

# CIVIC FREEDOM DIGEST:

## TRENDS IN THE ASIA-PACIFIC REGION



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ICNL works throughout Asia alongside local partners to address civic space issues. Despite the trend of restrictive government control, civil society remains dynamic, finding new ways to adapt and challenge constraints, including through active protest movements in Hong Kong, India, and Southeast Asia.

ICNL's **Civic Freedom Monitor** details the state of civic freedoms in 54 countries, including 10 in the Asia-Pacific region. Each country report provides a legal snapshot of civic space issues, as well as recent developments. This issue of the Civic Freedom Digest highlights some of the most significant trends in the Asia-Pacific region.

## CHALLENGES



**Crackdowns on protests:** As activism grows, new threats to freedom of assembly have emerged. Authorities in **India** have responded to mass protests against the Citizenship Amendment Act with draconian, colonial-era sedition laws and assembly bans, as well as widespread police brutality. **Hong Kong's** mask ban law and restrictive assembly measures continue to have deep impact across the region. Meanwhile, **Indonesia** has forcefully repressed protests in West Papua, and violence against activists in **Thailand** and **Cambodia** continues to limit civic space.



**Laws on cybercrime and 'fake news':** Efforts to control discourse have shifted to new platforms, with cybercrime and "anti-fake news" laws proliferating. Following **Singapore's** lead, both **Malaysia** and the **Philippines** drafted damaging fake news laws that chill free expression and restrict civic space. **Bangladesh** and **Pakistan's** digital security acts also threaten protected speech, while "lèse majesté" laws in **Cambodia** and **Thailand** criminalize negative speech against members of the royal family.



**Repression of at-risk groups:** Resource scarcity, climate pressures, migration, and large-scale development have exacerbated conflict and increased government crackdowns on marginalized communities. From Kashmir in **India**, Rakhine in **Myanmar**, Tibet and Xinjiang in **China**, and West Papua in **Indonesia**, communities in resource-rich or semi-autonomous regions are being repressed, resulting in serious restrictions on civic space. Religious minorities are also at risk, including in India, Myanmar, and **Sri Lanka**. Human rights defenders, journalists, environmental activists, and migrants are increasingly subject to violence and harassment across the region.



**Barriers to free information:** **India**, **Myanmar**, **Cambodia**, and **Indonesia** have drafted or enacted various measures restricting the right to information by limiting and criminalizing public access to information and government records. For instance, Myanmar's draft National Records and Archive Bill proposed criminalizing unauthorized information access and classifying all records as secret or restricted.



**Counterterrorism restrictions:** Governments in **China**, **Pakistan**, **Myanmar**, **India**, **Sri Lanka**, and the **Philippines** have used counterterrorism and security legislation to restrict cross-border funding and the operation of international non-profits. Additionally, burdensome reporting requirements are justified as a response to assessments by the Financial Action Task Force, a global policy-making body addressing money laundering and terrorist financing.



**Internet shutdowns and cybersurveillance:** Governments have enforced shutdowns to restrict communication and online gatherings in **Cambodia**, **Myanmar**, **Hong Kong**, **India**, **China**, **Sri Lanka**, and **Indonesia**. China has reportedly exported cybersurveillance technology to India, where prominent activists and journalists have been targeted.

# LOOKING FORWARD

Despite these challenges, civil society in the Asia-Pacific region continues to win meaningful victories for civic space. These examples highlight opportunities for civil society and the development of effective laws and practices in the region:



**Positive reforms:** **Malaysia** repealed its Anti-Fake News Bill (2018) in October 2019. In **Pakistan**, the National Commission for Human Rights issued new guidelines on the protection of human rights defenders, with substantial input from the Pakistan Human Rights Defenders Network and other civil society organizations. The Government of **Afghanistan** and civil society groups signed a memorandum of understanding in July 2019 to improve cooperation at the provincial level.



**Voluntary and progressive registration:** **Myanmar's** 2014 Associations Law continues to affirm the right to voluntary registration, although implementation challenges remain. ICNL is working to encourage civil society efforts around enabling registration regimes in **Nepal, Malaysia, Mongolia,** and **Sri Lanka.**



**Mobilization of youth and social movements:** Youth groups have leveraged digital technology to become increasingly active, from climate activism in **Indonesia** and minority rights in **India**, to movements for democratic and electoral rights in **Hong Kong, Taiwan,** Indonesia, **Thailand,** and the **Philippines.**



**Self-regulation:** Non-profits are developing codes of conduct and high sectoral standards to improve operations and accountability. Self-regulation initiatives are underway in **India, Sri Lanka, Nepal,** and **Myanmar.** Organizations in **Cambodia** have established a Voluntary Certification Scheme and the **Philippines** has a longstanding Philippine Council for Nonprofit Certification (PCNC).



**Growth of social enterprise and philanthropy:** Interest in social enterprises and other hybrids is growing in **South Korea, Thailand, Vietnam, Malaysia,** and **India.** These governments have passed legislation or devised funding mechanisms to encourage the development of social enterprises. Philanthropy is also on the rise, with the number of domestic givers, especially in **India** and **China,** increasing rapidly. Impact investing – intended to create positive social impact alongside financial return – is expanding throughout the region.

*The Civic Freedom Digest outlines key challenges and opportunities that emerging trends may pose to civic freedoms, using the information in the ICNL [Civic Freedom Monitor](#) as a lens. This brief overview is not intended to be an exhaustive review of all issues facing civic space, but rather a snapshot of some of the most significant recent developments; similarly, the countries we've chosen to highlight are illustrative only.*

Explore the full Civic Freedom Monitor here:

<http://bit.ly/ICNL-CFM>

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