the government”.

For de Lima, there is no doubt as to the reason why the charges were laid against her. “No other reason but to silence me, and as Duterte’s revenge for my investigation of his crimes as mayor, then as president. No other reason than the fact that I was Duterte’s one and only nemesis when most legislators and political leaders kept quiet, or worse, went to his side, once he started his killing spree and media attacks on perceived enemies.”

32. **Rappler**, *Leila de Lima gets bail, freedom soon*, 13 November 2023, available at <https://www.rappler.com/philippines/muntinlupa-court-approves-bail-de-lima-freedom-november-2023/>

33. See **UN OHCHR**, *Philippines: UN experts welcome release of former senator Leila De Lima on bail*, available at <https://www.ohchr.org/en/press-releases/2023/11/philippines-un-experts-welcome-release-former-senator-leila-de-lima-bail>



Duterte intended for me **to be forgotten** by the Filipino public.



Leila de Lima

Former Senator of the Philippines



The charges against her had a huge impact on her work as a senator, she told APHR. “The purpose of the charges was to silence me. As a result, I was not able to participate in Senate hearings and vote on important matters. I could only file resolutions, introduce bills, and ask questions in hearings through senator allies beforehand, in writing,” she said.

She added that she was not allowed to conduct media interviews, and that as a result of her seclusion and the restrictions against her, she lost her re-election bid in 2022. “Duterte intended for me to be forgotten by the Filipino public,” she said.

But she said the worst part of her incarceration was that “thousands” of people continue to die in the drug war, “without any significant protest or opposition from legislators, a role I could have meaningfully fulfilled if only I was free.” Now she is free she said she feels “rejuvenated and full of gratitude” for all of those who stood by her during her time in prison.

As well as boosting her morale, she also believes that the publicity given to her case prevented her from “being killed or disappeared.” She intends to continue being involved in politics in the Philippines, although there are currently no plans to run for public office. Instead she will focus on her work as a human rights defender and democracy activist, and wants to return to her work as a lawyer. She is currently teaching Human Rights Law at the Tañada-Diokno School of Law at De La Salle University in Manila.

She added that she feels fortunate to have had the support she did. “There are many political prisoners around the world languishing in prison cells because they chose to fight for human rights and democracy against tyrant and authoritarian regimes,” she said.

De Lima added that “a new tyranny” is threatening the world, and that those who stand for democracy “must know which side to choose.”

“As long as we stand fast with other democracies and with each other I do not think there is any chance for the world’s tyrants to succeed in frustrating the world’s progress towards greater democracy and the full realization of human rights,” she said.

Former President Duterte has continued to use the aggressive rhetoric he became infamous for during his time in office, and was accused of threatening Representative **France Castro**, an opposition MP and AHR member, with death. Castro filed a criminal complaint against Duterte, saying that the former president spoke in a television show in October 2023 about a request by his daughter, Vice President Sara Duterte, to Congress for intelligence funds, which attracted criticism from left-wing groups and legislators, including Castro.³⁴

Castro said the ex-president suggested to his daughter that the funds should be used to target communists, mentioning the name “France”, and added that he wanted them killed. The parliamentarian said that even though Duterte only mentioned her first name, he was clearly referring to her. “I got really nervous considering his influence and track record,” Castro told reporters.³⁵

Red-tagging also continued against MPs in the Philippines, including Kabataan Rep **Raoul Danniell Manuel**. Senator Ronald “Bato” Dela Rosa, the former chief of the Philippine National Police (PNP), claimed that Manuel had ties with the Communist Party of the Philippines – New People’s Army (CPP-NPA). According to media reports, during a Senate hearing, Dela Rosa vowed to use all means available to pin down Manuel for his supposed involvement in youth “radicalization”.³⁶

The National Task Force to End Local Communist Armed Conflict (NTF-ELCAC) – a government taskforce in the Philippines established by former president Rodrigo Duterte – has also accused Manuel of “malicious and false imputation”, based on posts he made on X, formerly Twitter, in April 2023 saying that there was “impending aerial bombing” near Manila. In a series of posts, he said that the Philippines Army had displaced dozens of families close to the capital Manila “in order to prepare for aerial bombardment” of a civilian community. The Kabataan party-list has said it stands by its statement sounding alarm over threats of aerial bombing of civilians.³⁷

Duterte created the NTF-ELCAC while he was in office, “making red-tagging his government’s official policy”, according to Human Rights Watch. The task force includes former military officials, and carries out red-tagging both through its social media channels as well as official announcements, HRW said. Human rights and civil society groups have called for the task force to be defunded or abolished, given its role in promoting red-tagging, which often precipitates violence. Red-tagging has led to a number of unlawful killings and detentions, rights groups say.³⁸

34. **Rappler**, House members tell Duterte: Stop the threats, 15 October 2023, available at

<https://www.rappler.com/newsbreak/inside-track/house-representatives-tell-rodrigo-duterte-stop-attacks/>

35. **AP News**, Ex-Philippine President Duterte summoned by prosecutor for allegedly threatening a lawmaker, 17 November 2023,

<https://apnews.com/article/former-philippine-president-duterte-threat-castro-7723d717cac6c903eae8896818503736>

36. **Inquirer**, Anakbayan fumes over dela Rosa’s ‘red-tagging’ of Kabataan Rep. Manuel, 30 November 2023, available at

<https://newsinfo.inquirer.net/1868255/anakbayan-slams-bato-dela-rosa-for-red-tagging-kabataan-rep-manuel>

37. **See, Kabataan Party-list response** https://twitter.com/KabataanPL/status/1646696062902751232?t=3NB87v_y7fH5MOlj9m-HHw&s=19

38. **Human Rights Watch**, Philippines: End Deadly ‘Red-Tagging’ of Activists, 17 January 2022, available at

<https://www.hrw.org/news/2022/01/17/philippines-end-deadly-red-tagging-activists>

Karapatan, a Philippines human rights group, said that, as of February 2021, 78 people had been killed as a result of either red-tagging or anti-terrorism police operations in the previous year.³⁹ There were also 136 arrests, the group said. The United Nations Office of the High Commissioner for Human Rights has also denounced the killings.⁴⁰

The NTF-ELCAC has targeted opposition politicians in the past, including former Kabataan representative **Sarah Elago**. In a legal complaint made in December 2020, Elago said officials from the task force committed grave misconduct when they repeatedly claimed she was a communist rebel, and accused the Kabataan of acting as a “front organization” for the Communist Party of the Philippines.⁴¹ “Red-tagging upon my person and my party are rife with falsehoods, and are malicious and misleading,” she said. “They are done in bad faith and in direct affront to professionalism and political neutrality.”

The NTF-ELCAC’s clear trend of targeting opposition political groups was also seen in the fact that it sought to disqualify the Gabriela Party List, another left-leaning group, for alleged links to communist rebels.⁴² While the Philippine Commission on Elections (COMELEC) rejected⁴³ the sub-petition of NTF-ELCAC to scrutinize Gabriela’s bank accounts, the petition to cancel the registration of Gabriela Partylist and Kabataan Partylist based on the same red-tagging remains pending before the Commission. This poses a persistent threat to the party lists’ participation in the upcoming 2025 midterm elections and consequently, to the parliamentary representation of their respective sectors.



France Castro speaks to supporters after a preliminary investigation into a grave threats complaint she filed against former Philippine president Rodrigo Duterte, at the Hall of Justice in Quezon City, Metro Manila, Philippines, 04 December 2023. ©EPA-EFE/ROLEX DELA PENA

39. **VoA**, Deadly 'Red-Tagging' Campaign Ramps Up in Philippines, 18 February 2021, available at https://www.voanews.com/a/east-asia-pacific_deadly-red-tagging-campaign-ramps-philippines/6202221.html
40. **See for example**, Bachelet renews call for accountability in Philippines war on illegal drugs, 30 June 2020, available at <https://news.un.org/en/story/2020/06/1067462>
41. **Rappler**, Elago files complaint vs 6 NTF-ELCAC officials over red-tagging, 7 December 2020, available at <https://www.rappler.com/nation/sarah-elago-files-complaint-vs-ntf-elcac-officials-red-tagging/>
42. **GMA News Online**, Brosas: NTF-ELCAC’s bid to disqualify Gabriela as party-list is baseless, 8 August 2023, available at <https://www.gmanetwork.com/news/topstories/nation/878285/brosas-ntf-elcac-s-bid-to-disqualify-gabriela-as-party-list-is-baseless/story/>
43. **Rappler**, NTF-ELCAC loses to Gabriela for the 3rd time in Comelec, 24 October 2022, available at <https://www.rappler.com/nation/comelec-decision-ntf-elcac-appeal-investigate-gabriela-bank-account/>



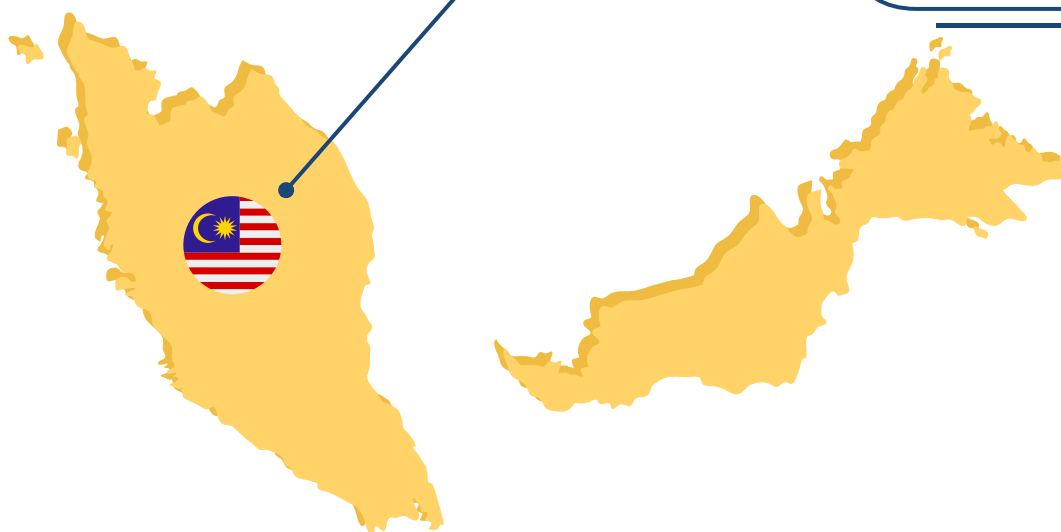
CONCLUSION

Despite the change of government in the Philippines, there are still concerns about human rights, including the treatment of opposition MPs. The tactic of “red-tagging”, in which opposition voices are labeled as communists or communist sympathizers, has long been concerning, and it is troubling that it continues today in the Philippines. Victims of such attacks are often subjected to physical attacks, and MPs are particularly vulnerable to such violence because of their public profiles.

Judicial harassment of opposition MPs also continues in the Philippines, part of a deliberate tactic to try and intimidate critical voices. Criticism of the government - particularly from opposing political parties - is a healthy component of any democracy, and should be dealt with not by the opening of cases but by transparent and open debate.

Aggressive rhetoric also continues against opposition voices in the Philippines, and authorities must ensure that action is taken against those who encourage or promote hateful and violent rhetoric, including that of a sexist and misogynistic nature.

MALAYSIA



Malaysia was another Southeast Asian country to have witnessed a change of government in recent years, and concerns remain about repressive laws that are still in place, notably the sedition act.

Also in Malaysia, female MPs have faced sexist and misogynistic rhetoric, both online and in real life, continuing a trend that APHR has documented for many years.

Malaysia held its own general election in November 2022, with veteran opposition leader Anwar Ibrahim coming to power after his *Pakatan Harapan* party won the biggest share of votes. With the vote leading to a hung parliament, Anwar formed a government after several days of negotiations, promising to form a “national unity government” with the help of two other political groupings.⁴⁴

Following years of political repression and instability, in the 2022 elections Malaysians were able to express their political choices through the ballot box, resulting in a peaceful transition of power at both the federal and state levels. Also welcome was the Unity Government’s *Malaysia Madani* policy framework, particularly its focus on good governance and social harmony.

Heading into the election, all four major coalitions – Barisan Nasional, Pakatan Harapan, Perikatan Nasional, and Gerakan Tahan Air – included pro-democracy reforms in their manifestos. According to Bersih, which has long campaigned for free and fair elections in Malaysia, the ruling Harapan party’s manifesto in particular “deserves to be commended” for its willingness to adopt a wide range of reforms.⁴⁵

44. *Channel News Asia (CNA)*, *Anwar to lead unity government comprising PH, BN and GPS; keeps door open for other partners*, 24 November 2022, available at <https://www.channelnewsasia.com/asia/malaysia-ge15-anwar-ibrahim-pm-press-conference-unity-government-vote-confidence-3098681>

45. *Malaysia Kini*, *GE15 manifestos reveal promising institutional reforms*, 12 November 2022, available at <https://www.malaysiakini.com/columns/643801>

This included establishing a Fixed Parliament Act, Parliamentary Services Act, a dedicated parliamentary budget office, as well as enacting term limits for prime ministers and chief ministers. The party's manifesto also promised to protect freedom of expression by committing to review and repeal the Sedition Act 1948, Communications and Multimedia Act 1998, and Printing Press and Publications Act 1984.

Bersih added that the party's pledge to introduce a Freedom of Information Act, and to amend the Official Secrets Act, will also "help bring about greater transparency in governance and enable the media to do their reporting more effectively".⁴⁶

These kinds of narratives have caused divisions in Malaysian society and result in the further marginalization of vulnerable minority groups. Freedom House has also rated Malaysia's freedom of religion with its lowest score of one out of four.⁴⁸

Worryingly, despite the change of government parliamentarians in Malaysia have also continued to be the targets of judicial, as well as sexual, harassment.

In March 2023, **Hannah Yeoh**, an MP for Pakatan Harapan and the Minister of Youth and Sports, was summoned by Kuala Lumpur police over the now-canceled "Jom Ziarah Gereja" program, which was initiated under the ministry.



However, many of these promised reforms are still yet to materialize, while there are also other concerns, particularly a worrying trend regarding religious and racial polarization. During the 2022 election, discriminatory and hateful campaign rhetoric flooded various social media platforms, with TikTok even saying it was on "high-alert".⁴⁷

The program, introduced in a parliament session on 14 March, aimed to teach young people about different faiths, to try and improve understanding among people from different religious backgrounds. The program has since been canceled, and Hannah Yeoh was summoned by the police where she gave a statement, although no charges were ultimately filed.⁴⁹

46. **Malay Mail**, Anwar launches Pakatan's GE15 election manifesto 'Tawaran Harapan', 2 November 2022, available at <https://www.malaymail.com/news/malaysia/2022/11/02/anwar-launches-pakatans-ge15-election-manifesto-tawaran-harapan/36979>, see also the Manifesto, available at https://dl.dapmalaysia.org/repository/Manifesto_PH_EN.pdf

47. **Malay Mail**, TikTok says on 'high alert', 'aggressively' removing hate content post-GE15, 22 November 2022, available at <https://www.malaymail.com/news/malaysia/2022/11/22/tiktok-says-on-high-alert-aggressively-removing-hate-content-post-ge15/41334>

48. **See Freedom House**, Freedom in the World 2023: Malaysia, available at <https://freedomhouse.org/country/malaysia/freedom-world/2023>

49. **New Strait Times**, Sanusi arrested in Mont Kiara early this morning, 18 July 2023, available at <https://www.nst.com.my/news/crime-courts/2023/07/932039/sanusi-arrested-mont-kiara-early-morning>, see also APHR response <https://twitter.com/ASEANMP/status/1681535095340167168?t=P-SYPKTjWIwR5mQvRHmLig&s=19>

In July 2023, opposition MP **Muhammad Sanusi** was charged with sedition for allegedly insulting the country's revered sultans, according to Bernama state media. Sanusi, the chief minister of Kedah State, was charged with two counts of sedition over remarks made during a political speech.

According to media reports, he questioned decisions taken by the sultans – custodians of Islam in the Muslim-majority country – regarding the formation of government at the federal and state level. He has pleaded not guilty.

The charges came ahead of a federal election in Kedah, raising concerns that they could have been used for political purposes ahead of an election.⁵⁰

There were also concerns about the lack of progress on promised reforms made before the election. While there were some positive steps, including the Abolition of Mandatory Death Penalty Act 2023,⁵¹ the government failed to carry out commitments to abolish or reform draconian laws. This includes the Sedition Act 1948 and the Multimedia Act 1998, which continue to be used to criminalize free speech.

A few months after the election, in February 2023, APHR held a press conference in Kuala Lumpur, in which it called on the new government to show its commitment to human rights by repealing these repressive laws, which are used to criminalize government critics, including parliamentarians and human rights defenders.

“As a long time member of the opposition, we hope that Prime Minister Anwar Ibrahim recognizes the dangers posed by overly broad and ambiguous legislation that can easily be used by those in power to target opposition politicians and human rights defenders,” Mercy Barends, APHR Chair and member of the Indonesian House of Representatives, said at the press conference.⁵²

APHR has consistently drawn attention to two laws of particular concern, the 1948 Sedition Act and the 1988 Communication and Multimedia Act.⁵³

The Sedition Act, which can carry a punishment of three to seven years in prison for vaguely worded offenses, was used by the previous Barisan Nasional government to harass and imprison critics.

50. **New Strait Times**, Sanusi arrested in Mont Kiara early this morning, 18 July 2023, available at <https://www.nst.com.my/news/crime-courts/2023/07/932039/sanusi-arrested-mont-kiara-early-morning>, see also APHR response <https://twitter.com/ASEANMP/status/1681535095340167168?t=P-SYPKTjWlwR5mQvRHmLig&s=19>

51. **Human Rights Watch**, Malaysia Repeals Mandatory Death Penalty, 11 April 2023, available at <https://www.hrw.org/news/2023/04/11/malaysia-repeals-mandatory-death-penalty>

52. **ASEAN Parliamentarians for Human Rights**, Southeast Asian MPs call Malaysian government to repeal repressive laws, protect parliamentarians and human rights defenders, 26 February 2023, available at <https://aseanmp.org/2023/02/26/southeast-asian-mps-call-malaysian-government-to-repeal-repressive-laws-protect-parliamentarians-and-human-rights-defenders/>

53. **See for example**, ASEAN parliamentarians urge Malaysia to repeal Sedition Act and other repressive laws, 9 November 2020, available at <https://aseanmp.org/2020/11/09/malaysia-sedition-and-repressive-laws/>, and Kasthuriraani Patto, Prime Minister Najib Razak should do away with 1948 Sedition Act, available at <https://aseanmp.org/2020/11/09/prime-minister-najib-razak-away-1948-sedition-act/>



APHR Press conference “Repeal repressive laws and protect human rights defenders and parliamentarians”, Kuala Lumpur, 26 February 2023. ©APHR

Opposition parliamentarians were among those targeted, including in 2016 when **Tian Chua**, an MP for People’s Justice Party and an APHR member, was sentenced to three months in prison and fined more than 400 USD after delivering a speech denouncing racism and corruption.⁵⁴ Meanwhile, section 233 of the Communication and Multimedia Act, which criminalizes online content that is “obscene, indecent, false, menacing or offensive in character”, is too vaguely worded and therefore prone to misuse.

Female MPs in Malaysia have also been subjected to sexual harassment and violence. **Young Syefura Othman** has been the subject of misogynistic comments, including from a social media influencer who reportedly made inappropriate comments about her when she was conducting a speech in Kedah. The social media user has been summoned by the police after Syerfura Othman lodged a report claiming sexual harassment.⁵⁵

In February, harassing comments were also reportedly made about what she was wearing when she visited a flooded area in Bentong, Pahang, in her constituency.⁵⁶ She told APHR that she has faced comments about her appearance for many years. “I have become accustomed to this because every time I post anything, they will surely comment on it – clothing, appearance, [walking] style, and various other things,” she said.

54. See **ASEAN Parliamentarians for Human Rights (APHR) response**, 29 September 2016, ASEAN parliamentarians condemn sentencing of Malaysian MP Tian Chua, available at <https://aseanmp.org/2020/11/09/sentencing-malaysian-mp-tian-chua/>

55. **FMT**, Cops summon influencer over ‘sexual harassment’ allegation, 25 July 2023, available at <https://www.freemalaysiatoday.com/category/nation/2023/07/25/cops-summon-influencer-over-sexual-harassment-allegation/>

56. **NewsWav**, Bentong MP calls out netizen’s vulgar comment on picture of her surveying flooded area in rain coat, 15 February 2023, available at https://newswav.com/article/bentong-mp-calls-out-netizen-s-vulgar-comment-on-picture-of-her-surveying-f-A2302_60tevc

“And I am sure this does not happen to male politicians.” She added that her female colleagues often face similar comments, and that those making the comments are not “thinking about the feelings of the individual”. Syefura also said that for many years she has received edited pictures showing her “engaged in something very sexual”.

“In this era of social media, it’s easy for us to work and interact, but the negative aspect is how netizens don’t know how to take responsibility, don’t know how to use the platform to the best of their ability, and this doesn’t stop, it doesn’t decrease – in fact, every day it seems to getting more ruthless,” she said.



Young Syefura Othman, or also known as Rara, speaks to Malay Mail at DAP headquarters, June 12, 2018. ©AHMAD ZAMZAHURI

Such online rhetoric has repercussions in the real world, and Syefura referenced the fact that a female MP was subjected to harassment inside parliament, which she said involved “vulgar and indecent language”. She was referring to remarks made by Datuk Mohd Suhaimi Abdullah towards Teresa Kok in parliament, when she asked whether shorts were allowed in his constituency of Langkawi, in a question related to tourism development there.⁵⁷

57. *New Strait Times*, 'I asked a valid question,' says stunned Teresa over sexist remarks made by Langkawi MP [NSTTV], 30 October 2023, available at <https://www.nst.com.my/news/politics/2023/10/973085/i-asked-valid-question-says-stunned-teresa-over-sexist-remarks-made>

According to reports, Mohd Suhaimi responded with a sarcastic and gender-biased comment. He also insinuated that it would not make a difference if Kok chose not to wear anything at all. The comment elicited “boisterous laughter” from male MPs who were present at the time, according to reports.

Kok said she was “shocked” and “puzzled” by the remarks, and Mohd Suhaimi later apologized. “How can we show good behavior if a parliament member uses inappropriate words?” Syefura said. “That’s why netizens out there have a bad attitude because examples have been openly shown, live to the public.” She called for problematic language to be openly discussed, and for solutions to be found so that netizens, as well as parliamentary representatives, know their limits.

The use of sexist and misogynistic rhetoric is something APHR has documented against female parliamentarians across Southeast Asia for several years, and has called for governments to take concrete steps to prevent gender-based harassment from occurring again in the future, including by holding perpetrators to account.



Teresa Kok speaking during a press conference at Parliament. ©BERNAMA PIC



CONCLUSION

The new government that emerged from the general elections in 2022 under the leadership of Prime Minister Anwar Ibrahim must utilize its power to implement key institutional reforms to protect the parliament and ensure its independence and healthy functioning as an oversight body to the government.

All forms of judicial harassment against lawmakers must stop by abolishing or reviewing repressive laws such as the Sedition Act 1948 and the Communication and Multimedia Act 1998.

The new government must also take a clear stand against growing online disinformation and hate speech and engage with social media platforms, especially TikTok and Facebook, and other stakeholders to address the challenge before it gets out of control.



MYANMAR

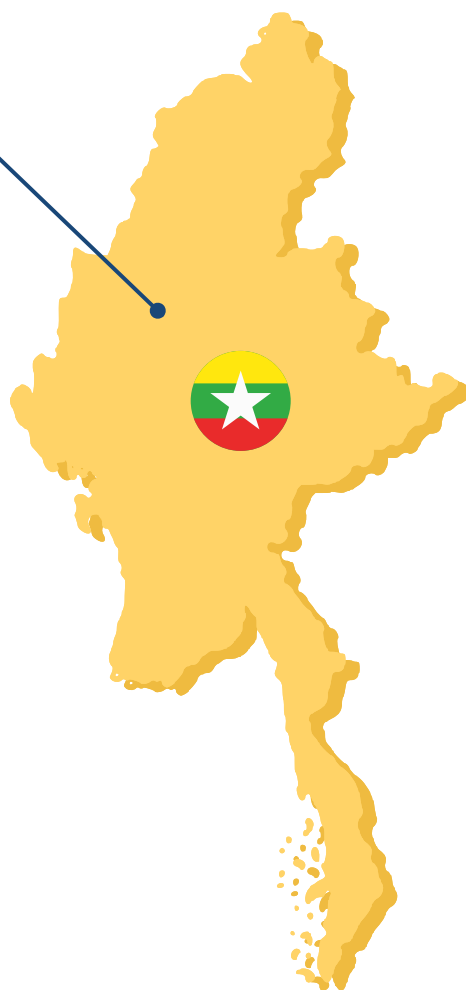
The military junta in Myanmar continues to be the worst country in the region when it comes to jailing parliamentarians, with all 74 detained MPs being held in the country. Many of the MPs elected in the 2020 election are currently in hiding, either in Myanmar or abroad, while the military also continues to jail critical voices - including lawmakers - often for several years without trial.

It has now been three years since the Myanmar military staged a coup, overthrowing the elected government of the National League for Democracy (NLD), which had won more than 80 percent of the seats in the November 2020 general election.

Immediately after the coup, the military established the State Administrative Council (SAC), headed by Commander-in-Chief Senior General Min Aung Hlaing, which took control of all executive, legislative, and judicial powers.

Since the 2021 coup, the national, regional, and state parliaments have been suspended, and dozens of members of the national and sub-national parliaments have been arrested. As of 28 March 2024, there were 74 parliamentarians in detention in Myanmar, according to the monitoring group the Assistance Association for Political Prisoners (AAPP). This is down 10 from last year. According to the group, 61 lawmakers - 50 men and 11 women - have been released.

Of the MPs in detention, 66 were men and eight were women. Of those, 21 were members of the Lower House (Pyithu Hluttaw) of the national parliament, three were members of the Upper House (Amyotha Hluttaw) of the national parliament, and 50 were members of the regional and state parliaments.



A total of 73 of the lawmakers from the NLD, and only one was from another party, the Mon Unity Party, a trend that demonstrates the political nature of the arrests, since it is MPs from the NLD – which resoundingly won the 2020 election – that are overwhelmingly targeted.

Many of the ousted parliamentarians are continuing their work in hiding, either inside Myanmar or abroad, because if found by the military they are at risk of detention, torture, and/or death. Some have seen their family members harassed and their properties seized by the military.

As of February 2023, according to APP the junta seized at least 751 properties affiliated with pro-democracy supporters. These seizures have affected at least 636 property owners—at least 300 or 47%, of which are Members of Parliament, members of the NLD party, and/or supporters of the NLD.⁵⁸

Detained parliamentarians in Myanmar are at risk not only of ill-treatment and torture, but also the possible risk of execution after four pro-democracy activists, including former lawmaker **Phyo Zayar Thaw**, were executed by the military junta in 2022.⁵⁹



Phyo Zayar Thaw arrive in parliament building in Naypyidaw, Myanmar, on April 9, 2015. ©AP/AUNG SHINE OO

58. See Assistance Association for Political Prisoners (AAPP), *The Junta's Property Seizure*, 25 April 2023, available at <https://aappb.org/?p=24774>

59. *New York Times*, Phyo Zeya Thaw, Burmese Pro-democracy Rapper, 41, Is Executed, 22 July 2022, available at <https://www.nytimes.com/2022/07/27/world/asia/27phyo-zeya-thaw-dead.html>



A Burmese migrant laborer stomps on a picture of Myanmar's junta leader Army General Min Aung Hlaing as others shout slogans during a protest against Myanmar's military junta's remittance order, at the United Nations building in Bangkok, Thailand, 24 September 2023. ©EPA-EFE/RUNGROJ YONGRIT

Since the coup, Min Aung Hlaing has repeatedly promised to hold a general election, but only when the situation in the country is “peaceful and stable” – seemingly ignoring the fact that the military is the party most responsible for the instability and lack of peace the country is witnessing.⁶⁰ This election was promised in 2023, but failed to materialize, and these delays are seen by some as an indication that the junta may continue to delay the promised vote and further prolong its hold on power.⁶¹

However, it is worth noting that numerous groups – including APHR as well as UN agencies – have warned that an election organized by the Myanmar junta would not be remotely close to free or fair, would only serve to deepen the many crises in the country, and must be wholly rejected by all international governments.⁶²

In 2023, the human rights crisis in Myanmar only deepened further, with extrajudicial killings and arbitrary arrests continuing, while there is widespread insecurity across much of the country. According to AAPP, as of 15 March 2024, at least 4,687 people have been killed by the military – although the real figure is likely to be much higher, while at least 26,000 have been arrested. More than 20,000 of these remain in detention.⁶³

60. DW, Myanmar junta promises elections by 2023, 8 January 2021, available at <https://www.dw.com/en/myanmar-junta-promises-elections-by-2023/a-58720116>

61. Al-Jazeera, 1 August 2023, Myanmar military extends emergency, postpones election, available at <https://www.aljazeera.com/news/2023/8/1/myanmar-military-extends-emergency-postpones-election>

62. Charles Santiago in the Jakarta Post, Indonesia should lead the way in helping Myanmar' pro-democratic movement, 3 February 2023, available at <https://www.thejakartapost.com/opinion/2023/02/03/indonesia-should-lead-the-way-in-helping-myanmar-pro-democratic-movement.html>

63. See Assistance Association for Political Prisoners (AAPP), Daily Briefing 15th March 2024, available at <https://aappb.org/?p=27722>

Attacks against MPs have also continued in 2023, although on a lesser scale than in previous years. In January 2023, **U Win Win**, who in the 2020 election became the NLD MP for Minbu Township, Magway Region, was arrested by regime forces. U Win Win was arrested alongside **U Tun Tun**, a former MP from the NLD, but who did not run in the 2020 election, according to AAPP, which also said he was sentenced to 45 years under counter-terrorism laws, and was being held in Magway Prison. Although not MPs, NLD party members have also faced attacks during 2023.⁶⁴

In September 2023, **Aung Myint Soe**, a ward chairman for the NLD in Aithoke, Ayeyarwady Region, was killed days after he was arrested by regime authorities, according to media reports. He had been arrested on August 30, accused of being involved in a plot to bomb a local restaurant targeting a police officer. Four days after his arrest, a ward administration official informed Aung Myint Soe's family that he had been hospitalized. Later that evening, authorities informed the family of his death, a relative told Myanmar Now.

According to the media report, Aung Myint Soe's body had a three-inch gash at the back of his head, with blood visible on his nose and mouth and several more injuries on his back. Despite these injuries, authorities told Aung Myint Soe's family that he had died of asphyxiation.⁶⁵ Meanwhile in November, **Than Su**, an NLD member in Mandalay's Chanayethaza Township was arrested along with her adult son and a house guest, reports said. A friend told the media that soldiers "beat" the three of them before taking them away.⁶⁶



A file picture dated 29 March 2010 shows Soe Myint (C) attending the meeting at the National League for Democracy Party headquarter.
©EPA/NYEIN CHAN NAING

64. **The Irrawaddy**, Myanmar Junta Moves Detained President U Win Myint to Prison From House Arrest, 19 January 2023, available at <https://www.irrawaddy.com/news/burma/myanmar-junta-moves-detained-president-u-win-myint-to-prison-from-house-arrest.html>

65. **Myanmar Now**, Junta arrests, kills local NLD leader in Ayeyarwady Region, 5 September 2023, available at <https://myanmar-now.org/en/news/junta-arrests-kills-local-nld-leader-in-ayeyarwady-region/>

66. **Myanmar Now**, Myanmar junta arrests at least nine, including NLD member, in Mandalay, 22 November 2023, available at <https://myanmar-now.org/en/news/myanmar-junta-arrests-at-least-nine-including-nld-member-in-mandalay/>



CONCLUSION

The military junta should disclose information about the status of all MPs imprisoned in Myanmar. They should also grant basic rights to all prisoners, including visits of family members, lawyers, as well as members of international organizations. All executions should also be immediately suspended, and all death sentences commuted. The UN special envoy on Myanmar and its special rapporteur on human rights in Myanmar should be allowed to visit the country and have access to all detention centers, including unofficial ones.

ASEAN, and the international community at large, should engage with the opposition Committee Representing the Pyidaungsu Hluttaw (CRPH) and the National Unity Government (NUG) as the legitimate government, and targeted sanctions imposed on the junta to ensure their revenues are cut off.

The NUG should also continue its effort to seek justice and hold the junta accountable for its crimes under international law. The international community should exercise universal and other forms of jurisdiction to investigate and prosecute suspects involved in those crimes, especially crimes against humanity and war crimes.



Myanmar people living in Thailand flash three finger salutes during a demonstration outside of the United Nations Building in Bangkok, Thailand, 02 July 2023.
©EPA-EFE/NARONG SANGNAK



CONCLUSION

Democracy in Southeast Asia continues to be under attack. Despite two elections in the region – in Thailand and Cambodia – neither of the countries where they took place saw the ballot box used as a place for the genuine will of the people to be fulfilled. In fact, in both instances anti-democratic actors used the votes to effectively strengthen their hold on power.

In many countries in Southeast Asia – most notably in Myanmar but also elsewhere – parliamentarians and ex-parliamentarians continue to be subject to multiple forms of human rights violations. The most prevalent example is judicial harassment, which APHR has documented in multiple countries, but also arbitrary arrest and detention, and female MPs have also been subjected to misogynistic rhetoric, which is aimed at undermining their work.

Parliamentary immunity is a crucial component in democracies around the world, providing those with political leadership positions full immunity from legal prosecution – both civil and criminal – in the course of executing their official duties.

Provided it is not abused, it is crucial to maintaining judicial independence and promoting healthy and vibrant democratic institutions. In many countries in Southeast Asia, however, APHR must sadly report that it has often been breached or is inadequate, and instead those elected as representatives of the people – particularly those who form part of the official opposition – are targeted by those in power as part of efforts to undermine or hinder their work.

Parliaments – and by extension parliamentarians – play a crucial role in providing oversight of the government in a functioning democracy. It is therefore of the utmost importance that lawmakers can conduct their mandate without fear of reprisals from the government.

In view of the continued risks faced by parliamentarians in the region, APHR continues to call on all stakeholders and international partners to step up collective efforts in protecting parliamentarians at risk in the region.

RECOMMENDATIONS

TO THE CAMBODIAN GOVERNMENT

- Immediately **drop all politically motivated charges and investigations** against lawmakers and government critics;
- **Enact or amend legislation** to ensure that the responsibility of declaring states of emergencies lies with elected assemblies, that the suspension of parliament during emergencies is illegal and that all emergency decrees/laws are in line with international human rights and standards;
- Ensure that opposition lawmakers in enforced exile are able to **return free from judicial or physical harassment**, and can run freely for political office;
- Hold genuinely **free and fair elections** that respect plurality, allowing opposition parties to freely contest.

TO THE MALAYSIAN GOVERNMENT

- Immediately **repeal repressive laws** that are too often used to criminalize parliamentarians and human rights defenders, such as the 1948 Sedition Act, and Section 233 of the Communication and Multimedia Act; and
- Live up to its promises and prove its commitment to human rights by ensuring that **parliamentary immunity and the right to freedom of expression for all parliamentarians** is effectively held.

RECOMMENDATIONS

TO THE PHILIPPINES GOVERNMENT

- Take steps to immediately **end the dangerous tactic of “red-tagging”** whereby opposition voices, including MPs, are accused of being communists or communist sympathizers. This includes taking action against those who spread such narratives;
- Immediately **abolish the National Task Force to End Local Communist Armed Conflict** (NTF-ELCAC);
- Immediately and unconditionally **drop all remaining charges against former senator Leila de Lima**; and
- **Allow International Criminal Court investigators into the Philippines** and assist them in their investigation to hold accountable those responsible for the deadly war on drugs, and all attacks and killings against parliamentarians, activists, journalists, civil society, and opposition voices.

TO THE THE THAILAND GOVERNMENT

- **Fulfill its promise of change** after years of democratic deterioration and human rights violations, which have stifled freedoms as well as the country's economy;
- Initiate drastic reforms to the country's political order by taking steps to **end the military's role in politics** and allow for a Senate that is chosen democratically by the people;
- **Drop all politically motivated charges against parliamentarians**, and cease all judicial harassment of opposition parties.

RECOMMENDATIONS

TO THE MYANMAR MILITARY

- **Respect the results of the 2020 elections** and immediately restore civil and political order in the country;
- Immediately **end all crimes against humanity and war crimes**, including attacks on civilians;
- Immediately **impose a moratorium on executions** and commute all death penalty sentences;
- **Release all detained lawmakers** and all other political prisoners detained arbitrarily since the coup; and
- **Allow humanitarian assistance** from local and international organizations to be provided across the country without impediment.

TO PARLIAMENTARY SPEAKERS AND PARLIAMENTARY HUMAN RIGHTS STANDING COMMITTEES ACROSS SOUTHEAST ASIA

- Ensure that **all parliamentarians are able to carry out their parliamentary mandate effectively and without fear of retaliation**, and that the right to freedom of expression for all parliamentarians is effectively upheld;
- Ensure that **systematic protection measures**, including parliamentary immunity, are promptly granted and effectively put in place by the relevant authorities whenever parliamentarians are under threat, and;
- Organize parliamentary debates or **hearings on human rights violations cases** involving parliamentarians in the country, highlighting the ongoing crisis in Myanmar affected elected legislators in the country.

RECOMMENDATIONS

TO THE SOUTHEAST ASIAN PARLIAMENTARIANS

- Use their position and mandate in parliament to **ask the government about actions** it is taking on crimes against humanity and human rights violations documented in this report, including to address the humanitarian and human rights crisis in Myanmar;
- Systematically **call for the immediate and unconditional release** of all those detained arbitrarily, including parliamentarians in Myanmar;
- Work to **repeal or amend all laws that have been identified as restricting the rights to freedom of expression**, association, and peaceful assembly with a view to bringing them in line with international human rights law and standards;
- Exercise oversight function to **hold accountable state institutions who abuse government resources** in sponsoring harmful disinformation campaigns or information operations;
- Initiate parliamentary **debates or hearing on parliamentarians at risk cases** to bring the attention of all parliament members in the country on such cases;
- **Publicly express concerns and solidarity for parliamentarians at risk cases** in other Southeast Asian countries, and;
- **Approach the relevant regional and international organizations** to encourage and urge them to take actions within their mandate.

RECOMMENDATIONS

TO ASEAN AND ITS MEMBER STATES

- **Acknowledge that the Five-Point Consensus has failed** and negotiate a new agreement on the crisis in Myanmar with the NUG and representatives of EAOs, ensuring that the new agreement is equipped with enforcement mechanisms;
- **Publicly recognize that the 2020 elections in Myanmar** were reflective of the will of the people and that the CRPH and the NUG are the legitimate representatives of the people of Myanmar.
- **Amend the mandate and appointment mechanism for the Special Envoy to Myanmar** so that the Special Envoy is appointed by all ASEAN members, and represents and is accountable to all ASEAN members instead of just the rotating Chair of ASEAN;
- **Review the mandate of the ASEAN Humanitarian Assistance (AHA) Center**, reinforce its funding and logistics capacities, and include pro-democracy forces in its deliberations and ensure that delivery of humanitarian assistance is coursed through local organized communities and not through the military channels;
- **Condemn the military coup in Myanmar** and the widespread human rights violations by the junta since, and call for an immediate end to such violations and the release of all those arbitrarily detained, including lawmakers;
- Ensure that **no ASEAN actors or institutions are used to afford the Myanmar junta legitimacy**, including by not extending invitations to junta officials at ASEAN official meetings, such as ASEAN Summits or the General Assembly of the ASEAN Inter-Parliamentary Assembly;
- **Grant asylum and give legal protection to refugees** fleeing Myanmar, including parliamentarians, Rohingya and members of other ethnic groups who fled prior to and following the coup;
- ASEAN and its instrumentalities such as AIPA to **establish a Committee tasked to receive and examine complaints on parliamentarians at risk cases**, conduct hearings with the authorities of the countries concerned, complainants, and other informants, and adopt resolutions to condemn and urge the cease of such attacks against MPs;
- **Formally recognize and guarantee the rights and protection of human rights defenders** through adoption of resolutions;
- **Develop and establish a credible and effective Human Rights Defenders Mechanism** to monitor and advocate for the safety and rights of human rights defenders, equipped with the authority to investigate complaints, provide support and protection, and collaborate with the relevant authorities in the country.

RECOMMENDATIONS

TO INTERNATIONAL PARTNERS, INCLUDING ASEAN DIALOGUE PARTNERS

- **Acknowledge that the CRPH and the NUG are the legitimate representatives of the people of Myanmar** and allow representatives of the CRPH, the NUG, ethnic armed organizations, and other pro democracy activists free movement by issuing visas and special passports, if necessary, so that they can seek refuge and/or travel to campaign for their cause;
- **Isolate the SAC of Myanmar diplomatically** by keeping any and all junta representatives out of all high-level official meetings;
- **Suspend any and all military-to-military cooperation with the Myanmar military**; Impose coordinated and targeted sanctions on the junta, especially, the Myanmar Oil and Gas Enterprise (MOGE);
- **Improve international coordination in sanctioning the junta** by establishing a multinational task force;
- **Allow the NUG to open delegations** in other countries and international organizations, such as the EU and ASEAN, and use those delegations as conduits for EAO leaders to engage foreign countries in dual-track diplomacy;
- Use all available means to **pressure military officials in Myanmar** to end all crimes against humanity, war crimes, human rights violations, release those arbitrarily detained, and respect the results of the 2020 elections while ensuring that perpetrators are held to account through international justice processes;
- Significantly **increase the funding and resources allocated to humanitarian assistance** in Myanmar and work with civil society as much as possible, particularly along the Thai and Indian borders to channel those aids;
- Use all available means to **persuade other governments in Southeast Asia to respect human rights and democratic principles**, including by ending all politically motivated harassment of opposition lawmakers.

PARLIAMENTARIANS AT RISK:

Reprisals against MPs in Southeast Asia in 2023

In 2023, parliamentarians in Southeast Asia continued to face threats and harassment. Myanmar remains the worst country when it comes to jailing members of parliament (MPs), with all 74 of those detained in the region being held there.

But Myanmar is not the only place where harassment against lawmakers takes place, and governments in many Southeast Asian countries have continued to use judicial harassment in particular against opposition lawmakers. It is a tactic APHR has documented in the region for many years, and which is intended both to intimidate dissenting voices, and act as a burden on those parliamentarians' time and resources, hindering their ability to do their work as elected representatives of the people.

Sexist rhetoric also continues against female lawmakers in the region, again continuing a trend that has taken place for many years. APHR continues to call on governments in the region to take concrete steps to prevent gender-based harassment from occurring in the future, including by holding perpetrators to account.

Two countries - Thailand and Cambodia - held elections in 2023, but in neither of those countries were citizens freely allowed to vote for the political leadership they wanted, either due to physical and judicial intimidation against MPs, or through non-democratic state apparatus preventing the will of the people from being fulfilled. The latter was the case in Thailand where the Move Forward Party, the most popular party in the election, was prevented from forming a government by unelected senators.

There was some good news when it came to the human rights of parliamentarians in 2023 when former senator Leila de Lima was freed from prison after most of the falsified drug charges against her were dropped. However, APHR remains concerned that she has been freed on bail, and calls for all charges against her to be immediately and unconditionally dropped.

Despite the change of government in Malaysia judicial harassment continues, including through draconian laws such as the Sedition Act, which [APHR has called to be repealed](#). The act - which has previously been used against opposition parliamentarians - can carry a punishment of three to seven years in prison for vaguely worded offenses, including acting with "seditious tendency" against the government.

Judicial harassment is also a tactic that continues to be used in the Philippines, as is the dangerous tactic of "red tagging", which is used mainly against left-leaning lawmakers. As mentioned above, the atrocious human rights record under the military junta in Myanmar continues, with dozens of lawmakers from the National League for Democracy (NLD) - which resoundingly won the 2020 election - still being held in prisons around the country. APHR also documented at least one new arrest of an NLD MP in 2023.

