

Repressive Law Monitoring Report: January–December 2023



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Regional Context

FORUM-ASIA has monitored the use of repressive laws in Asia during the course of 2023, through media monitoring, subsequent interventions, and updates from our members on the ground. From the monitoring, we have observed the rampant use of repressive laws as a tool to stifle critics and limit fundamental freedoms of human rights defenders (HRDs), activists, non-governmental organisations (NGOs), civil society organisations (CSOs), media, and even the public in general.

The **increasing securitisation of civic space** in Asia presents significant concerns for HRDs and their activities. This trend involves the use of national security and counter-terrorism measures to harass HRDs and stifle dissent. For example, in India, the Unlawful Activities (Prevention) Act (UAPA) of 1967, originally designed as a national security law, has been misused to target HRDs and CSOs. In Sri Lanka, the revised Anti-Terrorism Bill, aimed at replacing the 1979 Prevention of Terrorism Act (PTA), presents an opportunity for significant reform in the country's internal security approach. However, this proposed legislation runs the risk of perpetuating past patterns of violations. Similarly, Hong Kong's National Security Law, enacted in 2020, has been repeatedly used to intimidate pro-democracy activists. Comparable repressive measures, purportedly targeting terrorism, are also observed in countries like Myanmar, and the Philippines, where these laws are frequently employed to target HRDs, journalists, activists, and peaceful protestors.

Further, **sedition-related charges** have been utilised and even reintroduced in various countries, including a region of Asia. The re-emergence of the sedition law in Hong Kong, which had been dormant for over fifty years until March 2020, has contributed to the tightening of civic freedoms. This resurgence was highlighted by the arrest of a Hong Kong politician accused of doxxing a police officer. The use of sedition charges against political oppositions and activists, including youth HRDs, has also been observed this year in Malaysia and

Thailand. Similarly, in India, Section 124A of the Indian Penal Code—a colonial-era sedition law—has been wielded to suppress freedom of expression. Alleged seditious expressions have included actions such as holding placards, raising slogans, and even supporting other countries playing against India in the ICC Men's T20 World Cups.

Online defamation also remains a worrying trend in Asia. Laws such as royal defamation in Thailand, the Printing Press and Publications Act 1984, and Communications and Multimedia Act 1998 in Malaysia, Article 495 concerning incitement to commit a felony, and Article 305 of the Cambodian Penal Code regarding defamation are frequently deployed to curb freedom of expression, instead of nurturing a healthy civic space. Notably in Indonesia, despite its intended purpose of adapting to the evolving digital sphere, the Electronic Information and Transactions (EIT) Law has been misused by state actors to suppress dissenting voices. This has resulted in a culture of self-censorship and a notable decline in freedom of expression, with chilling effects on journalists, women, and human rights defenders. In Pakistan, the Prevention of Electronic Crimes Act (PECA) 2016 contains various provisions related to defamation, hate speech, and cyberbullying which the government wields to police dissenting voices on online platforms.

Cybersecurity laws have also been leveraged to subject activists, journalists, and dissenters to increased scrutiny and surveillance. In the Philippines, the Cybercrime Prevention Act passed in 2012, significantly extends the scope of criminal libel to cover actions 'conducted through a computer system or any similar means that may be devised in the future'. However, this law has often been wielded against journalists instead of focusing on other cybercrime violations. In 2023, Bangladesh's Parliament replaced the Digital Security Act (DSA) of 2018 with the Cyber Security Act. The DSA had previously empowered authorities to arrest individuals for social media content deemed critical of the government or offensive

to religious sentiments. Doubts remain regarding the perceived leniency of the new legislation, even though it supersedes the previous law.

Restrictions on public assembly have also been deployed across Asia. In Thailand, the Public Assembly Act of 2015, with its vague and ambiguous language, grants police officers the discretion to interpret the law arbitrarily, and has been extensively used to respond to youth-led mass public protests for human rights and democratic reform. In Myanmar, since the attempted coup,

all peaceful assemblies have been quashed. Still, pro-democracy groups found alternative ways of exercising the right to peaceful assembly, like a silent protest in the form of a strike, to remember the failed coup. The situation was similar in South Asia. In Sri Lanka, Tamil protesters faced police brutality involving water cannons, tear gas, and arbitrary arrests. In Pakistan, authorities in Lahore invoked Section 144 of the Code of Criminal Procedure to ban protests, while nationwide demonstrations were suppressed after the arrest of former Prime Minister Imran Khan.

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**EAST AND
SOUTHEAST ASIA**

Cambodia



On 13 February 2023, placard-bearing supporters gathered outside the Voice of Democracy office in Phnom Penh *Suy Se/AFP/Getty Images*

In Cambodia, Hun Sen's regime has continuously employed repressive legal and extra-legal tactics to suppress opposition, especially leading up to the general elections in July 2023. In January 2023, Cambodia's Cultural Minister ordered police to take down a music video titled 'Blood Workers'¹ from a Facebook page belonging to a human rights group LICADHO, saying it had 'inciting content that could contribute to instability and social disorder'. The music video depicts the deadly crackdown by the police during a 2014 protest by garment workers where four people were shot dead while 38 others injured. The police also questioned rights group leaders over their involvement in the video's release.

In February 2023, Voice of Democracy (VoD) Cambodia, one of the country's remaining independent media outlets, was forced to close by the Hun Sen regime.² The former Prime Minister accused the news outlet of damaging his family's

and the government's reputation over a report on his son authorising donation for earthquake victims in Turkey in Hun Sen's stead. In March 2023, Kem Sokha, the former leader of the now-defunct Cambodia National Rescue Party (CNRP), was found guilty over foreign conspiracy and sentenced to 27 years under house arrest in a politically-motivated trial.³ He was also banned from standing or voting in the July's election.

Following the two incidents, on 17th May 2023, the National Election Committee (NEC) of Cambodia disqualified the main opposition, the Candlelight Party, from the upcoming election, citing a failure to fulfil documentation, including the missing original paperwork proving its registration with the Ministry of Interior. The NEC's decision was criticised by right groups as bureaucratic harassment that demonstrates 'a complete disregard to the principle of free and fair election'.⁴ Further in October 2023, Thach Seta, Vice-President of the Candlelight

1 FORUM-ASIA. "[Joint Statement] Cambodia: Blocking of music video another blow to freedom of expression". January 23, 2023. <https://forum-asia.org/joint-statement-cambodia-blocking-of-music-video-another-blow-to-freedom-of-expression/>

2 Heather Chen. CNN. "Voice of Democracy, one of Cambodia's last independent media outlets, has been shut down". February 14, 2023. <https://edition.cnn.com/2023/02/14/media/cambodia-press-freedom-death-voice-of-democracy-closure-intl-hnk/index.html>

3 Jonathan Head and Kelly Ng. BBC. "Kem Sokha: Rights groups condemn Cambodia opposition leader's 27-year sentence". March 3, 2023. <https://www.bbc.com/news/world-asia-64832748>

4 FORUM-ASIA. [Joint Statement] "Cambodia: Disqualification of opposition party reveals government's zero commitment to free and fair elections". May 17, 2023 <https://forum-asia.org/joint-statement-cambodia-disqualification-of-opposition-party-reveals-governments-zero-commitment-to-free-and-fair-elections/>

Party, was found guilty of incitement and was sentenced to the maximum prison sentence of three years as well as a fine of 4 million riel (about US\$1,000), relating to his remarks posted on social media against Hun Sen.⁵ In September 2023, he was convicted and sentenced to 18 months' imprisonment for issuing a worthless cheque four years earlier.⁶

Provisions of incitement under Cambodian criminal law have also been used against land rights activists and labour union leaders. Amid the ongoing struggle of NagaWorld's worker union, the Labor Rights Supported Union of Khmer Employees of NagaWorld (LRSU), a Phnom Penh municipal court found the union leader Chhim Sithar guilty of 'incitement to commit a felony or disturb social security' under Criminal Code Articles 494 and 495. She was sentenced to two years in prison.⁷ Additionally, other union members received prison sentences ranging from one to one and a half years, along with suspended sentences or judicial supervision.

The decision was condemned by FORUM-ASIA and CIVICUS as another blow to civic space and fundamental freedom in the country.⁸ The Phnom

Penh Court of Appeal upheld the conviction in October 2023.⁹ Articles 494 and 495, pertaining to incitement were also used to charge and arrest 10 land activists from Koh Kong provinces,¹⁰ following their attempt to peacefully travel to Phnom Penh to submit a petition to the Ministry of Justice, urging the dropping of charges against 30 land activists from five different communities who are safeguarding their land from detrimental business activities. Only two out of the 10 activists were released in October 2023.¹¹

Apart from the declining trend of civic space in Cambodia, there was a positive development when Meta's Oversight Board ruled that Facebook has been incorrectly interpreting the 'newsworthiness' factor of a post made by Hun Sen, in which he threatened his political opponents to choose between legal action and a beating stick. The Oversight Board ordered Facebook to suspend Hun Sen's Facebook and Instagram account for six months and to remove said video. However, the Hun Sen administration responded by appointing the members of the Oversight Board as *persona non grata*, barring them from entering the country.¹²

5 Sebastian Strangio. The Diplomat. "Cambodian Court Sentences Opposition Figure to 3 Years Prison" October 19, 2023. <https://thediplomat.com/2023/10/cambodian-court-sentences-opposition-figure-to-3-years-prison/>

6 Sopheng Cheang. AP News. "A leader of Cambodia's main opposition party jailed for 18 months for bouncing checks". September 21, 2023. <https://apnews.com/article/election-candlelight-party-opposition-hun-manet-9f70004a674bfcfb609f1a401c8a72b>

7 Sovann Sreypich, Jack Brook. Camboja News. "NagaWorld Union Leader Chhim Sithar Sentenced to Two Years in Prison". May 25, 2023. <https://cambojanews.com/nagaworld-union-leader-chhim-sithar-sentenced-to-two-years-in-prison/>

8 FORUM-ASIA. "[Statement] Cambodia: Verdict against Chhim Sithar and labour rights defenders another blow to Cambodia's civic space". May 26, 2023. <https://forum-asia.org/?p=38193>

9 LICADHO. "Appeal Court Upholds Convictions of LRSU Unionists". October 19, 2023. <https://www.licadho-cambodia.org/flashnews.php?perm=352>

10 LICADHO. "Immediately Drop Charges Against 10 Koh Kong Land Activists; Release All Unconditionally". July 6, 2023. <https://www.licadho-cambodia.org/pressrelease.php?perm=514>

11 LICADHO. "Koh Kong Land Activists Released" October 6, 2023. <https://www.licadho-cambodia.org/flashnews.php?perm=350>

12 Radio Free Asia. "Cambodia declares Meta oversight board members 'persona non grata'". July 5, 2023. <https://www.rfa.org/english/news/cambodia/meta-07052023164858.html>

Indonesia

Solidarity for Human Rights Defenders Fatia Maulidiyanti and Haris Azhar



Fatia Maulidiyanti, former coordinator of the human rights organisation KontraS (Commission for Disappeared Persons and Victims of Violence) and Haris Azhar, co-founder of the Lokataru Foundation. Source: FORUM-ASIA

Laws such as the Electronic Information and Transaction Law (EIT Law) and restrictions on peaceful assembly are frequently used by the authorities to stifle critics and dissenters. During the adoption of its 4th Cycle Universal Periodic Review, the Indonesian government only acknowledged the recommendations demanding the review and repeal of a series of restrictive laws, which include the Law on Societal Organisations and the EIT Law. It also only acknowledged the recommendations that seek to immediately and unconditionally release all protesters, human rights defenders, and journalists detained for exercising their civil and political rights. These reveal a continuous reluctance from the Government of Indonesia to take action-oriented recommendations to reform its legal apparatuses to be aligned with international standards.

Civil society organisations condemned the 2nd revision of the law which was passed in December 2023, as it still consists of problematic provisions which could stifle fundamental freedoms. Furthermore, the amendment process was done in a closed setting, leaving little room for public involvement and oversight. This lack of transparency threatens a democratic legislative process that can create biases in regulations that benefit certain elites' groups rather than protecting human rights. According to SAFENet, an NGO focusing on the issue of digital rights and freedom of expression, at least 89 criminalisation cases using the law have been documented between January to October 2023.¹³

¹³ SAFENet. "KOALISI SERIUS Mendesak Penundaan Pengesahan Revisi Kedua UU ITE" KOALISI SERIUS Mendesak Penundaan Pengesahan Revisi Kedua UU ITE". November 22, 2023. <https://safenet.or.id/id/2023/11/koalisi-serius-mendesak-penundaan-pengesahan-revisi-kedua-uu-ite/#:~:text=Southeast%20Asia%20Freedom%20of%20Expression,menjelang%20momentum%20politik%20Pemilu%202024.>

An illustrative case of the utilisation of the EIT Law to criminalise dissenters involves the invocation of the online defamation provision (Article 27) against two prominent human rights defenders: Fatia Maulidiyanti, Coordinator of the Commission of the Disappeared and Victims of Violence (KontraS), and Haris Azhar, Founder of Lokataru Foundation. The case was lodged following a complaint by Luhut Binsar Panjaitan, Indonesia's Coordinating Minister for Maritime Affairs and Investment following online discussions between Fatia and Haris, alleging Luhut's involvement in human rights violations and mining operations in Papua.

Despite calls from civil society groups to drop all of the charges, the trial continued.¹⁴ After being indicted for the maximum punishment under the EIT Law, both Fatia and Haris were acquitted from all charges by the East Jakarta District Court.¹⁵ However, an appeal against the decision is on the way.¹⁶ While Fatia and Haris' acquittal provides hope for the human rights landscape in the country, the existence of the problematic provisions in the EIT Law is still a huge threat for civic space in Indonesia.

On freedom of peaceful assembly, on 6th May 2023, the local police of West Manggarai, Labuan Bajo summoned four residents on suspicion of incitement. The summons was linked to a planned demonstration by local residents who were demanding compensation for those displaced during the construction of the Labuan Bajo-Golo Mori road, scheduled ahead of the ASEAN Summit. At the same time, journalists and activists who report the voices of the people have become victims of hacking and intimidation, and four activists from the Mining Advocacy Network (JATAM) were also suspected of being hacked.¹⁷ Such intimidation tactics had also been used by the law enforcement during various protests, such as during farmers protests in Jambi in July 2023,¹⁸ and protests against Rempang Eco-City in September 2023,¹⁹ as well as several protests in West Papua.

As Indonesia assumes its position as a member of the Human Rights Council in 2024, civil society groups have called on the State, among other things, to conduct substantial revision of laws and regulations that impose restrictions on human rights beyond those allowed under international human rights law.²⁰

14 FORUM-ASIA. "[Joint Statement] Indonesia: Drop all charges against human rights defenders Maulidiyanti and Azhar". April 12, 2023. <https://forum-asia.org/joint-statement-indonesia-drop-all-charges-against-human-rights-defenders-maulidiyanti-and-azhar/>

15 FORUM-ASIA. "[Joint Statement] Indonesia: Human rights groups celebrate the acquittal of human rights defenders Fatia Maulidiyanti and Haris Azhar, calls for repeal of defamation laws". January 8, 2024. <https://forum-asia.org/joint-statement-indonesia-human-rights-groups-celebrate-the-acquittal-of-human-rights-defenders-fatia-maulidiyanti-and-haris-azhar-calls-for-repeal-of-defamation-laws/>

16 The Jakarta Post, "Luhut's rejected lawsuit". January 10, 2024. <https://www.thejakartapost.com/opinion/2024/01/10/luhuts-rejected-lawsuit.html>

17 Asia Human Rights Commission. "INDONESIA: Stop and Investigate Repression and Intimidation Against Civilians During the ASEAN Summit" May 16, 2023. <http://www.humanrights.asia/news/ahrc-news/AHRC-STM-010-2023/>

18 Ekspedisi Indonesia Baru. July 20, 2023. <https://x.com/idbaruid/status/1709534249211371718>

19 Friends of Earth International. "Stop the eviction: Solidarity with the peoples of Rempang Island, Indonesia". September 14, 2023. <https://www.foei.org/rempang-island-indonesia-solidarity/#:~:text=Violent%20clashes%20on%20Rempang%20Island,harmed%20in%20this%20violent%20incident.>

20 FORUM-ASIA. "[Joint Open Letter] Indonesia: Indonesia's Candidacy for Election to the UN Human Rights Council". September 14, 2023 <https://forum-asia.org/joint-open-letter-indonesia-indonesias-candidacy-for-election-to-the-un-human-rights-council/>

Hong Kong

國家安全法 National Security Law

保一國兩制 還香港穩
Preserve One Country, Two Systems
Restore Stability

Technicians in Hong Kong walk next to a banner of the National Security Law in Hong Kong
(ANTHONY WALLACE/AFP via Getty Images)

In 2023, several human rights activists were convicted under various repressive laws, including the draconian National Security Law (NSL) and the colonial-era Seditious Offences Ordinance. On 11th March 2023, Chow Hang-tung, Tang Ngok Kwan, and Tsui Hon Kwong, who were previously former members of the Hong Kong Alliance in Support of Patriotic Democratic Movements of China, now-defunct organisation that consistently organised vigils to remember the victims of the Tiananmen Massacre, were found guilty for failing to provide information about its organisation's activities and funding sources, among others, under the Article 43 of the National Security Law in relation to the investigation that alleged them and the organisation as a 'foreign agent'.²¹

The Chow Hang-tung also faces subversion charges which carries a maximum penalty of life imprisonment. In the same month, a couple of vendors and a pastor / founder of independent online media were jailed for five to 10 months under a colonial-era seditious law for producing and selling a critical photo book about the 2019

anti-government protests, characterised by the prosecutors to contain 46 seditious statements and images.²² They were charged with conspiring to commit acts with seditious intent, and sentenced two months after being remanded in custody on national security grounds.

The trial of Jimmy Lai, a pro-democracy activist and founder of the now-defunct media outlet Apple Daily, under the NSL, began on 18th December 2023, amidst tight security measures throughout the day. If found guilty, Jimmy Lai will face a maximum sentence of life imprisonment. In the trial, he had pleaded not guilty to two charges of conspiracy to collude with foreign forces, and a charge of conspiracy to publish seditious material.²³ Aside from Jimmy Lai's trial, the national security trial of Hong Kong 47,²⁴ involving pro-democracy activists who participated in the 2020 primary as opposition candidates, reached its closing statements from both prosecutors and the defendants on 4th December 2023, following nearly a year of proceedings. The verdict is expected to be delivered within three to four months.

21 Front Line Defenders. <https://www.frontlinedefenders.org/en/case/Inciting%20subversion-trial-unlikely-to-commence-before-November-2024>

22 Kelly Ho. Honk Kong Free Press. "Hong Kong's 'Pastor Keung' and 2 others jailed for up to 10 months over 'seditious' book" March 21, 2023. <https://hongkongfp.com/2023/03/21/hong-kongs-pastor-keung-and-2-others-jailed-for-up-to-10-months-over-seditious-book/>

23 Aljazeera. "Jimmy Lai pleads not guilty to national security, seditious charges". January 2, 2024. <https://www.aljazeera.com/news/2024/1/2/jimmy-lai-pleads-not-guilty-to-national-security-sedition-charges>

24 Le Monde. "At the 'Hong Kong 47' trial, almost all the pro-democracy opposition was in the dock". December 7, 2023. https://www.lemonde.fr/en/international/article/2023/12/06/at-the-hong-kong-47-trial-almost-all-the-pro-democracy-opposition-was-in-the-dock_6316970_4.html

In May 2023, the administration of justice in Hong Kong suffered a setback as the Government of the Hong Kong Special Administrative Region (HKSAR) passed an amendment to a law, permitting authorities to prohibit foreign lawyers from handling national security cases. The amendment, unanimously approved by the Legislative Council, grants the Chief Executive the power to veto foreign lawyers in NSL-related cases.²⁵ This legislation specifically targets the founder of the now-dissolved media outlet Apple Daily and activist Jimmy Lai, who sought the assistance of British lawyer Tim Owen in his foreign collusion case under the NSL. The new law reinforces the necessity for chief executive approval for foreign lawyers involved in

national security cases, sparking concerns about the judicial independence of Hong Kong.

In an attempt to further restrict civic and democratic space, the HKSAR Government pursued a court order to ban people from singing, broadcasting, and distributing the protest song 'Glory to Hong Kong' under national security grounds.²⁶ Human rights groups criticised this move as being in contravention to the international human rights law and standards.²⁷ In May 2024, Hong Kong's appeal court overturned a previous ruling in favour of free speech from July 2023 and banned the song, stating that it could be used as a "weapon" to incite violent protests.

25 Helen Davidson, Verna Yu. The Guardian. "Hong Kong passes law to limit work of foreign lawyers amid ongoing Jimmy Lai case". May 11, 2023. <https://www.theguardian.com/world/2023/may/11/hong-kong-passes-law-to-limit-work-of-foreign-lawyers-amid-ongoing-jimmy-lai-case>

26 Aljazeera. "Hong Kong moves to ban protest song mistaken for national anthem". June 7, 2023. <https://www.aljazeera.com/news/2023/6/7/hong-kong-moves-to-ban-protest-song-mistaken-for-national-anthem>

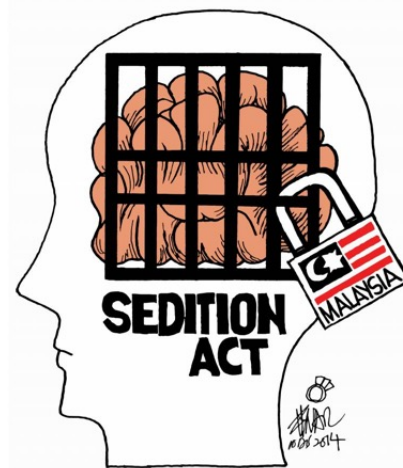
27 Amnesty International. "Hong Kong: 'Absurd' attempt to ban protest song a clear violation of international law". June 6, 2023. <https://www.amnesty.org/en/latest/news/2023/06/hong-kong-absurd-attempt-to-ban-protest-song-a-clear-violation-of-international-law/>

Malaysia

Following the general election in November 2022, Pakatan Harapan (PH) assumed power. More than one year later, the new administration has not yet shown a strong commitment to addressing human rights issues. While a significant victory was achieved with the repeal of the Anti-Fake News Act of 2018 ('Repeal Bill') during the first term of the PH government from 2018 to 2020, no progress has been made towards repealing repressive laws since their return to power, despite it being listed as one of their priorities in both the 2018 and 2022 election manifestos. Their promises, as outlined in the 2022 election manifesto, to 'review and repeal oppressive provisions of laws that could be misused to curtail freedom of speech, such as the Sedition Act 1948, Communications and Multimedia Act 1998, and Printing Press and Publications Act 1984', remain unfulfilled despite their re-election.

In March 2023, in a radio interview, the Deputy Minister of Law and Institutional Reforms Ramkarpal Singh expressed the government's current stance, stating that there were no immediate plans to abolish the Sedition Act, but it remains a possibility for the future.²⁸ A similar sentiment was echoed regarding the intention to repeal the Printing Presses and Publications Act (PPPA). In April 2023, also the Home Minister Saifuddin Nasution Ismail stated that there were no immediate plans to repeal the PPPA as it is deemed 'crucial for maintaining public order'.²⁹ However, he added that the ministry will continue to explore potential revisions to the Act in response to contemporary requirements. Authorities have frequently misused the colonial-era Sedition Act to quash dissent and muzzle adversaries. This legislation has also been employed to hinder discussions relating to racial and ethnic communities, religious matters, and the Malaysian monarchy.

In July 2023, prosecutors in Malaysia charged an opposition leader with two counts of sedition under Section 4(1)(a) of the Sedition Act 1948, for insulting the country's sultans.³⁰ In addition, a total of 60 investigations were undertaken in 2023 under the Communications and Multimedia Act (CMA).³¹ However, charges were only pursued in five instances under Section 233 of the CMA for 'improper use of network facilities', with 55 cases not resulting in charges.



This image shows a string of handcuffs symbolising the different legislations utilised to scrutinise Zunar's artwork. © Zunar.

For what concerns the Printing Presses and Publications Act (PPPA) of 1984, the government invoked Section 7(1) of the PPPA to ban five items deemed 'undesirable publications' in 2023. These included *The Tale of Steven*, *Jacob's Room to Choose*, *Aku, Gay is OK! A Christian Perspective*, and the Swatch Pride watches. In August 2023, officials from the Home Ministry conducted a raid on the bookstore *Toko Buku Rakyat* using Section 7(1) of the PPPA.³² During the raid, they confiscated two books, *Marx Sang Pendidik Revolusioner* and *Koleksi Puisi Masturbasi*, despite them not being banned.

28 Jason Thomas. Free Malaysia Today. "No plans to abolish the Sedition Act just yet, says Ramkarpal". March 21, 2023. <https://www.freemalaysiatoday.com/category/nation/2023/03/21/no-plans-to-abolish-sedition-act-just-yet-says-ramkarpal/>

29 Free Malaysia Today. "Printing Presses and Publications Act still needed, says Saifuddin" April 12, 2023. <https://www.freemalaysiatoday.com/category/nation/2023/04/12/printing-presses-and-publications-act-still-needed-says-saifuddin/>

30 Faisal Asyraf. Free Malaysia Today. "Sanusi charged with sedition against rulers". July 18, 2023. <https://www.freemalaysiatoday.com/category/nation/2023/07/18/sanusi-charged-with-making-seditious-remark-against-selangor-ruler/>

31 SURAM. "SUARAM Malaysia Human Rights Report 2023". <https://www.suaram.net/human-rights-reports>

32 Rashvinjeet S Bedi. CNA. "In Malaysia, a 1984 publishing law being used to ban Swatch watches and books is stoking public fears, anger". August 29, 2023. https://www.channelnewsasia.com/asia/malaysia-publishing-law-swatch-watches-book-seizure-conservative-wave-3729816?utm_source=dlvr.it&utm_medium=twitter

The Philippines



Demonstrators hold placards at a rally calling for justice following the murder of a Philippine radio broadcaster, in Quezon City in suburban Manila on October 4, 2022. AFP / Jam Sta. Rosa

On 30th June 2023, President Ferdinand Marcos Jr. marked his first year in office, and to date he has yet to show a genuine dedication to upholding human rights. The repeal of decades-old repressive laws that restrict civil liberties and violate international human rights standards were not addressed, and he has yet to formally withdraw the policies enforcing former president Duterte's anti-drug campaign, which may result in crimes against humanity.

Journalists continued to be targeted under the current administration despite Marcos Jr.'s pledge to support and protect media rights. In the 2023 Global Impunity Index³³ by the Committee to Protect Journalists, the Philippines ranked as the eighth country in the world with the poorest record in prosecuting those responsible for the killing of journalists. In 2023, the country documented 20 unresolved cases, ranking second to Mexico which reported 23 unsolved incidents.

Libel laws continue to be wielded as a form of harassment against journalists. A study, published in June 2023, conducted by the National Union of Journalists of the Philippines (NUJP), revealed that local politicians are the primary instigators of criminal libel and cyber libel cases against journalists in the country.³⁴

The Philippine Cybercrime Prevention Act of 2012 has been employed on numerous occasions to target journalists, activists, government critics, and even social media users. In 2023, the Philippine National Police (PNP) conducted investigations into 16,297 cybercrime cases, resulting in the apprehension of 397 individuals. The Department of Justice (DOJ) noted a fourfold increase in cybercrime incidents in the Philippines in 2023 compared to the same period in 2022. This constituted the majority of cases addressed by the DOJ.

³³ Committee to Protect Journalists. "2023 Global Impunity Index". October 31, 2023. <https://cpj.org/2023/10/crisis-hit-haiti-fails-to-deliver-justice-for-murdered-journalists/>

³⁴ Cong Corrales. Rappler. "Local politicians take lead in filing libel cases against journalists – NUJP study". June 13, 2023. <https://www.rappler.com/philippines/mindanao/local-politicians-libel-cyber-libel-cases-journalists-nujp-study/>

On 27th March 2023, the Human Rights Council adopted the Universal Periodic Review (UPR) outcomes of the Philippines.³⁵ The Philippines accepted 200 recommendations out of the 289 recommendations made by member states of the United Nations Human Rights Council. However, key recommendations on ending extrajudicial killings, attacks on media freedom, and reviewing the Anti-Terrorism Act of 2020 were left out. Similarly, the government refused to accept recommendations to end the practice of 'red-tagging' human rights defenders, indicating the government's unwillingness to recognise and address it and its impacts.

The main laws weaponised by the Philippines government to prosecute civil society organisations and human rights defenders, are the Anti-Terrorism Act of 2020 and the Terrorism Financing Prevention and Suppression Act of 2012. The Anti-Terrorism Act of 2020, which replaced the Human Security Act of 2007, is a clear and present danger to civil liberties in the Philippines. The labelling of community physician Natividad 'Naty' Castro³⁶ and of four indigenous people's leaders and advocates³⁷ as 'terrorist individuals' in January 2023

and June 2023 respectively under the Resolution No. 41 (2022) by the Anti-Terrorism Council (ATC), illustrates how the government is using legislation against individuals it deems undesirable.

This resolution also resulted in the freezing of indigenous people's assets and funds, including associated accounts. The Terrorism Financing Prevention and Suppression Act of 2012, which imposes severe penalties including up to 40 years imprisonment and fines ranging from P500,000 to P1,000,000 (US\$9,036 to 18,072), has been utilised by the Armed Forces of the Philippines against the Community Empowerment Resource Network,³⁸ alleging its involvement as a legal front for the New People's Army.

Enforced disappearances continued to occur throughout the year. In August 2023, families of victims urged the Philippine government to improve the implementation of the Anti-Enforced or Involuntary Disappearance Act.³⁹ This law was passed in 2012 during the presidency of Benigno Aquino III to ensure justice and safeguard victims. However, the authorities have fallen short of effectively implementing it.

35 FORUM-ASIA. "[HRC52 Oral Statement] Item 6: Adoption of Universal Periodic Review outcomes of the Philippines". April 5, 2023. <https://forum-asia.org/hrc52-oral-statement-item-6-adoption-of-universal-periodic-review-outcomes-of-the-philippines/>

36 Joviland Rita. GMA New Online. "Anti-Terrorism Council designates Dr. Naty Castro a terrorist". . January 30, 2023 <https://www.gmanetwork.com/news/topstories/nation/859082/anti-terrorism-council-designates-dr-naty-castro-a-terrorist/story/>

37 The Inquirer Staff. "4 Cordillera activists tagged as 'terrorists'". INQUIRER.NET. July 12, 2023 <https://newsinfo.inquirer.net/1800367/4-cordillera-activists-tagged-as-terrorists>

38 Sunnexusdesk. "Cebu NGO seeks dismissal of terrorism complaint". September 30, 2023. <https://www.sunstar.com.ph/cebu/local-news/cebu-ngo-seeks-dismissal-of-terrorism-complaint>

39 Jodesz Gavilan. Rappler. "Families of the disappeared seek justice through implementation of landmark law". August 30, 2023. <https://www.rappler.com/philippines/families-call-proper-implementation-anti-enforced-involuntary-disappearance-act-desaparacidos/>

Thailand



Activist and human rights lawyer Arnon Nampa has been sentenced to four years in jail for insulting the monarchy. Anusak Laowilas—NurPhoto/Getty Images

In the May 2023 election, progressive parties swept the board with voters delivering a powerful rebuke of the military-backed leaders who have ruled Thailand for nearly a decade since the 2014 military coup. Despite the Move Forward Party claiming the majority of seats, various obstacles, including entrenched conservative opposition, prevented party leader Pita Limjaroenrat from assuming the role of Prime Minister in the initial parliamentary vote held in July 2023. After three months from the vote of political deadlock, a new Prime Minister was appointed from a multi-party coalition backed by the military-appointed Senate. In August 2023, Srettha Thavisin was elected as 30th Prime Minister of Thailand.

According to Thai Lawyers for Human Rights (TLHR), in 2023, State authorities have engaged in surveillance and intimidation tactics targeting activists, students, and politically active citizens, with extrajudicial measures being employed. Specifically, at least 167 individuals have been

subjected to surveillance or intimidation in at least 203 instances.⁴⁰

Repressive laws continued to be employed to suppress vibrant civil society organisations. According to statistics from the TLHR, since the beginning of the 'Free Youth' protest on 18th July 2020 right up to 31st December 2023, a minimum of 1,938 individuals have faced prosecution in 1,264 cases because of their involvement in political gatherings and expressions. Charges were, among others, under *lèse-majesté*, sedition under the penal Code, Public Assembly Act, and Computer Crime Act.

During the course of 2023, *lèse-majesté* was extensively used to prosecute pro-democracy activists. In September 2023, Arnon Nampa, a leading political activist in Thailand, was sentenced to four years in prison under the country's heavily scrutinised royal defamation, or *lese-majeste* law, for remarks he made during a protest in October

⁴⁰ Thai Lawyers for Human Rights. "In 2023, there were at least 203 instances where citizens were subjected to surveillance and intimidation despite the change of government". February 16, 2024. <https://tlhr2014.com/en/archives/64568>

2020.⁴¹ In December 2023, Rukchanok 'Ice' Srinork from the Move Forward Party was sentenced to six years in prison under the lèse-majesté and the Computer Crime Act.⁴²

March 2023 became widely known for the arrest of the youngest person charged under Thailand's lèse-majesté law. Thanalop 'Yok' Phalanchai, a 15-year-old girl, was detained for allegedly violating

the strict lèse-majesté law while addressing an anti-government rally in Bangkok in October 2022. She had called for the release of political prisoners and the abolition of Article 112, also known as the lèse-majesté law. Following a 50-day stint at Ban Pranee Juvenile Vocational Training Centre for Girls in Nakhon Pathom city, she was subsequently released.

41 FORUM-ASIA. "[Statement] Thailand: Release pro-democracy activist Arnon Nampa, uphold people's right to free speech and peaceful assembly". September 28, 2023. <https://forum-asia.org/statement-thailand-release-pro-democracy-activist-arnon-nampa-uphold-peoples-right-to-free-speech-and-peaceful-assembly/>

42 Jonathan Head. BBC. "Thai MP convicted for posts insulting the monarchy". December 13, 2023. <https://www.bbc.com/news/world-asia-67690725>

Myanmar



Anti-coup protesters display signs during a protest against the military coup in Mandalay, Myanmar, on 15 March 2021. Source: Associated Press

Since its seizure of power in an illegal coup in February 2021, the military has persistently prolonged emergency rule, thereby postponing the elections that the generals had pledged to hold after ousting the elected government. The Myanmar junta has persisted in enforcing martial law in areas where resistance against the coup is prevalent.⁴³ Under martial law, military courts will hear any case deemed critical of the regime. By November 2023, the junta had declared martial law in approximately 50 towns across regions such as Yangon, Mandalay, Sagaing, Magwe, Bago, and Tanintharyi, as well as in states including Chin, Mon, Karen, and Kayah.

Throughout 2023, the Myanmar junta persisted in its pattern of disregarding accountability for numerous human rights violations. These included arbitrary arrests, extrajudicial killings, and the use of deadly force against peaceful protestors, sexual violence, and other abuses that amount to crimes against humanity.

According to the Assistance Association for Political Prisoners, there was an increase in killings, arrests, and people being held in detention since the attempted coup. Specifically, by the end of the year, a total of 4,237 people were killed, 25,656 people were arrested, and 19,856 people are still detained.⁴⁴ Over a span of three years since the coup, the Myanmar junta has sentenced nearly 400 women.⁴⁵ Most of these women were found guilty under two particular laws: Section 50 (j) of the Counter-Terrorism Law, which deals with funding terrorism, and Section 505 (a) of the Penal Code, which makes it illegal to make statements or engage in actions that question the legitimacy of the coup or the junta's rule.

The Myanmar junta has unilaterally adopted so-called laws, amended existing provisions, and used laws and institutions to target opponents and suppress dissent. In January 2023, the junta passed the Political Party Registration Law, which bars individuals with prior criminal convictions

⁴³ The Irrawaddy. "Myanmar Junta Declares Martial Law Across Northern Shan State". November 13, 2023. https://www.irrawaddy.com/news/burma/myanmar-junta-declares-martial-law-across-northern-shan-state.html#google_vignette

⁴⁴ Assistance Association for Political Prisoners. "Graphs of arrest and death data as of December 31, 2023 collected and compiled by the Assistance Association for Political Prisoners (AAPP) since the February 1, 2021 military coup. January 1, 2024. <https://aappb.org/?p=27072>

⁴⁵ Radio Free Asia. "Myanmar junta sentences nearly 400 women in 3 years since coup". January 29, 2024. <https://www.rfa.org/english/news/myanmar/women-01292024171831.html>

or ongoing prison sentences from affiliating with a political party.⁴⁶ Additionally, it imposes stricter requirements for minimum membership and financial resources, effectively obstructing the registration of smaller parties. These criteria do not adhere to international standards in safeguarding the rights of political parties to organise and participate in elections.

In March 2023, the junta amended the 2014 Counter Terrorism Act broadening its authority to quash opposition.⁴⁷ Through this amendment, the military junta gained the power to compel communications and internet service providers to furnish consumer data, enabling them to monitor and disrupt communications of individuals

purportedly affiliated with revolutionary groups, and seize their assets. Along with the Counter Terrorism Act, other repressive laws are the Telecommunication Law, the Electronic Transactions Law, the Unlawful Associations Act of 1908, the Organisation Registration Law of 2022 and the Peaceful Assembly and Peaceful Procession Law.

In May 2023, a notable incident took place involving a camera operator from the Myanmar Pressphoto Agency. She was sentenced to 10 years of hard labour for violating Myanmar's counterterrorism law for donating money to anti-junta resistance groups. Prior to this, she was already serving a three-year-term for defamation.⁴⁸

46 Radio Free Asia. "New law raises bar for Myanmar's political parties ahead of general election". January 30, 2024. <https://www.rfa.org/english/news/myanmar/law-01302023131751.html>

47 Radio Free Asia. "Amendment grants Myanmar junta sweeping new powers under Anti-Terrorism Law". March 15, 2023. <https://www.rfa.org/english/news/myanmar/amendment-03152023170207.html>

48 Radio Free Asia. "Burmese journalist sentenced to 10 years in jail by military junta court". May 26, 2023. <https://www.rfa.org/english/news/myanmar/journalist-sentenced-05262023143038.html>



SOUTH ASIA

India



Girl holding a placard demanding repeal of UAPA Source: MillenniumPost

India is facing a growing crisis of shrinking fundamental freedoms. Repressive laws like the Unlawful Activities (Prevention) Act, 1967 (UAPA) and the Foreign Contribution (Regulation) Act, 2010 (FCRA) are increasingly wielded to quash dissent and target human rights defenders, journalists, and activists critical of the government.

In Indian-administered Kashmir, the UAPA has been used to criminalise human rights work and suppress reporting critical of the government. Recent instances of arbitrary arrest under the UAPA, such as that of Khurram Parvez and Irfan Mehraj on terror-funding charges, highlight its

misuse.⁴⁹ In the case of journalists Aasif Sultan⁵⁰ and Sajad Gul,⁵¹ the use of the UAPA was coupled with the Jammu and Kashmir Public Safety Act (PSA), making their release difficult. Even after securing bail, arbitrary restrictions persist, as is illustrated by the National Investigation Agency's denial of Kashmiri youth leader Waheed ur Rehman Para's⁵² application to travel for a fellowship at Yale.

Journalist Fahad Shah, founder of The Kashmir Walla (now released on bail) and scholar Aala Fazili also faced arrests⁵³ under the UAPA for an article published a decade ago on The Kashmir Walla website.

49 Manoj Gupta. "J&K Terror Funding: NIA files Chargesheet Against Absconding Hizbul Mujahideen Operative, 2 Others". September 16, 2023. <https://www.news18.com/india/jk-terror-funding-nia-files-chargesheet-against-absconding-hizbul-mujahideen-operative-2-others-8579987.html>

50 NL Team. "J&K HC quashes Aasif Sultan's PSA detention, says order 'illegal'". December 12, 2023. <https://www.news18.com/2023/12/12/jk-hc-quashes-aasif-sultans-psa-detention-says-order-illegal#:~:text=He%20was%20booked%20under%20the%20UAPA%20and%20other%20sections%20of,aiding%20and%20participating%20in%20militancy.>

51 Jammu and Kashmir. "J&K High Court Quashes journalist Sajad Gul's detention under Public Safety Act". November 18, 2023. <https://scroll.in/latest/1059290/j-k-high-court-quashes-journalist-sajad-guls-detention-under-public-safety-act>

52 News Desk. "NIA Court rejects Waheed Para's plea to travel abroad for Yale Fellowship 2023". June 14, 2023. <https://thekashmiriyat.co.uk/nia-court-rejects-waheed-paras-plea-to-travel-abroad-for-yale-fellowship-2023/>

53 Arun Sharma. "J&K court frames sedition charges against journalist Fahad Shah and researcher". March 18, 2023. <https://indianexpress.com/article/cities/jammu/jk-court-frames-sedition-charges-against-journalist-fahad-shah-and-researcher-8504947/>

The Kashmir Walla, one of the last independent media outlets in Kashmir, was censored⁵⁴ under the Information Technology (IT) Act, with its website withheld and social media pages removed. The Jammu and Kashmir administration initiated social media monitoring⁵⁵ to target government employees critical of its policies, directly infringing on freedom of expression. This action not only suppresses dissent but also hampers accountability and transparency within the government. Raids on NewsClick⁵⁶ – an independent online news portal – and subsequent arrests of its editor Prabir Purkayastha and human resources head Amit Chakraborty underscored the chilling effect of the UAPA on press freedom. Journalist Rupesh Kumar⁵⁷ faced UAPA charges for alleged involvement in 'Naxal activities'. The Indian government invoked emergency⁵⁸ laws to censor the BBC documentary examining the role of Prime Minister Narendra Modi in the Gujarat riots of 2002, followed by a 3-day raid on BBC offices⁵⁹ as well as an investigation under the foreign Exchange Management Act⁶⁰. Jammu and Kashmir Police also threatened⁶¹ legal action against BBC for their report on press freedom in Kashmir.

Of the 16 persons —academics, musicians, lawyers, poets, and activists— accused in the Bhima Koregaon case,⁶² most have languished in prison for over five years without trial, except for a few who were released on bail on medical or technical-

legal grounds. In 2021, Jesuit priest Stan Swamy,⁶³ the 16th accused in this case, died in custody after being repeatedly denied bail on medical grounds. Pertinently, a digital forensics firm, Arsenal Consulting,⁶⁴ concluded that false evidence had been planted on the devices of the accused in this case. Former student activist Umar Khalid remains imprisoned under the UAPA since his 2020 arrest for allegedly delivering inflammatory speeches at a protest against discriminatory citizenship laws. The frequent rescheduling and delays in his Supreme Court⁶⁵ plea raise concerns about procedural fairness and access to justice.

The UAPA also includes measures for outlawing organisations and making it a crime to be associated with such banned groups. A UAPA tribunal upheld the Indian government's decision to declare the Popular Front of India⁶⁶ unlawful, imposing a five-year ban on it. India's apex court reinstated the guilt by association⁶⁷ doctrine, going as far as to criminalise even having a membership in banned organisations. This severely infringes upon the freedom of association granted by the Indian constitution and India's obligations under various international treaties, such as the International Covenant on Civil and Political Rights (ICCPR).

The FCRA, initially designed to regulate foreign funding for NGOs, has become a means of squeezing civil society.

54 News Desk. "Kashmiri news portal The Kashmir Walla's Twitter account withheld in India". 10 months ago. <https://thekashmiriyat.co.uk/kashmiri-news-portal-the-kashmir-wallas-twitter-account-withheld-in-india/?amp=1>

55 News desk. "Monitor social media to identify employees making anti-Govt comments: JK Admin to officials". February 20, 2023. <https://freepresskashmir.com/news/2023/02/20/monitor-social-media-to-identify-employees-making-anti-govt-comments-jk-admin-to-officials/>

56 Sarvasti Dasgupta. "NewsClick Case: Do Allegations Justify Invoking of UAPA? Legal Experts Weigh In". October 9, 2023. <https://thewire.in/rights/newsclick-case-allegations-uapa-legal-experts>

57 Sumedha Pal. "Jailed Jharkhand Journalist Rupesh Kumar Slapped With Two New Cases". August 16, 2022. <https://thewire.in/rights/jailed-jharkhand-journalist-rupesh-kumar-slapped-with-two-new-cases>

58 Hannah Ellis-Petersen. "India invokes emergency laws to ban BBC Modi documentary". January 23, 2023. <https://www.theguardian.com/world/2023/jan/23/india-emergency-laws-to-ban-bbc-narendra-modi-documentary>

59 News desk. "BBC India: Tax officials accuse organisation of irregularities". February 17, 2023. <https://www.bbc.com/news/world-asia-india-64678922>

60 Chandra Prasad Gireesh and Lata Jha. "After I-T, ED investigates the BBC over suspected forex breaches". April 13, 2023. <https://www.livemint.com/news/india/bbc-faces-ed-probe-over-alleged-forex-violations-in-india-11681406579576.html>

61 Jehangir Ali. "J&K Police Threatens Legal Action Against BBC Over Report on Press Freedom in Kashmir". September 2, 2023. <https://thewire.in/media/jammu-kashmir-police-bcc-report-legal-action>

62 Sarah Thanawala. "Bhima Koregaon: The first week in the new year repeats the same old story of procedural grind". January 6, 2024. <https://theleaflet.in/bhima-koregaon-the-first-week-in-the-new-year-repeats-the-same-old-story-of-procedural-grind/>

63 Prachi Lohia. "Remembering Stan Swamy, Whose Struggle Was Driven by Empathy and Love". July 05, 2022. <https://thewire.in/rights/remembering-stan-swamy-whose-struggle-was-driven-by-empathy-and-love>

64 Shreegireesh Jalihal. "In Bhima-Koregaon case, new forensic report shows how hacker planted key files on accused's computer". April 21, 2021. <https://scroll.in/article/992857/in-bhima-koregaon-case-new-forensic-report-shows-how-hacker-planted-key-files-on-accuseds-computer>

65 Betwa Sharma. "2023: The Year Imprisoned Political Activist Umar Khalid Was Not Heard By The Supreme Court". December 13, 2023. <https://article-14.com/post/2023-the-year-imprisoned-political-activist-umar-khalid-was-not-heard-by-the-supreme-court-65791f597efad>

66 PTI. "UAPA tribunal confirms govt's ban on PFI, associates for alleged terror activities". March 21, 2023. <https://theprint.in/india/uapa-tribunal-confirms-govts-ban-on-pfi-associates-for-alleged-terror-activities-2/1461650/>

67 Utkarsh An. "UAPA: SC restores 'guilty by association' doctrine". March 24, 2023. <https://www.hindustantimes.com/india-news/uapa-sc-restores-guilty-by-associatio%20n-doctrine-101679682257296.html>

Tightened regulations and scrutiny of funding sources have compelled NGOs critical of the government or its policies to shut down or curtail their activities, impacting organisations such as Oxfam India,⁶⁸ Aman Biradari,⁶⁹ the Centre for Equity Studies,⁷⁰ and the Centre for Policy Research.⁷¹ The misuse of FCRA charges against individuals like Kashmiri journalist Fahad Shah⁷² and environmental lawyer Ritwick Dutta⁷³ raises concerns about

the suppression of freedom of expression. India imposed 30 major internet shutdowns,⁷⁴ all of them highly localised, affecting 59.1 million people and infringing on the rights to peaceful protest and press freedom. In the north-eastern state of Manipur, the internet was shut down for more than 5,000 hours, marking it the longest blackout in the country amidst ethnic clashes and violence in the state.⁷⁵

68 Express news service. "Operations virtually forced to halt entirely: Oxfam India to Delhi HC on non-renewal of FCRA registration". January 18, 2024. <https://indianexpress.com/article/cities/delhi/operations-halt-oxfam-india-delhi-hc-fcra-registration-9114089/>

69 PTI. "MHA recommends CBI inquiry against Harsh Mander's NGO Aman Biradari". March 21, 2023. <https://indianexpress.com/article/india/mha-recommends-cbi-inquiry-against-harsh-manders-ngo-aman-biradari-for-fcra-violation-8508529/>

70 The Wire Staff. "FCRA License of Harsh Mander's Think Tank CES Suspended Because He Is a News Columnist". June 20, 2023. <https://thewire.in/rights/fcra-harsh-mander-think-tank-ces-suspended-columnist>

71 Ritu Sarin. "FCRA licence scrapped, Centre for Policy Research says its funding choked, staff skeletal". January 18, 2024. <https://indianexpress.com/article/india/fcra-licence-of-think-tank-centre-for-policy-research-cancelled-9112869/>

72 Arun Sharma. "J&K court frames sedition charges against journalist Fahad Shah and researcher". March 18, 2023. <https://indianexpress.com/article/cities/jammu/jk-court-frames-sedition-charges-against-journalist-fahad-shah-and-researcher-8504947/>

73 The Wire Staff. "CBI Books Environmental Lawyer Ritwick Dutta for Alleged FCRA Violations, 'Stalling' Coal Projects". April 22, 2023. <https://thewire.in/government/cbi-books-environmental-lawyer-ritwick-dutta-for-stalling-coal-projects-using-foreign-funds>

74 The Hindu Bureau. "Longest internet shutdown in 2023 took place in Manipur amidst human rights violations: Report". January 10, 2024. <https://www.thehindu.com/sci-tech/technology/longest-internet-shutdown-2023-took-place-manipur-amidst-human-rights-violations-report/article67726259.ece>

75 Scroll Staff. "World's longest internet shutdown of 2023 was in Manipur, says report". January 11, 2024. <https://scroll.in/latest/1061967/longest-internet-shutdown-of-2023-was-in-manipur-says-report>

Pakistan



People take part to a protest in support of freedom of expression after a private news channel was taken off the air by the government in Islamabad, Pakistan Source: Aamir Qureshi/AFP via Getty Images

The year 2023 saw a dramatic decline in fundamental freedoms in Pakistan. From curbs on assembly and expression to arbitrary arrests and repressive laws, the year witnessed a worrying shift towards digital authoritarianism.⁷⁶ Journalists faced abduction, assault, and censorship, while opposition voices were silenced through bans and imprisonment.

The repression of journalists stood out starkly, reflecting the broader assault on freedom of expression and the press. From detentions and raids to online harassment and abductions, they faced severe reprisals for their work. Imran Riaz Khan,⁷⁷ a broadcast journalist at BOL News,

disappeared for four months⁷⁸ after being arrested at an airport in Punjab. He was previously arrested under the Prevention of Electronic Crimes Act (PECA). Similarly, the marketing head of BOL News, Akash Ram,⁷⁹ and another news anchor, Sami Abraham⁸⁰ were also abducted, with Ram's whereabouts remaining unknown.

Exiled journalist Syed Fawad Ali Shah⁸¹ faced abduction from Malaysia, raising concerns about transnational harassment. Gohar Wazir,⁸² an outspoken advocate for Pashtun rights, endured severe torture while he was abducted, while others like Siddique Jan⁸³ and Sarfraz Ahmed⁸⁴ faced arrests and raids under the Anti-Terrorism Act.

- 76 Zahid Shahab Ahmed, Ihsan Yilmaz, Sharam Akbarzadeh and Galib Bashirov. "Digital Authoritarianism and Activism for Digital Rights in Pakistan". July 20, 2023. <https://www.populismstudies.org/digital-authoritarianism-and-activism-for-digital-rights-in-pakistan/>
- 77 CPJ. "Pakistani journalist Imran Riaz Khan arrested for alleged hate speech". February 2, 2023. <https://cpj.org/2023/02/pakistani-journalist-imran-riaz-khan-arrested-for-alleged-hate-speech/>
- 78 Abid Hussain. "Missing Pakistani journalist Imran Riaz Khan returns home after four months". September 25, 2023. <https://www.aljazeera.com/news/2023/9/25/missing-pakistani-journalist-imran-riaz-khan-returns-home-after-four-months>
- 79 BoL news. "Akash Ram Abduction Latest Update". May 7, 2023. <https://www.youtube.com/watch?v=dJgaRLAoF28>
- 80 Dawn Report. "Journalist SAmi Abraham 'Picked up', family claims". May 25, 2023. <https://www.dawn.com/news/1755611/journalist-sami-abraham-picked-up-family-claims>
- 81 Liam Scott. "Forcibly Returned to Pakistan, Journalist Now Fears for Life". April 6, 2023. <https://www.voanews.com/a/forcibly-returned-to-pakistan-journalist-now-fears-for-life/7038529.html>
- 82 Bureau Report. "Journalists rally against abduction, torture of colleagues in Bannu". April 28, 2023. <https://www.dawn.com/news/1749670>
- 83 International Federation of Journalists. "Pakistan: Senior journalist arrested in anti-terrorism case". March 22, 2023. <https://www.ifj.org/media-centre/news/detail/category/press-releases/article/pakistan-senior-journalist-arrested-in-anti-terrorism-case>
- 84 CPJ. "Journalists harassed, 1 beaten after opposition protest coverage in Pakistan". May 24, 2023. <https://cpj.org/2023/05/journalists-harassed-1-beaten-after-opposition-protest-coverage-in-pakistan/>

Zubair Anjum⁸⁵ was briefly detained by police and men in plainclothes, while Jehangir Hayat⁸⁶ and his family reportedly faced physical assault by police. The Pakistan Electronic Media Regulatory Authority (PEMRA) also barred⁸⁷ 11 journalists, critical of the caretaker government led by Shahbaz Sharif and the army, from appearing on television. Abduction, assaults, censorship, and even assassinations have become a grim reality for journalists in Pakistan.

A barrage of repressive laws and amendments further constricted the space for dissent and expression. The proposed Criminal Laws (Amendment) Act 2023⁸⁸ criminalised the criticism of state institutions, imposing a five-year punishment on anyone intentionally ridiculing the army or judiciary. Several bills—such as the Official Secrets Act 2023⁸⁹ were hastily passed, without adequate consultation with civil society, posing threats to press freedom, while controversial amendments to the PEMRA⁹⁰ ordinance also heightened censorship and state control over media narratives.

The proposed Electronic Security Bill aims to establish a Digital Security Authority,⁹¹ appointed solely by the government, with broad monitoring and censoring powers over digital media content, posing a significant threat to online freedom and hindering independent journalism. Additionally, the Personal Data Protection Bill⁹² mandates data localisation within Pakistan, requiring companies, including social media platforms, to disclose

sensitive personal data to the government under vague pretexts of ‘public order’ or ‘national security’, potentially compromising the privacy of defenders, particularly journalists.

The opposition party, Pakistan Tehreek-e-Insaf (PTI), bore the brunt of this clampdown on fundamental freedoms, with PTI facing unprecedented levels of censorship, bans, and arbitrary arrests. PEMRA's blanket ban⁹³ on broadcasting PTI speeches, suspension⁹⁴ of private news networks, and restrictions⁹⁵ on coverage during pro-PTI protest⁹⁶ underscored efforts to stifle dissenting voices. PTI members also faced harassment, abductions, and imprisonment for their political affiliations, with instances such as Sikandar Zaman⁹⁷ receiving a three-year sentence for allegedly defaming the Pakistani army, and the abductions of social media team members such as Azhar Mashwani⁹⁸ and Attaur Rehman,⁹⁹ illustrate the targeted repression faced by the party.

The right to peaceful assembly also faced severe repression, with demonstrations such as the annual Aurat March encountering immense challenges. In Lahore, organisers were denied permits under Section 144¹⁰⁰ which prohibits large gatherings, while in Islamabad, protestors faced police brutality and intimidation.¹⁰¹ Nationwide protests following Imran Khan's arrest were violently suppressed¹⁰² by the authorities, marked by enforcing Section 144,¹⁰³ use of excessive force, mass arrests,¹⁰⁴ social

85 Intiaz Ali. “Television producer returns home 24 hours after being picked up. June 7, 2023. <https://www.dawn.com/news/1758370>

86 CPJ. “Pakistan police assault, detain journalist Jahangir Hayat in Punjab province”. May 10, 2022. <https://cpj.org/2022/05/pakistan-police-assault-detain-journalist-jahangir-hayat-in-punjab-province/>

87 Ajeet Kumar. “Pakistan bans journalists on TV channels who are critical of military, Shehbaz Sharif government”. August 13, 2023. <https://www.indiatvnews.com/news/world/pakistan-bans-coverage-of-tv-journalists-who-are-critical-of-military-shehbaz-sharif-government-pakistan-electronic-media-regulatory-authority-pemra-2023-08-13-886419>

88 Riazul Haq. “Cabinet committee formed to review bill proposing 5-year jail terms for defamation of army, judiciary”. February 7, 2023. <https://www.dawn.com/news/1735853/cabinet-committee-formed-to-review-bill-proposing-5-year-jail-terms-for-defamation-of-army-judiciary>

89 Zulfiqar Ahmad. “NA adopts Official Secrets (Amendment) Bill, 2023”. August 8, 2023. <https://www.brecorder.com/news/40256805>

90 Amir Jahangir. “Unpacking implications of Pemra act amendments”. July 28, 2023. <https://www.geo.tv/latest/501227-unpacking-implications-of-pemra-act-amendments>

91 Digital Rights Monitor. “PDEA ‘alarmed’ over cabinet’s approval of E-Safety Bill, Personal Data Protection Bill, 2023”. July 28, 2023. <https://digitalrightsmonitor.pk/pdea-alarmed-over-cabinets-approval-of-e-safety-bill-personal-data-protection-bill-2023/>

92 Global network initiatives. “GNI Statement on Recent Digital Regulation Proposals in Pakistan”. July 28, 2023. <https://globalnetworkinitiative.org/gni-statement-on-recent-digital-regulation-proposals-in-pakistan/>

93 Abid Hussain. “Pakistan bans airing of Imran Khan speeches, suspends TV channel”. March 6, 2023. <https://www.aljazeera.com/news/2023/3/6/pakistan-bans-airing-of-imran-khan-speeches-suspends-ary-channel>

94 Kalbe Ali. “Bol News ‘off air’ for live coverage of PTI-police clashes”. March 19, 2023. <https://www.dawn.com/news/1742975/bol-news-off-air-for-live-coverage-of-clashes>

95 News Report. “Pemra bans live coverage of rallies, public gatherings”. March 19, 2023. <https://www.thenews.com.pk/print/1051593-pemra-bans-live-coverage-of-rallies-public-gatherings>

96 News Report. “Pemra bans live coverage of rallies, public gathering”. March 19, 2023. <https://www.thenews.com.pk/print/1051593-pemra-bans-live-coverage-of-rallies-public-gatherings>

97 The Nation. “PTI worker sentenced to 3 years in prison for maligning army”. February 16, 2023. https://hamariweb.com/enews/pti-worker-sentenced-to-3-years-in-prison-for-maligning-army_nid3581642.aspx

98 Dunya News. “PTI’s social media head Azhar Mashwani arrested”. March 24, 2023. <https://dunya.com/en/Pakistan/709570-PTI-%27s-social-media-head-Azhar-Mashwani-arrested>

99 TDG Network. “Imran Khan’s Instagram head abducted in Lahore”. <https://theguardian.com/imran-khans-instagram-head-abducted-in-lahore/>

100 News Desk. “PTI rally, Aurat March in limbo after Section 144 imposed in Lahore”. March 8, 2023. <https://thecurrent.pk/pti-rally-aurat-march-in-limbo-after-section-144-imposed-in-lahore/>

101 The Express Tribune. “Islamabad police baton-charge at Aurat March participants”. March 8, 2023. <https://x.com/etribune/status/1633413091944718337?s=20>

102 FORUM-ASIA. “[Statement] Pakistan: End Internet Shutdown and Arbitrary Arrests”. May 12, 2023. <https://forum-asia.org/statement-pakistan-end-internet-shutdown-and-arbitrary-arrests/>

103 Tribune. “Section 144 imposed across Punjab amid rising unrest”. May 09, 2023. <https://tribune.com.pk/story/2415857/section-144-imposed-across-punjab-amid-rising-unrest>

104 FORUM-ASIA. “[Joint Statement] Pakistan: End crackdown on political opposition”. May 23, 2023. <https://forum-asia.org/joint-statement-pakistan-end-crackdown-on-political-opposition/>

media blackouts,¹⁰⁵ and internet shutdowns,¹⁰⁶ highlighting the government's intolerance towards exercising the right to assembly.

As Pakistan prepared for its national elections, it is abundantly clear that the political opposition was pushed to the periphery, dissenting voices

were suppressed, and civil society space was constricted. The electoral process has been tainted by numerous violations, including rigging. It is high time that Pakistan's political leaders move beyond divisive and repressive politics, prioritising systemic change while upholding human rights and democratic principles.

¹⁰⁵ Hafsa Adil. "Ruined my livelihood: Pakistan internet shutdown hits millions". May 11, 2023. <https://www.aljazeera.com/news/2023/5/11/pakistan-internet-shutdown>

¹⁰⁶ Ali Imran. "Internet service in Pakistan to remain suspended for indefinite period: PTA". May 10, 2023. <https://www.geo.tv/latest/486535-internet-service-in-pakistan-to-remain-suspended-for-indefinite-period-pta>

Bangladesh



Journalists working at Rajshahi University (RU) demands abolition of DSA, release of Shams and Rahman Source: RU

The Digital Security Act (DSA), enacted in 2018 and replaced by the Cyber Security Act in 2023, has been weaponised by the government against journalists, activists, opposition, and anyone deemed a threat to the government. This legislation not only stifled freedom of expression and the press, but also fostered a climate of fear, with journalists facing legal action for their reporting on critical issues. For instance, in March 2023, staffers from Bangladesh's leading daily-journalist Shamsuzzaman Shams¹⁰⁷ and editor Matiur Rahman¹⁰⁸ - were sued under DSA following the former's reporting on rising food prices in the country, while journalist Adhora Yeasmeen¹⁰⁹

was investigated for her video report on alleged crimes involving the religious organisation Rajarbagh Darbar Sharif.

Mujtaba Danish of Somoy Television¹¹⁰ and his family similarly endured harassment under the DSA for exposing irregularities¹¹¹ in recruitment at Rangpur-based university, while actress Mahiya Mahi¹¹² found herself behind bars on questionable charges of 'defaming police' through social media. University student Khadijatul Kubra¹¹³ was held in pre-trial detention for over a year under DSA, and was repeatedly denied bail for hosting a webinar on campus politics.¹¹⁴

107 Faisal Mahmud. "Bangladesh journalist arrested after report on high food prices". March 29, 2023. <https://www.aljazeera.com/news/2023/3/29/bangladesh-journalist-arrested-after-report-on-high-food-prices>

108 Staff Correspondent. "Prothom Alo editor Matiur Rahman gets six-week anticipatory bail". April 2, 2023. <https://en.prothomalo.com/bangladesh/wc2umpvg5d>

109 TBS Report. "19 press freedom, human rights organisations urge dismissal of DSA case against journalist Adhora". August 30, 2023. <https://www.tbsnews.net/bangladesh/19-press-freedom-human-rights-organisations-urge-dismissal-dsa-case-against-journalist>

110 Bangladesh Samajbad Sangstha. "BFUJ expresses concern over harassment of journalist Mujtaba Danish". February 02, 2023. <https://www.bssnews.net/news/108575>

111 Mujtaba Danish. "Exclusive". February 1, 2023. <https://www.youtube.com/watch?v=vH8WwP1SBYc>

112 TBC Report. "Mahiya Mahi arrested in DSA case; sent to jail for 'defaming police'". March 18, 2023. <https://www.tbsnews.net/bangladesh/crime/2-cases-filed-against-actress-mahiya-mahi-husband-gazipur-601394>

113 Dhaka Tribune. "Amnesty: Bangladesh must immediately release JNU student Khadijatul Kubra". August 28, 2023. <https://www.dhakatribune.com/bangladesh/323799/amnesty-bangladesh-must-immediately-release-jnu>

114 Newage Desk. "Humanity for Bangladesh holds webinar on campus politics". September 30, 2020. <https://www.newagebd.net/article/116048/humanity-for-bangladesh-holds-webinar-on-campus-politics>

The law's selective application was evident in the case of Paritosh Sarkar,¹¹⁵ a Hindu teenager unjustly convicted to 5 years in jail, and put into solitary confinement¹¹⁶ for eight months while he underwent trial, for a social media post—without any evidence—amidst communal violence in the Pirganj district of Bangladesh. The case of Sultana Jasmine,¹¹⁷ who died in the custody of the Rapid Action Battalion (RAB), underscores the consequences of unchecked authority under DSA. Her interrogation lacked due process,¹¹⁸ with statements coerced and evidence obtained without proper legal oversight. An investigation also revealed signs of torture, illustrating a blatant disregard for human rights.

Amid international pressure and ahead of the General Elections, the Bangladeshi government repealed the DSA in September 2023 and replaced it with the CyberSecurity Act of 2023.¹¹⁹ However, this new legislation merely rebrands the oppressive elements of its predecessor, perpetuating a climate of impunity and authoritarianism. Despite purported public consultations, minimal changes were made to the draft, leaving intact the mechanisms for stifling dissent and curtailing fundamental freedoms.

Human rights defenders Adilur Rahman Khan and ASM Nasiruddin Elan were sentenced to two years in jail by the Dhaka Cyber Tribunal.¹²⁰ Although later released on bail, the two leaders of Odhikar were booked for a fact-finding report on extrajudicial killings. Nobel Laureate Muhammad Yunus¹²¹ also faces relentless legal persecution, accused of breaching Bangladesh's labour laws—an allegation vehemently decried by his supporters as politically motivated. Yunus' trial started in September and is deemed as a retaliation for his work and activism.

The government has actively pursued additional laws to tighten control over the media and restrict civic space. The proposed Data Protection Act of 2023¹²² is the country's first data privacy law and establishes restrictions related to data, storage, processing and transfer. However, it is a double-edged sword and could become a tool for widespread government surveillance.¹²³ If passed, this legislation would enable further human rights abuses under the guise of data governance, exacerbating the misuse of power.

In the run-up to national elections, the Sheikh Hasina-led government resorted to widespread violence to quell protestors and suppress political dissent. In February, the government shut down the main opposition party, the Bangladesh Nationalist Party's (BNP) newspaper, Dainik Dinkal.¹²⁴ In July, the opposition also claimed that the government was using internet shutdowns,¹²⁵ a new digital weapon, in addition to spying on the smartphones of the opposition leader, thus violating their right to privacy.

In response to demands for resignation expressed through mass rallies and demonstrations led by the BNP in October 2023,¹²⁶ the government employed disproportionate tactics, including the use of tear gas, batons, and rubber bullets, resulting in the deaths of 17 individuals, including journalists, and leaving over 8,000 opposition party members injured. Additionally, the crackdown on opposition parties,¹²⁷ in particular the BNP, has been relentless with more than 20,000 activists arrested—five of whom also died in prison. These actions contravene the rights to peaceful assembly and association, undermining fundamental freedoms and democratic principles.

115 Staff Correspondent. The Daily Star. "DSA Case: Poritosh gets 5 years in jail". February 09, 2023. <https://www.thedailystar.net/news/bangladesh/crime-justice/news/dsa-case-poritosh-gets-5-years-jail-3242776>

116 Staff Correspondent. The Daily Star. "DSA Case: Poritosh gets 5 years in jail". February 09, 2023. <https://www.thedailystar.net/news/bangladesh/crime-justice/news/dsa-case-poritosh-gets-5-years-jail-3242776>

117 Dhaka Tribune. "RAB arrests prime accused in DSA case against Sultana Jasmine". March 30, 2024. <https://www.dhakatribune.com/bangladesh/283024/rab-arrests-prime-accused-in-dsa-case-against>

118 M Moneruzzaman and Iqbal Mahmud. New Age. "DSA gives no power to RAB to deal with". March 28, 2023. <https://www.newagebd.net/article/198012/dsa-gives-no-power-to-rab-to-deal-with>

119 Durga M Sengupta. "Bangladesh revised a digital security law. Is it really less severe?". September 20, 2023. <https://restofworld.org/2023/south-asia-newsletter-bangladesh-cyber-security-act/>

120 Aljazeera. "Bangladesh court jails prominent rights activists for two years". September 14, 2023. <http://www.aljazeera.com/news/2023/9/14/bangladesh-court-jails-prominent-rights-activists-for-two-years>

121 Aljazeera. "Bangladesh convicts Nobel laureate Muhammad Yunus in labour law case". January 01, 2024. <https://www.aljazeera.com/news/2024/1/1/nobel-laureate-muhammad-yunus-convicted-in-bangladesh-labour-law-case>

122 Aljazeera. "Bangladesh convicts Nobel laureate Muhammad Yunus in labour law case". January 01, 2024. <https://www.aljazeera.com/news/2024/1/1/nobel-laureate-muhammad-yunus-convicted-in-bangladesh-labour-law-case>

123 Staff Correspondent. The Daily Star. "Data Protection Act: Entire society will be under surveillance". April 18, 2023. <https://www.thedailystar.net/news/bangladesh/news/data-protection-act-entire-society-will-be-under-surveillance-3299431>

124 Aljazeera. "Bangladesh shuts down main opposition party's newspaper". February 20, 2023. <https://www.aljazeera.com/news/2023/2/20/bangladesh-shuts-down-main-opposition-partys-newspaper>

125 AA News Desk. Daily Asian Age. "Internet shutdown' used as weapon to suppress opposition: Fakhru". July 24, 2023. <https://dailyasianage.com/news/309619/internet-shutdown-used-as-weapon-to-suppress-opposition-fakhru/>

126 Reuters. "Bangladesh opposition protest turns violent amid calls for PM to resign". October 28, 2023. <https://www.reuters.com/world/asia-pacific/bangladesh-opposition-protest-turns-violent-amid-calls-pm-resign-2023-10-28/>

127 Mubashar Hasan. "Crackdown on Bangladesh Nationalist Party Hasn't Broken its Morale Yet". December 18, 2023. <https://thediplomat.com/2023/12/crackdown-on-bangladesh-nationalist-party-hasnt-broken-its-morale-yet/>

Following what many have deemed a dummy-cratic election,¹²⁸ Sheikh Hasina secured her fifth term as Bangladesh's prime minister. In her previous tenures, Bangladesh has retained practices and legislation that restrict fundamental freedoms, sparking concerns over democratic backsliding.

Now as the country stands at acrossroads, it becomes increasingly crucial to sustain international pressure and ensure that fundamental freedoms and human rights are respected. That is the only way Bangladesh can pave the way towards a brighter, democratic future.

¹²⁸ Razekuzzaman Ratan. A 'dummy-cratic' election in democratic Bangladesh? Friday 5, 2024 <https://www.thedailystar.net/opinion/road-elections-2023-24/news/dummy-cratic-election-democratic-bangladesh-3510821>

Sri Lanka



Throughout 2023, Sri Lankan authorities repeatedly used excessive force—including the use of water cannons, tear gas, and arrests—against peaceful protests in various regions. In Jaffna, Maradana,¹²⁹ and Kandy¹³⁰ demonstrators, including Tamil protestors and students, faced severe police action. The National People’s Power Party’s rally¹³¹ faced similar violence, resulting in 15 injuries. A protester’s death¹³² in Colombo underscored the police’s extreme measures. Authorities disrupted demonstrations—marking the first-anniversary¹³³ of anti-government protests—leading to the arrest and later release of several protest leaders.

Additionally, students protesting for the release of detainees, as well as Al Jazeera journalists were subjected to tear gas and water cannons.¹³⁴

Journalists have faced harassment, surveillance, and threats for their reporting, particularly covering protests, along with online intimidation and smear campaigns. For instance, journalist Tharindu Uduwaragedara¹³⁵ was assaulted and unlawfully detained by the Borella Police while covering a protest in Colombo. Ramachandran Sanath¹³⁶—an independent Tamil journalist and human rights defender— was summoned for interrogation by the Terrorism Investigation Department. At the Kakkuthoduvai mass grave excavation, two

129 Tamil Guardian. Sri Lankan police use water cannons to disperse Tamil protesters in Jaffna”. January 12, 2023. <https://www.tamilguardian.com/content/sri-lankan-police-use-water-cannons-disperse-tamil-protesters-jaffna>

130 Colombo gazette. “Police fire tear gas on Kandy protest”. February 19, 2023 <https://colombogazette.com/2023/02/19/police-fire-tear-gas-on-kandy-protest>

131 Krishan Francis. Independent. “Sri Lanka police fire tear gas at election protest; 15 hurt”. February 26, 2023. <https://www.independent.co.uk/news/world/americas/us-politics/sri-lanka-ap-ranil-wickremesinghe-police-colombo-b2289867.html>

132 Tamil Guardian. “Amnesty International urges Sri Lankan police to show restraint”. February 28, 2023. <https://www.tamilguardian.com/content/amnesty-international-urges-sri-lankan-police-show-restraint>

133 Sakuna Jayawardena. World Socialist Website. “Sri Lankan police attack rally to mark start of last year’s popular uprising”. April 12, 2023. <https://www.wsws.org/en/articles/2023/04/13/xsry-a13.html>

134 Aljazeera. “Tear gas, water cannon fired on protesting Sri Lankan students”. June 7, 2023. <https://www.aljazeera.com/news/2023/6/7/tear-gas-water-cannon-fired-on-protesting-sri-lankan-students>

135 International Federation of Journalists. “Sri Lanka: Journalist assaulted and detained at protest”. July 31, 2023. <https://www.ifj.org/media-centre/news/detail/category/press-releases/article/sri-lanka-journalist-assaulted-and-detained-at-protest>

136 Tamil Guardian. “Tamil human rights activist summoned for interrogation by Sri Lankan Terrorist Investigation Department”. April 12, 2023. <https://www.tamilguardian.com/content/tamil-human-rights-activist-summoned-interrogation-sri-lankan-terrorist-investigation>

journalists¹³⁷ were forcibly removed, obstructing their professional duties. Photojournalist Elke Scholiers¹³⁸ was restricted access to the Tamil island Iranaithivu occupied by the Sri Lankan military.

Comedian Nathasa Edirisooriya¹³⁹ was detained for her stand-up act, accused of hate speech and insulting Buddhism. Beyond legal repercussions under the International Convention on Civil and Political Rights (ICCPR) Act No. 56 of 2007, she faced online harassment, including threats of rape and violence, with her location exposed publicly. Additionally, Bruno Divakara¹⁴⁰—the owner of the YouTube channel hosting Nathasa's video— was also summoned and arrested.

Despite a moratorium imposed by the previous government, Wickremesinghe's administration has continued to wield the Prevention of Terrorism Act (PTA) against dissenting voices, including against lawyer Hejaaz Hizbullah¹⁴¹ (who was detained for nearly two years in 2020) and student leader Wasantha Mudalige¹⁴² (now released). Reportedly, more than 200 Tamil political prisoners¹⁴³ are currently held in various prisons and detention centres in Sri Lanka, some of them facing charges under PTA. There have been multiple protests¹⁴⁴ in Jaffna and Mannar demanding the repeal of PTA and the release of political prisoners. In November, ten individuals were arrested under the PTA in Batticaloa¹⁴⁵ during the 'Maaveerar Naal' (Heroes' Day) commemorations, remembering the cadre of Liberation Tigers of Tamil Eelam (LTTE) who died in the country's civil war.

The revised Anti-Terrorism Bill,¹⁴⁶ intended to replace the PTA, vaguely and over broadly defines

acts of 'terrorism', limits judicial oversight of detention orders, and restricts the Human Rights Commission's access to detention facilities, among other concerning aspects. Protests broke out in Sri Lanka's northern and eastern provinces,¹⁴⁷ led by opposition and minority groups, fearing they could be labelled terrorists for exercising their right to protest. Amidst protests by civil society organisations and rights groups, Sri Lanka also passed the Online Safety Bill¹⁴⁸ to regulate online content. The bill's vague definitions of 'harmful content' and 'illegal content' leave room for potential abuse and censorship of legitimate dissent.

Additionally, the establishment of a five-member Online Safety Commission with the power to remove content without judicial oversight and impose jail terms lacks transparency and accountability, raising fears of politically motivated censorship. This could negatively impact freedom of speech and expression, hindering public discourse and dissent, while also raising concerns about mass surveillance and privacy rights violations.

In June 2023, Sri Lanka's Public Security Minister called for the mandatory registration¹⁴⁹ of non-governmental organisations to 'monitor them closely' – further threatening the ability of civil society organisations to operate independently. The proposed Commission for Truth Unity and Reconciliation¹⁵⁰ in Sri Lanka, aimed at investigating wartime abuses, lacks genuine commitment and fails to fulfil international legal obligations. Sri Lanka requires a credible, fair, and inclusive process that comprehensively addresses past atrocities and bridges ethnic divides in the country.

137 Tamil Guardian. "Journalists harassed during Kokkuthoduva mass grave excavation". September 9, 2023. <https://www.tamilguardian.com/content/journalists-harassed-during-kokkuthoduva-mass-grave-excavation>

138 Tamil Guardian. "Sri Lankan military restricts journalist access to Iranaithivu". October 1, 2023. <https://www.tamilguardian.com/content/sri-lankan-military-restricts-journalist-access-iranaithivu>

139 Wasantha Rupasinghe. World Socialist Website. "Arrested Sri Lanka comedian Natasha Edirisooriya granted bail" July 13, 2023 <https://www.wsws.org/en/articles/2023/07/13/riik-13.html>

140 News First. "Activist Bruno Divakara arrested for publishing Natasha's content". May 31, 2023. <https://www.newsfirst.lk/2023/05/31/activist-bruno-divakara-arrested-for-publishing-natasha-s-content>

141 Meera Srinivasani. The Hindu. "Sri Lankan court grants bail to long-held rights lawyer in 2019 Easter bombings case". <https://www.thehindu.com/news/international/sri-lankan-court-grants-bail-to-long-held-rights-lawyer-in-2019-easter-bombings/article38391333.ece>

142 Peoples Dispatch. "Sri Lankan student activist Wasantha Mudalige released from prison". February 02, 2023. <https://peoplesdispatch.org/2023/02/02/sri-lankan-student-activist-wasantha-mudalige-released-from-prison/>

143 Peoples Dispatch. "Three Tamil political prisoners freed in Sri Lanka after 14 years of incarceration". April 8, 2023. <https://peoplesdispatch.org/2023/04/08/three-tamil-political-prisoners-freed-in-sri-lanka-after-14-years-of-incarceration/>

144 Tamil Guardian. "Protests in Jaffna and Mannar against Sri Lanka's draconian Anti Terrorism Act". April 21, 2023. <https://www.tamilguardian.com/content/protests-jaffna-and-mannar-against-sri-lankas-draconian-anti-terrorism-act>

145 Meera Srinivasan. The Hindu. "Arrests using 'draconian' anti-terrorism law spark concern in Sri Lanka". December 2, 2023. <https://www.thehindu.com/news/international/arrests-using-draconian-anti-terrorism-law-sparks-concern-in-sri-lanka/article67595014.ece>

146 International Commission of Jurists. Sri Lanka: Revised version of anti-terror bill threatens human rights. September 25, 2023 <https://www.icj.org/sri-lanka-revised-version-of-anti-terror-bill-threatens-human-rights/>

147 The Telegraph Online. "Sri Lanka: Protests held in northern, eastern provinces over anti-terror bill". April 25, 2023. <https://www.telegraphindia.com/world/sri-lanka-protests-held-in-northern-eastern-provinces-over-anti-terror-bill/cid/1932253>

148 Udiitha Jayasinghe. Reuters. "Sri Lanka passes new law to regulate online content". January 24, 2024. <https://www.reuters.com/world/asia-pacific/sri-lanka-passes-new-law-regulate-online-content-2024-01-24/>

149 Tamil Guardian. "Sri Lankan Minister calls for NGOs to be monitored closely". June 13, 2023. <https://www.tamilguardian.com/content/sri-lankan-minister-calls-ngos-be-monitored-closely>

150 James Joseph. Jurist News. "Sri Lanka to establish an independent commission for truth and reconciliation" December 9, 2023. <https://www.jurist.org/news/2023/12/sri-lanka-to-establish-independent-commission-for-truth-and-reconciliation/>

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The laws and policies in these countries have paved the way towards institutionalising a system of unquestioned authoritarianism. FORUM-ASIA continues to track these developments, with the help of its members and partners, and to advocate against their use. For more information, go to: <https://hrlaw.forum-asia.org/>

Please note that the countries under observation are determined based on a prior assessment conducted in the Repressive Laws Mapping and Monitoring website. We plan to expand our coverage to include additional countries in the future.



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